

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, November 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, 4th Floor, Suite 400

Voice recorded Agenda only: (415) 558-6422

Commission Hearing Broadcasts:

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

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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.

1. [2017-010630DRP](#) (D. WINSLOW: (415) 575-9159)
1621 DIAMOND STREET – – between 28th & Valley; Lot 029 in Assessor's Block 6611 (District 8) - Request for **Discretionary Review** of Building Permit Application No. 2017.0810.4463 for a one-story vertical addition and a three-story rear horizontal addition, including alterations to the front façade 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\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Proposed for Continuance to December 13, 2018)

2. 2016-004478CUA (D. VU: (415) 575-9120)
589 TEXAS STREET – east side between 20th and Sierra Streets; Lot 051 in Assessor's Block 4102 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to demolish an existing 1,587 sq. ft., one-story over basement single-family dwelling and construct a 5,127 sq. ft., three-story over basement two-family dwelling on the 2,500 sq. ft. parcel. The project site is located within an RH-2 (Residential – House, Two-Family) Zoning District, and 40-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
(Proposed Indefinite Continuance)

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

3. [2018-006212CUA](#) (A. LINDSAY: (415) 575-9178)
145 LAUREL STREET – northwest corner of the Laurel Street and Washington Street intersection, Lot 003 of Assessor's Block 0986 (District 1) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1 and 303(c), to install a permanent rooftop AT&T Mobility Macro Wireless Telecommunications Facility which consists of installation of (4) FRP enclosures; (16) panel antennas; (24) RRH's, (1) GPS antenna; (6) surge suppressors; coax cable trays from equipment area to antennas; additional equipment proposed at ground level will not be visible from public views; FRP screens will

be painted white to match existing rooftop penthouse as part of the AT&T Mobility Telecommunications Network. The subject property is located within a RH-1 (Residential – House, One Family), and 40-X Height and Bulk Districts.

Preliminary Recommendation: Approve with Conditions

4. [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. 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 September 27, 2018)
Preliminary Recommendation: Approve with Conditions
- 5a. [2016-000378CUA](#) (N. FOSTER: (415) 575-9167)
1600 JACKSON STREET – north side of Jackson Street, between Polk Street and Van Ness Avenues, Lots 002 and 003 in Assessor’s Block 0595 (District 3) – Request for **Conditional Use Authorization** to establish a new general grocery store (a Retail Sales and Services Use) operating as a Formula Retail Use (d.b.a. “365 by Whole Foods”) on the first and second floors and add eight (8) Dwelling Units on the second floor of the subject property, pursuant to Planning Code Sections 303, 303.1, 703(d), 703.4, and 723. The Dwelling Units would be comprised of four (4) two-bedroom units, three (3) one-bedroom units, and one (1) studio unit, resulting in 50 percent of the total number of Dwelling Units of at least two-bedrooms. The Project would involve both interior and exterior tenant improvements to the existing two-story-over-garage building, with no expansion of the gross square footage contained within the existing structure. The existing structure contains 43,898 gross square feet, and the general grocery store would occupy the entirety of the first floor, or approximately 22,000 gross square feet, and approximately one-half of the second floor, or approximately 11,000 gross square feet. The first floor would function as the primary sales floor for the general grocery store, with an area dedicated for prepared foods for on- or off-site consumption, and the second floor would contain additional retail floor area, and accessory office space. With respect to alcohol sales, 365 by Whole Foods proposes to hold a Type 20 alcohol license (beer and wine only). The exterior tenant improvements include a horizontal extension of the existing parapet, new paint, and new store signage. The proposed project would utilize the existing below-grade parking garage with 70 vehicular parking spaces (one to be reserved for car-sharing) and off-street loading dock fronting Jackson Street, while adding Class 1 and Class 2 bicycle parking spaces where none existed before. 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 November 8, 2018)

NOTE: On April 26, 2018, after hearing and closing public comment, continued to July 26, 2018, by a vote of +4 -2 (Moore and Richards against; Melgar absent).

On July 26, 2018, without hearing, continued to September 27, 2018 by a vote of +6 -0 (Hillis absent).

On September 27, 2018, without hearing, continued to October 4, 2018 by a vote of +7 -0.

On October 4, 2018, after hearing and closing public comment, continued to November 8, 2018, with direction from the Commission by a vote of +4 -1 (Moore against; Fong and Melgar absent).

On November 8, 2018, adopted a Motion of Intent to Disapprove supporting a Planning Code Amendment for grocery store use limits, continued to November 29, 2018 by a vote of +5 -1 (Hillis against; Moore absent).

- 5b. [2016-000378VAR](#) (N. FOSTER: (415) 575-9167)
1600 JACKSON STREET – north side of Jackson Street, between Polk Street and Van Ness Avenues, Lots 002 and 003 in Assessor’s Block 0595 (District 3) – Request for **Variance** pursuant to Planning Code Section 134 (“Rear Yard”). The basic rear yard requirement for the subject property is 25 percent (or approximately 41 feet) at the lowest story containing a dwelling unit. The existing structure covers 100% of the lot and Code requires a rear at the lowest story containing a dwelling unit; therefore, the project requires a variance from the rear yard requirements of the Planning Code.
 (Continued from Regular hearing on November 8, 2018)

C. COMMISSION MATTERS

6. Consideration of Adoption:
- [Draft Minutes for November 8, 2018](#)
 - [Draft Minutes for November 15, 2018](#)
7. [2019 Hearing Schedule](#)
8. 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.

D. DEPARTMENT MATTERS

9. Director’s Announcements
10. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

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.

11. [2018-007888CWP](#) (D. WINSLOW: (415) 575-9159)
POLK PACIFIC SPECIAL AREA DESIGN GUIDELINES – Initiation of Planning Code Amendment Sections 723 & 726 to reference the Polk Street and Pacific Avenue Neighborhood Commercial Design Guidelines; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Initiate and Schedule a Hearing on or after January 10, 2019
12. [2017-012001PCA](#) (S. NICKOLOPOULOS: (415) 575-9089)
DESIGNATED CHILD CARE UNITS (Board File #180917) – Planning Code Amendment introduced by Supervisor Yee to permit an affordable dwelling unit with a State-licensed Small Family Child Care Home on the ground floor on certain commercial streets; excluding certain Child Care units from the calculation of maximum density permitted on the site; making environmental findings; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
(Continued from Regular hearing on October 25, 2018)
Preliminary Recommendation: Approve
13. [2018-013472PCA](#) (A. BUTKUS: (415) 575-9129)
RESIDENTIAL CARE FACILITIES – Planning Code Amendment introduced by Supervisor Mandelman and Supervisor Yee to allow Residential Care Facilities with seven or more persons as a principally permitted use in RH-3 (Residential House, Three-Family), RC (Residential Commercial), RM (Residential Mixed), and RTO (Residential Transit Oriented) Districts, in Neighborhood Commercial Districts, and in certain Mixed Use Districts; 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 general welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve
14. [2018-015088PCA](#) (D. SANCHEZ: (415) 575-9082)
PERMIT REVIEW PROCEDURES FOR USES IN NCDS – Planning Code Amendment introduced by Supervisors Tang and Safai to make permanent the pilot program removing neighborhood notice and Planning Commission review for certain uses in Neighborhood Commercial Districts in the areas generally bounded by Supervisorial Districts 4 and 11; adopting findings, including environmental findings, Planning Code Section 302 findings and findings of consistency with the General Plan and Planning Code Section 101.1.
Preliminary Recommendation: Approve

15. [2015-004297ENV](#) (A. CALLAGY: (415) 575-8734)
271 UPPER TERRACE, 301-303 UPPER TERRACE, 4500 17TH STREET – 15,800-square-foot project site between Upper Terrace and Roosevelt Way/17th Street; Lots 32, 34, and 35 of Assessor’s Block 2628 (District 8) – **Appeal of Preliminary Negative Declaration** for the proposed project to subdivide three contiguous lots into five lots, demolish a single-family residence, remodel an existing two-unit residence, and construct eight new units. The proposed project would result in 15 off-street parking spaces. The project site is located in a RH-2 (Residential-House, Two Family) Use District in 40-X Height and Bulk District.
Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular hearing on October 25, 2018)
16. [2015-004297CUA](#) (C. TOWNES: (415) 575-9195)
271, 273 UPPER TERRACE; 588, 590 ROOSEVELT WAY; 4500, 4502 17TH STREET; 301, 303 UPPER TERRACE; 4504, 4506 17TH STREET- 15,800 square project site between Upper Terrace and Roosevelt Way/17th Street; Lots 32, 34, 35 of Assessor’s Block 2628 (District 8) - Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303, 317, and 249.77 to demolish one existing single family residence, an addition/remodel to an existing two-dwelling unit building, divide three lots into five lots total, and to construct four new two-family buildings, up to 40-feet tall. Per Planning Code Section 317, any application for a permit that would result in the removal of one or more residential units shall require a Conditional Use Authorization for the removal and replacement of the units. The subject properties are located within the Corona Heights Large Residence Special Use District (SUD); therefore, pursuant to Planning Code Section 249.77, RH-2 zoned properties within the Corona Heights SUD shall require a Conditional Use Authorization for residential development on a vacant parcel that will result in total gross floor area exceeding 3,000 square feet, and residential development on a developed parcel that will result in total gross floor area in excess of 3,000 square feet if that expansion results in more than 75% increase in gross square feet of development on the parcel and does not increase the number of legal dwelling units on the parcel. The subject properties are located within the 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
17. [2018-006127CUA](#) (D. WEISSGLASS: (415) 575-9177)
201 19TH AVENUE – southwest corner of the California Street and 19th Avenue, Lot 001 of Assessor’s Block 1414 (District 1) - Request for a **Conditional Use Authorization**, pursuant to Planning Code sections 186, 209.2, 303, and 710 to allow a change of use from an existing grocery store to a restaurant in a Limited Commercial Use space within a RM-1 (Residential – Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The Project also includes the removal of the white signage band obscuring the second-story windows, and the removal of all paint and other features obscuring the transparency of the second-story windows. This project was reviewed under the Community Business Priority Processing Program (CB3P). 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

18. [2017-007943CUA](#) (G. PANTOJA: (415) 575-8747)
[3848 24TH STREET](#) – between Vicksburg and Noe Streets, Lot 022 in Assessor’s Block 3651 (District 7) - Request a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 728 for the legalization of an existing real estate brokerage (d.b.a. The Agency) at the ground floor of an existing three-story mixed-use building located within the 24th Street- Noe Valley Neighborhood Commercial (NCD) 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
19. [2014.0948ENX](#) (E. JARDINES: (415) 575-9144)
[344 14TH STREET/1463 STEVENSON STREET](#) – north side of 14th Street between Stevenson and Woodward Street, Lots 013 and 021 in Assessor’s Block 3523 (District 9) - Request for **Large Project Authorization** (LPA) pursuant to Planning Code Section 329, for the Project proposing a lot merger and new construction of a 78-foot tall, 7-story-over-basement residential building (measuring approximately 78,738 gross square feet (gsf)) with ground floor retail and a 40-foot tall 3-story-over basement SEW and PDR (Production, Distribution and Repair) building (measuring approximately 19,360 gsf). The Project would construct a total of 56 dwelling units, 5,633 square feet of ground floor commercial, and 46 below-grade off-street parking spaces. The project would construct a 22,996 gsf below-grade garage to serve both buildings. The proposed project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918) and proposes waivers for: 1) rear yard (PC 134), 2) and height (PC 260). Under the LPA, the Project is seeking an exception for vertical non-habitable architectural elements in the Eastern Neighborhoods Mixed Use Districts (PC 263.21). The project site is located within the UMU (Urban Mixed-Use) and PDR-1-G (Production, Distribution, and Repair-1-General) Zoning Districts, and 40-X and 58-X Height and Bulk Districts. 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
(Continued from Regular hearing on November 15, 2018)
- 20a. [2017-001270CUA](#) (D. VU: (415) 575-9120)
[3140-3150 16TH STREET](#) – between Albion and Valencia Streets – Lot 018 in Assessor’s Block 3555 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303 for the establishment of an Eating and Drinking Use, Planning Code Sections 121.2 and 762 for a Non-Residential Use equal to or greater than 3,000 sq. ft., Planning Code Section 762 for the conversion of existing ground floor Retail Use to Restaurant Use and the establishment of a Nighttime Entertainment Use, Planning Code Section 145.2 for the establishment of an Outdoor Activity Area, and Planning Code Section 186.2 for the upper-story uses of pre-existing structures in Neighborhood Commercial Districts, for the project involving the rehabilitation and adaptive re-use of a former 20,400 sq. ft. two-story Automotive Repair Use to a new Restaurant with Nighttime Entertainment Use including interior renovations, installation of new storefront systems, and the construction of a 3,735 sq. ft. rooftop deck, exit stairs, two restrooms, storage room, and two elevator penthouses for a new Outdoor Activity Area. The Project site is located within the Valencia Street NCT (Neighborhood Commercial – Transit) Zoning District and 55-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 hearing on November 15, 2018)

- 20b. [2017-001270VAR](#) (D. VU: (415) 575-9120)
3140-3150 16TH STREET – between Albion and Valencia Streets – Lot 018 in Assessor’s Block 3555 (District 8) – Request for a **Variance** to the rear yard requirement pursuant to Planning Code Section 134, and Off-Street Loading under Planning Code Section 152, for the project involving the rehabilitation and adaptive re-use of a former 20,400 sq. ft. two-story Automotive Repair Use to a new Restaurant Use including interior renovations, installation of new storefront systems, and the construction of a 3,735 sq. ft. outdoor rooftop deck, exit stairs, two restrooms, storage room, and two elevator penthouses. The Project site is located within the Valencia Street NCT (Neighborhood Commercial – Transit) Zoning District and 55-X Height and Bulk District.
(Continued from Regular hearing on November 15, 2018)
- 21a. [2013.0655CUA](#) (D. VU: (415) 575-9120)
1513A-F YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor’s Block 5513 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 242 and 303, to allow up to one dwelling unit per 1,500 square feet of lot area for the construction of four two-family, two- to three-story (30-ft tall) dwellings (between 1,383 sq. ft. and 1,552 sq. ft. each) with covered parking on Lots 011 & 012 in the center of Block 5513, one two-family, three-story (30-ft tall) dwelling (between 1,040 sq. ft. and 1,208 sq. ft. each) on Lot 020 at York Street, and access to all ten dwellings through a driveway at 1513 York Street. The subject properties are located within a RH-2 (Residential – House, Two-Family) Zoning District, Bernal Heights Special Use District, and 40-X Height and Bulk District.
Preliminary Recommendation: Approve
(Continued from Regular hearing on October 25, 2018)
- 21b. [2013.0655VAR](#) (D. VU: (415) 575-9120)
1513 YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor’s Block 5513 (District 9) – Request for a **Variance** to the rear yard and exposure requirements pursuant to Planning Code Sections 134 and 140, respectively, to allow the construction of four two-family, two- to three-story (30-ft tall) dwellings (between 1,383 sq. ft. and 1,552 sq. ft. each) with covered parking on Lots 011 & 012 in the center of Block 5513, one two-family, three-story (30-ft tall) dwelling (between 1,040 sq. ft. and 1,208 sq. ft. each) on Lot 020 at York Street, and access to all ten dwellings through a driveway at 1513 York Street. The subject properties are located within a RH-2 (Residential – House, Two-Family) Zoning District, Bernal Heights Special Use District, and 40-X Height and Bulk District.

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.

- 22a. [2016-005555DRP-02](#) (M. WOODS: (415) 558-6315)
[1794-1798 FILBERT STREET/2902 OCTAVIA STREET](#) – northeast corner at Filbert and Octavia Streets; Lot 015 in Assessor’s Block 0520 (District 2) - Requests for **Discretionary Review** of Building Permit Application No. 2016.09.27.8915S proposing to construct a new third floor level and a roof deck to the existing two-story building, containing commercial space and three dwelling units. Because the existing building already encroaches into the required rear yard setback, a portion of the new third floor would require a Variance from the rear yard requirements. The project site 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\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
- 22b. [2016-005555VAR](#) (M. WOODS: (415) 558-6315)
[1794-1798 FILBERT STREET/2902 OCTAVIA STREET](#) – northeast corner at Filbert and Octavia Streets; Lot 015 in Assessor’s Block 0520 (District 2) - Request for a **Variance** from the rear yard setback requirement pursuant to Planning Code Section 134. The project proposes to renovate the existing building and construct a new third floor level and a roof deck to the existing two-story building, containing commercial space and three dwelling units. Because the existing building already encroaches into the required rear yard setback, a portion of the new third floor would require a rear yard Variance. The project site is located within a RH-3 (Residential, House, Three-family) Zoning District and 40-X Height and Bulk District.
23. [2017-002545DRP](#) (C. MAY: (415) 575-9087)
[2417 GREEN STREET](#) – south side of Green Street, between Pierce and Scott Streets; Lot 028 in Assessor’s Block 0560 (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2017.04.28.5244 proposing to construct 1- and 3-story horizontal rear additions, construct 3rd and 4th floor vertical additions, and lower all floor plates in the existing single-family dwelling by approximately 2 feet. The floor area would increase from approximately 4,118 square feet to approximately 5,115 square feet, and would include a one-bedroom accessory dwelling unit measuring approximately 1,023 square feet on the first floor. The project also proposes the partial excavation of the rear yard for a sunken terrace, façade alterations, and interior modifications including the expansion of the existing basement level garage to accommodate another vehicle 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\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Continued from Regular Hearing on October 4, 2018)
24. [2017-009924DRP](#) (D. WINSLOW: (415) 575-9159)
[2601 DIAMOND STREET](#) – corner of Sussex St.; Lot 001 in Assessor’s Block 6729 (District 8) - Request for **Discretionary Review** of Building Permit Application Nos. 2017.0725.2906 for a 2-story vertical addition, façade alterations, and addition of a new garage to an existing one-story, single-family house 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\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

G. 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.

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.