

# 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, August 7, 2014**  
**12:00 p.m.**  
**Regular Meeting**

**COMMISSIONERS PRESENT:** Wu, Fong, Antonini, Hillis, Johnson, Moore, Sugaya

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT WU AT 12: 11 P.M.**

**STAFF IN ATTENDANCE:** John Rahaim – Planning Director, Marcelle Boudreaux, Aaron Starr, Alexandra Kirby, Chris Townes, Timothy Johnston, Paolo Ikezoe, Corey Teague, Mary Woods, Sharon Lai, Omar Masry 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. 2013.0433D (G. CABREROS: (415) 558-6169)  
2853 BRODERICK STREET - west side between Filbert and Union Streets, Lot 002 in Assessor's Block 0947 - **Staff-Initiated request for Discretionary Review** of Building Permit Application No. 2013.10.28.0336, proposing to clarify a height discrepancy approved under Building Permit Application No. 2011.03.25.2839, which permitted the existing three-story-over-basement, two-unit building to be lifted 3 feet to insert a two-car garage within

the basement level. The current project also proposes additional work including a dwelling unit merger from 2 to 1 unit, a side horizontal addition at the south side façade, and vertical additions and rear façade alterations to construct dormers and a deck at the roof/attic level within a 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

**(Proposed for Continuance to September 18, 2014)**

SPEAKERS: + Ilene Dick – Continued to 9/8  
 - Irving Zaretsky – 45 days, continue to 10/2  
 ACTION: Continued to September 18, 2014  
 RECUSED: Fong  
 AYES: Wu, Antonini, Hillis, Johnson, Moore, Sugaya

2. 2014.0718D (J. SPEIRS: (415) 575-9106)  
333 PENNSYLVANIA AVENUE - east side between 18<sup>th</sup> and 19<sup>th</sup> Streets; Lot 025 in Assessor's Block 4040 - **Request for Discretionary Review** of Building Permit Application No. 2013.06.12.9341 proposing new construction of a five-story, two-family residential building on a vacant lot within a 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: Pending

**(Proposed for Continuance to September 18, 2014)**

SPEAKERS: None  
 ACTION: Continued to October 9, 2014  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Sugaya

## 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. [2013.1554C](#) (M. BOUDREAUX: (415) 575-9140)  
9 WEST PORTAL AVENUE - cross streets Ulloa and Vicente; Lot 029 in Assessor's Block 2979A - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 303 and 729.43, to allow change of use from medical office use to a Limited Restaurant café (with ABC Type 20 off-sale license) and to allow expansion of an existing wine bar use (d.b.a Vin Debut with an existing ABC Type 42 license) into new storefront space, within the West Portal Avenue NCD (Neighborhood Commercial) Zoning District, and 26-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  
(Continued from Regular Meeting of July 24, 2014)

SPEAKERS: None  
 ACTION: Approved with Conditions  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 MOTION: 19206

4. [2013.1587C](#) (O. MASRY: (415) 575-9116)  
1459 HYDE STREET - at the southwest corner of Hyde and Jackson Streets, Lot 001 in Assessor's Block 0186 - **Request for Conditional Use Authorization** under Planning Code Sections 209.6(b) and 303 to allow a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would feature eleven (11) screened panel antennas, housed within faux rooftop-mounted chimney vents. Electronic equipment necessary to run the facility would be located on the roof and in a first floor room. The facility is proposed on a Location Preference 7 Site (Disfavored Location) within a RM-3 (Residential, Mixed Medium-Density) Zoning District, and 65-A 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: - (M) Speaker – Off of consent  
 + Mark Blakeman – Project presentation  
 - Dane Erickson – Response to questions  
 - Lisa Wong – Request for continuance  
 ACTION: After being pulled off of Consent; Approved with Conditions as amended to include:  
 1. Sponsor to provide relevant RF information to the interested party;  
 and  
 2. EMF testing installation at the school site  
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 ABSENT: Wu  
 MOTION: 19214

5. [2014.0682C](#) (O. MASRY: (415) 575-9116)  
401 GENEVA AVENUE - at the northeast corner of Geneva Avenue and Interstate 280, Lot 011 in Assessor's Block 6949 - **Request for Conditional Use Authorization** under Planning Code Sections 234.2(a) and 303 to allow a wireless telecommunications services (WTS) facility operated by AT&T Mobility. The proposed macro WTS facility would replace an existing AT&T Mobility macro facility (Case No. 1997.133C) featuring six (6) panel antennas mounted to a light standard at pedestrian plaza (Balboa Park Bay Area Rapid Transit [BART] Station) south of Geneva Avenue. The proposed macro WTS facility would feature nine (9) panel antennas, mounted mid-pole, to an existing freestanding monopole which hosts a Verizon macro WTS facility. Electronic equipment necessary to run the facility would be located within a new equipment shelter located adjacent to the primary rail platform building. The facility is proposed on a Location Preference 1 Site (Publicly-Used Structure, Balboa Park BART Station) within a "P" (Public) Zoning District, and 160-E 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: + Mark Blakeman – Project presentation  
 ACTION: After being pulled off of Consent; Approved with Conditions  
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 ABSENT: Wu  
 MOTION: 19215

6. [2014.0565C](#) (C. TOWNES: (415) 575-9195)  
6600 THIRD STREET - north side, between Meade Avenue and Le Conte Avenue; Lot 009 in Assessor's Block 5476 - **Request for a Conditional Use Authorization** pursuant to Planning Code Section 303 requesting a specific modification to a Planning Code regulation related to height measurement pursuant to Planning Code Section 304 with respect to a recently constructed 73-unit, 100 percent affordable housing project that was previously approved pursuant to Conditional Use Authorization for a Planned Unit Development (Case No. 2008.1110CTZ) that included a specific modification to a Planning Code regulation related to height measurement. The subject property is located within a RM-1 (Residential Mixed, Low Density) Zoning District and 40-X Height and Bulk District. A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).  
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: - Dr. Espanola Jackson – Off of consent, then recanted her request.  
 ACTION: After being pulled off of Consent; Approved with Conditions  
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 ABSENT: Wu  
 MOTION: 19208

7. [2014.0880Q](#) (A. KIRBY: (415) 575-9133)  
3731 FILLMORE STREET - west side of Fillmore Street between Beach Street and Marina Boulevard; Lot 010 in Assessor's Block 0438A - **Request for Condominium Conversion Subdivision** to convert a three-story-over-garage, six-unit building into residential condominiums within a RM-3 (Residential, Mixed, Medium 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, Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 MOTION: 19207

## C. COMMISSION MATTERS

8. Consideration of Adoption:
- [Draft Minutes for July 17, 2014](#)
  - [Draft Minutes for July 24, 2014](#)

SPEAKERS: None  
ACTION: Adopted  
AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, 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.

9. 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:**

I was interested in seeing an article in Sunday's Chronicle, Willie Brown's column. It had to do with what seems to be interest by a group to build a facility, he described it as a soccer stadium, but it could be probably used for any use, has apparently has \$600,000 toward this construction. It might be something, even though it is in the City of Brisbane, we might want to keep an eye on it, because with the demolition of Candlestick, and a hope to host the Olympics and others events in San Francisco, it would be very difficult to be a the host city without a venue, that could at least have opening ceremonies or some of the larger events within or very close to the City. So, it's something to look at to find out what's happening here, if it's obviously a great site because it is served by Caltrain, Highway 101, Muni light rail that ends only a short distance from that site and not too far from BART, so it is an excellent site for a lot of uses and one of which, since this site is so big could be a stadium, so certainly worth looking into.

**Commissioner Johnson:**

Thank you very much, just a quick question, we had a condominium conversion as part of our consent agenda and I just want -- I know we have a ten year moratorium, I think on condo conversions, so I want to request a list of what is remaining on the list of grandfathered conversions that came before the moratorium.

**D. DEPARTMENT MATTERS**

10. [Director's Announcements](#)

**Director Rahaim:**

Good afternoon, Commissioners. Just one announcement, just to bring to your attention, that we are now including the Quarterly Housing Report in the written Director's Report that you receive every two weeks. That Quarterly Report -- the report is updated quarterly, but lists the status of the current housing development projects and with respect to their affordability level, so, I just want to call that to your attention that, that now is available to you in the written Director's Report, which comes out every two weeks. That concludes my report.

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

#### LAND USE COMMITTEE:

- **140821 Planning Code - Interim Controls; Clarifying Definition of a Business Sign. Sponsor: Wiener, Chiu .** This interim ordinance clarifies the definition of Business signs. At the land use hearing Supervisor Wiener who sponsored the ordinance said that this change was needed to close some loopholes in our current definition that are being exploited by general advertising sign companies. Supervisor Kim had some questions about the differences between a business sign and a general advertising sign and also some questions about storefront transparency. The commission unanimously forwarded this ordinance to the Board with recommendation.
- **140725 Underground District - Ringold Alley Sponsor: Kim .** As part of the In-Kind Agreement for the project at 350 8th Street, the project sponsor is implementing streetscape improvements to Ringold Street. Ringold Street was identified as priority project in both the Western SoMa Community Plan and the Western SoMa Neighborhood Transportation Plan. Part of the concept designs include the undergrounding of the utilities which requires legislation of the Underground District. The Commission heard the proposal for the In-Kind Agreement on May 22, where it was unanimously approved. It was also unanimously approved and recommended to the full Board in the Land Use Committee.

#### FULL BOARD OF SUPERVISORS:

- **140656 Resolution of Intent - Street Vacation - McCoppin Hub City Plaza Project -McCoppin Street. Sponsor: Kim, Wiener (D. Sanchez)** If you recall this resolution is to allow the McCoppin hub plaza to move forward. It was adopted without comment.
- **140740 Initiative Ordinance - Planning Code - City Housing Balance Requirement. Sponsor: Kim. (Dischinger, Switzky)** This motion places on the November ballot a policy declaration making findings, defining goals, and declaring policies that affirm the City's commitment to: 1) address the current housing affordability crisis; 2) support production of 30,000 units of new housing in San Francisco, including at least one-third of those affordable to low and moderate income households, and over 50% within financial reach of working middle class San Franciscans by 2020; 3) create a Housing Action and Neighborhood Stabilization Plan, including funding strategies; 4) ensure financial support of public housing; and 5) review the ratio of affordable to market rate housing, at an election to be held on November 4, 2014. This item replaces Supervisor Kim's original ballot initiative that would have required market rate project to obtain conditional use authorization if the balance of housing dropped below 30%. The Board approved this Ordinance, and it will be on the November 4<sup>th</sup> ballot.
- **140821 Planning Code - Interim Controls; Clarifying Definition of a Business Sign. Sponsors: Wiener, Chiu. (Purvis, S. Sanchez)** This is the same item that was heard at land use committee that I mentioned earlier. It passed the board unanimously without any comment.

#### INTRODUCTIONS:

- **140877 Planning Code - Amending the Downtown Support Special Use District, regarding Fees in Lieu of On-Site Open Space. Sponsor: Kim** Ordinance amending the Downtown Support Special Use District to allow the Planning Commission to authorize a monetary contribution to satisfy on-site open space requirements.
- **140876 Planning Code - Office Conversion Controls In Landmark Buildings. Sponsor: Cohen** This ordinance amends the Planning Code to place vertical controls on the conversion of designated landmark buildings to office use in PDR-1-D and PDR-1-G Districts.

- **140875 Planning Code - Amending the Third Street Alcohol Restricted Use District. Sponsor: Cohen.** This item would allow a brewery to open in the Third Street Alcohol RUD. The Commission heard a similar ordinance to allow wine tasting in the 3<sup>rd</sup> Street RUD. The topic of allowing beer tasting in breweries within this RUD was also included in the case report, so this item does not need to come back to the commission for review, unless the commission would like a hearing on it.
- **140844 Planning Code - Formula Retail and Large-Scale Retail Controls Sponsor: Planning Commission.** This Ordinance is the Department's proposal for regulating formula retail, which was heard by the Commission on July 17th. It will most likely be heard by the land use committee in September of this year.

#### **BOARD OF APPEALS:**

Board Appeals did not meet this week, and they will next meet on August 20<sup>th</sup>.

#### **HISTORIC PRESERVATION COMMISSION:**

Good afternoon, Commissioners. Tim Frye, Department staff. I have a couple items of interest to share with you from yesterday's Historic Preservation Commission hearing. The Commission unanimously approved a Certificate of Appropriateness for 201 Buchanan. This is an individually landmarked building, the Nightingale House. The proposed project is modifications to a non-visible addition, non-historic addition at the rear of the property and the construction of a new stair for the ground floor tenant, and then just to remind you the Nightingale House is - has a current Mills Act contract on file with the Department, which as you know, is the single most importance incentive for historic property owners to reinvest and preserve their landmarked properties. The only other item I wanted to share with you is the Commission unanimously approved a Certificate of Appropriateness for 981 Grove Street. This is a contributing building within the Alamo Square Landmark District. The proposal is to construct an addition at the rear of the property and also a vertical addition significantly setback from the public right-of-way. While the Commission did discuss the project at length, there were a couple of members of the public primarily adjacent neighbors that raised concerns about light and air from the proposed construction. It appears that the property owner and the neighbors are at an impasse so a DR likely will be filed and will be reviewed by this property, or by this Commission. The Historic Preservation Commission unanimously approved the project citing that the DR, or the light and air concerns, raised by the members of the public were not under their purview. So if you have any questions, I am happy to answer them at this time, and that concludes my report to 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:** Francisco Da Costa – Bayview Hill human remains for Candlestick fill, Ethics Commission  
Dr. Espanola Jackson – Item 6 did not need to come off of consent. Development politics  
Steve Vettel – Re-open the consent calendar for item 6

## 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.

12. [2008.1396E](#) (T. JOHNSTON: (415) 575-9035)  
**REGIONAL GROUNDWATER STORAGE AND RECOVERY PROJECT - Certification of the Final Environmental Impact Report** - The San Francisco Public Utilities Commission (SFPUC) is proposing the San Francisco Groundwater Supply Project, which seeks to increase water supply reliability during dry years and in emergencies, by increasing water storage in the South Westside Groundwater Basin during wet and normal years for subsequent recapture during dry years. The proposed project consists of the construction and operation of 16 new groundwater production wells and water treatment facilities to recover the stored groundwater. Each well facility would include the construction of a groundwater production well and associated fenced enclosure or treatment building, distribution pipelines to connect the well to the existing regional water system or to the local distribution system, and overhead or underground utility connections. Most well facilities would provide disinfection and additional treatment (i.e., pH adjustment, fluoridation, and/or iron/manganese removal). In addition, the proposed project includes upgrades to the Westlake Pump Station to serve three new well facilities (Sites 2, 3, and 4), including new fluoride, chlorine, and ammonia chemical storage tanks, replaced or upgraded chemical metering pumps, a resized transformer, and up to three new booster pumps to deliver the additional water into the Daly City distribution system, all of which would be located within the existing pump station building. The SFPUC is proposing this project in coordination with its partner agencies, which include the cities of Daly City and San Bruno, and the California Water Service Company (Cal Water) in its South San Francisco service area (collectively referred to as Partner Agencies). The project includes operation of groundwater well facilities at 16 different locations in Daly City, Colma, South San Francisco, San Bruno, Millbrae, and in unincorporated San Mateo County. The Partner Agencies currently supply potable water to their retail customers through a combination of groundwater from the South Westside Groundwater Basin and purchase of SFPUC surface water. The project would provide supplemental SFPUC surface water to the Partner Agencies during normal and wet years. During normal and wet years, the Partner Agencies would reduce their groundwater pumping by a comparable amount to increase the amount of groundwater in storage through natural recharge during these periods. During normal and wet years, the volume of groundwater in the South Westside Groundwater Basin would increase due to natural recharge and reduced groundwater pumping by the Partner Agencies. During dry years, the Partner Agencies and the SFPUC would pump the stored groundwater using 16 new well facilities. This new dry-year water supply would be blended with water from the regional water system, and would thereby increase the available water supply to all regional water system customers. An Operating Agreement between the SFPUC and its Partner Agencies would guide overall groundwater management and surface water deliveries associated with the proposed project. Preliminary Recommendation: Certify the Environmental Impact Report

SPEAKERS: - Robert Madow – Cannot yet support the project, well water

- Francisco Da Costa – SFPUC hearings, have not been diligent in this matter
- Dr. Espanola Jackson – 1972 sewage plant expansion. Bayview-Hunter’s Point concerns

ACTION: Certified  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore  
 RECUSED: Sugaya  
 MOTION: 19209

- 13a. [2008.1396ER](#) (P. IKEZOE: (415) 575-9137)  
**REGIONAL GROUNDWATER STORAGE AND RECOVERY PROJECT - Consideration of Adoption of Findings under the California Environmental Quality Act**, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, for the San Francisco Public Utilities Commission (SFPUC) Regional Groundwater Storage and Recovery Project. The proposed project involves new groundwater well facilities that would be managed by the SFPUC. All sites would be located outside of the City and County of San Francisco, at 16 sites in San Mateo County.  
 Preliminary Recommendation: Adopt

SPEAKERS: None  
 ACTION: Adopted  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 MOTION: 19210

- 13b. [2008.1396R](#) (P. IKEZOE: (415) 575-9137)  
**REGIONAL GROUNDWATER STORAGE AND RECOVERY PROJECT - Consideration of General Plan Referral** pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code of the City and County of San Francisco, and making Planning Code Section 101.1(b) findings recommending General Plan conformity findings for the San Francisco Public Utilities Commission (SFPUC) Regional Groundwater Storage and Recovery Project. The proposed project involves new groundwater well facilities that would be managed by the SFPUC. All sites would be located outside of the City and County of San Francisco, at 16 sites in San Mateo County.  
 Preliminary Recommendation: Adopt a Resolution finding the project, on balance, in conformity with the General Plan

SPEAKERS: None  
 ACTION: Adopted  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 MOTION: 19211

14. (C. TEAGUE: (415) 575-9081)  
**“OFFICE DEVELOPMENT ANNUAL LIMIT PROGRAM UPDATE - Informational presentation on the background, current status, and projected outlook of the Office Allocation Program pursuant to Planning Code Sections 320 through 325.”**

SPEAKERS: = Sue Hestor – Prop M context  
 = John Elberling – Economic reality  
 = Calvin Welch – Politics vs policy

ACTION: None - Informational

15. [2014.0112CE](#) (M. WOODS: (415) 558-6315)  
930 GOUGH STREET (AKA 888 TURK STREET) - northeast corner at Turk Street; Lot 009 in Assessor's Block 0744 - **Request for Conditional Use Authorization** pursuant to Planning Code Sections 209.3(g) and 303 to allow the conversion of a vacant church and medical clinic uses to a private elementary/middle school for the Chinese American International School serving grades Pre-K through 8. The site contains two buildings and a surface parking lot. The proposal is to renovate the buildings for classrooms, art studio, multi-purpose rooms, and administrative spaces. Exterior alterations are also proposed, including façade improvements, an elevator penthouse, roof deck, new fencing and gates. The project site is located in a RM-4 (Residential-Mixed, High-Density) District, and 80-B 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: + Jeff Bissell – Project introduction  
 ACTION: Approved with Conditions  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Sugaya  
 ABSENT: Moore  
 MOTION: 19212

16. [2012.1220C](#) (S. LAI: (415) 575-9087)  
2233 UNION STREET - south side between Steiner and Fillmore Streets, Lot 032, in Assessor's Block 0539 - **Request for Conditional Use Authorization** under Planning Code Sections 303, 317 and 725.53 to allow a Business/Professional Service use (d.b.a. Ingrid and Isabella LLC) on the third floor of the subject building to replace an existing dwelling unit in the Union Street Neighborhood Commercial 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: Disapprove

SPEAKERS: + Melinda Sarjapur – Project presentation  
 + Ingrid Carney – Project description  
 + Andrea – Supportive employee  
 + Chrissy Shay – Supportive employee  
 + Lynne Dalsing – Supportive employee  
 ACTION: Adopted a Motion of Intent to Approve with Conditions by a vote of +4 -3 (Commissioners Johnson, Moore, Wu against) and Continued the Matter to September 4, 2014  
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Sugaya

**3:00 PM** The following items may only be considered after 3:00 PM. This is not a time specific matter. The time indicated is provided as a courtesy.

17. [2014.0707I](#) (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  
(Continued from Regular Meeting of July 10, 2014)

- SPEAKERS:
- + Supervisor Chiu – Ordinance introduction
  - Doug Engman – Ill-conceived rezoning of the City
  - Calvin Welch – Affordability
  - Ian Lewis – Impacts to affordable housing
  - Bob Planthold – Incomplete, ADA violations
  - Rick Swig – Transient lodging
  - George Whilling – Impacts to RH-1 neighborhoods
  - Aaron Peskin – Enforceability
  - Dennis Antenore – Illegal operations
  - John Alex Lowell – Accessibility
  - Sue Hestor – City's goal of 30,000 units
  - Charlie Goss – Illegal conversion of rent controlled housing
  - = Tess Welborn – Collect back taxes, risks to rent control
  - + (F) Speaker – Supplemental income
  - Karen Grasslen – Rezoning all of SF
  - + Nancy Nielsen – AirBnB allows her to supplement her income
  - + Gayle Bellair – Homehsaring should have legislations
  - + Wyatt Haymen – Mechanism for connection
  - + Emiluy Bencker – Option of renting out a room has always existed
  - + Nancy Neiderhouser – Good neighbors
  - + Melinda – Sensible regulation
  - + Nick Guinness – Sensible regulation
  - + Julie – Supplemental income
  - + Tanya – Supplemental income
  - + Karen Cansino – Supplemental income
  - + Henry Cansino – Supplemental income
  - + Loraine Rorkader – Public registry
  - + Sandra - Supplemental income
  - + Skate Stone - Supplemental income
  - + Ellen Liance – Fiar homehsaring
  - + Justin Lee – Full-time vs. occasional rental
  - + Paula - Supplemental income
  - + Phillip Zukor – Survival in the City
  - + Doug – Sell SF
  - = Dana Reese - Supplemental income
  - + Chris – Flexibility
  - + (F) Speaker - Supplemental income
  - + Christine - Supplemental income
  - J.J. Panzer – Insurance, ADA

- + Natasha Bell – Liabilities
- + (M) Speaker - Supplemental income
- + Sara Boldsam - Supplemental income
- + Gladstone Lenny - Supplemental income
- + Ashley - Supplemental income
- + Kevin Carrol – Regulations
- + John Ballesteros – Licensing, permitting, and enforcement
- + (M) Speaker – Housing issues
- Louis Dorsey – Quiet and peaceful block until AirBnB came to his block, DPT
- Andrew Long – Not ready, past taxes
- + Carrie Davis – Fair to share
- + Mashir – Supplemental income
- + Peter Kwan – Homeshares support group
- + Jeanie Stone - Supplemental income
- + Eve Vanderschmidt - Supplemental income
- + Chris - Supplemental income
- Gary Phi – Undermines the body of law for landlords and tenants
- Dave Bishell – Not sharing – taking
- Richard Jester – Insurance liability issues
- + Cindy McVee – Extended stay near UCSF
- Brook Turner – Insurance
- Gene Winterbroker – Insurance
- Gustavo Vasquez – Short term rentals push people out of the City
- (M) Speaker – Raising the cost of living
- Jim Tayler – Potential loss of hotel jobs and affordable housing
- Rosie – Job loss
- + Mathew - Supplemental income
- + Laura - Supplemental income
- Larry Brown – Enforceability, owner knowledge, rent control
- Marla Knight – Enforcement
- Theresa Flandrick – Vacation rental impact on neighborhoods
- Mark Hendersen – Dragging property owner unvoluntarily, owner consent
- Dan Karrigan - Supplemental income
- Silvy Yee – Insurance, safety, selectivity
- Brie – Help people stay in SF
- David Gruber – Property owners the ability to deny short term rentals
- Tony Robles – SRO's, eviction,, share the \$50 millions
- (M) Speaker – Support
- Roger Ritter – Enforceability, neighborhood character
- + Dale Carlson – Myths of homesharing
- Dave Thompson – Use the taxes to build affordable housing
- + Ron Jordan – Support
- = Suzanne Power – Rise in cost of housing, enforcement
- Robyn Altman – Property owner concerns
- + Anita - Supplemental income
- + Sharon - Supplemental income

- + Gabriel Turner - Supplemental income
  - + George - Supplemental income
  - + Stephan - Supplemental income
  - + (F) Speaker - Supplemental income
  - + Andy Stom – Minimal impact to rental stock
  - = Greg Demeza – Legislation needs more work
  - Dennis Moscofian – Deregulations, corporate distinction
  - + Gina Grande – Sensible policies
  - + Bobby – Transparency-safety
  - + (M) Speaker - Supplemental income
  - + Hellen Chen - Supplemental income
  - + (M) Speaker - Supplemental income
  - + (F) Speaker - Supplemental income
  - + Janice - Supplemental income
  - + Sarah - Supplemental income
  - + (F) Speaker - Supplemental income
  - + Emily - Supplemental income
  - + Amanda Lelo - Supplemental income
  - + Brian – No profit motive, only offset costs
  - + Courtney Clarkson – Support
  - + Michael Gropa – Support
  - + Mike – Support
  - + Nelson – Support
  - + Melanie – Support
  - +Martha – Support
  - +Tony Carrol – Support
  - + Bryce – Support
  - + (F) Speaker – Support
  - + Suhas – Support
  - + Barbara – Support
  - Katherine Beckwith – Transparency to owners
  - + Charlie - Supplemental income
  - + (M) Speaker - Supplemental income
  - + (F) Speaker - Supplemental income
  - + Naomi - Supplemental income
  - + Dee - Supplemental income
  - + (M) Speaker – Peer to peer lending
  - + Vee – Support
  - Jenan New – Single family homeowner should be allowed to rent out a room in which they live. Rental control laws
  - + Akneshka – No time limits
  - = Brad Paul – No loss of housing
- ACTION: Adopted a Resolution Recommending Approval with Modifications, proposed by staff; and recommending the Board consider:
1. A limit to hosted rentals by days or rooms or both;
  2. Property owner consent in tenant occupied units and/or a 30 day Notification by the Department to the owner;
  3. Exclude SRO's from the legislation
  4. Budget funding for enforcement;

5. BMR limitations;
6. Insurance requirements;
7. Maintaining a list of registered hosting platforms; and
8. Prohibiting any short-term rental where Code violations exist.

AYES: Wu, Fong, Antonini, Hillis, Johnson  
 NAYES: Moore, Sugaya  
 MOTION: 19213

## 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.

18. [2013.0791DV](#) (S. LAI: (415) 575-9087)  
135 BELGRAVE AVENUE – south side between Stanyan and Shrader Streets; Lot 046 in Assessor’s Block 2688 - **Request for Discretionary Review** of Building Permit Application No. 2013.12.12.4044 proposing to construct second floor horizontal additions within the existing building footprint at the front and rear of the two-story, single-family home. The proposed additions are partially located within the required side yards and a **variance request was heard by the Zoning Administrator on March 26, 2014**. The property is located in a RH-1(D) (Residential, House, Single-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: Abbreviated Discretionary Review  
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: - David Burns – DR requestor  
 - Debra Dowd – Design  
 + Leslie Fine – Proejct presentation  
 + Craig Nikitas – Neighborhood context  
 ACTION: No DR and Approved as Proposed  
 AYES: Fong, Antonini, Hillis, Johnson, Moore, Sugaya  
 ABSENT: Wu  
 DRA No: 0372

- 19a. [2013.0771DV](#) (G. CABREROS: (415) 558-6169)  
1055 ASHBURY STREET - west side at the intersection of Ashbury and Downey Streets; Lot 167 in Assessor’s Block 1269 - **Request for Discretionary Review** of Building Permit Application No. 2013.07.31.3282 proposing new construction of a three-story, single-family residential building on a vacant lot within a 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:**
- Dane Ryan – DR requestor
  - Ana Kosai – Deny variance
  - Hugh John – Opposed
  - Suchi – Deny variance and take DR
  - Larry Fingerhut – Petition
  - Michele – Deny variance and take DR
  - Adrienne Fanshizi – Neighborhood character
  - Scott Smith McErdee – Take DR and deny variance
  - Kirk Scott – Variance history
  - Michael Harsh – Light and air
  - Marrison Prada – Take DR and deny variance
  - + Tom Tuney – Project description
  - + Eric Dumican – Project design
  - + Ty Bash – No DR
  - + Steve Chess – Should be approved
  - + (F) Speaker – Support
- ACTION:** After hearing and closing public comment; continued to September 11, 2014
- AYES:** Fong, Antonini, Hillis, Johnson, Moore, Sugaya
- ABSENT:** Wu

- 19b. [2013.0771DV](#) (G. CABREROS: (415) 558-6169)  
1055 ASHBURY STREET - west side at the intersection of Ashbury and Downey Streets; Lot 167 in Assessor's Block 1269 - **Request for Variance**, pursuant to Planning Code Section 134, to allow the project to extend into the required rear yard. The project proposes new construction of a three-story, single-family residence on a vacant lot. Per Planning Code Section 134, the required rear yard for the subject property based on rear yard averaging is approximately 22 feet. The project, including elevator bay and deck projections, is proposed to be constructed 10 feet into the required rear yard. The project site is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.

- SPEAKERS:** Same as item 19a
- ACTION:** After hearing, ZA Continued to September 11, 2014

## 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: 11:30 P.M.**