

SAN FRANCISCO PLANNING COMMISSION



DRAFT – Meeting Minutes

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

Thursday, November 13, 2014
12:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards

THE MEETING WAS CALLED TO ORDER BY PRESIDENT WU AT 12: 09 P.M.

STAFF IN ATTENDANCE: John Rahaim – Planning Director, Marcelle Boudreaux, Andrew Perry, Sharon Lai, Diana Sokolove, Kanishka Burns, Pilar LaValley, Sara Velve, Christine Lamorena , and Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

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.

16. [2013.1590D](#) (E.TUFFY: (415) 575-9191)
461 27th STREET - south side between Noe and Sanchez streets; Lot 033 in Assessor's Block 6591 - **Request for Discretionary Review** of Building Permit Application No. 2013.11.21.2535 proposing expansion of the existing single family residence. The project

Oriented), 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Preliminary Recommendation: Approve

SPEAKERS: None
 ACTION: Approved
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19273

3. [2014.0165C](#) (S. LAI: (415) 575-9087)
1661 PINE STREET - south side of Pine Street and north side of Austin Street, between Van Ness Avenue and Franklin Street; Lot 030 in Assessor's Block 0666 - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 243, 253, 303 and 304 to modify the existing residential care facility (San Francisco Towers) and Planned Unit Development (PUD) including addition of habitable area, reduction of parking, change of use, resulting in the modification of the conditions of approval under Case No. 1989.037C, within the RC-4 (Residential-Commercial Combined, High Density) and NC-3 Zoning Districts, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-E Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19274

C. COMMISSION MATTERS

4. Consideration of Adoption:
- [Draft Minutes for October 23, 2014](#)
- SPEAKERS: None
 ACTION: Adopted
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
5. 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.

Commissioner Moore:

I would like to ask Zoning Administrator Sanchez about the status update on the Academy of Art.

Scott Sanchez, Zoning Administrator:

Thank you, so we did send a memo to the Commission in early October informing the Commission of the status at that time. Since that time, we continue to make progress with the Academy. We can provide an additional written memo to the Commission, as well, or an update hearing to the Commission, if you would like or if there are other specific questions, but we did have, recently had an enforcement actually related to 2295 Taylor Street, which is one of the properties that the Academy cannot legalize in its current use size and the Board of Appeals had a hearing scheduled for that a couple weeks ago. The Academy withdrew their appeal, and as with this case, as with other cases, they have stated they do not have or contest in any way, the fact that they are in violation, so they are admitting and moving forward that they do need to legalize these properties, so we do again see that as progress. So, that's kind of in a nutshell, but if you – the EIR, we continue to make progress on that. We estimate publishing of the Draft EIR, if, probably in December at this point, at the outside, possibly January, but again, they do have a new legal counsel that they retained several months ago and we have been working and making very good progress with them.

Commissioner Moore:

The question I would like to ask, that's in response not to only the Commission, but also the public having repeatedly stated serious concerns about the Academy as late or as early as in April. I think it was in April you issued a stern drop-dead warning, that as of any day after at the then, agreed upon date of the EIR completion you would be levying fines. Now we are hearing and I am not critical, I am just standing outside the process, just assuming that your administering it, that we are perhaps December, perhaps January, within that vagueness, I think there is somewhat a question about your judgment in April, where you indeed said as of, I think it was November 3rd or something early in the month this will happen. Where does it leave you to relative to making your word and your opinion stern and enforceable?

Scott Sanchez, Zoning Administrator:

I think that the sternness of that message back in April, which did it result in a substantial change and attitude on the part of the Academy of Art and subsequent to that, we have made substantial progress on the EIR. The initial deadline that we had was November 1st and I think that probably in retrospect that might have been a little bit ambitious on our part in considering our staffing needs in the other development projects that staff is also working on, this is very much a priority and we have made it as such, but it is, again, quite complex. Staff, we have a continuous dialogue with our staff and with the Academy of Art's new attorneys and their staff, and the reports that I'm getting back from staff is that we continue to make good progress, that they are working diligently on this and they don't have any concerns at this point about the Academy delaying or seeking to delay the completion of the Draft EIR.

Commissioner Moore:

To round off my questions, this is the last one, this is not a conversation, but a question to you, as the Academy continues to acquire large properties, the last one I heard of is Aaron's Bakery is on Van Ness between Jackson and Washington I think where the property is located, huge additional holdings are being brought into the portfolio. How can the EIR address a constantly changing set of base conditions?

Scott Sanchez, Zoning Administrator:

That's an excellent question. I have confirmed that that property had been acquired by Elisa Stephens. I'm waiting for a report back from Dr. Stevens about what the intended use of that property is. It's our understanding, initially, that it is not intended for use by the Academy of Art University. Going back several months and years on this, it has never been a violation for them to acquire property. The violation is the change of use without authorization. In this case, after I was made aware of the allocation they had purchased this property I had to go out and do a site visit and they are not operating it in any way and I did get confirmation after the site visit that they had acquired the property, but there is no evidence that they are using it illegally.

Commissioner Moore:

Well they're not in the bakery business, it was a bakery and we all understand how that works.

Jonas Ionin, Commission Secretary:

Commissioners, I think we're beginning to get into a discussion on this topic and I would like to remind you, that it's not agendaized. If we could maybe move on to a different topic and if we so chose, we could agendaize this on a later date.

Commissioner Richards:

I have a couple things, first one, I guess I should have brought this up last week, we had a couple of States that passed Medical Cannabis, Cannabis Laws the last election cycle: Oregon, Alaska, Guam and District of Columbia, joined Colorado and Washington, but I understand that California is going to have a ballot initiative in 2016 and I know there's really no movements from a State Government point of view to try to regulate this. I'm wondering, with this kind of train coming down the tracks, is there anything going on from our situation from a City point of view. If this passes how we're going to handle it? Do we have any thoughts on where we are going to put these things? If it's going to be sold, where? Would it be in Walgreens or will they be in existing MCDs? Any discussions happening?

Director Rahaim:

The short answer Commissioner is no, but because partially it depends in the specifics of the ballot measure, whether, -- it all depends what happens at the State level in terms of the actual legislation that comes forward. I mean if it is 2016 it's two years down the road, we do have some time to kind of -- once there's an official ballot measure we can figure out what might happen if it passes.

Commissioner Richards:

The second one, I guess connecting the dots, Sue Hestor who is not here today, got up at the beginning of the meeting two meetings ago and she talked about having a residency requirement for large projects, actually had lunch with Ken Rich from the Mayor's Office and he was talking about this residency requirement. Apparently, there is a study done. I don't know what study they are referring to; does anybody know what study was done and how many units were sold where people don't actually live here? They match tax records with the occupancy? Does anybody have any idea what study people are referring to?

Director Rahaim:
I don't. I am sorry.

Commissioner Johnson:
I mean, I, can get back to you.

Commissioner Wu:
We do have to be careful about having a discussion.

Commissioner Richards:
I think it might be an item, a nice item to talk about in the future and I then guess one other quick one to Commissioner Fong, I've been thinking about the whole action item list and the data and all that, and every time I think about it, it keeps getting bigger and bigger, so I promise by next week I'll have something to you on kind of how we want to use it and move it forward and I would still love to participate.

Commissioner Johnson:
Thank you, just a couple of quick things so I know President Wu, that we do have some tasks on the Board to get a subcommittee together or otherwise some meeting together to talk about all the requests that various commissioners have made, but I do want to reiterate one that will take a little bit more forethought, I really want to see a joint meeting with SFMTA happen in the first quarter of next year and I know that both Commissions or Boards are very busy, so I would love to see a meeting date by the end of the year, so that we can actually coordinate it and make sure it happens in the first quarter of next year. The second thing is, I thought about this, I saw Commissioner Richard's request for the continuance of the 27th Street item. I reviewed that before I got here. I was looking at the drawings and I don't think I've mentioned this before, because I hate creating work for people, but it's now been a few times, in my short months here that we've had DR items that have been continued because the drawings were done improperly or were not clear. So, I would like to see, I'm looking at Zoning Administrator, I don't know if it is the Zoning Administrator, either a memo or some sort of verbal update on what guidance we give people for the creation of documents for residential construction or rehab. If we're seeing the tip of the iceberg, because we only see when it comes as a DR here, I've got to believe that there's more issues under the surface with people sort of providing anything from a sketch on a napkin all the way up to a full blown renderings and everything in between, and I would love to know what guidance we give people on what sort of documents and drawings to give the Department.

Scott Sanchez, Zoning Administrator:
Just a quick response to that, so the first step, since these are building permit applications, they must meet these minimum standards required by the Department of Building Inspection for submittal with the building permit application. The second step is under Section 311, there are additional requirements, additional details that must be on the plans in addition to what the Building Code requires. This is something that is implemented by our Current Planning Division and I can follow-up with them and ensure that all the standards of Section 311 are been applied here appropriately and also have some additional discussions with Department of Building Inspection if needed.

Commissioner Johnson:

Excellent. I'll just add that, I know we talked about potentially having a follow-up meeting with the Building Inspection Commission and potentially that can be another agenda item, I echo what you said, I know there are some requirements, but obviously they're either really broad or people are not following them, because we've seen a number of cases where the documentation provided was very unclear.

Commissioner Wu:

In addition, there are guidelines in our rules and regulations too, is that correct, that I know we worked on that quite extensively.

Commissioner Moore:

They were never updated to address the contradiction within the Department verbiage regarding five sets of submittals that would be easy to address if somebody would pick them up, it was submitted prior to the new Commissioners being on. I'd be happy to take the Commission through this again. We can also meet with DBI to discuss it. It's very simple and would help a great deal to create less ambiguity in what it is expected.

Commissioner Antonini:

A few things, I had a meeting recently with one of the project sponsors for 1140 Folsom, which is a PUD that is going to be coming before us next week. Just as a point of information, my office is in the Cow Hollow area and I drive by errands, a bakery, I think, it has been closed four or five years, not that it makes any difference but, it has not been in operation for quite a while and finally to the request by Commissioner Moore for projects to give us update of how many of their residents are full-time residents and how many work in San Francisco and other types of things we've had that voluntarily from a couple of projects that I remember, particularly, I think it was for The Infinity and they did have surprisingly high numbers of all three categories, full-time residents working in San Francisco and the number of units that had children as part of their units. Anyway, I think it would be a good idea to try to have some kind of a policy where we suggest to project sponsors, if possible, consistent with privacy for their buyers of their units, to try to give us some kind of an idea, so we can we can dispel a lot of the talk that goes on about the fact that their all pied-a-terres or other things, so it would be good to have those figures, so if there is a way we can do it without infringing on the privacy of the occupants.

6. Commission Action Prioritization

D. DEPARTMENT MATTERS

7. Director's Announcements - None
8. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

BOARD OF SUPERVISORS:

No Report

BOARD OF APPEALS:**Scott Sanchez, Zoning Administrator:**

Board of Appeals did meet last night and no items of particular interest to the Commission to report on, but I would note that Vice-President Arcelia Hurtado has resigned from the Board of Appeals. She has a kind of has a very busy schedule. She is the Assistant General Counsel for the State Agricultural Labor Relations Board. It's a relatively a new position for her, so that's been taking up quite some time and I know it's with great regret that she has resigned from the Board of Appeals. She's been at the Board for about two and a half years, has been, I think, an excellent commissioner, gives thoughtful and insightful comments on these cases. This will leave a vacancy of one of the Board appointees on the Board of Appeals. They will be down to four members, so in order to overturn it will be three of the four sitting members to overturn any decisions.

HISTORIC PRESERVATION COMMISSION:

No Report

E. GENERAL PUBLIC COMMENT – 15 MINUTES

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.

SPEAKERS: Dino Adelfio – A credit to everyone for their good work, outreach opportunities, more trees
(M) Speaker – Plan accuracy

F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

9. (D. SOKOLOVE: (415) 575-9112)
[FOOD AND BEVERAGE CLUSTER REPORT](#) – **Informational** presentation on the City's food and beverage manufacturing and distribution sectors, "Makers & Movers Economic Cluster Strategy."
Preliminary Recommendation: None - Informational

SPEAKERS: None
ACTION: None – Informational

10. [2014.1167I](#) (K. BURNS: (415) 575-9112)
[PLANNING CODE AMENDMENT TO ALLOW EXEMPTIONS ABOVE THE HEIGHT LIMIT FOR HOSPITAL MECHANICAL EQUIPMENT](#) – **Planning Code Amendment** to allow exemptions above the height limit in Code Section 260 for hospital mechanical equipment so long as it

is 1) not higher than the highest point of the existing rooftop enclosure; 2) has minimal visual impact and maximum architectural integration; 3) is necessary for the function of the building; and 4) no other feasible alternatives exist; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1.

Preliminary Recommendation: Adopt a Recommendation for Approval

SPEAKERS: + Abby Yant – Available for questions
 ACTION: Adopted a Recommendation for Approval
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
 RESOLUTION: 19275

- 11a. [2013.1601XV](#) (K. BURNS: (415) 575-9112)
690 MARKET STREET - Northeast corner of the intersection of Market Street, Geary Street and Kearny Street; Lots 016-019 in Assessor's Block 0311 - Request for **Downtown Project Authorization** to amend the conditions of approval for a previously-approved project to construct an eight-story vertical addition and change the use from office to residential and time-share hotel units to provide 106 residential and hotel units (Case No. 2004.0584EKXCMTZLU). Pursuant to the requirements of Section 134, the minimum required rear yard depth shall be equal to 25% of the total lot depth at the lowest story containing a dwelling unit and at each succeeding level or story of the building. The Project Sponsor proposes to amend the conditions of approval for the previous Downtown Project Authorization to convert 24 vacant timeshare hotel units into dwelling units within a building with full lot coverage that is unable to provide the 25% required rear yard. The project site is located within a C-3-O (Downtown Office) Zoning District and 285-S Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Scott Emblidge – Project presentation
 ACTION: Approved with Conditions
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
 MOTION: 19276

- 11b. [2013.1601XV](#) (K. BURNS: (415) 575-9112)
690 MARKET STREET - northeast corner of the intersection of Market Street, Geary Street and Kearny Street; Lots 016-019 in Assessor's Block 0311 - Request for **Variations** pursuant to Planning Code Section 305, 135 and 140 to provide less residential open space than is required by the Planning Code and provide one dwelling unit in the subject building that does not meet the exposure requirements. The proposed project is to amend conditions of approval for the previous Downtown Project Authorization to convert 24 vacant timeshare hotel units into dwelling unit with a building with full lot coverage (Previous Case No. 2004.0584EKXCMTZLU). The project site is located within a C-3-O (Downtown Office) Zoning District and 285-S Height and Bulk District.

SPEAKERS: Same as Item 11a.
 ACTION: ZA Closed the PH and indicated an intent to Grant

12. [2011.1388X](#) (P. LAVALLEY: (415) 575-9084)

110 THE EMBARCADERO/115 STEUART STREET - midblock between Mission and Howard Streets; Lot 002 in Assessor's Block 3715 - Request for **Downtown Project Authorization** Hearing of a proposed Administrative approval of Building Permit Application No. 2013.12.17.4360 pursuant to Planning Code Sections 309(d) and (g). The proposed project consists of: 1) vertical addition of a third story, roof deck, and circulation penthouse to the existing two-story-over basement building; 2) replacement of the Embarcadero façade and restoration of the Steuart Street facade; and 3) rehabilitation of the building for office and assembly use for the Commonwealth Club of California. The proposed project is not seeking any Planning Code exceptions and the Department is not recommending any modifications to the project design. The project site is located within the C-3-O (Downtown Office) Zoning District and 84-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: + Marsha Maytam – Design presentation
+ Michael Therieux – Support for approval
+ Ron Miguel – Meticulous plans
- David Osgood – Negative impacts to the Embarcadero Street façade
- Jim Worshell – Presentation alternative
+ (F) Speaker – Incomprehensible
- Peter Nasattier – Deny the permit and rescind the PMND
- (M) Speaker – Heinz project history relations
+ Chris Reiss – Thought given to the historical events
+ Kevin O'Brien – Improvement to the area
- Hiroshi Fukuda – Historic site

ACTION: Approved with Conditions
AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
MOTION: 19277

G. DISCRETIONARY REVIEW CALENDAR

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

13. [2014.0676D](#) (S. VELLVE: (415) 558-6263)
228 17TH AVENUE – east side between California and Clement Streets; Lot 029 in Assessor's Block 1417 - **Mandatory Discretionary Review**, pursuant to Planning Code Section 317(d), of Demolition Permit Application No. 2014.05.06.5004 and New Construction Permit Application No. 2014.05.06.5011 proposing to demolish a one-story, one-unit building with detached one-car garage and construct a four-story, two-unit building with four off-street parking spaces within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
Staff Analysis: Full Discretionary Review

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: + Jeremy Schaub – Project description
 ACTION: Did not take DR and Approved
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
 DRA No: 0391

14. [2012.0909D](#) (C. LAMORENA: (415) 575-9085)
690 PAGE STREET - northeast corner at Steiner and Page Streets; Lot 016 in Assessor's Block 0843 - Request for **Discretionary Review** of Building Permit Application Nos. 2013.05.21.7455, 2013.05.21.7457, 2013.05.21.7462, 2013.05.21.7463, and 013.05.217464, proposing to demolish an existing one-story building and surface parking lot and construct four residential buildings with three dwelling units each, totaling 12 dwelling units within a RM-1 (Residential, Mixed, Low-Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Staff Analysis: Full Discretionary Review
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: - Michel Bechirian – Disagrees with the Department's findings
 - Chris Bien – Support for DR
 + Mark Loper – Project presentation
 + Gary Gee – Design presentation
 + Janet Burgiss – Support
 + Steven Olbash – Support
 + Jeremy Schaub - Support
 ACTION: Do not take DR and Approved
 AYES: Wu, Fong, Antonini, Hillis, Johnson, Moore, Richards
 DRA No: 0392

15. [2014.0553DD](#) (L. AJELLO: (415) 575-9142)
3768-3770 FILLMORE STREET - east side between Marina Boulevard and Jefferson Street; Lot 038 in Assessor's Block 0436C - Requests for **Discretionary Review** of Building Permit Application No. 2014.03.19.1107 proposing to construct a fourth floor addition and two third-story roof decks above a three-story three-unit building located within a RH-2 (Residential House, Two-Family) District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.
 Staff Analysis: Abbreviated Discretionary Review
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve
WITHDRAWN

SPEAKERS: None

H. 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 with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: Harvey Lang – Fraud and corruption
Evangelist La Vonne McIntosh – Corporate corruption

ADJOURNMENT – 3:53 P.M.

Hearing Procedures

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

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

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

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

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

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

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

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

1. A thorough description of the issue by the Director or a member of the staff.
2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.

5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

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

Hearing Materials

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

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

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

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

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

Appeals

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

Case Type	Case Suffix	Appeal Period*	Appeal Body
Office Allocation	B	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	C	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	D	15 calendar days	Board of Appeals
EIR Certification	E	30 calendar days	Board of Supervisors
Coastal Zone Permit	P	15 calendar days	Board of Appeals
Planning Code Amendments by Application	T	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	V	10 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts and Large Project Authorization in Eastern Neighborhoods	X	15 calendar days	Board of Appeals
Zoning Map Change by Application	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.

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.