

SAN FRANCISCO PLANNING COMMISSION



Notice of Hearing & Agenda

Remote Hearing
via video and teleconferencing

**Thursday, November 18, 2021
1:00 p.m.
Regular Meeting**

Commissioners:

Joel Koppel, President

Kathrin Moore, Vice President

Deland Chan, Sue Diamond, Frank Fung,

Theresa Imperial, Rachael Tanner

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

[Planning Commission Packet and Correspondence](#)

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

Disability and language accommodations available upon request to:
commissions.secretary@sfgov.org or (628) 652-7589 at least 48 hours in advance.

Ramaytush Ohlone Acknowledgement

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

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. 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.

Privacy Policy

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

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.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (628) 652-7589, or commissions.secretary@sfgov.org at least 72 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (628) 652-7589, or 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 (628) 652-7589. 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(628) 652-7589。請在聽證會舉行之前的至少48個小時提出要求。

FILIPINO: 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 (628) 652-7589. 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 (628) 652-7589. 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: (415) 655-0001 / Access code: 2492 015 1738

The public comment call-in line number will also be provided on the Department's webpage <https://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, Rachael Tanner

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. 2019-022510CRV (B. HICKS: (628) 652-7528)
240-250 CHURCH STREET – west side between Market Street and 15th Street; Lot 003 of Assessor's Block 3543 (District 8) – Request for **Adoption of Findings Related to State Density Bonus** pursuant to Planning Code Section 206.6 to allow the demolition of a one-story limited restaurant (dba Thoroughbread Bakery) and construction of a seven-story, 74 feet 11 inches tall mixed-use building (measuring 28,974 gross square feet) with 24 dwelling units and a ground floor commercial space (dba Thoroughbread Bakery) with rear outdoor activity area within the Upper Market NCT (Neighborhood Commercial Transit) Zoning District and the 40-X Height and Bulk District. The Project seeks a waiver from the height limit (Section 250) pursuant to the State Density Bonus Law. 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 December 2, 2021)
2. 2016-000302DRP (D. WINSLOW: (628) 652-7335)
460 VALLEJO STREET – north side between Kearny and Montgomery Streets; Lot 020 in Assessor's Block 0133 (District 3) – Request for **Discretionary Review** of Building Permit no. 2019.0402.6906 for extensive interior alteration of the existing two (2) dwelling unit residence, building recladding removing stucco and replacing with wood siding, and an approximately one (1)-foot increase of the rear yard roof height to allow for the creation of a furnished roof deck above. Permit is submitted in partial abatement of Enforcement Case No. 2018-001495ENF for Planning Code violations for work without a permit. Current permit application legalizes building expansion at the rear, proposed fence less than ten (10)-feet high at rear yard, lightwell infills, a 100 square foot garden shed in rear yard, and restoration of roof deck to twelve (12)-foot front yard setback 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
 (Continued from Regular hearing on September 30, 2021)
(Proposed for Continuance to January 13, 2022)
3. 2019-022419DRP (D. WINSLOW: (628) 652-7335)
312 UTAH STREET – west side between 16th and 17th Streets; 001A in Assessor's Block 3961 (District 10) - Request for **Discretionary Review** of Building Permit 2019.1121.7856 to construct a new four-story over basement, three-unit residential building 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
(Proposed for Continuance to January 20, 2022)

4. [2019-014461CUA](#) (C. ENCHILL: (628) 652-7551)
[1324-1326 POWELL STREET](#) – east side between Fisher Alley and Pacific Avenue; Lot 014A in Assessor’s Block 0160 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Section 254 and 303 to allow construction over 35 feet in height for a project that would construct a new eight-story, 84-ft 5-in tall, mixed-use building (approximately 27,160 square feet) with 24 dwelling units and making findings of eligibility for the individually requested State Density Bonus. The project would utilize the State Density Bonus law (California Government Code Sections 65915-65918) and receive four waivers for: site coverage (Planning Code Sec. 134.1), dwelling unit exposure (Planning Code Sec. 140), height limit (Planning Code Sec. 260), and bulk limits (Planning Code Sec. 270) requirements of the planning code. The project site is located within the CRNC (Chinatown Residential Neighborhood Commercial) Zoning District, Chinatown Planning Area, and 65-N 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 September 30, 2021)
(Proposed for Indefinite Continuance)

5. 2021-003142CUA (M. GIACOMUCCI: (628) 652-7414)
[333 FREMONT STREET](#) – north side between Folsom and Harrison Streets; Lot 331 in Assessor’s Block 3747 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 827, to install a new Macro Wireless Telecommunications Services Facility (for AT&T Mobility) at the rooftop of an existing residential building consisting of installation of twelve (12) panel antennas in four (4) sectors, and ancillary equipment as part of the AT&T Mobility Telecommunications Network. The subject property is located within the RH DTR (Rincon Hill Downtown Residential) Zoning District and 85/250-R 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 August 26, 2021)
WITHDRAWN

B. COMMISSION MATTERS

6. Consideration of Adoption:
- [Draft Minutes for October 28, 2021](#)
 - [Draft Minutes for November 4, 2021](#)
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.

C. DEPARTMENT MATTERS

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

D. 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.

E. 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. [2020-003971PCA](#) (A. MERLONE: (628) 652-7534)
DWELLING UNIT DENSITY EXCEPTION FOR CORNER LOTS IN RESIDENTIAL DISTRICTS [BOARD FILE NO. 210564] – Planning Code Amendment – Ordinance amending the Planning Code to provide a density limit exception for Corner Lots in RH (Residential, House) zoning districts, to permit up to four dwelling units per lot; affirming the Planning Department's determination under the California Environmental Quality Act; and making 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.
Preliminary Recommendation: Approve with modifications
(Continued from Regular hearing on October 28, 2021)
11. [2021-010762PCA](#) (A. MERLONE: (628) 652-7534)
FOUR-UNIT DENSITY EXCEPTION FOR RESIDENTIAL DISTRICTS [BOARD FILE NO. 210866] – Planning Code Amendment – Ordinance amending the Planning Code to provide a density limit exception to permit up to four dwelling units per lot in RH (Residential, House) zoning districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making 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.

Preliminary Recommendation: Approve with modifications

12. [2019-023037ENVGPA](#) (M. SNYDER: (628) 652-7460)
WATERFRONT PLAN UPDATE – Informational Presentation - This presentation is to provide an overview of the 2019 Draft Waterfront Plan (2019 Waterfront Plan). The 2019 Waterfront Plan would update and amend the 1997 Waterfront Land Use Plan, which sets long-term goals and policies to guide the use, management, and improvement of 7.5 miles and 800 acres of properties owned and managed by the Port, from Fisherman’s Wharf to India Basin.
Preliminary Recommendation: None – Informational
13. [2017-012086ENV](#) (J. DELUMO: (628) 652-7568)
770 WOOLSEY STREET – Certification of the **Final Environmental Impact Report (EIR)** – The project site is located on the block bounded by Wayland Street to the north, Hamilton Street to the east, Woolsey Street to the south, and Bowdoin Street to the west (Assessor’s Block 6055, Lot 001). The proposed project would demolish the existing structures on the project site, including 18 greenhouses and associated agricultural accessory structures. The proposed project would construct 62 residential units, comprised of 31 residential duplexes, and 62 vehicle parking spaces accessed via 31 new curb cuts. The proposed residential buildings would be up to 35 feet in height. Of the 62 total units, 12 would be affordable housing units. The proposed project would also include an approximately 0.39-acre publicly accessible open space (which would include two rebuilt greenhouses), approximately 11,200 square feet of common open space for residents only, and approximately 14,900 square feet of private open space for residents. The project would regrade the project site, improve the right-of-way along the street frontages, and include new utility infrastructure. The project site is located within a RH-1 (Residential House, One Family) Zoning District and 40-X Height and Bulk District.
Note: The public hearing on the draft EIR is closed. The public comment period for the draft EIR ended on August 9, 2021. Public comment will be received when the item is called during the hearing. However, comments submitted may not be included in the Final EIR.
Preliminary Recommendation: Certify
- 14a. [2017-012086ENV](#) (K. DURANDET: (628) 652-7315)
770 WOOLSEY STREET - north side bounded by Hamilton, Bowdoin and Wayland Streets, Lot 001 of Assessor’s Block 6055 (District 9) – Request for **Adoption of Findings and Adoption of Statement of Overriding Considerations under the California Environmental Quality Act (CEQA)** for the 770 Woolsey Street Project, which would demolish the existing structures on the project site, including 18 greenhouses and associated agricultural accessory structures and construct 62 residential units, comprised of 31 residential duplexes, and 62 vehicle parking spaces accessed via 31 new curb cuts. The proposed residential buildings would be up to 35 feet in height. Of the 62 total units, 12 would be affordable housing units. The proposed project would also include an approximately 0.39-acre publicly accessible open space (which would include two rebuilt greenhouses), approximately 11,200 square feet of common open space for residents only, and approximately 14,900 square feet of private open space for residents. The project would regrade the project site, improve the right-of-way along the street frontages, and include

new utility infrastructure. The project site is located within a RH-1 (Residential House, One Family) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Adopt Findings and Statement of Overriding Considerations under the California Environmental Quality Act.

- 14b. [2017-012086CUA](#) (K DURANDET: (628) 652-7315)
770 WOOLSEY STREET – north side bounded by Hamilton, Bowdoin and Wyland Streets, Lot 001 of Assessor's Block 6055 (District 9) – Request for **Conditional Use Authorization** for a Planned Unit Development to maximize residential density on the Site. The Project approvals include the following: 1) Request for Conditional Use Authorization (Sections 209.1, 303 and 304); 2) Request for modifications under the Planned Unit Development for lot width (Section 121), rear yard (Section 134), street frontage (Section 144), car share (Section 166); and 3) Adoption of Findings and Adoption of Statement of Overriding Considerations under the California Environmental Quality Act (CEQA). The project is located within a RH-1 (Residential House-Single Family) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Approve with Conditions
15. [2019-022830AHB](#) (C. MAY: (628) 652-7359)
3055 CLEMENT STREET – southeast corner of Clement Street and 32nd Avenue, Lot 043 of Assessor's Block 1463 (District 1) – Request for **HOME-SF Project Authorization**, pursuant to Planning Code Sections 206.3, 328, and 710, to allow the construction of a six-story, 62-foot tall residential building containing seven dwelling units totaling approximately 10,562 square feet above approximately 614 square feet of ground floor commercial space within a NC-1 Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
Preliminary Recommendation: Approve with conditions
16. [2019-013276ENX](#) (X. LIANG: (628) 652-7316)
560 BRANNAN STREET – north side Brannan Street between 4th and 5th Streets; Lot 044 of Assessor's Block 3777 (District 6) – Request for **Large Project Authorization** (LPA), pursuant to Planning Code Section 329, to permit a new construction greater than 50,000 gross square feet in the Central SoMa Special Use District (SUD) and Findings under the Individually Requested State Density Bonus Program, pursuant to Planning Code Section 206.6 and California Government Code Section 65915, to achieve a 35% density bonus thereby maximizing residential density on the site and includes waivers from: Setback and Streetwall (Section 132.4), Residential Open Space (Sections 135 and 823), Permitted Obstruction (Section 136), Dwelling Unit Exposure (Sections 140 and 249.78), PDR Replacement (Sections 202.8 and 249.78), Lot Coverage (Section 249.78), Height (Section 260), and Narrow Street (Section 261.1), as well as Incentives/Concessions for: Living Roof (Sections 149 and 249.78) and Ground Floor Ceiling Height (Sections 145.1 and 249.78), within a MUG (Mixed Use General) Zoning District, Central SoMa SUD (Special Use District), and 130-CS and 45-X Height and Bulk Districts. The Project includes demolition of a two-story, 15,672 square-foot PDR building and construction of a nine-story, mixed-use building with approximately 80,520 square feet of residential use for a total of 120 units, 5,745 square feet of ground floor PDR use, 107 Class 1 and 8 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

17. [2019-005907CUA](#) (K. GUY: (628) 652-7325)
1151 WASHINGTON STREET – south side between Taylor and Mason Streets; Lot 025 in Assessor's Block 0213 (District 3) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 303 to allow the alteration of an existing residential building in a manner that does not maximize the principally permitted residential density and that would increase the size of an existing dwelling unit greater than 2,000 square feet within a RM-3 (Residential – Mixed, Medium Density) Zoning District and 65-A Height and Bulk District. The project proposes a rear addition to the existing 3,050 square foot dwelling unit at the basement, first, and second floors, as well as a partially enclosed roof deck reaching a height of 40 feet, resulting in an approximately 5,200 square foot residence. 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: Disapprove
- 18a. [2019-013808CUA](#) (J. HORN: (628) 652-7366)
4300 17TH STREET – northwest corner of Ord Street; Lot 014A in Assessor's Block 2626 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 249.77 and 303, to construct a 3,128 square-foot, three-story two-family dwelling on a new lot created through a subdivision of the existing 3,916- square-foot (36' x 81') corner lot. An existing three-story two-family dwelling (4300 17th Street) is located on the remaining 1,458 square feet of the original lot and the project proposes to add an Accessory Dwelling Unit at the ground floor. The project is within a RH-2 (Residential House, Two-Family) Zoning District, Corona Heights Large Residence SUD (Special Use District) (PC Section 249.77), and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on October 14, 2021)
Note: On November 19, 2020, after hearing and closing public comment, continued indefinitely by a vote of +7 -0; On September 2, 2021, without hearing and closing public comment, continued to October 14, 2021 by a vote of +6 -0; On October 14, 2021, without hearing and closing public comment, continued to November 18, 2021 by a vote of +4 -2 with Imperial and Moore against.
- 18b. [2019-013808VAR](#) (J. HORN: (628) 652-7366)
4300 17TH STREET – northwest corner of Ord Street; Lot 014A in Assessor's Block 2626 (District 8) – Request for **Variance** from the Planning Code Sections 121 (lot size) and 134 (rear yard). The subject property is located within a RH-2 (Residential – House, Two Family) Zoning District, Corona Heights Large Residence SUD (Special Use District) and 40-X Height and Bulk District.
(Continued from Regular hearing on October 14, 2021)
19. [2021-003400CUA](#) (K. AGNIHOTRI: (628) 652-7454)
900 IRVING STREET – north side between 10th and 11th Streets; Lot 018 in Assessor's Block 1740 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 730, 202.2(a)(5), and 303 to establish a Cannabis Retail use on the first floor and associated storage space at the basement (approximately 2,600 square feet) within the

Inner Sunset NCD (Neighborhood Commercial District) 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

20. [2021-006602CUA](#) (L. AJELLO: (628) 652-7353)
1881-1885 LOMBARD STREET – south side between Buchanan and Laguna Streets, Lot 024 of Assessor’s Block 0507 (District 2) – request for Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 712, to establish an approximately 840 square-foot Cannabis Retail Use (d.b.a. Marina Greens) on the ground floor with 840 square-feet of ancillary office use on the second floor within an existing two-story commercial building. The subject property is located within a NC-3 (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. The Project includes a request for authorization of an on-site smoking / vaporizing lounge. 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

F. DISCRETIONARY REVIEW CALENDAR

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

21. [2020-009358DRP](#) (D. WINSLOW: (628) 652-7335)
2605 POST STREET – south side between Presidio and Lyon Streets; 021 in Assessor’s Block 1082 (District 2) - Request for **Discretionary Review** of Building Permit 2020.0924.4924 to construct a third-floor vertical addition set back 5 feet from the front of the building with and a new third floor balcony at the front. The project also proposes the partial repair and expansion of the existing rear deck to the existing single-family home within a RH-3 (Residential House, Three Family) Zoning District and 40-X Height and Bulk District. The addition would increase the size of the dwelling from approximately 2,934 square feet to 4,196 square feet. 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

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 49 South Van Ness Ave, 14th Floor, 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, 49 South Van Ness Ave, 14th Floor, 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.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online <http://www.sfgov.org/ethics>.