

# **AMENDED** **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, April 4, 2019**  
**1:00 p.m.**  
**Regular Meeting**

Commissioners:

Myrna Melgar, President  
Joel Koppel, Vice President  
Rich Hillis, 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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Live stream: <http://www.sfgovtv.org>

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: Myrna Melgar  
 Vice-President: Joel Koppel  
 Commissioners: Rich Hillis, 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. [2016-004403CUA](#) (S. YOUNG: (415) 558-6346)  
2222 BROADWAY – north side between Webster and Fillmore Streets, Lot 070 in Assessor's Block 0564 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 178(e)(2), 209.1, and 303 to increase the enrollment cap for an existing school, Schools of the Sacred Heart (Broadway campus), with a student enrollment increase from 850 to 1050 students and an increase in the number of faculty and staff from 200 to 205 (at most). The proposal will involve modifying conditions of a prior Conditional Use Authorization under Case No. 1999.217C (Motion No. 16082). No physical alterations to the existing school buildings and surrounding sidewalks and streets are proposed. The Project Site is located within a RH-2 (Residential-House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*  
**(Proposed Continuance to May 2, 2019)**
  
- 2a. [2017-001270CUA](#) (R. SUCRE: (415) 575-9108)  
3140-3150 16<sup>TH</sup> 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 February 14, 2019)  
**(Proposed Continuance to May 2, 2019)**

- 2b. 2017-001270VAR (R. SUCRE: (415) 575-9108)  
3140-3150 16<sup>TH</sup> 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 February 14, 2019)  
**(Proposed Continuance to May 2, 2019)**
3. 2017-015590DRP (D. WINSLOW: (415) 575-9159)  
4547 20<sup>TH</sup> STREET – south side of 20<sup>th</sup> Street, between Douglass Street and Eureka Street; Lot 045A in Assessor’s Block 2749 (District 8) – Request for **Discretionary Review** of building permit application No. 2017.1121.4504, proposing to construct a new 5-story, up to 40-foot tall, 5,189 square foot, residential building containing two dwelling units, two off-street parking spaces upon a vacant lot within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District.  
**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

4. [2018-000532CUA](#) (L. AJELLO-HOAGLAND: (415) 575-6823)  
468 VALLEY STREET – north side of Valley Street between Castro and Noe Streets; lot 020 of Assessor’s Block 6612 (District 8) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to allow the demolition of an existing 1,696 square foot two-story single-family home and the new construction of a 4,755 square foot, four-story, two-family dwelling 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*
5. [2019-000325CUA](#) (G. PANTOJA: (415) 575-8741)  
3600 TARAVAL STREET – between 47<sup>th</sup> and 46<sup>th</sup> Avenues; Lot 018 in Assessor’s Block 2375 (District 15) – Request a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 710 to extend the hours of operation of an existing restaurant use (d.b.a. “Underdogs Too”) from 11 P.M. to 2 A.M. at an existing one-story commercial building within a Neighborhood Commercial Cluster (NC-1) 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*

### C. COMMISSION MATTERS

6. Consideration of Adoption:

- [Draft Minutes for March 14, 2019](#)

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.

### D. DEPARTMENT MATTERS

8. [Director's Announcements](#)

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

### E. 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.

### F. 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. [2014.0012E](#) (C. THOMAS: (415) 575-9036)  
BETTER MARKET STREET – 2.2-mile corridor along Market Street from Steuart Street to Octavia Boulevard (District 3, District 5, and District 6), including portions of streets that intersect Market Street, four off-corridor intersections, the entirety of Charles J. Brenham Place, and a portion of Valencia Street between Market Street and McCoppin Street – Public Hearing on the **Draft Environmental Impact Report**. Project sponsor San Francisco Public Works, in coordination with the San Francisco Municipal Transportation Agency and the Citywide Planning Division, would redesign and provide a program of transportation

and streetscape improvements within the project corridor, including changes to the roadway configuration and private vehicle access, traffic signals, surface transit (including Muni-only lanes, stop spacing and service, stop locations, stop characteristics, and infrastructure), bicycle facilities, pedestrian facilities, streetscapes, commercial and passenger loading, vehicular parking, and utilities. A new bi-directional F Market & Wharves historic streetcar (F-Line) track loop (F-loop) would be implemented on Charles J. Brenham Place and McAllister Street and traffic configurations would change on adjacent streets intersecting Market Street to both the north and south. The proposed project would also partially restore, reconstruct, and realign the Path of Gold (City Landmark No. 200) light standards to accommodate a new overhead contact system to increase transit service along Market Street; remove or alter several streetscape features, including the red brick sidewalk and plazas, granite curbs, street trees, traffic signals and signage. In addition to the proposed project, the sponsor is considering a variant (the Western Variant) that would implement further improvements over the proposed project to pedestrian and bicyclist safety, comfort, and mobility through additional reductions to conflicts between different modes of transportation between Octavia Boulevard and about 300 feet east of the Hayes and Market Street intersection. **Written comments will be accepted at the Planning Department until 5:00 p.m. on April 15, 2019.**

*Preliminary Recommendation: Review and Comment*

11. [2019-004406CRV](#) (C. TEAGUE: (415) 575-9081; R. SUCRE: (415) 575-9108)  
OFFICE DEVELOPMENT ANNUAL LIMIT PROGRAM UPDATE – **Informational Presentation** on San Francisco’s Office Development Annual Limit Program (Program), as defined in Planning Code Sections 320-324. Created in 1985, the Program limits the amount of office development (projects containing at least 25,000 square feet of office space) that can be permitted each year in the City and County of San Francisco. The Department will provide an informational presentation on the background, mechanics and current status of the Program. In addition, the Department will present information on several large office projects within the recently adopted Central SoMa Area Plan.  
*Preliminary Recommendation: None – Informational*
- 12a. [2017-013801CUA](#) (C. CAMPBELL: (415) 575-8732)  
250 RANDOLPH STREET – north corner of Randolph Street, between Victoria and Head Streets; Lot 024 of Assessor’s Block 7089 (District 13) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, **to demolish** an existing dwelling unit & laundromat and construct a four-story two-family dwelling with ground floor commercial within a NC-1 (Neighborhood Commercial Cluster District) 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*
- 12b. [2017-013801VAR](#) (C. CAMPBELL: (415) 575-8732)  
250 RANDOLPH STREET – north corner of Randolph Street, between Victoria and Head Streets; Lot 024 of Assessor’s Block 7089 (District 13) - Request for **Variance**, pursuant to Planning Code Sections 134. The project is to allow a rear yard modification to substitute the required rear yard with an open area on the second floor equal to 25% of the lot area at the interior corner of the lot. The subject property is located within a NC-1 (Neighborhood Commercial Cluster District) Zoning District and 40-X Height and Bulk District.



13. [2014.0948ENX](#) (E. JARDINES: (415) 575-9144)  
344 14<sup>TH</sup> STREET/1463 STEVENSON STREET – north side of 14<sup>th</sup> 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 a UMU (Urban Mixed-Use) and PDR-1-G (Production, Distribution, and Repair-1-General) Zoning District, 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\(h\)](#). (Continued from Regular hearing on February 14, 2019)  
*Preliminary Recommendation: Approve with Conditions*
14. [2018-013413CUA](#) (M. WOODS: (415) 558-6315)  
1001 VAN NESS AVENUE – northwest corner at O’Farrell Street, Lot 016 in Assessor’s Block 0714 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 134, 145.1, 152, 243, 253, 253.2, 271, 303 and 304 , to allow a Planned Unit Development (PUD) to demolish the existing four-story television studio/office building and construct a 13-story senior residential care facility (an Institutional Healthcare Use under Planning Code) containing approximately 247 assisted living units, common areas and supportive services, approximately 8,000 square feet of retail use, 47 parking spaces, and 60 bicycle spaces, totaling approximately 267,000 square feet. The proposal includes PUD modifications for floor area premium for corner lots, off-street loading space, width of parking and loading entrances; and CU for height above 50 feet, street frontage greater than 50 feet, bulk exception, off-street parking, and wind comfort level. The project site is located in a RC-4 (Residential-Commercial, High Density) District, Van Ness Special Use District, Van Ness Automotive Special Use District, Van Ness Avenue Area Plan, and 130-V 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*
15. [2018-015071CUA](#) (B. HICKS: (415) 575-9054)  
2166 MARKET STREET – north side of Market Street between Sanchez Street and Church Street; Lot 016 in Assessor’s Block 3542 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 764 to legalize the change of use to a General Entertainment Use (d.b.a. The Academy) and the addition of an Outdoor Activity Area in the rear of the property, located within the Upper Market Street NCT (Neighborhood Commercial Transit) Zoning District and 40-X and 50-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*

16. [2018-017008CUA](#) (B. HICKS: (415) 575-9054)  
[3512 16<sup>TH</sup> STREET](#) – north side 16<sup>th</sup> Street between Sanchez Street and Market Street; Lot 009 in Assessor's Block 3559 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 764 to allow the change of use to a Retail Professional Service (d.b.a. The Agency), located within the Upper Market Street NCT (Neighborhood Commercial Transit) 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. [2017-010011CUA](#) (X. LIANG: (415) 575-9182)  
[840 FOLSOM STREET](#) – north side of Folsom Street between 4th and 5th Streets; Lot 018 in Assessor's Block 3733 (District 6) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 175.1, 249.40A, 303 and 844, to establish an Amusement Arcade use in the Western SoMa Mixed-Use General (WMUG) Zoning District and to establish a Restaurant and Bar use within the SoMa Youth and Family Special Use District. The Project includes a change of use of approximately 6,900 gross square foot (gsf) from retail use to an amusement arcade/restaurant/bar (d.b.a Eagle Golf Indoor Club) in an existing two-story commercial building. As part of the recently adopted 2018 Central SoMa Area Plan, the subject property was rezoned from WMUG to the Mixed Use Residential (MUR) Zoning District. Per Planning Code Section 175.1, the project elects to be exempt from the Central SoMa Zoning Controls and instead be subject to the previous controls in the WMUG Zoning District, since an application was filed before February 15, 2018. Currently, the subject property is located in a MUR (Mixed Use – Residential) Zoning District, a SoMa Youth and Family Special Use District, Central SoMa Special Use District, and 85-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*
18. [2018-013230CUA](#) (M. CHRISTENSEN: (415) 575-8742)  
[2215 QUESADA](#) – south side of Quesada Avenue between Industrial Street and Interstate 280; Lot 033 in Assessor's Block 5333 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303, to establish a 5,364 square foot Industrial Agriculture use in an existing one-story Industrial building to allow the cultivation of cannabis. The project is in a PDR-2 (Production, Distribution & Repair 2) Zoning District and a 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*
19. [2018-003066CUA](#) (M. CHRISTENSEN: (415) 575-8742)  
[1233 CONNECTICUT](#) – east side of Connecticut Street between 26<sup>th</sup> Street and Cesar Chavez Street; Lot 072 in Assessor's Block 4287 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303, to establish a 4,660 square foot Industrial Agriculture use in an existing one-story Industrial building to allow the cultivation of cannabis. The project is in a PDR-2 (Production, Distribution & Repair 2) Zoning District and a 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*

20. [2018-003916CUA](#) (M. DITO: (415) 575-9164)  
[1326 11<sup>TH</sup> AVENUE](#) – west side of 11<sup>th</sup> Avenue between Irving and Judah Streets; Lot 035 in Assessor’s Block 1765 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to remove an unauthorized dwelling unit from the ground floor of the subject property. The subject property is located in a RH-2 (Residential, House – Two Family) Zoning District and 40-X Height & Bulk District and is currently authorized for use as a two-family dwelling. The project seeks to abate Planning Department Enforcement Case No. 2017-006238ENF. 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 February 21, 2019)  
*Preliminary Recommendation: Approve with Conditions*

## 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.

21. [2017-013473DRP](#) (D. WINSLOW: (415) 575-9159)  
[115 BELGRAVE AVENUE](#) – between Shrader and Stanyan Street; Lot 050 in Assessor’s Block 2688 (District 5) - Request for **Discretionary Review** of Building Permit Application No. 2017.1004.0424 for construction of a four-story residence within a RH-1 (D) (Residential-House, Single family- Detached) 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: Take Discretionary Review and Approve as revised*
22. [2018-001541DRP](#) (D. WINSLOW: (415) 575-9159)  
[2963 22<sup>ND</sup> STREET](#) – Between Folsom and Treat Street; Lot 014 in Assessor’s Block 3639 (District 9) - Request for **Discretionary Review** of Building Permit Application No. 2017.1226.7384 for construction of a 2<sup>nd</sup> story horizontal rear addition to a residential building 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: Do Not Take Discretionary Review and Approve*

## 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.