

SAN FRANCISCO PLANNING COMMISSION



Notice of Hearing & Agenda

Remote Hearing
via video and teleconferencing

Thursday, June 4, 2020
1:00 p.m.
Regular Meeting

Commissioners:

Joel Koppel, President

Kathrin Moore, Vice President

Deland Chan, Sue Diamond, Frank Fung,

Theresa Imperial, Milicent Johnson

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

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

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

Voice recorded Agenda only: (415) 558-6422

Commission Hearing Broadcasts:

Live stream: <https://sfgovtv.org/planning>

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

Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

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commissions.secretary@sfgov.org or (415) 558-6309 at least 48 hours in advance.

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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.

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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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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.

Remote Access to Information and Participation

In accordance with Governor Newsom’s statewide order for all residents to Shelter-in-place - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

On April 3, 2020, the Planning Commission was authorized to resume their hearing schedule through the duration of the shelter-in-place remotely. Therefore, the Planning Commission meetings will be held via videoconferencing and allow for remote public comment. The Commission strongly encourages interested parties to submit their comments in writing, in advance of the hearing to commissions.secretary@sfgov.org. Visit the SFGovTV website (<https://sfgovtv.org/planning>) to stream the live meetings or watch on a local television station.

Public Comment call-in: Toll-free number: 888-273-3658 / Access code: 3107452

The public comment call-in line number will also be provided on the Department’s webpage www.sfplanning.org and during the live SFGovTV broadcast.

As the COVID-19 emergency progresses, please visit the Planning website regularly to be updated on the current situation as it affects the hearing process and the Planning Commission.

ROLL CALL:

President:	Joel Koppel
Vice-President:	Kathrin Moore
Commissioners:	Deland Chan, Sue Diamond, Frank Fung, Theresa Imperial, Milicent Johnson

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2015-004568ENV (A. PERRY: (415) 575-9017)
10 SOUTH VAN NESS AVENUE – located at the southwest corner of the intersection of Market Street and South Van Ness Avenue, bound by those two streets and 12th Street to the west; Lots 003A and 004 in Assessor’s Block 3506 (District 6) – Request for Planning Commission consideration of **Adoption of CEQA Findings**, a Statement of Overriding Considerations, and a Mitigation and Monitoring Reporting Program under the California Environmental Quality Act (CEQA). The Project includes demolition of the existing two-story commercial building and construction of a new 55-story, 590-foot tall, mixed-use residential building (approximately 906,811 gross square feet) with 966 dwelling units (consisting of 347 studios, 433 1-bedrooms, 165 2-bedrooms, and 21 3-bedrooms), approximately 29,443 square feet of retail sales and service uses, over two basement garage levels consisting of 255 off-street parking spaces, 4 off-street freight loading spaces, 2 off-street service vehicle spaces, 6 car-share spaces, and 321 Class 1 bicycle

parking spaces, plus 61 class 2 bicycle parking spaces located within the public right-of-way. The Project would also include creation of a new entry to the Van Ness Muni Station within the ground floor of the subject property. New public open space and a mid-block alley between Market and 12th Streets would also be included at the ground floor. The Project Site is located within a C-3-G (Downtown – General Commercial) Zoning District, the Van Ness and Market Residential Special Use District, 120/400-R-2 and 120-R-2 Height and Bulk Districts, and proposed 120/400-R-2//140/590-R-2 and 120/400-R-2/120-R-2//140/590-R-2 Height and Bulk Districts under the Market and Octavia Area Plan Amendments.

(Proposed for Continuance to June 11, 2020)

- 1b. 2015-004568SHD (A. PERRY: (415) 575-9017)
10 SOUTH VAN NESS AVENUE – located at the southwest corner of the intersection of Market Street and South Van Ness Avenue, bound by those two streets and 12th Street to the west; Lots 003A and 004 in Assessor’s Block 3506 (District 6) – Request for Planning Commission consideration of **Adoption of Shadow Findings** pursuant to Section 295 that shadows from the project would not adversely affect use of seven (7) properties under the jurisdiction of the Recreation and Park Commission (Patricia’s Green; Page and Laguna Mini Park; Hayes Valley Playground; Koshland Community Park and Learning Center; Howard and Langton Mini Park; Buchanan Street Mall; and the 11th and Natoma Future Park Site). The Project includes demolition of the existing two-story commercial building and construction of a new 55-story, 590-foot tall, mixed-use residential building (approximately 906,811 gross square feet) with 966 dwelling units (consisting of 347 studios, 433 1-bedrooms, 165 2-bedrooms, and 21 3-bedrooms), approximately 29,443 square feet of retail sales and service uses, over two basement garage levels consisting of 255 off-street parking spaces, 4 off-street freight loading spaces, 2 off-street service vehicle spaces, 6 car-share spaces, and 321 Class 1 bicycle parking spaces, plus 61 class 2 bicycle parking spaces located within the public right-of-way. The Project would also include creation of a new entry to the Van Ness Muni Station within the ground floor of the subject property. New public open space and a mid-block alley between Market and 12th Streets would also be included at the ground floor. The Project Site is located within a C-3-G (Downtown – General Commercial) Zoning District, the Van Ness and Market Residential Special Use District, 120/400-R-2 and 120-R-2 Height and Bulk Districts, and proposed 120/400-R-2//140/590-R-2 and 120/400-R-2/120-R-2//140/590-R-2 Height and Bulk Districts under the Market and Octavia Area Plan Amendments.
(Proposed for Continuance to June 11, 2020)
- 1c. 2015-004568DNX (A. PERRY: (415) 575-9017)
10 SOUTH VAN NESS AVENUE – located at the southwest corner of the intersection of Market Street and South Van Ness Avenue, bound by those two streets and 12th Street to the west; Lots 003A and 004 in Assessor’s Block 3506 (District 6) – Request for Planning Commission consideration of a **Downtown Project Authorization** pursuant to Section 309 with exceptions from Planning Code requirements for: (1) Dwelling Unit Exposure (Section 140); (2) Sunlight Access to Public Sidewalks (Section 146); (3) Maximum Ground-Level Wind Currents (Section 148); (4) Maximum Projections Over the Public Right-of-Way (Section 136); (5) Height and Bulk Limits (Sections 263.19 and 270(f)); (6) Mid-Block Alleys for Large Lot Development (Section 270.2); and (7) Dwelling Unit Mix (Section 207.6). The Project includes demolition of the existing two-story commercial building and construction of a new 55-story, 590-foot tall, mixed-use residential building

(approximately 906,811 gross square feet) with 966 dwelling units (consisting of 347 studios, 433 1-bedrooms, 165 2-bedrooms, and 21 3-bedrooms), approximately 29,443 square feet of retail sales and service uses, over two basement garage levels consisting of 255 off-street parking spaces, 4 off-street freight loading spaces, 2 off-street service vehicle spaces, 6 car-share spaces, and 321 Class 1 bicycle parking spaces, plus 61 class 2 bicycle parking spaces located within the public right-of-way. The Project would also include creation of a new entry to the Van Ness Muni Station within the ground floor of the subject property. New public open space and a mid-block alley between Market and 12th Streets would also be included at the ground floor. The Project Site is located within a C-3-G (Downtown – General Commercial) Zoning District, the Van Ness and Market Residential Special Use District, 120/400-R-2 and 120-R-2 Height and Bulk Districts, and proposed 120/400-R-2//140/590-R-2 and 120/400-R-2/120-R-2//140/590-R-2 Height and Bulk Districts under the Market and Octavia Area Plan Amendments.

(Proposed for Continuance to June 11, 2020)

- 1d. 2015-004568CUA (A. PERRY: (415) 575-9017)
10 SOUTH VAN NESS AVENUE – located at the southwest corner of the intersection of Market Street and South Van Ness Avenue, bound by those two streets and 12th Street to the west; Lots 003A and 004 in Assessor’s Block 3506 (District 6) – Request for Planning Commission consideration of a **Conditional Use Authorization** pursuant to Sections 303 and 249.33(b)(7) for a non-residential use size larger than 6,000 square feet within the Van Ness and Market Residential SUD. The Project includes demolition of the existing two-story commercial building and construction of a new 55-story, 590-foot tall, mixed-use residential building (approximately 906,811 gross square feet) with 966 dwelling units (consisting of 347 studios, 433 1-bedrooms, 165 2-bedrooms, and 21 3-bedrooms), approximately 29,443 square feet of retail sales and service uses, over two basement garage levels consisting of 255 off-street parking spaces, 4 off-street freight loading spaces, 2 off-street service vehicle spaces, 6 car-share spaces, and 321 Class 1 bicycle parking spaces, plus 61 class 2 bicycle parking spaces located within the public right-of-way. The Project would also include creation of a new entry to the Van Ness Muni Station within the ground floor of the subject property. New public open space and a mid-block alley between Market and 12th Streets would also be included at the ground floor. The Project Site is located within the C-3-G (Downtown – General Commercial) Zoning District, the Van Ness and Market Residential Special Use District, 120/400-R-2 and 120-R-2 Height and Bulk Districts, and proposed 120/400-R-2//140/590-R-2 and 120/400-R-2/120-R-2//140/590-R-2 Height and Bulk Districts under the Market and Octavia Area Plan Amendments.
- (Proposed for Continuance to June 11, 2020)**
- 1e. 2015-004568VAR (A. PERRY: (415) 575-9017)
10 SOUTH VAN NESS AVENUE – located at the southwest corner of the intersection of Market Street and South Van Ness Avenue, bound by those two streets and 12th Street to the west; Lots 003A and 004 in Assessor’s Block 3506 (District 6) – Request for Zoning Administrator consideration of a **Variance** request from maximum garage entry width (Section 145.1(c)(2)). The Project includes demolition of the existing two-story commercial building and construction of a new 55-story, 590-foot tall, mixed-use residential building (approximately 906,811 gross square feet) with 966 dwelling units (consisting of 347 studios, 433 1-bedrooms, 165 2-bedrooms, and 21 3-bedrooms), approximately 29,443 square feet of retail sales and service uses, over two basement garage levels consisting of

255 off-street parking spaces, 4 off-street freight loading spaces, 2 off-street service vehicle spaces, 6 car-share spaces, and 321 Class 1 bicycle parking spaces, plus 61 class 2 bicycle parking spaces located within the public right-of-way. The Project would also include creation of a new entry to the Van Ness Muni Station within the ground floor of the subject property. New public open space and a mid-block alley between Market and 12th Streets would also be included at the ground floor. The Project Site is located within a C-3-G (Downtown – General Commercial) Zoning District, the Van Ness and Market Residential Special Use District, 120/400-R-2 and 120-R-2 Height and Bulk Districts, and proposed 120/400-R-2//140/590-R-2 and 120/400-R-2/120-R-2//140/590-R-2 Height and Bulk Districts under the Market and Octavia Area Plan Amendments.

(Proposed for Continuance to June 11, 2020)

- 2a. 2019-000634DRP (D. WINSLOW: (415) 575-9159)
876 ELIZABETH STREET – between Hoffman and Douglass Streets; 022 in Assessor’s Block 2806 (District 8) – Request for **Discretionary Review** of Building Permit 2019.0114.0265 to expand below grade at basement level to the rear of an existing non-conforming structure. The proposal also includes and a vertical and horizontal addition on an existing single-family home 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: Do Not Take Discretionary Review and Approve
(Proposed for Continuance to June 18, 2020)
- 2b. 2019-000634VAR (D. WINSLOW: (415) 575-9159)
876 ELIZABETH STREET – north side of Hoffman Avenue and Douglass Street; Lot 022 in Assessor’s Block 2806 (District 8) – Request for Rear Yard **Variance**, proposing to expand below grade at basement level to the rear of an existing noncomplying structure. The proposal is also to construct a vertical and horizontal addition on the existing single-family home 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.
 (Continued from Regular hearing on April 23, 2020)
(Proposed for Continuance to June 18, 2020)
3. 2018-015993DRP-02 (D. WINSLOW: (415) 575-9159)
762 DUNCAN STREET – between Douglass and Diamond Streets; 007B in Assessor’s Block 6588 (District 8) – Request for **Discretionary Review** of Building Permit 2018.1121.6550 to construct a one-story vertical addition, horizontal rear addition, and alterations to the front facade to an existing two-story 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: Do Not Take Discretionary Review and Approve
(Proposed for Continuance to June 18, 2020)
4. 2020-000909DRP (M. GIACOMUCCI: (415) 575-8715)
3591 20TH STREET – on the south side of 20th Street between Valencia and Lexington streets, Lot 042 of Assessor’s Block 3609 (District 9) – Request for **Discretionary Review** of Building Permit Application No. 2019.11.12.7026 for a Change of Use from an existing

vacant commercial storefront to a Limited Restaurant (d.b.a. "Matcha N' More"). The interior of the 3591 20th Street storefront will be renovated, but no expansion of the existing commercial space or the building is proposed. This change of use is limited to the storefront at 3591 20th Street; all other commercial storefronts in the building will remain in their current use. The subject property is located within the Valencia NCT (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: Do Not Take Discretionary Review and Approve
(Proposed for Continuance to June 25, 2020)

5. 2019-015984CUA (A. LINDSAY: (415) 575-9178)
590 2ND AVENUE – on east side of 2nd Avenue between Anza Street and Balboa Street, Lot 026 of Assessor's Block 1544 (District 1) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 209.2, to install a new AT&T Mobility Macro Wireless Telecommunications Services Facility at rooftop consisting of installation of ten (10) panel antennas, and ancillary equipment as part of the AT&T Mobility Telecommunications Network. Antennas and ancillary equipment will be screened within two (2) FRP enclosures. The subject property is located within a RM-2 (Residential-Mixed, Moderate Density), and 40-X 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
(Proposed for Continuance to July 16, 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

6. [2019-017877CUA](#) (D. WEISSGLASS: (415) 575-9177)
2 GENEVA STREET – on south side of Geneva Avenue, Lot 057 of Assessor's Block 6946 (District 11) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 209.2, to install a new AT&T Mobility Macro Wireless Telecommunications Services Facility at rooftop consisting of twelve (12) panel antennas screened behind FRP enclosures; installation of eighteen (18) remote radio heads; four (4) DC-9 surge suppressors; one (1) GPS antenna; and ancillary equipment as part of the AT&T Mobility Telecommunications Network. The subject property is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District, Oceanview Large Residence SUD (Special Use District) and 40-X 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

C. COMMISSION MATTERS

7. Consideration of Adoption:
 - [Draft Minutes for May 21, 2020 – Regular Planning](#)
 - [Draft Minutes for May 21, 2020 – Joint Rec and Park](#)
8. 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

9. Director's Announcements
10. 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.

11. [2020-002347CWP](#) (J. SWITZKY: (415) 575-6815)
UCSF COMPREHENSIVE PARNASSUS HEIGHTS PLAN – Informational Presentation by the University of California San Francisco (UCSF) on their draft Comprehensive Parnassus Heights Plan ("CPHP"), published in October 2019, to guide changes and investment for the next 30 years at the Parnassus Heights campus, the oldest and largest campus in the UCSF system. The CPHP would accommodate up to approximately 2.05 million gross square feet of net new development at the 107-acre Parnassus campus, including approximately 750 housing units and approximately 1.15 million square feet of new clinical and research space, along with improvements in open spaces, circulation and support facilities. A Draft EIR is scheduled for publication by UCSF in June and approval will be sought by the UC Regents in November 2020.

Preliminary Recommendation: None – Informational

12. [2018-015790CUA](#) (S. YOUNG: (415) 558-6346)
342 22ND AVENUE – east side between Clement Street and Geary Boulevard; Lot 034 in Assessor's Block 1453 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish an existing two-story, two-unit residential building and construct a new four-story four-unit residential 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

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.

13. [2019-014211DRP](#) (M. CHRISTENSEN: (415) 575-8742)
667 MISSISSIPPI STREET – east side of Mississippi Street, between 20th and 22nd Streets; Lot 029 in Assessor's Block 4103 (District 10) – Request for **Discretionary Review** of Building Permit Application No. 2019.0717.6109 which proposes to establish a new, 1,016 square foot Cannabis Retail use, including an on-site smoking and vaporizing room, within an existing non-storefront cannabis production facility within a MUR (Mixed-Use Residential) 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 Conditions
 (Continued from Regular hearing on May 21, 2020)
Note: On February 6, 2020, after hearing and closing public comment, continued to March 19, 2020 by a vote of +4 -1 (Richards absent). On March 19, 2020, without hearing, continued to March 26, 2020. On March 26, 2020, without hearing, continued to April 9, 2020. On April 9, 2020, without hearing, continued to April 23, 2020 by a vote of +6 -0. On April 23, 2020, without hearing, continued to May 21, 2020 by a vote of +6 -0. On May 21, 2020, without hearing, continued to June 4, 2020 by a vote of +6 -0.
14. [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
 (Continued from Regular hearing on April 23, 2020)

Note: On February 13, 2020, after hearing and closing public comment, continued to March 12, 2020 by a vote of +6 -0 (Richards absent). On March 12, 2020, without hearing, continued to March 19, 2020. On March 19, 2020, without hearing, continued to March 26, 2020. On March 26, 2020, without hearing, continued to April 9, 2020. On April 9, 2020, without hearing, continued to April 23, 2020 by a vote of +6 -0. On April 23, 2020, without hearing, continued to June 4, 2020 by a vote of +6 -0.

15. [2019-020151DRP-02](#) (D. WINSLOW: (415) 575-9159)
486 DUNCAN STREET – between Noe and Sanchez Streets; 021 in Assessor’s Block 6591 (District 8) – Request for **Discretionary Review** of Building Permit 2019.1205.8713 to construct a deck over an existing 2-story portion of a single family house which extends partially in the required rear yard 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: Do Not Take Discretionary Review and Approve
(Continued from Regular hearing on May 21, 2020)
- 16a. [2019-016969DRM](#) (D. WEISSGLASS: (415) 575-9177)
4326-4336 IRVING STREET – on north side of Irving Street between 44th Avenue and 45th Avenue, Lot 071 of Assessor’s Block 1706 (District 4) – Request for a **Mandatory Discretionary Review**, pursuant to Planning Code Section 311 to construct a one-story vertical addition to the existing three-story residential building within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. Five ADUs (Accessory Dwelling Units) were previously approved at the ground story per permit no. 201811166157, resulting in 17 approved dwelling units at the property. Environmental review is not required for the Planning Commission to disapprove the project.
Preliminary Recommendation: Take Discretionary Review and Approve with Modifications
- 16b. [2019-016969VAR](#) (D. WEISSGLASS: (415) 575-9177)
4326-4336 IRVING STREET – on north side of Irving Street between 44th Avenue and 45th Avenue, Lot 071 of Assessor’s Block 1706 (District 4) – Request for a **Variance** from the Zoning Administrator, pursuant to Planning Code Section 140 to construct a one-story vertical addition to the existing three-story residential building within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. Two of the existing dwelling units face an open area of less than 25 feet in every horizontal dimension and are therefore legally nonconforming to the dwelling unit exposure requirement. The proposed vertical addition will intensify noncompliance for these two units. Therefore, a variance is required.
- 17a. [2018-000528DRP-04](#) (E. GORDON-JONCKHEER: (415) 575-8728)
440 AND 446-48 WALLER STREET – between Steiner and Fillmore Streets; 012 and 013 in Assessor’s Block 0860 (District 5) – Request for **Discretionary Review** of Building Permit Application No.’s. 2019.0130.1623, 2019.0130.1617, 2019.0130.1621, and 2019.0130.1630 to merge and re-subdivide two lots fronting on Waller Street (lots 12 & 13) and create two new lots fronting on Laussat Street. The existing non-complying building in the rear yard that straddles the current lot line will be demolished and replaced with two new 3-story over-basement two-family dwellings. One-story vertical additions and 4-story horizontal additions at the rear of each of the dwellings on Waller Street are proposed, plus a new

garage is proposed for 440 Waller Street. This is within a RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Take Discretionary Review and Approve with Modifications
(Continued from Regular hearing on May 14, 2020)

- 17b. [2015-008247VAR](#) (E. GORDON-JONCKHEER: (415) 575-8728)
440 AND 446-48 WALLER STREET – between Steiner and Fillmore Streets; 012 and 013 in Assessor’s Block 0860 (District 5) – Request for **Variance** from the Zoning Administrator for lot size, rear yard and front setback. The proposal is to merge and re-subdivide two lots fronting on Waller Street and create two new lots fronting on Laussat Street. The existing noncomplying building in the rear yard that straddles the current lot line will be demolished and replaced with two new 3-story-over-basement two-family dwellings. One-story vertical additions and 4-story horizontal additions at the rear of each of the dwellings on Waller Street are proposed, plus a new garage is proposed for 440 Waller Street. Planning Code Section 121 requires a minimum lot size of 2,500 square feet. The newly created lots fronting on Laussat Street measure 1,250 each. Therefore, a lot size variance is required. Planning Code Section 134 requires properties to maintain a rear yard of approximately 17 feet for the proposed 70-foot deep lot. The proposed setback is 12 feet. Therefore, a rear yard variance is required. Planning Code Section 132 requires the proposed 50-foot deep lot at the rear of 446-448 Waller Street to maintain a front setback of approximately 1.5 feet. The proposed setback is 1 foot. Therefore, a front setback variance is required. Variances for lot size and rear yard were originally heard at a public hearing on January 22, 2020. An additional request for a front setback variance has since been submitted. Thus, a new hearing for all three variance requests will be conducted by the Zoning Administrator concurrent with the Discretionary Review hearing. This is within a RH-3 (Residential House, Three-Family) Zoning District and 40-X Height and Bulk District.
- 18a. [2017-009796DRP](#) (D. WINSLOW: (415) 575-9159)
1088 HOWARD STREET – between 7th and Russ Streets; 030 and 031 in Assessor’s Block 3726 (District 6) – Request for **Discretionary Review** of Building Permit 2018.0702.3483 for the merging of lots 030 and 031 and construction of a six-story vertical and horizontal addition (approximately 24,000 square feet) above a one-story commercial building resulting in 24 residential units within a MUG (Mixed Use-General) Zoning District and 85-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 Regular hearing on May 21, 2020)
- 18b. [2017-009796VAR](#) (D. WINSLOW: (415) 575-9159)
1088 HOWARD STREET – between 7th and Russ Streets; 030 and 031 in Assessor’s Block 3726 (District 6) – Request for a **Variance** from the Dwelling Unit Exposure requirement under Planning Code Section 140 within a MUG (Mixed Use-General) Zoning District and 85-X Height and Bulk District.
(Continued from Regular hearing on May 21, 2020)

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.

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.