

# 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, June 7, 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

Voice recorded Agenda only: (415) 558-6422

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

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

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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.

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### **Accessible Meeting Information**

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### **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.

- 2018-004612CND (D. WEISSGLASS: (415) 575-9177)  
228-230 CLAYTON STREET – east side of Clayton Street between Hayes and Fell Streets; Lot 024 in Assessor’s Block 1210 (District 5) – Request for a **Condominium Conversion Subdivision**, pursuant to Subdivision Code Sections 1332 and 1381, to convert a four-story, five-unit building into residential condominiums. The subject property is located within a RH-3 (Residential – House, Three Family) Zoning District and 40-X Height and Bulk District. The project was determined not to be a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.  
 (Continued from Regular hearing on May 24, 2018)  
**Note: On May 24, 2018, after being pulled off of Consent; A motion to approve failed +3 -2 (Johnson, Melgar against; Richards absent); Continued to June 7, 2018 by a vote of +5 -1 (Moore against; Richards absent).**  
**(Proposed Continuance to June 21, 2018)**
- 2016-009062DRP (N. TRAN: (415) 575-9174)  
505 GRAND VIEW AVENUE - corner of Grand View Avenue and Elizabeth Street, Lot 044 in Assessor’s Block 2828 (District 8) - Requests for **Discretionary Review** of Building Permit Application No. 2016.11.23.3441, proposing to construct three new accessory dwelling units at the ground and basement levels and interior/exterior tenant improvements and Building Permit Application No. 2016.06.30.1337 proposing to construct a fourth floor vertical addition to the existing six-unit 3-story over basement residential building with additional interior remodeling and new roof decks within a RM-1 (Residential-Mixed, Low 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 San Francisco Administrative Code Section [31.04\(h\)](#).  
 Staff Analysis: Full Review  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*  
 (Continued from Regular Meeting on March 1, 2018)  
**(Proposed Continuance to August 30, 2018)**
- 2015-009015DRP-03 (E. JARDINES: (415) 575-9144)  
75, 77, 79-81 LELAND AVENUE – located on the south side of Leland Avenue, west of Desmond Street, east of Talbert Court, and north of Visitacion Avenue; Lots: 007B and 030 in Assessor’s Block 6250 (District 10) - Request for **Discretionary Review** of Building Permit Application Nos. 2015.0629.0164, 2015.0629.0165, and 2015.0629.0158, to construct three new buildings including two two-story, single-family homes (addressed as 75 and 77 Leland Avenue) and one new three-story mixed-use building with ground floor retail

professional service and residential above (addressed as 79-81 Leland Avenue). The Project is located within an RH-1 (Residential, House, One-Family) as well as a NC-2 (Neighborhood Commercial-Small Scale) 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: Full Discretionary Review

*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

(Continued from Regular hearing on May 3, 2018)

**Note: On March 15, 2018, after hearing and closing public comment, continued to May 3, 2018 by a vote of +7 -0.**

**On May 3, 2018, without hearing, continued to June 7, 2018 by a vote of +4 -0 (Johnson, Melgar, Richards absent).**

**(Proposed for Indefinite Continuance)**

4. 2014-003160CUA (D. VU: (415) 575-9120)  
3314 CESAR CHAVEZ STREET – north side between Mission Street and South Van Ness Avenue - Lot 012 in Assessor's Block 6571 (District 9) - **Request for Conditional Use Authorization**, pursuant to Planning Code Sections 121.1 and 303 for the demolition of an existing 13,000 sq. ft. light industrial building and construction of a 65-ft. tall, six-story and 49,475 sq. ft. mixed-use building that includes approximately 11,430 sq. ft. of ground floor commercial retail and 48,365 sq. ft. of residential use for 58 dwelling units. The proposed project would also include a total 9,020 sq. ft. of private and common residential open space, 62 Class 1 bicycle parking spaces, and an approximately 6,300 sq. ft. basement-level garage for 27 accessory automobile and 1 car-share parking spaces. The subject properties are located within a Mission Street Neighborhood Commercial Transit (NCT) 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*  
(Continued from Regular Meeting on April 26, 2018)  
**Note: On February 8, 2018, after hearing and closing public comment, continued to March 22, 2018 by a vote of +5 -0 (Johnson and Hillis absent).**  
**On March 22, 2018, without hearing, continued to April 26, 2018 by a vote of +6 -0 (Fong absent).**  
**On April 26, 2018, without hearing, continued to June 7, 2018 by a vote of +6 -0 (Melgar absent).**  
**(Proposed for Indefinite Continuance)**
5. 2018-002007CUA (A. LINDSAY: (415) 575-9178)  
318 MAIN STREET – southwest corner of the Folsom Street and Main Street intersection, Lot 064 of Assessor's Block 3746 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 209.3 and 303(c), to install a permanent rooftop AT&T Mobility Macro Wireless Telecommunications Facility which will replace an existing temporary rooftop wireless facility. The project scope of work consists of installation of (3) new panel antennas screened behind a new radio-frequency (RF) transparent screen wall; installation of (6) new RRHs; reusing (6) existing panel antennas and ancillary equipment screened behind existing RF transparent screen walls; and installation of ancillary equipment. All antennas, RF screen walls, cabling, and brackets will be painted and textured to match the existing penthouse building wall as part of the AT&T Mobility

Telecommunications Network. The subject property is located within a RC-4 (Residential – Commercial, High Density) and 400-W Height and Bulk Districts.

**WITHDRAWN**

## B. COMMISSION MATTERS

### 6. Consideration of Adoption:

- [Draft Minutes for May 17, 2018 – Closed Session](#)
- [Draft Minutes for May 17, 2018 – Regular](#)
- [Draft Minutes for May 24, 2018 – Regular](#)

### 7. Commission Comments/Questions

- Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

## C. DEPARTMENT MATTERS

### 8. Director's Announcements

### 9. 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.

10. [2018-003260PCA](#) (A. BUTKUS: (415) 575-9129)  
PUBLIC PARKING LOTS AS A PERMITTED USE IN THE GLEN PARK NCT DISTRICT AND ADJOINING LOCATIONS – **Planning Code Amendment** to permit as of right Public Parking Lot uses where the parcel is located in both the Glen Park Neighborhood Commercial Transit and RH-2 (Residential, House Districts, Two-Family) zoning districts, the property has been used as Public Parking Lot for the past ten years without the benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet; 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 pursuant to Planning Code, Section 302.

(Continued from Regular hearing on May 3, 2018)

*Preliminary Recommendation: Disapprove*

11. [2018-004633PCA](#) (J. BINTLIFF: (415) 575-9170)  
MAYOR'S PROCESS IMPROVEMENTS ORDINANCE [BOARD FILE NO. 180423] – **Planning Code Amendment** to streamline affordable housing project review by eliminating a Planning Commission Discretionary Review hearing for 100% affordable housing projects upon delegation by the Planning Commission; to provide for Planning Department review of large projects located in C-3 Districts and for certain minor alterations to Historical Landmarks and in Conservation Districts; to consolidate, standardize and streamline notification requirements and procedures, including required newspaper notice, in Residential, Commercial, and Mixed-Use Districts; and 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 adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
(Continued from Regular hearing on May 24, 2018)  
*Preliminary Recommendation: Approve*
- 12a. (M. BOUDREAUX: (415) 575-9140)  
ACCESSORY DWELLING UNIT (ADU) TRACKING AND MONITORING REPORT – Pursuant to Ordinances adopted by the Board of Supervisors which created the ADU program and Sections 207.4(c)(4)(I) and (c)(6)(F) of the Planning Code require a tracking and monitoring report to be prepared for the Accessory Dwelling Unit (ADU) program. This is the first of such reports, and includes data since San Francisco's ADU legislation was first enacted in 2014 through the first quarter of 2018.  
*Preliminary Recommendation: None - Informational*
- 12b. [2018-004194PCA](#) (K. HADDADAN: (415) 575-9068)  
ACCESSORY DWELLING UNIT AMENDMENTS [BOARD FILE NO. 180268] – Ordinance amending the **Planning Code** to authorize the Zoning Administrator to waive or modify bicycle parking requirements for an Accessory Dwelling Unit (ADU), allow more than one unauthorized unit constructed without a permit to be legalized, exempt from the permit notification requirement ADUs constructed within the defined existing built envelope, allow conversion of an existing stand-alone garage or storage structure to an ADU and expansion of the existing building envelope to add dormers, eliminate the street tree requirement for an ADU, and allow one ADU to be added to a new residential building of three units or less as a component of the new construction. It would also amend the Building Code to provide for a pre-application plan review for ADUs.  
*Preliminary Recommendation: Approve with Modification*
13. (S. GYGI: (415) 575-9194)  
RAIL ALIGNMENT AND BENEFITS (RAB) STUDY – **Informational Presentation** - In 2014 the Planning Department began the Rail Alignment and Benefits (RAB) Study looking at five large transportation and land use questions in the southeast quadrant of the City. While

each component is on a different timeline, understanding how they interact is essential as they will result in decisions that will affect San Francisco for more than 100 years. The first component (Rail Alignment to the Salesforce Transit Center) is the most time sensitive and City staff has identified a preliminary preferred alignment: Pennsylvania Avenue (DTX + Extended Tunnel). A public meeting was held on May 29, 2018 to discuss all information completed under the Study. This Informational Presentation will highlight the Study's findings and recommendations to the Commission.

*Preliminary Recommendation: None - Informational*

- 14a. [2017-002943CRV](#) (A. HARRIS: (415) 575-9136)  
TDM PROGRAM FIRST-YEAR MONITORING REPORT – Planning Code Section 169.6 requires the Planning Department to prepare a TDM Program report one year after the Program became effective, to analyze the implementation of the Program and discuss any amendments made to the Program Standards during that time. The report references information gathered between March 19, 2017 and March 18, 2018.  
*Preliminary Recommendation: None - Informational*
- 14b. [2017-002943CRV](#) (A. HARRIS: (415) 575-9136)  
AMENDMENTS TO THE TDM PROGRAM STANDARDS – Since the Program's effective date of March 19, 2017, staff has conducted stakeholder in-reach and outreach to monitor the Program's implementation and to identify potential amendments to the TDM Program Standards to help clarify and/or change the Program's implementation. Based on this feedback, staff recommends that the Planning Commission adopt amendments to the TDM Program Standards, more specifically, amendments to measures related to improving walking conditions and bicycle parking.  
*Preliminary Recommendation: Adopt Amendments*
15. [2014-001400ENX](#) (E. SAMONSKY: (415) 575-9112)  
2750 19<sup>TH</sup> STREET – located at the northeast corner of Bryant and 19<sup>th</sup> 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 72,365 square feet) with 60 dwelling units, approximately 10,000 square feet ground floor Production, Distribution and Repair (PDR) space, 24 below-grade off-street parking spaces, two 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) and 2) dwelling unit exposure (Planning Code Section 140). 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\(h\)](#).  
(Continued from Regular Meeting on May 10, 2018)  
*Preliminary Recommendation: Approve with Conditions*  
**Note: On November 20, 2017, after hearing and closing public comment, continued to January 25, 2018 by a vote of +5 -1 (Johnson against; Hillis absent).**  
**On January 25, 2018, after hearing and closing public comment, continued to March 15, 2018 by a vote of +4 -1 (Melgar against; Fong, Johnson absent).**

**On March 15, 2018, without hearing, continued to May 10, 2018 by a vote of +6 -0 (Melgar absent).**

**On May 10, 2018, without hearing, continued to June 7, 2018 by a vote of +6 -0 (Richards absent).**

- 16a. [2016-007695CUA](#) (N. KWIATKOWSKA: (415) 575-9185)  
1420 HAMPSHIRE STREET – west side between 26<sup>th</sup> and Cesar Chavez Streets; Lot 001 of Assessor’s Block 4334 (District 9) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1 and 303, to allow an enlargement of an existing Institutional use (residential care facility; dba Residential Care Facility for the Elderly) in the RH-2 Zoning District. The project would establish a total of 89 beds for the residential care facility and would construct a two-story, vertical addition atop the existing one-story-over-basement building. In addition, the project would undertake exterior alterations and an interior remodel. The subject property is located within a RH-2 (Residential, House, Two-Family) Zoning District, Calle 24 Special Use 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*
- 16b. [2016-007695VAR](#) (N. KWIATKOWSKA: (415) 575-9185)  
1420 HAMPSHIRE STREET – west side between 26<sup>th</sup> and Cesar Chavez Streets; Lot 001 of Assessor’s Block 4334 (District 9) - **Request for Variance** from the front setback requirements pursuant to Planning Code Section 132, to allow a two-story, vertical addition atop the existing one-story-over-basement building. The subject property is located within a RH-2 (Residential, House, Two-Family) Zoning District, Calle 24 Special Use District, and 40-X Height and Bulk District.
17. [2014.0231CUA](#) (N. KWIATKOWSKA: (415) 575-9185)  
331 PENNSYLVANIA STREET – east side between 18<sup>th</sup> and 19<sup>th</sup> Streets; Lot 026 of Assessor’s Block 4040 (District 10) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 207, 209.1, and 303, to construct up to one dwelling unit per 1,500 square feet of lot area and for a change of use from Institutional (residential care facility) to Residential (seven dwelling units) in the RH-2 Zoning District. The project includes an interior remodel, addition of rear decks, and changes to the exterior. The subject property 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: Approve with Conditions*
- 18a. [2017-010156DES](#) (F. MCMILLEN: (415) 575-9076)  
MINT-MISSION CONSERVATION DISTRICT – (Assessor’s Block 3704, Lots 003, 010, 012, 013, 015, 017, 018, 019, 020, 021, 022, 024, 028, 029, 034, 035, 059, 079, 113, 144; Assessor’s Block 3725, Lots 087, 088) (District 4) – **Review and Comment** on the Designation of the Mint-Mission Conservation District as an Article 11 Conservation District pursuant to Section 1107 of the Planning Code. The district is bound by Stevenson Street to the north, Mint and 5<sup>th</sup> streets to the east, Mission and Minna streets to the south and 6<sup>th</sup> Street to the west. The Mint-Mission Conservation District encompasses a cohesive concentration of reinforced concrete and brick masonry buildings constructed between 1906 and 1930. The District retains a mix of residential hotels, small-scale commercial buildings, warehouses



and manufacturing facilities reflective of the area's role as the center of industrial production in San Francisco and the major supplier of mining equipment, heavy machinery and other goods to the western states. The District is comprised of twenty-two properties, nineteen of which include contributing resources. The Mint Mission Conservation District is located in a C-3-G-Downtown General Zoning District and 90-X Height and Bulk District.  
(Continued from Regular hearing on May 10, 2018)

*Preliminary Recommendation: Review and Comment*

- 18b. [2018-002775DES](#) (F. MCMILLEN: (415) 575-9076)  
KMMS CONSERVATION DISTRICT BOUNDARY CHANGE – (Assessor's Block 3705, Lots 021, 023, 039, 054) (District 4) – **Review and Comment** on a Change in the Boundary of the Kearny-Market-Mason-Sutter Conservation District to include 55 5<sup>th</sup> Street, Assessor's Block 3705 lot 039; 67-99 5<sup>th</sup> Street, Assessor's Block 3705 lots 021, 023; and 898 Mission Street, Assessor's Block 3705 lot 054 pursuant to Section 1107 of the Planning Code. The Kearny-Market-Mason-Sutter Conservation District is located in a C-3-G-Downtown General Zoning District and 90-X Height and Bulk District.  
*Preliminary Recommendation: Review and Comment*

- 18c. [2017-010250DES](#) (F. MCMILLEN: (415) 575-9076)  
CLYDE AND CROOKS WAREHOUSE HISTORIC DISTRICT – Assessor's Block 3787 Lots 005, 014, 015, 016, 037, 040A, 044, 048, 033, 151, 017, 021, 022, 019, 036, 040, 018, 013, 152-159 (District 9) – **Review and Comment** on the Landmark District Designation of the Clyde and Crooks Warehouse Historic District as an Article 10 Landmark District pursuant to Section 1004.1 of the Planning Code. The district is bound by Brannan Street to the north, Third Street to the east, Townsend Street to the south, and Lusk Street to the west. The Clyde and Crooks Warehouse Historic District is representative of 19<sup>th</sup> century development of the South of Market area as a center of industrial production in San Francisco and maritime commerce along the west coast. The district's mix of industrial and warehouse buildings interspersed with residential structures is typical of the land use patterns developed in the 19<sup>th</sup> century in the South of Market neighborhood and continued during the 1906 earthquake and fire reconstruction period. The buildings exemplify early 20<sup>th</sup> century methods of construction and materials and the return of South of Market's function as the industrial center of the city following the earthquake and fire. The Clyde and Crooks Warehouse Historic District is located in a SLI – SOMA Service – Light Industrial Zoning District and 65-X Height and Bulk district.  
*Preliminary Recommendation: Review and Comment*

## 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

\* 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.