

# 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, October 24, 2019**  
**1:00 p.m.**  
**Regular Meeting**

Commissioners:

Myrna Melgar, President  
Joel Koppel, Vice President  
Frank Fung, Milicent Johnson,  
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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**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: Myrna Melgar  
 Vice-President: Joel Koppel  
 Commissioners: Frank Fung, Milicent Johnson,  
 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. 2009.0885B (C. TEAGUE (415) 575-9081)  
1100 VAN NESS AVENUE - located on the east side of Van Ness Avenue between Cedar and Geary Streets; Assessor's Block 0694, Lots 029 and 030 (District 6) – **Allocation Revocation** of square footage under the Annual Office Development Limitation Program set forth in Planning Code Sections 320 through 324. Pursuant to [1] the provisions of Planning Code Section 321(d)(2), [2] Conditions of Approval contained in Planning Commission Motion No. 18890, and [3] Planning Commission policy set forth in Planning Commission Resolution 17846A, the Planning Commission will consider revoking approximately 52,000 square feet of office space allocated in 2013 for a new office building. The proposal would not result in any physical changes to the subject property.  
*Preliminary Recommendation: Revoke Office Allocation*  
**(Proposed for Continuance to November 21, 2019)**
  
2. 2018-012392CUA (J. HORN: (415) 575-6925)  
37 SATURN STREET – between Lower Terrace and the Saturn Street Steps; Lot 045 in Assessor's Block 2646 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections Planning Code Sections 249.77 and 303 for a vertical and a horizontal rear addition to an existing single-family home, resulting in a rear yard that is less than 45% of entire lot area within a RH-2 (Residential-House, Two Family) Zoning 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 Modifications and Conditions*  
**(Proposed for Continuance to November 21, 2019)**
  
3. 2018-015554CUA (G. PANTOJA: (415) 575-8741)  
95 NORDHOFF STREET – between Stillings and Mangels Avenues, Lot 001 in Assessor's Block 6763 (District 13) – Request a **Conditional Use Authorization** pursuant to Planning Code Sections 121 and 303 for the subdivision of an existing lot currently containing a single-family dwelling unit into four new lots, two which will be substandard lots, within a RH-1 (Residential House, One-Family) Zoning District and 40-X Height and Bulk District. The proposal will also individually develop two of the proposed four lots with a single-family dwelling unit, for a total of three single-family dwelling units, and alter the existing single-family dwelling unit. 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 October 10, 2019)

**Note: On April 11, 2019, after hearing and closing public comment, continued to May 23, 2019 with direction from the Commission by a vote of +6 -0.**

**On May 23, 2019, without hearing, continued to June 27, 2019 by a vote of +7 -0.**

**On June 27, 2019, without hearing, continued to October 10, 2019 by a vote of +5 -0 (Johnson, Melgar absent).**

**On October 10, 2019, without hearing, continued to October 24, 2019 by a vote of +5 -0 (Moore absent).**

**(Proposed for Indefinite Continuance)**

4. 2019-001568CUA (X. LIANG: (415) 575-9182)  
101 BAYSHORE BOULEVARD – east side of Bayshore Boulevard between Jerrold Avenue and Oakdale Avenue; Lot 018 in Assessor’s Block 5559 (District 10) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 210.3, and 303, to convert an existing automobile service building to a Formula Retail (d.b.a. Extra Mile) use that sells beer and wine within an existing automobile gas station in a PDR-2 (Core Production, Distribution, and Repair) Zoning District, Bayshore Boulevard Home Improvement Special Use District, and 65-J 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 August 29, 2019)  
**WITHDRAWN**

## 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

5. [2018-010555CUA](#) (D. WEISSGLASS: (415) 575-9177)  
2412 CLAY STREET – northwest corner of the intersection of Clay and Webster Streets, Lot 008 of Assessor’s Block 0612 (District 2) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 209.2, to install a new AT&T Mobility macro wireless telecommunications facility consisting of ten (10) panel antennas screened behind FRP enclosures; installation of twenty (20) remote radio heads, six (6) DC-6 surge suppressors, one (1) GPS antenna; and ancillary equipment. The subject property is located with a RM-2 (Residential – Mixed, Moderate 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\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*
6. [2018-013158CUA](#) (E. JARDINES: (415) 575-9144)  
2956 24<sup>TH</sup> STREET – between Harrison and Alabama Street, Lot 015 in Assessor’s Block 4206 (District 9) – Request a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 763 to convert an existing 1,869-square foot limited restaurant to a full-service restaurant, within the 24<sup>th</sup>-Mission Street NCT (Neighborhood Commercial Transit) Zoning District and 45-X Height and Bulk District. The project is not a project under CEQA

Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.

*Preliminary Recommendation: Approve with Conditions*

### C. COMMISSION MATTERS

7. Consideration of Adoption:

- [Draft Minutes for October 10, 2019](#)

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. [2016-006860ENV](#) (M. LI: (415) 575-9107)  
65 OCEAN AVENUE – between Alemany Boulevard and Cayuga Avenue, Lot 018 in Assessor's Block 6954 (District 11) – Appeal to the **Preliminary Mitigated Negative Declaration** for the demolition of three existing buildings on the project site and construction of an approximately 55-foot-tall building containing 193 dwelling units, a 5,952- gsf childcare facility, and basement-level garage with a total of 121 parking spaces. The building would total 190,215 gsf and would vary in height from four stories on Cayuga Avenue to five stories along Ocean Avenue to six stories on Alemany Boulevard. Vehicular access to and from the basement-level garage would be provided on Cayuga Avenue. Construction of the proposed project occur over 25 months and would require excavation to a depth of 21 feet below ground surface and the removal of about 13,500 cubic yards of soil from the project site.

*Preliminary Recommendation: Uphold Preliminary Negative Declaration*

- 12a. [2016-006860AHB](#) (V. FLORES: (415) 575-9173)  
65 OCEAN AVENUE – between Alemany Boulevard and Cayuga Avenue, Lot 018 in Assessor's Block 6954 (District 11) – Request for **HOME-SF Project Authorization** pursuant

to Planning Code Section 328 to allow demolition of the existing buildings on the project site and constructing an approximately 55-foot-tall building (with an additional 5 foot with the mechanical penthouse) containing 193 dwelling units, a 5,952-gross-square-foot (gsf) child care facility, and a one-story, basement-level garage with a total of 121 parking spaces. The dwelling units would be a mix of studios and one-, two-, and three-bedroom units. The building would contain approximately 190,215 gsf and would vary in height from four stories (40 feet) on Cayuga Avenue to five stories along Ocean Avenue to six stories (55 feet) on Alemany Boulevard. The project site is located within the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) 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*

- 12b. [2016-006860IKA](#) (V. FLORES: (415) 575-9173)  
65 OCEAN AVENUE – between Alemany Boulevard and Cayuga Avenue, Lot 018 in Assessor’s Block 6954 (District 11) – Request for an **In-Kind Agreement**, pursuant to Planning Code Sections 406 and 414A, to approve a fee waiver to provide an on-site child care facility in lieu of the Residential Child Care Impact Fee.

*Preliminary Recommendation: Approve*

#### F. 3:00 P.M.

Items listed here may not be considered prior to the time indicated above. It is provided as a courtesy to limit unnecessary wait times. Generally, the Commission adheres to the order of the Agenda. Therefore, the following item(s) will be considered at or after the time indicated.

13. [2019-017266PCA](#) (A. STARR: (415) 558-6362)  
EXTENSION OF TEMPORARY CANNABIS PERMITS [BF 190842] – **Planning Code Amendment** introduced by Supervisor Mandelman to extend the date by which a Grandfathered Medical Cannabis Dispensary, as defined in the Planning Code, must have received a permit to operate from the Department of Public Health to be deemed a Temporary Cannabis Sales use, as defined in the Planning Code, from December 31, 2019, to December 31, 2020; amending the Planning Code to extend the duration of a Temporary Cannabis Retail Sales Use to up to three years, to expire on January 1, 2021; amending the Police Code to extend the date beyond which Temporary Cannabis Business Permits issued under Article 16 of the Police Code cannot be extended from December 31, 2019, to December 31, 2020 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: Approve with Modifications*

14. [2007.0946CWP-03](#) (M. SNYDER: (415) 575-6891)  
CANDLESTICK POINT DESIGN FOR DEVELOPMENT AMENDMENTS – The portion of the Bayview Hunters Point Redevelopment Project Area that is within “Zone 1 and within the boundaries of the Candlestick Point Activity Node Special Use District - Proposed approval of amendments to the Candlestick Point **Design for Development**, originally approved by the Planning Commission by Resolution No. 18104 on June 3, 2010 and amended by Motion No. 19580 on March 3, 2016. The proposed amendments would include height

increases and the reconfiguration of streets within Candlestick Center, the portion of the site that previously housed the Candlestick Park stadium, among other changes. The area subject to the Design for Development is within the Bayview Hunters Point Redevelopment Project Area, Zone 1, and within the Candlestick Activity Node Special Use District and the CP Height and Bulk District. As a part of the approval action, the Commission would also adopt CEQA Findings and make findings of consistency with the General Plan and the eight priority policies of the Planning Code, Section 101.1

*Preliminary Recommendation: Approve*

15. [2019-013506GEN](#) (C. KERN: (415) 575-9037)  
WATER SUPPLY – **Informational Presentation** by the San Francisco Public Utilities Commission and Planning Department on the City’s water supply planning process.  
*Preliminary Recommendation: None – Informational*
16. [2014.1063DNX](#) (N. TRAN: (415) 575-9174)  
633 FOLSOM STREET – southeast corner of the intersection of Folsom and Hawthorne Streets, Lot 079 in Assessor’s Block 3750 (District 6) – **Informational Presentation** for the onsite public art requirement.  
*Preliminary Recommendation: None – Informational*
17. [2016-012773CUA](#) (N. TRAN: (415) 575-9174)  
146 GEARY STREET – north side of Geary Street between Stockton Street and Grant Avenue; Lot 007 in Assessor’s Block 0309 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.2 and 303 to allow the change of use from retail and to establish office use at the third and fourth floors exceeding 5,000 square feet the within a C-3-R (Downtown-Retail) Zoning District and 80-30-F 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*
18. [2017-014849CUA](#) (J. VIMR: (415) 575-9109)  
220 POST STREET – northern side of Post Street between Stockton Street and Grant Avenue; Lot 007 in Assessor’s Block 0294 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.2 and 303 to establish a change of use from an existing Retail Sales and Service use to General Office use on the third, fourth, and fifth floors of the subject building, within a C-3-R (Downtown-Retail) Zoning District and 80-130-F Height and Bulk District. The overall Project also includes interior tenant improvements, storefront façade changes on Post Street and Compton Place, and the addition of a roof deck. 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 August 29, 2019)
19. [2018-011717CUA](#) (S. CISNEROS: (415) 575-9186)  
1369 SANCHEZ STREET – east side of Sanchez Street between Cesar Chavez and 27<sup>th</sup> Street, Lot 027, Assessor’s Block 6579 (District 8) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to legalize a tantamount to demolition of an existing three-story, two-unit residence and garage and construct a new three-story, two-unit residence with garage. The subject property is located with 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*

- 20a. [2006.0660B](#) (C. TEAGUE (415) 575-9081)  
100 CALIFORNIA STREET – located on the north side of California Street between Davis and Front Streets; Assessor’s Block 0236, Lot 017 (District 3) – **Allocation Revocation** of square footage under the Annual Office Development Limitation Program set forth in Planning Code Sections 320 through 324. Pursuant to [1] the provisions of Planning Code Section 321(d)(2), [2] Conditions of Approval contained in Planning Commission Motion No. 17544, and [3] Planning Commission policy set forth in Planning Commission Resolution 17846A, the Planning Commission will consider revoking the 76,500 square feet of office space allocated in 2008 for an addition to the existing office building. The proposal would not result in any physical changes to the subject property.  
*Preliminary Recommendation: Revoke Office Allocation*
- 20b. [2012.0605B](#) (C. TEAGUE (415) 575-9081)  
300 CALIFORNIA STREET – located on the north side of California Street between Battery and Sansome Streets; Assessor’s Block 0238, Lot 002 (District 3) – **Allocation Revocation** of square footage under the Annual Office Development Limitation Program set forth in Planning Code Sections 320 through 324. Pursuant to [1] the provisions of Planning Code Section 321(d)(2), [2] Conditions of Approval contained in Planning Commission Motion No. 19034, and [3] Planning Commission policy set forth in Planning Commission Resolution 17846A, the Planning Commission will consider revoking the 56,459 square feet of office space allocated in 2013 for an addition to the existing office building. The proposal would not result in any physical changes to the subject property.  
*Preliminary Recommendation: Revoke Office Allocation*
- 20c. [1998.714B](#) (C. TEAGUE (415) 575-9081)  
350 RHODE ISLAND STREET – located on the west side of Rhode Island Street between 16<sup>th</sup> and 17<sup>th</sup> Streets; Assessor’s Block 3957, Lots 002, 003, and 004 (District 10) – **Allocation Revocation** of square footage under the Annual Office Development Limitation Program set forth in Planning Code Sections 320 through 324. Pursuant to [1] the provisions of Planning Code Section 321(d)(2), [2] Conditions of Approval contained in Planning Commission Motion No. 14988, and [3] Planning Commission policy set forth in Planning Commission Resolution 17846A, the Planning Commission will consider revoking approximately 87,700 square feet of office space allocated in 2000 for a new office building. The proposal would not result in any physical changes to the subject property.  
*Preliminary Recommendation: Revoke Office Allocation*

## G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.



- 21a. [2018-009551DRP](#) (D. WINSLOW: (415) 575-9159)  
 3847-3849 18<sup>TH</sup> STREET – between Church and Sanchez Streets; Lot 077 in Assessor’s Block 3585 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2018.06.22.2714 proposing to legalize horizontal and -infill additions, the expansion of the garage with unpermitted property line walls, legalize an enlarged dormer, replacement of the front gable window to original size and legalize other unpermitted alterations to bring the building into compliance with Planning Enforcement case no. 2018-002303ENF. The parcel 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*  
 (Continued from Regular hearing on August 29, 2019)  
**Note: On May 9, 2019, after hearing and closing public comment, continued to July 18, 2019 by a vote of +5 -0 (Johnson, Richards absent).**  
**On July 18, 2019, adopted a Motion of Intent to Take DR and approve with two flats and a third ground floor unit, and Continued to August 29, 2019, by a vote of +5 -0 (Fung, Hillis absent). On August 29, 2019, after hearing and closing public comment; Continued October 24, 2019 with direction from the Commission by a vote of +4 -2 (Fung and Hillis against; Johnson absent).**
- 21b. [2018-009551VAR](#) (D. WINSLOW: (415) 575-9159)  
 3847-3849 18<sup>TH</sup> STREET – between Church and Sanchez Streets; Lot 077 in Assessor’s Block 3585 (District 8) – Request for a **Variance** from the Planning Code for front setback requirements, pursuant to Planning Code Section 132 and rear yard requirements, pursuant to Planning Code Section 134. The subject property is located within a RH-3 (Residential – House, Three Family) Zoning District and 40-X Height and Bulk District.  
 (Continued from Regular hearing on August 29, 2019)
22. [2019-012253DRP](#) (D. WASHINGTON: (415) 558-6443)  
 463 CASTRO STREET – between Market and 19<sup>th</sup> Streets; Lot 062 in Assessor’s Block 3582 District 7) – Request for **Discretionary Review** of Building Permit Application No. 2019.05.30.2067 for a change of use from retail to limited-restaurant (DBA Vegan Sandwich Bar) within the Castro Street NCD (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Do Not Take Discretionary Review*  
 (Continued from Regular hearing on October 3, 2019)

## H. 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. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

## ADJOURNMENT

## 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.

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](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.