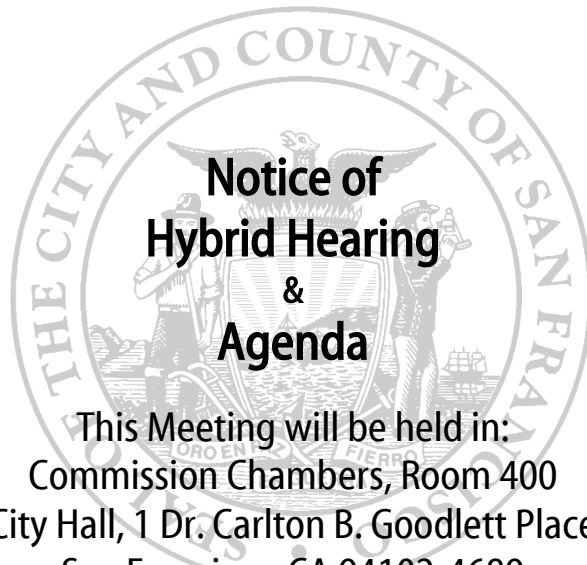


SAN FRANCISCO PLANNING COMMISSION



Notice of Hybrid Hearing & Agenda

This Meeting will be held in:
Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, July 28, 2022

1:00 p.m.

Regular Meeting

Commissioners:

Rachael Tanner, President
Kathrin Moore, Vice President
Sue Diamond, Frank Fung, Theresa Imperial,
Joel Koppel, Gabriella Ruiz

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 soft@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.

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020, emergency proclamation, it is possible that some members of the Planning Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or online at <https://sfplanning.org/>. Instructions for providing remote public comment are below.

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: 2489 253 4904

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: Rachael Tanner
 Vice-President: Kathrin Moore
 Commissioners: Sue Diamond, Frank Fung, Theresa Imperial,
 Joel Koppel, Gabriella Ruiz

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. 2021-004987DRP (D. WINSLOW: (628) 652-7335)
2760 DIVISADERO STREET – northeast corner of Green Street; Lot 020 in Assessor's Block 0953 (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.0223.5187 construct an extension of a fourth level rear deck over (e) flat roof including new railings. No added square footage. No changes to building envelope to a four-story one-family residential building 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
 (Continued from Regular hearing on May 19, 2022)
(Proposed for Continuance to October 6, 2022)

2. 2019-017272ENV (J. MOORE: (628) 652-7566)
PG&E POWER ASSET ACQUISITION PROJECT – primarily in the southern portion of San Francisco and along the county border in the northern portions of Brisbane and Daly City (Districts 4,7,10 and 11) – **Appeal of Preliminary Negative Declaration** for the proposed acquisition of Pacific Gas and Electric Company's (PG&E's) distribution assets and substantially all of PG&E's transmission assets that are needed for the city to provide reliability electricity service to customers within San Francisco. As part of the transfer, certain PG&E facilities outside of the city limits must be physically separated from PG&E's electricity grid within the city. The environmental review discusses those components that would require physical changes to the environment, such as new underground power distribution lines and vaults, new equipment at four existing substations, and distribution system separation work, which would be located primarily in the southern portion of San Francisco and along the county border in the northern portions of Brisbane and Daly City. The main distribution line alignment would be approximately 5 miles long and installed primarily under streets and sidewalks from Junipero Serra Boulevard and Holloway Avenue to Brotherhood Way, along Alemany Boulevard and Geneva Avenue to the Martin substation in Brisbane. New equipment would be installed within the existing Martin, Potrero, Plymouth, and Randolph substations.
 (Continued from Items Proposed for Continuance on March 31, 2022)
(Proposed for Indefinite Continuance due to preparation of an Environmental Impact Report)

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

3. [2022-001892CUA](#) (J. VIMR: (628) 652-7319)
98 MISSION STREET – north side between Spear and Steuart Streets; Lot 007 of Assessor's Block 3713 (District 6) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.2 and 303, to establish a Non-Retail Sales and Service use (functioning as a private gym amenity for a current office tenant) within an existing, vacant, approximately 5,040 square-foot commercial space on the ground floor of the subject property located within a C-3-O (SD) (Downtown-Office Special Development) Zoning District and 150-X/200-S Height and Bulk Districts. There will be no expansion of the building envelope and the subject storefront is one of many along the building's ground level Spear Street frontage. 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
4. [2022-000313CUA](#) (K. AGNIHOTRI: (628) 652-7454)
2027 CHESTNUT STREET – southwest corner of Fillmore Street; Lot 001 in Assessor's Block 0491 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 711, and 303, to expand an existing Formula Retail restaurant use (d.b.a. Pacific Catch) measuring 856 square feet at 2027 Chestnut Street; to an adjacent, vacant ground-floor retail space, at 2025 Chestnut Street, measuring approximately 688 square feet, resulting in a larger restaurant space measuring 1,544 square feet in a single-story commercial building, 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: Approve with Conditions
5. [2022-004718CUA](#) (K. AGNIHOTRI: (628) 652-7454)
2209 CHESTNUT STREET – southwest corner of Pierce Street; Lot 001 in Assessor's Block 0489 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 711, and 303, to establish a Formula Retail use (d.b.a. Malin + Goetz), at the ground floor of an existing vacant retail space, approximately 650 square feet, 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: Approve with Conditions

C. COMMISSION MATTERS

6. Consideration of Adoption:
 - [Draft Minutes for July 14, 2022](#)

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.
8. [2021-009977CRV](#) – **Remote Hearings** – Consideration of action to allow teleconferenced meetings and adopting findings under California government code section 54953(e) to allow remote meetings during the COVID-19 emergency; continue remote meetings for the next 30 days; direct the Commission Secretary to schedule a similar resolution [motion] at a commission meeting within 30 days.

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; when applicable, followed by a presentation of the project sponsor team; followed by public comment. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

- 11a. [2018-015785MAP](#) (M. SNYDER: (628) 652-7460)
200 MAIN STREET (AKA TRANSBAY BLOCK 4) [BF NO. 220836] – the block bounded by Howard Street on the north, Main Street on the east, Beale Street on the west, and the alignment of Tehama Street on the south, Lot 010 in Assessor's Block 3739 -- Ordinance amending **Planning Code Height and Bulk Map HT-01** by rezoning the subject lot from a 50/85/450-TB Height Bulk designation to a 513-TB Height and Bulk designation; 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. The action would enable the Transbay Block 4 Project, which would include a 47-story tower (513-feet exclusive of mechanical penthouse) with

6-story townhouse adjunct, a 16-story mid-rise building and a single-story shared podium with shared underground facilities. The Project would include approximately 681 residential units, of which 306 (45%) would be affordable, approximately 8,389 square feet of commercial/retail space, 275 parking spaces, 556 Class 1 bicycle spaces, and 12,584 square feet of open space, of which 4,250 would be publicly accessible. The subject site is currently within a TB DTR (Transbay Downtown Residential) Zoning District, within the Transbay Redevelopment Project Area – Zone 1, and 50/85/450-TB Height District.

Preliminary Recommendation: Approve

- 11b. [2018-015785GPA](#) (M. SNYDER: (628) 652-7460)
200 MAIN STREET (AKA TRANSBAY BLOCK 4) – the block bounded by Howard Street on the north, Main Street on the east, Beale Street on the west and the alignment of Tehama Street on the north, Lot 010 in Assessor’s Block 3739 – Ordinance amending the **General Plan** by amending the Transit Center District Plan (a Sub-Area Plan of the Downtown Plan) Figure 1 – “Proposed Height Limits” by changing the height limit on from 450-feet to 513-feet; amending Figure 1 by changing the height limit on Transbay Block 1 from 50/85/300-feet to 400-feet; and amending Policy 4.36 regarding bicycle routing; 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. The Transbay Block 4 Project would include a 47-story tower (513-feet exclusive of mechanical penthouse) with 6-story townhouse adjunct, a 16-story mid-rise building and a single-story shared podium with shared underground facilities. The Project would include approximately 681 residential units, of which 306 (45%) would be affordable, approximately 8,389 square feet of commercial/retail space, 275 parking spaces, 556 Class 1 bicycle spaces, and 12,584 square feet of open space, of which 4,250 would be publicly accessible. The subject site is currently within a TB DTR (Transbay Downtown Residential) Zoning District, within the Transbay Redevelopment Project Area – Zone 1, and 50/85/450-TB Height District.
Preliminary Recommendation: Approve
- 11c. [2018-015785GPR](#) (M. SNYDER: (628) 652-7460)
200 MAIN STREET (AKA TRANSBAY BLOCK 4) – the block bounded by Howard Street on the north, Main Street on the east, Beale Street on the west and the alignment of Tehama Street on the north, Lot 010 in Assessor’s Block 3739 – **General Plan Conformity Findings** – Pursuant to Section 4.105 of the Charter Section 2A.53 of the Administrative Code of the City and County of San Francisco, recommending General Plan conformity findings for an amendment to the Redevelopment Plan for the Transbay Project Area that would increase the height for the subject block from 450 feet to 513 feet and allow greater bulk for the subject block by increasing the floor plate limits for the tower portion of the Project from 13,000 square feet to 15,200 square feet for the lower portion of the tower (between heights of 85 feet and 122 feet); and increases the floor plate limit for the mid-rise portion of the Project from 7,500 to 13,500 square feet for portions of the building(s) above 85 feet in height; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings with the eight priority policies of Planning Code Section 101.1. The Transbay Block 4 Project would include a 47-story tower (513-feet exclusive of mechanical penthouse) with 6-story townhouse adjunct, a 16-story mid-rise building and a single-story shared podium with shared underground facilities. The Project would include approximately 681 residential units, of which 306 (45%) would be affordable, approximately 8,389 square feet of commercial/retail space, 275 parking

spaces, 556 Class 1 bicycle spaces, and 12,584 square feet of open space, of which 4,250 would be publicly accessible. The subject site is currently within a TB DTR (Transbay Downtown Residential) Zoning District, within the Transbay Redevelopment Project Area – Zone 1, and 50/85/450-TB Height District.

Preliminary Recommendation: Adopt

- 12a. [2017-011878OFA-03](#) (M. GIACOMUCCI: (628) 652-7414)
[420 23RD STREET \(POTRERO POWER STATION: PHASE I\)](#) – north side of 23rd Street, west of Illinois Street; Lot 002 in Assessor's Block 4175 (District 10) - Request for an **Office Allocation** pursuant to Planning Code Sections 321 and 322, to obtain an additional 3,426 square feet of office use. On October 22, 2020, the Planning Commission authorized the development of 403,750 square feet of office use at Block 15 (Station A) under Motion No. 20801. However, upon an updated calculation of the Regional Housing Needs Allocation pursuant to Proposition E, only 400,324 square feet of office use was available in the Office Development Annual Limit at that time. The proposed Office Allocation would confer the 3,426 square feet that were previously unavailable. The property is located within the PPS-MU (Potrero Power Station Mixed Use) Zoning District and 65-PPS/240-PPS Height and Bulk District. The Project has undergone environmental review pursuant to CEQA and Chapter 31 of the San Francisco Administrative Code. On January 30, 2020, the Final Environmental Impact Report (EIR) was certified by the Planning Commission through approval of Motion No. 20635. On September 9, 2020, the Planning Department published an Addendum to the Final EIR for the re-phase plan, finding that the Final EIR remains valid and no additional environmental review is required.
Preliminary Recommendation: Approve with Conditions
- 12b. [2017-011878PHA-09](#) (M. GIACOMUCCI: (628) 652-7414)
[420 23RD STREET \(POTRERO POWER STATION: PHASE I\)](#) – north side of 23rd Street, west of Illinois Street; Lot 002 in Assessor's Block 4175 (District 10) – Request a Planning Commission **Resolution** to make a material change to the Phasing Plan of the Potrero Power Station Development Agreement to remove Section 3.6 of the Phasing Plan, which requires that one of the five commercial blocks within the Potrero Power Station Development be restricted for Life Science uses. The property is located within the PPS-MU (Potrero Power Station Mixed-Use) Zoning District and 65-PPS/240-PPS Height and Bulk District.
Preliminary Recommendation: Approve
13. [2017-013784CUA](#) (M. GIACOMUCCI: (628) 652-7414)
[2976 MISSION STREET](#) – west side between 25th and 26th Streets; Lot 007A in Assessor's Block 6529 (District NCT) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317 to demolish an existing two-story 3,490 square foot mixed-use building containing one residential unit, two Unauthorized Dwelling Units, and two commercial units, and to construct a six-story, 12,117 square foot mixed-use building containing eight residential units (1 one-bedroom and 7 two-bedroom) and one 1,600 square foot commercial space with 10 Class 1 and 2 Class 2 bicycle parking spaces and no vehicular parking spaces, within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District and 45-X/65-B Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

14. [2021-005342ENX](#) (C. FEENEY: (628) 652-7313)
925 BRYANT STREET – southeast corner of Langton Street; Lot 077 of Assessor’s Block 3780 (District 6) – Request for an Eastern Neighborhoods **Large Project Authorization**, pursuant to Planning Code Sections 206.6, 329, and 843, to allow demolition of an existing 36-foot-tall warehouse and parking lot and construction of a seven-story, 75-foot-tall residential building containing 218 Group Housing dwelling units (including 35 units provided on-site as affordable housing units). The Project is utilizing the Individually Requested State Density Bonus Program to achieve a 50% density bonus, thereby maximizing residential density on the Site pursuant to California Government Code Sections 65915-95918, as revised under Assembly Bill No. 2345 (AB 2345). The Project requests two incentives for Rear Yard Setback (Planning Code Sec. 134) and Active Street Frontages (Sec. 145.1(b)(2)), and seven waivers for Usable Open Space (Sec. 135), Dwelling Unit Exposure (Sec. 140), Ground Floor Ceiling Height (Sec. 145.1(c)(4)), Off-Street Freight Loading spaces (Sec. 152.1), Height Limit (Sec. 260), Narrow Street Controls (Sec. 261.1), and Horizontal Mass Reduction (Sec. 270.1), within the UMU (Urban Mixed-Use District) Zoning District and 48-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 Canceled hearing on June 2, 2022)
15. [2020-006679CRV](#) (L. HOAGLAND: (628) 652-7320)
1196 COLUMBUS AVENUE/2568 AND 2588 JONES STREET – north side of Columbus Avenue, on the east side of the intersection with Jones and Bay Streets; Lot 007 in Assessor’s Block 0043 (District 3) – Request for **Adoption of Findings** Related to State Density Bonus pursuant to Planning Code Section 206.6 to demolish an existing one-story commercial building and construct a new 28,865 gross square foot (gsf), 6-story, 55-foot-tall residential building with 56 group housing rooms, within a Community Business (C-2) Zoning District and 40-X Height and Bulk District. The Project seeks two waivers from the Planning Code for: 1) Rear Yard (Section 134) and 2) Building Height (Section 260). The Project is not seeking any concessions and incentives. 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: Adopt
16. [2020-010283CUA](#) (J. HORN: (628) 652-7366)
2306-2310 AND 2312-2316 VICENTE STREET – north side between 34th and 35th Avenues; Lot 037 in Assessor’s Block 2435 (District 4) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 155(r), 303 and 710, to allow the demolition of an existing one-story, 3,131 square-foot, religious institutional use building and to construct two new 40-foot-tall, four-story, three-family dwellings each to be located on a new lot created through the subdivision of the existing 4,087.5 square foot (54.5’ x 75’) subject property located within a NC-1 (Neighborhood Commercial - Cluster) 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.

17. [2021-002487DRP-02](#) (D. WINSLOW: (628) 652-7335)
[3624 SCOTT STREET](#) – east side between Beach Street and Capra Way; Lot 021 in Assessor’s Block 0441A (District 2) – Request for **Discretionary Review** of Building Permit No. 2021.0220.5053 proposes to construct a two-story vertical addition and horizontal side and rear addition to an existing two-story, two-family residence 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

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>.