

CORRECTED
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, December 12, 2019
1:00 p.m.
Regular Meeting

Commissioners:

Myrna Melgar, President
Joel Koppel, Vice President
Sue Diamond, 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: Sue Diamond, 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. 2016-006860IKA (V. FLORES: (415) 575-9173)
65 OCEAN AVENUE – between Alemany Boulevard and Cayuga Avenue, Lot 018 in Assessor’s Block 6954 (District 11) – Request for a **Fee Waiver and In-Kind Agreement**, pursuant to Planning Code Sections 406 and 414A, to approve a fee waiver to provide an on-site child care facility in lieu of the Residential Child Care Impact Fee.
Preliminary Recommendation: Approve
 (Continued from Regular hearing on October 24, 2019)
Note: On October 24, 2019, after hearing and closing public comment, continued to December 12, 2019 by a vote of +4 -1 (Moore against; Melgar absent).
(Proposed for Continuance to January 16, 2020)
2. 2019-017957PCA (V. FLORES: (415) 575-9173)
GEARY-MASONIC SPECIAL USE DISTRICT [BF 191002] – **Planning Code Amendment** to modify the Geary-Masonic Special Use District regarding minimum parking requirements, ground floor ceiling heights, and to allow payment of an inclusionary housing 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 convenience, necessity, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications
(Proposed for Continuance to January 23, 2020)
3. 2018-012442DRP (D. WINSLOW: (415) 575-9159)
436 TEHAMA STREET – between 5th and 6th Streets; Lot 106 in Assessor’s Block 3732 (District 6) – Request for **Discretionary Review** of Building Permit Application No. 2018.0628.3202, proposing addition of two accessory dwelling units per Ordinance 162-16 by excavating the ground level garage and storage space of an existing 4-story, 6-unit apartment building within a MUR (Mixed-Use Residential) 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: Take Discretionary Review and Approve with Modifications
(Proposed for Indefinite Continuance)
4. 2019-014764CND (K. WILBORN: (415) 575-9114)
2101-2109 ELLIS STREET – located on the south side of Ellis Street between St. Josephs Avenue and Broderick Streets; Lot 001 in Assessor’s Block 1125 (District 1) – Request for **Condominium Conversion Subdivision**, pursuant to the General Plan and Subdivision Code

Section 1386 and 1396.4 in an existing three-story, five-unit building 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
(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. [2019-012018CUA](#) (K. WILBORN: (415) 575-9114)
[251 CLEMENT STREET](#) – located on the south side of Clement Street between 3rd and 4th Avenues; Lot 037 in Assessor’s Block 1435 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 716 and 303.1 to allow the establishment of a 1,100 square foot Formula Retail, Instructional Services use (d.b.a “The Coder School”) at the ground story of an existing two-story, mixed-use building within the Inner Clement 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

6. [2020 Hearing Schedule](#)
7. Commission Comments/Questions
 - Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
 - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

D. DEPARTMENT MATTERS

8. Director’s Announcements
9. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

E. GENERAL PUBLIC COMMENT

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

F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

10. [2019-013522PCA](#) (V. FLORES: (415) 575-9173)
CODE CLEAN-UP 2019 [BF TBD] – **Planning Code Amendment** to correct typographical errors, update outdated cross-reference, and make non-substantive revisions to clarify or simplify Code language; amending Article 4 to move the language regarding timing of fee payments to the beginning of the Article and cross-reference it in the individual impact fee sections and to add an additional fee waiver based on the replacement of gross floor area in buildings damaged or destroyed by fire or other calamity; 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
11. 2016-003164CWP (S. NICKOLOPOULOS: (415) 575-9089)
HEALTH CARE SERVICES MASTER PLAN – **Informational Presentation** on the 2019 update to the 2013 Health Care Services Master Plan (HCSMP), pursuant to Planning Code Section 342. The HCSMP identifies current and future health care needs in San Francisco, with a focus on improving access for vulnerable populations. As part of the 2019 HCSMP update, supporting legislation will be proposed concurrently with Plan adoption.
Preliminary Recommendation: None – Informational
12. [2019-013506GEN](#) (C. KERN: (415) 575-9037)
WATER SUPPLY – **Informational Presentation** by the San Francisco Public Utilities Commission and Planning Department on the City’s water supply planning process.
Preliminary Recommendation: None – Informational
 (Continued from Regular hearing on November 7, 2019)
13. [2016-012773CUA](#) (C. FAHEY: (415) 575-9139)
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 **Conditional Use Authorization**, pursuant to Planning Code Sections 210.2 and 303 to allow the change of use from retail and to establish office use at the third and fourth floors exceeding 5,000 square feet the

within a C-3-R (Downtown-Retail) Zoning District and 80-30-F 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 December 5, 2019)

Note: On December 5, 2019, after hearing and closing public comment, continued to December 12, 2019 by a vote of +6 -0 (Johnson absent).

- 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 October 10, 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). On August 22, 2019, after hearing and closed Public Comment, continued to October 10, 2019 by a vote of +7 -0. On October 10, 2019, without hearing, continued to November 14, 2019 by a vote of +5 -0 (Moore 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 October 10, 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). On August 22, 2019, after hearing and closed Public Comment, continued to October 10, 2019 by a vote of +7 -0. On October 10, 2019, without hearing, continued to November 14, 2019 by a vote of +5 -0 (Moore absent).
- 1415a.** [2005.0759ENX](#) (E. JARDINES: (415) 575-9144)
[725 HARRISON STREET – located on the southeast intersections of 4th, Harrison and Perry Streets, Lots 106, 108, 109, 112, 116, and 117, Block 3762 \(District 6\) – Request for **Large**](#)

Project Authorization pursuant to Planning Code Sections 132.4, 249.78, 261.1, 270.1, 329, and 848, for the demolition of the existing five buildings measuring approximately 92,600 square feet, and to authorize up to 770,000 square feet from the Office Development Annual Limit for the proposed project at 725 Harrison Street as well as a lot merger of six lots. The new mixed-use building will include a total of 770,000 square feet of office use, approximately 29,100 square feet of PDR, 3,900 square feet of micro-retail use, 3,000 square feet of child care use, approximately 116 off-street below-grade parking spaces, 5 off-street freight loading spaces, six service vehicle spaces (counting as three loading spaces, for a total of eight loading spaces), and 292 bicycle parking spaces (258 Class I, 34 Class II). The Project includes 16,700 square feet of on-site open space including approximately 6,500 square feet for an indoor privately-owned public open space (POPOS) and 8,700 square feet of exterior POPOS, including a mid-block paseo. The project site is identified as a “key site” in the Central SoMa Area Plan and is anticipated to provide a qualified amenity, including a land dedication (measuring approximately 15,000 square feet) to the Mayor’s Office of Housing and Community Development. Under the Large Project Authorization, the project is requesting exceptions from the following Planning Code requirements: Section 132.4 [Building Setback and Streetwall Articulation]; Section 261.1 [Narrow and Mid-Block Alley Controls]; Section 270.1 [Horizontal Mass Reduction]; and Section 249.78(d)(9) [Wind]. The project site is located in a CMUO Zoning District, Central SoMa Special Use District, East SoMa Special Use District, and 85-X-160-CS; 130-X-160-CS; 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

- 415b.** [2005.0759OFA](#) (E. JARDINES: (415) 575-9144)
725 HARRISON STREET – located on the southeast intersections of 4th, Harrison and Perry Streets, Lots 106, 108, 109, 112, 116, and 117, Block 3762 (District 6) – Request for **Office Development Authorization** pursuant to Planning Code Sections 321 and 322 for the demolition of the existing five buildings measuring approximately 92,600 square feet, and to authorize up to 505,000 square feet from the Office Development Annual Limit. The project site is located in a CMUO Zoning District, Central SoMa Special Use District, East SoMa Special Use District, and 85-X-160-CS; 130-X-160-CS; 130-CS Height and Bulk Districts.
Preliminary Recommendation: Approve with Conditions

- 415c.** [2005.0759VAR](#) (E. JARDINES: (415) 575-9144)
725 HARRISON STREET – located on the southeast intersections of 4th, Harrison and Perry Streets, Lots 106, 108, 109, 112, 116, and 117, Block 3762 (District 6) – Request for a **Variance** pursuant to Planning Code Sections: 136 [Permitted Obstructions]; Section 145.1 [Street Frontage Active Use and Off-street Parking and Loading entrances]; and Section 145.4 [Ground Floor Commercial along 4th Street] for the demolition of the existing five buildings measuring approximately 92,600 square feet to construct a new mixed-use building will include a total of 770,000 square feet of office use, approximately 29,100 square feet of PDR, 3,900 square feet of micro-retail use, 3,000 square feet of child care use, approximately 116 off-street below-grade parking spaces, 5 off-street freight loading spaces, six service vehicle spaces (counting as three loading spaces, for a total of eight loading spaces), and 292 bicycle parking spaces (258 Class I, 34 Class II). The Project includes 16,700 square feet of on-site open space including approximately 6,500 square feet for an indoor privately-owned public open space (POPOS) and 8,700 square feet of exterior POPOS, including a mid-block paseo. The project site is identified as a “key site” in the Central SoMa Area Plan and is anticipated

to provide a qualified amenity, including a land dedication (measuring approximately 15,000 square feet) to the Mayor's Office of Housing and Community Development.

- 4516a.** [2013.0655CUA](#) (X. LIANG: (415) 575-9182)
1513A-F YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor's Block 5513 (District 9) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1 and 303, to allow residential density of one unit per 1,500 square feet of lot area for the project involving construction of four, two-to-three-story duplex buildings (with a total of eight dwelling units measuring approximately 1,325 to 1,950 square feet) on interior lots and two residential flats of approximately 1,030 square feet on the lot fronting York Street. The project will merge the three lots and access to the mid-block townhouses would be through a pedestrian walkway accessed off of York Street. The project also includes a basement garage on the York Street parcel with eight car parking spaces using a mechanical car lift and 16 Class 1 and two Class 2 bicycle parking spaces. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
- 4516b.** [2013.0655VAR](#) (X. LIANG: (415) 575-9182)
1513A-F YORK STREET – east side of York Street between Cesar Chavez Street and Peralta Avenue; Lots 011, 012 & 020 in Assessor's Block 5513 (District 9) – Request for a **Variance** to the front setback, rear yard, and dwelling unit exposure, pursuant to Planning Code Sections 132, 134 and 140, respectively, to allow the construction of four, two-to-three-story duplex buildings (with a total of eight dwelling units measuring approximately 1,325 to 1,950 square feet) on interior lots and two residential flats of approximately 1,030 square feet on the lot fronting York Street. The subject properties are located within a RH-2 (Residential – House, Two-Family) Zoning District, Bernal Heights Special Use District, and 40-X Height and Bulk District.
- 4617a.** [2018-011441CUA](#) (M. DITO: (415) 575-9164)
1846 GROVE STREET – south side of Fulton Street between Atalaya Terrace and Masonic Avenue, Lot 003H in Assessor's Block 1187 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1 and 303 to construct five dwelling units on a lot zoned RH-2 (Residential, House – Two Family) and RH-3 (Residential, House – Three Family). The Conditional Use Authorization request is to exceed the principally permitted dwelling unit density limit for the respective zoning district. The lot is located within 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)
- 4617b.** [2018-011441VAR](#) (M. DITO: (415) 575-9164)
1846 GROVE STREET – south side of Fulton Street between Atalaya Terrace and Masonic Avenue, Lot 003H in Assessor's Block 1187 (District 5) – Request for **Variations** from the rear yard, exposure, and bicycle parking requirements of the Planning Code, pursuant to Sections 134, 135, and 151, respectively. The subject property is located within both a RH-2 (Residential, House – Two Family) and RH-3 (Residential, House – Three Family) Zoning District, as well as 40-X Height and Bulk District.

(Continued from Regular hearing on November 7, 2019)

- ~~1718~~a. [2018-015446CUA](#) (M. DITO: (415) 575-9164)
740 CLAYTON STREET – east side of Clayton Street between Waller and Frederick Streets, Lot 039 in Assessor’s Block 1254 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 207, 209.1, and 303 to exceed the principally permitted dwelling unit density limit on a lot within a RH-3 (Residential, House – Three-Family) Zoning District and 40-X Height and Bulk District. The project proposes five dwelling units total. 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
- ~~1718~~b. [2018-015446VAR](#) (M. DITO: (415) 575-9164)
740 CLAYTON STREET – east side of Clayton Street between Waller and Frederick Streets, Lot 039 in Assessor’s Block 1254 (District 5) – Request for a **Variance** from the rear yard requirement of Planning Code Section 134. The project proposes to convert a legally noncomplying structure in the rear yard to a residential use. The subject property is located within a RH-3 (Residential, House – Three-Family) Zoning District and 40-X Height and Bulk District.
- ~~1819~~. [2018-011904CUA](#) (L. HOAGLAND: (415) 575-6823)
1420 TARAVAL STREET – between 24th and 25th Avenues, Lot 010 in Assessor’s Block 2353 (District 4) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to allow the demolition of an existing 2,176 square foot three-story single-family home and the new construction of an approximately 6,219 square foot, four-story, mixed-used building with three dwelling units and 1,731 square feet of ground floor commercial within the Taraval Street Neighborhood Commercial (NCD) Zoning District and 65-A 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
- ~~1920~~. [2019-015307CUA](#) (L. AJELLO: (415) 575-9142)
2222 BUSH STREET –north side of Bush Street between Steiner and Filmore Streets, Lot 006 of Assessor’s Block 0659 (District 5) - Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 202.2, 303, and 718 to establish a Cannabis Retail use in an existing 2,252 square foot ground floor retail space within the Upper Filmore Street Neighborhood Commercial District (NCD) 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
- ~~2021~~. [2018-015554CUA](#) (G. PANTOJA: (415) 575-8741)
95 NORDHOFF STREET – between Stillings and Mangels Avenues, Lot 001 in Assessor’s Block 6763 (District 13) – Request a **Conditional Use Authorization** pursuant to Planning Code Sections 121 and 303 for the subdivision of an existing lot currently containing a single-family dwelling unit into four new lots, two which will be substandard lots, within a RH-1 (Residential House, One-Family) Zoning District and 40-X Height and Bulk District. The proposal will also individually develop two of the proposed four lots with a single-family dwelling unit, for a total of three single-family dwelling units, and alter the existing single-

family dwelling unit. 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.

- ~~2122.~~ [2019-000503DRP-03](#) (D. WINSLOW: (415) 575-9159)
[2452 GREEN STREET](#) – between Scott and Pierce Streets; Lot 011 in Assessor’s Block 0537 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2018.1106.5097, proposing a four-story horizontal addition connected via a one-story corridor at the front of the existing two-story, one-family dwelling which is located at the rear of the lot 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

- ~~2223.~~ [2018-013697DRP](#) (D. WINSLOW: (415) 575-9159)
[3500 JACKSON STREET](#) – at Locust Street; Lot 002 in Assessor’s Block 0970 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2019.0716.6022, proposing demolition of an existing detached garage and construction of a new garage with a roof deck. The new garage required and obtained a rear yard variance. Additional work to the house includes a 34 s.f. expansion of the building at the west elevation and a 40 s.f. infill at the top floor of an existing three-story, one-family house within a RH-1 (Residential House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: 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.