

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, July 18, 2019

1:00 p.m.

Regular Meeting

Commissioners:

Myrna Melgar, President

Joel Koppel, Vice President

Frank Fung, 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, 4th Floor, Suite 400

Voice recorded Agenda only: (415) 558-6422

Commission Hearing Broadcasts:

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

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

Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

Disability and language accommodations available upon request to:
commissions.secretary@sfgov.org or (415) 558-6309 at least 48 hours in advance.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 409; phone (415) 554-7724; fax (415) 554-7854; or e-mail at sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at www.sfbos.org/sunshine.

Privacy Policy

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online <http://www.sfgov.org/ethics>.

Accessible Meeting Information

Commission hearings are held in Room 400 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is open to the public Monday through Friday from 8:00 a.m. to 8:00 p.m. and is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances. A wheelchair lift is available at the Polk Street entrance.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 72 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing.

Allergies: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Commission hearings.

SPANISH: Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-558-6309. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE: 規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-558-6309。請在聽證會舉行之前的至少48個小時提出要求。

TAGALOG: Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-558-6309. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN: Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-558-6309. Запросы должны делаться минимум за 48 часов до начала слушания.

ROLL CALL:

President:	Myrna Melgar
Vice-President:	Joel Koppel
Commissioners:	Frank Fung, 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. 2017-006245DRP (D. WINSLOW: (415) 575-9159)
50 SEWARD STREET – between 19th and Douglass Streets; Lot 024A in Assessor's Block 2701 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2017.0419.4301 for construction of a horizontal front addition and a third-story vertical addition to an existing two-story two-family house 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
(Continued from Regular hearing on June 6, 2019)
Note: On June 6, 2019, after hearing and closing public comment, continued to July 18, 2019 by a vote of +5 -0 (Fung, Hillis absent).
(Proposed Continuance to August 29, 2019)

2. 2017-013309DRP-04 (D. WINSLOW: (415) 575-9159)
1 WINTER PLACE – near Mason; Lot 032 in Assessor's Block 0118 (District 3) – Request for **Discretionary Review** of Building Permit Application No. 2018.1004.2256 for construction of a fourth-story vertical addition to an existing three-story two-family house within 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: Take DR and Approve with Modifications
(Continued from Regular hearing on June 6, 2019)
(Proposed Continuance to September 5, 2019)

B. COMMISSION MATTERS

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

C. DEPARTMENT MATTERS

4. Director's Announcements
5. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

D. GENERAL PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

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.

6. [2019-011895PCA](#) (V. FLORES: (415) 575-9173)
ACCESSORY DWELLING UNITS IN NEW CONSTRUCTION [BF 190590] –Planning Code and Business and Tax Regulations Code Amendments to authorize the addition of an Accessory Dwelling Unit in the construction of a new single-family home or multi-family building; clarifying the ministerial approval process and creating an expedited Board of Appeals process for certain Accessory Dwelling Units in single-family homes meeting specific requirements; amending the requirements of the discretionary approval process under which property owners must subject certain Accessory Dwelling Units to the Rent Ordinance; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications
7. 2018-003800CWP (J. FRANCIS: (415) 575-9147)
CALLE 24 SPECIAL AREA DESIGN GUIDELINES – parcels within NC and NCT Zoning Districts, generally bounded by 22nd Street to the north, San Bruno Avenue to the east, Cesar Chavez Street to the south, and Bartlett Street to the west. This is an **Informational Presentation** on the proposed Calle 24 Special Area Design Guidelines (SADG), which are intended to supplement the City's Urban Design Guidelines and help ensure that new development and remodeled building facades complement existing neighborhood character and patterns of development. The proposed boundary for the SADGs roughly corresponds to the Calle 24 Special Use District (SUD), which was adopted by the City in 2017. The SUD created a unique set of commercial zoning regulations intended to preserve and enhance the unique character of the Calle 24 Latino Cultural District (established by the City in 2014) and recognize Latino cultural heritage. The Calle 24 SADGs will further the SUD's

intent through guidelines that address architectural design, artwork, and other elements of the physical environment. They will be used by project sponsors, the community, Planning design review staff, and the Planning Commission to help evaluate proposed project designs to ensure preservation of neighborhood characteristics while accommodating new development.

Preliminary Recommendation: None – Informational

- 8a. [2016-010589ENX](#) (L. HOAGLAND: (415) 575-6823)
2300 HARRISON STREET – west side of Harrison Street between 19th and Mistral Streets; Lot 001 in Assessor’s Block 3593 (District 9) – Request for **Large Project Authorization**, pursuant to Planning Code Section 329, to demolish an existing surface parking lot and construct a six-story over basement garage, 75-foot tall, 78,096 square foot vertical addition to an existing 3-story, 42-foot tall, 68,538 square foot office building. The addition will result in a mixed-use building with 24 dwelling units, 27,152 square feet of additional office space, 3,242 square feet of ground floor retail, 1,158 square feet of ground floor arts activities/retail space, 31 additional Class 1 bicycle parking spaces, 8 Class 2 bicycle parking spaces and a total of 41 off-street parking spaces. The dwelling-unit mix includes 14 one-bedroom and 10 two-bedroom units. The Project includes 4,922 square feet of usable open space through a combination of private and common open space. The proposed project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918), and proposes waivers for building height, ground floor active uses and narrow street height limit, and a concession for rear yard in an UMU (Urban Mixed-Use) District and 68-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on June 6, 2019)

- 8b. [2016-010589OFA](#) (L. HOAGLAND: (415) 575-6823)
2300 HARRISON STREET – west side of Harrison Street between 19th and Mistral Streets; Lot 001 in Assessor’s Block 3593 (District 9) – Request for **Office Development Authorization**, pursuant to Planning Code Sections 321 and 322, to authorize 27,185 gross square feet of office space from the Office Development Annual Limit. The subject property is located within the UMU (Urban Mixed-Use) District and 68-X Height and Bulk District.

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on June 6, 2019)

- 9a. [2017-000663PCAMAP](#) (E. SAMONSKY: (415) 575-9112)
610-698 BRANNAN STREET – **Planning Code and Zoning Map Amendments** to establish the 2000 Marin Special Use District (SUD) (Assessor’s Parcel Block No. 4346, Lot No. 003), and to create additional Key Site exceptions for the Flower Mart site, located on the southern half of the block north of Brannan Street between 5th Street and 6th Street (Assessor’s Parcel Block No. 3778, Lot Nos. 001B, 002B, 004, 005, 047, and 048). The 2000 Marin SUD would provide a temporary location for the San Francisco Wholesale Flower Market due to the development of the existing Flower Mart site, located on the southern half of the block north of Brannan Street between 5th Street and 6th Street (610-698 Brannan Street). The 2000 Marin Street project site is currently located within the PDR-2 (Production, Distribution and Repair) Zoning District and the 65-J Height and Bulk Districts. The 2000 Marin SUD would modify specific Planning Code requirements related to demolition and

replacement of industrial buildings, streetscape improvements, screening and landscaping, ground floor height standards, better roofs, shower facilities and lockers, car share, vehicle and bicycle parking, transportation demand management, and impact fees for a period of six years. The Flower Mart Planning Code text amendments would create additional Key Site exceptions, under Planning Code Section 329(e), to the requirements for ground floor transparency and fenestration, PDR floor heights, overhead obstructions, off-site open space, parking pricing, residential to non-residential ratio, child-care facilities, PDR replacement, and PDR and Community Building Space.

Preliminary Recommendation: Approve

- 9b. [2017-000663ENX](#) (E. SAMONSKY: (415) 575-9112)
610-698 BRANNAN STREET – located on southern half of the block north of Brannan Street between 5th Street and 6th Street; Lots 001B, 002B, 004, 005, 047, and 048 in Assessor’s Block 3778 (District 6) – Request for **Large Project Authorization**, pursuant to Planning Code Sections 249.78, 329 and 848, to demolish the existing buildings (165,400 sf; approx. 142,000 sf dba. San Francisco Flower Mart) and parking lot and construct three new buildings containing a total of 2,032,165 sf of office, 113,036 sf of Production, Distribution and Repair (PDR), 83,459 sf of retail, 35,450 sf of privately owned public open space (POPOS), 769 off-street parking spaces, 30 loading spaces, and 496 bicycle spaces (410 Class I, 86 Class II); A project variant would contain a total of 2,061,380 sf of office, 90,976 sf of retail, 22,690 sf of child care facility, 950 sf community facility and 38,450 sf of privately owned public open space (POPOS), 632 off-street parking spaces, 9 loading spaces, and 608 bicycle spaces (518 Class I, 92 Class II) Under the LPA, the project is requesting exceptions from the following Planning Code (PC) requirements: PC 132.4 [Building Setback, Streetwall Articulation and Tower Separation]; PC 136(c)(5) [Overhead Obstructions]; PC 138(c) [Off-Site POPOS Timing]; PC 138(d) [POPOS Design]; PC 145.1 [Active Use Controls]; PC 151.1 [Off Street Parking]; PC 152.1 [Off -Street Loading]; PC 155(d) [Enclosure of Off-Street Loading] PC 155(r); [Protected Pedestrian-, Cycling-, and Transit-Oriented Street Frontages]; PC 155(g) [Parking Pricing Requirements]; PC 202.8 [PDR Conversion]; 145.1(c)(6) and PC 249.78(c)(1)(F) [Ground Floor Transparency]; PC 202.8 [PDR Conversion]; PC 249.78(c)(5) [PDR and Community Building Space]; PC249.78(d)(7) [Lot Mergers]; PC 249.78(d)(9) [Wind]; PC249.78(d)(10) [PDR Ceiling Height]; 249.78(e)(4)[Child Care]; PC 261.1 [Narrow and Mid-Block Alley Controls]; PC 270(h) [Central SoMa Bulk Controls]; PC 270.1 [Horizontal Mass Reduction]; PC 270.2 [Special Bulk and Open Space Requirements] and 803.9(a) and PC 841.09 [Residential to Non-Residential Ratio]. The subject property is located in a CMUO (Central SoMa Mixed Use Office), MUR (Mixed Use Residential) Districts and 160-CS and 270-CS Height and Bulk Districts.
Preliminary Recommendation: Approve with Conditions

- 9c. [2017-000663OFA](#) (E. SAMONSKY: (415) 575-9112)
610-698 BRANNAN STREET – located on southern half of the block north of Brannan Street between 5th Street and 6th Street; Lots 001B, 002B, 004, 005, 047, and 048 in Assessor’s Block 3778 (District 6) – Request for **Office Development Authorization**, pursuant to Planning Code Sections 321, 322, to authorize up to 1,355,363 sf of office use for Phase 1A of the Project, or 1,384,578 sf of office use for Phase 1A of the Project Variant from the Office Development Annual Limit for the proposed project at 610-698 Brannan Street. The Subject Property is located in a CMUO (Central SoMa Mixed Use Office), MUR (Mixed Use Residential) Districts and 160-CS and 270-CS Height and Bulk Districts.
Preliminary Recommendation: Approve with Conditions

- 9d. [2017-000663DVA](#) (E. SAMONSKY: (415) 575-9112)
610-698 BRANNAN STREET – Ordinance introduced by Supervisor Matt Haney to approve a **Development Agreement** between the City and County of San Francisco and KR Flower Mart, LLC, for the development of the approximately 6.5-acre Flower Mart site, located on the southern half of the block north of Brannan Street between 5th Street and 6th Street (Assessor’s Parcel Block No. 3778, Lot Nos. 001B, 002B, 004, 005, 047, and 048). The proposed Development Agreement will address project phasing, construction of an interim wholesale flower market and funding of a permanent wholesale flower market, and public benefits provided by the project, including the construction of a new wholesale flower mart on the Project Site, or alternatively in the event a payment option is exercised, a one-time Developer payment for the construction of a new flower mart at an alternative permanent site; rent subsidy payments to existing flower vendors; relocation of existing flower vendors to a temporary site at 2000 Marin Street; land dedication for affordable housing; enhanced workforce development program; donation of \$5,000,000 to the Sunnydale Hub Project; and in the event the Project Variant is constructed, construction of a subsidized child care facility and construction of approx. 1,000-sf community room.
Preliminary Recommendation: Adopt a Recommendation for Approval
10. [2019-003787CUA](#) (K. WILBORN: (415) 575-9114)
3301 FILLMORE STREET – northwest corner of Fillmore and Lombard Street; Lot 007 in Assessor’s Block 0491 (District 2) – Request for **Conditional Use Authorization** for a Formula Retail use (dba “Mathnasium”) in a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
11. [2017-004654CUA](#) (K. WILBORN: (415) 575-9114)
1901 FILLMORE (AKA 1913 FILLMORE) STREET – southwest corner of Fillmore and Willmott Street; Lot 005 in Assessor’s Block 0659 (District 5) – Request for **Conditional Use Authorization** to legalize an existing Formula Retail use (dba “Saje Natural Wellness”) in an Upper Fillmore NCD (Neighborhood Commercial 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
12. [2015-015199CUA](#) (M. DITO: (415) 575-9164)
562 28TH AVENUE – east side of 28th Avenue between Geary Boulevard and Anza Street; Lot 022 in Assessor’s Block 1517 (District 1) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to demolish an existing single-family dwelling and construct a new eight-family dwelling, including two Accessory Dwelling Units (ADUs). The subject property is located within a RM-1 (Residential, Mixed – Low Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on May 2, 2019)

- 13a. [2018-009534CUA](#) (S. ADINA: (415) 575-8722)
45 CULEBRA TERRACE – west side of Culebra Street; Lot 025 in Assessor’s Block 0500 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to demolish an existing single-family home and construct a new four-story 4,038 square-foot building with two dwelling units, one off-street parking space, and two Class I bicycle spaces within a RH-2 (Residential, Two Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#). *Preliminary Recommendation: Approve with Conditions*
(Continued from Regular hearing on June 6, 2019)
Note: On June 6, 2019, after hearing and closing public comment, continued to July 18, 2019 by a vote of +5 -0 (Fung, Hillis absent).
- 13b. [2018-009534VAR](#) (S. ADINA: (415) 575-8722)
45 CULEBRA TERRACE – west side of Culebra Street; Lot 025 in Assessor’s Block 0500 (District 2) – Request for **Variance**, pursuant to Planning Code Sections 134 and 140. The project is to allow an encroachment of approximately two-feet two-inches into the required rear yard and a variance for exposure for both dwelling units. The subject property is located in a RH-2 (Residential, Two Family) Zoning District and 40-X Height and Bulk District.
(Continued from Regular hearing on June 6, 2019)

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.

- 14a. [2018-009551DRP](#) (D. WINSLOW: (415) 575-9159)
3847-3849 18TH 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 May 9, 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).
- 14b. [2018-009551VAR](#) (D. WINSLOW: (415) 575-9159)
3847-3849 18TH 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 May 9, 2019)

15. [2018-007676DRP](#) (D. WINSLOW: (415) 575-9159)
3902 CLAY STREET – north side of Clay Street between Cherry Street and Arguello Boulevard; Lot 005A in Assessor’s Block 0091 (District 2) – Request is for **Discretionary Review** of Building Permit Application No. 201807245358, a proposal to raise the building 16” to add a garage and construct a vertical addition at the rear of an existing 2-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

16. [2017-013308DRM](#) (A. LINDSAY: (415) 575-9178)
1 LA AVANZADA STREET – Sutro Tower, Lot 003 in Assessor’s Block 2724 (District 14) – **Mandatory Discretionary Review**, pursuant to Planning Code Section 306.9 and 333, of Building Permit Application Nos. 2017.09.22.9393, 2019.07.02.4914, and 2019.05.90.2084 proposing to repack broadcast frequencies as mandated by the FCC consisting of adding 7 new antennas, removing and replacing 4 antennas, and removing four existing antennas; temporarily removing cladding; and re-evaluating structural adequacy of the tower, per SF Building Code and perform structural strengthening as necessary. The subject property is located within a RH-1 (D) (Residential - House, One Family) Zoning District and 40-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:

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.

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.