

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

BOARD OF SUPERVISORS
SAN FRANCISCO

2018 DEC -7 PM 3:25

BY BA

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December 7, 2018

VIA HAND DELIVERY

President Malia Cohen
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Re: Appeal of CEQA Categorical Exemption Determination
Planning Case No. 2015.004717ENV
11 Gladys Street, San Francisco

Dear President Cohen and Honorable Members of the Board of Supervisors:

This office represents the Appellant David Donofrio, the adjacent neighbor to the south of the proposed project at 11 Gladys Street, San Francisco (Planning Case No. 2015.004717ENV, the "Project"). The Project involves the addition a new level to the existing house at 11 Gladys Street (the "Subject Property"). On September 29, 2017, the Planning Department issued a categorical exemption for the Project. The Appellant requested discretionary review of the Project – this request was denied by the Planning Commission on November 8, 2018.

The Appellant opposes the above-captioned Project, inter alia, on the grounds that the Planning Department's certification of a categorical exemption for the Project violates the California Environmental Quality Act ("CEQA"). The Appellant submitted comments about the Project to the Planning Commission during the public notification period for the Project, including in writing on October 4, 2018, and orally.

Pursuant to San Francisco Administrative Code § 31.16, Appellant hereby appeals the September 29, 2017, Categorical Exemption (attached hereto as **Exhibit A**), which became final on November 8, 2018, when the Planning Commission denied the Appellant's request for Discretionary Review. (Administrative Code § 31.04(h)(1)(A).) A copy of the Planning Commission's meeting minutes for November 8, 2018, is attached hereto as **Exhibit B**. A copy of this letter of appeal will be concurrently submitted to the Environmental Review Officer.

There are significant unmitigated impacts associated with the Project, including potential geotechnical impacts that have not been analyzed. The Subject Property is on a steep slope, with a 10-12' tall existing retaining wall along the southeast property line. The existing retaining wall is an unreinforced gravity wall.

The College Hill reservoir is uphill from the Subject Property, with a capacity of 13.5 million gallons of water. The City filed a building permit for seismic upgrades of the reservoir in 2000, with the scope of work described as "SEISMIC RETROFIT COLLEGE HILL RESVR WORK INCLUDES CON SHEAR WALL/FOOTINGS, STRUCT STEEL COLLECTORS WO." However, this permit was never finally signed off by the Building Department.

The reservoir has a wide, flat berm that acts as a buttress against the force of the water pushing downhill. The berm is between the reservoir and the Subject Property. Due to the steepness of the slope between the Subject Property and the reservoir (at a grade of around 30%), there is a risk that foundation work at the Subject Property or failure of the existing retaining wall would destabilize the slope. The destabilization of the slope supporting the reservoir berm could lead to a catastrophic failure of the reservoir. The potential risk of slope stability issues is small, but is a risk with catastrophic consequences, and should *be analyzed*.

The slope stability impacts of the Project have not been analyzed at any point, despite the fact that the Project will require excavation and soil disturbance. The Environmental Evaluation Application claimed that the Project will not result in excavation or soil disturbance. (A copy of the EEA is attached hereto as **Exhibit C**.) This is incorrect. The Project is adding a level, which will increase the dead, live, and seismic loads on the existing archaic foundations. In order to support the increased loading, the Project sponsor will need to retrofit or replace of the existing foundations and retaining wall – this necessarily involves excavation and soil disturbance. Indeed, the geotechnical report prepared for the Project notes that grading and excavation will occur.

However, the EEA and geotechnical report do not disclose the extent of the excavation and soil disturbance associated with the Project. Similarly, these documents fail to analyze slope conditions uphill, or the impact of excavating downhill from the reservoir. A geotechnical report should have been prepared that analyzes the slope stability and other geotechnical impacts of the Project.

Moreover, we expect the excavation required for the Project to result in cumulative soil disturbance/modification greater than eight feet below grade, so that an archeological study would be required. No archeological survey has been prepared in relation to the Subject Property, which is located in a historically populated area of the Rancho Rincon de las Salinas (an 1839 Mexican land grant), near Cayuga Creek and the road to San Jose (now known as San Jose Avenue). Given the excavation work that will be required at the Subject Property, an archeological study should have been prepared.

President Malia Cohen
December 7, 2018
Page 3

The Appellant reserves the right to submit additional written and oral comments, bases, and evidence in support of this appeal to the City up to and including the final hearing on this appeal and any and all subsequent permitting proceedings or approvals for the Project. Appellant requests that this letter and exhibits be placed in and incorporated into the administrative record for Case No. 2015.004717ENV. The Appellant respectfully requests that the Board of Supervisors revoke the categorical exemption and require further environmental review pursuant to CEQA.

Very truly yours,
ZACKS, FREEDMAN & PATTERSON, PC



Sarah M. K. Hoffman
Attorney for David Donofrio

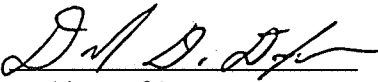
cc: Lisa Gibson, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
lisa.gibson@sfgov.org

Michael Christensen
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
michael.christensen@sfgov.org

December 6, 2018

I hereby authorize the attorneys of Zacks, Freedman & Patterson, PC to file an appeal against the Categorical Exemption Determination for Planning Case No. 2015.004717ENV (11 Gladys Street) on my behalf.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Donofrio", written over a horizontal line.

David Donofrio
19 Gladys Street

EXHIBIT A



**SAN FRANCISCO
PLANNING DEPARTMENT**

BOARD OF SUPERVISORS
SAN FRANCISCO

2016 DEC -7 PM 3:25

BJ

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
11 Gladys Street		5710/027	
Case No.	Permit No.	Plans Dated	
2015-004717ENV	2016.1208.4425	06/01/2016	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Approx. 660 sq. ft. third story vertical addition to the existing two-story, single-family dwelling.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ___

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the <i>Residential Design Guidelines</i> .
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input checked="" type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input checked="" type="checkbox"/>	<p>10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p><input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: _____ (attach HRER)</p> <p>b. Other (specify): Per PTR form approved by T. Tam signed 03/20/2017.</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p>	
<p>Preservation Planner Signature: Doug Vu Digitally signed by Doug Vu Date: 2017.03.21 10:43:04 -07'00'</p>	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Doug Vu</p> <hr/> <p>Project Approval Action:</p> <p>Building Permit</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <p>Doug Vu</p> <p>Digitally signed by Doug Vu Date: 2017.09.26 15:12:11 -07'00'</p>
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Preservation Team Meeting Date:	N/A	Date of Form Completion:	2/27/2017
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PROJECT INFORMATION:		
Planner:	Address:	
Doug Vu	11 Gladys Street	
Block/Lot:	Cross Streets:	
5710/027	Santa Marina Street & Appleton Avenue	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2015-004717ENV / 2016.1208.4425

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	06/01/2016
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Supplemental for Historic Resource Determination prepared by Tim Kelley Consulting, dated September 2015.	

PRESERVATION TEAM REVIEW:			
Category:	<input type="radio"/> A	<input type="radio"/> B	<input type="radio"/> C
Individual	Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 2 - Persons: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 3 - Architecture: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 4 - Info. Potential: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Period of Significance: <input type="text"/>	Period of Significance: <input type="text" value="N/A"/>		
<input type="radio"/> Contributor <input type="radio"/> Non-Contributor			

Complies with the Secretary's Standards/Art 10/Art 11	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment to the individual historic resource	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
CEQA Material Impairment to the historic district	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

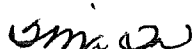
PRESERVATION TEAM COMMENTS:

The up- and laterally-sloping property at 11 Gladys Street was originally improved with a two-story single-family dwelling constructed in 1941 in a vernacular traditional style. The house has a roughly L-shaped footprint that is clad in stucco and rustic siding, and capped with a flat roof behind a false hipped eave supported by false rafter tails. The primary facade includes a roll-up garage door and small window at the ground story, and a second story that has a bump-out at the left side with a small corner hung wood sash window and tripartite window to the right underneath a false gable, and the floors separated by scalloped trim. A courtyard is located at the southeast corner of the property, which includes brick entry stairs that run parallel to the street and leads to a diagonally set covered front entrance. The building steps back behind the courtyard at right angles to form the irregular L-shaped plan, and includes multiple wood sash windows. The majority of the buildings on this block of Bernal Heights were constructed between 1900 and 1912, with the exception of two 1940s infill homes that include the subject property.

Pursuant to the Supplemental for Historic Resource Determination prepared by Tim Kelley Consulting dated September 2015 and additional research completed by Department staff, previous alterations to the building include raising the foundation in the garage area to standard grade, installation of four aluminum windows at the primary façade and interior renovations. The subject building is not architecturally distinct and would not qualify for listing in the CA Register under Criterion 3.

The original owner and occupant, Fred Isaacson, resided shortly on the property until 1945, followed by ten unrelated owners between 1945 to present day. The current owner and resident, Robert Oliver, has resided there since 1999. An additional seven people who were unrelated to the respective owners have also occupied the residence between 1943 and 1982. No known historic events occurred at the subject property under Criterion 1, and none of the owners and occupants have been identified as important to history under Criterion 2.

The building is not located within the boundaries of any identified historic district, and is not eligible for listing in the CA Register under any criteria individually or as part of a historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator	Date
	3.20.2017

Google Maps 11 Gladys St



San Francisco, California

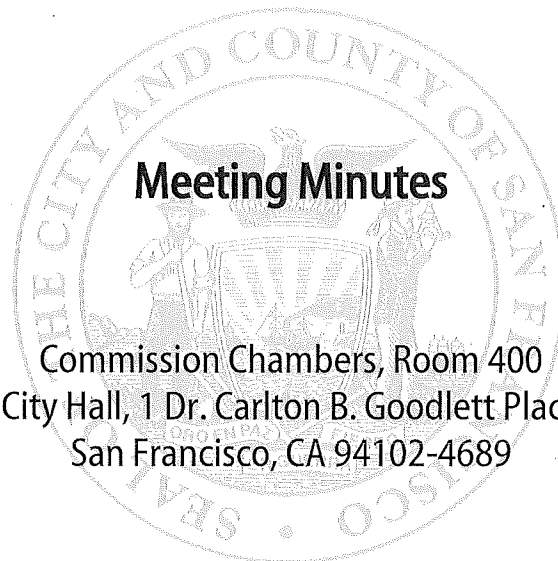
Street View - Jul 2015

<https://www.google.com/maps/@37.7400595,-122.4224517,3a,90y:111.08h:88.11v/data=!3m6!1e1!3m4!1sKSpG2W6BZgN0ckSi0G5H-gJ2e017133121816656>

Image capture: Jul 2015 © 2017 Google

EXHIBIT B

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

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

Thursday, November 8, 2018

1:00 p.m.

Regular Meeting

COMMISSIONERS PRESENT: Fong, Hillis, Johnson, Koppel, Melgar, Richards
COMMISSIONERS ABSENT: Moore

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:08 PM

STAFF IN ATTENDANCE: Aaron Starr, Tim Frye – Preservation Officer, Esmeralda Jardines, Rachel Schuett, Nick Foster, Chris May, Mary Woods, Kimberly Durandet, Michael Christensen, David Winslow, Jonas P. Ionin – Commission Secretary, Christine L. Silva – Acting 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.

1. 2017-015810CUA (L. HOAGLAND: (415) 575-6823)
830 RHODE ISLAND – located on the west side of Rhode Island Street, between 20th and 22nd Streets, Lot 006 in Assessor's Block 4094 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing two-story single-family dwelling and construct a new four-story structure with two dwelling units. The subject property is located 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).

(Proposed Continuance to December 6, 2018)

SPEAKERS: None
 ACTION: Continued to December 6, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore

2. 2016-015675CUA (A. LINDSAY: (415) 575-9178)
2990 24TH STREET – northeast corner of the Harrison Street and 24th Street intersection, Lot 040 of Assessor's Block 4206 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 763, to install a new rooftop AT&T Mobility Macro Wireless Telecommunications Facility consisting of (2) new FRP enclosures; (9) new antennas; (24) new RRHs; (1) GPS antenna; ancillary equipment; and (1) equipment room within the existing building as part of the AT&T Mobility Telecommunications Network. The subject property is located within the 24th-Mission NCT (Neighborhood Commercial Transit), and 55-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

(Continued from Regular hearing on September 13, 2018)

(Proposed Continuance to December 20, 2018)

SPEAKERS: None
 ACTION: Continued to December 20, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore

3. 2015-008351DRP-06 (D. WINSLOW: (415) 575-9159)
380 HOLLADAY AVENUE – between Holladay and Brewster; Lots 001, 004, 005, and 006 in Assessor's Block 5577 (District 9) - Request for **Discretionary Review** of Building Permit Application Nos. 2017.02.27.0142; 2015.06.22.9589; 2015.06.22.9593; and 2015.06.22.9594 for construction of four single family houses 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: Take Discretionary Review and Approve with Conditions

(Proposed Continuance to January 10, 2019)

SPEAKERS: None
 ACTION: Continued to January 10, 2019
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore

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.

4. 2018-009951CUA (B. HICKS: (415) 575-9054)
1541 SLOAT BOULEVARD – south side of Sloat Boulevard between Clearfield Drive and Everglade Drive, within Lakeshore Plaza Shopping Center, Lot 004 of Assessor's Block 7255 (District 7) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 713, and 780.1, to permit a change of use from retail to a limited restaurant (dba Teaspoon). The project scope of work consists of an interior remodel. The subject property is located within a NC-S (Neighborhood Commercial Shopping Center Zoning District), Lakeshore Plaza Special Use District, and 26-40-X Height and Bulk Districts. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 MOTION: 20331

5. 2018-011019CUA (L. HOAGLAND: (415) 575-6823)
400 WINSTON DRIVE – north side of Winston Drive, adjacent to the Stonestown Galleria, and generally bounded by Eucalyptus Drive to the north, Buckingham Way to the west (privately owned by Stonestown Galleria), Winston Drive to the south, and 19th Avenue to the east; Lot 004 of Assessor's Block 7295 (District 7) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.1 and 303 to allow a single retail use greater than 50,000 square feet within the C-2 (Community Business) Zoning District and 65-D 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

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 MOTION: 20332

6. 2018-008620CUA (M. CHANDLER: (415) 575-9048)
693 14TH STREET – south side between Market and Landers Streets; Lot 070 of Assessor's Block 3544 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 764, to establish an Institutional Use (dba Castro/Upper Market Community Benefit District) within a currently vacant 905 square foot ground floor tenant space most recently used as a General Retail Sales and Service Use within the Upper Market NCT (Neighborhood Commercial Transit) Zoning District, Market and Octavia Planning

Area, and split Height and Bulk district of 50/55-X & 40-X. This project was reviewed under the Community Business Priority Processing Program (CB3P). 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

SPEAKERS: None
ACTION: Approved with Conditions
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
ABSENT: Moore
MOTION: 20333

- 7. 2017-007215DRM (E. TUFFY: (415) 575-9191)
506 VALLEJO STREET – North side of Vallejo between Kearny Street and Grant Avenue, Lot 006 in Assessor’s Block 0132 (District 3) – Application for **Mandatory Discretionary Review**, pursuant to Planning Code Section 249.49, to permit the installation of a new garage within an existing three-dwelling-unit building. The subject property is located within a RM-2 (Residential – Mixed, Moderate Density), Telegraph Hill-North Beach Residential Special Use District, and 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Approve

SPEAKERS: None
ACTION: Took DR and Approved
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
ABSENT: Moore
DRA: 0623

C. COMMISSION MATTERS

- 8. Consideration of Adoption:
 - Draft Minutes for October 18, 2018
 - Draft Minutes for October 25, 2018

SPEAKERS: None
ACTION: Adopted
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
ABSENT: Moore

- 9. Commission Comments/Questions

Commissioner Richards:

I mentioned probably a year and a half ago that somebody from the SFMTA saying, a planner saying, they missed the whole transportation networking company's ride hailing, Uber and Lyft. They said, "Frankly, we were caught by surprise." A couple of Sundays ago in the San Francisco Chronicle, the headline caught my eye. They said driverless cars won't help this traffic, planner says. A noted urban planner, Peter Caltorphe, from Berkeley, actually saying if we think that self-driving cars are going to alleviate congestion, we need to think again. Because he has done simulations and the distinction that he has is a number of people that are going to be driving in each car, it's still going to be solo. When

people realize the convenience of a self-driving car, they're going to order it up. They're going to go to the dry cleaners, they're going to go and get their groceries, then they are going to go home. And he says that total vehicle miles travelled will probably increase and congestion will increase. So, I think that is one thing. I may send personally a letter to the SFMTA saying let's not miss this one too, but that was interesting. The other one was I met with Preservation Vice President, HPC Vice President Hyland. And I know we got a whole docket of things we need to talk about this year, housing, being the biggest priority. But we put together a draft, a list of items that we wanted to talk about when we have our joint HPC - Planning Commission hearing and I will send it to the secretary to circulate for a comment.

D. DEPARTMENT MATTERS

10. Director's Announcements

Dan Sider:

Commissioners, good afternoon, Dan Sider from staff, filling in for director Rahaim, who is overseas at the moment. The only very brief item for your acknowledgement perhaps today, is to call out our Commission Secretary, Jonas Ionin, and wish him a very happy birthday.

Jonas P. Ionin, Commission Secretary:

Thank you. Thank you. Thank you. So now you know why I'll be leaving early today.

11. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

Aaron Star:

Land Use Committee Last Week

- 180849 General Plan Amendment - Central Waterfront - Dogpatch Public Realm Plan. Sponsor: Cohen. Staff: Abad/Hrushowy. Recommended

At last week's land use hearing, the committee considered the Ordinance to amend the Central Waterfront Area Plan within the General Plan to incorporate the Dogpatch Public Realm Plan. Commissioners, this ordinance was originally sponsored by you, but Supervisor Cohen then took up sponsorship once it was introduced at the Board.

The Planning Commission heard item on August 23rd of this year and voted to approve the ordinance.

At the land use hearing there was no public comment and no significant comments or questions by the committee members. The Committee then voted to recommend this unanimously to the Full Board.

- 180892 Planning Code - 1629 Market Street Special Use District. Sponsor: Kim. Staff: Sucre. Recommended
- 180891 Development Agreement Amendment - Strada Brady, LLC - Market and Colton Streets. Sponsor: Kim. Staff: Sucre. Recommended

Next on the agenda were the amendments to the 1629 Market Street SUD and the Development Agreement for 1629 Market Street. Commissioners, you heard these items on October 11 of this year and voted to approve both.

At the land use hearing there were two speakers in favor of the proposed amendments, and no significant questions or comments from the Committee members. The Committee voted to recommend these items to the Full Board.

- 180911 Planning Code - Inclusionary Housing Ordinance. Sponsor: Mayor. Staff: Grob. Recommended as Amended

The Committee then heard The Mayor's proposed ordinance that would extend the entitlement for grandfathered projects w/ lower inclusionary rates for 30 months. Commissioners you heard this item on 10/18 and approved it without modifications.

At the Commission hearing, public comment was mixed, but at this hearing, many members of the development community came to discuss potential impacts to projects, and challenges in the Development process. Those that spoke in opposition stated it went against the will of the voters who voted to increase the Inclusionary rate to 25%.

Committee member comments and questions were mainly specific to projects included on the list of affected projects. The Committee then voted to amend the ordinance to change the 30-month time frame to 18 months from the date of entitlement, and to exclude unentitled projects. The Committee then recommends the amended ordinance to the full board.

Land Use Committee This Week

- 151258 Planning Code - Affordable Housing Requirement and Fee in Divisadero Neighborhood Commercial Transit District. Sponsor: Brown. Staff: Bintliff.

At the land use hearing this week, the committee first heard Supervisor Brown's ordinance that would establish specific inclusionary housing requirements in the Divisadero Street NCT district. Commissioners you heard this item on June 30, 2016 and voted to approve with modifications. This item was continued from the October 22 Land Use hearing.

The ordinance was amended so that the inclusionary rates for Divisadero would be 23% for owner occupied units and 20% for rental housing. The Fillmore NCT was also take out of the proposed ordinance and will be subject to the city-wide inclusionary requirements.

The Land Use Committee voted unanimously to accept the amendments, and to continue the ordinance to the November 5 Land Use Committee meeting to allow time for the fee change to be properly noticed.

- 180776 Planning Code, Zoning Map - 430-29th Avenue Special Use District. Sponsor: Fewer. Staff: Butkus.

The Committee then considered Supervisor Fewer's ordinance that would create the 430-29th Avenue SUD to allow social services in an RH-2 zoning district on property owned by a church. Commissioners, you heard this item on October 11 this year and recommended approval with modifications. The modification was to ensure that there would be no on-site services provide.

During the hearing Supervisor Kim gave Supervisor Fewer's opening remarks and proposed the ordinance be amended to include the Commission's recommendation. That amendment was added without objection. There was no public comment on this item and it was recommended to the Full Board with a positive recommendation.

- 180806 Planning Code - Temporary Pop-Up Retail, Flexible Retail, and Arts Activities Uses. Sponsors: Tang; Safai, Fewer, Brown and Cohen. Staff: Butkus.

Next, the Committee considered Supervisor Tang's Flexible Retail ordinance. Commissioners you heard this item on October 18 and voted to approve with modifications. Those modifications included items Supervisor Tang had presented to the Commission, which staff also recommended. After the Commission heard the item, Supervisor Tang reintroduced the ordinance to include the Commission's recommendation. Those recommendations were to:

1. Require that specific uses within the definition of Flexible Retail definition be principally permitted in the underlying zoning district in order to operate under the Flexible Retail Use;
2. Clarify that all other department's required approvals still apply;
3. Require that to establish and maintain a Flexible Retail Use, the site must operate at least two of the sub uses at any given time;
4. Amend Planning Code Section 205 to create a new "60-Day Pop-Up Temporary Use" permit;
5. Include Supervisor Districts 1, 5, 10 & 11 in the legislation;
6. Include NCT, NC-S and NC-3 Districts in the legislation;
7. Redefine the boundaries of the legislation to state geographical markers, rather than by using Supervisorial Districts; and
8. Amend all NCD's and NCT's in the participating Districts to Permit Arts Activities Uses.

The Supervisor also amended the ordinance to allow Flexible Retail uses 90-days to find replacement sub-uses before becoming non-compliant.

There was no public comment on this item and the committee voted to forward the time to the Full Board with a positive recommendation.

- 181028 Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions. Sponsor: Kim. Staff: Chasan.

Next the Committee considered Supervisor Kim's Better Streets Ordinance. Commissioners, you may recall that this item was duplicated on October 22, and the duplicated file was amended to remove minimum parking requirements citywide, as recommended by the Planning Commission at its October 18 hearing.

During the hearing, Supervisor Kim gave a comprehensive overview of how the proposed amendment fits with existing city goals and policy, how most zoning districts no longer have minimum parking controls, and how we already have removed minimum parking requirements city wide by allowing bike parking to replace any car parking space.

Planner Paul Chasan largely reiterated the same comments and affirmed that parking maximums would remain the same. Further the city is most often pushing to reduce parking proposed by developers and hasn't in recent memory every ask developers to increase parking.

About a dozen people spoke during public comment, all in favor. Speakers included representatives from the SFMTA, the CTA, SPUR, Livable City, Walk SF, SF Bicycle Coalition, HAC, and members from SF YIMBY Action. All expressing full support for this amendment and the direction it would take the city in meeting its environmental and public safety goals.

Supervisor Safai was skeptical of the proposed change citing the need families have to use their cars on a daily basis, and the lack of transit options in his district as justification for opposing the proposed amendment. In response staff and Supervisor Kim reiterate that this did not lower parking maximums or prevent any developer or homeowner from having parking.

Supervisor Tang was concerned about the lack of outreach on this proposed change and said she would feel more comfortable with the amendment if more outreach was done. In the end the Committee voted to continue the item to the November 26 land use hearing. They also requested that in the interim Planning Staff and Supervisor Kim's office outreach to groups in their community. Staff is currently in the process of setting up those meeting with Supervisor Kim's office.

- 180490 General Plan Amendments - Central South of Market Area Plan. Sponsor: Planning Commission. Staff: Chen. Item 7
- 180185 Planning Code, Zoning Map - Central South of Market Special Use District. Sponsors: Mayor; Kim. Staff: Chen. Item 8

- 180453 Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District. Sponsors: Mayor; Kim. Staff: Chen. Item 9
- 180184 Administrative, Planning Codes - Central South of Market Area Plan. Sponsors: Mayor; Kim. Staff: Chen. Item 10
- 180612 Administrative Code - San Francisco Special Tax Financing Law - Central SoMa. Sponsors: Mayor; Kim. Staff: Chen.

Finally, the Committee heard again the Central SoMa suite of amendments. Supervisor Kim introduced the following key amendments at last week and this week's land use hearing:

1. Rezoning a 150' by 200' portion of the Flower Mart site from CMUO to MUR to encourage housing production at the project.
2. Eliminating the incentive for POPOS to provide playgrounds, community gardens, sport courts, and dog runs.
3. Prohibiting SRO and group housing uses in the Plan Area, except for certain uses, including 100% affordable projects, student and senior housing, and residential care facilities.
4. Requiring that Key Sites that include office or hotel uses provide a child care facility on site, subject to review by the Planning Commission; and
5. Restoring the funding for the US Mint from \$15 million to \$20 million dollars

There were 14 commenters during public comment, their remarks including:

- Feedback from several Flower Mart vendors and the project sponsors that residential uses on the site would not be compatible with market operations. They also said they plan to acquire and dedicate land elsewhere for affordable housing if the Flower Mart site is allowed to remain commercial; and
- A call to reject the prohibition on SRO/group housing uses, given the potential for affordable modular housing and other emerging housing types

Supervisor Tang asked OEWD to describe the capital planning process for the Old Mint and why the \$20 million in funding from Central SoMa is important. Supervisor Safai expressed that that the Flower Mart site should remain CMUO, and any future affordable housing contribution from the project could be decided during the Development Agreement process

The Committee did finally vote to forward the Plan out of Committee and to the Full Board for a hearing on November 13th, with the amendments.

Full Board

- 180803 Planning Code - Mission Alcoholic Beverage Special Use District and Mission Street Neighborhood Commercial Transit District. Sponsor: Ronen. Staff: D. Sanchez. Passed First Read
- 180910 Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts. Sponsor: Kim. Staff: Butkus. Amended to allow the removal of general advertising signs, and Passed First Read
- 180914 Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions. Sponsor: Kim. Staff: Chasan. Passed First Read
- 180849 General Plan Amendment - Central Waterfront - Dogpatch Public Realm Plan. Sponsor: Cohen. Staff: Abad/Hrushowy. Passed First Read
- 180836 Hearing - Appeal of Determination of Exemption From Environmental Review - Washington Square Water Conservation Project. Staff: Special Order 3:00 PM, Items 27-30 Continued to November 13, 2018.
- 180956 Hearing - Appeal of Determination of Community Plan Evaluation - 2750-19th Street. Staff: Horner. Appeal Denied

And finally the Board heard the appeal for 2750 19th Street. This project includes the demolition of three existing industrial buildings and the construction of a six-story, mixed-use building with approximately 10,000 square feet of ground-floor PDR, and 60 residential units. This commission heard this item on August 23, 2018 and approved it as a Large Project Authorization.

The Appellant appealed the Community Plan Evaluation (CPE) citing that:

1. The Eastern Neighborhoods EIR analysis is out-of-date, so cannot be relied upon for a CPE;
2. The CPE does not consider the gentrification and displacement effects of the proposed project; and
3. The Eastern Neighborhoods EIR is not valid because the Plan's Public Benefits Plan is not fully funded.

All the issues raised have been presented in previous CEQA appeals, including those of 2675 Folsom Street, 1296 Shotwell, 901 16th Street and 2918 Mission Street.

Public comment reiterated the above points of the CEQA appeal. Commenters also referred to the merits of the project, including the need for more affordable housing in the Mission. The proposed project includes replacement of demolished PDR and an agreement for the current PDR tenant to return to the project's PDR space, once completed. Some public comment expressed concern that the PDR space could become non-PDR space without Department approval; other public comment expressed a desire for a stronger guarantee of a local PDR tenant if the current tenant chose not to return.

Supervisor Ronen and President Cohen asked questions and provided comments. Both discussed transportation issues, including the growth of TNCs. Department staff provided a brief reply on its ongoing efforts to update its Transportation Analysis Guidelines.

In the end, the appeal was denied and CPE affirmed by a unanimous vote.

Commissioner Richards:

Just one question Mr. Starr. I know that you mentioned 901 16th Street and the appeal on all these different projects based on the community plan EIR. If you could maybe for next week, see where the appeal of the 901 16th Street is in the courts. They actually appealed the EIR. The eastern neighborhood's EIR and they still winding its way through the courts. If you could get a status, I would really appreciate it.

Aaron Starr:

Sure, I'll ask Environmental Planning for that.

Commissioner Richards:

Thank you.

Jonas P. Ionin, Commission Secretary:

I will remind members of the public that you can't block the doors and stand in front of the doors. There is a button that automatically opens the door up against that wall. So, if you are leaning up against it, it might be opening and closing the door. I am not going to arrange for an overflow room yet because I think there are a number of speakers here under general public comment that may end up vacating some seats.

Commissioners, the Board of Appeals met last night and considered the Large Project Authorization for 2750 19th Street. The Commission held multiple hearings on this item before approving it last summer. The Board upheld the approval; however, added a condition of approval requiring ground floor PDR in perpetuity. While the Commission's approval included the PDR use as part of the project, this condition will require to remain and prohibit a change to a non-PDR use.

Tim Frye, Preservation Officer:

Good afternoon Commissioners, Tim Frye, Department Staff. I am here to share with you a few items from yesterday's Historic Preservation Commission hearing. Also, I would like to update you on the six pending Mills Act applications. Those items were heard at the Government Audit and Oversight Committee yesterday and were given a favorable recommendation and will be forwarded to the Full Board for a vote next week. One Certificate of Appropriateness that I think would be of relevance to you, because this Commission will consider a Conditional Use Authorization forward in the near future. That is 3620 Buchanan Street. The location of the SF Gas and Light Company building and Merryvale Antiques. The property is Landmark No. 58. It was designated in 1973 and as such has a very lean case report and local designation ordinance. To that effect, there is a garden structure on the site that appears to be noncontributing. However, the designating ordinance is silent. There is a proposal right now to build eight residential units on the side of that garden structure. The staff determined that the garden structure was

noncontributing to the site. However, some Commissioners still have concerns over the design of this project. And a motion to continue failed at the hearing +4 to -3, to refer it back to the Architectural Review Committee of the Commission. There was then a motion to approve the project as proposed with department recommendations. The reason for the motion to approve, the Commissioners cited that the project sponsor had complied with all the recommendations from the previous Architectural Review Committee hearing of the HPC and felt that the project should move forward as proposed. That motion passed +4 to -3 as well and again, as there was a good deal of public comment, also stating concern over the overall massing and location of the new structure, these items will likely come up at your hearing as well. In addition to that item, there were two Landmark Designations that are moving forward to the full board. The first one, if I can get the overhead, is 2 Henry Adams Street. As you are probably aware from the news, this item had been tabled for some time at the Full Board, or this nomination. Supervisor Cohen reintroduced the item so the property owner may take advantage of more flexible zoning uses at the site which are afforded by the Planning Code for landmark properties. The Commission voted unanimously to forward that recommendation to the Board of Supervisors for approval. The second designation is for 22 Beaver Street. This is a property from the 1870's and has been designated with the help of Commissioner Richards for the Benedict-Gieling house. This property is a unique property in the neighborhood and in San Francisco due to its rarity and its age. And again, the Commission felt it warranted local designation for Article 10. And we believe both of these items will be heard within the next few weeks at the full Board of Supervisors. And that concludes my comments, unless you have any questions.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Anastasia Yovanopoulos – 1979 Mission
Chirag Bhakta – 1979 Mission
Hans Art – 1979 Mission
Jeff Waltz – 1979 Mission
Gwen Kaplan – 1979 Mission
Sherman King – 1979 Mission
Angelica Santiago – 1979 Mission
Bobby Garcia – 1979 Mission
Isaiah – 1979 Mission
Hazel Lee – 1979 Mission
Theresa Wong – 1979 Mission
Joseph Silva – 1979 Mission
Aly Cunningham – 1979 Mission
Donnisha Tucker – 1979 Mission
Speaker – 1979 Mission
Xochitl Gonzalez – 1979 Mission
Selena Salgado – 1979 Mission
Armando Salgado – 1979 Mission
Morris Pineda – 1979 Mission
Susan Cieutat – 1979 Mission
Greg Mack – 1979 Mission
Eranae – 1979 Mission
Chiffona Patterson – 1979 Mission

- Speaker – 1979 Mission
- Steve Landers – 1979 Mission
- Kimberly Brown – 1979 Mission
- Francisco Contreras – 1979 Mission
- Rafael Picazo – 1979 Mission
- Speaker – 1979 Mission
- Mitchell Salazar – 1979 Mission
- Willie – 1979 Mission
- Doug McNeil – 1979 Mission
- Art Herzala – 1979 Mission
- Roxanne Romero – 1979 Mission
- Adel Alghazali – 1979 Mission
- Rick Hall – Data driven process tool
- Peter Holmes – 1979 Mission
- Dairo Romero – 1979 Mission
- Tim Colen – 1979 Mission
- Marilyn Duran – 1979 Mission
- Bruce Bowen – Election results
- Ozzie Rohm – Election results
- Georgia Schuttish – Residential design guidelines, demo calculation

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.

- 12. 2018-013893PCAMAP (E. JARDINES: (415) 575-9144)
1550 EVANS AVENUE – Planning Code and Zoning Map Amendments introduced by Supervisor Cohen to establish the 1550 Evans Avenue Special Use District; and affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications

- SPEAKERS:**
- = Esmerelda Jardines – Staff report
 - + Sophia Kittler, Aide to Sup. Cohen –
 - + David Gregg – Project presentation
 - + Gretta – Design presentation
 - + Steve Good – Open space without housing component
 - +Lottie Titus – No housing on this site
 - + Dorothy Kelley – No housing on this site
 - + Jesse Campos – No housing
 - + Karen Chung – No housing

- ACTION:** Approved with Modifications
AYES: Fong, Hillis, Johnson, Koppel, Melgar
NAYS: Richards

ABSENT: Moore
RESOLUTION: 20334

13. 2017-011878ENV (R. SCHUETT: (415) 575-9030)
POTRERO POWER STATION – Draft Environmental Impact Report – The 29-acre site is located along San Francisco’s central Bayshore waterfront and includes the site of the former Potrero Power Station. The proposed project would rezone the site, establish land use controls, develop design standards, and provide for a multi-phased, mixed-use development, including residential, commercial, parking, community facilities and open space land uses. The proposed project would include amendments to the General Plan and Planning Code, creating a new Potrero Power Station Special Use District. The proposed rezoning would modify the existing height limits of 40 and 65 feet to various heights ranging from 65 to 300 feet. Overall, the proposed project would construct up to approximately 5.3 million gross square feet of mixed uses and approximately 6.2 acres of open space. The project would include demolition of up to 20 existing structures, including up to five historic structures that are contributors to the historic Third Street Industrial District.

Preliminary Recommendation: Review and Comment

SPEAKERS: = Rachel Schuett – Staff presentation
= Enrique Landa – Project presentation
= Karen Alschuler – Project presentation
= John Lau – Project presentation
- Ron Miguel – Public open space and shadow
- Katherine Petrin (SF Heritage) – Historic preservation
+ Zach Brown – Housing and density
+ JR Eppler – Context of project
- Peter Linenthal – Historic preservation
+ Vanessa Aquino – Support
+ Emily Pearl – Proposed program, adaptive reuse
= Katherine Doumani – Livability, quality of life
+ Scott Klein – Amenities to neighborhood
+ Tim Colen – Repurposed land
+ Ray Hernandez – Housing
- Richard Hudson – Public view
+ John Larner – Revitalization of neighborhood
- Phillip Anisovich – Design, destroys historic resources
- Rick Hall – Analysis
+ Guy Carson – Preservation, reuse
+ Jim Worshel – Preservation Alternative C
- Shawn Engels – Lack of public community benefits
- Allison Heath – Poor design, few community benefits
+ Laura Clark – Cost and benefits
- Janet Carpinelli – Alternatives
+ Bruce Huie – Neighborhood amenities, conservation

ACTION: Reviewed and Commented
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
ABSENT: Moore

14a. 2016-000378CUA (N. FOSTER: (415) 575-9167)

1600 JACKSON STREET – north side of Jackson Street, between Polk Street and Van Ness Avenues, Lots 002 and 003 in Assessor's Block 0595 (District 3) – Request for **Conditional Use Authorization** to establish a new general grocery store (a Retail Sales and Services Use) operating as a Formula Retail Use (d.b.a. "365 by Whole Foods") on the first and second floors and add eight (8) Dwelling Units on the second floor of the subject property, pursuant to Planning Code Sections 303, 303.1, 703(d), 703.4, and 723. The Dwelling Units would be comprised of four (4) two-bedroom units, three (3) one-bedroom units, and one (1) studio unit, resulting in 50 percent of the total number of Dwelling Units of at least two-bedrooms. The Project would involve both interior and exterior tenant improvements to the existing two-story-over-garage building, with no expansion of the gross square footage contained within the existing structure. The existing structure contains 43,898 gross square feet, and the general grocery store would occupy the entirety of the first floor, or approximately 22,000 gross square feet, and approximately one-half of the second floor, or approximately 11,000 gross square feet. The first floor would function as the primary sales floor for the general grocery store, with an area dedicated for prepared foods for on- or off-site consumption, and the second floor would contain additional retail floor area, and accessory office space. With respect to alcohol sales, 365 by Whole Foods proposes to hold a Type 20 alcohol license (beer and wine only). The exterior tenant improvements include a horizontal extension of the existing parapet, new paint, and new store signage. The proposed project would utilize the existing below-grade parking garage with 70 vehicular parking spaces (one to be reserved for car-sharing) and off-street loading dock fronting Jackson Street, while adding Class 1 and Class 2 bicycle parking spaces where none existed before. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on October 4, 2018)

NOTE: On April 26, 2018, after hearing and closing public comment, continued to July 26, 2018, by a vote of +4 -2 (Moore and Richards against; Melgar absent).

On July 26, 2018, without hearing, continued to September 27, 2018 by a vote of +6 -0 (Hillis absent).

On September 27, 2018, without hearing, continued to October 4, 2018 by a vote of +7 -0.

On October 4, 2018, after hearing and closing public comment, continued to November 8, 2018, with direction from the Commission by a vote of +4 -1 (Moore against; Fong and Melgar absent).

SPEAKERS: = Nick Foster – Staff presentation
 = Jim Reuben – Project presentation
 - Chris Kavinski – 8 housing units not a benefit
 - Duncan Ley – 8 housing units not a benefit
 - Jim Worshell – 8 housing units not a benefit
 - Frank Canata – Housing crisis
 - George Wooding – Opposed
 - Anastasia Yovanopoulos – Need more housing
 - Stephanie Peek – Housing
 - Joshua Devore – Use size limits
 - Michael Priollo – Business preservation
 - Tim McLaughlin – Small business impacts
 + Barbara Bahagan – Need grocery store in Russian Hill

- + Judith Robby – Need anchor destination with services
- + John Addeo – Need grocery store
- + Diane Carroll – Need services
- Paul Webber – Housing crisis
- Laura Clark – Housing
- Cynthia Gomez – Inappropriate for neighborhood
- Jerry Dratler – Square footage
- + Karen Dold – Empty storefronts
- + Greg Carr – Need grocery store
- + Richard Cardello – Added housing
- + Thomas Madland – Need grocery store
- + Anne Brubaker – Want grocery store
- + Carol Ann Rodgers – Need full service grocery store
- + Sarah Taber – Need grocery store nearby
- + Joyce Kuchervy – Need supermarket, quality of life
- Rick Barry – Need housing not grocery store
- Melissa Gutierrez – Need more housing
- Ray – Merchant, need housing
- Sandra Fish – Death of quality neighborhoods
- (F) Speaker – Small business needs protection
- Roy Chan – Significant impacts
- Leslie Van Dyke – Against proposed development
- Kevin Gleason – Need housing
- Nick Matthiesson – Housing crisis
- Patrick Hawkta – Densification
- Ozzie Rohm – Housing
- Ann Marie Einselen – Need housing
- + Richard Wayland – Supports
- Chris Schulman – Housing
- Dawn Trennert – Inclusionary housing
- Elaine Tangsmen – Traffic
- Marlene Morgan – Impacts
- Kate Chase – Housing
- + Tina Moylan – Need more grocery stores, services
- + Leslie Bull – Need grocery store
- Mitchell Burg – Amazon
- Vasu Narayanan – Housing
- Lorenzo Rios – 7th store in SF

ACTION: Adopted a Motion of Intent to Disapprove supporting a change to Code for grocery store use limits and Continued to November 29, 2018

AYES: Fong, Johnson, Koppel, Melgar, Richards

NAYS: Hillis

ABSENT: Moore

- 14b. 2016-000378VAR (N. FOSTER: (415) 575-9167)
1600 JACKSON STREET – north side of Jackson Street, between Polk Street and Van Ness Avenues, Lots 002 and 003 in Assessor’s Block 0595 (District 3) – Request for **Variance** pursuant to Planning Code Section 134 (“Rear Yard”). The basic rear yard requirement for the subject property is 25 percent (or approximately 41 feet) at the lowest story containing

a dwelling unit. The existing structure covers 100% of the lot and Code requires a rear at the lowest story containing a dwelling unit; therefore, the project requires a variance from the rear yard requirements of the Planning Code.

SPEAKERS: Same as item 14a.
ACTION: ZA Continued to November 29, 2019

15a. 2013.1037C (C. MAY: (415) 575-9087)

650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor’s Block 1202 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 271, 303, 746.10 and 746.11 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within a Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A 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 on September 27, 2018)

SPEAKERS: = Chris May – Staff presentation
= Juan Carlos / Sup. Brown’s Aide – Project presentation
= Patrick Szeto – Project presentation
= Warner Schmalz – Project presentation
= Supervisor Brown – Legislation
+ Laura Clark – Community engagement
- Gus Hernandez – Continuance for legislation
- Jim Hillis – Legislation
- Heike Kilian – Tree protection plan, bulk
- Bill Thomson – Density, off-street parking
= Donna Thomson – Negatively impacts building next door
- Norm Degelman – Continue
- Charles D. – Increase density, continuance
+ Tim Colen – Housing
+ Richard Kay – Support, continuance
+ Rev. Arnold Townsend – Diverse tenant mix
- Jeff – Noise concerns
+ Phillip Robernich – More housing near transit
+ Owen O’Donnell- Not big enough, need housing
- David Wu – Continue until legislation finalized

ACTION: Approved with Conditions and include licensed arborist be hired for tree protection plan.

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards

ABSENT: Moore

MOTION: 20335

15b. 2013.1037V (C. MAY: (415) 575-9087)

650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor’s Block 1202 (District 5) - Request for **Rear Yard Modification** pursuant to Planning

Code Section 134 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within a Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.

(Continued from Regular Meeting on September 27, 2018)

SPEAKERS: Same as item 15a.

ACTION: ZA Closed the PH and indicated an intent to Grant.

- 16a. 2007.1347CUA (M. WOODS: (415) 558-6315)
3637-3657 SACRAMENTO STREET – south side between Locust and Spruce Streets, Lots 012 and 020 in Assessor's Block 1018 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 102, 121.1, 121.2, 303 and 724 to demolish three existing buildings, and construct a 40-foot tall, four-story mixed use building over three levels of below-grade parking, containing retail, medical office, 18 dwelling units, 64 parking spaces (including one car share space), and 35 bicycle spaces, totaling approximately 84,000 square feet. The proposal is seeking Conditional Use authorization for lot size exceeding 5,000 square feet, use size exceeding 2,500 square feet, and public parking garage for short term use. The proposal is also seeking a Modification of the rear yard requirement from the Zoning Administrator pursuant to Planning Code Sections 134 and 136. The project site is located within a Sacramento Street Neighborhood Commercial 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

- SPEAKERS: = Mary Woods – Staff report
 = Scott Emblidge – Project presentation
 = Gary Gee – Project presentation
 - John Herby – Construction concerns
 + Jason McDonald – Housing
 - Linda Eislund – Not affordable housing, light
 + Matthew Holmes – Housing, mixed-use project
 - Steven Krolik – Garage, traffic
 + Tim Colen – Housing
 - Dr. Karel Kretzschmar – Parking, traffic
 - Patrick Richards – Project scale
 + Julie & Raymond Aviles – Underground parking
 - Alex Thompson – Massing and scale
 - Jennifer Kopczynski – Scale, not appropriate
 - Brandon Ponce – Scale, traffic, small businesses
 - Cynthia Silverstein – Scale
 + Douglas Matthew – Support
 - Carol Bronanski – Parking
 + Nick Simpson – Alleviates pressure, needed
 + Jim Sobel – Benefits neighborhood
 + Barbra Devini – Support
 + Craig Greenwood – New housing opportunities

- (F) Speaker – Size
- Maggie Chafen – Small business in crisis
- John Burns – Disruption, scale
- Marsha Herman – Construction noise
- Natasha Kofsky – Scale, design
- + Jeff Leopold – Parking, growth, housing
- Doug Engmann – Scale, construction
- + Michael Reichmuth – High density housing
- + Jeff Litke – Project sponsor

ACTION: Approved with Conditions as amended removing one floor of parking.
 AYES: Fong, Hillis, Johnson, Koppel
 NAYS: Melgar, Richards
 ABSENT: Moore
 MOTION: 20336

16b. 2007.1347VAR (M. WOODS: (415) 558-6315)
3637-3657 SACRAMENTO STREET – south side between Locust and Spruce Streets, Lots 012 and 020 in Assessor’s Block 1018 (District 2) – Request for a Zoning Administrator **Modification** from the rear yard requirement (Planning Code Sections 134 and 136). The proposed project is to demolish three existing buildings, and construct a 40-foot tall, four-story mixed use building over three levels of below-grade parking, containing retail, medical office, 18 dwelling units, 64 parking spaces (including one car share space), and 35 bicycle spaces. The project site is located within a Sacramento Street Neighborhood Commercial District and 40-X Height and Bulk District.

SPEAKERS: Same as item 16a.
 ACTION: ZA Closed the PH and indicated an intent to Grant.

17a. 2016-008438SHD (K. DURANDET: (415) 575-6816)
1075-1089 FOLSOM STREET – south side of Folsom Street between 7th and Sherman Streets, Lots 038 and 039 of Assessor’s Block 3766 (District 6)- Request for **Adoption of Findings**, pursuant to Planning Code Section 295, regarding the shadow study that concluded, with the recommendation of the general manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, that net new shadow on Victoria Manalo Draves Park by the proposed project at 1075-1089 Folsom Street would not be adverse to the use of the public park. The proposed project would demolish the existing buildings on the site, and construct a six-story, 65-foot tall, approximately 25,756 square-foot (sf) mixed-use building consisting of 48 single room occupancy (SRO) residential units with balconies and decks on the first through sixth floors, and a rear yard, residential lobby, bicycle storage, 1,088 sf of commercial space, and utility areas on the ground floor. The subject property is located within the SoMa NCT (Neighborhood Commercial Transit) Zoning District and 65-X Height and Bulk Districts.
Preliminary Recommendation: Adopt Shadow Findings

SPEAKERS: = Kimberly Durandet – Staff report
 - Kevin Wu – DR requestor
 - Mary Claire Amable – SUD, shadow
 - Alexa Drapiza – Park use, SUD, shadow
 - PJ Eugenio – Parks, open space

- + Mark Loper – Project presentation
- + Jonathan Pearlman – Project presentation
- + Rudy Asercion – Housing
- + Katherine Wolfe – Added housing
- + George McNabb – Support
- + Christian Brand – Housing
- Sue Hestor – DR rebuttal

ACTION: Adopted Shadow Findings
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 MOTION: 20337

- 17b. 2016-008438DRP (K. DURANDET: (415) 575-6816)
1075-1089 FOLSOM STREET – south side of Folsom Street between 7th and Sherman Streets, Lots 038 and 039 of Assessor’s Block 3766 (District 6)- Request for **Discretionary Review** of Building Permit Application No. 2017.0214.9384. The proposed project would demolish the existing buildings on the site, and construct a six-story, 65-foot tall, approximately 25,756 square-foot (sf) mixed-use building consisting of 48 single room occupancy (SRO) residential units with balconies and decks on the first through sixth floors, and a rear yard, residential lobby, bicycle storage, 1,088 sf of commercial space, and utility areas on the ground floor. The subject property is located within the SoMa NCT (Neighborhood Commercial Transit) Zoning District and 65-X Height and Bulk Districts.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: Same as item 17a.
 ACTION: Did NOT Take DR and Approved
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 DRA: 0624

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.

- 18a. 2015-004717DRP (M. CHRISTENSEN: (415) 575-8742)
11 GLADYS STREET – southeast side of Gladys Street; Lot 027 of Assessor’s Block 5710 (District 9) – Request for **Discretionary Review** of Building Permit Application #201612084425 within a RH-2 (Residential, House – Two Family) and 40-X Height and Bulk District. The proposal includes a vertical addition to an existing single-family home. The proposal also includes interior alterations. 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 October 18, 2018)

SPEAKERS: = Michael Christensen – Staff report
 - David Donofrio – DR requestor
 - Mike Garavaglia – DR requestor
 - Pat Buskovich – DR Requestor
 - Ryan Patterson – DR requestor
 - Dan Greeman – Decks, privacy
 - Amy Kyle – Variance
 - (M) Speaker – Natural light
 - Geraldine Bosco – Home value
 + Rob Oliver – Project presentation
 + Jodie Knight – Project presentation
 + Ian Thompson – Families in SF, diversity
 + Patrick Crowe – Families in SF
 + Mason Kirby – Project sponsor rebuttal

ACTION: Did NOT Take DR and Approved with direction to staff to work on privacy screening.

AYES: Fong, Hillis, Koppel, Melgar, Richards

ABSENT: Johnson, Moore

DRA: 0625

- 18b. 2015-004717VAR (M. CHRISTENSEN: (415) 575-8742)
11 GLADYS STREET – southeast side of Gladys Street; Lot 027 of Assessor's Block 5710 (District 9) – Request for **Variance** to the front setback requirement pursuant to Planning Code Section 132 and rear yard requirement pursuant to Planning Code Section 134 for the project involving a vertical addition to an existing single-family home. The proposal also includes interior alterations. The project is located within a RH-2 (Residential, House – Two Family) and 40-X Height and Bulk District.
 (Continued from Regular hearing on October 18, 2018)

SPEAKERS: Same as item 18a.

ACTION: Acting ZA closed the public hearing and took the matter under advisement.

19. 2018-007690DRP (D. WINSLOW: (415) 575-9159)
269 AVILA STREET – between Beach and Capra; Lot 002 in Assessor's Block 0441A (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2018.0524.0036, for construction of an Accessory Dwelling Unit per ordinance 162-16 in an existing 3-story two-family house 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

SPEAKERS: = David Winslow – Staff report
 - Kelly Woodruff – DR requestor
 - Amy Rosewall-Godley – Non-conforming property
 - Dave Tower – Negative change
 - Katy Wahl – Opposed
 + (F) Speaker – Project sponsor presentation

ACTION: Did NOT Take DR and Approved

AYES: Fong, Hillis, Koppel, Melgar, Richards
ABSENT: Johnson, Moore
DRA: 0626

ADJOURNMENT – 11:00 PM
ADOPTED NOVEMBER 29, 2018

EXHIBIT C



SAN FRANCISCO
PLANNING
DEPARTMENT

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

APPLICATION PACKET FOR Environmental Evaluation

Pursuant to the California Environmental Quality Act (CEQA), public agencies must review the environmental impacts of proposed projects. The CEQA process is codified in the California Public Resources Code, Sections 21000 et seq., the California Code of Regulations, Title 14, Sections 15000 et seq., and Chapter 31 of the San Francisco Administrative Code.

WHAT IS ENVIRONMENTAL EVALUATION?

Environmental evaluation pursuant to CEQA is an objective process that is intended to disclose to decision makers and the public the significant environmental effects of proposed projects, to require agencies to reduce or avoid environmental effects, to disclose reasons for agency approval of projects with significant environmental effects, to enhance public participation, and to foster intergovernmental coordination. In San Francisco, the Environmental Planning Division of the San Francisco Planning Department administers the CEQA review process. More information on the environmental review process and how it is administered in San Francisco is available on the Planning Department's Environmental Planning web pages.

WHEN IS ENVIRONMENTAL EVALUATION NECESSARY?

Projects subject to CEQA are those actions that require a discretionary decision by the City; have the potential to result in a direct or reasonably foreseeable indirect physical change in the environment; or fall within the definition of a "project" as defined by the CEQA Guidelines in Sections 15060(e) and 15378. A project may be determined to be statutorily or categorically exempt from CEQA or may require an initial study to determine whether a negative declaration or environmental impact report (EIR) is required. Planners at the Planning Information Center (PIC) counter (1660 Mission Street, First Floor) may issue an exemption stamp or require that the project sponsor file an Environmental Evaluation Application.

If your project meets any of the following thresholds, you must first submit a Preliminary Project Assessment (PPA) Application before you submit the Environmental Evaluation Application: (1) the project creates seven or more dwelling units, (2) the project involves a change of use of 25,000 square feet or more, and/or (3) the project involves the construction of a new non-residential building or addition of 10,001 square feet or more. The Department may also request other complex projects not meeting these thresholds to undergo a PPA.

HOW DOES THE PROCESS WORK?

The Environmental Evaluation Application may be filed prior to or concurrently with the building permit application; however, the City may not approve projects or issue permits until the environmental review process is complete.

No appointment is required but Environmental Planning staff are available to meet with applicants upon request. The Environmental Evaluation Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. See the current Schedule of Application Fees (available online). Checks should be made payable to the San

Francisco Planning Department. Fees are generally non-refundable.

WHO MAY SUBMIT AN ENVIRONMENTAL EVALUATION APPLICATION?

Only the property owner or a party designated as the owner's agent may submit an Environmental Evaluation Application. (A letter of agent authorization from the owner must be attached.)

WHAT TO INCLUDE ON THE PROJECT DRAWINGS

Project drawings submitted with the Environmental Evaluation Application must be in 11x17 format and, in most cases, must include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed structures on both the subject property and on immediately adjoining properties; off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site.

SPECIAL STUDIES THAT MAY BE NEEDED

To assist in the environmental evaluation process, the project sponsor may be required to provide supplemental data or studies, as determined by Planning staff, to address potential impacts on cultural, paleontological, or historical resources, soils, traffic, biological resources, wind, shadows, noise, air quality, or other issue areas. Neighborhood notification may also be required as part of the environmental review processes.

HISTORIC RESOURCE REVIEW

All properties over 45 years of age in San Francisco are considered potential historic resources. If the proposed project involves physical alterations to a building over 45 years in age, you may be requested by Planning staff to provide additional information to determine (1) whether the property is a historic resource, and (2) whether the proposed project may cause a substantial adverse change in the significance of a historic resource. If requested by a Planner, you must submit the Supplemental Information for Historic Resource Evaluation form with the Environmental Evaluation Application.

The property may have already been evaluated as a historic resource through previous survey or analysis. Please consult the Preservation tab of the Property Information Map on the Planning Department's website. Certain types of projects will require a complete Historic Resource Evaluation (HRE) to be prepared by a professional preservation consultant. For further

information, please consult with a preservation planner at the PIC counter.

COMMUNITY PLAN EXEMPTION

Community plan exemption (CPE) from CEQA review may be issued for projects within adopted plan areas that would not otherwise be exempt, if they are determined not to create significant impacts beyond those identified in the applicable area plan EIR. There are three possible outcomes of this process: Preparation of (1) a CPE only, (2) a CPE and a focused initial study/mitigated negative declaration, or (3) a CPE and a focused EIR.

PROJECTS THAT ARE DETERMINED NOT TO BE EXEMPT

Projects that require mitigation measures are not eligible for environmental exemption. If Planning staff determines that the project is not exempt from CEQA review, an initial study will be required. The applicable environmental evaluation fee is based on the construction cost of the proposed project. Based on the analysis of the initial study, Planning staff will determine that the project will be issued either (1) a negative declaration stating that the project would not have a significant effect on the environment, or (2) an EIR if there is substantial evidence of one or more significant impacts.

DISCLOSURE REPORT FOR DEVELOPERS OF MAJOR CITY PROJECTS

The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not

include a residential development project with four or fewer dwelling units.

The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

HOW TO SUBMIT THE APPLICATION

The complete Environmental Evaluation Application should be submitted as follows: For projects that underwent Preliminary Project Assessment and already received the PPA letter, send the Environmental Evaluation Application to the attention of Virna Byrd. For all other projects, including those that require historical resource review only, send the Environmental Evaluation Application to the attention of Erica Russell. A preservation planner will be assigned to complete the historical review. Once an application is submitted, historical review questions may be directed to Tina Tam.

Virna Byrd
(415) 575-9025
virnaliza.byrd@sfgov.org

Erica Russell
(415) 575-9181
erica.russell@sfgov.org

Tina Tam
Senior Preservation Planner
(415) 558-6325
tina.tam@sfgov.org

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APPLICATION FOR Environmental Evaluation

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Robert Oliver	
PROPERTY OWNER'S ADDRESS: 11 Gladys Street	TELEPHONE: (415) 412.3664
	EMAIL: robert@oliver.name

APPLICANT'S NAME, COMPANY/ORGANIZATION (IF APPLICABLE): Rob Oliver Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE: ()
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Gabriel Guerriero Same as Above <input type="checkbox"/>	
ADDRESS: 301 Bocana Street	TELEPHONE: (415) 867-5357
	EMAIL: gg@masonkirby.com

2. Location and Classification

STREET ADDRESS OF PROJECT: 11 Gladys Street	ZIP CODE: 94110
CROSS STREETS: Santa Marina St.	

ASSESSORS BLOCK/LOT: 5710 / 027	LOT DIMENSIONS: 51.5'x25'	LOT AREA (SQ FT): 1287.5	ZONING DISTRICT: RH-2	HEIGHT/BULK DISTRICT: 40-X
COMMUNITY PLAN AREA (IF ANY): Bernal Heights				

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify: _____	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input checked="" type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: Single Family residence
		PROPOSED USE: Single Family residence
		BUILDING APPLICATION PERMIT NO.: DATE FILED:

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	1	1	0	1
Hotel Rooms				
Parking Spaces	2	2	0	2
Loading Spaces				
Number of Buildings	1	1	0	1
Height of Building(s)				
Number of Stories	1	1	1	2
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	908	908	660	1568
Retail				
Office				
Industrial				
PDR Production, Distribution, & Repair				
Parking	539	539	0	539
Other ()				
Other ()				
Other ()				
TOTAL GSF	1447	1447	660	2,107
Please provide a narrative project description that summarizes the project and its purpose or describe any additional features that are not included in this table. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable. THIS SECTION MUST BE COMPLETED.				

Lot dimensions and orientation create a substandard buildable area. The existing non-complying structure covers the entire lot. A variance is required for the rear and front yard set backs.

Applicable code sections:

Section 242.2 Bernal Heights Special Use District, Rear Yards.

Section 132. Front Setback Areas.

Section 134. Rear Yard Setback Areas.

EE Required for Lot slope greater than 20%.

5. Environmental Evaluation Project Information

1. **Would the project involve a major alteration of a structure constructed 45 or more years ago or a structure in a historic district?** YES NO

If yes, submit the *Supplemental Information for Historic Resource Evaluation* application.

2. **Would the project involve demolition of a structure constructed 45 or more years ago or a structure located in a historic district?** YES NO

If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with Preservation Planning staff.

3. **Would the project result in excavation or soil disturbance/modification?** YES NO

If yes, please provide the following:

Depth of excavation/disturbance below grade (in feet): _____

Area of excavation/disturbance (in square feet): _____

Amount of excavation (in cubic yards): _____

Type of foundation to be used (if known) and/or other information regarding excavation or soil disturbance modification:

Note: A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project:

- *The project involves a lot split located on a slope equal to or greater than 20 percent.*
- *The project is located in a seismic hazard landslide zone or on a lot with a slope average equal to or greater than 20 percent and involves either*
 - *excavation of 50 or more cubic yards of soil, or*
 - *building expansion greater than 1,000 square feet outside of the existing building footprint.*

A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.

4. **Would the project involve any of the following: (1) the construction of a new building; (2) the addition of a dwelling unit; (3) the addition of a new curb-cut; (4) the addition of a garage; and/or (5) a net addition to an existing building of 500 gross square feet or more?** YES NO

If yes, you will need to comply with the tree planting regulations of Public Works Code Section 806 prior to receiving a building permit.

4b. Does the project include the removal or addition of trees on, over, or adjacent to the project site? YES NO

If yes, please answer the following questions:

Number of trees on, over, or adjacent to the project site: _____

Number of trees on, over, or adjacent to the project site that would be removed by the project (see definitions of removal, significant, landmark, and street trees): _____

Significant trees: _____

Landmark trees: _____

Street trees: _____

Number of trees on, over, or adjacent to the project site that would be added by the project: _____

5. Would the project result in any construction over 40 feet in height? YES NO

If yes, please submit a *Shadow Analysis Application*. This application should be filed at the PIC and should not be included with the Environmental Evaluation Application. (If the project already underwent Preliminary Project Assessment, this application may not be needed. Please refer to the shadow discussion in the PPA letter.)

6. Would the project result in a construction of a structure 80 feet or higher? YES NO

If yes, an initial review by a wind expert, including a recommendation as to whether a wind analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, please refer to the wind discussion in the PPA letter.)

7. Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks? YES NO

If yes, please submit a Phase I Environmental Site Assessment (ESA) prepared by a qualified consultant. If the project is subject to Health Code Article 22A, Planning staff will refer the project sponsor to the Department of Public Health for enrollment in DPH's Maher program.

8. Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps? YES NO

If yes, please describe.

This variance is for the front and rear yard set back requirements.

9. Is the project related to a larger project, series of projects, or program? YES NO

If yes, please describe.

This variance is for the front and rear yard set back requirements.

Estimated Construction Costs

TYPE OF APPLICATION:	
Environmental Application	
OCCUPANCY CLASSIFICATION:	
R-3	
BUILDING TYPE:	
V	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
660 Sq. Ft.	Residential
ESTIMATED CONSTRUCTION COST:	
\$150,000	
ESTIMATE PREPARED BY:	
Architect Mason Kirby	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: _____

Date: _____

Print name, and indicate whether owner, or authorized agent:

 Owner / Authorized Agent (circle one)

Environmental Evaluation Application Submittal Checklist

APPLICATION MATERIALS	PROVIDED	NOT APPLICABLE
Two (2) originals of this application signed by owner or agent, with all blanks filled in.	<input type="checkbox"/>	
Two (2) hard copy sets of project drawings in 11" x 17" format showing existing and proposed site plans with structures on the subject property and on immediately adjoining properties, and existing and proposed floor plans, elevations, and sections of the proposed project.	<input type="checkbox"/>	
One (1) CD containing the application and project drawings and any other submittal materials that are available electronically. (e.g., geotechnical report)	<input type="checkbox"/>	
Photos of the project site and its immediate vicinity, with viewpoints labeled.	<input type="checkbox"/>	
Check payable to San Francisco Planning Department.	<input type="checkbox"/>	
Letter of authorization for agent.	<input type="checkbox"/>	<input type="checkbox"/>
<i>Supplemental Information for Historic Resource Evaluation</i> , as indicated in Part 5 Question 1.	<input type="checkbox"/>	<input type="checkbox"/>
Two (2) hard copies of the <i>Historic Resource Evaluation</i> , as indicated in Part 5 Question 2.	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical report, as indicated in Part 5 Question 3.	<input type="checkbox"/>	<input type="checkbox"/>
Phase I Environmental Site Assessment, as indicated in Part 5 Question 7.	<input type="checkbox"/>	<input type="checkbox"/>
Additional studies (list).	<input type="checkbox"/>	<input type="checkbox"/>

For Department Use Only
 Application received by Planning Department:

By: _____ Date: _____



FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
 1650 Mission Street, Suite 400
 San Francisco CA 94103-2479

TEL: **415.558.6378**
 FAX: **415 558-6409**
 WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)
 1660 Mission Street, First Floor
 San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
 No appointment is necessary.*

**ZACKS, FREDMAN & PATTERSON
A PROFESSIONAL CORPORATION**

San Francisco Planning Department
12/07/18 42835.001 - CEQA Appeal

42835.001

617.00

617.00

DATE	DESCRIPTION	INVOICE #	AMOUNT	CHECK DEDUCTION	NET AMOUNT
12/07/18	San Francisco Planning Department		42835.001		617.00

CHECK DATE	CONTROL NUMBER	TOTALS	Gross:	Ded:	Net:
12/07/18			617.00	0.00	617.00

PAY

*** SIX HUNDRED SEVENTEEN & 00/100 DOLLARS

DATE 12/07/18
AMOUNT ***\$617.00



**ZACKS, FREDMAN & PATTERSON
A PROFESSIONAL CORPORATION**
235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CA 94104
(415) 956-8100

FIRST REPUBLIC BANK
SAN FRANCISCO, CA 94111
11-8166/3210

TO THE San Francisco Planning Department
ORDER 1650 Mission Street Suite 400
OF: San Francisco CA 94103

MEMO: 42835.001 - CEQA Appeal

[Handwritten Signature]

AUTHORIZED SIGNATURE

2018 DEC -7 PM 3:25
3041027
5471 11 004