

# 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, March 29, 2018**  
**1:00 p.m.**  
**Regular Meeting**

Commissioners:

Rich Hillis, President

Myrna Melgar, Vice President

Rodney Fong, Milicent 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, 4<sup>th</sup> Floor, Suite 400

Planning Information Center, 1660 Mission Street, 1<sup>st</sup> 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

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Disability and language accommodations available upon request to:  
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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](mailto: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](http://www.sfbos.org/sunshine).

### **San Francisco Lobbyist Ordinance**

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### **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.

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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.

## ROLL CALL:

President: Rich Hillis  
 Vice-President: Myrna Melgar  
 Commissioners: Rodney Fong, Milicent Johnson, Joel Koppel,  
 Kathrin Moore, Dennis Richards

**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. 2013.1872DRP (R. SUCRE: (415) 575-9108)  
768 HARRISON STREET – located on the north side of Harrison Street between corner of Lapu Lapu and 4<sup>th</sup> Streets; Lots 033 & 062 in Assessor’s Block 3751 (District 6) - Request for **Discretionary Review** of Building Permit Application No. 2014.06.26.9588, proposing demolition of the existing two-story industrial building and new construction of a seven-story (75-ft tall) mixed-use building with approximately 975 square feet (sq ft) of retail use on the ground floor, 6,199 sq ft of office use on the second floor, and 11 dwelling units on the third thru seventh floors. The proposed project is located in a MUO (Mixed-Use Office) Zoning District and 85-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Pending*  
**(Proposed Continuance to April 19, 2018)**
  
- 2a. 2016-002728CUA (B. BENDIX: (415) 575-9114)  
2525 VAN NESS AVENUE – west side of Van Ness Avenue between Union Street and Filbert Street, Lot 004 in Assessor’s Block 0527 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 253 and 303 to construct an approximately 65-foot tall building of approximately 70,080 square feet containing 28 dwelling units, approximately 2,000 square feet of ground floor retail, and up to 14 off-street parking spaces. The project site is located in a RC-3 (Residential-Commercial, 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 San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Pending*  
**(Proposed Continuance to May 3, 2018)**
  
- 2b. 2016-002728VAR (B. BENDIX: (415) 575-9114)  
2525 VAN NESS AVENUE – west side of Van Ness Avenue between Union Street and Filbert Street, Lot 004 in Assessor’s Block 0527 (District 2) – Request for a **Variance** from the Zoning Administrator to address the requirements for the rear yard (Planning Code Section 134). The project will construct an approximately 65-foot tall building of approximately 70,080 square feet containing 28 dwelling units, approximately 2,000 square feet of ground floor retail, and up to 14 off-street parking spaces. The project site is located in a

RC-3 (Residential-Commercial, Medium Density) Zoning District and 65-A Height and Bulk District.

**(Proposed Continuance to May 3, 2018)**

- 3a. 2013.1037C (C. MAY: (415) 575-9087)  
650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor’s Block 1202 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 271, 303, 746.10 and 746.11 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A 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 of December 14, 2017)

**(Proposed Continuance to June 21, 2018)**

- 3b. 2013.1037V (C. MAY: (415) 575-9087)  
650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor’s Block 1202 (District 5) - Request for **Rear Yard Modification** pursuant to Planning Code Section 134 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within the Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.

(Continued from Regular Meeting of December 14, 2017)

**(Proposed Continuance to June 21, 2018)**

## B. COMMISSION MATTERS

4. Consideration of Adoption:
- [Draft Minutes for March 8, 2018](#)
  - [Draft Minutes for March 15, 2018](#)
5. 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

6. Director’s Announcements

7. 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.

8. [2018-003109PCA](#) (A. STARR: (415) 558-6362)  
EXTENDING LOWER POLK ALCOHOL RESTRICTED USE DISTRICT FOR FIVE YEARS [BOARD FILE NO. 180190] – **Planning Code Amendment** introduced by Supervisor Peskin to amend the Planning Code to extend the Lower Polk Street Alcohol Restricted Use District to June 1, 2023; to expand the circumstances in that District when temporary closures of Liquor Establishments are not considered abandonment of such uses, and provide that such temporary closures in that district are not considered an enlargement alteration intensification, abandonment, or change of use, provided that any demolition permits required for the repair, renovation, or remodeling work have been approved January 1, 2018; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code Section 302.  
*Preliminary Recommendation: Approve with Modifications*
9. [2018-001189IMP](#) (N. FOSTER: (415) 575-9167)  
505 HOWARD STREET – east side of Howard Street between 1st and 2nd Streets, Lot 183 in Assessor’s Block 3736 (District 6); Informational presentation on Lehigh University’s Abbreviated **Institutional Master Plan (IMP)**, pursuant to Planning Code Section 304.5. Receipt of this IMP does not constitute approval or disapproval of any proposed projects contained in the IMP by the Planning Commission. The Abbreviated IMP contains information on the nature and history of the institution, the location and use of affiliated buildings, and development plans. The Abbreviated IMP is available for viewing on the Planning Department’s website at: <http://www.sfplanning.org>, click on “Resource Center”, then “Department Publications A-Z”, then scroll to “I” for Institutional Master Plans. The IMP is also available for public viewing at the Planning Department’s Public Information Center located at 1660 Mission Street, 1st Floor, and at the Department’s reception area located at 1650 Mission Street, 4th Floor.  
*Preliminary Recommendation: None – Informational*

10. [2016-010340ENV](#) (J. POLING: (415) 575-9072)  
500 TURK STREET – northwest corner of Turk Street and Larkin Street, (Assessor's block/lot 0741/002) – Certification of the **Final Environmental Impact Report**. The project site is occupied by a one- to two-story, 20- to 30-foot-tall, 7,315-square-foot tire and automobile service building and associated surface parking. The project would demolish the existing building and surface parking and construct an eight-story, 79-foot-tall, 106,000-square-foot building that would contain 107 affordable residential units and one manager's unit. Constructed in 1935, the building is individually eligible for listing on the California Register. The project site is located in a Residential-Commercial, High Density (RC-4) District, the North of Market Residential Special Use District No. 1, and 80-T Height and Bulk District.  
**NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on January 16, 2018. Public comment will be received when the item is called during the hearing; however, comments submitted may not be included in the Final EIR.**  
*Preliminary Recommendation: Certify*
- 11a. [2016-003836CUA](#) (L. AJELLO: (415) 575-9142)  
114 LYON STREET – east side of Lyon Street between Oak and Page Streets; Lot 020 in Assessor's Block 1220 (District 5) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to legalize the merger of four dwelling units into two dwelling units. The proposed project would legalize the merger of four dwelling units into a 3,096 sq. ft. dwelling and a 341 sq. ft. studio unit behind the garage in a four-story residential building. The subject property is 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).  
*Preliminary Recommendation: Disapprove*  
(Continued from Regular hearing on March 22, 2018)  
**Note: On October 19, 2017, after hearing and closing public comment, Continued to December 21, 2017 by a vote of +4 -0 (Johnson, Melgar, Moore absent). On December 21, 2017, without hearing, Continued to February 8, 2018 by a vote of +6 -0 (Johnson absent). On February 8, 2018, without hearing, Continued to March 8, 2018 by a vote of +7 -0. On March 8, 2018, without hearing, Continued to March 22, 2018 by a vote of +7 -0. On March 22, 2018, without hearing, Continued to March 29, 2018 by a vote of +5 -0 (Fong, Hillis absent).**
- 11b. [2016-003836VAR](#) (L. AJELLO: (415) 575-9142)  
114 LYON STREET – east side of Lyon Street between Oak and Page Streets; Lot 020 in Assessor's Block 1220 (District 5) - Request for **Variance**, pursuant to Planning Code Section 134(c), to legalize the construction of a deck and stair located the rear yard of the 4-story four-unit residential building. The subject property is within a RH-3 (Residential, House, Three-Family) Zoning District and 40-X Height and Bulk District.  
(Continued from Regular hearing on March 22, 2018)  
**Note: On October 19, 2017, after hearing and closing public comment, ZA Continued to December 21, 2017. On December 21, 2017, without hearing, Acting ZA Continued to**

**February 8, 2018. On February 8, 2018, without hearing, Acting ZA Continued to March 8, 2018. On March 8, 2018, without hearing, Acting ZA Continued to March 22, 2018. On March 22, 2018, without hearing, Acting ZA Continued to March 29, 2018.**

- 12a. [2015-015203DNX](#) (A. PERRY: (415) 575-9017)  
135 HYDE STREET – west side of Hyde Street between Turk Street and Golden Gate Avenue, Lot 002 in Assessor’s Block 0346 (District 6) – Request for **Downtown Project Authorization**, pursuant to Planning Code Section 309, with exceptions to requirements for Rear Yard (Section 134) and Reduction of Ground-Level Wind Currents (Section 148). The project would demolish the existing one-story, 4,950 square-foot building last used as an automotive repair garage, and construct a new 8-story over basement, 80-foot tall mixed-use building with approximately 45,322 gross square feet. The proposed building would include 69 dwelling units with approximately 3,336 square feet of common open space for residents, 940 square feet of ground-floor commercial space, a basement garage with 18 vehicle parking spaces and 1 car-share space, 69 Class 1 bicycle parking spaces in the garage, and 6 Class 2 bicycle parking spaces along Hyde Street. The project site is located in the Downtown General Commercial (C-3-G) Zoning District, 80-X Height and Bulk District, and within the Downtown Plan Area. 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*
- 12b. [2015-015203VAR](#) (A. PERRY: (415) 575-9017)  
135 HYDE STREET – west side of Hyde Street between Turk Street and Golden Gate Avenue, Lot 002 in Assessor’s Block 0346 (District 6) – Request for **Variance** from exposure requirements of Planning Code Section 140, for 31 of the 69 proposed dwelling units in the project. These dwelling units face onto a proposed courtyard within the project, but do not meet the strict Code requirements of this Section; therefore a Variance is required. The project would demolish the existing one-story, 4,950 square-foot building last used as an automotive repair garage, and construct a new 8-story over basement, 80-foot tall mixed-use building with approximately 45,322 gross square feet. The proposed building would include 69 dwelling units with approximately 3,336 square feet of common open space for residents, 940 square feet of ground-floor commercial space, a basement garage with 18 vehicle parking spaces and 1 car-share space, 69 Class 1 bicycle parking spaces in the garage, and 6 Class 2 bicycle parking spaces along Hyde Street. The project site is located in the Downtown General Commercial (C-3-G) Zoning District, 80-X Height and Bulk District, and within the Downtown Plan Area.
13. [2014-002033DNX](#) (D. VU: (415) 575-9120)  
429 BEALE STREET (ALSO 430 MAIN STREET) – midblock between Harrison and Bryant Streets, Lots 305 & 306 in Assessor’s Block 3767 (District 6) – Request for **Downtown Project Authorization**, pursuant to Planning Code Section 309.1, with an exception from the dwelling unit exposure requirement of Planning Code Section 140, to demolish an existing 35,625 sq. ft. commercial building, merge both parcels, and construct a new 140,280 sq. ft., nine- to ten-story and 84 ft. tall residential building containing 144 dwelling units, 10,800 sq. ft. of open space, 111 indoor bicycle parking spaces, and a 17,720 sq. ft. underground garage with 72 accessory automobile parking spaces. The

subject property is located within a RH-DTR (Rincon Hill – Downtown Residential) Zoning District and 84-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*

14. [2017-005992CUA](#) (J. HORN: (415) 575-6925)  
[48 SATURN STREET](#) – north side of Saturn Street between Temple Street and Upper Terrace, Lot 005 in Assessor’s Block 2627 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.77 and 303(c), to construct a new 39-foot tall, foot two-family dwelling on a vacant lot. The project site is located 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 San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Disapprove*  
(Continued from Regular hearing on March 22, 2018)  
**Note: On December 21, 2017, Adopted a Motion of Intent to Disapprove, Continued to March 8, 2018 by a vote of +6 -0 (Richards recused). On March 8, 2018, without hearing, Continued to March 22, 2018 by a vote of +7 -0. On March 22, 2018, without hearing, Continued to March 29, 2018 by a vote of +6 -0 (Fong absent).**
15. [2016-010185CUA](#) (V. FLORES: (415) 575-9173)  
[160 CASELLI AVENUE](#) – between Danvers and Clover Streets, Lot 008 in Assessor’s Block 2690 (District 8) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [317](#) to allow demolition an existing single-family residence and illegal structure at the rear of the property and removal of an unauthorized dwelling unit. The proposal includes new construction of a 3-story 2-unit structure at the front of the property within the RH-2 (Residential, 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 San Francisco Administrative Code Section [31.04\(h\)](#).  
(Continued from Regular hearing on March 8, 2018)
16. [2016-004946ENX](#) (E. SAMONSKY: (415) 575-9112)  
[280 7<sup>TH</sup> STREET](#) – located on the western side of 7<sup>th</sup> between Folsom and Howard Streets, Lot 290 in Assessor’s Block 3730 (District 2) – Request for a **Large Project Authorization (LPA)**, pursuant to Planning Code Section 329, for the new construction of a six-story (65 feet in height), mixed use building and a five-story 951 feet in height) residential building (collectively measuring approximately 25,602 gsf) with a total of 20 dwelling units, approximately 861 square feet of ground floor commercial space, 21 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces, and private and common open space. Under the LPA, the project is seeking a modification to certain Planning Code requirements, including: 1) rear yard (Planning Code Section 134); 2) dwelling unit exposure (Planning Code Section 140); and, 3) ground floor active use (Planning Code 145.1). The subject property is located within a WMUG (WSoMa Mixed Use-General) Zoning District and 65-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*

**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.

17. [2016-000017DRP](#) (E. SAMONSKY: (415) 575-9112)  
43 EVERSON STREET – south side approximately 150 feet east of the intersection with Beacon Street, Lot 024 in Assessor’s Block 7542 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2016.01.27.8097 proposing construction of a three-story horizontal rear addition, addition of an accessory dwelling unit and remodel the front facade and interior of a single family dwelling within a RH-1 (Residential House, One-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 DR 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](http://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](mailto: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.

<b>Case Type</b>	<b>Case Suffix</b>	<b>Appeal Period*</b>	<b>Appeal Body</b>
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
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\* 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](mailto: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.