

# SAN FRANCISCO PLANNING COMMISSION

## DRAFT – Meeting Minutes

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

**Thursday, June 19, 2014**  
**12:00 p.m.**  
**Regular Meeting**

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT WU AT 12:10 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Scott Sanchez – Zoning Administrator, Aaron Starr, Tim Frye, Casey Noel, Alexis Kirby, Tina Chang, Michael Jacinto, Shelley Caltagirone, Rich Sucre, Glenn Cabrerros, Pilar LaValley, and Jonas P. Ionin – Commission Secretary

### SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

### 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. 2013.1668T (A. STARR: (415) 558-6362)  
BONA FIDE EATING PLACE - Planning Commission **consideration of an Ordinance [BF 131064] amending the Planning Code** to expand the definition of “bona fide eating place” to include a definition based on food sales per occupant and modifying the definition of a Bar to include establishments with an ABC License Type 47 that are not Bona Fide Eating

Places; 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 with Modifications  
(Continued from Regular Meeting of May 8, 2014)

**(Proposed for Continuance to June 26, 2014)**

SPEAKERS: None  
 ACTION: Continued to September 18, 2104  
 AYES: Wu, Antonini, Borden, Moore, Sugaya  
 ABSENT: Fong, Hillis

## 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.

2. [2013.1616Q](#) (C. NOEL: (415) 575-9125)  
35-41 ROSEMONT PLACE – at the east side of Rosemont between Clinton Park & Guerrero Streets on Assessor’s Block 3534, Lot 018 – **Request for Condominium Conversion Subdivision** to convert a two-story-over-garage, three-unit building (at front of lot) and a two-story, two-unit building (at rear of lot), both on the same lot, within a RTO (Residential Transit Oriented) Zoning District and 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.  
 Preliminary Recommendation: Approve

SPEAKERS: None  
 ACTION: Approved  
 AYES: Wu, Antonini, Borden, Moore, Sugaya  
 ABSENT: Fong, Hillis  
 MOTION: 19175

3. [2014.0609Q](#) (A. KIRBY: (415) 575-9133)  
950 STEINER STREET – Southwest corner of McAllister and Steiner Streets; Lot 020 in Assessor’s Block 0779 – **Request for Condominium Conversion Subdivision** to convert a three-story-over-basement, six-unit building into residential condominiums within a RM-4 (Residential, Mixed, High Density) Zoning District and 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.  
 Preliminary Recommendation: Approve

SPEAKERS: None  
 ACTION: Approved  
 AYES: Wu, Antonini, Borden, Moore, Sugaya  
 ABSENT: Fong, Hillis  
 MOTION: 19176

4. [2014.0648Q](#) (T. CHANG: (415) 575-9197)  
2194-2198 15TH STREET & 179-183 NOE STREET - on the north side of Noe Street and the east side of 15th Street on Assessor's Block 3541, Lot 027 - **Request for Condominium Conversion Subdivision** to convert a three-story, mixed-use six-unit (five-unit residential, 1 commercial unit) building into residential condominiums within a RTO (Residential, Transit-Oriented Neighborhood) Zoning District and 40-X Height and Bulk District. The ground floor unit will remain commercial. 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

SPEAKERS: None  
 ACTION: Approved  
 AYES: Wu, Antonini, Borden, Moore, Sugaya  
 ABSENT: Fong, Hillis  
 MOTION: 19177

5. [2014.0675C](#) (T. CHANG: (415) 575-9197)  
2275 MARKET STREET - at 16<sup>th</sup> Street, Lot 013 in Assessor's Block 3559 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303 and 733.44 to change an existing Limited-Restaurant (d.b.a. Dinosaurs) to a Restaurant of the same name in the Upper Market Street NCT (Neighborhood Commercial Transit) Zoning District and 50-X Height and Bulk District. This action constitutes the Approval Action for the project for purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None  
 ACTION: Approved with Conditions  
 AYES: Wu, Antonini, Borden, Moore, Sugaya  
 ABSENT: Fong, Hillis  
 MOTION: 19178

## C. COMMISSION MATTERS

6. Consideration of Adoption:  
 • [Draft Minutes for June 5, 2014](#)

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

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.

7. 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:**

Lately, there has been a huge amount of civic comment on the housing cost in San Francisco, particularly rental, and most of these focus on issues around speculation and other factors, but you rarely hear any analysis of the effect that our very strict rent control with very low annual increases and very strong tenant protections has on the cost of rental housing. I mean, I am not speaking opposed or in favor of our particular policies, but I think it's important that we acknowledge that they have a huge factor in raising the rental cost throughout the City. We have a very small geographic area in San Francisco. Much of it is built out. Many years we haven't produced a lot of new units, so it means that the units that are available are very sought after and it is particularly true because I think these policies encourage people to stay longer than they might normally do because they have rents that are extremely low, especially if they have been there a long time. In fact, I have an aunt who has an apartment building and she says the only way they go out is feet first, and usually that's always been the case because people realize it's a great deal, they love the place, and uh, I don't know of too many tenants, who have ever moved other than when they were deceased. In fact, they had one tenant who predated their ownership, that of my late uncle and my aunt in 1952, because he was a young man when his parents bought it. He just passed away a couple years ago. Contrast that to Livermore area, where we have some family rentals and our tenants are always moving. They are nice places, our rents are really moderate, but they are always moving into bigger places and you know, or smaller places, depending on their needs. There seems to be a lot more movement there. I think that, while I am not saying – making a value judgment, I think that we have to – someone has to analyze how much of an effect these policies have on the cost of rental units in San Francisco and I am sure it's a very large one.

**D. DEPARTMENT MATTERS****8. [Director's Announcements](#)****Director Rahaim:**

Good Afternoon Commissioners, just wanted to let you know and to remind you that in your packet today is a draft of the Preservation Element of the General Plan, which we have finally been able to rekindle after a couple of years hiatus. The Historic Preservation Commission is actually having a series of hearings on this element over the next three months. It's tentatively scheduled to act on it in September, and we are scheduling – we will be scheduling a hearing with the Planning Commission, as well, since you actually have to approve it in its final form before it moves on to the Board. Secondly, as I think Mr. Starr will point out, the Board this week, did also approve in final form the redoing of the Housing Element, which you approved a few weeks ago. So, we do have two elements of the General Plan that are moving forward now for the first time in a long time and we are pleased about that. And I think Aaron will also talk about the ballot measures that were introduced this week at the Board in his report, as well. And with that I will close my comments unless there are questions.

**Commissioner Moore:**

Director Rahaim, you also have the Open Space Element, right? Would that also count in the updated and approved elements?

**Director Rahaim:**

Yes, I'm sorry, of course; Aaron was going to talk about that. Of course, there is a third element, the Open Space Element went to the Land Use Committee hearing this week as well and there was a lot of public comment about one specific policy in that plan, but it is tentatively scheduled to go to the Board next week and we are discussing whether we should ask for a week or two continuance to do some more work with the Board members on that.

9. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

**LAND USE COMMITTEE:**

- **140307 Planning Code - Landmark Designation of 2 Henry Adams Street (aka Dunham, Carrigan & Hayden Building). Sponsor: Cohen.** At the request of the property owner, the HPC initiated Article 10 landmark designation of 2 Henry Adams, at its January 15, 2014 hearing. On March 5, 2014, the HPC adopted a resolution recommending landmark designation to the Board of Supervisors. Supervisor Malia Cohen signed on as the project sponsor. Nearly 20 members of the public spoke, including some of the building's commercial tenants. Most of the public comment was in support of the landmark designation. Public comment and Supervisor Cohen's questioning of the project sponsor focused nearly exclusively on the impact of PDR to office conversion and the resultant impact, both positive and negative, on existing commercial tenants. Supervisor Cohen moved to continue the item to the July 7, Land Use hearing, following further discussions with stakeholders regarding commercial tenancy and availability of nearby PDR.
- **140413 General Plan - Amendments Related to the 2014 Update of the Recreation and Open Space Element. Sponsor: Department/Commission.** This item would update the General Plan's Recreation and Open Space Element (AKA the ROSE), which has not been updated since 1986. This Commission heard this item on April 3rd of this year and voted to recommend approval. As you may recall, once voted on by the Planning Commission, General Plan elements cannot be amended by the Board of Supervisors (as it should be). At the Land Use Committee hearing there was a significant amount of public comment. Many recreation and open space advocacy organizations, such as Parks Alliance and Trust for Public Land as well as other members of the community strongly supported the adoption of the ROSE. The Committee also heard from a number of community members about their concern over a particular policy, Policy 4.2, which calls for the City to "establish a coordinated management approach for designation and protection of natural areas and watershed lands." The commenters were concerned that this policy may lead to the removal of non-native Eucalyptus trees and access to natural areas. The Committee sent the ROSE to the Full Board without a recommendation. The ROSE is scheduled to be heard by the full Board this coming Tuesday.
- **140236 Planning Code - Mission Alcoholic Beverage Special Use District. Sponsor: Campos.** This Ordinance would amend the Mission Alcoholic Beverage SUD to allow mini-golf in conjunction with a Restaurant use to obtain liquor licenses. This Commission heard this item on May 22, 2014, and recommended approval with modifications.

As you may recall from last week's report, Supervisor Campos did not amend the Ordinance to include the Commission's first recommendation, because of community concerns over the proliferation of alcohol establishments in the district; however, Supervisor Wiener felt that that Commission's recommendation was appropriate and would allow other entertainment uses to open in the Mission District without having to introduce another Ordinance. The Committee voted to include the Commission's first recommendation, which meant that the Ordinance had to be continued for one week before it could be voted on and sent to full Board for adoption.

At this week's hearing Laura Lane from Supervisor Campos' Office testified that they would accept the recommendation of the Land Use Committee. There was no public comment. The Land Use Committee voted unanimously, 3-0, to move the item, with both of the Planning Commission's recommended modifications, to the full Board for adoption.

### **FULL BOARD OF SUPERVISORS:**

- **140578 Public Hearing - Appeal of Final Environmental Impact Report Certification - 2004 and 2009 Housing Element and Adoption of the 2004 and 2009 Housing Element.** On Tuesday, the Board considered an appeal of the re-certification of the 2004 and 2009 Housing Element EIR, which was originally adopted and certified in 2011. The appeal was filed by San Franciscans for Livable Neighborhoods, a coalition of neighborhood groups, primarily from the western portion of the City, who also challenged the 2011 EIR in the San Francisco Superior Court. The majority of the concerns expressed in this appeal argued for various additional alternatives.

The appellant presented no new information at the hearing beyond what had already been submitted on the Revised EIR Responses to Comments document and the Appeal letter. The Board upheld the certification of the EIR without discussion (10-1). Following this item, the BOS passed an ordinance adopting the 2009 Housing Element (10-1). For reference, in 2011 the Board voted 8-3 on the Housing Element EIR and the Element itself.

- **140523 Hearing Affirming the Statutory Exemption Determination for the SFMTA FY2015-2016 Two-Year Capital Budget.** This item was the appeal of a statutory exemption for SFMTA's entire two-year budget, although the appellant was mainly concerned about the elimination of meter enforcement on Sundays. During the hearing, the Supervisors spoke adroitly about the difference between a categorical and a statutory exemption, thanks to the thorough briefings done by our Environmental Staff. At the end of the hearing, the exemption determination was upheld by a vote of 9-2 with Avalos and Mar dissenting.
- **Designation of 1007 Market Street (aka James G. Walker Building).** Passed on its second and final read, and is off to the Mayor's office for approval.

### **INTRODUCTIONS:**

#### **3 Ballot Measures for November 4, 2014**

- **140716. Hearing - Initiative Ordinance - Planning Code - City Housing Balance Requirement.** This ballot measure would amend the Planning Code to require CU authorization for housing projects with 25 units or more when the balance of affordable housing in comparison to market rate housing in the City goes below 30%. Anr Ordinance introduced by Supervisor Kim in April proposes similar controls and the 30/70 ratio, but only for District 6. Supervisor Kim's original Ordinance was scheduled to be heard by this Commission on July 17; however in light of this ballot

measure we are currently in discussion with the Supervisor's office about how to precede with the original ordinance introduced in April. Sponsors: Kim, Campos, Avalos, Mar and Yee.

- **140714 Initiative Ordinance - Planning Code - Build Housing Now.** This is another ballot measure submitted by the Mayor to amend the Planning Code to prohibit additional land use requirements such as conditional use authorizations, variances or other requirements on housing projects within Area Plans of the General Plan and within Redevelopment Plan Areas based on a cumulative housing balance ratio or other similar criteria related to achieving a certain ratio of affordability levels Citywide or within a geographic area of the City. This is a counter Ordinance to the 30-70 Housing Balance measured I spoke about.
- **140715 Park Code - Children's Playgrounds, Walking Trails, Athletic Field.** Ordinance to amend the Park Code to authorize renovation of children's playgrounds, walking trails and athletic fields where a certified environmental impact report documents at least doubling in anticipated usage. This initiative is in response to a counter measure that the Coalition to Protect Golden Gate Park is currently gathering signatures for that would place a referendum on the November ballot for Beach Chalet Soccer fields. Sponsors: Chiu, Farrell, Mar, Tang and Wiener.

### 1 Non-Planning Code Ordinance

- **140702 Administrative Code - Urban Agriculture Incentive Zones Act Program and Procedures.** This Ordinance, introduced by Supervisor Chiu, would create a tax incentive for property dedicated to Urban Agriculture, similar to the City's Mill's Act for historic property. It would not amend the Planning Code, so it will not be coming to this Commission for your review.

### (Extra Info on Housing Element EIR)

As you may recall, the Planning Department was directed to provide additional information to substantiate EIR's impact conclusions for each alternative. This particular appeal was on the revised and recirculated EIR, which was published in December 2013 and certified by this Commission this past April.

Furthermore, the San Francisco Superior Court specifically found that the previous EIR analyzed a reasonable range of alternatives and thus, the EIR was not required to include any additional alternatives.)

However, it was found that these alternatives would not meet the basic objectives of the proposed project; would be infeasible; would not avoid or substantially lessen any of the significant effects of the project or would not add any meaningful information to the environmental analysis.

### BOARD OF APPEALS:

No Report

### HISTORIC PRESERVATION COMMISSION:

Good Afternoon Commissioners, Tim Frye, here to give a run down on yesterday's Historic Preservation Commission hearing. The Commission – the first item on the Commission's calendar was a review of the Certificate of Appropriateness for the LightRail Art installation. You should recall the last time I was here, this project went before their Architectural Review Committee. It is an art installation that will be hung from the Muni lines, coming from the Embarcadero to Van Ness Avenue. The Architectural Review

Committee prior, had some concerns about a number of utility boxes that would have to be attached to the Path of Gold light fixtures. The ARC directed the project sponsors to re-study the design and come up with a variety of options that they could consider at the CofA hearing. The good news was that the engineers found the way to relocate all utility boxes off of the Path of Gold light fixtures and as a result the Commission unanimously approved a Certificate of Appropriateness for the temporary art installation; however, with a condition of approval at the mid-way mark, so within two years of the installation, the project sponsor will come back before the HPC to give them an update on the maintenance program for the light standards, the maintenance of the overall art installation and its general functionality along Market Street.

The Commission also provided review and comment on 350 Bush Street. As you may recall this project from a previous hearing, the Commission reviewed and approved the authorization of a new office tower connected to the Mining Exchange Building, which it is an individual landmark. The conditions of approval for that Planning Commission motion required the project sponsor to come back to the HPC and review the final details on the restoration of the Mining Exchange Building as part of that larger project. The Commission reviewed the project. There was no public comment. The Commission did direct the project sponsor or provide some additional recommendation, based on some concerns about the level of alteration that has to occur to the building to construct the new tower. So, the Commission was generally supportive of the project and all the conditions of approval outlined by staff, but they did add four additional conditions or recommendations to Planning Department. One was to include a storage and cataloging plan. There is a historic ceiling or several historic ceilings within the Mining Exchange Building that has to be removed and reinstalled as part of the project and the Commission wanted to make sure that those were maintained and stored properly during the course of the project. The Commission also asked for a construction schedule to be submitted to Planning staff to ensure that the restoration was going to be fully incorporated into the project and – as much care would be taken into the restoration as the construction of the new tower. There will be four structural columns that will be inserted through the main Mining Exchange interior. The Commission recommended that these columns be distinguishable, yet compatible and quiet, and that the final details be reviewed by Planning Department staff. And finally, as – there is interpretation associated with the project, the Northern California's Mining Industry and Economy, the Commission asked for there to be signage to indicate that the public is welcome within the publicly accessible spaces to review that signage and to take advantage of the interior.

The Commission also received the same presentation on PDR zoning within San Francisco that was presented to this Commission by Steve Wertheim at your last hearing. The Commission was very interested in the presentation and it was well received. They have a few follow-up questions for us and so we going to return back to them, in particular to answer how many landmark buildings are – include PDR zoning uses? What is the potential impact of removing those PDR uses from landmark buildings? And then they wanted to look more closely at the zoning incentives that are in the Code, that allow modifications of PDR uses within landmark properties. So, we will be bringing that back to them at a future date and we will certainly keep you posted.

Finally, the Planning Commission began their review, I am sorry – the Historic Preservation Commission began their review of the Preservation Element. They started with Objectives 1, 2, and 3. Shelley Caltagirone from Preservation staff is here today to give you an overview of the Element. We will be returning to you, as well, to go over these objectives, and Shelley will be able to outline the schedule of our public outreach component and how we will be moving thru the process of re-examining the Element over the course of the summer. That concludes my comments, unless you have any questions. Thank you.

## **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. With respect to 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: Patricia Vaughey – Accessory uses loophole

## F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

10. [2006.0383E](#) (M. JACINTO: (415) 575-9033)  
1527-1545 PINE STREET – south side of Pine Street midblock between Van Ness Avenue and Polk Street (Assessor's Block 667, Lots 16, 17, 18, 18A, and 19) in the Lower Nob Hill neighborhood – **Public Hearing on the Draft Environmental Impact Report** – The proposed project would entail demolition of five existing buildings on the project site and construction of a 137,712-gross-square-foot (gsf), 12-story (plus two basement levels) mixed-use building. The proposed building would include 101,714 gsf of residential use with up to 107 residential units, 2,844 gsf of ground floor retail/art gallery space along Pine and Austin streets and 33,154 gsf of parking, storage, mechanical, and circulation space on the ground floor and two basement levels. The proposed project would provide up to 82 subsurface automobile parking spaces, 2 car-share spaces, 106 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces. The western portion of the project site is located within the Van Ness Special Use District, a RC-4 (Residential-Commercial, High Density) Zoning District and 130-V Height and Bulk District; the eastern portion of the project site is located in the Polk Street Neighborhood Commercial District and 65-A Height and Bulk District.

**NOTE: Written comments will be accepted at the Planning Department until 5:00 p.m. on June 30, 2014**

Preliminary Recommendation: None – Review and Comment

SPEAKERS: None  
 ACTION: Reviewed and Commented

11. [2000.630M](#) (S. CALTAGIRONE: (415) 558-6625)  
DRAFT PRESERVATION ELEMENT – Draft Preservation Element of the San Francisco General Plan – **Request for Review and Comment**. The Planning Department seeks initial comments on the most recent draft Element in order to produce a final draft Preservation Element to bring before the Historic Preservation Commission and the Planning Commission for endorsement at a future date.

Preliminary Recommendation: None – Review and Comment

SPEAKERS: None  
 ACTION: Reviewed and Commented

12. [2012.0673X](#) (R. SUCRÉ: (415) 575-9108)  
119 7<sup>TH</sup> STREET – located at the northeast corner of 7<sup>th</sup> and Minna Streets, Lot 103 in Assessor's Block 3726 – **Request for a Large Project Authorization (LPA)**, pursuant to Planning Code Section 329, for the new construction of an eight-story (approximately 85-ft tall) residential apartment building with 39 dwelling units, ground-floor retail (approx. 2,320 sq ft), 24 off-street parking spaces, 40 Class 1 bicycle parking spaces, 6 Class 2 bicycle parking spaces, and common open space. Under the LPA, the project is seeking a modification of the requirements for: 1) Rear Yard (Planning Code Section 134); 2) Permitted Obstructions (Planning Code Section 136); 3) Dwelling Unit Exposure (Planning Code Section 140); and, 4) Off-Street Parking (Planning Code Section 151.1). The subject property is located within the MUG (Mixed Use-General) 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: + John Kevlin – Project presentation  
 + Bill Higgins – Project design  
 = Randy Wright – Consideration to neighboring residents including that if the property line windows to be closed are for habitable spaces, the project will create a lightwell to accommodate them

ACTION: Approved with Conditions

AYES: Wu, Antonini, Borden, Hillis, Moore, Sugaya

ABSENT: Fong

MOTION: 19719

## G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

- 13a. [2010.0931DDD](#) (G. CABREROS: (415) 558-6169)  
2825 LAKE STREET – south side between 29<sup>th</sup> and 30<sup>th</sup> Avenues; Lot 001A in Assessor's Block 1389 – **Requests for Discretionary Review** of Building Permit Application No. 2010.10.08.2618 proposing construction of a new third floor and a horizontal addition at the rear of the two-story single-family house and a new second floor above the garage structure within a RH-1(D) (Residential, House, One-Family, Detached) Zoning District and 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: Full Discretionary Review  
 Preliminary Recommendation: Do Not take Discretionary Review and Approve as Revised (Continued from Regular Meeting of May 22, 2014)

SPEAKERS: - Oliver Jenkyn, DR Requestor No.1 – Planning process failed  
 - Ken Hsu – DR Requestor No. 2

- Marilyn Nebenzahl – DR Requestor No. 3
- Jeremy Paul – Negative impacts
- Marissa Brandon – Historic preservation issues, Sea Cliff
- Dr. Gerald Shaw – Sea Cliff
- Tim Lefkowicz – Greed gone wild
- Janet Brody – Historic character of the neighborhood
- Harry Nebenzahl – Negative impact to the neighborhood
- Tom Brooks – A bad hat
- James Kessler – Variances would be a gift to the property owners
- Elizabeth Kessler – Massing and height
- Francine Schall – Incorrect floor areas, too large
- Katherine Meyer – Light, devaluing investment
- Kristen Ofridge – Light, space, privacy
- Greg Lan – Bad precedent
- + Alice Barkley – Project presentation
- + Erin Bailey – Read a neighbor’s statement into the record
- + Robert Regani – Read a neighbor’s statement into the record
- + Larry Fried – Read a neighbor’s statement into the record
- + Louis Buttler – Response to questions

**ACTION:** Took DR eliminating any expansion to the garage structure, leaving any southern expansion of the main building a matter for the variance decision to resolve.

**AYES:** Wu, Antonini, Borden, Fong, Hillis, Moore, Sugaya

**DRA No:** 0367

- 13b. [2010.0931V](#) (G. CABREROS: (415) 558-6169)  
2825 LAKE STREET – south side between 29<sup>th</sup> and 30<sup>th</sup> Avenues; Lot 001A in Assessor’s Block 1389 – **Rear Yard and Side Yard Variances** sought: The project proposes construction of a new third floor and a horizontal addition at the rear of the two-story, single-family house and a new second floor above the garage structure within a RH-1(D) (Residential, House, One-Family, Detached) Zoning District and 40-X Height and Bulk District. PLANNING CODE SECTION 134 requires a rear yard depth equivalent to 25 percent of the lot depth. The project requires an approximately 19 foot rear yard at the lot’s greatest depth. As the existing house and garage structure are within the required rear yard, any expansion of these structures would require a rear yard variance. PLANNING CODE SECTION 133 requires two 5-foot side yards for the property. The existing garage structure is constructed to the west side property line and the proposed expansion of the garage structure would require a side yard variance at the ground floor, in addition to the rear yard variance referenced above.

- SPEAKERS:**
- Oliver Jenkyn, DR Requestor No.1 – Planning process failed
  - Ken Hsu – DR Requestor No. 2
  - Marilyn Nebenzahl – DR Requestor No. 3
  - Jeremy Paul – Negative impacts
  - Marissa Brandon – Historic preservation issues, Sea Cliff
  - Dr. Gerald Shaw – Sea Cliff
  - Tim Lefkowicz – Greed gone wild
  - Janet Brody – Historic character of the neighborhood
  - Harry Nebenzahl – Negative impact to the neighborhood
  - Tom Brooks – A bad hat

- James Kessler – Variances would be a gift to the property owners
- Elizabeth Kessler – Massing and height
- Francine Schall – Incorrect floor areas, too large
- Katherine Meyer – Light, devaluing investment
- Kristen Ofridge – Light, space, privacy
- Greg Lan – Bad precedent
- + Alice Barkley – Project presentation
- + Erin Bailey – Read a neighbor’s statement into the record
- + Robert Regani – Read a neighbor’s statement into the record
- + Larry Fried – Read a neighbor’s statement into the record
- + Louis Buttler – Response to questions

ACTION: ZA Closed the PH and took the matter under advisement

14. [2014.0370DD](#) (P. LAVALLEY: (415) 575-9084)  
1112 LOMBARD STREET – north side between Hyde and Larkin Street; Lot 080 in Assessor’s Block 0069 – **Request for Discretionary Review** of Building Permit Application No. 2013.07.12.1765, proposing to construct a one-story vertical addition and a small horizontal rear addition, to infill existing second floor rear deck, to excavate a new basement level connecting the existing garages and extending under the existing house, and to undertake an interior remodel of the existing two-story, single-family residence in a RH-3 (Residential, House - Two-Family) District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for 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 as Proposed

- SPEAKERS:
- Joan White – 3<sup>rd</sup> floor addition
  - Carol Katz – Light
  - Elizabeth Lippen – Story poles
  - Roma Peletz – Light
  - = Garrett Blands – Encroachments
  - + Scott Embladge – Project presentation
  - + Tina Hinkley – Dream house
  - + Carolyne Rodgers – Well designed
  - + Nancy Murray – Support
  - + Ted Bartlett – Good job
  - William White – Rebuttal

ACTION: No DR, approve as proposed  
 AYES: Wu, Antonini, Borden, Fong, Hillis, Moore  
 NAYES: Sugaya  
 DRA No: 0368

## H. 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))

**ADJOURNMENT – 4:37 P.M.**