

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes Remote Hearing via video and teleconferencing

**Thursday, October 21, 2021
1:00 p.m.
Regular Meeting**

COMMISSIONERS PRESENT: Tanner, Diamond, Fung, Imperial, Moore, Koppel
COMMISSIONERS ABSENT: Chan

THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:01 PM

STAFF IN ATTENDANCE: Aaron Starr, Doug Johnson, Anna Harvey, Jeremy Shaw, Sheila Nickolopoulos, Kate Conner, Monica Giacomucci, Linda Ajello-Hoagland, Ella Samonsky, Ryan Balba, 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. 2021-002667DRP-03 (D. WINSLOW: (628) 652-7335)
4763 19TH STREET – south side between Caselli and Yukon Streets; Lot 034 in Assessor's Block 2711 (District 7) – Request for **Discretionary Review** of Building Permit Application no. 2021.0217.4759 for the replacement of existing windows on the front façade, removal of existing one- and three-story rear additions and new construction of a two-story rear horizontal addition and stair to an existing 2,395 sq. ft. two-story over basement, single-family home. The addition will result in a 3,148 square foot single-family home within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Do Not Take Discretionary Review and Approve

(Continued from Regular hearing on September 9, 2021)

(Proposed for Continuance to October 28, 2021)

SPEAKERS: None

ACTION: Continued to October 28, 2021

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

ABSENT: Chan

- 2a. 2018-015983CUA (L. HOAGLAND: (628) 652-7320)
136 DELMAR STREET – east side between Frederick and Piedmont Streets; Lot 067A in Assessor's Block 1270 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing one-story over basement, single-family dwelling and new construction of a three-story over basement, two-family dwelling. The subject property is located within a RH-2 (Residential-House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on August 26, 2021)

(Proposed for Continuance to December 9, 2021)

SPEAKERS: None

ACTION: Continued to December 9, 2021

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

ABSENT: Chan

- 2b. 2018-015983VAR (L. HOAGLAND: (628) 652-7320)
136 DELMAR STREET – east side between Frederick and Piedmont Streets; Lot 067A in Assessor's Block 1270 (District 8) – Request for **Variance** from the front setback pursuant to Planning Code Section 132. The subject property is located within a RH-2 (Residential-House, Two-Family) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular hearing on August 26, 2021)
(Proposed for Continuance to December 9, 2021)

SPEAKERS: Same as item 2a.

ACTION: ZA Continued to December 9, 2021

12. [2018-009812CUA](#) (M. DITO: (628) 652-7358)
1268 17TH AVENUE – east side between Judah and Irving Streets; Lot 023 in Assessor’s Block 1734 (District 5) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, and Board File No. 201370 (Interim Zoning Controls – Large Residential Projects in RC, RM, and RTO Districts [2021-000694PCA]) to demolish a detached dwelling unit at the rear of the lot and construct two new dwelling units as part of a one-story vertical addition and a horizontal addition at the rear to the single-family dwelling at the front of the lot. The Project will result in a net increase of one dwelling unit on the property as part of a four-story, three-family dwelling. The Project requires Conditional Use Authorization pursuant to Board File No. 201370 because it does not provide the maximum residential density that is principally permitted and proposes to increase the size of a dwelling unit that is greater than 2,000 square feet. The subject property is located within a RM-1 (Residential, Mixed – Low Density) Zoning District and 40-X Height & Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Continued to December 2, 2021
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan

13. [2016-005365CUA](#) (S. YOUNG: (628) 652-7349)
230 ANZA STREET – north side between Collin Street and Wood Street; Lot 013 in Assessor’s Block 1091 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to allow the tantamount to demolition of an existing 2,094 square-foot two-unit, two-story residential building and to construct a 4,359 square-foot three-unit, three-story residential building (with mezzanine level and decks) within a RH-3 (Residential-House, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Continued to December 2, 2021
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan

B. COMMISSION MATTERS

3. Consideration of Adoption:
 • [Draft Minutes for October 7, 2021](#)

SPEAKERS: None
 ACTION: Adopted
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan

4. Commission Comments/Questions

President Koppel:

I just wanted to bring up something quickly. I see, in today's agenda, we have an item dealing with a rail yard study and some transit issues with the CTA. I know we've spoken about in the past having a joint hearing with MTA. I think that might be in the works, maybe in a couple months or so. I was hoping that when that does happen, we could take up informationally just the item of the congestion pricing. Interested to hear what the Commissioners might have to say but I have also been hearing some questions and comments from the public and the business community as just to what to expect and what the timeline is on that. And so, if anyone wants to chime in now that's fine but definitely, I'd like to see that included at a later date.

Commissioner Moore:

Interesting that you're saying that. I just yesterday in the paper read that the discussion on congestion pricing, particularly folks on Treasure Island is being picked up which makes me think that a general update, as you are suggesting, is duly quite timely. Many of the people who are on the board do not really have a full background on how that issue came up with Treasure Island. First as an isolated phenomenon but it is really a far bigger issue than that.

President Koppel:

Good idea.

Commissioner Imperial:

I want to bring up about – first, I wanted to thank Director Hillis for inviting the Commission in terms of the Equity in Series. I attended the Equity in Series and the discussion with Japantown task force, with Freedom West. I would suggest Director Hillis that in the future to extend that invitation to the Commission as well if there's going to be more Equity in Series conversation. I really find that kind of conversation actually enlightening in terms of the direct response from the community itself and how it also in terms of what is also being highlighted in terms of the recommendations or the housing element. So yes, I would suggest that in the future to also extend that kind of invitation to the Commission as well.

And another thing that I would also high starting to think about in terms of the budget for the Planning Department for the next year is really to look into the connection of Planning Department with the Rent Board. I believe from the last, I believe previous Commissioner has suggested a position between the Planning Department and the Rent Board, but that was never materialized. And that's something that we need to look into. I think we need to keep, put that as a priority as well for the next year budget and also put that perhaps under the Community Equity division. And also, I would also implore the Planning Department to start having training regarding Rent Board or rent control laws or ordinance. What kind buildings are being protected, what are the just cause protections. I think we need, the Planning Department needs to be informed under whether the city or current division so that when we have this kind of projects that are coming in front of us under CUA that we are-- that that is part of the CUA findings. I would like to see that in the future. That's my -- what I would like to see for the budget for the next year. Thank you.

Rich Hillis, Planning Director:

I just have a couple comments in response. One, we will make sure that you are all, if you're not already, on the invite list for the Equity in Action series. I agree, Commissioner Imperial, this has been tremendously valuable in hearing directly from the community and being able to be in dialogue with them. So, we'll make sure you are on those invites.

And we have steadily ramped up our work with the Rent Board. Kate Conner has been wonderful in being our liaison to the Rent Board but getting that information to planners as they need it for projects because we know these issues are going to come up and you are going to ask about it. You should have all the facts about tenant issues in a project that you are looking at. So, we've made tremendous strides in that, we're not there yet. So, I agree we will look to see if we need to have more resources in the budget and we'll present that to you. I just want to let you know too, Robert Collins, who is the director of the Rent Board, who has been here before you is leaving. He's retiring. So, we'll have new leadership to develop relationships with at the Rent Board as well.

And Doug Johnson is here. Doug, if you want to say just a few words on that congestion pricing because I know that came up at the earlier hearing in October. But we can definitely accommodate an info item especially if we're going to have a joint hearing with MTA --

Jonas P. Ionin, Commission Secretary:

Director Hillis if I could, this is a non-agendized item and so we can't have a conversation on it.

Rich Hillis, Planning Director:

Just quickly yeah. Just some facts.

Doug Johnson, Transportation Planning Manager:

Thank you for the question. We did reach out to the SFCTA staff after the ConnectSF presentation. They indicated that the study is currently paused and would look forward to a presentation to you all in the next calendar year. And we can leave it at that. I do think it would be a good fit on that joint agenda and we can work on settling that up.

Rich Hillis, Planning Director:

Thanks.

Commissioner Moore:

I would like to expand on Commissioner Imperial's request for information on tenants etc. to include updating us on SRO, SRO protections etc. We are hearing about that but many of us are quite unfamiliar what exact rules are applying, what protections are there, both for buildings occupied by SRO tenants or individuals. If that could be a part of the expanded-on discussion on tenants, I would appreciate it.

Jonas P. Ionin, Commission Secretary:

And I would only remind members of the Commission that regarding the Equity series, we do have a cap of three Commissioners per session. So, maybe we can attend those on a rotational basis. Otherwise, we enter issues with quorums and public hearings and due process. So, not everyone will be able to attend every event.

Rich Hillis, Planning Director:

And just to note they are recorded and we'll send you the link to the recording as well.

C. DEPARTMENT MATTERS

5. Director's Announcements

None.

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

Aaron Starr, Manager of Legislative Affairs:

- 210497 Planning Code and Zoning Map - Delete Life Science and Medical Special Use District. Sponsor: Walton. Staff: Shaw.

The first time at Land Use Committee this week was the Planning Code and Zoning Map change sponsored by Supervisor Walton that would delete Life Science and Medical Special Use District. Commissioners, you heard this item on July 22 this year and voted to approve with modifications. The proposed modification was to also eliminate the "Industrial Protection Zone Special Use District," and include a grandparenting clause.

The Supervisor did not include the Commission's recommendation but did indicate that he planned to introduce separate legislation to address that issue.

There was one public comment, but the comments related to the IPZ controls. There were no other comments from the public or Committee. The Supervisors then voted to forward the item to the full board with recommendation.

- 210699 Planning, Administrative Codes - Accessory Dwelling Units. Sponsors: Mandelman; Ronen, Preston and Melgar. Staff: V. Flores. Item 3

Next the committee considered Supervisor Mandelman's ordinance on ADUs, which would enhance existing tenant protections through a new written declaration to the Rent Board. This declaration would include a description of housing services that are located where the ADU(s) are proposed; and whether ADU construction would result in severance, reduction, or removal of housing services.

The Planning Commission heard this item on September 9th and recommend approval of the Ordinance.

At the land use hearing, there were seven public commentors, all in support, mostly discussing the need to protect housing services and existing tenants' rights.

Supervisor Preston emphasized that this Ordinance does not change the law, but rather clarifies that removing housing services for an ADU is not just cause. It does change Planning Department process though, as we now must wait for the declaration on housing services from Rent Board before we could approve an ADU. Currently we rely on a Screening Form from DBI filled out by the owner.

Before the Committee voted, Supervisor Peskin requested to be added as a co-sponsor. The Committee then forward this item to the Board with a positive recommendation.

Full Board

- 200519 Planning Code - Geary-Masonic Special Use District. Sponsor: Stefani. Staff: V. Flores. PASSED Second Read
- 210734 Planning Code - Landmark Designation - 396-398 12th Street (San Francisco Eagle Bar). Sponsors: Haney; Mandelman and Ronen. Staff: Westhoff. PASSED Second Read
- 210600 Planning Code - Small Business Zoning Controls in Chinatown and North Beach and on Polk Street. Sponsor: Peskin. Staff: V. Flores. Passed First Read
- 210865 Health, Planning, Police Codes - Various Cannabis Sunset Dates. Sponsor: Mandelman. Staff: Not Staffed. Passed First Read
- 210709 Hearing - Appeal of Conditional Use Authorization Approval - 575 Vermont Street. Staff: Christensen. Continued to November 9, the parties are ever so close to reaching an agreement.
- 210791 Hearing - Appeal of Conditional Use Authorization Approval - 249 Texas Street. Staff: Westhoff.

The Board did hear the CU appeal for the project at 249 Texas Street. This project would demolish an existing single-family home with an unauthorized dwelling unit on the ground floor and construct a three-story two-unit building with one 4-bedroom unit on the upper floors and a studio unit on the ground floor.

This commission heard this item June 3. At that hearing, the Planning Commission voted five to two to approve the project with conditions. In addition to the standard Conditions of Approval the commission also added a condition that would subject the two new units to the Rent Stabilization and Arbitration Ordinance, per SB330.

The appellant state two main reasons for their opposition in their appeal letter. First, that the Planning Commission mistakenly found the project "necessary and desirable" for the community, they believed that it was contrary to the public good to demolish this relatively affordable housing in the middle of an affordability crisis; and second that the project sponsor and staff falsely claimed that the new development is a SB 330 project, and as such that the replacement units would be rent controlled dwellings.

They also alleged a lot of other things at the hearing including corruption at the Planning Department, lying by the project sponsor, and undue influence on the Planning Department by the developer.

There was a lot of public comment, both for and against the project, but most of the comments were against the project. Those for the project cited the need for new housing and spoke to the character of the project applicants. Those against the project often spoke

harshly toward the Department and Commission, alleging corruption and incompetence. They also spoke against gentrification and displacement, which they felt this project would exacerbate.

The supervisors had a lot of questions for staff. Supervisor Melgar questioned our reliance on the project sponsor's contractor to determine whether or not the bedrooms were in compliance with the building code. Supervisor Preston and Melgar had a lot of questions regarding the applicability of SB 330 and the lack of an SB330 application. Luckily Kate Conner was able to join the meeting and provide a Master Class in SB 330 as well as poise and presentation.

At the end of the hearing, Supervisor Walton read a statement into the record, outlining his findings to overturn the Planning Commission's decision. Among other issues, he cited that the replacement units were not equal to the ones being lost; the proposed ground floor unit was studio and the current ground floor unit had three bedrooms. He also cited other procedural issues and that given the affordability of the proposed units compared to the existing units, overall, the project was not necessary or desirable. The vote to overturn the Commission's action was unanimous.

- 210901 Hearing - Appeal of Final Mitigated Negative Declaration - Proposed 1525 Pine Street Project. Staff: Li.

Finally, the Board considered the Final Mitigated Negative Declaration for the project at 1525 Pine Street. The project proposes the demolition of existing restaurant (Grubstake), construction of 8-story building containing 21 dwelling units and 2,855 sf of commercial space. The Planning Commission rejected PMND appeal on 5/6/21 and approved project on 7/22/21.

Appellant's issues were that the Analysis of impacts of historic resources is inadequate; Analysis of shadow impacts did not include private interior spaces of adjacent residential building; Analysis of cumulative transportation impacts is inadequate; and the Analysis of wind impacts did not include private roof decks of adjacent residential building.

About 20-25 members of the public spoke in support of the project and about the same number in support of the appeal. The primary issues raised at the hearing were the future solar access within private residences at the existing Austin condo building and the historic significance of and the desire to preserve the Grubstake restaurant.

After public comment, Supervisor Peskin agreed with Planning that all the appeal concerns raised including the historic issues were adequately responded to by Planning's response and CEQA documents. The Board the voted unanimously to uphold the CEQA determination and deny the appeal.

Jonas P. Ionin, Commission Secretary:

The Board of Appeals met yesterday and considered two items that may be of interest to the Planning Commission:

1224 Funston Street – The Board heard an appeal of a building permit to construct new single-family dwelling at the front of the subject lot (which features a non-complying

structure at the rear). The proposal involves a previous granting of front setback and rear yard variances by the Zoning Administrator, which were appealed last year and upheld by the Board of Appeals. The Planning Commission heard this matter as a DR in July 2020 and unanimously approved the project as proposed. Similarly, the Board unanimously denied the appeal and approved the project.

530 Sansome Street – The Board heard 4 appeals on the project at 530 Sansome Street – 2 appeals on the Planning Commission’s Downtown Project Authorization under Section 309 and 2 appeals on the Zoning Administrator’s granting of variances. The project is an approximately 218’ tall mixed-use tower which features the reconstruction of SFFD Station No. 13. The Appellants argued that the Planning Commission erred and abused their discretion in granting exceptions under the downtown project authorization and that the Zoning Administrator failed to make the required variance findings. The Board considered these arguments and unanimously denied all 4 appeals.

The Historic Preservation Commission did meet yesterday and they considered the Housing Element Update as well as the Housing Element Update to the EIR. Neither were action items. They were both informational but there seem to be strong consensus that the preservation alternatives and the track that the staff is on related to the draft EIR is the appropriate course.

SPEAKERS: Linda Chapman – Comment on the Board of Supervisors report on the appeal of the Pine Street project

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Texas Street hearing, demo calcs
 Eileen Boken – Housing bills
 Anastasia Yovanopoulos – Rent Board issues
 Ozzie Rohm – 249 Texas St., rent control issues
 Bill Holtzman – Continuance of 4300 17th St., Brown Act
 Yonathan Randolph – Group housing
 Linda Chapman – Process and adequacy

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, expeditors, and/or other advisors.

7. [2018-008588CWP](#) (A. HARVEY: (628) 652-7433)
RAIL ALIGNMENT AND BENEFITS (RAB) STUDY IMPLEMENTATION – **Informational Presentation** – This presentation is to provide a program update on the implementation of the RAB Study, the results of which were adopted by the Planning Commission, the Transportation Authority Board, and the Mayor’s Office in 2018. The presentation will consist of a brief update on the rail tunnel projects, and more detailed updates on an equity review of the work program in response to Resolution No. 20738, as well as the Southeast Rail Station Study (SERSS) and the 4th & King Railyards Development. Both of these efforts

involve significant interagency coordination and staff from partner agencies will be available to answer any questions.

Preliminary Recommendation: None - Informational

SPEAKERS: = Doug Johnson – Introduction
 = Anna Harvey – Staff presentation
 = Jeremy Shaw – Staff presentation
 + Speaker – Proposal 10 years ago, resolve current issues
 ACTION: Reviewed and Commented

8. [2018-016522CWP](#) (S. NICKOLOPOULOS: (628) 652-7442)
SENATE BILL 9 AND SENATE BILL 10 – Informational Presentation on California State Senate Bill 9, which allows duplexes and lot splits for certain parcels in RH-1 Zoning, and SB 10, which allows local jurisdictions to adopt rezoning ordinances that increase density up to 10 units per parcel without CEQA review. Both bills go into effect January 1, 2022.
Preliminary Recommendation: None – Informational

SPEAKERS: = Sheila Nickolopoulos – Staff presentation
 - Eileen Boken – Massive carve outs
 - Zachary Wiesenberger – Incentives
 - Anastasia Yovanopoulos – Presentation incomplete
 = Georgia Schuttish - Property tax bills
 - Gabriela Ruiz – Racial and Social Equity analysis, inaccurate data
 = Speaker - Empty parcels
 - Peter Papadopoulos – Needs to be tailored locally
 + Yonathan Randolph – Provide additional incentives
 = Bruce Bowen – Local discretion to tailor implementation deadline
 = Kate Conner – Response to questions and comments
 = Rich Hillis – Response to questions and comments
 ACTION: Reviewed and Commented

9. [2017-011878OFA-02](#) (M. GIACOMUCCI: (628) 652-7414)
420 23RD STREET (POTRERO POWER STATION MIXED-USE DEVELOPMENT) – north side of 23rd Street west of Illinois Street; Lots 002 and 017 in Assessor’s Block 4175 and Lots 001 and 006 in Assessor’s Block 4232 (District 10) – Request for **Office Development Authorization**, pursuant to Planning Code Sections 320-325, using the Office Jobs/Affordable Housing Balance Incentive Reserve, to establish approximately 896,323 gross square feet of Office use at the Potrero Power Station Mixed-Use Development Project Site. The Office Jobs/Affordable Housing Incentive Reserve allows office use for projects that meet certain affordable housing production requirements, even if there is no available office space to allocate. For projects developed in multiple phases under a development agreement, the allocation may consider the total amount of affordable housing that would be produced by the project upon the completion of all phases. The Potrero Power Station Mixed-Use Development project has undergone environmental review pursuant to California Environmental Quality Act (CEQA). The Planning Commission certified the EIR and CEQA findings for the Potrero Power Station Mixed-Use Development project on January 30, 2020. The Environmental Review Officer certified an addendum to the certified EIR for the Potrero Power Station Mixed-Use Development project on October 22, 2020.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Monica Giacomucci – Staff report
 + Tina Chang – Project sponsor
 + Jim Abrams – Project sponsor
 - Francisco De Costa – No mention of ammonia spills and other toxic elements on site
 + JR – Please approve
 - Charles Collins – Prop M allocations
 = Corey Teague – Response to questions and comments
 = Rich Hillis – Response to questions and comments

ACTION: Approved with Conditions as amended by Staff

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

ABSENT: Chan

MOTION: 21019

10. [2019-019698AHB](#) (L. HOAGLAND: (628) 652-7320)
4512 23RD STREET – north side between Market Street and Corbett Avenue; Lot 005 in Assessor's Block 2800 (District 8) – Request for **HOME-SF** Project Authorization, pursuant to Planning Code Sections 206.3 and 328, to allow the construction of a 11,661 square foot, five-story-over-basement, 45-foot 9-inch-tall, 13 dwelling unit building on a 3,068 square foot vacant lot. The Project would include approximately 1,782 square feet of usable open space via two common roof decks, one private patio and rear yard, and 13 Class 1 bicycle parking spaces located at the basement level within a RM-1 (Residential-Mixed, Low-Density) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Linda Ajello-Hoagland – Staff report
 + Anders Fung – Project sponsor
 + Ryan Patterson – Project sponsor
 - Cheryl Travis – Not an urban neighborhood, parking issues
 - Ralph Peters – Change address to Argent Alley
 - Jennifer Lee – Unit size
 - Philip – Loophole to add the extra height
 - Doug Rankin – Astro turf techniques
 + Alan Billingsley - Support
 + Raul Maldonado – Support
 + Kat – Support
 + David – Support
 + Tim – Support
 + Fung Lee – Support
 - Corina – Asked for a fair design that benefits all
 - Michal Habdank-Kolaczowski – Oppose
 - Hilario – Shadow, height
 + Speaker – Affordable and family oriented
 - Glen – Parking issues, unit size not realistic
 - Tiffany – Will create more overflow parking
 + Speaker – Support

- + Carmen – Support
- + Speaker – Support
- + Milo Traus – Support
- Tom Nelson – Wrong project for this lot
- + Phillip – Support
- Margarita – Building is too big for the area
- + Connor – Support
- Speaker – Market rate not affordable housing
- Tom – 13 units
- Apolinar Peter – Oppose
- Weston – Questions use of the Home SF program
- Sara – Safety, parking and privacy issues
- + George – Support
- = George Schuttish – HOME SF meaning
- + David – Support
- + Speaker – Project sponsor architect’s response to questions

ACTION: Approved with Conditions
 AYES: Tanner, Diamond, Fung, Koppel
 NAYS: Imperial, Moore
 ABSENT: Chan
 MOTION: [21020](#)

11. [2021-000209CUA](#) (E. SAMONSKY: (628) 652-7417)
733 TREAT AVENUE – east side between 20th Street and 21st Street; Lot 064 in Assessor's Block 3612 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1, 303 and 317 to allow dwelling unit density at a ratio of one unit per 1,000 square feet of lot area and to demolish a two-story, 7,581-square-foot commercial building containing an unauthorized dwelling unit and construct a four-story, 15,807-square-foot residential building containing six dwelling units and an accessory dwelling unit (ADU) within a RH-3 (Residential-House, Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Ella Samonsky – Request continuance
 ACTION: Without hearing Continued to November 4, 2021
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan

14. [2021-003396CUA](#) (R. BALBA: (628) 652-7331)
790 VALENCIA STREET – west side between 18th and 19th Streets; Lot 125 in Assessor's Block 3588 (District 8) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, and 303.1, and 762, to establish a formula retail use (d.b.a. Earthbar), within an existing retail space at the ground floor of an existing five-story mixed-use building, within the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District and 55-X Height and Bulk District. There will be no expansion of the existing building envelope. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on September 9, 2021)

SPEAKERS: = Ryan Balba – Staff report
 + Kate McGee – Project sponsor
 + Speaker – Project sponsor
 ACTION: Approved with Conditions
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan
 MOTION: [21021](#)

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, expeditors, and/or other advisors.

15. [2021-003776DRP-02](#) (D. WINSLOW: (628) 652-7335)
[3737 22ND STREET](#) – south side between Sanchez and Noe Streets; Lot 024 in Assessor's Block 3626 (District 8) – Request for **Discretionary Review** of Building Permit 2021.0220.5050 to construct a four-story horizontal rear addition at basement, first, second and the third floor on an existing three-story over basement, single-family dwelling within a RH-2 (Residential House, Two Family) Zoning District and 40-X Height and Bulk District. The proposal would include new roof deck above the first and second floor additions and new roof dormers. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Jeff Hord – DR presentation
 + Lucas Eastwood – Project sponsor
 - Gretchen Van Horn – Deny
 - Eileen McKee – Design does not belong in the neighborhood
 - Deborah Cohen – Restore façade, in a historic district
 ACTION: No DR
 AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
 ABSENT: Chan
 DRA: [761](#)

ADJOURNMENT 6:15 PM
 ADOPTED NOVEMBER 4, 2021