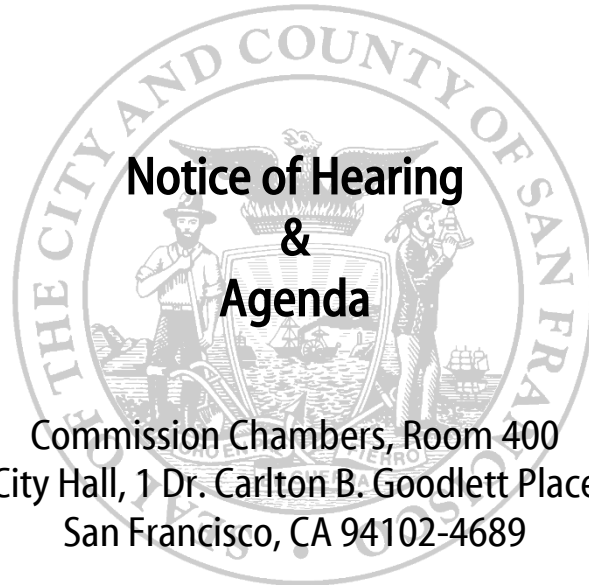


SAN FRANCISCO PLANNING COMMISSION



Notice of Hearing & Agenda

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, July 25, 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.

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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.

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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.

- 2019-011975PCA (D. SANCHEZ: (415) 575-9082)
JOBS HOUSING LINKAGE FEE – Planning Code Amendment introduced by Supervisor Haney to update the Jobs Housing Linkage Fee; 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.
(Proposed Continuance to September 19, 2019)

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

- [2018-013387CUA](#) (A. LINDSAY: (415) 575-9178)
88 PERRY STREET – at the northwest corner of the intersection at Perry and 3rd Street, Lot 116 of Assessor’s Block 3763 (District 9) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 848, to install a new AT&T Mobility macro wireless telecommunications facility consisting of sixteen (16) panel antennas screened behind FRP enclosures; installation of thirty-two (32) remote radio heads, one (1) GPS antenna; and ancillary equipment. The subject property is located with the CMUO (Central Soma-Mixed Use Office), and 130-CS 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: Approve with Conditions
- [2019-001013CUA](#) (E. JONCKHEER: (415) 575-8728)
375 32ND AVENUE/3132 CLEMENT AVENUE – northwest corner of Clement Street and 32nd Avenue; Lot 002 in Assessor’s Block 1401 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.2, 303, 303.1, 703.4, and 713 to allow the establishment of a Formula Retail Grocery Store (Safeway d.b.a. “Andronico’s Community Market”), and a non-residential use size that exceeds 5,999 square feet, within an existing vacant retail space (formerly occupied by the Fresh & Easy grocery store) within a NC-S (Neighborhood Commercial, Shopping Center 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

4. Consideration of Adoption:

- [Draft Minutes for July 11, 2019](#)

5. 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

6. Director's Announcements

7. 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.

8. (K. CONNER: (415) 575-6914)

SB 35 PROJECTS – Informational Presentation – Review of Planning Department's implementation approach for Senate Bill 35 for streamlined ministerial review of housing projects. This bill became effective in January 2018 and this presentation will include an overview of the bill, implementation approach, and a brief summary of the projects that have been processed using SB-35.

Preliminary Recommendation: None – Informational

9. [2019-012970IMP](#) (A. PERRY: (415) 575-9017)
FORTY-THREE (43) PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY (AAU) LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO – Informational Presentation - Notification by the Zoning Administrator of the filing of an Institutional Master Plan (IMP) for the Academy of Art University (AAU). Pursuant to Planning Code Section 304.5, the Planning Commission is holding a public hearing on a full IMP for the AAU. Planning Code Section 304.5 requires post-secondary educational and medical institutions in the city to provide the Commission with a long-range development plan every 10 years, with updates provided every two years. The purpose of the IMP is to provide this information to the Commission and the public. This public hearing is for receipt of public testimony only. Receipt and acceptance of this IMP does not constitute an approval or disapproval of any proposed projects contained in the IMP by the Planning Commission. The IMP and a complete list of the 43 AAU properties are available for viewing at the Planning Department's website: <https://sfplanning.org/resource/institutional-master-plans> (look under "Academy of Art University," and click on the "7/25/19 (pending)" submittal). The IMP is also available for public viewing at the Planning Department's Public Information Center located at 1660 Mission Street, 1st Floor, and at the Department's reception area located at 1650 Mission Street, 4th Floor.
Preliminary Recommendation: None – Informational
10. [2013.0208PHA](#) (M. SNYDER: (415) 575-6891 & M. CHRISTENSEN: (415) 575-8742)
MISSION ROCK PHASE 1 (AKA SEAWALL LOT 337 AND PIER 48) – located east of Third Street, between China Basin Channel and Mission Rock Street, Assessor's Block 8719/Lot 006; and Block 9900/Lot 048 – **Informational Presentation** on Phase 1 Submittal of the Mission Rock Development Project. In 2018, the Board of Supervisors approved the Development Agreement (DA) and Disposition and Development Agreement (DDA) associated with the Mission Rock Mixed-Use Project that would include the multi-phased mixed-use development of Seawall Lot 337 and Pier 48. Mission Rock Phase Submittal for Phase 1 includes the construction of infrastructure, extension of the street grid, new parks and open space, and preparation of four development pads that will support and enable the development of approximately to 630 residential units, 550,000 gsf of office, and approximately 65,000 gsf of retail space.
Preliminary Recommendation: None – Informational
11. [2014.0948ENX](#) (E. JARDINES: (415) 575-9144)
344 14TH STREET – north side of 14th Street between Stevenson and Woodward Street, Lot 013 in Assessor's Block 3532 (District 9) – Request for **Large Project Authorization** (LPA) pursuant to Planning Code Section 329, for the Project proposing new construction of a 78-foot tall, 7-story residential building (measuring approximately 84,630 gross square feet (gsf)) with ground floor commercial. The Project would construct a total of 60 dwelling units, 5,890 square feet of ground floor commercial. 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) usable open space (PC 135), and 3) height (PC 260). The project site is located within a UMU (Urban Mixed-Use) Zoning District and 58-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 July 11, 2019)

Note: On April 4, 2019, after hearing and closing public comment, continued to June 6, 2019 by a vote of +6 -0.

On June 6, 2019, without hearing, continued to June 27, 2019 by a vote of +6 -0 (Fung absent).

On June 27, 2019, after hearing and closing public comment and a motion to approve with conditions failed +3 -2 (Moore, Richards against; Johnson, Melgar absent); continued to July 11, 2019 by a vote of +4 -1 (Fung against; Johnson, Melgar absent).

On July 11, 2019, without hearing, continued to July 25, 2019 by a vote of +5 -0 (Hillis, Melgar absent).

- 12a. [2015-012490ENX](#) (L. HOAGLAND: (415) 575-6823)
88 BLUXOME STREET – located on the northeast intersections of 5th, Brannan and Bluxome Streets, Lot 037, Block 3786 (District 6) – Request for **Large Project Authorization**, pursuant to Planning Code Sections 249.78, 329, and 848, for new construction over 85-ft in height and measuring more than 50,000 gross square feet in size, and for the demolition of the existing 288,570 square foot Bay Club SF Tennis building and construction of three new building components: the West Component, the East Component, and the Community Center/Affordable Housing Component, with a total of 1,197,280 GSF of space, including 775,000 GSF of office, 134,460 GSF of tennis club, 106,220 GSF of 100% affordable housing, 29,690 GSF of community recreation, 8,080 GSF of PDR, 16,590 GSF of retail, and 4,630 GSF of child care, 163 off-street parking spaces, four loading spaces, four substitute loading spaces, and 381 bicycle spaces (311 Class I, 70 Class II). The Project also includes approximately 11,330 square feet of additional on-site open space, including privately-owned public open space (POPOS). The project site was identified as a “key site” in the Central SoMa Plan and is anticipated to provide qualified amenities, including a land dedication to the Mayor’s Office of Housing and Community Development, a new Recreation and Community Center (“Gene Friend Aquatic Annex”), and development of a new public park (“Bluxome Linear Park”), measuring approximately 13,157 square feet. Under the Large Project Authorization, the project is requesting exceptions from the following Planning Code (PC) requirements: PC 132.4 [Building Setbacks, Streetwall Articulation and Tower Separation]; PC Section 152.1 and 154; [Off-Street Freight Loading Requirements]; PC 249.78(c)(5) [PDR Space Requirements]; PC 249.78(d)(9) [Wind]; PC 260(b)(1)(L) [Height Limits]; PC 270(h) [Bulk Controls]; PC 270.1 [Horizontal Mass Reduction]; and PC 261.1 [Narrow and Mid-Block Alley Controls]. The project site is located in a CMUO Zoning District, Central SoMa Special Use District and 130-CS and 200-CS 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: Approve with Conditions
 (Continued from Regular hearing on July 11, 2019)
- 12b. [2015-012490OFA](#) (L. HOAGLAND: (415) 575-6823)
88 BLUXOME STREET – located on the northeast intersections of 5th, Brannan and Bluxome Streets, Lot 037, Block 3786 (District 6) – Request for **Office Development Authorization** pursuant to Planning Code Sections 321 and 322 to authorize 775,000 square feet of office space from the Office Development Annual Limit. The project site is located in a CMUO Zoning District, Central SoMa Special Use District and 130-CS and 200-CS Height and Bulk Districts.
Preliminary Recommendation: Approve with Conditions
 (Continued from Regular hearing on July 11, 2019)

- 12c. [2015-012490VAR](#) (L. HOAGLAND: (415) 575-6823)
88 BLUXOME STREET – located on the northeast intersections of 5th, Brannan and Bluxome Streets, Lot 037, Block 3786 (District 6) – Request for a **Variance** pursuant to Planning Code Sections 145.1(c)(2) [Parking and Loading Entrances] and 249.78 [Micro-Retail] to construct 1,197,280 GSF of space, including 775,000 GSF of office, 134,460 GSF of tennis club, 106,220 GSF of 100% affordable housing, 29,690 GSF of community recreation, 8,080 GSF of PDR, 16,590 GSF of retail, and 4,630 GSF of child care, 163 off-street parking spaces, four loading spaces, four substitute loading spaces, and 381 bicycle spaces (311 Class I, 70 Class II). The project site is located in the CMUO Zoning District, Central SoMa Special Use District and 130-CS and 200-CS Height and Bulk Districts.
(Continued from Regular hearing on July 11, 2019)
- 13a. [2014.1573CUA](#) (C. MAY: (415) 575-9087)
2050 VAN NESS AVENUE & 1675 PACIFIC AVENUE – southeast corner of Van Ness and Pacific Avenues; Lot 008 in Assessor’s Block 0595 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 243, 253 (building height over 50 feet) and 303 for the construction of a seven-story, 70-ft tall, 49,268 square-foot building containing 63 dwelling units above 776 square feet of commercial uses, 24 below-grade off-street parking spaces and 64 bicycle spaces within a RC-4 (Residential-Commercial, High-Density) Zoning District, 80-D Height and Bulk District and a Van Ness Special Use 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
- 13b. [2014.1573VAR](#) (C. MAY: (415) 575-9087)
2050 VAN NESS AVENUE & 1675 PACIFIC AVENUE – southeast corner of Van Ness and Pacific Avenues; Lot 008 in Assessor’s Block 0595 (District 3) – **Variance** request pursuant to Planning Code Sections 135 (usable open space), 136 (obstructions over streets), 140 (dwelling unit exposure) and 145 (active street frontage) for the construction of a seven-story, 70-ft tall, 49,268 square-foot building containing 63 dwelling units above 776 square feet of commercial uses, 24 below-grade off-street parking spaces and 64 bicycle spaces within a RC-4 (Residential-Commercial, High-Density) Zoning District, 80-D Height and Bulk District and a Van Ness Special Use District.
14. [2017-013537CUA](#) (R. SUCRE: (415) 575-9108)
233 SAN CARLOS STREET – between 19th and 20th Streets; Lot 032 of Assessor’s Block 3596 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.4, 303 and 317, to demolish an existing single-family residence (measuring 1,302 square feet) and construct a new four-story, two-unit residence (measuring 3,689 square feet) with two off-street parking spaces. The subject property is located in a RTO-M (Residential Transit Oriented-Mission) Zoning District and 45-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 27, 2019)
Note: On February 21, 2019, after hearing and closing public comment, continued to March 21, 2019 by a vote of +7 -0.
On April 25, 2019, without hearing, continued to May 9, 2019 by a vote of +6 -0.

On May 9, 2019, without hearing, continued to June 27, 2019 by a vote of +5 -0 (Johnson, Richards absent).

On June 27, 2019, without hearing, continued to July 25, 2019 by a vote of +5 -0 (Johnson, Melgar absent).

15. [2018-013122CUA](#) (E. SAMONSKY: (415) 575-9112)
2966 24TH STREET – located on the north side of 24th Street between Alabama and Harrison Streets; Lot 017 in Assessor’s Block 4206 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to convert unauthorized Group Housing to Retail Sales and Service use at a 2,600 square- foot, single -story commercial building. The subject property is located within the 24th Mission 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
16. [2019-004451CUA](#) (M. CHRISTENSEN: (415) 575-8742)
2075 MISSION STREET – on a through lot between Mission and Capp Streets; Lot 048 in Assessor’s Block 3570 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 754 for the establishment a Cannabis Retail Use measuring 3,590 square feet at the ground and mezzanine levels of an existing three-story commercial building. The proposal will involve interior tenant improvements with no expansion of the existing tenant space or building envelope. The project includes a request for authorization of on-site consumption, including smoking and vaporizing cannabis products. The site is located within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District, a Mission Alcoholic Beverage Special Use District, and 40-X and 80-B 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: Approve with Conditions
17. [2018-010465CUA](#) (M. DITO: (415) 575-9164)
349 3RD AVENUE – located on the west side of 3rd Avenue between Clement Street and Geary Boulevard; Lot 007 in Assessor’s Block 1435 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to demolish a two-story over basement single-family dwelling and construct a four-story four-family dwelling. 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

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.

18. [2018-009355DRP](#) (C. MAY: (415) 575-9087)
63 LAUSSAT STREET – south side of Laussat Street between Webster and Buchanan Streets; Lot 069 in Assessor’s Block 0858 (District 5) – Request for **Discretionary Review** of Building Permit Application No. 2018.0611.1543 for construction of a new three-story, single-family dwelling on the recently-subdivided vacant lot fronting Laussat Street within a RTO (Residential, Transit-Oriented) 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
19. [2017-000987DRP-02](#) (D. WINSLOW: (415) 575-9159)
25 17TH AVENUE – west side of 17th Avenue near Lake Street; Lot 025 in Assessor’s Block 1341 (District 2) – Requests for **Discretionary Review** of Building Permit Application No. 2017.07.07.1206 for demolition of a three-story bay window and construction of a front and rear horizontal addition to an existing four-story, single family residence 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: Take Discretionary Review and Approve with Modifications
20. [2017-000987DRP-04](#) (D. WINSLOW: (415) 575-9159)
27 17TH AVENUE – west side of 17th Avenue near Lake Street; Lot 026 in Assessor’s Block 1341 (District 2) – Requests for **Discretionary Review** of Building Permit Application No. 2018.06.25.2842 for the demolition of a garage and construction of a new four-story, single family residence 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: Take Discretionary Review and Approve with Modifications

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.