

SAN FRANCISCO PLANNING COMMISSION



Notice of Hearing & Agenda

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

Thursday, January 25, 2018
1:00 p.m.
Regular Meeting

Commissioners:

Rich Hillis, President

Myrna Melgar, Vice President

Rodney Fong, Christine Johnson, Joel Koppel,

Kathrin Moore, Dennis Richards

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

Website: <http://www.sfplanning.org>

Planning Department, 1650 Mission Street, 4th Floor, Suite 400

Planning Information Center, 1660 Mission Street, 1st Floor

Voice recorded Agenda only: (415) 558-6422

Commission Hearing Broadcasts:

Live stream: <http://www.sfgovtv.org>

Live, Thursdays at 1:00 p.m., Cable Channel 78

Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

Disability and language accommodations available upon request to:
commissions.secretary@sfgov.org or (415) 558-6309 at least 48 hours in advance.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244; phone (415) 554-7724; fax (415) 554-5163; or e-mail at sotf@sfgov.org.

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at www.sfbos.org/sunshine.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online <http://www.sfgov.org/ethics>.

Accessible Meeting Information

Commission hearings are held in Room 400 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is open to the public Monday through Friday from 8:00 a.m. to 8:00 p.m. and is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances. A wheelchair lift is available at the Polk Street entrance.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing.

Allergies: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Commission hearings.

SPANISH:

Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-558-6309. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE:

規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-558-6309。請在聽證會舉行之前的至少48個小時提出要求。

TAGALOG:

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-558-6309. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN:

Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-558-6309. Запросы должны делаться минимум за 48 часов до начала слушания.

100% Affordable Housing Bonus Program Authorization, pursuant to Planning Code Sections 206 and 328 to allow for the demolition of an existing one-story building and construction of a new nine-story 100% affordable housing development for low-income and formerly-homeless families with 130 dwelling units and arts-related Production, Distribution, and Repair (PDR) space at the ground floor. The project requests development bonuses, zoning modifications and exceptions for 1) increased height above that which is principally permitted by the zoning district, 2) reduced rear yard pursuant to Planning Code Section 134, 3) reduced dwelling unit exposure pursuant to Planning Code Section 140, 4) reduced usable open space pursuant to Planning Code Section 135, and 5) reduced ground floor minimum floor-to floor height pursuant to Planning Code Section 145.1. This project is within the UMU (Urban Mixed-Use) Zoning District and 68-X Height and Bulk District.

Preliminary Recommendation: Pending
(Proposed for Indefinite Continuance)

4. 2009.0880ENX-02 (E. JARDINES: (415) 575-9144)
2100 MISSION STREET – southwest corner of Mission and 17th Streets, Lot 001 in Assessor's Block 3576 (District 9) – Request for a **Large Project Authorization** (LPA), pursuant to Planning Code Section 329 and Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19865), to construct a new 65-foot tall, six-story, 28,703 square-foot mixed-use building with 29 dwelling units and approximately 3,000 square feet of ground floor commercial. Under the LPA, the Project is seeking an exception to the Planning Code requirements for street frontage (Planning Code Section 145.1). The proposed project is located within the Mission Street Neighborhood Commercial Transit (Mission St NCT) Zoning District and 65-B Height and Bulk District. This action constitutes 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
 (Continued from Regular Meeting on December 14, 2017)

WITHDRAWN

B. COMMISSION MATTERS

5. Consideration of Adoption:
- [Draft Minutes for December 14, 2017](#)
 - [Draft Minutes for December 21, 2017](#)
6. 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.

C. DEPARTMENT MATTERS

7. Director's Announcements

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

D. GENERAL 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. Each member of the public may address the Commission for up to three minutes.

E. 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.

9. [2017-014010CRV](#) (D. LANDIS: (415) 575-9118)
FY 2018-2020 PROPOSED DEPARTMENT BUDGET and WORK PROGRAM – An **Informational Presentation** of the department's proposed revenue and expenditure budget in FY 2018-2019 and FY2019-2020, including grants, capital budget requests, and staffing changes; high-level work program activities for the department in FY 2018-2019 and FY2019-2020; and proposed dates where budget items will be discussed during the budget process.
Preliminary Recommendation: None – Informational
10. [2009.3461CWP](#) (M. SNYDER: (415) 575-6891)
AREA PLAN IMPLEMENTATION UPDATE AND INTER-DEPARTMENT PLAN IMPLEMENTATION COMMITTEE (IPIC REPORT) – **Informational Presentation** on the activities of the Department's Plan Implementation Group, including overview progress toward funding infrastructure projects called for in adopted area plans and coordination with CACs. Presentation of 2018 Interdepartmental Plan Implementation Committee (IPIC) Report, which includes capital planning accomplishments and recommendations for each plan area.
Preliminary Recommendation: None – Informational
11. [2014-001272DVA](#) (R. SUCRE: (415) 575-9108 & M. CHRISTENSEN: (415) 575-8742)
PIER 70 MIXED-USE PROJECT – east side of Illinois Streets between 20th and 22nd Streets – Assessor's Block 4052 Lot 001 (partial), Block 4111 Lot 004 (partial), Block 4110 Lots 001 and 008A, and Block 4120 Lot 002 (District 10) – **Informational Presentation** on Phase 1 Submittal of the Pier 70 Mixed-Use Project. On December 15, 2017, the Board of Supervisors approved the Disposition and Development Agreement (DDA) associated with the Pier 70 Mixed-Use Project. The Pier 70 Mixed-Use Project includes new construction of market-rate and affordable residential uses, commercial use, retail, arts, and light industrial uses, parking, shoreline improvements, infrastructure development and street improvements, and public open space.
Preliminary Recommendation: None – Informational

- 12a. [2014.1364CUA](#) (B. BENDIX: (415) 575-9114)
1555 UNION STREET – south side of Union Street, between Franklin Street and Van Ness Avenue, Lot 001B in Assessor’s Block 0546 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 121.2, 303(c), 303(g), 307(i), and 725.55 to demolish an existing motel and to construct a four-story hotel containing approximately 100 guest rooms, 29 below grade off-street parking spaces, one off-street freight loading space and eight Class 1 bicycle parking spaces within approximately 58,620 square feet. The project is located within the Union Street Neighborhood Commercial 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 San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions
(Continued from Regular Meeting on November 30, 2017)
- 12b. [2014.1364VAR](#) (B. BENDIX: (415) 575-9114)
1555 UNION STREET – south side of Union Street, between Franklin Street and Van Ness Avenue, Lot 001B in Assessor’s Block 0546 (District 2) – Request for a **Variance** from the Zoning Administrator to address the requirements for the rear yard (Planning Code Section 134). The proposed project will demolish an existing motel and construct a four-story hotel containing approximately 100 guest rooms, 29 below grade off-street parking spaces, one off-street freight loading space and eight Class 1 bicycle parking spaces within approximately 58,620 square feet. The project is located within a Union Street Neighborhood Commercial Zoning District and 40-X Height and Bulk District.
(Continued from Regular Meeting on November 30, 2017)
- 13a. [2017-003134CUA](#) (N. FOSTER: (415) 575-9167)
72 ELLIS STREET - north side of Ellis Street, between Stockton and Powell Streets, Lot 011 in Assessor’s Block 0327 (District 3) – Request for **Performance Period Extension** for an additional three years for a previously-approved project (Conditional Use Authorization). The amendment proposes minor changes to the overall design of the building with an increase in guest room count from the original proposal (from 156 rooms to 192 rooms). The Project proposes to demolish an existing surface parking lot and construct an approximately 130-foot-tall (up to maximum height of 146 feet, inclusive of mechanical equipment and elevator over-run), 11-story-over-basement, approximately 76,500 gross square foot (gsf) building. The proposed building would contain a Hotel Use (a Retail Sales and Service Use), providing one hundred and ninety two (192) tourist guest rooms, and would also contain approximately 8,500 square feet of retail use. The Project would provide eight (8) Class I bicycle parking spaces in the basement and eleven (11) Class II bicycle parking spaces on Ellis Street. No off-street parking is proposed; the Project would include a passenger loading zone directly in front of the subject property (subject to SFMTA approval). The Project requests Zoning Administrator consideration of a Elevator Height Exemption Waiver pursuant to Section 260(b)(1)(B) The subject property is located within the C-3-R (Downtown Retail) Zoning District, 80-130-F Height and Bulk District, and Kearny-Market-Mason-Sutter (KMMS) Conservation District. The project also required action by the Historic Preservation Commission on a Permit to Alter for demolition and new construction within the KMMS Conservation District (Case No. 2017-003134PTA). On June 7, 2017, the Historic Preservation Commission approved the Permit to Alter, with recommendations as amended, by a vote of +4 -0, (HPC Motion No. 0305).

Preliminary Recommendation: Approve Two-Year Extension of Performance Period
(Continued from Regular Meeting on November 30, 2017)

- 13b. [2017-003134DNX](#) (N. FOSTER: (415) 575-9167)
72 ELLIS STREET – north side of Ellis Street, between Stockton and Powell Streets, Lot 011 in Assessor’s Block 0327 (District 3) – Request for **Performance Period Extension** for an additional three years for a previously-approved project (Downtown Project Authorization). The amendment proposes minor changes to the overall design of the building with an increase in guest room count from the original proposal (from 156 rooms to 192 rooms). The Project proposes to demolish an existing surface parking lot and construct an approximately 130-foot-tall (up to maximum height of 146 feet, inclusive of mechanical equipment and elevator over-run), 11-story-over-basement, approximately 76,500 gross square foot (gsf) building. The proposed building would contain a Hotel Use (a Retail Sales and Service Use), providing one hundred and ninety two (192) tourist guest rooms, and would also contain approximately 8,500 square feet of retail use. The Project would provide eight (8) Class I bicycle parking spaces in the basement and eleven (11) Class II bicycle parking spaces on Ellis Street. No off-street parking is proposed; the Project would include a passenger loading zone directly in front of the subject property (subject to SFMTA approval). The Project requests Zoning Administrator consideration of a Elevator Height Exemption Waiver pursuant to Section 260(b)(1)(B) The subject property is located within the C-3-R (Downtown Retail) Zoning District, 80-130-F Height and Bulk District, and Kearny-Market-Mason-Sutter (KMMS) Conservation District. The project also required action by the Historic Preservation Commission on a Permit to Alter for demolition and new construction within the KMMS Conservation District (Case No. 2017-003134PTA). On June 7, 2017, the Historic Preservation Commission approved the Permit to Alter, with recommendations as amended, by a vote of +4 -0, (HPC Motion No. 0305).
Preliminary Recommendation: Approve Two-Year Extension of Performance Period
(Continued from Regular Meeting on November 30, 2017)
- 13c. [2017-003134](#) (N. FOSTER: (415) 575-9167)
72 ELLIS STREET – north side of Ellis Street, between Stockton and Powell Streets, Lot 011 in Assessor’s Block 0327 (District 3) – Request for Zoning Administrator consideration of an **Elevator Height Exemption Waiver** pursuant to Section 260(b)(1)(B). The Project requests a height exemption from Section 260(b)(1)(B), which limits the height exemption applicable to elevator penthouses to 16 feet. The rooftop elevator penthouse enclosure at the Project Site would extend 29’-1” above the roof elevation of 130 feet, exceeding the allowable height by 13’-1”. The Zoning Administrator may, after conducting a public hearing, grant a height exemption for an elevator penthouse provided that the exemption is required to meet state or federal laws or regulations. The Project Sponsor has provided a technical memorandum from the Project’s elevator consultant confirming that the exemption is required to meet State of California elevator safety codes.
14. [2017-013406CUA](#) (S. ADINA: (415) 575-8722)
1177 CALIFORNIA STREET, UNIT 1014 AND 1015 – southeast corner of California and Jones Streets; lot 096 of Assessor’s Block 0253A (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 317 to merge two dwelling units within a 254-unit building. The project would merge a 1,399 square foot, two-bedroom, two and a half-bath unit (#1014) with a 795 square foot, one-bedroom, one-

bath unit (#1015) within a RM-4 (Residential - Mixed, High Density) Zoning District and 65-A Height and Bulk District.

Preliminary Recommendation: Disapprove

15. [2014-001400ENX](#) (E. SAMONSKY: (415) 575-9112)
[2750 19TH STREET](#) – located at the northeast corner of Bryant and 19th Streets, Lot 004A in Assessor’s Block 4023 (District 10) - Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, for the demolition of an existing industrial building, with the exception of the brick facade, and new construction of a six-story, 68-foot tall, mixed-use building (measuring approximately 74,446 square feet) with 60 dwelling units, approximately 7,471 square feet ground floor retail, 24 below-grade off-street parking spaces, one car-share parking space, 84 Class 1 bicycle parking spaces, and 13 Class 2 bicycle parking spaces. The Project includes 4,800 square feet of common open space roof deck. Under the LPA, the project is seeking an exception to certain Planning Code requirements, including: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); 3) street frontage (Planning Code Section 145.1). The project site is located within the UMU (Urban Mixed-Use) and 68-X Height and Bulk District. This action constitutes 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
 (Continued from Regular Meeting on November 30, 2017)

F. 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.

16. [2016-003051DRP](#) (E. JACKSON: (415) 558-6363)
[37 SUSSEX STREET](#) – located on the west side of Sussex Street, between Penny Lane and Diamond Street; Lot 018 in Assessor’s Block 6729 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2016.0219.0012 proposing construction of a vertical one-story addition on a single-family dwelling. The Project is located within a RH-1 (Residential, House, Single-Family) Zoning District and 40-X Height and Bulk District.
 Staff Analysis: Abbreviated Discretionary Review
Preliminary Recommendation: Do Not take Discretionary Review and Approve
17. [2017-004890DRP](#) (E. SAMONSKY: (415) 575-9112)
[3600 SCOTT STREET](#) – located on the east side of Scott Street, between Beach Street and Capra Way; Lot 017 in Assessor’s Block 0441A (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2017.03.29.2707, proposing replace the glass deck railing, of 42 inches in height, with a glass windscreen of 72 inches in height on an existing roof deck. The Project is located 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 San Francisco Administrative Code Section [31.04\(h\)](#).
 Staff Analysis: Abbreviated Discretionary Review

Preliminary Recommendation: Do Not take Discretionary Review and Approve

ADJOURNMENT

Privacy Policy

Members of the public are not required to provide personal identifying information when they communicate with the Commission or Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

Hearing Procedures

The Planning Commission holds public hearings regularly, on most Thursdays. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: www.sfplanning.org.

Public Comments: Persons attending a hearing may comment on any scheduled item.

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue(s) by the Director or a member of the staff.
2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
4. **Public testimony from proponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
5. **Public testimony from opponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
6. Director's preliminary recommendation must be prepared in writing.
7. Action by the Commission on the matter before it.
8. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
9. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
10. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
11. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue by the Director or a member of the staff.

2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.
5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

Hearing Materials

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 1650 Mission Street, Suite 400, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary (commissions.secretary@sfgov.org) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

Appeals

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

Case Type	Case Suffix	Appeal Period*	Appeal Body
Office Allocation	OFA (B)	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	CUA (C)	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	DRP/DRM (D)	15 calendar days	Board of Appeals
EIR Certification	ENV (E)	30 calendar days	Board of Supervisors
Coastal Zone Permit	CTZ (P)	15 calendar days	Board of Appeals
Planning Code Amendments by Application	PCA (T)	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	VAR (V)	10 calendar days	Board of Appeals
Large Project Authorization in Eastern Neighborhoods	LPA (X)	15 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts	DNX (X)	15-calendar days	Board of Appeals
Zoning Map Change by Application	MAP (Z)	30 calendar days	Board of Supervisors

* Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission

hearing). Appeals of Zoning Administrator decisions on Variances must be made within 10 days from the issuance of the decision letter.

****An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.**

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or board.of.supervisors@sfgov.org.

An appeal of the approval (or denial) of a **100% Affordable Housing Bonus Program application** may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Sections 328(g)(5) and 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** issued (or denied) pursuant to a 100% Affordable Housing Bonus Program application by the Planning Commission or the Board of Supervisors may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Challenges

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code

If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Protest of Fee or Exaction

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

The Planning Commission's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.