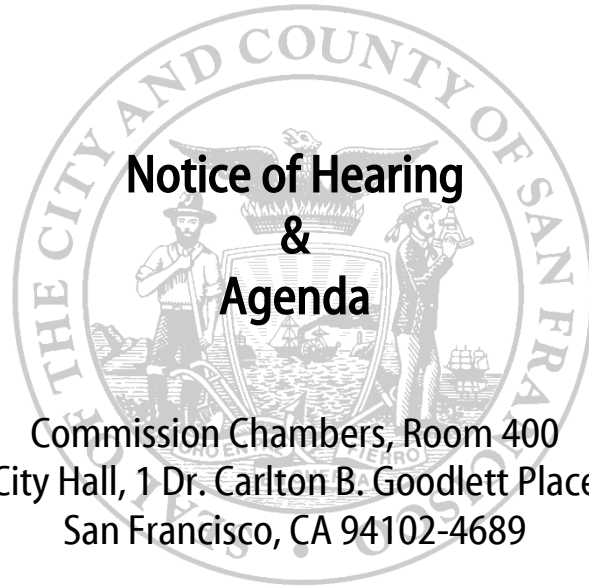


SAN FRANCISCO PLANNING COMMISSION



Notice of Hearing & Agenda

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

Thursday, November 21, 2019
1:00 p.m.
Regular Meeting

Commissioners:

Myrna Melgar, President
Joel Koppel, Vice President
Frank Fung, Milicent Johnson,
Kathrin Moore, Dennis Richards

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

Website: <http://www.sfplanning.org>

Planning Department, 1650 Mission Street, 4th Floor, Suite 400

Voice recorded Agenda only: (415) 558-6422

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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, 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. 2019-014348PCA (A. MERLONE: (415) 575-9129)
EXEMPTION FROM DENSITY LIMITS FOR AFFORDABLE AND UNAUTHORIZED UNITS [BOARD FILE NO. 190757] – **Planning Code Amendment** to provide an exception from density limit calculations for all affordable units in projects not seeking and receiving a density bonus, permit the legalization of all unauthorized dwelling units notwithstanding a history of no-fault evictions, and principally permit residential care facilities for seven or more persons in all RH (Residential, House) Zoning Districts; 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 general welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications
(Continued from Regular hearing on November 7, 2019)
(Proposed for Continuance to December 5, 2019)
2. 2009.0885B (C. TEAGUE (415) 575-9081)
1100 VAN NESS AVENUE – located on the east side of Van Ness Avenue between Cedar and Geary Streets; Assessor’s Block 0694, Lots 029 and 030 (District 6) – **Allocation Revocation** of square footage under the Annual Office Development Limitation Program set forth in Planning Code Sections 320 through 324. Pursuant to [1] the provisions of Planning Code Section 321(d)(2), [2] Conditions of Approval contained in Planning Commission Motion No. 18890, and [3] Planning Commission policy set forth in Planning Commission Resolution 17846A, the Planning Commission will consider revoking approximately 52,000 square feet of office space allocated in 2013 for a new office building. The proposal would not result in any physical changes to the subject property.
Preliminary Recommendation: Revoke Office Allocation
(Continued from Regular hearing on October 24, 2019)
(Proposed for Continuance to December 19, 2019)
- 3a. 2018-007725DRP (D. WINSLOW: (415) 575-9159)
244 DOUGLASS STREET – at the corner of Caselli; Lot 006 in Assessor’s Block 2691 (District 8) – Request for **Discretionary Review** of Building Permit Application No. 2018.0820.7815, proposing a vertical addition, remodeling of the interior, and the modification of the rear pitched roof to a flat roof to accommodate a roof deck with planter guardrails to an existing 2-story, two-family house within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. The proposal is subject to a rear-yard variance

per 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\(h\)](#).

WITHDRAWN

- 3b. 2018-007725VAR (D. WINSLOW: (415) 575-9159)
244 DOUGLASS STREET – at the corner of Caselli; Lot 006 in Assessor’s Block 2691 (District 8) - Request for **Rear Yard Variance**, proposing a vertical addition, remodeling of the interior, and the modification of the rear pitched roof to a flat roof to accommodate a roof deck with planter guardrails to an existing 2-story, two-family house within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. The proposal is subject to a rear-yard variance per 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\(h\)](#).
 (Continued from Regular hearing on August 28, 2019)
(Proposed for Continuance to December 5, 2019 Variance Agenda)

B. CONSENT CALENDAR

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

4. [2019-015128CUA](#) (G. PANTOJA: (415) 575-8741)
333 DOLORES STREET – between 16th and 17th Streets; Lot 057 in Assessor’s Block 3567 (District 8) – Request for a **Conditional Use Authorization** pursuant to Planning Code Section 303 to amend Motion Nos. 16683 and 19041 for a request to retain three existing temporary classroom structures for an additional seven years beyond the previously approved date at the subject property within a Residential- Mixed, Low Density (RM-1) Zoning District and 40-X Height and Bulk District. The temporary classroom structures will remain at the subject property until June of 2031. No interior or exterior alterations are proposed to the existing temporary classroom structures. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
5. [2019-014224CUA](#) (A. LINDSAY: (415) 575-9178)
279 COLUMBUS AVENUE – on southwest side of Columbus Ave between Broadway Ave and Jack Kerouac Alley, Lot 017 of Assessor’s Block 0162 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 714, for the new restaurant use (d.b.a. Bulgara) to operate as a restaurant with a Type-41 On-Sale Beer and Wine for Bona fide Public Eating Place license. The previous use appears to be limited restaurant. This project was reviewed under the Community Business Priority Processing Program (CB3P). The subject property is located within the Broadway NCD (Neighborhood Commercial) and 65-A-1 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

6. [2019-012281CUA](#) (D. WEISSGLASS: (415) 575-9177)
350 PACIFIC AVENUE – north side of Pacific Avenue between Sansome and Battery Streets; Lot 006 in Assessor’s Block 0165 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 184, 210.1, 239, and 303, for renewal of a commercial Public Parking Lot within a C-2 (Community Business) Zoning District, Washington-Broadway Special Use District and 65-A Height and Bulk District. Ordinance 232-14 amended Planning Code Sections 184 and 239 to state that public parking lots shall not be permitted as a permanent use in the Washington-Broadway SUD but may be authorized as a temporary use for up to five years with Conditional Use authorization. The proposal also includes the addition of fencing at the entry property line. This Project was reviewed as a CB3P (Community Business Priority Processing Program) Project. 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
(Continued from canceled hearing on November 14, 2019)
7. [2019-016419CND](#) (M. DITO: (415)575-9164)
3234 WASHINGTON STREET – north side of Washington Street between Presidio Avenue and Lyon Street; Lot 008 in Assessor’s Block 0983 (District 2) – Request for a **Condominium Conversion Subdivision** to convert a four-story, five-unit building into residential condominiums within a RH-2 (Residential, House – Two Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve
(Continued from canceled hearing on November 14, 2019)

C. COMMISSION MATTERS

8. Consideration of Adoption:
- [Draft Minutes for November 7, 2019](#)
 - [Draft Minutes for November 14, 2019 – Closed Session](#)
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. [2016-003351CWP](#) (C. FLORES: (415) 558-6473)
RACIAL AND SOCIAL EQUITY ACTION PLAN – Staff will present the updated Department’s Racial & Social Equity Action Plan, **Phase I Adoption**. The Plan contains goals, objectives and specific actions the Department will undertake to advance racial and social equity in our internal functions as well as a draft Implementation matrix. Phase II will focus on the external functions of the Department and will be recommended for adoption in late 2020. Both Phase I and Phase II will contain the Department’s commitments to advance racial and social equity: (1) internally as a workplace and (2) externally through our plans, policies and processes; and (3) ongoing implementation and monitoring mechanisms for accountability. All city departments are participating in the Government Alliance on Race and Equity under leadership from San Francisco’s Human Rights Commission and are undertaking similar Action Plans in accordance with the requirements of the newly formed Office of Racial Equity by Board Ordinance 188-19. Per the ordinance, Action Plans must be updated every three years from adoption.
Preliminary Recommendation: Adopt
13. [2019-017962PCA](#) (A. MERLONE: (415) 575-9129)
100% AFFORDABLE HOUSING AND EDUCATOR HOUSING STREAMLINING PROGRAM – **Planning Code Amendment** to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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 convenience, necessity, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve
14. (J. SWITZKY: (415)575-6815)
PLAN BAY AREA – **Informational Presentation** on the Plan Bay Area 2050 process being conducted by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), including potential updates and revisions to San

Francisco's designations of Priority Development Areas (PDAs), Priority Conservation Area (PCAs), and Priority Production Areas (PPAs). These non-regulatory designations, nominated by local legislatures (i.e. Board of Supervisors), are used by ABAG/MTC to guide the long-range regional plan and are implemented by the regional agencies through grant programs for planning and infrastructure investment.

Preliminary Recommendation: None – Informational

- 15a. (M. SMALL: (415) 575-9160)
DESIGN GUIDELINES – Informational Presentation – three sets of special area or topic design guidelines will be proposed for adoption by the end of 2019 in advance of SB 330: Calle 24, Retained Elements, and Japantown.
Preliminary Recommendation: None – Informational
- 15b. [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. **Adoption** of proposed Calle 24 Special Area Design Guidelines (SADGs), 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 defining neighborhood characteristics while accommodating new development.
Preliminary Recommendation: Adopt
- 16a. [2008.0586E](#) (A. PERRY: (415) 575-9017)
MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University ("Academy") and seeks to establish or legalize uses at these properties, consolidate single room occupancy units regulated under Chapter 41 of the Administrative Code into two buildings and provide at least 8 new Chapter 41 units, and perform or legalize building modifications to these properties in order to implement said uses and to generally abate all Planning Code violations. A full list of the 34 properties may be found at sfplanning.org/academy. Request for **Adoption of Findings** pursuant to the California Environmental Quality Act (CEQA) and the CEQA guidelines, including Findings of Fact, Findings Regarding Significant and Unavoidable Impacts, evaluation of Mitigation Measures and Alternatives, the adoption of a Mitigation, Monitoring and Reporting Program and the adoption of a Statement of Overriding Considerations in connection with approvals for the Academy project, consistent with the proposed Development Agreement and the Term Sheet and Supplement to the Term Sheet for Global Resolution between the City and the Academy.
Preliminary Recommendation: Adopt Findings
(Continued from Regular hearing on November 7, 2019)

- 16b. [2019-012970PCADVA](#) (A. PERRY: (415) 575-9017)
MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University (“Academy”) and seeks to establish or legalize uses at these properties, consolidate single room occupancy units regulated under Chapter 41 of the Administrative Code into two buildings and provide at least 8 new Chapter 41 units, and perform or legalize building modifications to these properties in order to implement said uses and to generally abate all Planning Code violations. A full list of the 34 properties may be found at sfplanning.org/academy. Consistent with the Term Sheet and Supplement to the Term Sheet for Global Resolution, the Project requests a resolution recommending that the Board of Supervisors approve an ordinance approving **Planning Code Amendments** to provide review procedures for large noncontiguous post-secondary educational institutions and waive conflicting provisions in the Planning and Administrative codes; and approving a **Development Agreement** between the City and County of San Francisco and the Stephens Institute (Academy of Art University) and its affiliated entities, as to the Academy’s properties, which agreement provides for various public benefits, including, among others, an “Affordable Housing Payment” of \$37,600,000 and payment of approximately \$8,200,000 to the City’s Small Sites Fund.
Preliminary Recommendation: Adopt a Resolution Recommending Approval
(Continued from Regular hearing on November 7, 2019)
- 16c. [2019-012970CUA](#) (A. PERRY: (415) 575-9017)
MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University (“Academy”) and seeks to establish or legalize uses at these properties, consolidate single room occupancy units regulated under Chapter 41 of the Administrative Code into two buildings and provide at least 8 new Chapter 41 units, and perform or legalize building modifications to these properties in order to implement said uses and to generally abate all Planning Code violations. A full list of the 34 properties may be found at sfplanning.org/academy. Request for a **Master Conditional Use Authorization**, as allowed by the proposed Planning Code Amendment, to authorize the proposed uses and building modifications across all 34 properties and to grant exceptions from Code requirements that might otherwise be required under the Code to authorize all scopes of work contemplated by the Academy Project, consistent with the proposed Development Agreement and the Term Sheet and Supplement to the Term Sheet for Global Resolution between the City and the Academy.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on November 7, 2019)
17. [2018-012392CUA](#) (J. HORN: (415) 575-6925)
37 SATURN STREET – between Lower Terrace and the Saturn Street Steps; Lot 045 in Assessor’s Block 2646 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections Planning Code Sections 249.77 and 303 for a vertical and a horizontal rear addition to an existing single-family home, resulting in a rear yard that is less than 45% of entire lot area within a RH-2 (Residential-House, Two Family) Zoning and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Modifications and Conditions
(Continued from Regular hearing on October 24, 2019)

18. [2016-003994CUA](#) (L. HOAGLAND: (415) 575-6823)
55 BELCHER STREET – east side of Belcher Street between 14th Street and Duboce Avenue; Lots 098, 099, 100 in Assessor’s Block 3537 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.7, 207(a), 209.4, 303, 303(r) to merge three lots into one lot (10,603 square foot) for the construction of an approximately 27,406 square foot, four-story building, up to 40 feet tall with 25 residential dwelling units, 12 off-street parking spaces, and 25 bicycle parking spaces. The subject property is located 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: Approve with Conditions
(Continued from Regular hearing on October 3, 2019)
19. [2008.0023CUA](#) (B. HICKS: (415) 575-9054)
461 29TH STREET – south side of 29th Street between Noe Street and Sanchez Street; Lot 033 of Assessor’s Block 6631 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 303 and 317 to demolish an existing, two-story, 750 square foot, single family residence and construct a new four-story, 6,459 square foot, two-dwelling unit building up to 40-feet tall and including two parking spaces, and two Class 1 bicycle parking spaces. Per Planning Code Section 317, any application for a permit that would result in the removal of one or more residential units shall require a Conditional Use Authorization for the removal and replacement of the units. The subject property is located within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on November 7, 2019)
Note: On August 29, 2019, after hearing and closing public comment, continued to November 7, 2019 with direction from the Commission by a vote of +6 -0 (Johnson absent). On November 7, 2019, without hearing, continued to November 21, 2019 by a vote of +5 -1 (Moore against).
20. [2019-004849CUA](#) (L. AJELLO: (415) 575-9142)
2406 BUSH STREET – north side of Bush between Scott and Pierce Streets; Lot 004 in Assessor’s Block 0657 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to legalize a residential merger of two dwelling units into one dwelling unit. The proposed project would legalize the merger of two flats approximately 1,060 sq. ft. and 1,202 sq. ft. each in a two-story-over-garage residential building within a RH-3 (Residential, House, Three-Family) Zoning District and 40-X Height and Bulk District. The Project is not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.
Preliminary Recommendation: Disapprove
21. [2018-009157CUA](#) (S. JIMENEZ: (415) 575-9187)
2175 HAYES STREET – south side of Hayes Street between Cole and Shrader Streets; Lot 022 in Assessor’s Block 1212 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 207, 209.1, and 303, to allow the demolition of an existing one-story dental office building and new construction of a four-story four-unit residential building with an Accessory Dwelling Unit at the ground and basement floor.

The Project proposes a dwelling unit density of one dwelling unit per 1,000 square feet 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: Approve with Conditions

22. [2018-012642CUA](#) (X. LIANG: (415) 575-9182)
[552-554 CAPP STREET](#) – west side of Capp Street between 20th and 21st Streets; Lot 037 in Assessor’s Block 3610 (District 9) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 209.4, 303, and 317, for conversion of the single-family residence and rear residential cottage to a Community Facility Use within the RTO-M (Residential Transit Oriented-Mission) Zoning District. The proposal also includes approximately 1,280-square-foot horizontal and vertical additions to the front building, renovation of the rear cottage, reconfiguration of front courtyard to include a new ADA-compliant entry, and a second-story connecting bridge to the adjacent building at 544 Capp Street in the second phase. The proposal would expand the operation of Community Music Center to increase enrollment and course offerings. 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 canceled hearing on November 14, 2019)
- 23a. [2019-000745CUA](#) (M. CHRISTENSEN: (415) 575-8742)
[1100 THOMAS STREET](#) – northwest corner of Thomas Avenue and Griffith Street; Lot 001B in Assessor’s Block 4793 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303, to allow an Industrial Agriculture use (cannabis cultivation) measuring approximately 4,762 square feet in an existing one-story warehouse within a PDR-2 (Production, Distribution & Repair-Core) 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
- 23b. [2019-000745VAR](#) (M. CHRISTENSEN: (415) 575-8742)
[1100 THOMAS STREET](#) – northwest corner of Thomas Avenue and Griffith Street; Lot 001B in Assessor’s Block 4793 (District 10) – Request for a **Variance** from the Planning Code to address the minimum clear ceiling height requirements of Planning Code Section 145.5 to legalize a second floor within an existing one-story warehouse within a PDR-2 (Production, Distribution & Repair-Core) Zoning District and 40-X Height and Bulk District.
24. [2019-001143CUA](#) (M. CHRISTENSEN: (415) 575-8742)
[1465 DONNER AVENUE](#) – located on the south side of Donner Avenue between Jennings and Ingalls Streets; Lot 024 in Assessor’s Block 4910 (District 10) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.3 and 303, to allow an Industrial Agriculture use (cannabis cultivation) measuring approximately 10,000 square feet in an existing one-story warehouse within a PDR-2 (Production, Distribution & Repair-Core) Zoning District, Third Street Alcohol Restricted Use 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

25. [2019-005500CUA](#) (M. CHRISTENSEN: (415) 575-8742)
2934 CESAR CHAVEZ STREET – northeast corner of Cesar Chavez and Bryant Streets; Lot 003I in Assessor's Block 4335 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 249.59, 249.60, 303, and 712 to allow a 171 square foot Cannabis Retail use in the ground floor of an existing two-story mixed use building within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, Mission Alcoholic Beverage Special Use District, Calle 24 Special Use 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 October 3, 2019)

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.

26. [2018-016284DRP](#) (G. PANTOJA: (415) 575-8741)
1299 SANCHEZ STREET – east side of Sanchez Street and Clipper and 26th Streets; Lot 020 in Assessor's Block 6552 (District 8) – Request for a **Discretionary Review** of Building Permit Application No. 2018.1129.6993 proposing the change of use of an approximately 1,139 square-foot tenant space at an existing two-story mixed-use building from an existing Laundromat into a Limited Restaurant (d.b.a. Noe Valley Coffee) with an Accessory Coffee Roaster within a Neighborhood Commercial, Cluster (NC-1) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Continued from canceled hearing on November 14, 2019)
27. [2018-003910DRP](#) (R. SUCRE: (415) 575-9108)
3252 19TH STREET – located at northwest corner of 19th and Shotwell Streets; Lot 025 in Assessor's Block 3591 (District 9) – Request for **Discretionary Review** of Building Permit Application No. 2018.08.16.7612, to legalize a change in use of approximately 2,849 square feet on the first floor and an associated mezzanine from automotive repair to amusement game arcade/restaurant (dba. Redemption) within an existing two-story building in an 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: Do Not Take Discretionary Review and Approve
(Continued from canceled hearing on November 14, 2019)

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.