

# SAN FRANCISCO PLANNING COMMISSION



## Notice of Hearing & Agenda

Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, January 18, 2018**  
**1:00 p.m.**  
**Regular Meeting**

Commissioners:

Rich Hillis, President

Dennis Richards, Vice President

Rodney Fong, Christine Johnson, Joel Koppel,  
Myrna Melgar, Kathrin Moore

Commission Secretary:

Jonas P. Ionin

**Hearing Materials are available at:**

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

Planning Department, 1650 Mission Street, 4<sup>th</sup> Floor, Suite 400

Planning Information Center, 1660 Mission Street, 1<sup>st</sup> Floor

Voice recorded Agenda only: (415) 558-6422

**Commission Hearing Broadcasts:**

Live stream: <http://www.sfgovtv.org>

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

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

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

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

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

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

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 244; phone (415) 554-7724; fax (415) 554-5163; or e-mail at [sotf@sfgov.org](mailto:sotf@sfgov.org).

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at [www.sfbos.org/sunshine](http://www.sfbos.org/sunshine).

### **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>.

### **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.

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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 (415) 558-6309, or [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) at least 48 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 (415) 558-6309, or [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) at least 48 hours in advance of the hearing.

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

### **SPANISH:**

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

### **CHINESE:**

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

### **TAGALOG:**

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

### **RUSSIAN:**

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

## ROLL CALL:

President: Rich Hillis  
 Vice-President: Dennis Richards  
 Commissioners: Rodney Fong, Christine Johnson, Joel Koppel,  
 Myrna Melgar, Kathrin Moore

## A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

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

1. 2016-005617DRP (M. CHRISTENSEN: (415) 575-8742)  
1439-1441 SOUTH VAN NESS AVENUE – east side of South Van Ness Avenue, between 25<sup>th</sup> and 26<sup>th</sup> Streets; lot 021 of Assessor’s Block 6526 (District 9) - Request for **Discretionary Review** of building permit application No. 2016.0809.4577 that proposes to legalize and alter the existing ground floor dwelling unit, construct vertical and rear additions to expand all units within the structure, and alter the façade of the structure within a RM-1 (Residential-Mixed, Low Density) 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\(h\)](#).  
 Staff Analysis: Full Discretionary Review  
*Preliminary Recommendation: Take Discretionary Review and Approve with Conditions*  
 (Continued from Regular hearing of December 21, 2017)  
**(Proposed Continuance to February 1, 2018)**
  
2. 2014-003160CUA (D. VU: (415) 575-9120)  
3314 CESAR CHAVEZ STREET – north side between Mission Street and South Van Ness Avenue - Lot 012 in Assessor’s Block 6571 (District 9) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 121.1 and 303 for the demolition of an existing 13,000 sq. ft. light industrial building and construction of a 65-ft. tall, six-story and 49,475 sq. ft. mixed-use building that includes approximately 11,430 sq. ft. of ground floor commercial retail and 48,365 sq. ft. of residential use for 58 dwelling units. The proposed project would also include a total 9,020 sq. ft. of private and common residential open space, 62 Class 1 bicycle parking spaces, and an approximately 6,300 sq. ft. basement-level garage for 27 accessory automobile and 1 car-share parking spaces. The subject properties are located within the Mission Street Neighborhood Commercial Transit (NCT) Zoning District and 65-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 Meeting of December 7, 2017)  
**(Proposed Continuance to February 8, 2018)**
  
3. 2016-011486CUA (M. CHRISTENSEN: (415) 575-8742)  
1713 YOSEMITE AVENUE – south side of Yosemite Avenue, at Lane Street; Lot 010 of Assessor’s Block 5418 (District 10): Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.4 and 303, to construct a 58-foot tall, five-story residential structure containing six dwelling units and four automobile parking spaces within the M-1

Zoning District at a 65-J 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\(h\)](#).

**(Proposed Continuance to March 1, 2018)**

4. 2016-012872CUA (N. TRAN: (415) 575-9174)  
479 28<sup>TH</sup> STREET – south side of 28th Street Avenue, between Castro and Noe Streets, Lot 032 in Assessor’s Block 6612 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, for a project proposing to demolish an existing one-story over basement single-family residence and construct a new three-story structure with two basement levels and two dwelling units. The project includes excavation, a new curb cut and associated landscaping. The subject property is located within a RH-2 (Residential-House, Two-Family) Zoning District with 40-X Height and Bulk designation. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
**(Proposed Continuance to March 1, 2018)**
  
5. 2009.1011ENX (L. HOAGLAND: (415) 575-6823)  
1863 MISSION STREET – east side of Mission Street, between 14<sup>th</sup> and 15th Streets; Lot 033 in Assessor’s Block 3548 (District 9) – Request for **Large Project Authorization**, pursuant to Planning Code Section 329 and the Mission 2016 Interim Controls (Planning Commission Resolution No. 19865), to construct a four-to-seven story (measuring approximately 39-foot, 7-inches to 66-foot tall), 37,441 sq. ft. mixed-use building with 37 dwelling units, approximately 1,425 sq. ft. of ground floor retail use, and 16 off-street parking spaces. The project is seeking exceptions to the Planning Code requirements for the rear yard (Planning Code Section 134) and street frontage (Planning Code Section 145.1). The project site is located within a Mission Street NCT (Mission Street Neighborhood Commercial Transit) Zoning District, and 40-X/65-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*  
**WITHDRAWN**

## B. COMMISSION MATTERS

6. Commission Comments/Questions
  - Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).
  - Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.
  
7. Election of Officers: In accordance with the Rules and Regulations of the San Francisco Historic Preservation Commission, the President and Vice President of the Commission shall be elected at the first Regular Meeting of the Historic Preservation Commission held after the first day of January each year; or at a subsequent Meeting, the date of which is

fixed by the Historic Preservation Commission at the first Regular Meeting after the First day of January each year or at a subsequent meeting.

### 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.

### 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. [2017-013096MAP](#) (A. BUTKUS: (415) 575-9129)  
**BURNETT AVENUE AND BURNETT AVENUE NORTH – Zoning Map Amendment** revising Sheet ZN06 to rezone Assessor's Parcel Block No. (AB) 2719C, Lot No. 023, located at Burnett Avenue and Burnett Avenue North, from Public (P) to Residential, Mixed Districts, Low Density (RM-1); rezoning a portion of Burnett Avenue North generally bounded by AB 2745, Lot No. 036, and AB 2719C, Lot No. 023, to RM-1; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.  
*Preliminary Recommendation: Approve*  
(Continued from Regular hearing on December 21, 2017)  
**Note: On December 21, 2017, after hearing and closing public comment, the Commission Continued the matter to January 18, 2018, by a vote of +4 -3 (Fong, Johnson, Koppel against).**
11. [2015-011274ENV](#) (J. DELUMO: (415) 575-9146)  
**150 EUREKA STREET** – on the block bounded by 18th Street to the north, Eureka Street to the east, 19th Street to the south, and Douglass Street to the west (Assessor's Block 2692, Lot 007) – Public Hearing on the **Draft Environmental Impact Report**. The project site is currently developed with a two-story approximately 29-foot-tall wood-frame building, which most recently housed the Metropolitan Community Church of San Francisco. The proposed project would demolish the existing church building and construct two four-story buildings each with a total of two residential units, for a total of four residential units

on the site. The two buildings would total approximately 14,441 gross square feet in size and would not exceed 40 feet in height. Each building would include a four-car garage and two class 1 bicycle parking spaces, for a total of eight vehicle parking spaces and four class I bicycle parking spaces. The project site is located in a Residential House-Two-Family (RH-2) District and 40-X Height and Bulk District.

**Note: Written comments will be accepted at the Planning Department until 5:00 p.m. on January 23, 2018.**

*Preliminary Recommendation: Review and Comment*

12. [2016-01557IMP](#) (E. JARDINES: (415) 575-9144)  
188 HOOPER STREET; 1140 7<sup>TH</sup> STREET; AND 1111 8<sup>TH</sup> STREET AS WELL AS MULTIPLE PROPERTIES OWNED OR LEASED BY THE CALIFORNIA COLLEGE OF THE ARTS (CCA) LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO – Notification by the Zoning Administrator of the filing of an **Institutional Master Plan (IMP)** for California College of the Arts (CCA). Pursuant to Planning Code Section 304.5, the Planning Commission must hold a public hearing upon receiving a current IMP. This public hearing is for receipt of public testimony only. Receipt of this IMP does not constitute approval or disapproval of any proposed projects contained in the IMP by the Planning Commission. The IMP contains information on the nature and history of the institution, the location and use of affiliated buildings, and institutions' development plans. The IMP is available for viewing on the Planning Department's website at: <http://www.sfplanning.org>, click on "Resource Center", then "Department Publications A-Z", then scroll to "I" for Institutional Master Plans. The IMP is also available for public viewing at the Planning Department's Public Information Center located at 1660 Mission Street, 1<sup>st</sup> Floor, and at the Planning Department's reception area located at 1650 Mission Street, 4<sup>th</sup> Floor.

*Preliminary Recommendation: None – Informational*

- 13a. [2016-004823ENX](#) (E. JARDINES: (415) 575-9144)  
744 HARRISON STREET – northwest corner of Harrison and Lapu Lapu Streets, on Lots: 028 and 054 in Assessor's Block 3751 (District 6) – Request for a **Large Project Authorization**, pursuant to Planning Code Section 329, to construct a new 85-foot tall eight-story mixed-use building with a ground floor 1,234-square foot restaurant and an outdoor activity area, a 22,148- square foot tourist hotel (50 rooms), and 5,246 square feet of group housing (9 rooms with a common kitchen, dining, and living area) on the upper floors. Under the LPA, the Project is seeking exceptions to the Planning Code requirements for rear yard (Planning Code Section 134), usable open space (Planning Code Section 135) and street frontage active use (Planning Code 145.1). The proposed project is located within a Mixed Use Office (MUO) Zoning District, a SOMA Youth and Family Special Use 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: Approve with Conditions*

(Continued from Regular hearing on November 16, 2017)

- 13b. [2016-004823CUA](#) (E. JARDINES: (415) 575-9144)  
744 HARRISON STREET – northwest corner of Harrison and Lapu Lapu Streets, on Lots: 028 and 054 in Assessor's Block 3751 (District 6) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 249.40A, 303 and 842, to establish a hotel in the MUO Zoning District and a restaurant within the SOMA Youth and Family Special Use District. The proposed project includes demolition of the existing two-story office building

and new construction of a new 85-foot tall eight-story mixed-use building with a ground floor 1,234-square foot restaurant and an outdoor activity area, a 22,148 square foot tourist hotel (50 rooms), and 5,246 square feet of group housing (9 rooms with a common kitchen, dining, and living area) on the second and third floors within a Mixed Use Office (MUO) Zoning District, a SOMA Youth and Family Special Use District and 85-X Height and Bulk District.

*Preliminary Recommendation: Approve with Conditions*  
(Continued from Regular hearing on November 16, 2017)

14. [2015-002825CUA](#) (E. JONCKHEER: (415) 575-8728)  
1965 MARKET STREET – southern side of Duboce Avenue at the corner of Duboce Avenue and Market Street, between Guerrero Street and Clinton Park; Lots 58, 59, 61, and 62 in Assessor's Block 3534 (District 8) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 121.1, 121.7 and 303, for the Development of a Large Lot in a Neighborhood Commercial Zoning District, and for the Merger of Lots creating a lot greater than 5,000 square feet, in the Residential Transit Oriented Zoning District, for the proposed project consisting of demolition of a portion of the existing 13,500 square foot building at 1965 Market Street (Lot 058), removal of the approximately 9,000 square foot surface parking lot (Lots 059, 061, and 062) along Duboce Avenue, and construction of a 102,744 square foot 75- to 85-foot high mixed-use building containing 96 dwelling units and including retention of approximately 3,760 square foot of the existing ground-floor retail within a Moderate Scale Neighborhood Commercial Transit (NCT-3), Residential Transit Oriented District (RTO) Zoning Districts, and 40-X, 50-X and 85-X Height and Bulk Districts, and the Market and Octavia Area Plan. The proposed project would utilize the State Density Bonus Law (California Government Code Sections 65915-65918), and proposes a waiver from the 50-foot height limit applicable to that portion of the lot within the 50-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

*Preliminary Recommendation: Approve with Conditions*

## 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.

15. [2014.0936DRP](#) (E. JARDINES: (415) 575-9144)  
590 LELAND AVENUE – located on the north side of Leland Avenue and west of Hahn Street; Lots: 061, 062, 063, 064, 065 in Assessor's Block 6243 (District 10) - Request for **Discretionary Review** of Building Permit Application No. 2014.06.06.7762, proposing the demolition of an existing church and construction of five new three-story, single-family homes (addressed as 579, 583, and 589 Raymond Avenue, and 586 and 596 Leland Avenue). The Project is located 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\(h\)](#).

Staff Analysis: Full Discretionary Review

*Preliminary Recommendation: Do Not Take Discretionary Review and Approve*

**Note: On January 12, 2017, after hearing and closing public comment, Continued to March 2, 2017 by a vote of +4 -2 (Johnson, Koppel against; Fong absent). On March 2, 2017, without hearing, Continued Indefinitely by a vote of +6 -0 (Johnson absent). On November 2, 2017, without hearing, Continued to January 18, 2018 by a vote of +5 -1 (Moore against; Richards absent).**

ADJOURNMENT

### **Privacy Policy**

Members of the public are not required to provide personal identifying information when they communicate with the Commission or Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

### **Hearing Procedures**

The Planning Commission holds public hearings regularly, on most Thursdays. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: [www.sfplanning.org](http://www.sfplanning.org).

Public Comments: Persons attending a hearing may comment on any scheduled item.

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue(s) by the Director or a member of the staff.
2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
4. **Public testimony from proponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
5. **Public testimony from opponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
6. Director's preliminary recommendation must be prepared in writing.
7. Action by the Commission on the matter before it.
8. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
9. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
10. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
11. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue by the Director or a member of the staff.

2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.
5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

### **Hearing Materials**

**Advance Submissions:** To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 1650 Mission Street, Suite 400, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary ([commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org)) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

### **Appeals**

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

<b>Case Type</b>	<b>Case Suffix</b>	<b>Appeal Period*</b>	<b>Appeal Body</b>
Office Allocation	OFA (B)	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	CUA (C)	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	DRP/DRM (D)	15 calendar days	Board of Appeals
EIR Certification	ENV (E)	30 calendar days	Board of Supervisors
Coastal Zone Permit	CTZ (P)	15 calendar days	Board of Appeals
Planning Code Amendments by Application	PCA (T)	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	VAR (V)	10 calendar days	Board of Appeals
Large Project Authorization in Eastern Neighborhoods	LPA (X)	15 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts	DNX (X)	15-calendar days	Board of Appeals
Zoning Map Change by Application	MAP (Z)	30 calendar days	Board of Supervisors

\* Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission

hearing). Appeals of Zoning Administrator decisions on Variances must be made within 10 days from the issuance of the decision letter.

**\*\*An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.**

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

An appeal of the approval (or denial) of a **100% Affordable Housing Bonus Program application** may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Sections 328(g)(5) and 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** issued (or denied) pursuant to a 100% Affordable Housing Bonus Program application by the Planning Commission or the Board of Supervisors may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

### **Challenges**

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

### **CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code**

If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

### **Protest of Fee or Exaction**

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

The Planning Commission's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.