

# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes

Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, November 21, 2013**  
**12:00 p.m.**  
**Regular Meeting**

COMMISSIONERS PRESENT: Fong, Wu, Antonini, Borden, Hillis, Moore  
COMMISSIONER ABSENT: Sugaya

THE MEETING WAS CALLED TO ORDER BY PRESIDENT FONG AT 12:12 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Brittany Bendix, Aaron Starr, Pilar LaValley, Kimia Haddadan, Michael E. Smith, Erika Jackson, and Jonas P. Ionin – Commission Secretary.

### A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2012.1427E (K. ZUSHI: (415) 575-9036)  
SHARP PARK SAFETY, INFRASTRUCTURE IMPROVEMENT, AND HABITAT ENHANCEMENT PROJECT - The project site is located within Sharp Park in the City of Pacifica, San Mateo County - **Appeal of Preliminary Mitigated Negative Declaration** for: 1) the construction of a perennial pond, approximately 1,600 sf in size, located approximately 400 to 500 feet southeast of Horse Stable Pond (HSP); 2) realignment of a portion of an existing golf cart path located west of the fairway for golf course hole number 14 and east of the tee box for golf course hole number 15; 3) removal of sediment and emergent vegetation within HSP and the connecting channel that links HSP with Laguna Salada (LS); 4) construction of steps and a maintenance walkway approximately 4.6 feet in width at the existing HSP pumphouse; and 5) replacement of a wooden retaining wall near the pumphouse with a

concrete retaining wall at the existing HSP pumphouse. The proposed project is being constructed in accordance with a Biological Opinion issued by the U.S. Fish and Wildlife Service (USFWS) and is separate and independent from the proposed Significant Natural Resource Areas Management Plan (SNRAMP), which is currently undergoing separate environmental review.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration  
(Proposed for Continuance to December 5, 2013)

SPEAKERS: None  
ACTION: Continued to December 5, 2013  
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
ABSENT: Sugaya

- 2a. 2011.0477C (D. VU: (415) 575-9120)  
1900 19<sup>TH</sup> AVENUE - east side of 19<sup>th</sup> Avenue at Ortega Street; Lot 028 in Assessor's Block 2116 and Lot 019A in Assessor's Block 2055 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 303, 703.4, Formula Retail, 710.21 Nonresidential Use Size and 710.27, Hours of Operation to develop a Formula Retail pharmacy store (d.b.a. CVS Pharmacy) with an off-sale beer and wine license. The project will expand the retail space within the existing building from 14,667 square feet to 16,366 square feet. The hours of operation for the store will be 6 A.M. to 2 A.M. within a NC-1 Neighborhood Commercial Cluster District and 40-X Height and Bulk District.  
Preliminary Recommendation: Pending  
(Continued from Regular Meeting of September 26, 2013)  
(Proposed for Indefinite Continuance)

SPEAKERS: None  
ACTION: Continued Indefinitely  
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
ABSENT: Sugaya

- 2b. 2011.0477V (D. VU: (415) 575-9120)  
1900 19<sup>TH</sup> AVENUE - east side of 19<sup>th</sup> Avenue at Ortega Street; Lot 028 in Assessor's Block 2116 and Lot 019A in Assessor's Block 2055 - **Request for Variance** from the requirements of Planning Code Section 152, Off-Street Freight Loading, to allow a 16,366 square foot pharmacy store with no off-street loading. Planning Code Section 152 requires one off-street freight loading space for buildings with a floor area between 10,001 and 60,000 square feet within a NC-1 Neighborhood Commercial Cluster District and 40-X Height and Bulk District.  
(Continued from Regular Meeting of September 26, 2013)  
(Proposed for Indefinite Continuance)

SPEAKERS: None  
ACTION: Continued Indefinitely

## B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or

staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

3. [2013.1104Q](#) (B. BENDIX: (415) 575-9114)  
240-250 PRECITA AVENUE - south side, between Shotwell Street and Emmett Court, Lot 098 in Assessor's Block 5517 - **Request for Condominium Conversion Subdivision** to convert a four-story, six-unit building into residential condominiums within a RH-2 (Residential, House, Two-Family) Zoning District, the Bernal Heights Special Use District and 40-X Height and Bulk District.  
 Preliminary Recommendation: Approve

SPEAKERS: None  
 ACTION: Approved  
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
 ABSENT: Sugaya  
 MOTION: 19023

4. [2013.1459Q](#) (B. BENDIX: (415) 575-9114)  
223-227A GUERRERO STREET - east side, between 14<sup>th</sup> and 15<sup>th</sup> Streets, Lot 015 in Assessor's Block 3546 - **Request for Condominium Conversion Subdivision** to convert a four-story, six-unit building into residential condominiums within a RTO-M (Residential, Transit-Oriented – Mission Neighborhood) Zoning District and 45-X Height and Bulk District.  
 Preliminary Recommendation: Approve

SPEAKERS: None  
 ACTION: Approved  
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
 ABSENT: Sugaya  
 MOTION: 19024

5. [2013.1460Q](#) (B. BENDIX: (415) 575-9114)  
624A-624E NATOMA STREET - north side, between 7<sup>th</sup> and 8<sup>th</sup> Streets, Lot 047 in Assessor's Block 3727 - **Request for Condominium Conversion Subdivision** to convert a three-story, five-unit building into residential condominiums within a RED (Residential Enclave District) Zoning District, the Western SoMa Special Use District and 40-X Height and Bulk District.  
 Preliminary Recommendation: Approve

SPEAKERS: None  
 ACTION: Approved  
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
 ABSENT: Sugaya  
 MOTION: 19025

6. [2013.1285C](#) (P. LAVALLEY: (415) 575-9084)  
1095 MARKET STREET - southeast corner of Market and 7<sup>th</sup> Streets, Assessor's Block 3703, Lot 059 - **Request for an amendment to the conditions of approval for a previously approved Conditional Use Authorization under Planning Code Sections 216(b) and 303.** The proposal would extend the performance period for an additional three years for a previously approved project (Motion No. 18199, Case No. 2009.1100C) to convert the

building use from office to a 42,000 square foot, 94-room, R-1 occupancy hostel/hotel with 2,500 square feet of ground floor commercial (restaurant) use, 3,500 square feet of nighttime entertainment use, and two rooftop terraces totally 8,500 square feet, and to seismically strengthen and rehabilitate the existing historic 9-story (including basement) building. The building is listed as a Category I (Significant) Building within Article 11 of the Planning Code. On October 6, 2010, the Historic Preservation Commission granted a Permit to Alter with conditions for Case No. 2009.1100H. The amendment proposes no changes to the design or intensity of the project as originally approved. The subject building is in a C-3-G (Downtown General) Zoning District, and 90-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions  
(Continued from Regular Meeting of November 7, 2013)

SPEAKERS: - Ed Ilumin – 1095 Market  
+ Jim Abrams – Authorization extension  
+ April Veneracion, Aide to Supervisor Kim - Vacancy non-profit corridor along mid-Market

ACTION: Approved with Conditions as amended to include:  
1. Site Permit application within 1 year; and  
2. First Construction permit application within 2 years.

AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
ABSENT: Sugaya  
MOTION: 19027

7. [2013.1328C](#) (D. HARRIS: (415) 575-9102)  
1650 MISSION STREET - located on the west side between South Van Ness Avenue and Plum Streets; Lot 008 in Assessor's Block 3512 - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 731.83 and 303 to convert 1,003 square feet of existing Limited-Restaurant use at the ground floor to Public Use for City offices at the subject property. The remaining 1,305 square feet will remain Limited-Restaurant use, which will not be Formula-Retail. Subject property is located within a NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) Zoning District and 85-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None  
ACTION: Continued to December 12, 2013  
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
ABSENT: Sugaya

8. [2013.1400T](#) (A. STARR: (415) 558-6362)  
AMENDMENTS TO THE PLANNING CODE, AMENDING SECTION 410.10 [BOARD FILE NO. 13-0864] - **Ordinance amending the Planning Code** to transfer proposed child care facility oversight from the Department of Children, Youth and Their Families to the Office of Early Care and Education; and making environmental findings.  
Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: None  
ACTION: Adopted a Recommendation for Approval  
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
ABSENT: Sugaya  
RESOLUTION: 19026

## C. COMMISSION MATTERS

### 9. Consideration of Adoption:

- [Draft Minutes for November 7, 2013](#)

SPEAKERS: None  
ACTION: Adopted as Corrected  
AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
ABSENT: Sugaya

Adoption of Commission Minutes – Charter Section 4.104 requires all commissioners to vote yes or no on all matters unless that commissioner is excused by a vote of the Commission. Commissioners may not be automatically excluded from a vote on the minutes because they did not attend the meeting.

### 10. Commission Comments/Questions

- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

### Commissioner Antonini:

Thank you. I just returned from my first trip to New Orleans, and unfortunately I couldn't bring home a 49ers victor, but there were some things I noticed there. There are a lot of similarities between our two cities particularly in terms of tourism, and I saw virtually no graffiti, trash, no one sleeping in doorways or on the street, in my entire visit to New Orleans. We didn't just stay in the French Quarter we went to all parts of the city including seeing some of the devastation from Katrina. There was only one panhandler that verbally asked for money in the five days that I was there. There was a huge convention of the American Association of Ophthalmologists, so obviously there were a lot of people there that were from out of town. A couple of other things that was impressive, the parks were closed between 10:00 PM and 6:00 AM and it is posted on all the parks, which I believe we started to take some steps in that direction. They have a lot of streetcars, in addition to the famous St. Charles Streetcar, which most people know about it. They've got a lot of streetcars on Canal Street and other locations, including the waterfront and their historic streetcars as we have here in San Francisco. They're extremely well run and very successful and it's something that we should look at as to extensions of the ones we do have to areas of the City, because people enjoy riding them. It's not so much just to get to a place, but it's the manner in which you get there. They are very popular and the other thing that is there, which is very successful is the Superdome and the basketball arena right next to it and it was really refreshing to come out of football game, 70 thousand people and probably, 68 thousand of them were on foot. I mean, there probably is a little bit of parking to the north

there, but most people come to New Orleans stay overnight and attend the games in that manner. So, it's unfortunate we will not have an arena – or we may have an arena for basketball, but probably not for the next thirty years, will we have a football stadium in the downtown area of San Francisco. It was an enjoyable trip, and the other thing I noted, the restaurants do extremely well, as you might expect, they have large conventions there, but they actually have some dress codes, which is refreshing to see, for a change, and three of the four restaurants we dined at, men had to wear a sports coat when they were there. These weren't high-end places they were sort of middle of the road type of places, but there's a certain decorum that they have, that we have lost over the last few years. Otherwise I'm glad to be back, the heat and humidity, even in November is a little tough to take.

#### D. DEPARTMENT MATTERS

##### 11. [Director's Announcements](#)

#### DIRECTOR RAHAIM:

Just one announcement today Commissioners, I wanted to let you know about, we have released the final Administrative Draft of the Recreation Open Space Element of the General Plan. We've been working back and forth with several stake holder groups. That was released two days ago and we will be getting you copies. We anticipate that we will come to you next month to initiate the process and we are looking at roughly a February time frame for action after several other public meetings and hearings at the Recreation and Park Commission. And related to that, there will be an open house on December the 4th from 5:30 - 7:30 PM at the LGBT Center on Market Street. That will be a joint open house, for the ROSE, the Recreation Open Space Element and the Green Connections Project, which has also been finalized recently. Those two projects together, will be the subject of that open house, again, December 4th from 5:30-7:30 PM at the LGBT Center which is at 1800 Market Street. That concludes my announcements.

##### 12. Review of Past Week's Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

#### LAND USE COMMITTEE: None

#### FULL BOARD OF SUPERVISORS:

- **Supervisor Avalos's Outer Mission NCD was approved on FINAL read.** This Commission heard the item in April of this year and recommended approval with modifications. The new NCD would replace existing minimum parking requirements with maximum parking controls, prohibit fringe financial services, offer a 5' height bonus for active uses and institute a buffer between medical cannabis dispensaries. If you recall, the most controversial aspect of this ordinance was prohibiting new MCDs from locating within 500 feet of an existing MCD. The Commission's substantive recommendation was to require Conditional Use for MCDs within 500 of another MCD, rather than banning them outright. The Supervisor integrated all of the Commission's recommendations into the revised Ordinance.
- **Also at the Board was Supervisor Avalos's Ordinance that would direct the Planning Commission to submit a report to the Board of Supervisors evaluating the Planning Code controls for medical cannabis dispensaries.** This ordinance would require the report to be delivered to the Board by Jan 1, 2014. Although this ordinance is not yet law, we've known about Supervisor Avalos' request since early this summer. As such, Planning staff have already started the report and have tentatively reserved space on the Commission's 12/5 agenda. At the Board hearing this week Supervisor Campos expressed concern that this important issue needs more time for outreach—and he amended the ordinance to change the report deadline to May 1<sup>st</sup>, while also emphasizing

that the Commission could submit a report earlier if appropriate **This item was approved on FINAL READ with the amended date.** Staff is working to bring this report forward to the Commission in January.

#### INTRODUCTIONS:

- **131121 Third Street Alcohol RUD.** Amending the Third Street Alcohol Restricted Use District, to allow Alcoholic Beverage Control (ABC) Type 2, "Winegrower" licenses. Cohen.
- **131120 Broadway Alcohol Restricted Use District.** Amending the Planning Code & Zoning Map, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street. Chiu
- **131117 DRAFT Charter Amendment:** Municipal Transportation Agency (MTA): Equity Analysis, Supplemental Appropriation to the Transportation Fund, MTA Inspector General, Limits on Fare Increases, Free Muni for Youth, Transit Impact Fee. This Charter amendment would make improving equity a core goal of the Municipal Transportation Agency; require public hearings and written contracts for any contracts between the MTA and other City departments; require an annual Equity Analysis evaluating MTA services; allocate a Supplemental Appropriation to the Transportation Fund prioritized to mitigating deficiencies identified in the Equity Analysis; establish an office of the MTA Inspector General; limit increases in fares to the increase in the Consumer Price Index; not charge youth age 18 and under to ride the Municipal Railway; and adopt a Transit Impact Fee. Avalos, Mar, Campos, Kim & Yee.
- **131138 Hearing on Rodework & Infrastructure Oversight.** Hearing directed to the Department of Public Works, Municipal Transportation Agency, Public Utilities Commission, and Pacific Gas and Electric Company to explore a number of issues, including which projects are occurring where, including sewer, water, natural gas, and road resurfacing, and what the benefits of these infrastructure improvements are; how the projects are coordinated to comply with the City's mandate that once a road is resurfaced that no work will be done for 5 years -- absent an emergency -- to minimize repetitive street disruption; why some blocks remain under construction for very extended periods of time, with on-again-off-again work and repetitive digging; how blocks are chosen in terms of scheduling work; how many blocks are worked on annually and what the future schedule looks like; how departments are minimizing disruptions to the public caused by road work (parking, traffic detours, noise, dust, etc.); how contractors are held accountable for completing work in a timely manner, complying with contractual requirements, delivering high quality work, and minimizing impacts on surrounding neighbors; why some blocks, after undergoing utility work, only get paved on one side of the street and what we can do to prevent this; why it takes so long for MTA to re-stripe repaved roads, often months after the repaving is complete; how the various projects are funded and what the cost is per block; what our goals are for improving pavement conditions. Wiener.
- **Interim Zoning Controls - Building Permits for Commercial Buildings in an Area Bounded by Market, Second, Brannan, Division, and South Van Ness Streets.** This resolution would imposing interim zoning controls to require that for a 12-month period in the area that is generally Market Street and most of SoMa<sup>1</sup>: 1) certain building permits for commercial buildings shall require the posting of a notice and a 15-day delay in starting the work; and 2) the re-establishment of a commercial use that has been converted to residential use shall require Planning Commission approval through either an authorization under Planning Code, Section 320, Annual Office Limit. or a CU authorization Kim.

#### BOARD OF APPEALS:

The Board of Appeals met last night and heard one case of interest to the Planning Commission.

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<sup>1</sup> bounded by Market Street from Van Ness Street east to 5th Street on the north side and east to 2nd Street on the south side, 2nd Street south to Brannan Street, Brannan Street west to Division Street, and South Van Ness Street north to Market Street

**Large Project Authorization for 480 Potrero Avenue (6-stories, 75 DUs, 47 parking spaces):**

- MND appealed to Planning Commission;
- MND upheld by PC on August 8, 2013;
- LPA approved by PC on August 8, 2013;
- MND appealed to Board of Supervisors;
- MND upheld by Board of Supervisors on October 22, 2013;
- Appellants made same arguments at Board of Appeals as they did at the Planning Commission hearing;
- Two Commissioners were recused due to conflicts of interest;
- Board of Appeals upheld the LPA on a 3-0 vote.

The Board was also scheduled to hold what was assumed to be its third and final hearing for a building permit at 68 Presidio Ave to expand its existing roof deck and make other minor improvements. However, the appeal was withdrawn a few hours before the hearing. The Planning Commission may find this interesting because the appellants for this case also filed a request for Discretionary Review for this project, but withdrew that request the day of the hearing.

**HISTORIC PRESERVATION COMMISSION:**

Commissioners Tim Frye, Department staff, here to share with you the outcome of yesterday's Historic Preservation Commission hearing. The HPC granted a Certificate of Appropriateness for 333 Dolores Street, at the Notre Dame School, Landmark number 37, this was to allow for 3 temporary classrooms to remain on the grounds for ten and a half years until the children's day school, can expand to their new location at 601 Dolores Street. The temporary structures also require approval through Conditional Use Authorization by this Commission and you'll see that item at a future date. The Commission also unanimously approved to reclassify the St. Mary's Rectory at 660 California Street, from an unrated building to a contributory building under Article 11 of the Planning Code. The building is clad primarily in red brick and cast concrete, it's a four-story structure designed in an early modern-contextual style by Chuck Bassett of Skidmore, Owings and Merrill. The building was completed in 1966. Aside from meeting the criteria for reclassification, the building fulfills one of the goals of the Historic Preservation Commission's Work Program in recognizing significant representations of the modern movement. And the final decision on that reclassification will be before the Board of Supervisor at a future date, likely early next year. Also, I wanted to give you a quick update on the Filbert Street Cottages. As you know, this Commission and the HPC approved a major rehabilitation of those cottages a couple years ago. As you know, the work has stopped at the site. We met with the project sponsor at the site on Monday and they are waiting for the outcome of pending legal action regarding the project. As a result the project team's working on a short term and a long term maintenance and rehabilitation plan that also can include some security measures for the property. We're hoping that work can commence shortly, but I wanted to let you know, we're working closely with the Project Architect to make sure that the site remains in good standing and we'll keep you posted on the outcome of their progress. And finally, last week, I gave a brief presentation at the Graffiti Advisory Board; the Board mainly had questions and comments regarding the Planning Department's review procedures, and the HPC's review procedures regarding graffiti abatement on landmark properties. The Board is -- essentially trying to find ways to require victims of the graffiti vandalism to report those crimes to the SFPD. We along with the Commission reiterated our willingness to work with the Board on finding ways to collaborate more closely and we will start discussions with DPW on better coordination and also keep you updated on that progress. That concludes my comments.

**E. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. However,

for items where public comment is closed this is your opportunity to address the Commission. With respect to all other agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS: Calvin Welch – Economic barometer report from the Controller’s Office  
 Patricia Vaughey – Demolitions  
 Linda Chapman – 1601 Larkin Street  
 Betty Traynor – 1601 Larkin Street

## F. REGULAR CALENDAR

13. [2013.1504T](#) (A. STARR: (415) 558-6362)  
AMENDMENTS TO THE PLANNING CODE, ADDING SECTION 102.37 AND AMENDING SECTION 204.1 TO ALLOW COTTAGE FOOD OPERATION AS AN ACCESSORY USE [BOARD FILE NO. 13-0998] - **Ordinance amending the Planning Code**, by adding Section 102.37 and amending Section 204.1, to allow Cottage Food Operation as an accessory use for dwelling units, increase the allowable area for accessory uses in dwelling units, and expand accessory use controls for dwelling units to all zoning districts; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
 Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: None  
 ACTION: Adopted a Recommendation for Approval  
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
 ABSENT: Sugaya  
 RESOLUTION: 19028

14. [2013.1468T](#) (K. HADDADAN: (415) 575-9068)  
AMENDMENTS TO THE ADMINISTRATIVE CODE AND THE PLANNING CODE TO PROVIDE PREFERENCE TO ELLIS ACT EVICTED RESIDENTS FOR AFFORDABLE HOUSING PROGRAMS [BOARD FILE NO. 13-0968] - **Ordinance amending the Administrative Code and the Planning Code** introduced by Supervisor Chiu to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
 Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: + Amy Chan, Aide to Supervisor Chiu – Proposed legislation  
 + Linda Chapman - Concerned over preferences  
 + Tyler McMillan – Supports staff recommendation targeted, measured, solution  
 - Gen Fujiyoka – Concerns regarding ordinance  
 = Brian Chiu, MOM – Responding to Commissioner questions  
 = Delene Wolf – Responding to Commissioner questions  
 ACTION: Adopted Recommendation for Approval as amended to include:  
 1. A three year review by the BoS

AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
 ABSENT: Sugaya  
 RESOLUTION: 19029

15. [2013.1465T](#) (L. CHEN: (415) 575-9124)  
AMENDMENTS TO THE PLANNING CODE, TRANSIT IMPACT DEVELOPMENT FEE EXEMPTIONS [BOARD FILE NO. 130938] - **Ordinance amending the Planning Code** to revise deadlines for certain Transit Impact Development Fee (TIDF) exemptions; eliminate project-specific references in exemptions applicable to redevelopment areas, and make such exemptions dependent on the terms of the controlling development agreement, redevelopment plan, interagency agreement or other contract entered into by the City; require that the TIDF be calculated based on the rate in effect and the time of issuance of the first construction document; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.  
 Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: None  
 ACTION: Continued to December 12, 2013  
 AYES: Fong, Wu, Antonini, Borden, Hillis, Moore  
 ABSENT: Sugaya

16. [2013.0740D](#) (M. SMITH: (415) 558-6322)  
238 EUREKA STREET - west side between 19<sup>th</sup> and 20<sup>th</sup> Streets; Lot 009 in Assessor's Block 2699 - **Request for Discretionary Review** of Building Permit Application No. 2012.02.23.4716 proposing to construct a vertical addition that would add habitable space to the attic, construct a multi-story rear horizontal addition, and restore wood siding and Edwardian ornamentation to the front of a single-family dwelling located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Staff Analysis: Abbreviated Discretionary Review  
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: + Rick Brown – Project description  
 + Betty Brown – Support  
 + Cindy Beck – Read a letter from someone else  
 + Mike Merriman – Read a letter from someone else  
 + Bill Pope – Support  
 + Jack Sin – Support  
 + Paul Dally – Support  
 + Lawson Willard – Project Design and dimensions  
 ACTION: After Hearing and Closing Public Comment; Continued to January 16, 2014  
 AYES: Wu, Antonini, Borden, Hillis, Moore  
 NAYES: Fong  
 ABSENT: Sugaya

17. [2013.1286D](#) (E. JACKSON: (415) 558-6363)  
259A BARTLETT STREET - east side between 23<sup>rd</sup> and 24<sup>th</sup> Streets; Lot 040 in Assessor's Block 3643 - **Request for Discretionary Review** of Building Permit Application No. 2012.12.07.5749 proposing to legalize an existing roof deck on top of a single story

addition at the rear and side of the existing six-family dwelling located within a RTO-M (Residential, Transit-Oriented, Mission) Zoning District and 45-X Height and Bulk District. No expansion of the building envelope is proposed under this permit. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS:     - Sean Flanigan – DR Requestor  
                  - Chris Garvey – Project Sponsor  
ACTION:        No DR, Approved as proposed  
AYES:           Fong, Wu, Antonini, Borden, Moore  
ABSENT:        Hillis, Sugaya  
DRA No:         0344

#### **G. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: Alex Angelo – Sharp Park project opposition

**ADJOURNMENT – 4:07 P.M.**