

# 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, February 13, 2020  
1:00 p.m.  
Regular Meeting**

Commissioners:  
Joel Koppel, President  
Kathrin Moore, Vice President  
Sue Diamond, Frank Fung,  
Milicent Johnson, Dennis Richards

Commission Secretary:  
Jonas P. Ionin

**Hearing Materials are available at:**  
Website: <http://www.sfplanning.org>  
Planning Department, 1650 Mission Street, 4<sup>th</sup> Floor, Suite 400  
Voice recorded Agenda only: (415) 558-6422

**Commission Hearing Broadcasts:**  
Live stream: <http://www.sfgovtv.org>  
Live, Thursdays at 1:00 p.m., Cable Channel 78  
Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

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

### **Know Your Rights Under the Sunshine Ordinance**

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

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

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### **Accessible Meeting Information**

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

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

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

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

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

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

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

## ROLL CALL:

President: Joel Koppel  
 Vice-President: Kathrin Moore  
 Commissioners: Sue Diamond, Frank Fung,  
 Milicent Johnson, 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. 2019-004211CUA (C. FAHEY: (415) 575-9139)  
3829 24<sup>TH</sup> STREET – located on the south side of 24<sup>th</sup> Street between Vicksburg and Sanchez Streets; Lot 028 in Assessor’s Block 6509 (District 8) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303, for a change of use from dry cleaners to Limited Restaurant and Retail Sales (dba Four Star Market) within a NCD (24<sup>th</sup> Street Noe Valley Neighborhood Commercial) Zoning District. 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 with Conditions*  
**(Proposed for Continuance to February 20, 2020)**
  
2. 2015-004109CUA-02 (E. JARDINES: (415) 575-9144)  
333 12<sup>TH</sup> STREET – north side of 12<sup>th</sup> Street between Folsom and Harrison Streets, Lots 022 and 055 in Assessor’s Block 3521 (District 6) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 844.23, for the project involving conversion of 200 dwelling units to student housing (with up to 618 beds). The project is proposing to convert the seven-story-over-basement (80-ft tall) residential building (measuring approximately 150,837 gross square feet) to student housing with 188 Class 1 bicycle parking spaces, and 15 Class 2 bicycle parking spaces. The subject property is located within the WMUG (Western SoMa Mixed-Use General) Zoning District, Western SoMa Special Use District, and 55-X and 55/65-X Height and Bulk Districts. The project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.  
*Preliminary Recommendation: Approve with Conditions*  
 (Continued from Regular hearing on January 30, 2020)  
**(Proposed for Continuance to March 5, 2020)**
  
3. 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 childcare facility in lieu of the Residential Child Care Impact Fee.  
*Preliminary Recommendation: Approve*  
 (Continued from Regular hearing on January 16, 2020)  
**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). On December 12,**

2019, without hearing, continued to January 16, 2020 by a vote of +5 -0 (Johnson and Richards absent). On January 16, 2020, without a hearing, continued to February 13, 2020 by a vote of +6 -0 (Richards absent).  
(Proposed for Continuance to April 2, 2020)

## 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. [2019-020852CUA](#) (D. WEISSGLASS: (415) 575-9177)  
1100 TARAVAL STREET – northwest corner of Taraval Street and 21<sup>st</sup> Avenue; Lot 017 in Assessor's Block 2350 (District 4) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 733, and 781.1 to establish a full-service Restaurant (d.b.a. "U Dessert Story") within the Taraval Street Neighborhood Commercial (NCD) Zoning District, Taraval Street Restaurant Subdistrict, and 65-A Height and Bulk Districts. The property was approved for Restaurant use in 2009 but the use was never vested with a building permit. 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*

## C. COMMISSION MATTERS

5. Consideration of Adoption:
  - [Draft Minutes for January 30, 2020](#)
6. 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

7. Director's Announcements
8. 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.

9. [2019-023608CRV](#) (D. LANDIS: (415) 575-9118)  
FY 2020-2022 PROPOSED DEPARTMENT BUDGET AND WORK PROGRAM – Final review of the Department's **Revenue and Expenditure Budget** in FY 2020-2021 and FY2021-2022, including grants, capital budget requests, and proposed staffing; high-level work program activities for the Department; and proposed dates where budget items will be discussed during the budget process.  
*Preliminary Recommendation: Approve*
10. [2018-001443PCAMAP](#) (D. SÁNCHEZ: (415) 575-9082)  
M-1 AND M-2 REZONING – Initiation of **Planning Code and Zoning Map Amendments** to rezone certain parcels in Industrial Use Districts to Production, Distribution, and Repair and other Use 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
*Preliminary Recommendation: Initiate and schedule a public hearing on or after May 13, 2020*
- 11a. [2015-000940GPA](#) (L. LANGLOIS: (415) 575-9083)  
MARKET AND OCTAVIA AREA PLAN AMENDMENT – Initiation of **General Plan Amendments** to amend the Market and Octavia Area Plan, encompassing an area generally bounded by Haight Street from Octavia Boulevard to Gough Street, Gough Street from Haight Street to Page Street, Franklin Street from Page Street to Fell Street, Fell Street from Franklin Street to Van Ness Avenue, Van Ness Avenue from Fell Street to Hayes Street, Hayes Street from Van Ness Avenue to Larkin Street, Market Street from Ninth Street to 10<sup>th</sup> Street, midblock between 10<sup>th</sup> Street and 11<sup>th</sup> Street from Market Street to Mission Street, Mission Street from 10<sup>th</sup> Street to Washburn Street, a portion of Washburn Street, Minna Street from 10<sup>th</sup> Street to just past Lafayette Street (with certain lots excluded), midblock between Lafayette Street and 12<sup>th</sup> Street to Howard Street, Howard Street just north of 12<sup>th</sup> and 13<sup>th</sup> Streets, and 13<sup>th</sup> Street to Octavia Boulevard and Haight Street; making conforming amendments to the Housing Element and the Arts Element; and making environmental findings under the California Environmental Quality Act, including adopting a statement of overriding considerations, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity,

convenience, and welfare under Planning Code Section 302. For more information, go to <https://sfplanning.org/market-street-hub-project>.

*Preliminary Recommendation: Initiate and schedule a public hearing on or after March 12, 2020*

- 11b. [2015-000940PCA](#) (L. LANGLOIS: (415) 575-9083)

**MARKET AND OCTAVIA AREA PLAN AMENDMENT** – Initiation of **Planning Code Amendments** to give effect to the Market and Octavia Area Plan Amendment, encompassing an area generally bounded by Haight Street from Octavia Boulevard to Gough Street, Gough Street from Haight Street to Page Street, Franklin Street from Page Street to Fell Street, Fell Street from Franklin Street to Van Ness Avenue, Van Ness Avenue from Fell Street to Hayes Street, Hayes Street from Van Ness Avenue to Larkin Street, Market Street from Ninth Street to 10<sup>th</sup> Street, midblock between 10<sup>th</sup> Street and 11<sup>th</sup> Street from Market Street to Mission Street, Mission Street from 10<sup>th</sup> Street to Washburn Street, a portion of Washburn Street, Minna Street from 10<sup>th</sup> Street to just past Lafayette Street (with certain lots excluded), midblock between Lafayette Street and 12<sup>th</sup> Street to Howard Street, Howard Street just north of 12<sup>th</sup> and 13<sup>th</sup> Streets, and 13<sup>th</sup> Street to Octavia Boulevard and Haight Street; amending Planning Code Sections 145.4, 151.1, 249.33, 261.1, 263.19, 270, 309, 401, 415.3, 421.5, 424.1, 424.3, and 424.4; making environmental findings under the California Environmental Quality Act, including adopting a statement of overriding considerations, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302. For more information, go to <https://sfplanning.org/market-street-hub-project>.

*Preliminary Recommendation: Initiate and schedule a public hearing on or after March 12, 2020*

- 11c. [2015-000940PCA](#) (L. LANGLOIS: (415) 575-9083)

**MARKET AND OCTAVIA AREA PLAN AMENDMENT** – Initiation of **Planning Code and Business and Tax Regulations Code Amendments** to create the Hub Housing Sustainability District, encompassing an area generally bounded by Haight Street from Octavia Boulevard to Gough Street, Gough Street from Haight Street to Page Street, Franklin Street from Page Street to Fell Street, Fell Street from Franklin Street to Van Ness Avenue, Van Ness Avenue from Fell Street to Hayes Street, Hayes Street from Van Ness Avenue to Larkin Street, Market Street from Ninth Street to 10<sup>th</sup> Street, midblock between 10<sup>th</sup> Street and 11<sup>th</sup> Street from Market Street to Mission Street, Mission Street from 10<sup>th</sup> Street to Washburn Street, a portion of Washburn Street, Minna Street from 10<sup>th</sup> Street to just past Lafayette Street (with certain lots excluded), midblock between Lafayette Street and 12<sup>th</sup> Street to Howard Street, Howard Street just north of 12<sup>th</sup> and 13<sup>th</sup> Streets, and 13<sup>th</sup> Street to Octavia Boulevard and Haight Street; to provide a streamlined and ministerial approval process for certain housing projects meeting specific labor, on-site affordability, and other requirements; making environmental findings under the California Environmental Quality Act, including adopting a statement of overriding considerations, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302. For more information, go to <https://sfplanning.org/market-street-hub-project>.

*Preliminary Recommendation: Initiate and schedule a public hearing on or after March 12, 2020*

- 11d. [2015-000940MAP](#) (L. LANGLOIS: (415) 575-9083)  
**MARKET AND OCTAVIA AREA PLAN AMENDMENT** – Initiation of **Zoning Map Amendments** to the Planning Code to amend the Van Ness and Market Special Use District and make other amendments to the Height and Bulk District Maps and Zoning Use District Maps consistent with the Market and Octavia Area Plan Amendment, encompassing an area generally bounded by Haight Street from Octavia Boulevard to Gough Street, Gough Street from Haight Street to Page Street, Franklin Street from Page Street to Fell Street, Fell Street from Franklin Street to Van Ness Avenue, Van Ness Avenue from Fell Street to Hayes Street, Hayes Street from Van Ness Avenue to Larkin Street, Market Street from Ninth Street to 10<sup>th</sup> Street, midblock between 10<sup>th</sup> Street and 11<sup>th</sup> Street from Market Street to Mission Street, Mission Street from 10<sup>th</sup> Street to Washburn Street, a portion of Washburn Street, Minna Street from 10<sup>th</sup> Street to just past Lafayette Street (with certain lots excluded), midblock between Lafayette Street and 12<sup>th</sup> Street to Howard Street, Howard Street just north of 12<sup>th</sup> and 13<sup>th</sup> Streets, and 13<sup>th</sup> Street to Octavia Boulevard and Haight Street; and making environmental findings under the California Environmental Quality Act, including adopting a statement of overriding considerations, and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code Section 302. For more information, go to <https://sfplanning.org/market-street-hub-project>.  
*Preliminary Recommendation: Initiate and schedule a public hearing on or after March 12, 2020*
12. [2018-012576CUA](#) (D. WEISSGLASS: (415) 575-9177)  
**1769 LOMBARD STREET** – south side of Lombard Street between Laguna and Octavia Streets; Lot 027 in Assessor’s Block 0506 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 145.2, 303, and 712 to authorize an Outdoor Activity Area in conjunction with a Kennel Use (d.b.a. “The Grateful Dog”) as well as a one-year review of Motion No. 20355, which authorized the Kennel Use, within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. The Project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.  
*Preliminary Recommendation: Approve with Conditions*  
(Continued from Regular hearing on January 16, 2020)
13. [2018-011249CUA](#) (A. PERRY: (415) 575-9017)  
**1567 CALIFORNIA STREET** – southeast corner at the intersection of California and Polk Streets; Lots 014, 014A and 015 in Assessor’s Block 0645 (District 3) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 121.1, 121.7, and 303 to allow the development of a lot greater than 2,500 square feet and the merger of lots resulting in a project frontage of more than 25 feet within the Polk Street NCD. The Project is using the Individually Requested State Density Bonus Program to achieve a density bonus and requests waivers from: 1) Rear Yard (Section 134); 2) Usable Open Space (Section 135); 3) Exposure (Section 140); and 4) Bulk (Section 270). Additionally, the Project requests an incentive or concession under the State Density Bonus Program from Ground Floor Ceiling Height (Section 145.1). The Project proposes to demolish the existing two-story commercial building and associated surface parking and construct an eight-story over basement, approximately 80-foot-tall, 106,733 gross square foot mixed-use building containing approximately 9,823 gross square feet of ground floor commercial space and

100 dwelling units, 101 Class 1 bicycle parking spaces and 10 Class 2 spaces, with no proposed off-street vehicle parking within the Polk Street Neighborhood Commercial Zoning District and 80-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*

14. [2019-015067CUA](#) (M. GIACOMUCCI: (415) 575-8714)  
[968 VALENCIA STREET](#) – southwest corner at the intersection of Liberty and Valencia Streets; Lot 005 in Assessor’s Block 3608 (District 8) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1, and 762, to establish a Formula Retail use (d.b.a. HUF, a skateboard apparel retail store) in an existing 1,590 square-foot commercial space at the first floor of a three-story mixed-use building. The proposal involves minor interior tenant improvements and a new sign, with no expansion of the building envelope and no exterior alterations to the subject property located within the Liberty-Hill Landmark District, Valencia Street Neighborhood Commercial Transit Zoning District, and 50-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*

## G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

15. [2019-014251DRP-02](#) (M. DITO: (415) 575-9164)  
[2001 CHESTNUT STREET](#) – corner of Fillmore Street; Lot 001 in Assessor’s Block 0491 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2019.0717.6081 for the addition of a nighttime entertainment use to an existing restaurant (d.b.a. The Dorian). The nighttime entertainment use would permit a Place of Entertainment permit to be issued for cabaret performances and other live music within a NC-2 (Neighborhood, Commercial, Small Scale) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*
16. [2017-010281DRP-02](#) (D. WINSLOW: (415) 575-9159)  
[236 EL CAMINO DEL MAR](#) – between 25<sup>th</sup> and 26<sup>th</sup> Avenues; 008A in Assessor’s Block 1304 (District 2) – Request for **Discretionary Review** of Building Permit 2017.0721.2594 for the construction of a rear horizontal addition and new exterior decks at the 1<sup>st</sup> -3<sup>rd</sup> floors to an existing 3-story, one-family home within a RH-1 (Residential-House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*



17. [2018-007012DRP](#) (D. WINSLOW: (415) 575-9159)  
134 HEARST AVENUE – between Baden and Congo Streets; 011 in Assessor’s Block 6771 (District 7) – Request for **Discretionary Review** of Building Permit 2018.0503.8097 for the construction of a third-floor vertical and horizontal rear addition, front façade alterations and excavation of the ground level to a single-family home 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](http://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](mailto: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](mailto: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.

### **Proposition F**

Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).