

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, August 22, 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:

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

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

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

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

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

ROLL CALL:

President:	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.

- 1a. 2018-009534CUA (C. ASBAGH: (415) 575-9165)
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 July 18, 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).
On July 18, 2019, after hearing and closing Public Comment, continued to August 22, 2019 by a vote of +4 -2 (Johnson, Richards against; Hillis absent).
(Proposed Continuance to August 29, 2019)
- 1b. 2018-009534VAR (C. ASBAGH: (415) 575-9165)
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 July 18, 2019)
(Proposed Continuance to August 29, 2019)
2. 2017-003545ENV (J. POLING: (415) 575-9072)
2417 GREEN STREET – 2,500-square-foot project site on the south side of Green Street between Pierce Street and Scott Street; Lot 028 of Assessor’s Block 0560 – **Appeal of Preliminary Negative Declaration** for the proposed expansion of an existing single-family home. The project would lower building floor plates by approximately 2 feet, construct one- and three-story horizontal rear additions, and construct third and fourth floor vertical additions above a portion of the existing building. The floor area would increase from approximately 4,118 square feet to approximately 5,115 square feet. A one-bedroom accessory dwelling unit measuring approximately 1,023 square feet would be added on the first floor. The project also proposes a partial excavation of the rear yard for a sunken

terrace, façade alterations, interior modifications, and expansion of the existing basement level garage to accommodate one additional vehicle, for a total of two vehicle parking spaces. The project site is located in a RH-1 (Residential-House, One Family) Use District and 40-X Height and Bulk District.

(Proposed Continuance to September 19, 2019)

3. 2018-016625DNX (A. PERRY: (415) 575-9017)
50 POST STREET – through-lot on the north side of Post Street and the south side of Sutter Street between Kearny and Montgomery Streets; Lots 015 and 016 in Assessor's Block 0292 (District 3) – Request for a **Downtown Project Authorization**, pursuant to Planning Code Sections 309 and 137, to modify the existing Privately-Owned Public Open Space (POPOS) and renovate the existing structure located within a C-3-O (Downtown – Office) Zoning District and 250-S Height and Bulk District. The project proposes a minor relocation and design modifications of the rooftop open space but does not propose any reduction in usable area. Additionally, the project proposes interior and exterior alterations to the Crocker Galleria that would reduce the amount of retail space from 45,833 square feet (sf) to 24,544 sf, add 12,780 sf of office space at the third floor, and create a new two-level stair and interior public seating area that helps enhance the connection to the modified rooftop open space. 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)
(Proposed Continuance to October 17, 2019)

4. 2018-001592CUA (M. DITO: (415) 575-9164)
1190 GOUGH STREET – east side of Gough Street between Geary Boulevard and Ellis Street, Lot 033 of Assessor's Block 0713 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.2 and 303 to legalize a Private Parking Lot use within a RM-4 (Residential, Mixed – High Density) Zoning District and 40-X Height & Bulk District. The lot contains 38 automobile spaces. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
(Proposed for Indefinite Continuance)

B. CONSENT CALENDAR

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

5. [2018-011004CUA](#) (S. CISNEROS: (415) 575-9186)
146 GEARY STREET – north side of Geary Street between Stockton Street and Grant Avenue; Lot 007 in Assessor's Block 0309 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 608.14, to authorize the existing projecting sign located on the subject building as a Vintage Sign. The subject property is an Article 11 Category IV (Contributing Building) building within the Kearny-Market-Mason-Sutter Conservation District, is located within a C-3-R (Downtown – Retail)

Zoning District and 80-130-F Height and Bulk Limit. The proposed project includes replicating the existing projecting sign to be installed at 117 Post Street, the new location of Britex Fabrics. The replicated sign will closely match the dimensions, appearance, and illumination of the existing sign. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

6. [2018-017311CUA](#) (M. CHANDLER: (415) 575-9048)
[5420 MISSION STREET](#) – north side between Ottawa and Foote Avenues, Lot 001B in Assessor’s Block 7044A (District 11) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 720 and 303 to establish an approximately 2,000 square foot Religious Institutional Use (d.b.a Church of God Ministries of Jesus Christ International) within a currently vacant commercial building located in the Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The project proposes minor exterior modifications. This project was reviewed under the Community Business Priority Processing Program (CB3P). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

7. [2017-013654CUA](#) (S. YOUNG: (415) 558-6346)
[4720 GEARY BOULEVARD](#) – north side between 11th and 12th Avenues; Lot 019 in Assessor’s Block 1443 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections the change of use of an existing personal service establishment (cosmetology) with accessory massage use to a Massage Establishment Use with accessory personal service use (d.b.a. Shiatsu Massage) located on the ground floor commercial space of a three-story commercial and residential building. The project site is located within a NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

C. COMMISSION MATTERS

8. Consideration of Adoption:
 - [Draft Minutes for July 18, 2019 – Regular](#)
 - [Draft Minutes for July 25, 2019 – Closed Session](#)
 - [Draft Minutes for July 25, 2019 – Regular](#)

9. 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

10. Director's Announcements
11. 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.

12. [2007.0903PHA](#) (C. ALEXANDER: (415) 575-8724)
TREASURE ISLAND SUBPHASE 1C: C2.1 & C2.4 – Informational Presentation to update the Commission on two buildings that qualify as Large Projects pursuant to Planning Code Section 249.52(g)(4)(E) as both buildings are over 70 feet in height. This informational hearing is for the Planning Commission to comment on the proposed design of Blocks C2.1 and C2.4. The proposal for Block C2.1 includes new construction of an approximately 31-story, 315-foot tall building with 265 residential units and 190 parking spaces. The proposal for Block C2.4 includes new construction of an approximately 19-story, 200-foot tall building with 248 residential units, ground floor retail, and 85 parking spaces. Both buildings substantially comply with the Design for Development and are subject to Planning Director approval. The buildings are located in a TI-OS (Treasure Island Open Space) and TI-R (Treasure Island Residential) Zoning Districts and 25-TI, 40-TI, 40-TI/240 Flex Zone-TI, 40-TI 315 Flex Zone-TI 60-TI/240 Flex Zone -TI, 70-TI, and 70-TI/315 Flex Zone- TI Height and Bulk Districts.
Preliminary Recommendation: None – Informational
13. (J. BINTLIFF: (415) 575-9170)
[EXECUTIVE DIRECTIVE ON HOUSING \(17-02\) REPORT](#) – Informational Presentation to update the Commission on the status of the Executive Directive and implementation of the Department's 2017 Process Improvements Plan. The presentation will include a summary and status report of improvement measures that have been implemented or are currently underway, and a quantitative report on the Department's performance on various target project review timeframes.
Preliminary Recommendation: None – Informational

- 14a. [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 July 18, 2019)
Note: On July 18, 2019, after hearing and closed Public Comment, continued to August 22, 2019 by a vote of +6 -0 (Hillis absent).
- 14b. [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 a UMU (Urban Mixed-Use) District and 68-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on July 18, 2019)
Note: On July 18, 2019, after hearing and closed Public Comment, continued to August 22, 2019 by a vote of +6 -0 (Hillis absent).
15. [2017-002951ENX](#) (L. HOAGLAND: (415) 575-6823)
755 BRANNAN STREET – southeast side of Brannan Street between Lucerne Street and Butte Place; Lot 181 in Assessor’s Block 3784 (District 6) – Request for **Large Project Authorization**, pursuant to Planning Code Section 329, to demolish an existing, two-story, 12,880 square foot commercial building and construct a five-story, approximately 53-foot, 9-inch tall, 45,564 square foot residential building. The Project will result in a 57 dwelling unit building, 57 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces. The dwelling-unit mix includes 20 studios, 11 one-bedroom and 26 two-bedroom units. The Project includes 5,699 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, bay windows, rear yard, narrow streets, and open space in a RED-MX (Residential Enclave-Mixed) 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 Condition

16. [2014-003160CUA](#) (X. LIANG: (415) 575-9182)
3314 CESAR CHAVEZ STREET – north side of Cesar Chavez Street between Mission Street and South Van Ness Avenue; Lot 012 in Assessor’s Block 6571 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.1 and 303 for development on a lot larger than 10,000 sq. ft in the Mission St NCT Zoning District for the project involving demolition of an approximately 13,500 sq. ft. light industrial building and new construction of a 65-ft. tall, six-to seven-story mixed-use building measuring approximately 58,100 sq. ft. on a 13,524 sq. ft lot. The project includes 3,000 sq. ft. of ground-floor commercial retail and 53,500 sq. ft. of residential use for 57 dwelling units. The proposed project would also include a total of 7,150 sq. ft. of private and common residential open space, 57 Class 1 and 6 Class 2 bicycle parking spaces, and an approximately 6,600 sq. ft. basement-level garage for 30 accessory automobile and 1 car-share parking spaces. The subject property is located within the Mission Street Neighborhood Commercial Transit (NCT) Zoning District, Calle 24 Special Use District, and 65-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. [2019-012580CUA](#) (B. HICKS: (415) 575-9054)
61 CAMBON DRIVE – east side of Cambon Drive between Felix Avenue and Cardenas Avenue; Lot 001 in Assessor’s Block 7324 (District 7) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 713 to establish an approximately 1000 square foot cannabis retail use (d.b.a. Flight). The Project will occupy a retail space within the Park Merced Shopping Center in a NC-S (Neighborhood Commercial Shopping Center) 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
- 18a. [2018-000547CUA](#) (J. HORN: (415) 575-6925)
42 ORD COURT – through lot bounded by Ord Court and States Street, Lot 060 in Assessor’s Block 2619 (District 8) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 249.77 and 303(c), to construct a vertical and horizontal addition to an existing 1,430 gross square foot, two-story single-family home located on a through lot that extends to States Street. An unpermitted dwelling unit is located within a 320 square foot, non-confirming (6’-10” internal height) area of the 1st floor. The existing structure will remain but be lifted 2 feet in height, two floors will be added on top of the rear portion of the existing structure and a 4-story horizontal rear addition will be constructed. In total, the proposed structure is 4,242 gross square feet in size and will provide a 3,310 square foot main unit, will legalize and expand the 2nd Unit to 932 square feet and add a new one-car garage. The project is within a RH-2 (Residential House, Two-Family) Zoning District, 40-X Height and Bulk District, and Corona Heights Large Residence Special Use District (Planning Code Sec 249.77). 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 25, 2019, after hearing and closing public comment, continued to July 11, 2019 by a vote of +6 -0.

On July 11, 2019, without hearing, continued to August 22, 2019 by a vote of +5 -0 (Hillis and Melgar absent).

- 18b. [2018-000547VAR](#) (J. HORN: (415) 575-6925)
42 ORD COURT – through lot bounded by Ord Court and States Street, Lot 060 in Assessor's Block 2619 (District 8) – Request for a **Variance** from the Planning Code for front setback requirements, pursuant to Planning Code Section 132. The subject property is located within a RH-2 (Residential – House, Two Family) Zoning District, the Corona Heights Large Residence Special Use District and 40-X Height and Bulk District.
(Continued from Regular hearing on July 11, 2019)
19. [2019-014314CUA](#) (J. HORN: (415) 575-6925)
49 HOPKINS AVENUE – southeast corner of the intersection of Hopkins Avenue and Burnett Avenue; Lot 042 in Assessor's Block 2799 (District 8) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to legalize the demolition of a single-family home and propose the new construction of a single-family home with a 1,200 square foot accessory dwelling unit and a 355 square foot one-car garage. The subject property is located within a RH-1 (Residential House, One-Family) Zoning and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
- 20a. [2015-006356CUA](#) (M. DITO: (415) 575-9164)
336 PIERCE STREET – east side of Pierce Street between Oak and Page Streets; Lot 020 of Assessor's Block 0844 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to legalize the demolition of a two-story dwelling unit at the rear of the subject lot and authorize the reconstruction of the dwelling unit, within a RM-1 (Residential, Mixed –Low Density) Zoning District and 40-X Height and Bulk District. The existing dwelling unit was located above a two-car garage. The proposed reconstruction would eliminate the garage and reduce the volume of the building. The subject property has an existing, separate, eight-family dwelling at the front of the lot. The project is also seeking a variance from the rear yard requirement, pursuant to Planning Code Section 134. 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
- 20b. [2015-006356VAR](#) (M. DITO: (415) 575-9164)
336 PIERCE STREET – east side of Pierce Street between Oak and Page Streets; Lot 020 of Assessor's Block 0844 (District 5) – Request for a **Variance** pursuant to Planning Code Section 134 to permit the construction of a replacement dwelling unit in the required rear yard. The dwelling unit would be located in the rear 45% of the lot. The proposed dwelling unit is two stories tall and approximately 700 square feet in size. The subject property is located in a RM-1 (Residential, Mixed - Low Density) Zoning District and 40-X Height and Bulk District.

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. [2018-016955DRP](#) (D. WINSLOW: (415) 575-9159)
220 SAN JOSE AVENUE – near 24th Street; Lot 004 in Assessor’s Block 6513 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2018.1214.8349 for construction of a 2-story, rear horizontal addition to an existing 2-story one-family house 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: Take Discretionary Review and Approve with Modifications

ADJOURNMENT

NOTICE OF PUBLIC HEARING
REGARDING PROPOSED DEVELOPMENT AGREEMENT
(September 5, 2019)

Case No. 2015-014028DVA: 3333 California Street Mixed-Use Project Development Agreement [Board File No. 190845], located on the south side of California Street, west side of Presidio Avenue, north side of Masonic and Euclid Avenues, and east side of Laurel Street, Lot 003 in Assessor's Block 1032 (District 2) – On September 5, 2019, the Planning Commission will hold a public hearing to consider a Request for Approval of a **Development Agreement** between the City and County of San Francisco and Laurel Heights Partners, LLC, for the development of the 3333 California Street Mixed-Use Project, with various public benefits, including 25% affordable housing, a child care center comprised of approximately 14,690 square feet, and approximately 4.47 acres of open space; approving certain development impact fees for the Project and waiving certain Planning Code fees and requirements; and confirming compliance with or waiving certain provisions of Administrative Code, Chapter 56, and ratifying certain actions taken in connection therewith. Pursuant to San Francisco Administrative Code Section 56.4(c), the Director of Planning has received and accepted a complete application for the amendment of the above-mentioned development agreement which is available for review by the public at the Planning Department in Planning Department Case File No. 2015-014028DVA.

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.