

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, July 10, 2014
12:00 p.m.
Regular Meeting

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

THE MEETING WAS CALLED TO ORDER BY PRESIDENT WU AT 12: 05 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Rich Sucre, Aaron Starr, Marcelle Boudreaux, Kevin Guy, Diego Sanchez, Paulo Ikezoe, Doug Vu, and Christine Lamorena – 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. 2012.1025VX (R. SUCRÉ: (415) 575-9108)
325 FREMONT STREET - located at the east side of Fremont Street between Folsom and Harrison Streets, Lot 012 in Assessor's Block 3747 – **Request for a Downtown Project Authorization (DPA)**, pursuant to Planning Code Section 309.1, for the new construction of

an 25-story residential tower with 118 dwelling units, 41 off-street parking spaces, 105 Class 1 bicycle parking spaces, and common residential open space. Under the DPA, the project is seeking a modification of the requirements for dwelling unit exposure (Planning Code Section 140). In addition, the Zoning Administrator will review the request for a Variance from Planning Code Section 135 (open space), Planning Code Section 136 (permitted obstructions over streets and alleys), and Planning Code Section 827(a)(2)(B) (required individual ground floor residential units). The subject property is located within the RH-DTR (Rincon Hill-Downtown Residential) Zoning District and an 85/250-R 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.
(Proposed for Continuance to July 17, 2014)

SPEAKERS: None
 ACTION: Continued to July 17, 2014
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Fong, Hillis

2. 2014.0707T (A. STARR: (415) 575-9075)
ADMINISTRATIVE AND PLANNING CODE AMENDMENT – AMENDING REGULATION OF SHORT-TERM RESIDENTIAL RENTALS AND ESTABLISHING FEE [BOARD FILE140381] - Ordinance amending the Administrative Code to provide an exception for permanent residents to the prohibition on short-term residential rentals under certain conditions; to create procedures, including a registry administered by the Department of Building Inspection, for tracking short-term residential rentals and compliance; to establish an application fee for the registry; amending the Planning Code to clarify that short-term residential rentals shall not change a unit's type as residential; 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
(Proposed for Indefinite Continuance)

SPEAKERS: = David Thompson – Landord
 = Doug Egman – Staff report
 = Russ Khan – Supports continuance
 = Kevin Cretchy – Homesharing
 + Dan Kerrigan – Supports continuance
 + Jan Newfeld – Favor continuance
 + Brian Bessinger, SF Aids Housing Alliance – Supports continuance
 + Sanda McPherson – Supports continuance
 + Sharon Campbell – Supports homesharing
 ACTION: Continued to August 7, 2014
 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.

3. [2014.0762C](#) (M. BOUDREAUX: (415) 575-9140)
3004 TARAVAL STREET - north side between 40th and 41st Avenues; Lot 010 in Assessor's Block 2369 - **Request for Conditional Use Authorization** pursuant to Planning Code Section 303, 710.43 and 781.1, to allow a change of use from a retail space to a Limited Restaurant within a NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict, 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 with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Antonini, Borden, Sugaya
 ABSENT: Fong, Hillis, Moore
 MOTION: 19184

4. [2014.0736Q](#) (M. BOUDREAUX: (415) 575-9140)
623-629 DOLORES STREET - cross streets Cumberland and 19th; Lot 059 in Assessor's Block 3598 - **Request for Condominium Conversion Subdivision** to convert a three-story-over-garage, six-unit building into six residential condominiums within a RH-3 (Residential-House, Three Family) 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, Sugaya
 ABSENT: Fong, Hillis, Moore
 MOTION: 19185

C. COMMISSION MATTERS

5. Consideration of Adoption:
- [Draft Minutes for June 19, 2014](#)
 - [Draft Minutes for June 26, 2014](#)

SPEAKERS: None
 ACTION: Adopted
 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.

6. Commission Comments/Questions

Commissioner Wu:

I want to say a quick note to Commissioner Borden, today is her last hearing at the Planning Commission. She will be moving to the MTA Board of Directors. I wish we could say she can't leave, but that is not a reality. I want to thank you for your service, thank you for all of your thoughtfulness and always being fair on this Commission.

Commissioner Antonini:

Yes. I will miss Commissioner Borden, of course, as we all will. Jonas did you have those pictures to put a couple of those up on the screen just for a second there. Often times when you come back from a vacation, even if it is just a week off, they kind of ask, "What I did do on your vacation?" at least when you are in school. I just wanted to share my project with you and I think it's going to come up on the screen. Basically, I put in a brick walkway with the help of a friend of mine, for my wife in our front yard, and made me really appreciate what our laboring men and women go through, because this work is really physically demanding and precise and it took four 10 hour days work for us to get this in there and the other thing that is significant in terms of planning issues is, we made a lot of runs to the Home Depot in Colma. We tried some of the local hardware stores, and they were very helpful with suggestions, but, you know, things like crushed granite or leveling sands or some types of mortar, sort of items, you are probably going to buy from sand and gravel wholesalers or from someplace as big as Home Depot. So it is regrettable and unfortunately, it sounds like there is not going to be a Home Depot in san Francisco, at least not in the near future but there is a place for those types of organizations especially, when our working on a semi-holiday week, but anyway, that was a fun project and very satisfying and we also had a lot of painters tape to block the bricks off, so when we put the mortar it didn't stain the bricks, so that was is part of what you are seeing there, but anyway, that is what I did when while we were away.

Commissioner Borden:

As everyone said this is my last Commission meeting as a Planning Commissioner, next week I'll be sworn in to the Municipal Transportation Agency, Board of Directors and I am excited about the new challenge there. I've served six wonderful years and I have been so honored to have been of service on this Commission and I really enjoyed the opportunity to work with each of you. I was laughing at Commissioner Antonini's comments and thinking, how I don't know where it will be like to be on a commission where I don't have someone who provides commentary on such a broad range of topics. I've learned so much from each of you. Commissioner Moore taught me some much about architecture. I have not background in architecture and I've learned quite a bit from Commissioner Moore and her observations and the same with Commissioner Sugaya and his expertise in historic preservation, a topic I hadn't thought a whole lot about it, quite frankly, and so my service with Commissioner Sugaya. Commissioner Antonini always has very thoughtful comments on every project and in everyone else's comments so that's been quite a pleasure, but Commissioner Antonini is very thoughtful. He'll meet with anyone who wants to meet with him, so that all you know. He's very generous with his time and supportive of this Commission. Commissioner Wu, who has been absolutely stellar, has such great mind and she always just cuts through the noise and kind of asks that, you know, the right questions and kind of, you know, doesn't indulge as in a verbose dialogue like the rest of us tend to do it at times. I thank you all and working with the Planning Director Rahaim, I am really sad to not have the opportunity, to work more closely and look forward to working closely, still in the new roll and as well as all the staff and Kevin, Jonas and Aaron and some many others, Christine and all the other staff people. The Planning Department is a wonderful agency. I've really grown in my respect for the

Department and the quality work that it does and how much you have to deal with both, from us and members of the public, and trying to make interpretations of the Code and all the rest, and so I really respect the professionals that everyone is in this Department. I look forward to being part of the MTA where we've spent six years planning neighborhood plans and coming up with a vision for the City that runs with a great transportation infrastructure to match all of the development we envision and so the challenge to make sure our infrastructure actually can deliver on the promise of transit oriented development and actually move people around so the City of the future will be a city that can accommodate more people, but not necessarily all the cars, and be a safe place for people to walk or bike as well. Thank you for your service, your friendship, and your collegiality. Thank you to the members of the public who've educated me on so many things over the years.

Commissioner Sugaya:

Yeah, we'll miss you Commissioner Borden. In more ways than one, but now we know who to direct our transportation questions to especially bicycles. Anyway, Congratulations and good luck over there! I have a couple of things. One I think we have a new Commission Secretary, not secretary but Assistant Secretary, I'm not sure what the title is, but welcome, is it your first meeting? And Jonas can keep sitting over there. Let's see I don't really read Willie Brown on Sundays, but I did notice in his column, this is directed to staff, he mentioned that the Academy of the Art University is in the process of purchasing, I think The Concordia Club on Van Ness and Post, I believe it is, which raises issues again of the AAU continuing to purchase properties in the face of well - I won't go there, but we all know what the problem is. Secondly, that the Board of Supervisors I think took the correct stance on 2 Henry Adams in denying, actually they didn't take up a vote on landmark status, but just tabled it I guess. I think that the debate about using historic preservation incentives to convert PDR spaces to offices really needs a lot of airing, I think in the City given the potential for a loss especially South of Market and that comes from someone who's been in the historic preservation for like 40 years now. I applauded the efforts on the part of the City and other communities around the country to include incentives for preserving historic resources in their communities, but because they're really were not very many incentives available to owners and tenants, but I think that sometimes there are larger issues that need to be addressed so I hope we can have an extended conversation about this especially with the Historic Preservation Commission.

Commissioner Moore:

Thank you Commissioner Borden. Her experience goes far beyond the six years that we've been sitting here together and shining through all the times there is a political astuteness about larger matters and what's in front of this Commission that shines through. I've learned a lot in addition to your incredibly positive spirit when I looked at across the room there's always a fabulous smile, and so any frustration, basically evaporates looking at you and hearing you with the broadness of your responses. Thanks for your sensitive. Thanks for everything I've learned from you, and I look forward to continue our friendship as you move on, and I wish best moving from theory to practice.

- 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.

D. DEPARTMENT MATTERS

7. Director's Announcements

Director Rahaim:

Thank you, Christine and welcome to Christine, who is the Commission -- Jonas' back up. Forgive me for not remembering your actual title. This is Christine's first meeting managing the Commission meeting today, and I believe you will be here again next week, when Jonas will be on a vacation. So we all give Christine our support in the coming week. And with Commissioner Sugaya's question about the AAU, acquisition of the Concordia Club, we are -- the Zoning Administrator has been made aware that we are informing them of the issue and whether -- the issue will be of course, whether it is actually used for institutional purposes. We're looking into that and looking into potential delays and violation of the current notice of violation as well. Lastly, I just wanted to on behalf of the Department thank Commissioner Borden for her six years of service. It has been great and I'll miss your energy, I'll miss your insight, I'll miss your support of the Department, but you will be seeing us in your new role. We are getting much more involved in transportation issues. We will be at the MTA Board and we will certainly interact in the coming months and years, so congratulations.

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

LAND USE COMMITTEE:

June 30

- **140645 Resolution of Intention - Establishing the Transbay Transit Center Community Facilities District.** The proposed legislation includes the two resolutions and supporting documents. Planning staff presented the details of the proposed Community Facilities District (CFD), consistent with the adopted Transit Center District Plan. Transbay Joint Powers Authority (TJPA) staff presented the funding program for Phase I and Phase II of the Transbay Transit Center project. Committee members asked a number of questions, primarily regarding the funding for the Transbay Transit Center project. Supervisor Weiner expressed concern that CFD funds would be used towards Phase I (Terminal construction, including the rooftop park), and that would leave less funding for Phase II (Downtown Rail Extension). Ken Rich of OEWD stated the Mayor's commitment to completing the rooftop park concurrent with the opening of the terminal. Supervisor Weiner gave staff a letter his office had received from Reuben and Junius, representing unspecified developers/property owners, which raised a number of concerns regarding the Special Tax rate and method of apportionment. The City is developing a response to these concerns. There was one public comment, in support, by Jim Hass. The items were forwarded to the full Board with recommendation.
- **140675 General Plan Amendment and the Planning Code Amendment - Visitation Valley/Schlage Lock Special Use District.** These two items are intended to implement the Visitation Valley/Schlage Lock plan that was previously under the jurisdiction of the Redevelopment Agency. This ordinance came to the Planning Commission on May 8 of this year, which unanimously recommended approval. At the Land Use Committee, Supervisor Kim had some questions about how the Department chose the various land uses in the proposed SUD, and all of the Committee members had questions about housing costs and affordability. Also, some member so the public, primarily representing local unions, questioned the development agreement. At the end of the testimony, the Committee sent the ordinance to the Full Board with Positive Recommendation.

July 7

- **140736 Interim Zoning Controls - Formula Retail Uses in the Castro Street Neighborhood Commercial District Sponsor: Wiener.** Resolution imposing interim zoning controls for an 18-month period in the Castro Street Neighborhood Commercial District to require a Conditional Use authorization by the Planning Commission for a proposed use that has been determined to be Formula Retail even if a project sponsor subsequently removes one or more distinguishing Formula Retail Use features from the project proposal. Since this item is imposing interim zoning controls it is not required to be reviewed by this Commission. This item received very little comment and was forwarded to the Board with a positive recommendation.
- **140307 Planning Code - Landmark Designation of 2 Henry Adams Street (aka Dunham, Carrigan & Hayden Building) Sponsor: Cohen.** 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, and the items was heard at the Land Use committee on June 16, 2014 (continued) and July 7, 2014. Public comment and Supervisor Cohen's questioning of the project sponsor focused on the impact of the incentive to convert Landmarked PDR buildings to office use, the resultant impact on existing commercial tenants, and the impact on availability of PDR spaces if nearby PDR buildings were designated as Landmarks. Supervisor Cohen moved to table the Landmark designation.
- **140735 Interim Zoning Controls - Office Conversion in Landmark Buildings in PDR-1-D and PDR-1-G Districts.** Related to the 2 Henry Adams designation was the resolution imposing interim zoning controls requiring conditional use authorization for office conversion in landmark buildings in PDR-1-D and PDR-1-G Districts for an 18-month period. This item received very little comment and was forwarded to the Board with a positive recommendation.

FULL BOARD OF SUPERVISORS:

July 1, 2014

Canceled

July 8, 2014

- **140236 Planning Code - Mission Alcoholic Beverage Special Use District. Sponsor: Campos.** Second Passed its second read
- **140413 General Plan - Amendments Related to the 2014 Update of the Recreation and Open Space Element.** Sponsor: Department/Commission. This Commission approved adoption of the ROSE on April 3 with a vote of 4-2. The Land Use Committee forwarded the ROSE to the full board without any recommendation on June 16. The controversy behind Policy 4.2 drove the no recommendation from the Land Use Committee. The concerns presented at the Committee as well as the Commission hearing in April were regarding specific actions that the City might take to preserve some natural areas (such as removing eucalyptus trees, and limiting access to identified natural areas). Staff clarified in their presentation that this policy only calls for a coordinated management effort while detailed actions of such management plan would be deliberated through an extensive outreach process. At the Board hearing, Supervisor Weiner also expressed concerns about this policy, specifically on language that allows the Planning Commission to require any development on a site that would be identified as a natural area: "to preserve the important portions of such

area, if found feasible and consistent with the Planning Code.” Director Rahaim clarified that the Planning Commission would not be able to take away any development rights of such property and any requirements regarding preservation of the natural area has to remain consistent with the Planning Code. Supervisor Wiener, Yee, and Campos ultimately voted no on this item, and the ROSE update passed at the Board, after seven years of community process, on the first read with an 8-3 vote.

- **140593 Planning Code - Fee Elimination. Sponsor: Mayor.** This item eliminates four Planning Code fees. This Ordinance was heard by Planning Commission on May 8 of this year and recommended unanimously for approval. The Budget and finance committee heard this item on June 20, and also recommended approval. The Ordinance passed its first read at the Board this week.
- **140036 Dwelling Unit Density Bonus for Affordable Housing. Sponsor: Wiener, Cohen and Kim.** The Committee heard Supervisor Wiener's legislation that adjusts density calculations and exempts affordable units from density limits when projects have 20% or more affordable units on site. This Commission heard this item on June 12, and unanimously recommended that the Board adopt the proposed ordinance. This ordinance passed its first read at the Board this week.
- **140675 General Plan and Planning Code Amendments for Visitation Valley/Schlage Lock.** Continued to next week's Board meeting
- **140645 Resolution of Intention - Establishing the Transbay Transit Center Community Facilities District Sponsors: Mayor, Kim.** Continued to July 15, 2014

INTRODUCTIONS:

- **140774 Police, Planning Codes - Regulating Mechanical Amusement Devices and Arcades (aka Tommy's Law). Sponsor: Breed and Wiener.** Ordinance amending the Police Code to reduce restrictions on the location of, and lessen permitting requirements for, mechanical amusement devices and arcades, and remove obsolete Code provisions; and amending the Planning Code to permit arcades in the Haight Neighborhood Commercial District.
- **140775 Planning Code - Amending the Definition of Residential Unit and Residential Conversion Requirements.** Ordinance amending the Planning Code to amend the definition of Residential Unit and clarify the requirements for a Residential Conversion of a Residential Hotel Unit regulated under Administrative Code, Chapter 41.

BOARD OF APPEALS:

No Report

HISTORIC PRESERVATION COMMISSION:

No Report

9. [2013.0029X](#) (K. GUY: (415) 558-6163)
222 2ND STREET – Informational Presentation – Public Art and Design Update.

SPEAKERS: None
 ACTION: None – Informational

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: Joel Koppel, San Francisco Construction Industry – Leadership changes in industry

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. [2014.0434T](#) (D. SÁNCHEZ: (415) 575-9082)
APPLICATION INFORMATION ON ANTI-DISCRIMINATION HOUSING POLICIES [BOARD FILE 14-0235] - The Planning Commission **consideration of a proposed Ordinance** requiring the Planning Department to include certain informational questions regarding anti-discriminatory housing policies based on sexual orientation and gender identity on a project sponsor's application for residential and mixed-use projects proposing at least 10 dwelling units, requiring an annual report from the Human Right Commission on the data collected from such applications and affirm the Planning Department's determination under the California Environmental Quality Act, and make findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
 Preliminary Recommendation: Adopt a Recommendation for Approval with Alternatives
 (Continued from Regular Meeting of June 12, 2014)

SPEAKERS: + Carolyn Guzman – Supervisor Campos' Office project presentation
 + Jaime Dulay, National Center for Lesbian Rights – Supports ordinance
 + Tom Avicoli Mecca – Reasonable proposal
 + Brian Bessinger, Aids Housing Alliance of SF – Supports proposal
 + Laura Guzman, Mission Neighborhood Resource Center – Critical ordinance
 + Tom Temprano, Harvey Milk LGBT Democratic Club – Echo letter in packet

ACTION: Adopted a Recommendation for Approval with Alternatives

AYES: Wu, Antonini, Borden, Moore, Sugaya

ABSENT: Fong, Hillis

RESOLUTION: 19186

11. (P. IKEZOE: (415) 575-9137)
2013 DOWNTOWN PLAN MONITORING REPORT - Informational presentation - Chapter 10E of the San Francisco Administrative Code requires the Planning Department to complete annual reports to measure development trends in the Downtown against the goals of the Downtown Plan of the San Francisco General Plan. The report discusses employment and development trends, transportation, housing, fiscal revenues and other topics pertaining to the Downtown C-3 district for 2013. This is an informational item only, no action is necessary. The report is available for the public at the Planning Department and can be

downloaded from the website at:

http://www.sf-planning.org/ftp/files/Citywide/Downtown_Annual_Report_2013.pdf

Preliminary Recommendation: None - Informational

SPEAKERS: None
ACTION: None – Informational

12. [2014.0493C](#) (M. BOUDREAUX: (415) 575-9140)
1503 SLOAT BOULEVARD - cross streets Clearfield and Everglade Drives; Lot 004 in Assessor's Block 7255 - **Request for Conditional Use Authorization** pursuant to Planning Code Section 303 and 703.4, to allow establishment of a formula retail use (d.b.a. Sherwin Williams) within the Lakeshore Plaza NC (Special Use District), the NC-S (Neighborhood Commercial, Shopping Center) Zoning District, and 26-40-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 with Conditions

SPEAKERS: + Melinda Sarjapur, Ruben, Junius & Rose – Project presentation
ACTION: Approved with Conditions
AYES: Wu, Antonini, Borden, Moore, Sugaya
ABSENT: Fong, Hillis
MOTION: 19187

13. [2013.0992B](#) (B. BENDIX: (415) 575-9114)
3130 20th STREET - located between Harrison and Alabama Streets, Lot 002 in Assessor's Block 4083 – **Request for Office Development Authorization** pursuant to Planning Code Sections 179.1, 321, 803.9(h) and 843.66, for approximately 32,081 gross square feet of office use from the Office Development Annual Limit. The subject property is located in the UMU (Urban Mixed Use) Zoning District and 58-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: + Greg Miller – Project description
ACTION: Approved with Conditions
AYES: Wu, Antonini, Borden, Moore, Sugaya
ABSENT: Fong, Hillis
MOTION: 19188

14. [2010.0043X](#) (R. SUCRÉ: (415) 575-9108)
490 SOUTH VAN NESS AVENUE - located at the northwest corner of 16th and South Van Ness Avenue, Lot 008 in Assessor's Block 3553 - **Request for a Large Project Authorization**, pursuant to Planning Code Section 329 for the new construction of a seven-story residential building (approximately 91,611 gsf) with 72 dwelling units, ground-floor corner retail (approximately 655 sq ft), 48 off-street parking spaces, 83 Class 1 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 over streets, alleys, setbacks, yards and useable open space (Planning Code Section 136); 3) dwelling unit exposure (Planning Code Section 140); and, 4) accessory use provisions for

dwelling units (Planning Code Sections 329(d)(10) and 803.3(b)(1)(c)). The subject property is located within the UMU (Urban Mixed-Use) Zoning District and 68-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: + Carolyn Guzman, Legal Aide to Supervisor Campos – Proposing continuance to September 11
 + Phillip Leser – Proposing August 7 or 14 continuance
 + David Silverman – Supports continuance
 + Laura Guzman – Supports continuance
 + Tom Avicoli-Meca – Supporting continuance to September 11
 + Kimberly Trey – Supports continuance to September 11
 - (M) Speaker – Project Sponsor – Opposed continuance

ACTION: Continued to August 7, 2014

AYES: Wu, Antonini, Borden, Moore, Sugaya

ABSENT: Fong, Hillis

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.

15. [2012.1523AD](#) (R. SUCRÉ: (415) 575-9108)
151-153 LIBERTY STREET - south side of Liberty Street between Dolores and Guerrero Streets, Lot 036A in Assessor's Block 3607 - **Request for Discretionary Review** of Building Permit Application No. 2013.12.11.3850 (Alteration) proposing a change in use from one dwelling unit to two dwelling units, a rear vertical and horizontal addition, and exterior alterations, including: construction of a new two-car garage; installation of a new entry stair and handrail; installation of a new pedestrian entryway on the primary façade, and construction of a new roof deck within the Liberty-Hill Landmark District, a RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District. 151-153 Liberty Street is a contributor to the Liberty-Hill Landmark District within Article 10 of the Planning Code. On December 4, 2013, the Historic Preservation Commission granted a Certificate of Appropriateness for Case No. 2012.1523A. 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: + Frank Petrili, Attorney for Project Sponsor, supports continuance
 - John Duffy, Project Architect – Opposed to continuance
 - Michael Diner – DR requestor
 - Frank Petrilli – DR requestor
 + John Duffy, Project architect – Project presentation

ACTION: No DR, Approved as Proposed
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Fong, Hillis
 DRA No: 0369

- 16a. [2014.0981D](#) (D. VU: (415) 575-9120)
437 DUNCAN STREET - south side between Noe and Sanchez Streets; Lot 035 in Assessor's Block 6602 – **Mandatory Discretionary Review**, pursuant to Planning code Section 317(d), of Demolition Permit Application No. 2012.07.16.4978 proposing to demolish an 816 sq. ft. one-story, single-family dwelling within an RH-2 (Residential, House – Two-Family) 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

SPEAKERS: + John Kevlin, Ruben, Junius & Rose – Requesting continuance
 - Ross Kant – Opposed to continuance
 - John Pilgrim – Opposed to continuance
 - Georgia Schuett – Mandatory DR
 - (F) Speaker – Opposed to continuance
 - Meredith Datum – Asked about mandatory DR
 - Christopher Baker – Opposed to continuance
 - Jim Lynch – Lack of outreach, opposed to continuance
 - John Jordan – Opposed to continuance

ACTION: Continued to July 24, 2014
 AYES: Wu, Antonini, Borden, Moore, Sugaya
 ABSENT: Fong, Hillis

- 16b. [2012.0075DD](#) (D. VU: (415) 575-9120)
437 DUNCAN STREET - south side between Noe and Sanchez Streets; Lot 035 in Assessor's Block 6602 **Mandatory Discretionary Review**, pursuant to Planning code Section 317(d), of Building Permit Application No. 2012.04.18.8570 proposing to construct a 3,972 sq. ft. three-story over garage, single-family dwelling within a RH-2 (Residential, House – Two-Family) Zoning District and 40-X Height and Bulk District.
 Staff Analysis: Full Discretionary Review
 Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

SPEAKERS: + John Kevlin, Ruben, Junius & Rose – Requesting continuance
 - Ross Kant – Opposed to continuance
 - John Pilgrim – Opposed to continuance
 - Georgia Schuett – Mandatory DR
 - (F) Speaker – Opposed to continuance
 - Meredith Datum – Asked about mandatory DR
 - Christopher Baker – Opposed to continuance
 - Jim Lynch – Lack of outreach, opposed to continuance
 - John Jordan – Opposed to continuance

ACTION: Continued to July 24, 2014
 AYES: Wu, Antonini, Borden, Moore, Sugaya

ABSENT: Fong, Hillis

16c. [2012.0075DD](#) D. VU: (415) 575-9120
 437 DUNCAN STREET - south side between Noe and Sanchez Streets; Lot 035 in Assessor's Block 6602 – **Request for Discretionary Review**, of Building Permit Application No. 2012.04.18.8570 proposing to construct a 3,972 sq. ft. three-story over garage, single-family dwelling within a RH-2 (Residential, House – Two-Family) Zoning District and 40-X Height and Bulk District.
 Staff Analysis: Full Discretionary Review
 Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

SPEAKERS: + John Kevlin, Ruben, Junius & Rose – Requesting continuance
 - Ross Kant – Opposed to continuance
 - John Pilgrim – Opposed to continuance
 - Georgia Schuett – Mandatory DR
 - (F) Speaker – Opposed to continuance
 - Meredith Datum – Asked about mandatory DR
 - Christopher Baker – Opposed to continuance
 - Jim Lynch – Lack of outreach, opposed to continuance
 - John Jordan – Opposed to continuance

ACTION: Continued to July 24, 2014

AYES: Wu, Antonini, Borden, Moore, Sugaya

ABSENT: Fong, Hillis

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 - 2:34 P.M.