COMMISSIONERS PRESENT: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:02 PM

STAFF IN ATTENDANCE: Aaron Starr, Audrey Merlone, Jennifer McKellar, Linda Ajello-Hoagland, Jeff Horn, Chris May, Rachel Schuett, David Weissglass, Natalia Kwiatkowska, David Winslow, Corey Teague – Zoning Administrator, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

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

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

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

1. 2019-016388CUA (J. HORN: (415) 575-6925)  
1760 OCEAN AVENUE – located on the northeast side of the intersection of Ocean Avenue and Dorado Terrace Street; Lot 195 in Assessor’s Block 3283 (District 7) – Request for Conditional Use Authorization, pursuant to Planning Code Sections 303 and 755, to establish Out-Patient Dialysis Center (DBA Fresenius Kidney Care), a Health Services (Retail
Sales and Service) use within a currently vacant 15,100 square foot tenant space most recently used as an Formula Retail Pharmacy Use. The subject property is located within the Ocean Avenue Neighborhood Commercial Transit (NCT) District, Balboa Park Area Plan and 45-X Height and Bulk District. There will be no expansion or exterior modification of the existing building. 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 May 7, 2020)
(Proposed for Continuance to July 23, 2020)

SPEAKERS: None
ACTION: Continued to July 23, 2020
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

2. 2018-012576CUA

1769 LOMBARD STREET – south side of Lombard Street between Laguna and Octavia Streets; Lot 027 in Assessor’s Block 0506 (District 2) – Request for Conditional Use Authorization, pursuant to Planning Code Sections 145.2, 303, and 712 to authorize an Outdoor Activity Area in conjunction with a Kennel Use (d.b.a. “The Grateful Dog”) as well as a one-year review of Motion No. 20355, which authorized the Kennel Use, within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. The Project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.

Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on May 28, 2020)

Note: On March 5, 2020, after hearing and closing public comment, continued to April 23, 2020 for the sponsor to adhere to original conditions of approval by a vote of +6 -0. On April 23, 2020, without hearing, continued to May 28, 2020 by a vote of +6 -0. On May 28, 2020, without hearing continued to June 25, 2020.
(Proposed for Continuance to July 30, 2020)

SPEAKERS: None
ACTION: Continued to July 30, 2020
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

3. 2019-023628AHB

3601 LAWTON STREET – southwest corner of the intersection of Lawton Street and 42nd Avenue; Lot 001 in Assessor’s Block 1901 (District 4) – Request for HOME-SF Project Authorization pursuant to Planning Code Section 328 to demolish an existing one-story, 1,463 square foot gas station (dba 76) and construct a new five-story with basement, 46,050 gross square foot mixed-use building with a 2,826 square feet of commercial retail space and 41 dwelling units (which includes a mix of 27 one-bedroom, 13 two-bedroom, and 1 three-bedroom unit) on a 10,000 square foot project site. The project also includes 5,080 square feet of common open space, 1,635 square feet of private open space, 24 vehicle parking spaces and 41 Class 1 and 12 Class II bicycle parking space. The Project is pursuing a Tier 2 HOME-SF Project, which would permit form-based density and one additional story of height in exchange for providing 25% on-site affordable units. The project site is located within a Neighborhood Commercial Cluster (NC-1) District and 40-X
Height and Bulk. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

**Preliminary Recommendation: Approve with Conditions**

(Proposed for Continuance to July 30, 2020)

SPEAKERS: None

ACTION: Continued to July 30, 2020

AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

4. 2016-003164GPA  
(continued from Regular hearing on May 21, 2020)  
(Proposed for Continuance to August 27, 2020)

SPEAKERS: None

ACTION: Continued to August 27, 2020

AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

5. 2017-013272DRP  
(D. WINSLOW: (415) 575-9159)  
3074 PACIFIC AVENUE – between Lyon and Baker Streets; 008G in Assessor’s Block 0964 (District 2) – Request for Discretionary Review of Building Permit 2017.1024.2068 for the construction of a third-floor vertical addition above the existing two-story, single-family dwelling. The project also proposes a roof deck above the vertical addition, accessed via a retractable skylight within a RH-1(D) (Residential House, One-Family-Detached) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Canceled hearing on April 30, 2020)

WITHDRAWN

SPEAKERS: None

ACTION: Withdrawn

B. COMMISSION MATTERS

6. Consideration of Adoption:

- Draft Minutes for June 11, 2020

SPEAKERS: None

ACTION: Adopted

AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
7. Commission Comments/Questions

None

C. DEPARTMENT MATTERS

8. Director's Announcements

None

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

Jonas P. Ionin, Commission Secretary:
I don’t have a report from the Board of Appeals and the Historic Preservation Commission did not meet yesterday. And I will just announce that they did cancel their July 1st hearing so they will reconvene on July 15th.

Aaron Starr:
This week, the Land Use Committee considered a resolution authorizing the San Francisco Planning Department to apply for accept and extend $1.5 million in local early action Planning grant program funds from the California Department of Housing and Community Development for Citywide Planning projects that streamline housing approvals and accelerate housing production. During the hearing, Planning made a presentation to the Committee. There was no public comment and the item was then unanimously recommended to the Full Board as a committee report. This week, the Full Board considered the conditional use appeal for 95 Nordhoff Street. Prior to the hearing the two parties came to an agreement. Based on that agreement, the Supervisor made a motion to amend this new authorization to include the agreed upon compromise. Compromise included lowering the height of the proposed buildings by two feet and an order to protect the redwood tree on Stillings Avenue, require a 12-foot front set back and stilted foundation on any proposed building on the proposed lot that faces Stillings Avenue. Since the two parties had already agreed on a compromise, public comment was minimal and planning did not present. The Board then voted to approve the modified conditional use and file the hearing. Also, the appeal for the conditional use authorization at 1420 Taraval Street was continued for one week and the grant expenditure for the Citywide Planning projects resolution was passed.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Project notification, data
Residential projects that densify with CUA (and LPA):
Within 6 months of the CFC issuance the project sponsor should be required to send the following info to the Planning Department:
Status of the Property - sold or rented
Percentage of Occupancy
Type of Tenure
Once enough data is received from various project sponsors the cumulative amount will give the Commission and the public an understanding of how approvals are adding to the Residential Housing Stock — or not.

For existing large, multi-unit buildings approved within the last 10 years primarily throughout the Eastern neighborhoods bulk data should be collected from the Water Department to understand usage. Units that are only occupied part-time will show a lower rate of usage, while units that are occupied full time will show a higher volume.

If bulk data is compiled it will help understand the percentage of full-time occupancy in these past approvals.

Sue Hestor – Administrative codes, rent controlled housing

E. REGULAR CALENDAR

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

10. 2020-003039PCA (A. MERLONE: (415) 575-9129)
ARTS ACTIVITIES AND SOCIAL SERVICE OR PHILANTHROPIC FACILITIES AS TEMPORARY USES
[BOARD FILE NO. 200215] – Planning Code Amendment to allow Arts Activities and Social Service or Philanthropic Facilities as a temporary use in vacant ground-floor commercial space; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications
(Continued from Regular hearing on May 14, 2020)

SPEAKERS: = Audrey Merlone – Staff report
+ Paul Monge, legislative aide of Supervisor Ronen – Project Presentation

ACTION: Approved with Staff Modifications and extending the initial duration to two years with a two-year extension.

AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

RESOLUTION: 20750

11. 2017-004557ENV (J. MCKELLAR: (415) 575-8754)
– The project site is located on the north side of O’Farrell Street in the block bounded by Geary, O’Farrell, Leavenworth and Jones streets, Assessor’s Block 0318, Lot 009 (District 4)
– The proposed project would demolish most of the existing two-story-over-basement, 40-foot-tall, 35,400 gross-square-foot (gsf) building, built in 1924, which operates as a public parking garage and is an individually eligible historic resource and a contributory building to the National Register-listed Uptown Tenderloin Historic District. The proposed project would retain the existing O’Farrell Street façade and construct 111 residential units in a 13-story-over-basement, mixed-use residential building with 1,300 square feet (sf) of ground-floor retail or residential amenity space, and 156 bicycle parking spaces at the ground and basement levels, accessible from O’Farrell Street. A project variant is also proposed that
would demolish the existing building and construct 116 residential units in a 13-story-over-basement, mixed-use residential building with 1,300 sf of ground-floor retail or residential amenity space, and 156 bicycle parking spaces at the ground and basement levels, accessible from O'Farrell Street. The proposed project and the project variant do not propose any vehicle parking. The project site is within a Residential-Commercial, High Density (R-C-4) Use District, North of Market Residential Special Use District No. 1, and 80-T-130-T Height and Bulk Districts.

Preliminary Recommendation: Review and Comment

SPEAKERS: = Jennifer McKellar – Staff presentation
- Daniel Franco – Parking, public transit
+ Gabby Ruiz – Community outreach
- William Rankin – Character and design
- Speaker – Cookie cutter
- Sue Hestor – Residential hotels, neighborhood outreach

ACTION: Reviewed and Commented

12a. 2018-012065CUA (L. HOAGLAND: (415) 575-6823)
5500 MISSION STREET – northwest corner of Mission Street and Foote Avenue; Lots 001G, 001H, 001I and 036 in Assessor’s Block 7066 (District 11) – Request for Conditional Use Authorization, pursuant to Planning Code Sections 121.2 and 303 to demolish an existing 2,750 square foot industrial building and new construction of a four-story, 40-ft tall, mixed-use building with a 72 bed residential care facility for the elderly, 8 group housing rooms (11 beds) and one manager’s unit and 888 square feet of ground floor commercial in the Excelsior Outer Mission Street (NCD) Neighborhood Commercial Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on June 11, 2020)

SPEAKERS: = Linda Ajello-Hoagland – Staff report
+ Jeremy Schaub – Project presentation
+ Sue Hall, legislative aide to sup. Safai – Support

ACTION: Approved with Conditions
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
MOTION: 20751

12b. 2018-012065VAR (L. HOAGLAND: (415) 575-6823)
5500 MISSION STREET – northwest corner of Mission Street and Foote Avenue; Lots 001G, 001H, 001I and 036 in Assessor’s Block 7066 (District 11) – Request for a Variance from the Zoning Administrator, pursuant to Planning Code Section 134 (Rear Yard) to construct a new four-story, 40-ft tall, mixed-use building in the Excelsior Outer Mission Street (NCD) Neighborhood Commercial Zoning District and 40-X Height and Bulk District.
(Continued from Regular hearing on June 11, 2020)

SPEAKERS: Same as 12a.

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

13a. 2019-007154CUA (J. HORN: (415) 575-6925)
4333 26TH STREET – between Douglass and Diamond Streets; Lot 028 in Assessor’s Block 6561 (District 8) – Request for Conditional Use Authorization, pursuant to Planning Code Sections 303 and 317, to demolish an existing 28-foot-tall, two-story, 1,992-square-foot, single-family residence and construction of a new 40-foot-tall, four-story, 4,367-square-foot, single-family residence. The project site is located within a Residential House, One-Family (RH-1) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Jeff Horn – Staff report
+ Jeff Gibson – Project presentation
- Ozzie Rohm – Size, affordable by design
= Georgia Schuttish – Loss of rear yard and mature trees

ACTION: Approved with Conditions
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
MOTION: 20752

13b. 2019-007154VAR

4333 26TH STREET – between Douglass and Diamond Streets; Lot 028 in Assessor’s Block 6561 (District 8) – Request for a Variance from the Planning Code for front setback requirements, pursuant to Section 132. The project site is located within a Residential House, One-Family (RH-1) Zoning District and 40-X Height and Bulk District.

SPEAKERS: Same as 13a.

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

14. 2019-004110CUA

2675 GEARY BOULEVARD – located on the southeast corner of Geary Boulevard and Masonic Avenue; Lot 001 in Assessor’s Block 1094 (District 5) – Request for a Conditional Use Authorization, pursuant to Planning Code Sections 303, 303.1 and 712 to permit a Formula Retail use (d.b.a. Whole Foods Market) within a NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and 40-X and 80-D 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 May 28, 2020)

Note: On May 28, 2020, after hearing and closing public comment, continued to June 25, 2020 by a vote of +4-3 (Diamond, Fung, Koppel against).

SPEAKERS: = Chris May – Staff report
+ Mark Loper – Project presentation
- Bradley – Anti-union
- Speaker – Immediate access to healthy options
+ Emily Abraham – Employment
+ Alex – Central location
- Ryan McGilley – Union, organized labor
+ Jackie – Better access to groceries
- Kim Tavaglione – Predatory employer
+ Oliver Dibble – Good use of space
+ Jeff – Support, parking
- Natalie – Inconsistent values
+ Richard Hammill – Support
+ Speaker – Online shopping
+ Meghan Post – Support
+ Speaker – Great for the neighborhood
+ Chris Shelton – Support
- Frank Martin Del Campo – Labor issues
- Marc Wolfe – Qualifications for exceptions
+ Tammy – Support
+ Tracie O’Neal – Support
+ Janice Snow – Support
+ Rebecca Jolla – Support
+ Elizabeth Lewis – Support
+ Speaker – Support
+ Kirsten Anderson – Support
+ Speaker – Support
+ Erica – Support
+ Laura Bar – Support
- Speaker – Oppose
+ Pamela – Great shopping option
+ Peter Conti – Support
+ Matt Holmes – Support
+ Cameron – Support
+ Kimberly – Support
- Julie Fisher – Oppose
+ Speaker – Support
+ Julie Taylor – Support
+ Jeff – Support
+ Speaker – Support
+ Courtney Griffin – Support
= Rachel Schuett – Response to questions

ACTION: Approved with Conditions
AYES: Chan, Diamond, Fung, Imperial, Johnson, Moore
NAYS: Koppel
MOTION: 20753

F. DISCRETIONARY REVIEW CALENDAR

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

15a. 2019-016969DRM (D. WEISSGLASS: (415) 575-9177) 4326-4336 IRVING STREET – on north side of Irving Street between 44th Avenue and 45th Avenue, Lot 071 of Assessor’s Block 1706 (District 4) – Request for a Mandatory
Discretionary Review, pursuant to Planning Code Section 311 to construct a one-story vertical addition to the existing three-story residential building within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. Five ADUs (Accessory Dwelling Units) were previously approved at the ground story per permit no. 2018.1116.6157, resulting in 17 approved dwelling units at the property. Environmental review is not required for the Planning Commission to disapprove the project.

Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

(Continued from Regular hearing on June 4, 2020)

Note: On June 4, 2020, after hearing and closing public comment; Continued to June 25, 2020 by a vote of +6 -0 (Johnson absent).

SPEAKERS:

- David Weissglass – Staff report
- Speaker – Project presentation
- Speaker – Support
- Speaker – Affordability, reject 4th floor
- Tim – Oppose 4th floor
- Barry – Opposed
- Speaker – Oppose 4th floor
- Barbara Delaney – Oppose 4th story
- Speaker – Oppose 4th story
- Aleta – Oppose 4th story
- Eileen Boken – Oppose 4th story
- Joe – Support
- Ramon – Support
- Chris Brennan – Support
- Speaker – Oppose
- Larry – No to 4th floor
- Elizabeth – Support
- Speaker – Support
- Cole – Support
- Yonathan Randolph – Support
- Shaun – Support
- Logan – Support
- Speaker – Oppose
- Corey Teague – Response to questions
- Natalia Kwiatkowska – Response to questions

ACTION: Adopted a Motion of Intent to Approve with Staff Modifications; Continued to July 9, 2020.

AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

15b. 2019-016969VAR (D. WEISSGLASS: (415) 575-9177)
4326-4336 IRVING STREET – on north side of Irving Street between 44th Avenue and 45th Avenue, Lot 071 of Assessor’s Block 1706 (District 4) – Request for a Variance from the Zoning Administrator, pursuant to Planning Code Section 140 to construct a one-story vertical addition to the existing three-story residential building within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. Two of the existing dwelling units face an open area of less than 25 feet in every horizontal dimension and are therefore legally nonconforming to the dwelling unit exposure requirement. The proposed
vertical addition will intensify noncompliance for these two units. Therefore, a variance is required.
(Continued from Regular hearing on June 4, 2020)

SPEAKERS: Same as 15a.
ACTION: ZA Closed the PH and took the matter under advisement

1926 DIVISADERO STREET – between California and Pine Streets; Lot 024 in Assessor’s Block 1027 (District 2) – Request for Discretionary Review of Building Permit 2018.0808.6813 to construct an approximately 166 square foot rear addition at the second floor of a two-story over basement single-family home within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Continued from Canceled hearing on April 30, 2020)

SPEAKERS: = David Winslow – Staff report
- Steve Williams – DR presentation
+ Brian – Project presentation
+ Mike Chen – Support

ACTION: No DR
AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore
DRA: 706

17. 2018-001662DRP (D. WINSLOW: (415) 575-9159)
2476 DIAMOND STREET – between Moreland and Moffit Streets; Lot 032 in Assessor’s Block 6700 (District 8) – Request for Discretionary Review of Building Permit 2019.1205.8713 to correct rear yard retaining wall heights constructed per approved building permit applications No. 2018.0123.9273 and 2019.1015.4489 to construct a single-family home within a RH-1 (Residential House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Continued from Regular hearing on May 7, 2020)

SPEAKERS: = David Winslow – Staff report
- Sarah Van Ness – DR presentation
+ Jeremy Schaub – Project presentation
+ Ryan Patterson – Project presentation
- Bonnie – Support DR
- Shelley Bradford Bell – Go back to original permit
- Ozzie Rohm – Lot, grading
- John – Poor design
+ Speaker – Support
- Steve – Wall
- Mitch Edwards – Affected neighbors
+ Joe – Support
+ Speaker – Project sponsor rebuttal
+ Shaun – Response to questions

ACTION: Took DR and Approved with Staff Modifications, reducing the overall height of the wall and fence; and directing the Sponsor to continue working with Staff on final materials and landscaping.

AYES: Chan, Diamond, Fung, Imperial, Johnson, Koppel, Moore

DRA: 707

ADJOURNMENT 6:42 PM