



EXECUTIVE SUMMARY CONDITIONAL USE

HEARING DATE: MAY 6, 2021

Record No.: 2021-002277CUA
Project Address: 220 Dolores Street
Zoning: Residential Transit Oriented (RTO) District
40-X Height and Bulk District
Block/Lot: 3557 / 003A
Project Sponsor: Laura Valdez
Dolores Street Community Services
938 Valencia Street
San Francisco, CA 94110
Property Owner: Dolores Street Community Services
938 Valencia Street
San Francisco, CA 94110
Staff Contact: Jeff Horn – (628) 652-7366
jeffrey.horn@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project proposes to change the use of an existing ten-guest Residential Care Facility to a residential use of 10-beds of group housing within two existing buildings located on the lot. The front cottage building is approximately 3,338 square feet in area and would provide five bed rooms, two full-bathrooms, a mechanical room, a library, a storage room, a sitting room and a kitchenette at the lower level, and three guest rooms, two full-bathrooms, a kitchen and a dining room at the upper level; and the rear carriage house is approximately 673 square feet in total area would provide two bedrooms, a common room, a full-bathroom, a laundry room and a storage room at the lower level, and storage room at the attic/upper level).

Required Commission Action

In order for the Project to proceed, the Commission must grant Conditional Use Authorization, pursuant to Planning Code Sections 303 and Interim Zoning Control 2019-017654PCA to allow the change of use from Residential Care Facility to a Group Housing.

Issues and Other Considerations

- **Public Comment & Outreach.**

- **Support/Opposition:** The Department has not received any comment letters in support or opposition to the Project.
- **Outreach:** As part the RCFCI delicensing project by the City of San Francisco, the following outreach has occurred:

The following resident outreach has occurred off-site:

- A. Mayor's Office Update – March 15
- B. Community HIV Housing Plan Update – March 18
- C. HIV Planning Council Update – March 22
- D. Community Care Licensing Update – March 24
- E. Primary Care Provider Update – April 7
- F. Supervisor Mandelman and Staff – April 19

Resident and Staff Outreach

- G. Town Hall and individual meetings have been ongoing since the week of March 8

- **Interim Zoning Controls.** On October 11, 2019, the Board of Supervisors passed Board File No. 190907 enacting a resolution to require Conditional Use Authorization from the Planning Commission to change the use of a Residential Care Facility to another use. As part of this resolution, the Commission must adopt certain findings, as detailed in the draft motion.
- **Facility Operations.** Operated by Dolores Street Community Services, the existing facility is licensed by the State of California as a Residential Care Facility for the Chronically Ill for people living with HIV or AIDS, and the change of use to residential group housing is to allow the City of San Francisco to develop an intermediate level of supportive housing that does not require licensure. The proposed use change will maintain the same number of residents (10), and some of the existing residents will remain in the facility. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category. The project is 100% affordable housing per the requirements of the federal funding source (HOPWA).
- **Variance Requests:** By changing the use from institutional to residential, the project must comply with the development standards of residential use types. The subject property is developed with a non-complying structure and vehicle parking located within the required rear yard and the Sponsor is seeking a variance to Planning Code Section 134 (rear yard) and Section 140 (Dwelling Unit Exposure).
- **Landmark:** The front cottage, along with the adjacent building at 214 Dolores Street, are referred to as the Tanforan Cottages and are the oldest residential structures in the Mission District. The subject property is an

Article 10 Designated Historic Landmark (#68), individually listed on the California Register and is eligible for listing on the National Register. No alterations to the exterior or interior of the building are proposed.

Environmental Review

The Project is “Not a Project” under the California Environmental Quality Act (“CEQA”)

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Market Octavia Area Plan and the Objectives and Policies of the General Plan, and the findings of the Interim Zoning Controls adopted by the Board of Supervisors. The proposed new residential group housing will be located within the existing buildings on-site, no changes are proposed to the exterior or interior. The proposed change will maintain the same number of residents (10) that reside on the property. The Project will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community by providing an intermediate level of congregate care for persons living with HIV/AIDS within an existing facility established in the neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval
Exhibit B – Plans and Renderings
Exhibit C – Land Use Data
Exhibit D– Maps and Context Photos



PLANNING COMMISSION DRAFT MOTION

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTION 303 AND BOARD OF SUPERVISORS FILE NO. 190908 TO ALLOW THE CHANGE IN USE OF A RESIDENTIAL CARE FACILITY TO A GROUP HOUSING WITHIN TWO EXISTING TWO-STORY RESIDENTIAL BUILDINGS, LOCATED AT 220 DOLORES STREET, LOT 003A IN ASSESSOR'S BLOCK 3577, WITHIN AN RESIDENTIAL TRANSIT ORIENTED (RTO) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 8, 2021, Laura Valdez of Dolores Street Community Services (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Conditional Use Authorization under Planning Code Sections 303 and Interim Zoning Control 2019-017654PCA to allow the for a change of use from Residential Care Facility to a Group Housing at 220 Dolores Street, Block 3557, Lot 003A (hereinafter "Project Site").

On May 6, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-002277CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2021-002277CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2021-002277CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

- 2. Project Description.** This proposal is to change the use of an existing ten-guest Residential Care Facility, an institutional use, to a residential use of 10-beds of group housing within two existing buildings located on the lot. The front cottage building is approximately 3,338 square feet in area and would provide five bed rooms, two full-bathrooms, a mechanical room, a library, a storage room, a sitting room and a kitchenette at the lower level, and three guest rooms, two full-bathrooms, a kitchen and a dining room at the upper level; and the rear carriage house is approximately 673 square feet in total area would provide two bedrooms, a common room, a full-bathroom, a laundry room and a storage room at the lower level, and storage room at the attic/upper level).

Operated by Dolores Street Community Services, under contract to the City and County of San Francisco through the Mayor's Office of Housing and Community Development, the existing facility is licensed by the State of California as a Residential Care Facility for the Chronically Ill for people living with HIV or AIDS, and the change of use to residential group housing is to allow the City of San Francisco to develop an intermediate level of supportive housing that does not require licensure. The proposed change will maintain the same number of residents (10), and some of the existing residents will remain in the facility. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category.

- 3. Site Description and Present Use.** The Project is located on an approximately 8,076 square foot lot corner with approximately 38-feet of frontage along Dolores Street and 182-feet of frontage on Alert Alley. The Project Site contains a two-story front cottage, that is set below-grade onsite, so it presents to the Dolores Street face as a one-story building. At the rear of the property is a two-story storage carriage building. Both buildings were constructed in 1856. The front cottage, along with the adjacent building at 214 Dolores Street, are referred to as the Tanforan Cottages and are the oldest residential structures in the Mission District. The subject property is an Article 10 Designated Historic Landmark (#68), individually listed on the California Register and is eligible for listing on the National Register.

In 1997, the subject property was granted Conditional Use Authorization to allow the use of a Residential Care Facility for the Chronically Ill at the site that had been providing group housing (Record No. 97.263C).

- 4. Surrounding Properties and Neighborhood.** The subject property on Dolores Street between 15th and 16th Streets is located within RTO Zoning District. Surrounding properties are zoned RM-2 (Moderate Density), RM-3 (Medium Density) and RH-3 (House, Three-Family District). The buildings on this block are generally two and three stories over basement with occupancies ranging generally from two to nine dwelling units. However, there are two apartment buildings on this block, one of them has 40 units and the other one has 120 units. The subject property is within two blocks to the south and to the east of Market Street and consequently is within walking distance of the Upper Market Neighborhood Commercial District and a NC-3 (Moderately Scale Neighborhood Commercial) District.

- 5. Public Outreach and Comments.** No public comments were received on the project. As part the RCFCI

delicensing project by the City of San Francisco, the following outreach has occurred:

The following resident outreach has occurred off-site:

- A. Mayor's Office Update – March 15
- B. Community HIV Housing Plan Update – March 18
- C. HIV Planning Council Update – March 22
- D. Community Care Licensing Update – March 24
- E. Primary Care Provider Update – April 7
- F. Supervisor Mandelman and Staff – April 19

Resident and Staff Outreach

- G. Town Hall and individual meetings have been ongoing since the week of March 8

The following resident outreach has occurred at the facilities; House meeting March 10 - overview of how and why the Residential Care Facility for the Chronically Ill (RCFCI) system of care is changing and the impact that was going to have on 220 Dolores Street (Richard Cohen Residence) as a program and thus, on the residents and staff as well, Open office hours - March 12 – for questions from March 10 meeting, Individual meetings with each resident April 14 – reviewed assessment of each resident with them and re-emphasized the changes that would be happening at Cohen programmatically and with that why each individual would benefit from a repositioning in order to continue to receive RCFCI level of care or be able to handle more independence and stay as Cohen transitions to a Transitional Residential Care Facility (TRCF) , and Ongoing – RN Case Manager and Program Director answer questions and hold individual discussions as requested by residents.

6. Planning Code Compliance. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Planning Code Section 209.4 permits Group Housing with no density limits within an RTO District.

The Project provides 10 beds of group housing within two existing structures.

- B. **Rear Yard.** Section 134 of the Planning Code requires a rear yard equal to 45% of lot depth within an RTO District.

The existing cottage building is a legal non-conforming structure that extends approximately 18 feet, 3 inches from the rear property line, located entirely within the required rear yard. The project would add a residential use to the non-conforming structure, which requires a Variance from Section 134.

- C. **Open Space.** Section 135 of the Planning Code requires that for all group housing projects, the minimum amount of usable open space provided for use by each bedroom shall be one-third the amount required for a dwelling unit. A minimum of 100 square feet of private outdoor space, or 133 square feet of common outdoor space, are required for residential units within the RTO Zoning District.

The 10-bed group housing project would be required to provide 333 square feet of common usable open space. The site's existing front and court yards are being retained and are accessible by both buildings

on-site, totaling approximately 1,700 square feet.

- D. **Dwelling Unit Exposure.** Section 140 of the Planning Code requires that for all group housing projects, either each bedroom or at least one interior common area that meets the 120 square-foot minimum superficial floor area requirement of Section 503 of the Housing Code at least one room that faces a street, yard, or open space that is at least 20-feet deep.

All the bedrooms of the group do not meet exposure and neither building has a common area of at least 120 square feet in area that faces street, yard or open area that is at least 20 feet deep. Therefore, the project seeks a Variance for dwelling unit exposure.

- E. **Bicycle Parking.** Section 155.2 of the Planning Code requires one Class 1 bicycle parking space four beds of group housing and a minimum of two Class 2 bicycle parking spaces.

The proposed 10-bedroom group housing project will provide three Class 1 bicycle storage lockers within the site's rear yard and two Class 2 bicycle parking spaces off-site. The Class 1 bicycle parking will be stored within the allowable 100 square feet yard obstruction as provided in Planning Code Section 136(c)(23).

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed new residential group housing will be located within the two existing buildings on-site, no changes are proposed to the exterior or interior. The proposed change of use will maintain the same number of residents (10). There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category. The Project will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community by providing an intermediate level of congregate care for persons living with HIV/AIDS.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the size, shape, and arrangement of the building, e.g. height and bulk, will not be modified as part of this Project.

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of

such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require off-street parking for Residential uses. The existing site will retain the one off-street parking space.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project will not produce noxious or offensive emissions related to noise, glare, dust, or odor.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project currently provides a front setback that is within compliance with landscaping and permeability requirements. The existing side property line along Alert Alley is fenced and provides screening of the existing off-street parking space.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Use District.

The Project Site is located in an RTO Zoning District in which group housing is a principally permitted use.

- 8. Interim Zoning Controls Findings: Change of Use to a Residential Care Facility.** Effective on October 11, 2019, the Board of Supervisors passed an interim zoning control to require Conditional Use Authorization for a change in use of a residential care facility. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:

- A. Any findings by the Department of Public Health, the Human Services Agency, the Department of Aging and Adult Services, or the San Francisco Long-Term Care Coordinating Council regarding the capacity of the existing Residential Care Facility Use, the population served, and the nature and quality of services provided.

Operated by Dolores Street Community Services, under contract to the City and County of San Francisco through the Mayor's Office of Housing and Community Development, the existing facility is licensed by the State of California as a Residential Care Facility for the Chronically Ill for people living with HIV or AIDS, and the change of use to residential group housing is to allow the City of San Francisco to develop an intermediate level of supportive housing that does not require licensure. The proposed change will maintain the same number of residents (10), and some of the existing

residents will remain in the facility. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category.

- B. The impact of the change of use on the neighborhood and community.

The Project Site is on a primarily residential block with single-family homes and multifamily buildings. The change of use would not alter the existing structures. The proposed change will maintain the same number of residents (10), and some of the existing residents will remain in the facility. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category.

- C. Whether there are sufficient available beds at a licensed Residential Care Facility within a one-mile radius of the site.

The residents of the existing Residential Care Facility for the Chronically Ill for people living with HIV or AIDS have a unique housing need that not all licensed Residential Care Facilities provide. As part of MOHCD's RCFCI Delicensure Project, all RCFCI residents were evaluated by their Primary Care Providers in conjunction with an outside provider to assess each residents care level need. Beds for persons living with HIV or AIDS needed to remain within licensed RCFCI facilities would be available at Maitri (15 beds) located at 401 Duboce Avenue (.4 miles away) and Peter Claver Community (32 beds) located at 1340 Golden Gate (1.5 miles away).

- D. Whether the Residential Care Facility Use to be converted will be relocated or replaced with another Residential Care Facility Use. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

The proposed new residential group housing will be located within the two existing buildings on site, no changes are proposed to the exterior or interior. The proposed change will maintain the same number of residents (10), including some of the residents that currently live in the facility. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category. The Project will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community by providing an intermediate level of congregate care for persons living with HIV/AIDS.

9. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

Policy 2.2

Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing.

Policy 2.4

Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

Policy 2.5

Encourage and support the seismic retrofitting of the existing housing stock.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the general plan.

Policy 11.5

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.7

Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

MARKET OCTAVIA

Objectives and Policies

OBJECTIVE 2.4

PROVIDE INCREASED HOUSING OPPORTUNITIES AFFORDABLE TO HOUSEHOLDS AT VARYING INCOME LEVELS.

POLICY 2.4.3

Encourage innovative programs to increase housing rental and ownership opportunities and housing affordability

OBJECTIVE 3.3

PROMOTE THE PRESERVATION OF NOTABLE HISTORIC LANDMARKS, INDIVIDUAL HISTORIC BUILDINGS, AND FEATURES THAT HELP TO PROVIDE CONTINUITY WITH THE PAST.

POLICY 3.3.1

Preserve landmark and other buildings of historic value as invaluable neighborhood assets

The Project includes the conversion of a Residential Care Facility use to a Residential use through changing the use of an existing ten-guest Residential Care to a residential use of 10-beds of group housing within the two existing buildings located on the lot. Operated by Dolores Street Community Services, under contract to the City and County of San Francisco through the Mayor's Office of Housing and Community Development, the existing facility is licensed by the State of California as a Residential Care Facility for the Chronically Ill for people living with HIV or AIDS, and the change of use to residential group housing is to allow the City of San Francisco to develop an intermediate level of supportive housing that does not require licensure. The proposed change will maintain the same number of residents (10), and some of the existing residents will remain in the facility. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category.

The proposed new residential group housing will be located within the existing buildings on-site, no changes are proposed to the exterior or interior. The proposed change will maintain the same number of residents (10) that reside on the property. There will also be a potential decrease in on-site staffing due to the lower level of acuity of the residents under the new category. The Project will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community by providing an intermediate level of congregate care for persons living with HIV/AIDS.

The proposal to change the use to group housing to provide an intermediate level of congregate care for persons living with HIV/AIDS is, on balance, consistent with the Objectives and Policies of the General Plan.

10. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of

permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project is not anticipated to significantly affect the existing mix of neighborhood-serving retail uses. The Project is a residential rather than commercial use.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project is not anticipated to adversely affect the character or diversity of the neighborhood. The Project will create new group housing providing an intermediate level of congregate care as a Transitional Residential Care Facility within the existing structures onsite. In addition, the historic façade, exterior and interior elements of the existing building will be unaltered by the change of use.

- C. That the City's supply of affordable housing be preserved and enhanced,

The Project would not have any adverse effect on the City's supply of affordable housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project Site is served by nearby public transportation options. The Project is located within a ¼ mile of multiple Muni bus lines (22 Fillmore and 37 Connector), the F Historic light rail, and the J, K, L, M and MUNI subway and bus lines. The 16th Street Mission BART Station is also four-blocks away. The Project is retaining one on-site parking space within the yard. Therefore, traffic and transit ridership generated by the Project will not overburden the streets or MUNI service.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace or adversely affect any service sector or industrial businesses and it does not include any commercial office development.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

This Project will not adversely affect the property's ability to withstand an earthquake. The Project will comply with the requirements of the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The subject property is an Article 10 Designated Historic Landmark (#68), individually listed on the

California Register and is eligible for listing on the National Register. The historic buildings' façade, exterior and interior elements of the existing building will be unaltered by the change of use.

- H. *Therefore, the historic building will be preserved.*
- I. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will have no negative effect on existing parks and open spaces, and will not adversely affect their access to sunlight, or vistas.

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2021-002277CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, undated from 1997, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 6, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 6, 2021

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a change in use from Residential Care Facility to a dwelling unit, located at 220 Dolores Street, Lot 003A of Block 3557, pursuant to Planning Code Sections Planning Code Sections 209.1 and 303 and Board of Supervisors File No. 190908, within the RTO Zoning District and 40-X Height and Bulk District; in general conformance with plans, undated from 1997, and stamped “EXHIBIT B” included in the docket for Record No. **2021-002277CUA** and subject to conditions of approval reviewed and approved by the Commission on May 6, 2021 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on XXXXXX under Motion No. XXXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Parking and Traffic

6. **Bicycle Parking.** The Project shall provide no fewer than 3 Class 1 bicycle and 2 Class 2 Bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

7. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

8. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Operation

9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublishworks.org

10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning

Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

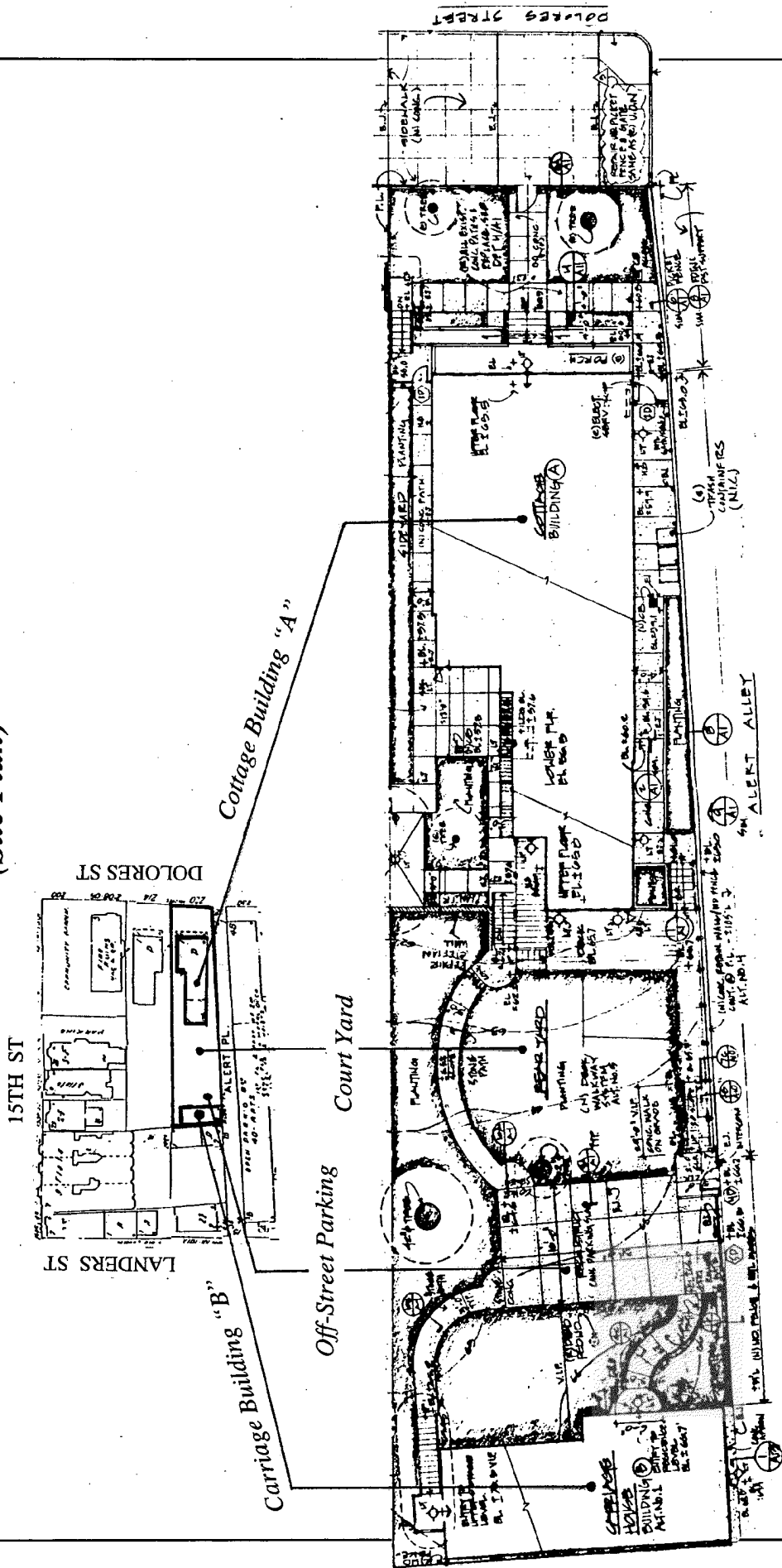
For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 11. Inclusionary Affordable Housing Program.** As currently proposed, the Project is exempt from the Inclusionary Affordable Housing Program because it is a 100% affordable housing project in which rents are controlled or regulated by any government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the United States Department of Housing and Urban Development. In the event that the Project changes and some or all of the units become market-rate, the Project shall comply with the inclusionary housing requirements set forth in Section 415 of the Code. This condition of approval shall constitute the written determination and notice of the inclusionary housing requirement pursuant to the procedures set forth in Code Section 415.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7463, www.sfplanning.org

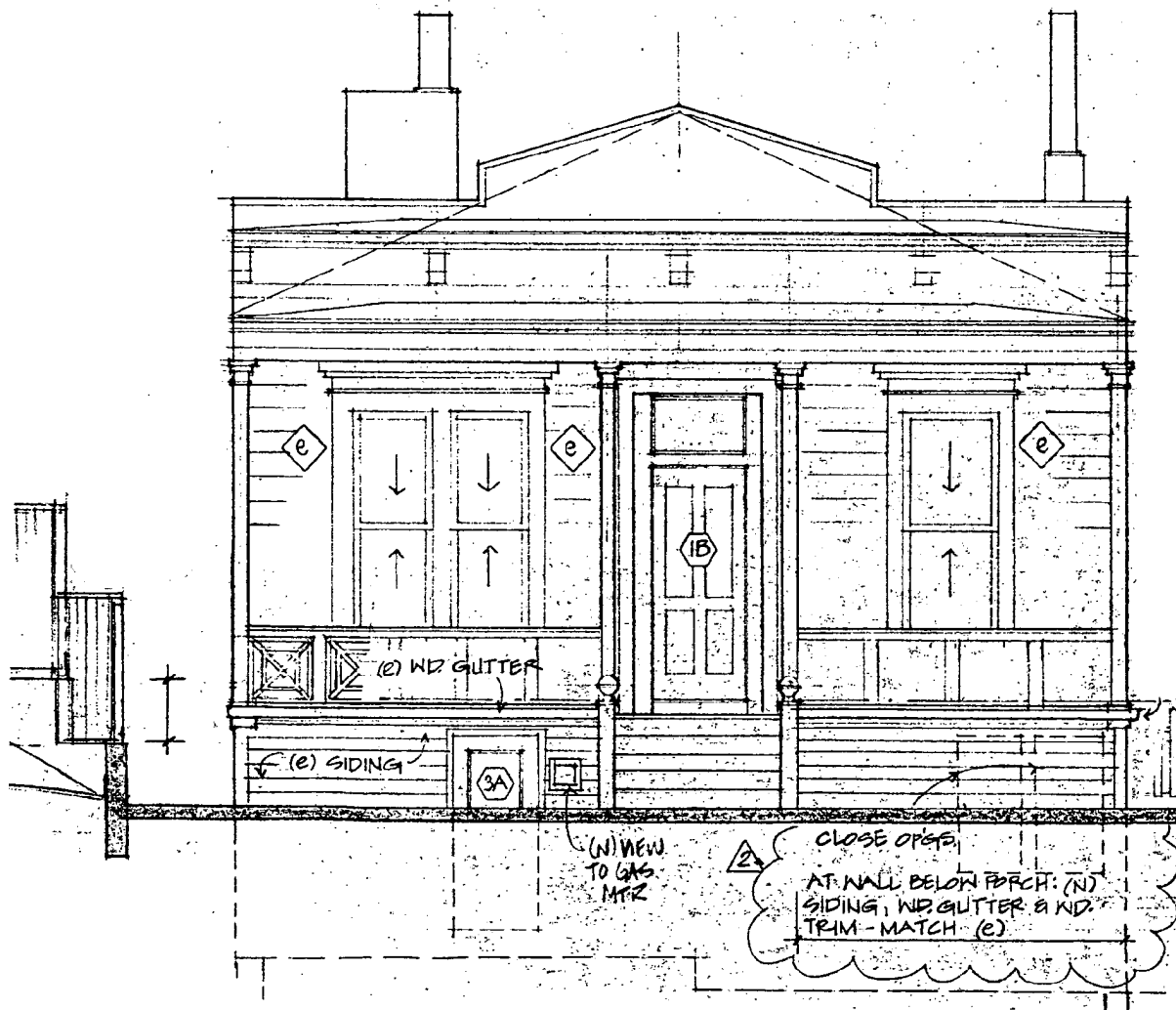
CASE NO: 97.263C
220 DOLORES STREET

REDUCED PLAN
(Site Plan)



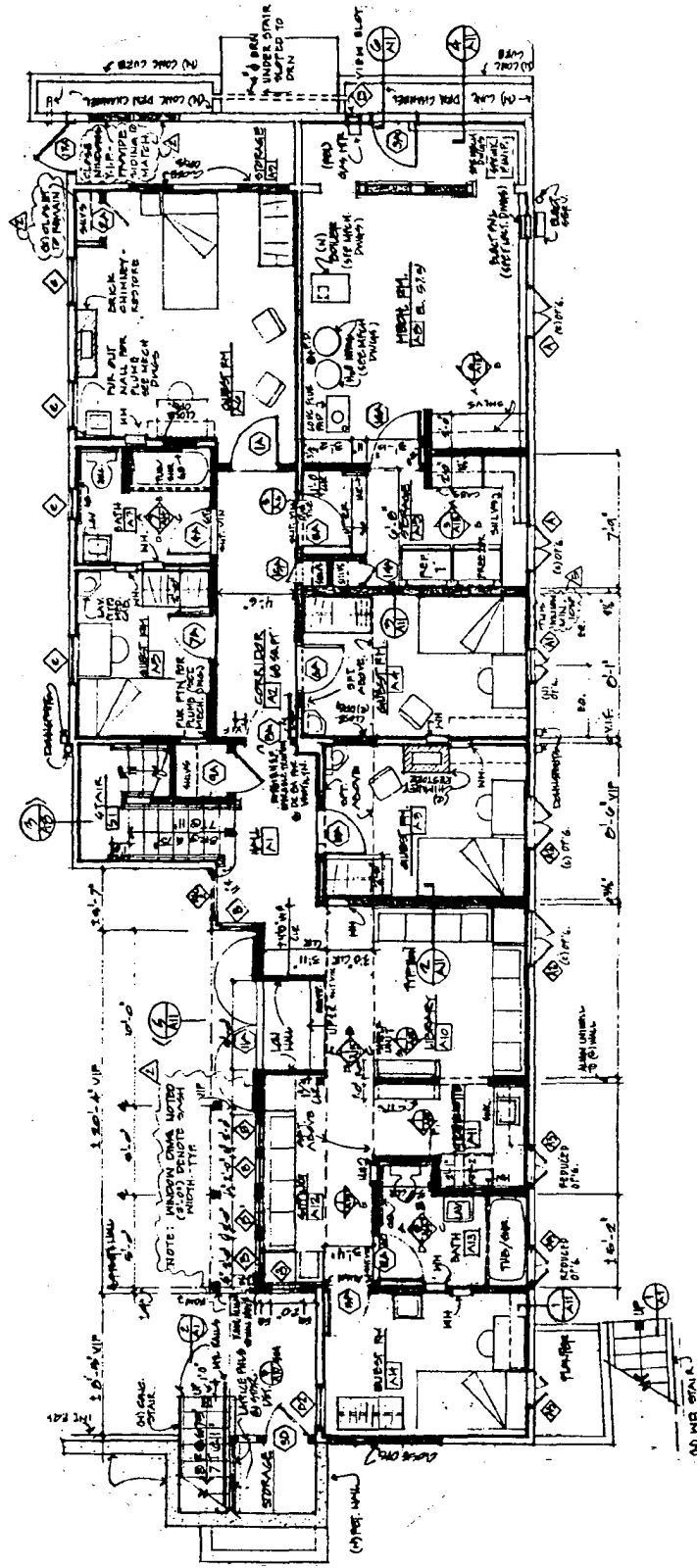
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220 DOLORES STREET

REDUCED PLAN
(Cottage Building "A")



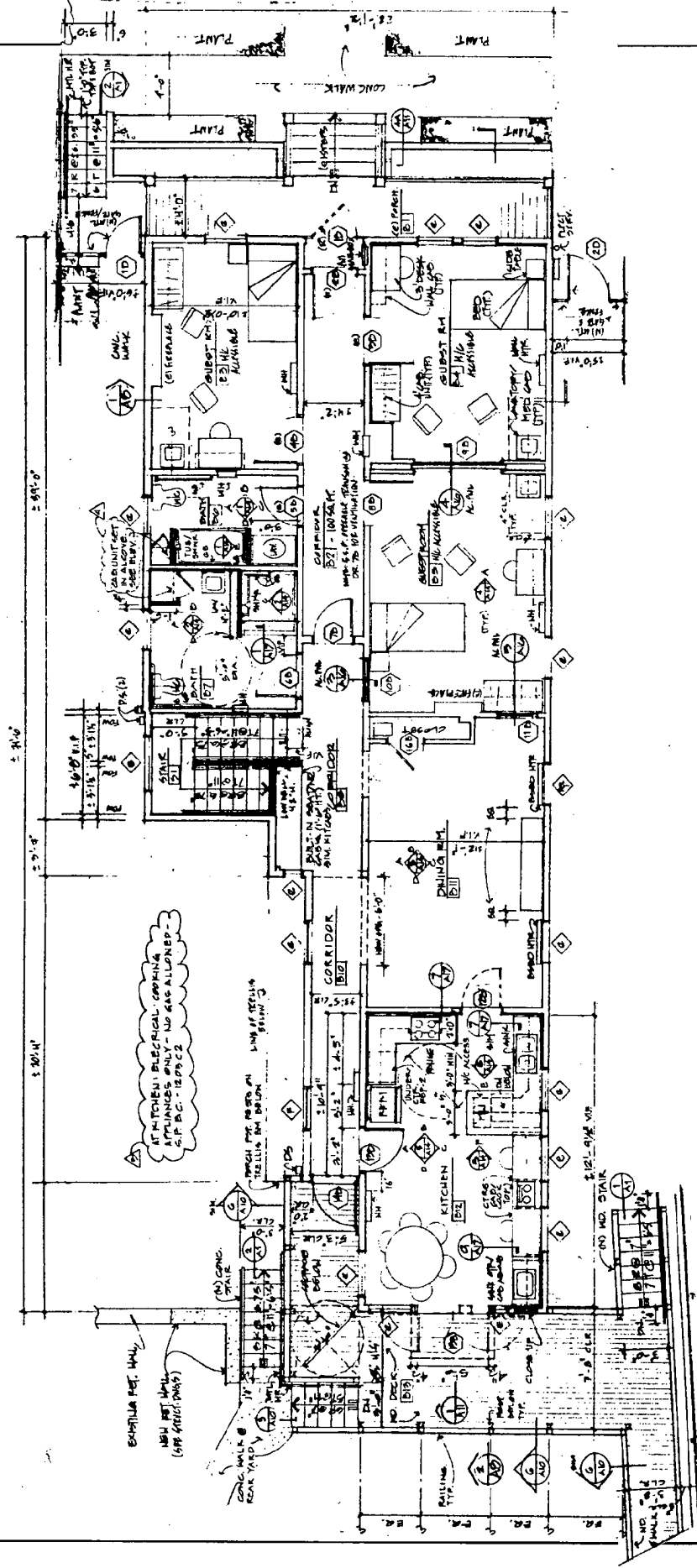
CASE NO: 97.263C
220 DOLORES STREET

REDUCED PLAN
(Cottage Building "A" - Lower Level)



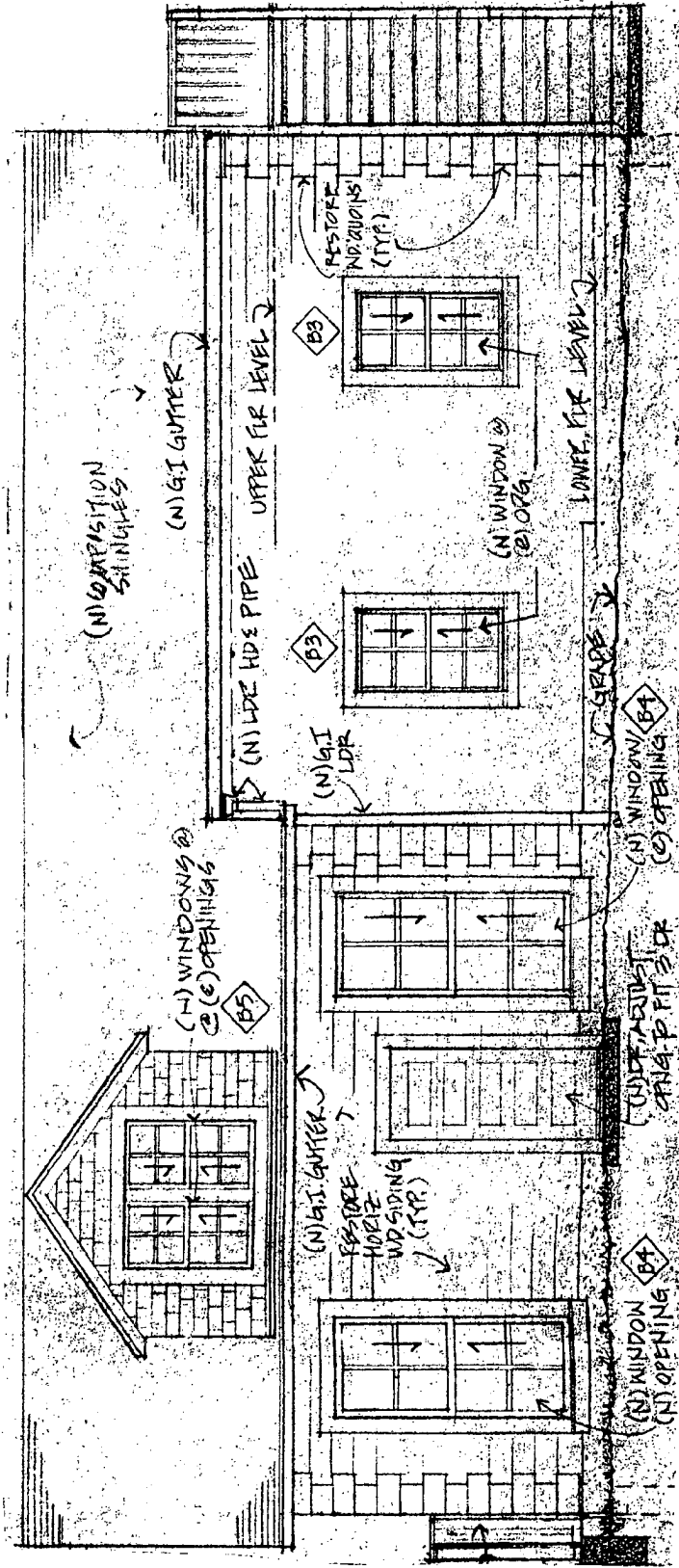
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220 DOLORES STREET

REDUCED PLAN
(Cottage Building "A" - Upper Level)



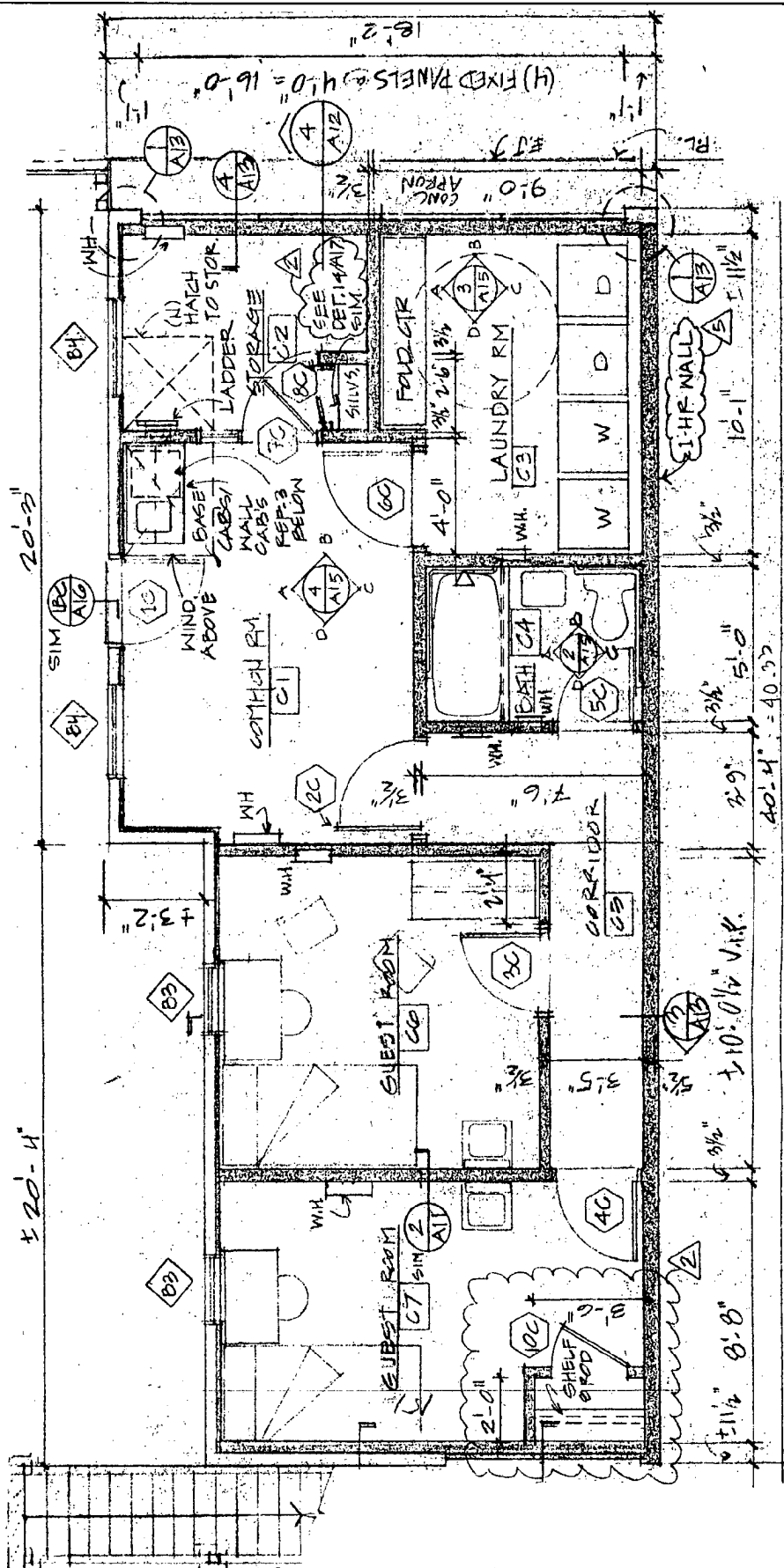
220 DOLORES STREET

(Carriage Building “B”)



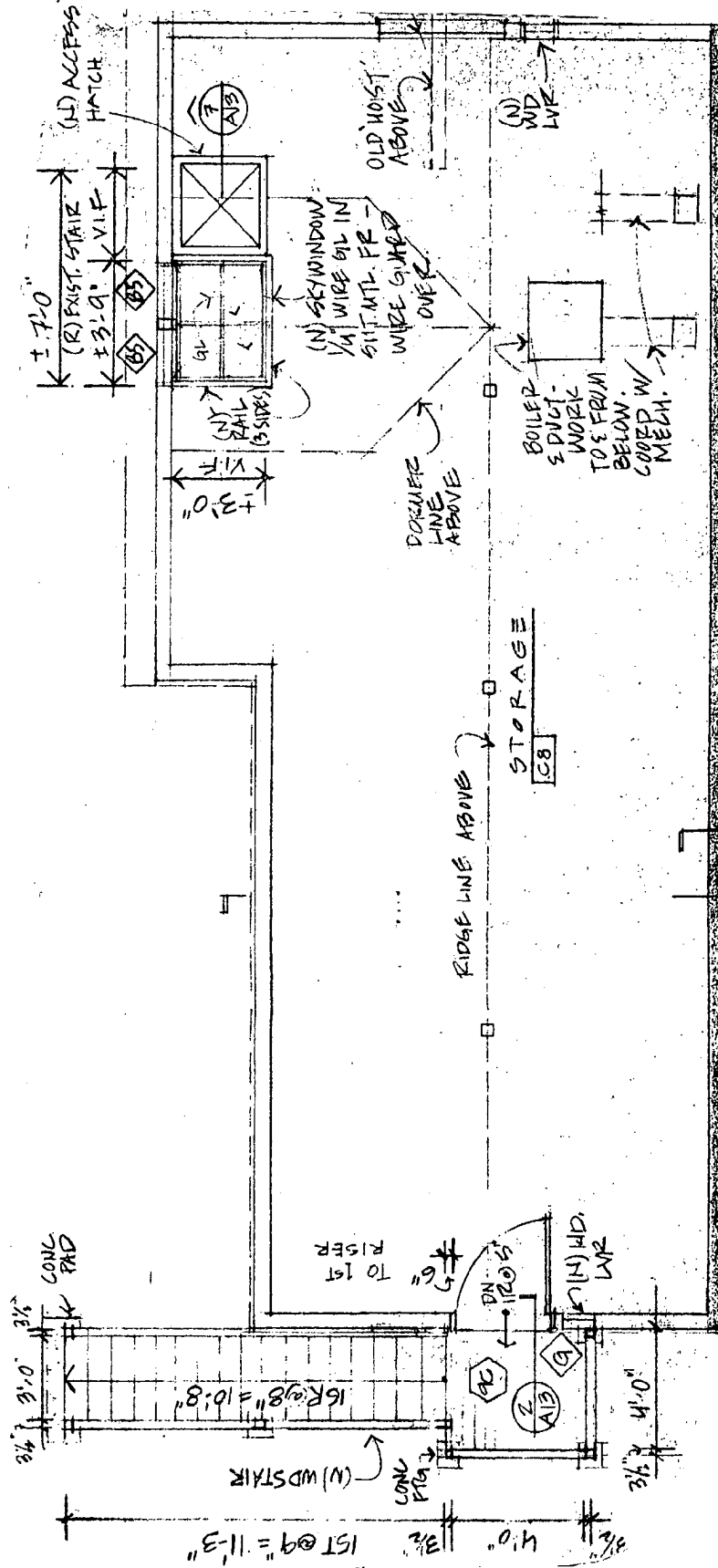
220 DOLORES STREET

(Carriage Building “B” - Lower Level)



CASE NO: 97.263C
220 DOLORES STREET

REDUCED PLAN
(Carriage Building "B" - Upper Level)



Richard M. Cohen Residence: Photographs and Descriptions

① Main Entrance from Dolores Street



② Side gate from Alert Alley



③ Vestibule of Carriage House



④ Stairs to Carriage House 2nd Floor



⑤ Gazebo and middle yard



⑥ View of side sidewalk from middle yard



7 Dining room



8 Common area



9 View of typical resident room



10 View of typical bathroom and shower room



Building Description:

Richard M. Cohen Residence is composed of two physical buildings, the main historic home known as the “Cottage” and the “Carriage House” at the back of the property. There is a yard with gazebo between the two buildings. Each building has two floors. The Cottage has an interior stairwell, while the Carriage House as an exterior set of stairs.

For each building floor:

	Cottage Lower Floor	Cottage Upper Floor	Carriage House Lower Floor	Carriage House Upper Floor
# of resident rooms	5	3	2	0
# of bathrooms with sink, shower and toilet	2	2	1	0
# of bathrooms with sink and shower	0	0	0	0
List of common areas	TV Room and Kitchenette	Dinning Room	None	Office Space
Number of staff offices	2	0	0	1 mutli-person space
List of any utility/laundry spaces	0	0	1	0
Other	N/A	Main Kitchen	Foyer Area	N/A
Number of parking spaces, if any, on property	There is a loading space on the property.			



LAND USE INFORMATION

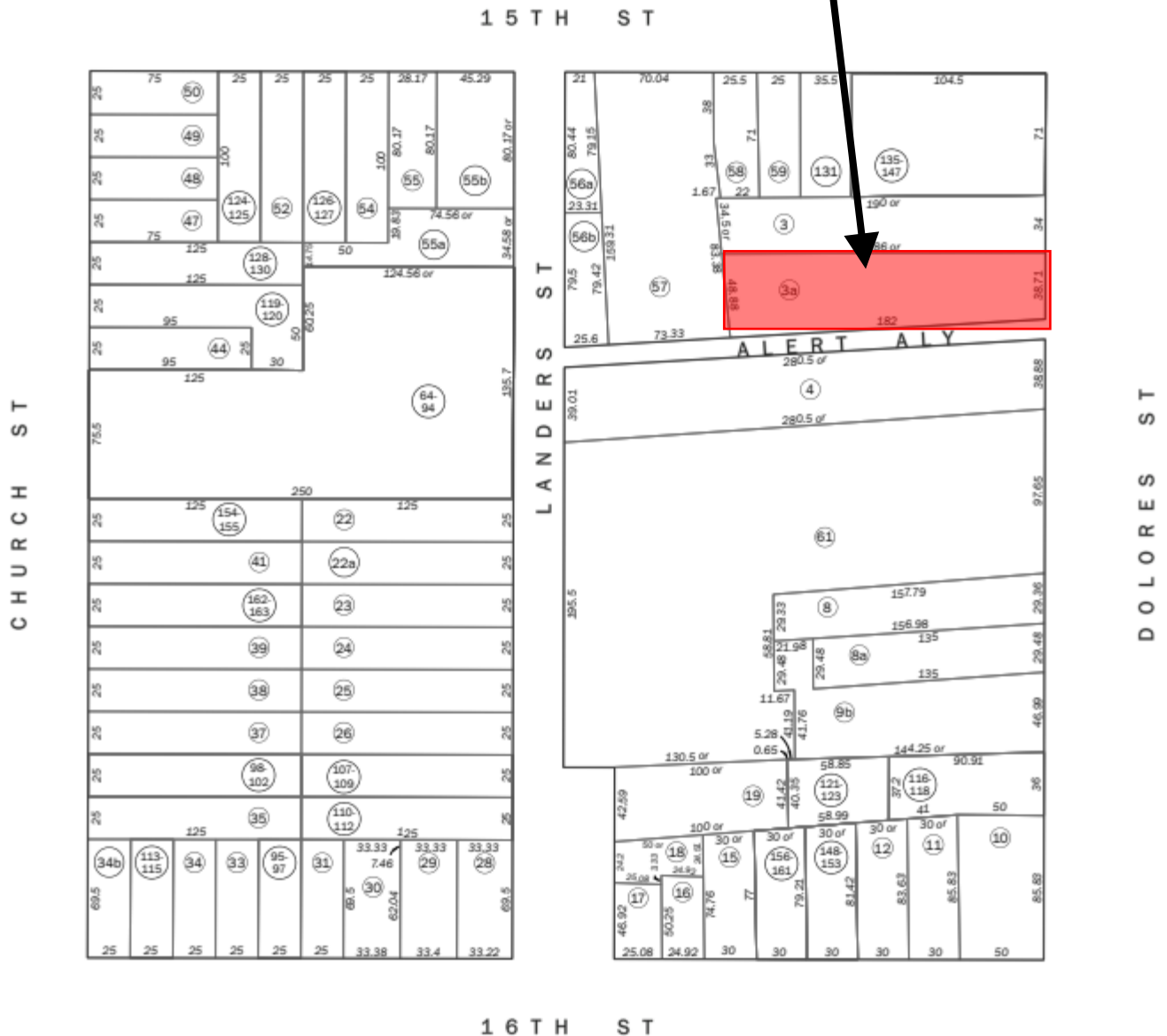
PROJECT ADDRESS: 220 DOLORES ST
RECORD NO.: 2021-002277CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF			
Residential GSF		3208	3208
Retail/Commercial GSF			
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>			
Medical GSF			
Visitor GSF			
CIE GSF	3208		
Usable Open Space			
Public Open Space			
Other ()			
TOTAL GSF	3208	3208	0
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	10		10
Dwelling Units - Market Rate			
Dwelling Units - Total			
Hotel Rooms			
Number of Buildings	2		2
Number of Stories	2		2
Parking Spaces	1		1
Loading Spaces			
Bicycle Spaces			
Car Share Spaces			
Other ()			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units			
One Bedroom Units			
Two Bedroom Units			
Three Bedroom (or +) Units			
Group Housing - Rooms		10	10
Group Housing - Beds			
SRO Units			
Micro Units			
Accessory Dwelling Units			

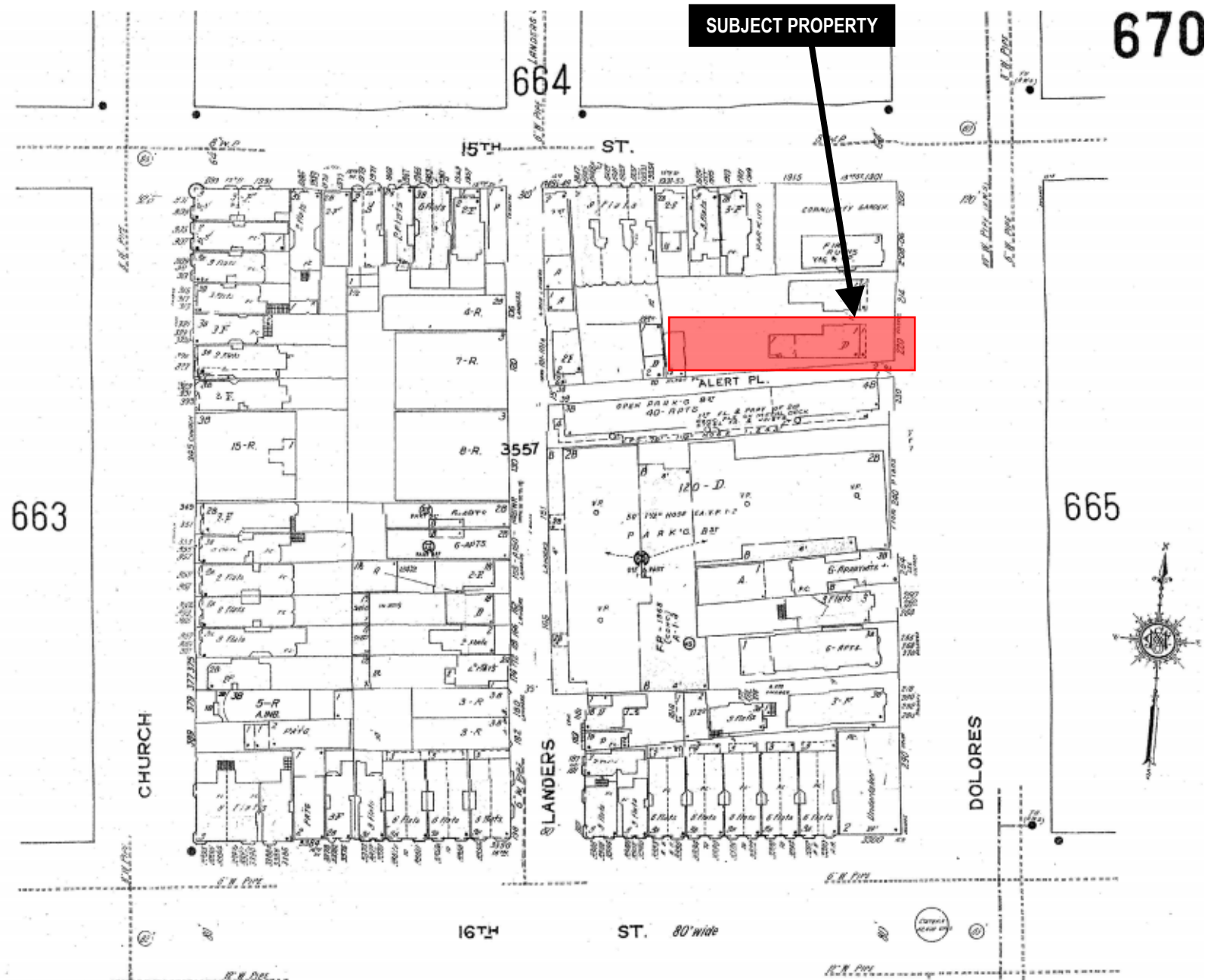
Parcel Map

SUBJECT PROPERTY



Conditional Use and Variance Hearing
2021-002277CUAVAR
 Removal of Residential Care Facility
 220 Dolores Street

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Aerial Photo – View 1



SUBJECT PROPERTY



Conditional Use and Variance Hearing
2021-002277CUAVAR
Removal of Residential Care Facility
220 Dolores Street

Aerial Photo – View 2



SUBJECT PROPERTY



Conditional Use and Variance Hearing
2021-002277CUAVAR
Removal of Residential Care Facility
220 Dolores Street

Aerial Photo – View 3



SUBJECT PROPERTY



Conditional Use and Variance Hearing
2021-002277CUAVAR
Removal of Residential Care Facility
220 Dolores Street

Aerial Photo – View 3

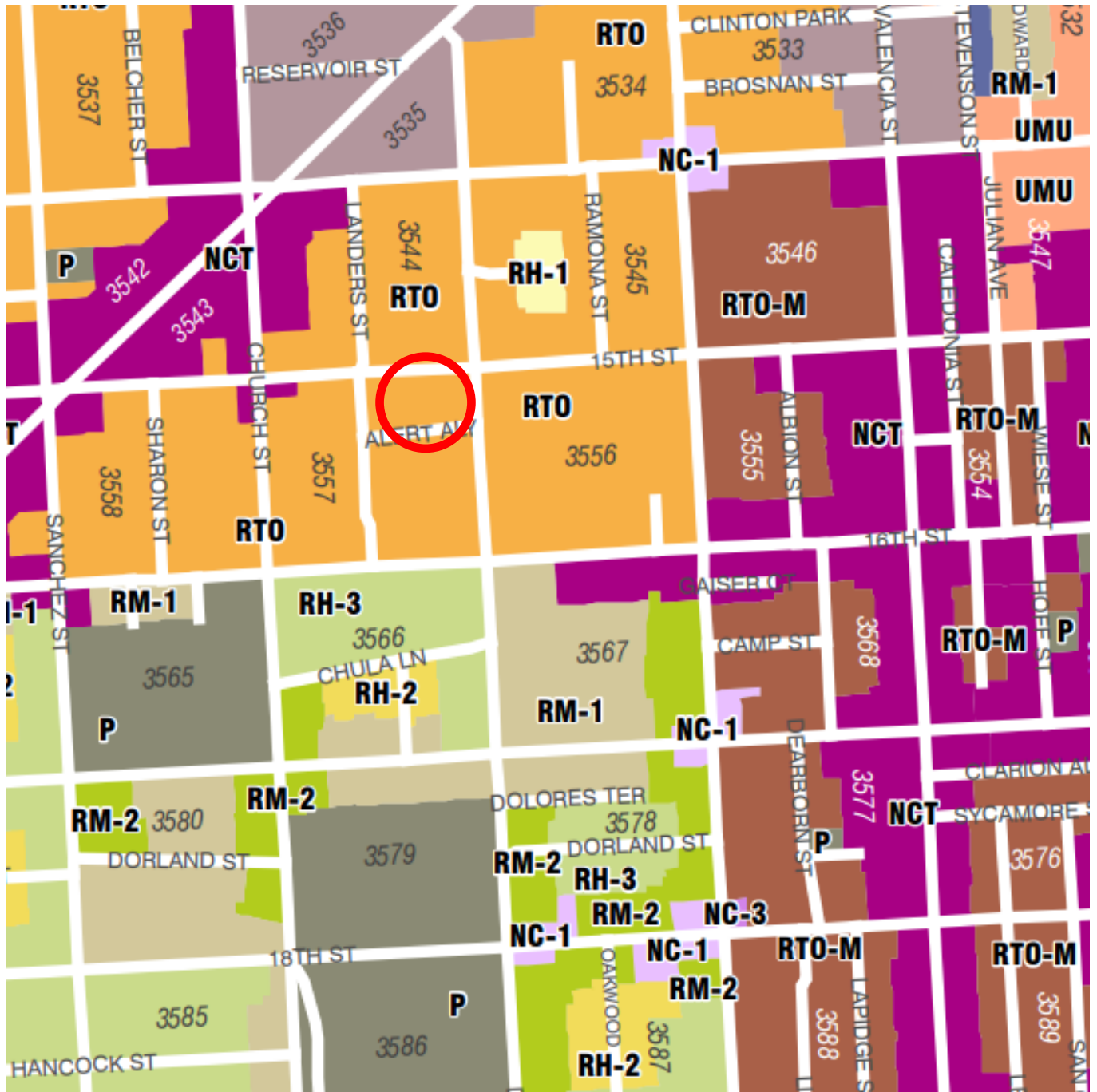


SUBJECT PROPERTY



Conditional Use and Variance Hearing
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Zoning Map



Conditional Use and Variance Hearing
2021-002277CUAVAR
Removal of Residential Care Facility
220 Dolores Street

Site Photo



Conditional Use and Variance Hearing
2021-002277CUAVAR
Removal of Residential Care Facility
220 Dolores Street

Site Photo



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