

# SAN FRANCISCO PLANNING COMMISSION



## Meeting Minutes Remote Hearing via video and teleconferencing

**Thursday, October 28, 2021  
1:00 p.m.  
Regular Meeting**

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

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT KOPPEL AT 1:00 PM**

**STAFF IN ATTENDANCE:** Aaron Starr, Chris May, Sharon Young, Kalyani Agnihotri, 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. 2020-003971PCA (A. MERLONE: (628) 652-7534)  
DWELLING UNIT DENSITY EXCEPTION FOR CORNER LOTS IN RESIDENTIAL DISTRICTS [BOARD FILE NO. 210564] - Planning Code Amendment - Ordinance amending the Planning Code to provide a density limit exception for Corner Lots in RH (Residential, House) zoning districts, to permit up to four dwelling units per lot; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

(Continued from Regular hearing on September 23, 2021)

**(Proposed Continuance to November 18, 2021)**

SPEAKERS: None  
ACTION: Continued to November 18, 2021  
AYES: Tanner, Fung, Imperial, Moore, Koppel  
ABSENT: Chan, Diamond

- 2a. 2019-020611CUA (R. SUCRE: (628) 652-7364)  
5114-5116 3<sup>RD</sup> STREET – west side between Bay View Street and Shafter Avenue; Lot 004 in Assessor's Block 5358 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to retroactively allow the demolition of a dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property within the Bayview NCD (Neighborhood Commercial District) Zoning District, Bayview Hunters Point Area Plan, 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 September 23, 2021)

**(Proposed Continuance to December 9, 2021)**

SPEAKERS: None  
ACTION: Continued to December 9, 2021  
AYES: Tanner, Fung, Imperial, Moore, Koppel  
ABSENT: Chan, Diamond

- 2b. 2019-020611VAR (R. SUCRE: (628) 652-7364)  
5114-5116 3<sup>RD</sup> STREET – west side between Bay View Street and Shafter Avenue; Lot 004 in Assessor's Block 5358 (District 10) – Request for **Variances** from the rear yard requirement of Planning Code Sections 134 and the Exposure requirement of Planning Code Section 140. The subject property is located within the Bayview NCD (Neighborhood Commercial District) Zoning District, Bayview Hunters Point Area Plan, and 40-X Height and Bulk District.

(Continued from Regular hearing on September 23, 2021)

**(Proposed Continuance to December 9, 2021)**

SPEAKERS: Same as item 2a.  
ACTION: ZA Continued to December 9, 2021

9. [2020-009146CUA](#) (J. HORN: (628) 652-7366)  
247 UPPER TERRACE – east side between Clifford Terrace and Upper Terrace (Mt. Olympus Park); Lot 045 in Assessor's Block 2628 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 249.77 and 303, to demolish an existing 351 square-foot garage structure and to construct a new 4,081 gross-square-foot, four-story-over-basement two-family dwelling, within a RH-2 (Residential-House, Two Family) Zoning District, Corona Heights Large Residence SUD (Special Use District), and 40-X Height and Bulk District, and the. 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: Esther Marks – Request for indefinite continuance  
 David Penn – Project sponsor is okay with continuance  
 Georgia Schuttish – Will this continuance count per SB 330  
 ACTION: Continued to December 9, 2021  
 AYES: Tanner, Fung, Imperial, Moore, Koppel  
 ABSENT: Chan, Diamond

- 11a. [2020-008529DRP](#) (D. WINSLOW: (628) 652-7335)  
1857 CHURCH STREET – east side between Randall and 30<sup>th</sup> Streets; Lot 035 in Assessor's Block 6656 (District 8) – Request for **Discretionary Review** of Building Permit 2020.0908.3710 to construct a rear addition and remodel a kitchen and bath to an existing single-family dwelling within a RH-2 (Residential House, Two Family) Zoning District and 40-X Height and Bulk District. Because the project proposes to expand into the required rear yard a Variance is requested. 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

- 11b. [2020-008529VAR](#) (C. CAMPBELL: (628) 652-7387)  
1857 CHURCH STREET – east side between Randall and 30<sup>th</sup> Streets; Lot 035 in Assessor's Block 6656 (District 8) – Request for **Variance** from the Planning Code rear yard requirement, pursuant to Planning Code Section 134. The subject property is located within a RH-2 (Residential, House, Two-Family) Zoning District and 40-X Height and Bulk District.  
 (Continued from Variance hearing on August 25, 2021)

SPEAKERS: Same as item 11a.  
 ACTION: ZA Continued to December 1, 2021

## B. COMMISSION MATTERS

3. Consideration of Adoption:  
 • [Draft Minutes for October 14, 2021](#)

SPEAKERS: None  
 ACTION: Adopted

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

4. Commission Comments/Questions

**Jonas P. Ionin, Commission Secretary:**

Commissioners, if you would indulge me for one moment before you get into your particular comments. I wanted to introduce a proclamation from the Planning Commission for one Kate Hermann Stacy that will be retiring from her post very soon.

"WHEREAS the Mayor and Board of Supervisors will proclaim October 29, 2021 Kate Hermann Stacy Day; and WHEREAS, she never expected the time spent waitressing would prepare her for dealing with difficult situations in public places; and WHEREAS, after graduating from the University of Chicago Law School in 1985, Kate began her illustrious career of public service in the City Attorney's Office in 1989; and WHEREAS, since 2007 Kate led the Land Use Team with intelligence, integrity, empathy, along with her signature calm and eloquent demeanor; and WHEREAS, as General Counsel to the Planning Commission and Planning Department, Kate advised numerous Commissioners, five Planning Directors, five Zoning Administrators, and four Environmental Review Officers; and WHEREAS, she earned the deep respect of all those with whom she works, and particularly the Planning Commissioners and Planning Department Staff; and WHEREAS, enough paper to fill multiple chambers in City Hall have crossed Kate's desk; and WHEREAS, after 32 years, her thoughtfulness, creativity and wit will be deeply missed; and WHEREAS, she has truly left her mark on the built form of San Francisco, leaving the City in a better place than it would have been without her influence; now THEREFORE BE IT RESOLVED, that the San Francisco Planning Commission, in recognition of the exceptional and extraordinary contributions to the City and County of San Francisco by one Kate Herrmann Stacy, issues this Proclamation in her honor."

**President Koppel:**

So I've been on this Commission for five years now and I'm-- back then couldn't have imagined what I would have seen and heard since then and so also hats off to you. I can't even imagine what you've seen and heard throughout the years and decades of your service. I wanted to personally thank you for properly on ramping some new deputy city attorneys to help fill the void. It's going to be some big shoes to fill so I really appreciate the fact that you brought on Mr. Yang and that everything will pretty much keep running smoothly because I'm sure you can't just put anyone in this position. So, I wanted to thank you personally for making that transition easy. Selfishly, I'm extremely jealous and I'm already counting my years even though it's not anytime soon but enjoy yourself, your free time. You've earned it. Congratulations and you will be missed.

**Rich Hillis, Planning Director:**

Thank you, Kate. Just a huge thanks to you for all you've done, for us in the Department and for all you've done for me and congrats on your retirement. I've had the good fortune of working with Kate for I think two decades now, as a city employee, as a Planning Commissioner, and now as director. And I can say without a doubt, she is one of my favorite city employees and I think many of the Planning staff would echo that, not just because she's a fellow wait staff person, I grew up doing that too, as well as the University of Chicago grad, but she's just great at what she does. Her advice is straightforward and practical; you've all

seen her in action here. She is incredibly smart and dedicated but probably the most important thing is she's just fun to be around and makes our job more enjoyable. Any meeting with her is fun but we get the answers which is always great. So I can go on and on. You know the Giants have an award, the Willie McCovey award which they give to players who don't just do their job well but are outstanding people, so if the City had a Willie McCovey award, I think it should go to Kate. Well, maybe we'll create one, the Kate Stacy award. But thank you Kate for everything you've done for us and good luck to you.

**Kate Hermann Stacy, City Attorney:**

President Koppel, Commissioners, Jonas and Planning Department, I can't tell you how much I appreciated, here we go, working with you all and I feel this enormous sense of gratitude for the many years that I've had the privilege of being able to work with so many dedicated, intelligent and creative people. This department is filled with so many impressive planners who tackled not only complicated problems who try often cutting edge approaches that push the limits and definitely push us as attorneys to think hard about our advice to be creative with you. This Commission works hard every single week. The amount of work you do and the thoughtfulness and the intelligence with which you approach often very difficult cases and difficult zoning problems is impressive to see every week and I feel so lucky to have been able to be a part of it. I respect and appreciate how much you try to keep pushing us forward in search of something better to make San Francisco a better place and to keep sort of rolling with the changes on trying different policies and solving tough issues. I love the hopeful attitude that we can do better that the whole department shows in this Commission. And Director Hillis and Jonas, you all continue to be optimists that we can do better and in San Francisco mostly we do. We are really at the forefront of so many issues that we in turn affect other places and that your concern and care for not only the City but the world has been a really wonderful thing to be a part of. And for 32 years I have loved working with the Department and Commission and you've kept it interesting and challenging and never dull. And thank you for caring so much, for including me in what you do, in solving your plans, your puzzles and all of the problems that we face at the Commission on a weekly basis and at the Planning Department on a daily basis. It's been an incredible two years and it has been so satisfying to be able to work with all of you and I just send up an enormous appreciation sense of gratitude for having been part of it. So thank you.

**Commissioner Moore:**

City attorney Stacy, Kate, just with those few words showed us who she really is. It is not just advice counsel, it is kindness, it is humanness, and the smile on her face but also sometimes sadness in her voice when she speaks for us. I have admired her when she even, when dumb questions are sometimes answered, and that is unavoidable, she always brings understanding and kindness to her answers. But let me recommend to all of you if any of you are subscribing to LinkedIn, pull up Kate Stacy's profile and there is a remarkable beautiful photo on there that speaks about empathy. I actually wanted to ask to have this on the screen today but it takes too long. Just pull up LinkedIn and look at that and when you see that photo you know what Kate Stacy is all about. Thank you, Kate. You have been a true inspiration.

**Commissioner Fung:**

As the one here who has worked with Kate the longest, it's gone over three decades. Thanks very much Kate and good luck in your next ventures.

**Commissioner Tanner:**

Maybe I'm the one with the shortest at least in this role and so I'll follow Commissioner Fung. You know I've had my share of work with city attorneys in my career as a municipal employee myself and I think what sets you apart Kate, you and your team are that you are not just saying "well that's risky, we can't do that", you're saying "how might we do this in a way that could limit the city's risk and achieve the policy objectives that we have". And I think that attitude is what sets San Francisco apart from other cities and allows us to push the envelope and sometimes we get it wrong or at least courts tell us we did but we figure it out. And so, it's just been great to work with you, even as a planner and here as a Commissioner. Your reputation precedes you in many many instances and many many rooms and I think in all in a great way. And I am sure that when we think about public service and inspiring people to go to public service, you are the type of public servant that is inspiring that we can be do really fun amazing things on behalf of the public. And I hope you feel so proud of the work that you've done and the other lawyers I'm sure you've inspired and counsel and help to serve the City as well. Good luck and best wishes in whatever endeavors that you choose after you retire. Thank you.

**Commissioner Imperial:**

I'm glad I did not have to report to jury duty today because I will miss this day. I didn't know that but in a short matter of time that I've worked with you I again just like others you set a good role and good advice for us in the Planning Commission. I always also look up to your advice as well and when you give advice, you give us not just the two scenarios or different scenarios that may happen. And it's really tough and I don't know how you all do this with tackling different policies and how it may outcome to us but again, thank you for all the service you have provided to the City. And you're one of the people why the City is great.

**Kate Hermann Stacy, City Attorney:**

Thank you all so much. You are so generous and kind and I look forward to more great things from the Department and from the Commission. And I know Austin Yang and Kristen Jensen also love working with you all and my whole team loves working with the Planning Department. You will continue to do great things all of you together. Thank you so much.

**Jonas P. Ionin, Commission Secretary:**

Thank you, Kate. Really, thank you.

**C. DEPARTMENT MATTERS****5. Director's Announcements****Rich Hillis, Planning Director:**

Good afternoon Commissioners. Just two announcements, one I just wanted to let you all know we are officially back in the office next week starting November 1st so that's when we start with our staff being in the office at least two days a week and possibly three days remote but it's our first time fully occupying 49 South Van Ness so we are looking forward to that.

And I wanted to announce to another staffing change. Adam Varat, who many of you have known and you've seen here at the Commission, he's leaving us. He's not going far though he's going to the Port to be their direct-- Deputy Director of Planning for Waterfront Resilience programs. He's been with Planning for 19 years, all within our Citywide Planning division. And as you know like Kate, he's passionate about what he does and thoughtful. He's been involved in most of our long-range Planning work from Climate Resilience to managing our City Design group work to developing a Better Streets plan to ConnectSF. So, he will be sorely missed but he will be close by and working with us on our resilience work with the Port. So congrats to Adam and those are my announcements for today unless you have any questions.

**Commissioner Imperial:**

Quick question Director Hillis. Since I know he's been working with the Climate Resilience group. Do you have any prospects who's going to replace him on that aspect?

**Rich Hillis, Planning Director:**

We don't yet. We're meeting with or I'm meeting with the Citywide team to scope out their work. I mean, I'll say also which I should have mentioned again, it's a bit of a tough budget year. So we just got the revenue numbers in for October which we thought were on a more positive trajectory but turned out to be fairly poor compared to budget so we're looking at \$8-10 million shortfall on the year. So making, filling vacancies difficult. I'm meeting with the Citywide division and we're looking at work programs in order to prioritize the work but clearly that is important work that we will continue to do. So, I'll have more on that.

**Commissioner Imperial:**

Congrats to him hopefully he still can continue to work through the Planning Department because that is a really important program. Thank you.

**Rich Hillis, Planning Director:**

Yeah.

**Commissioner Tanner:**

I did have one question and first of all congrats to Adam. It's a loss for us but I'm glad that he's going to the Port where there's lots of planning and lots of buildings, a lot of things happening there so definitely it's a great place to have such a skilled planner. I was just curious and an idea, it seems like sometimes when we're getting folks calling in the continuances are a little confusing for folks. And I don't know what folks see on the screen at home. Would it be possible to have a slide that just lists what items are being continued so folks can read along with it? Maybe we already do that, but just to improve a little bit the communication because it seems that people on the line get confused and then people hangout because they don't understand what continuance is or what's happening with that. Some people join late and then they would still miss it. So, I recognize we're not going to catch everybody but just curious if you have any thoughts or insight on that.

**Rich Hillis, Planning Director:**

Sure. It comes up on the screen but I think your idea of sharing of screen that lists the continuances and the items that are up for Continuance is something we can do. Especially now that Jonas is fully adept at sharing his screen.

**Jonas P. Ionin, Commission Secretary:**

Thank you, Director Hillis. It's certainly something we can consider and possibly work with SFGov TV to have the ticker note Continuances. So let me put my offices brain trust to work on that and see what we come up with.

**Commissioner Tanner:**

Great thank you. I don't want to make my work, just trying to see if we can help folks a little bit. Thank you.

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

**Jonas P. Ionin, Commission Secretary:** There is no report from the Board of Appeals and the Historic Preservation Commission did not meet yesterday.

**Aaron Starr, Manager of Legislative Affairs:**

210868 Planning Code - Inclusionary Housing Program Updates. Sponsors: Ronen; Chan. Staff: Grob.

First at Land Use was Supervisor Ronen's ordinance that would update the city's Inclusionary Program to, among other things, ensure that the tenure of market rate units and BMR units in the same development match.

Commissioners, you heard this item on October 14 and voted unanimously recommended the ordinance to the Board.

At the land use hearing there were about 5 public commentators, all in favor of the ordinance. The discussion among the committee members was very positive, and Supervisors Peskin, Preston, and Melgar all requesting to be added as co-sponsors. The Committee then recommended the item to the Full Board.

210807 Planning Code - Repealing Article 12 Regarding Oil and Gas Facilities] Sponsor: Chan. Staff: Starr.

Next the Committee considered Supervisor Chan's ordinance that would repeal Article 12 Regarding Oil and Gas Facilities. Commissioners, you heard this item on October 14 and recommended approval with modifications. The modification you proposed was:

- Amend the definition of Heavy Manufacturing 2 and 3 to exclude from the definition the production or refining of petroleum products associated with oil and gas exploration.

At the hearing, there were no public commentators. Ketty Groth from Supervisor Chan's office wanted to incorporate the Planning Commission's recommendation, but was not able to get the amendments drafted in time, so the item was continued for one more week to allow



those amendments to be finalized. The vote to continue the item for a week was passed unanimously.

210808 Planning Code - Requirements for Laundromats and On-site Laundry Services. Sponsors: Peskin; Chan, Preston, Ronen, Mandelman, Haney, Walton and Mar . Staff: V. Flores.

Finally, the committee considered Supervisor Peskin's ordinance that would require a CU to change the use of a Laundromat to another use.

This item appeared in front of Planning Commissions on October 14th, where you recommended approval with modification. The proposed modifications included:

- Revise the Laundromat definition to require washing/drying as part of the services.
- Amend the Ordinance to include more quantifiable findings.

Supervisor Peskin incorporated portions of the second modification to provide additional flexibility to Planning Staff when analyzing CUA findings; however, he did not include the modification to revise the Laundromat definition to require washing/drying as part of the services.

During the hearing, there were six public comments, all in support of the Ordinance. After public comment there was no significant discussion among the Supervisors, however Supervisor Melgar did ask to be added as a sponsor to the ordinance. The Committee then forwarded the amended ordinance to the Full Board.

## **FULL BOARD**

210600 Planning Code - Small Business Zoning Controls in Chinatown and North Beach and on Polk Street. Sponsor: Peskin. Staff: V. Flores. PASSED Second Read

210865 Health, Planning, Police Codes - Various Cannabis Sunset Dates. Sponsor: Mandelman. Staff: Not Staffed. PASSED Second Read

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

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

210927 Hearing - Appeal of Determination of Exemption From Environmental Review - Proposed 35 Ventura Avenue Project. Staff: Taylor. Continued to November 9

210919 Hearing - Appeal of Final Environmental Impact Report Certification - Proposed 469 Stevenson Street Project. Staff: Range.

The Board did take up the Appeal of the EIR for 469 Stevenson Street. The proposed project would demolish the existing surface parking lot with 176 parking spaces, and replace it with

495 dwelling units, 4,000 square feet of ground-floor retail and a three-level-below ground parking garage. The project would also provide 73 affordable dwelling units onsite.

The Appellants- Yerba Buena Neighborhood Consortium- were represented at the hearing by John Elberling and attorney Susan Brant-Hawley. In their appeal statements, the Appellant disagreed that the department could analyze geotechnical issues in the initial study rather than the EIR, and disagreed on the Department's reliance on state and local codes and the DBI review process. The Appellant believed the CEQA finding to be inadequate and disagreed with the department's conclusions about historic resources impacts. The Appellant raised concerns about the project's potential to result in gentrification and displacement. And the Appellant disagreed with the Planning Commission's decision to reject the alternative that would have resulted in less than significant impacts on Mint Plaza.

In their rebuttal, the Department refuted each of these assertions point by point citing CEQA law, building code standards, and expounding on the geotechnical report. Notably they also responded to the gentrification impacts, even though those are not technically under the purview of CEQA. Stating that a project-specific analysis was prepared, which findings suggest that while some displacement may occur, it is not the inevitable result of gentrification, and that many factors influence whether displacement occurs. Further gentrification and displacement resulting from this development is not supported by the available academic literature on the subject.

There were approximately 6 speakers in favor of the appeal, including SF Heritage and SoMa Pilipinas, and approximately 14 speakers in favor of denying the appeal, including Local 22, Mid-Market Coalition, Housing Action Coalition, San Francisco Building Trade Council, the Filipino Community Development Corp., and S.F. Senior Power.

During the hearing, some supervisors disagreed with the department and City Attorney's position on the standards of EIR adequacy. They also raised concerns about the gentrification and displacement analysis for the project. Several supervisors did not agree that it is adequate to rely on the geotechnical report, local and state codes, and the DBI process to ensure that there are no significant impacts. Questions were raised about the historical resources impacts analysis. Concerns were also raised about the alternatives for the significant and unavoidable shadow impact identified in the EIR.

There were two votes on this issue, the first was to deny the appeal. That voted failed on a 3-8 vote with Supervisors Haney, Safai, and Stephanie voting for the motion. They then voted to uphold the appeal, and that vote passed on the same 8-3 vote margin.

I can't tell you how much the Legislative team has relied on Kate over the years. I'd just like to say Thank you for your service and all the help you've given us over the years. we're going to miss you a lot Kate. Best of luck.

#### **D. GENERAL PUBLIC COMMENT**

**SPEAKERS:** Sue Hestor – Kate Stacy, Board of Appeals meeting items  
Georgia Schuttish – The Commission should continue the discussions that have emerged recently during various projects on the importance to City

environment of rear yards that cumulatively create: Rear Yard Mid Block Open Space. Obliterating natural rear yards with excavations that expand a house underneath the existing house, spreading out into the remainder of the lot, beyond the 45% line and beyond to all the lot lines of the adjacent properties, causes the loss of the natural rear yard, replaced by huge cement retaining walls and so-called patios that are just more cement with a drain and a sump pump. RH projects creating major excavations create major amounts of pollution. Loss of rear yards means loss of ability to capture carbon. Please continue having these discussions on the rear yard mid block open space for projects whether legal Demolitions or extreme Alterations. And please ask the Staff to consider this as well.

## 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. [2020-005729CUA](#) (C. MAY: (628) 652-7959)  
4 SEACLIFF AVENUE – north end of 25<sup>th</sup> Avenue; Lot 017 in Assessor's Block 1302 (District 1) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317 to permit the demolition of the existing single-family dwelling and the construction of a new three-story single-family dwelling with an ADU on the subject property within a RH-1(D) (Residential-House, One-Family - Detached) Zoning District, Lobos Creek Conservation Area, 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 Variance hearing on September 23, 2021)

SPEAKERS: = Chris May – Staff report  
 + Gwen – Project sponsor design presentation  
 + Daniel Frattin – Project sponsor response to questions and comments  
 ACTION: Approved with Conditions as amended by Sponsor  
 AYES: Tanner, Fung, Imperial, Moore, Koppel  
 ABSENT: Chan, Diamond  
 MOTION: [21022](#)

8. [2020-009025CUA](#) (S. YOUNG: (628) 652-7349)  
5915 CALIFORNIA STREET – south side between 21<sup>st</sup> Street and 22<sup>nd</sup> Avenue; Lot 031 in Assessor's Block 1412 (District 1) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.2, 303, and 317 to demolish an approximately 1,479 square-foot existing two-story, one-unit residential building and construct an approximately 5,389 square-foot new four-story, three-unit residential building 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: = Sharon Young – Staff report  
 + John Lum – Project sponsor  
 + Speaker – Response to questions and comments  
 ACTION: Approved with Conditions  
 AYES: Tanner, Fung, Imperial, Moore, Koppel  
 ABSENT: Chan, Diamond  
 MOTION: [21023](#)

10. [2021-004963CUA](#) (K. AGNIHOTRI: (628) 652-7454)  
3415 CALIFORNIA STREET – north side between Laurel and Spruce Streets; Lot 002 in Assessor's Block 1034 (District 2) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 713, 202.2(a)(5), and 303 to establish a Cannabis Retail use on the first floor and associated office and storage space on the mezzanine floor (approximately 2,260 square feet) within a NC-S (Neighborhood Commercial Shopping Center) 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: = Kalyani Agnihotri – Staff report  
 + Josh Black – Project sponsor  
 + Jeff Mathew – Support  
 + Scott – Support  
 = Kathy Devincenzi – Request CUA for a private roving security during operating hours  
 + Natalia – Support  
 ACTION: Approved with Conditions  
 AYES: Tanner, Fung, Imperial, Moore, Koppel  
 ABSENT: Chan, Diamond  
 MOTION: [21024](#)

## 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.

12. [2021-002667DRP-03](#) (D. WINSLOW: (628) 652-7335)  
4763 19<sup>TH</sup> STREET – south side between Caselli and Yukon Streets; Lot 034 in Assessor's Block 2711 (District 7) – Request for **Discretionary Review** of Building Permit 2021.0217.4759 to remove a two-story portion at the rear of the existing building and to construct a two-story rear horizontal addition and stair to an existing two-story over basement, 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 October 21, 2021)

SPEAKERS:       = David Winslow – Staff report  
                  - Stephen Hammond – DR 1  
                  - Jim Conte – DR 3  
                  + Alex Nie – Project sponsor  
                  - Mark Crawford – Oppose  
                  - Fran Roberts – 3<sup>rd</sup> story  
                  = Robert Fruchtman – Eliminate DR process  
                  - Speaker – Concerns were not heard  
  
ACTION:         No DR  
AYES:           Tanner, Fung, Imperial, Moore, Koppel  
ABSENT:         Chan, Diamond  
DRA:            [762](#)

ADJOURNMENT 3:04 PM – IN HONOR OF CITY ATTORNEY KATE HERMANN STACY  
ADOPTED NOVEMBER 18, 2021