

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes
Remote Hearing
via video and teleconferencing

Thursday, November 5, 2020
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:03 PM

STAFF IN ATTENDANCE: Aaron Starr, Veronica Flores, Corey Teague, Natalia Kwiatkowska, Claire Feeney, Michael Christensen, 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: (628) 652-7366)
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 an Out-Patient Dialysis Center (DBA Fresenius Kidney Care), Health Services (Retail Sales and Service) use within a currently vacant 15,300 square foot tenant space most recently used as an Formula Retail Pharmacy Use (dba CVS). The subject property is

located within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District, Balboa Park Area Plan and 45-X Height and Bulk District. There will be no expansion or exterior modification of the existing building and the project proposes to operate from 5:00 am to 10:30 pm on Monday through Saturday. 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 1, 2020)

Note: On October 1, 2020, after hearing and closing public comment, continued to November 5, 2020 by a vote of +6 -0.

(Proposed for Continuance to December 3, 2020)

SPEAKERS: None

ACTION: Continued to December 3, 2020

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

2. 2013.0846DRP (D. WINSLOW: (628) 652-7335)
140-142 JASPER PLACE – between Filbert and Union Streets; Lot 032 in Assessor’s Block 0103 (District 3) – Request for **Discretionary Review** of Building Permit 2014.0627.9672 to construct a vertical, one-story addition (setback 12 feet from front building wall) to expand the top unit, retrofit the basement level to expand the lower unit, and reconfigure the rear wall, to a two-family residential building within the RM-2 [Residential-Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District. The subject property’s required rear yard gains an additional 12 feet through averaging, and the proposed vertical addition is greater than 30 feet in height and extends into the last 10 feet gained by averaging. Therefore, a variance is required. The variance application was Noticed and heard by the Zoning Administrator at the June 24, 2020 Variance Hearing where the request was taken under advisement pending the completion of the 311 Notice. 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

(Proposed for Continuance to December 17, 2020)

SPEAKERS: None

ACTION: Continued to December 17, 2020

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

3. 2020-003045CUA (A. LINDSAY: (628) 652-7360)
1600 OCEAN AVENUE – on north side of Ocean Ave between Faxon Avenue and Miramar Avenue, Lot 011 of Assessor’s Block 3196 (District 7) – Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 303.1 and 755, to continue operation of an existing Formula Retail (ATM) use (d.b.a. “Bank of America”) in a ground floor tenant space, approximately 325 g.s.f., within an existing one-story commercial building. The subject property is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) District and 45-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 October 15, 2020)

WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn

12. [2018-009487DRP](#) (D. WINSLOW: (628) 652-7335)
811 VALENCIA STREET – between 19th and 20th Streets; Lot 099 in Assessor’s Block 3596 (District 9) – Request for **Discretionary Review** of Building Permit 2018.1115.6034 to demolish an existing one-story commercial building and to construct a new 7,454 s.f. six-story, mixed-used residential building within the Valencia NCT (Neighborhood Commercial Transit) Zoning District and 55-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

WITHDRAWN

SPEAKERS: None
 ACTION: Withdrawn

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. [2019-015642CUA](#) (C. FAHEY: (628) 652-7367)
201 2ND STREET – northeast of 2nd Street between Howard and Tehama Streets, Lot 097 of Assessor's Block 3736 (District 6) – Request for a **Conditional Use Authorization** pursuant to Planning Code Sections 156 and 303 for two (2)-year temporary use for 17 standard parking spaces, one (1) compact parking space, one (1) accessible parking space, four (4) Class II bicycle parking spaces, a 25 foot ticket booth, and site screening and landscaping within the C-3-O (SD) Zoning District, the Transbay C-3 Special Use District, the Transit Center C-3-O SD (Commercial Special Use District), and 350-S Height and Bulk District. The public parking lot previously obtained a two (2)-year temporary use authorization on January 12, 2017 (Motion No. 19829). 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 as amended by Staff
 AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel
 MOTION: [20804](#)

C. COMMISSION MATTERS

5. Consideration of Adoption:

- [Draft Minutes for October 15, 2020](#)
- [Draft Minutes for October 22, 2020](#)

SPEAKERS: None

ACTION: Adopted

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

6. Commission Comments/Questions

President Koppel:

Let me just start by formally welcoming Commissioner Tanner to the Planning Commission. She already was a commissioner, for those who don't know, at the Board of Appeals. So, she should be [inaudible] running with us. And honorable Mayor Breed was gracious enough to swear her in earlier this week. That was a nice pleasant surprise and I'm just thrilled and looking forward to having a full commission with seven great voices advocating for the city.

Commissioner Moore:

I'd like to join you welcoming Commissioner Tanner. I have observed her on the Board of Appeals. Quite a fighter. I'm delighted to have her join us so we at least can operate again as a full commission with seven participating members. Welcome, Commissioner Tanner.

Commissioner Fung:

I would also like to welcome my compatriot from the Board of Appeals. Welcome Commissioner Tanner.

Commissioner Tanner:

Well if I can. I guess I'm learning to use the chat to get into the queue. Thank you so much, commissioners, President Koppel and Vice President Moore. I really appreciate you. Thank you, Commissioner Fung. It's been great to even get to know some of you before joining you all here. Hopefully, at some point we'll be in-person, which would be lovely and wonderful, but thank you for making yourselves available via video and phone. And I really just am so excited to serve with you and to serve the city. And thank you to Director Hillis and Director Ionin. Thank you so much for your work in helping me get ready to serve today and I'm just really delighted to be here. So, thank you all.

Jonas P. Ionin, Commission Secretary:

Thank you and welcome again, Commissioner Tanner. If that concludes all deliberation from commissioners. If you would indulge me, for one moment commissioners. I would ask that you consider a resolution that I will share with you on your screen, and I believe Christine is here with us. Christine Silva, the manager or I should say former manager of Commission Affairs that assisted me very much in the background getting these remote hearings up and working. I am requesting that adopt a resolution commending her 13 years of service with the Planning Department; the last six of which in my small office of Commission Affairs. She was integral in digitizing our records, making more public

availability of all of the things that used to be requested in hard copy are almost all now available digitally. Mostly due to her efforts. And again, I wanted to thank her so much for helping me navigate this sort of virtual normal place and getting our remote hearings up as swiftly and as efficiently as we have been able to. So hopefully, you can all see my screen with the resolution. It was adopted by the Historic Preservation Commission yesterday, and so, I would request you do the same today.

President Koppel:

Well let me first start by saying, definitely, very supportive of this resolution. Not only did Christine make all filling in at the live [inaudible] for Jonas Ionin and she did an amazing job. But we all probably have no idea how much work she was doing behind the scenes just like explained by Mr. Ionin. So again, thank you Christine for all your time, all your service and wish you the best of luck in your future endeavors.

Commissioner Moore:

I'm with him because you started when I became a Planning Commissioner. And so, I've known you from day one and always admire your great contributions. Your incredible skills coordination with Secretary Ionin and everything which came after. Thank you very much for your service and we will miss you.

Resolution Commending Christine Silva:

SPEAKERS: None

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

Jonas P. Ionin, Commission Secretary:

And we thank you again Christine --

Commissioner Moore:

Secretary Ionin, there is an incredible noise in the background and I'm not sure where it is. I'm in a quiet place, just like a construction or something dragging back and forth.

Jonas P. Ionin, Commission Secretary:

I hear it as well. I'm not sure since -- oh it was Christine. It was coming from your computer. But, thank you and good luck to you at the Board of SFMTA.

Commissioner Moore:

Okay. Thank you.

Christine Silva:

Can I say just one or a few sentences? And then I'll mute. I just wanted to say thank you. It's been such a pleasure to work for such an incredible department. Not just one, but two really great commission all these years. And of course, I would be remiss not to thank Director Hillis, Secretary Ionin -- Jonas for all their support and guidance. And really most importantly, our Commission Affairs team, Chan Son and Josephine Feliciano, who are the backbone to our team. So again, just thank you so much. I'll miss you all, but of course, I'm not going far just over to MTA as the new board secretary. Thank you and I wish you all the best.

Commissioner Moore:

Thank you.

Jonas P. Ionin, Commission Secretary:

Thank you.

D. DEPARTMENT MATTERS**7. Director's Announcements****Rich Hillis, Planning Director:**

So, one, congratulations Christine on your new position. It is a big loss for us at Planning but a great finishing for you on a promotion, so congratulations. We will certainly miss you.

Welcome back, I guess, to Commissioner Tanner, who was with us in the Planning Department and is now back. Obviously in a different role, but we are extremely happy about that and looking forward to working with you.

I also want to recognize and congratulate former Commissioner Melgar who appears to have been elected as District 7 Supervisor. So, we look forward to serving with her on the commission. So, looking forward to working with her on the Board.

I also wanted to note election-related that Prop H passed or is passing. It's got 62% of the vote. So, it will pass and becomes effective when the election is certified. So, I'd like to schedule an informational hearing here with you to talk about the details because it does change and streamline some of our processes in neighborhood commercial districts. So, we'll do that over the next couple of weeks. The basics of it is it requires a 30-day process for principally permitted uses to be acted upon. It reduces some of the noticing for principally permitted uses in neighborhood commercial districts. And it generally makes, you know, many of the uses we see, in those districts principally permitted that may have been conditionally permitted before things like general entertainment, movie theaters, community facilities, restaurants, limited restaurants, art activities, philanthropic and social services. So, we'll come back and give you more detail on that.

I should also note that Mayor Breed has asked us to start working on making the Shared Spaces permanent within the Department and within the City. So, we're working with SFMTA and DPW on that. And some time too, we'll come back to you, it may require commission actions to make that permanent.

Also, finally, I wanted to note that ABAG has opened up public comment on the RHNA allocation. So, the ABAG executive board approves the methodology for allocating the region's RHNA housing goals to the various governments and jurisdictions. As we've talked about before, these numbers are increasing over two times what they were before but that public comment period to comment on the methodology is open and ends later this month on November 27th. And that's all I have if there are no questions, that's my report.

President Koppel:

I think commissioner Moore has something.

Commissioner Moore:

Yes. You were speaking about Prop H. I was wondering because I did not see it. Is there a social and equity component to Prop H?

Rich Hillis, Planning Director:

You know, specifically is there something in the legislation that addresses social and racial equity? I don't believe so. I mean I think, though, part of the rationale and the reason for Prop H was to make the process kind of simpler and easier and not require a small business that may otherwise require a permit expeditor or going through an elaborate CU process or requiring a lawyer to navigate that process in an easier fashion. And I think that in and of itself will help many of the small businesses we see navigate that city process.

Commissioner Moore:

And I think that is a fabulous goal and I wholly support that. I believe though that we owe it to ourselves as commissioners as well as a department to have at least somewhere in our discussion a look at social and racial equity component in that discussion.

Rich Hillis, Planning Director:

I should also note some of the provisions in Prop H don't apply to the Mission, in particular in 24th Street, in recognition of the unique circumstance's kind of in the Mission.

Commissioner Moore:

My second question to you, Director Hillis, in the ABAG restated RHNA goals, is there any provision for corporate impact to change and state population exodus, vacancy, etcetera?

Rich Hillis, Planning Director:

Yeah, it's being factored into the broader planned bay area, but as you know, these are long-term numbers and long-term goals. So Planned Bay Area, it looks at 2050. The RHNA allocations themselves cover the period 2023 to 2031. So I know it was discussed during the ABAG meeting, but there is also a recognition that these are longer term goals and hard to kind of look at kind of the shorter term goals of COVID and what is going to happen in the next few years as part of that under taking.

Commissioner Moore:

Okay. Thank you.

Rich Hillis, Planning Director:

Yup.

Commissioner Imperial:

I have a question, Director Hillis, regarding the ABAG. You said that the comments end by November 27th. How can, is that, how's the public comment – how can that access the public comment?

Rich Hillis, Planning Director:

So, you can access it through ABAG's websites. It's in comments kind of the normal way. You can comment. I mean people did comment at hearing that ABAG had. There will be a future hearing to adopt that methodology that members of the public can comment on, but through e-mail or letters, you know, it's available to comment on ABAG's website.

Commissioner Imperial:

Perhaps if it's possible for our Planning Department to have that in our website as well. Coz, I mean, many people may not be accessing ABAG website.

Rich Hillis, Planning Director:

Great idea. We'll do that.

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

Aaron Starr, Manager of Legislative Affairs:

Good afternoon, commissioners. Aaron Starr, Planning Department Staff. While you were out on break last week, the Board did meet. There were no items in the Land Use impacting Planning.

While the full Board of Supervisors, they unanimously approved Mayor Breed's appointment of Rachael Tanner to the Planning Commission. Congratulations, Commissioner Tanner. They also continued the appeal for 617 Sanchez to November 17th.

This week at the Land Use Committee, they considered the landmark designation for the History of Medicine in California Frescoes, located at the UCSF Parnassus campus. Supervisor Peskin is the sponsor of this legislation with supervisor Safai as co-sponsor. They considered this designation on August 19th of this year after receiving the resolution initiating designation from the Board which was initiated by Supervisor Peskin. The Frescoes are historically significant for their association with the works progress administration federal art project displaying high artistic value and distinctive characteristics of new deal era art. And as an excellent example of the work of a master artist and muralist, Barnard Zakheim, the period of significance is from 1936 to 1938. Supervisors Peskin and Safai both expressed their full support for the landmark designation and noted how important it was to the history of San Francisco and California that the Frescoes be preserved and accessible to the public. There are two public comments including SF Heritage which expressed support for the designation and requested that UCSF commit to relocating the Frescoes on the Parnassus campus and make them accessible to public. The Committee then forwarded the ordinance to the full Board with a positive recommendation.

Finally, at the full Board this week, the Board continued both CEQA appeals for MTAs MUNI rails service adjustment and associated street parking changes. I suspect their attention was elsewhere on that day. And that's all I have for you today. Thank you.

Jonas P. Ionin, Commission Secretary:

I did not receive a report from the Board of Appeals, but the Historic Preservation Commission did meet yesterday. And they considered the draft Environmental Impact Report and the preservation alternatives associated with 447 Battery Street. This is a draft EIR that will come before you next week, November 12th. They also adopted a recommendation for approval with modifications as amended directing staff to continue working on the area boundaries and with the community on the American Indian Cultural District Expansion ordinance. And finally, they adopted a recommendation for approval as

amended for the State Mandated Accessory Dwelling Unit Controls that you will be taking up later today. And their one amendment was a reference to the Architectural Review Standards and to make sure that those were updated to prevent any conflicts with the state controls.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Jeremy Paul – Prop H impact
 Linda Chapman – Unnotified changes, rezoning
 Georgia Schuttish – March 26, 2009 hearing, CID
 Anastasia Yovanopolous – SF Tenants union, RHNA
 Tess Welborn – Keep records on activities on Prop H
 Yonathan Randolph – Section 317, tantamount to demolition

F. REGULAR CALENDAR

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

9. [2020-003248PCA](#) (V. FLORES: (628) 652-7525)
STATE-MANDATED ACCESSORY DWELLING UNIT CONTROLS [BF 201008] – Planning Code Amendments – Ordinance amending the Planning Code to clarify the ministerial approval process for certain Accessory Dwelling Units meeting certain requirements in single-family and multifamily buildings; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve
 (Continued from Regular hearing on October 22, 2020)

SPEAKERS: = Veronica Flores – Staff presentation
 = Corey Teague – Code interpretations
 - Stephanie Peek – Protect environment
 - Bruce Bowen – Concerns on changes
 - Jennifer Fieber – Premature, tenant protection
 - Francis – Unjust eviction for parking and storage
 - Jerry Dratler – Not a city-wide solution
 - Linda Chapman – Notifications
 - Tess Welborn - Send staff for further work
 - Katherine Howard – Backyard are important spaces
 - Anastasia Yovanopolous – Disagree with basis for recommendation
 + Jeremy Paul – About time taking these steps
 + Yonathan Randolph – Thank you for the ADU changes
 - Ozzie Rohm – Insensitive, why the rush
 - Georgia Schuttish – Midblock open space source of tree canopy
 + Sarah Ogilvie – Time to revisit all use of space, important step
 - Leticia – Oppose, significant environmental impact

- + Peter Miljanich – City attorney
- = Natalia Kwiatkowska – Response to questions
- + Austin Yang – City attorney
- = Aaron Starr – Response to questions

ACTION: Approved as amended to include a reference to the Architectural Review Standards

AYES: Tanner, Chan, Diamond, Fung, Koppel

NAYS: Imperial, Moore

RESOLUTION: [20805](#)

10. [2020-005123CUA](#) (C. FEENEY: (628) 652-7313)
[2675 MISSION STREET](#) – east side of Mission Street between 22nd and 23rd Streets, Lot 022 of Assessor’s Block 3637 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 303.1, 754, and 781.5, to establish an approximately 3,605 square-foot General Retail Sales and Service Formula Retail Use (d.b.a. Wallbeds 'n' More) within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District and 65-B Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions

- SPEAKERS: = Claire Feeny – Staff report
 + Philip Lesser – Project sponsor
 + Ryan M – Affordable solutions
 + Peter Papadapolous – Affordable items

ACTION: Approved with Conditions

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

MOTION: [20806](#)

11. [2020-006148CUA](#) (M. CHRISTENSEN: (628) 652-7567)
[2843 GEARY BOULEVARD](#) – south side of Geary Blvd between Collins and Wood Streets; Lot 025 in Assessor’s Block 1091 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 739, to establish a Cannabis Retail use with no on-site smoking or vaporizing in an existing 1,425 square foot ground floor commercial space within the Geary Boulevard NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. A 1-story horizontal addition at the rear of the building and minor front façade changes are proposed. 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 15, 2020)

- SPEAKERS: = Michael Christensen – Staff report
 + Speaker – Project sponsor
 + Jade Elizabeth – Project sponsor
 - Patricia – Oppose
 - Charlie – Did not reach out to us
 - Jenny Hayes – Support
 - Andrew Davis – Support
 - Gabriela – Tenant

+ Speaker – Support
= Austin Yang – City attorney
ACTION: Approved with Conditions
AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel
MOTION: [20807](#)

ADJOURNMENT 4:21 PM
ADOPTED NOVEMBER 19, 2020