



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Abbreviated Analysis HEARING DATE: JANUARY 16, 2020

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* January 6, 2020  
*Case No.:* **2018-010941DRP**  
*Project Address:* **2028 Leavenworth Street**  
*Permit Application:* 2019.0627.4546  
*Zoning:* RM-1 [Residential-Mixed, Low Density]  
40-X Height and Bulk District  
*Block/Lot:* 0098/010  
*Project Sponsor:* Vin Leger  
EAG Studio  
2443 Fillmore Street #215  
San Francisco, CA 94115  
*Staff Contact:* David Winslow – (415) 575-9159  
[David.Winslow@sfgov.org](mailto:David.Winslow@sfgov.org)  
*Recommendation:* **Take DR and Approve with Modifications**

### PROJECT DESCRIPTION

The project consists of legalization of a horizontal rear addition at the second and third floors performed without permit. The permit to legalize also proposes to remove an internal connecting stair that has merged two dwelling units.

### BACKGROUND

A summary of all the permits associated with this project is as follows:

- 2014.1014.8857 - Relocate Unit 1- add sq. ft. from garage; infill light well; new roof deck; new elevator; remove stairs on deck, (removal of unauthorized dwelling unit at basement). Upper level: new interior layout; partially raise floor level; new windows; new roof deck; replace front windows in-kind.
- 2015.0224.9188 - Voluntary footing and foundations upgrade - no exterior work.
- 2015.0320.1429 – Relocate stairway on level one to basement wine cellar and existing storage room.
- 2016.0120.7456 – Revision to BPA #2014.1014.8857 to adjust roof deck location per neighbor request; reconfigure skylights; remove approved bathroom from 1<sup>st</sup> floor and relocate to basement.
- 2016.0322.2666 - Install new fire sprinkler system.
- 2019.0627.4546 - Comply with Planning Code violation remove unpermitted stair between units and legalize unpermitted infill at rear see variance application.

## SITE DESCRIPTION AND PRESENT USE

The site is a 25' x 73' down and lateral sloping lot with two dwellings. The ground level dwelling unit is 1,446 sq. ft. and the upper dwelling unit is 2,916 sq. ft. The building was erroneously re-classified as a Category 'C' - No Historical Resource Present. But because the building was built in 1910, it is age eligible and an evaluation has not occurred. The existing structure is legal non-complying due to an encroachment of approximately 12 feet into the required rear yard.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

This block of Leavenworth consists primarily of 3-story residential buildings. The mid-block open space, though constrained is fairly consistent and regular with the exception of an adjacent property to the East that has a two-story cottage in the rear yard.

## BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	July 23, 2019 – August 22, 2019	8.16.2019	1.16.2020	154 days

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	December 27, 2019	December 27, 2019	20 days
Mailed Notice	20 days	December 27, 2019	December 27, 2019	20 days
Online Notification	20 days	December 27, 2019	December 27, 2019	20 days

## PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

## DR REQUESTOR

Malcom Xiang, no address provided. There has been no correspondence with Mr. Xiang since the DR was received.

## DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

The DR requestor is concerned that the project;

1. Removed and merged three units into a de facto single-family residence without a permit;
2. Attempted to hide demolition from code enforcement;
3. Extended building and deck into non-complying rear yard without permit / variance.
4. Excavated into rear yard open space beyond and with a series of permits exceeding 50 cubic yards of soil and;
5. Tantamount to demolition.

### Proposed alternative:

Return property to original three-unit configuration.

See attached *Discretionary Review Application*, dated August 16, 2019.

## PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The sponsor legally removed an illegal dwelling unit as authorized by BPA #2014.1014.8857 which the Planning Department reviewed and approved. Calculations were provided that demonstrate that this project does not qualify as a demolition. No new decks have been added, and the rear infill has no impacts on neighbors. The excavation was well under 50 cubic yards. There have been three permits which spell out the work and complies with the Planning Code.

See attached Response to Discretionary Review, dated December 23, 2019.

## ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

## DEPARTMENT REVIEW

The Department review found that:

This is not a demolition as defined per Section 317, and the excavation did not exceed the 50 cubic yards of soil removal threshold per CEQA review.

In August 2014 the building at was sold for \$2.93 million as two vacant flats with an unauthorized studio unit (UDU) behind the garage. (See the original condition via Hill & Co. real estate promotional video in 2015: <https://www.youtube.com/watch?v=57MzT-JWZ4I> -Also see Hill & Co. real estate plans in packet).

Shortly after that sale, in October 2014, a building permit (BPA #2014.1014.8857) was filed to:

1. Relocate the lower flat to the ground level, using part of the space from the removed studio UDU;
2. Infill the light well; install a new elevator and to;
3. Remove stairs on the rear deck.

There is no mention of removing the unauthorized studio dwelling unit but is shown on the plans as a part of the scope of reallocating space for the two legally existing units. In 2014, the removal of unpermitted or non-conforming residential uses was allowed. Per Code Section 317(b)(7), a dwelling may be enlarged using space from another unit if it results in a decrease in size by no more than 25% from the original floor area of the other unit. Otherwise it is considered a merger. At that time there was no flats policy that seeks to maintain parity of unit quality. The lower dwelling is 1,446 sq. ft., an increase in its original size of 1,238 sq. ft. Therefore, the size of the lower unit complies with this provision of the Code.

In March 2015 another permit was issued to relocate a stairway from the ground level to the basement.

On 30, April 2019 the property was sold for \$8.67 million as a 4,816 sq. ft. single-family residence.

On June 27, 2019 a permit was filed to legalize work performed without a permit. This includes removal of internal stairs that connects the lower unit to the upper unit, and to legalize a rear infill that also requires a rear yard variance.

The Department has an open permit to correct the violations to restore the two units by removing the interconnecting stair and seek a variance for the infill.

During the course of the work the front façade was also altered without permit or review by the Department. The building was built in 1910 therefore was age an eligible historic resource. Because of the age of the building any changes to the façade would have required a Historic Resource Evaluation to determine of whether or not the building was a resource as required per CEQA review. This did not occur because the plans only proposed minor alterations.

Since the front façade alterations were done beyond the scope of permits and without appropriate Department review, Staff deems the project is exceptional or extraordinary and therefore recommends taking DR and approving with the following conditions:

Restoration of the front façade as represented in the project sponsor's previously approved plans and current permit. Specifically: restoring the double-hung wood windows with integral ogee lugs on the upper windows; restoring the lower windows with mullions, as originally detailed and recessed; restoring the clay tile mansard roof; removal of up lighting, and restoring the stucco detailing on façade, including removing the stone tile at the base and replacing with stucco.

<b>RECOMMENDATION:</b>	<b>Take DR and Approve with Modifications</b>
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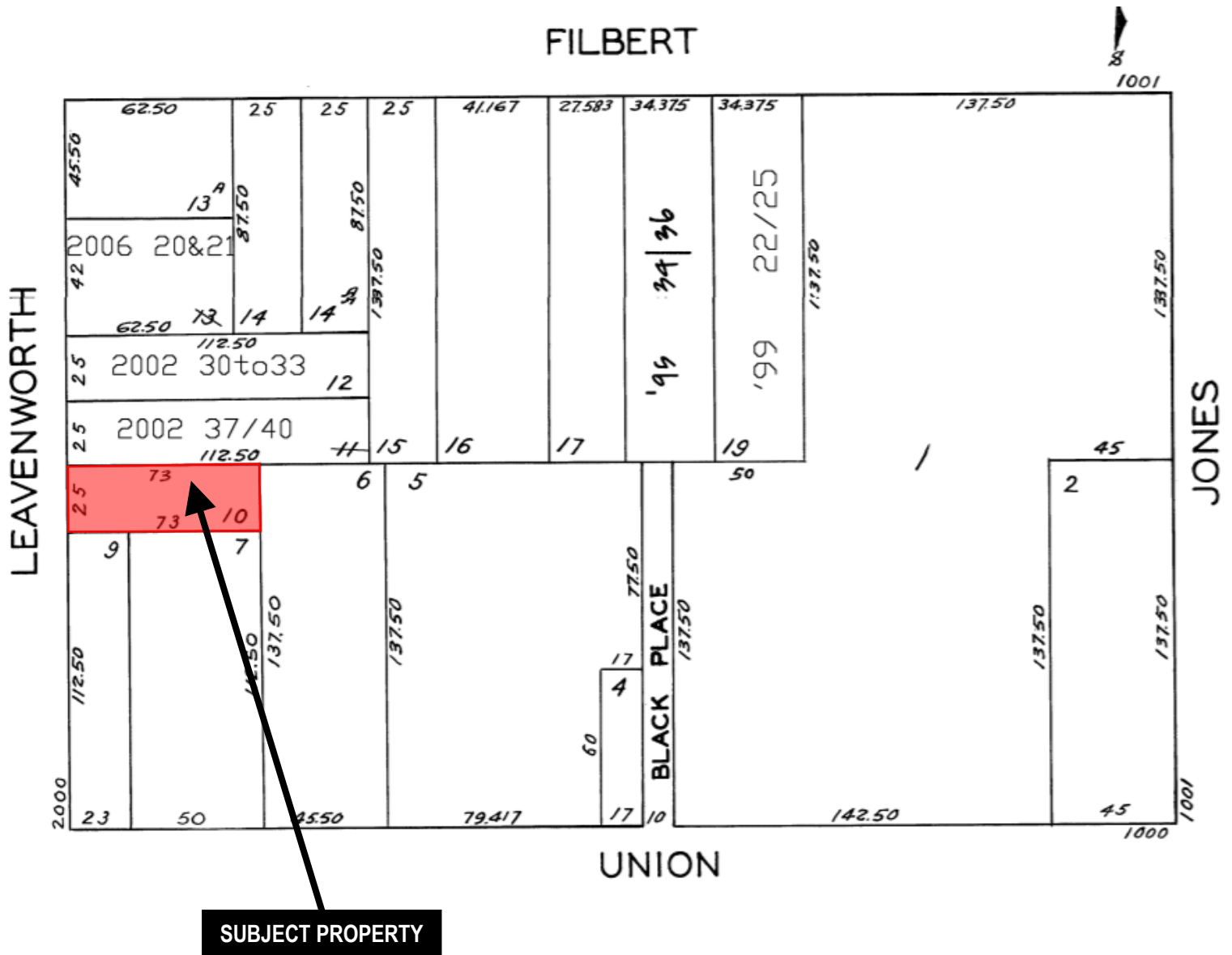


**Attachments:**

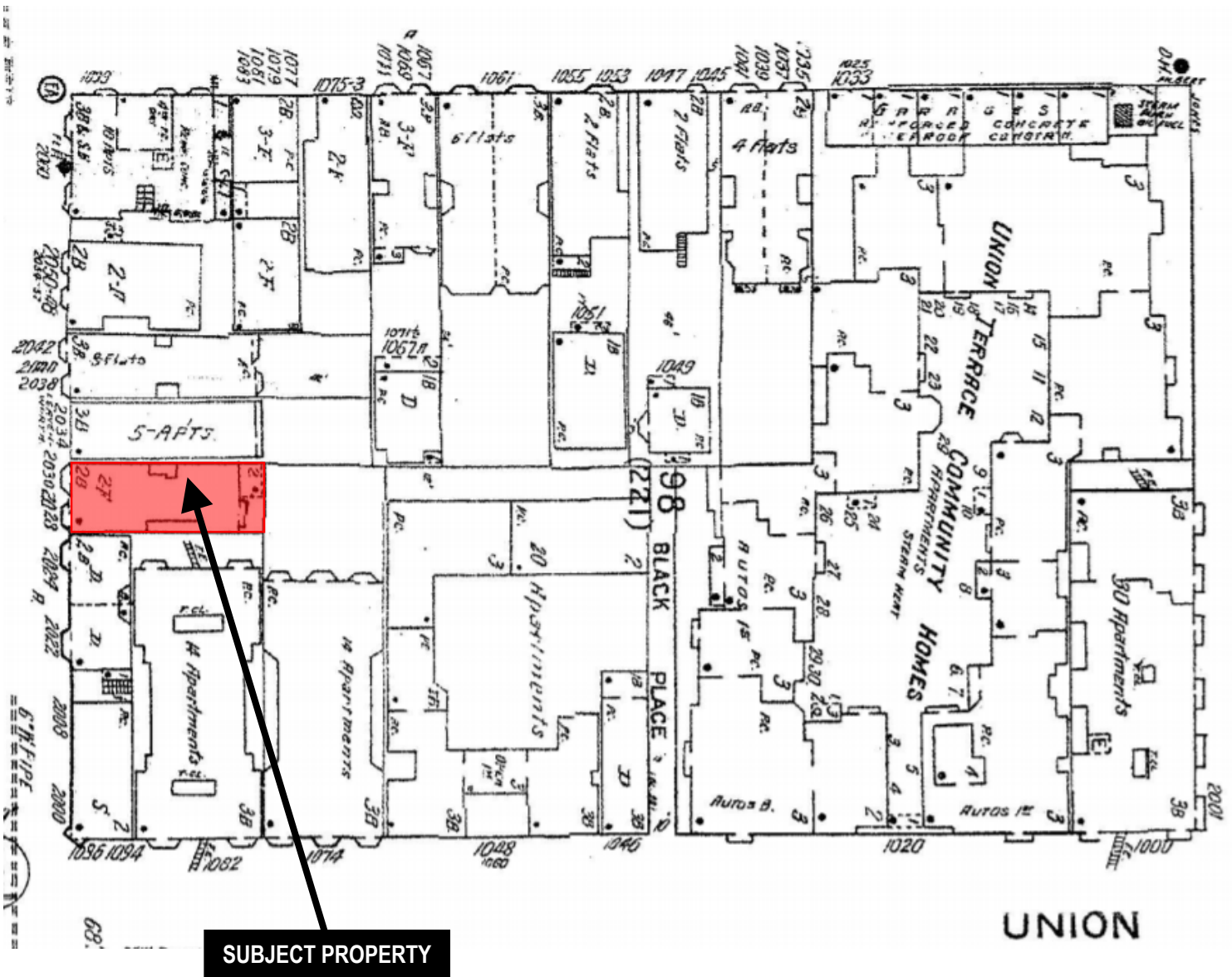
Block Book Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Context Photographs  
Section 311 Notice  
CEQA Determination  
Notice of Violation report  
Eviction history  
Before and after Pictometry of rear  
Before and after photo of front facade  
Hill & Co. Realtor plans 2014  
DR Application  
Response to DR Application dated December 23, 2019  
Reduced 311 Plans

# Exhibits

# Parcel Map



# Sanborn Map\*

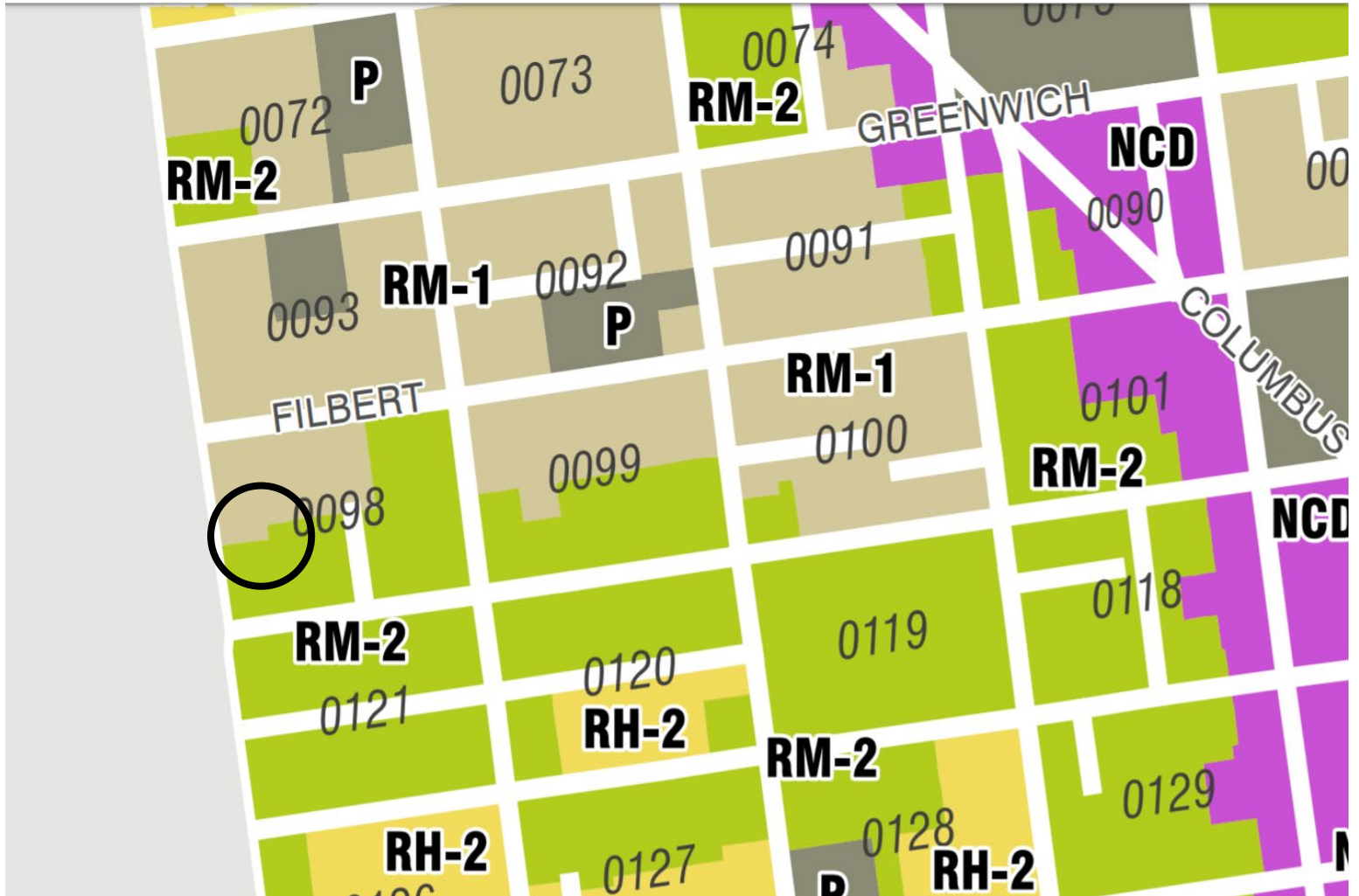


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing  
Case Number 2018-010941DRP  
2028 Leavenworth Street

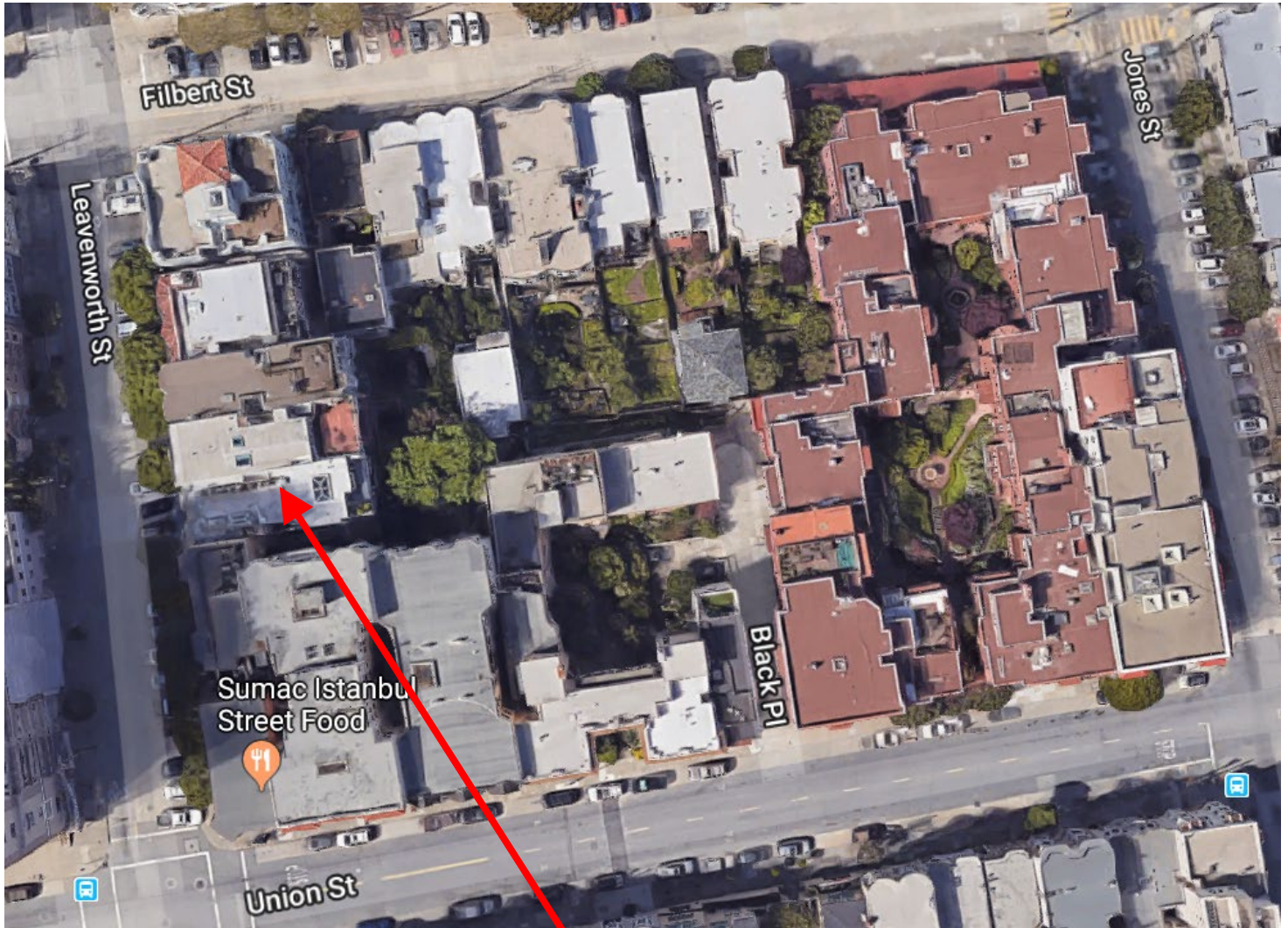
# Zoning Map



Discretionary Review Hearing  
Case Number 2018-010941DRP  
2028 Leavenworth Street



# Aerial Photo



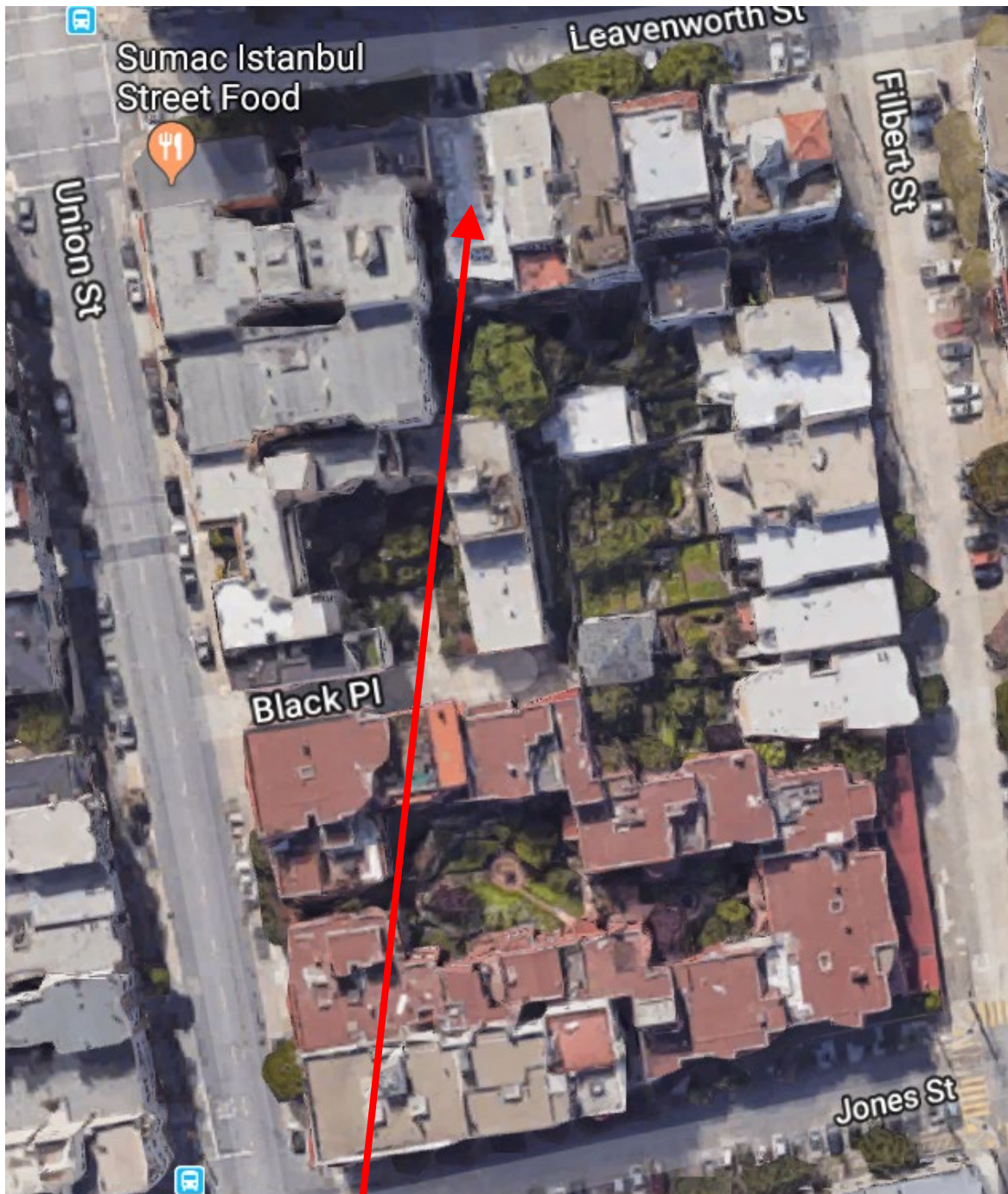
**SUBJECT PROPERTY**



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# Aerial Photo



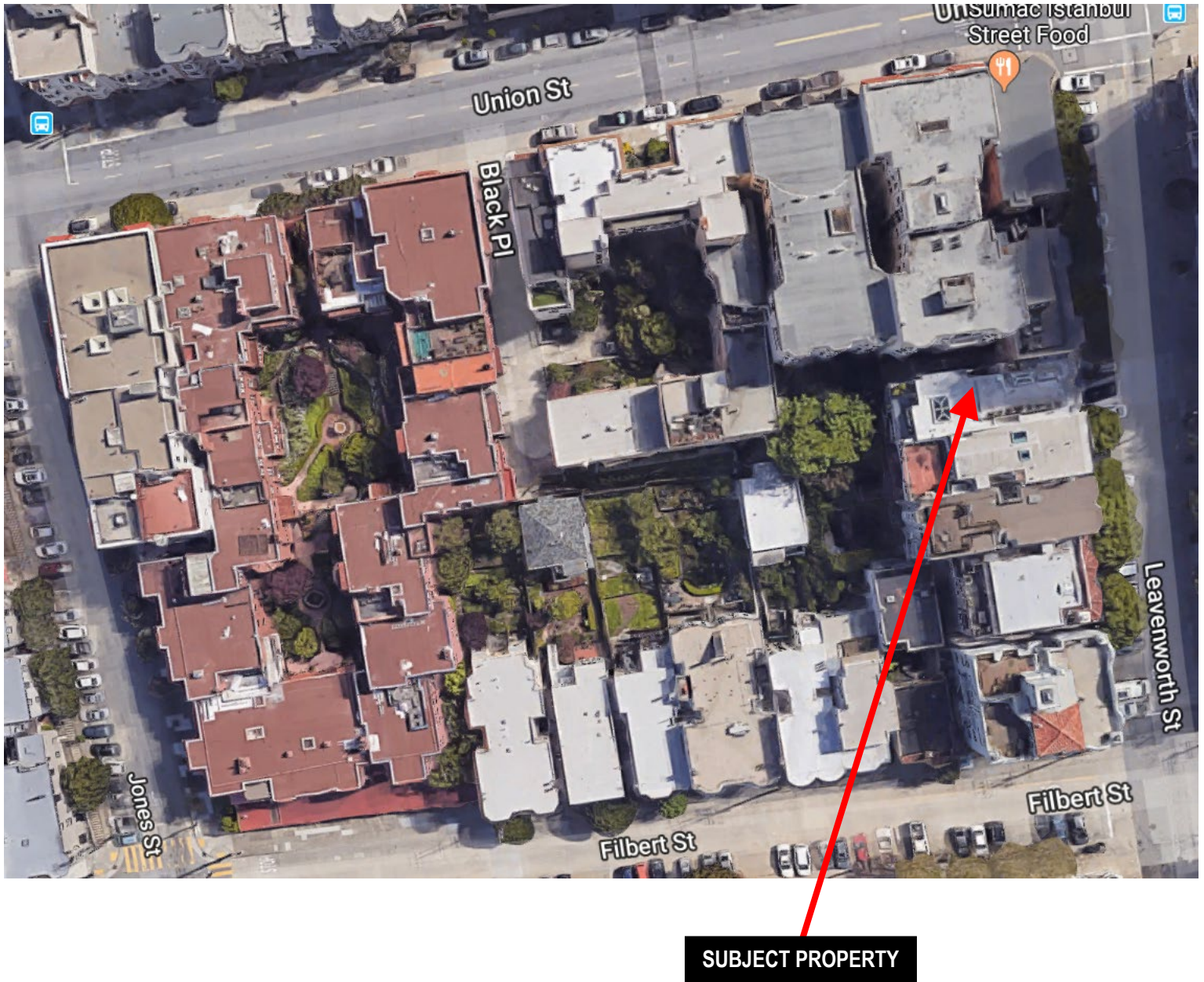
**SUBJECT PROPERTY**



Discretionary Review Hearing  
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# Aerial Photo



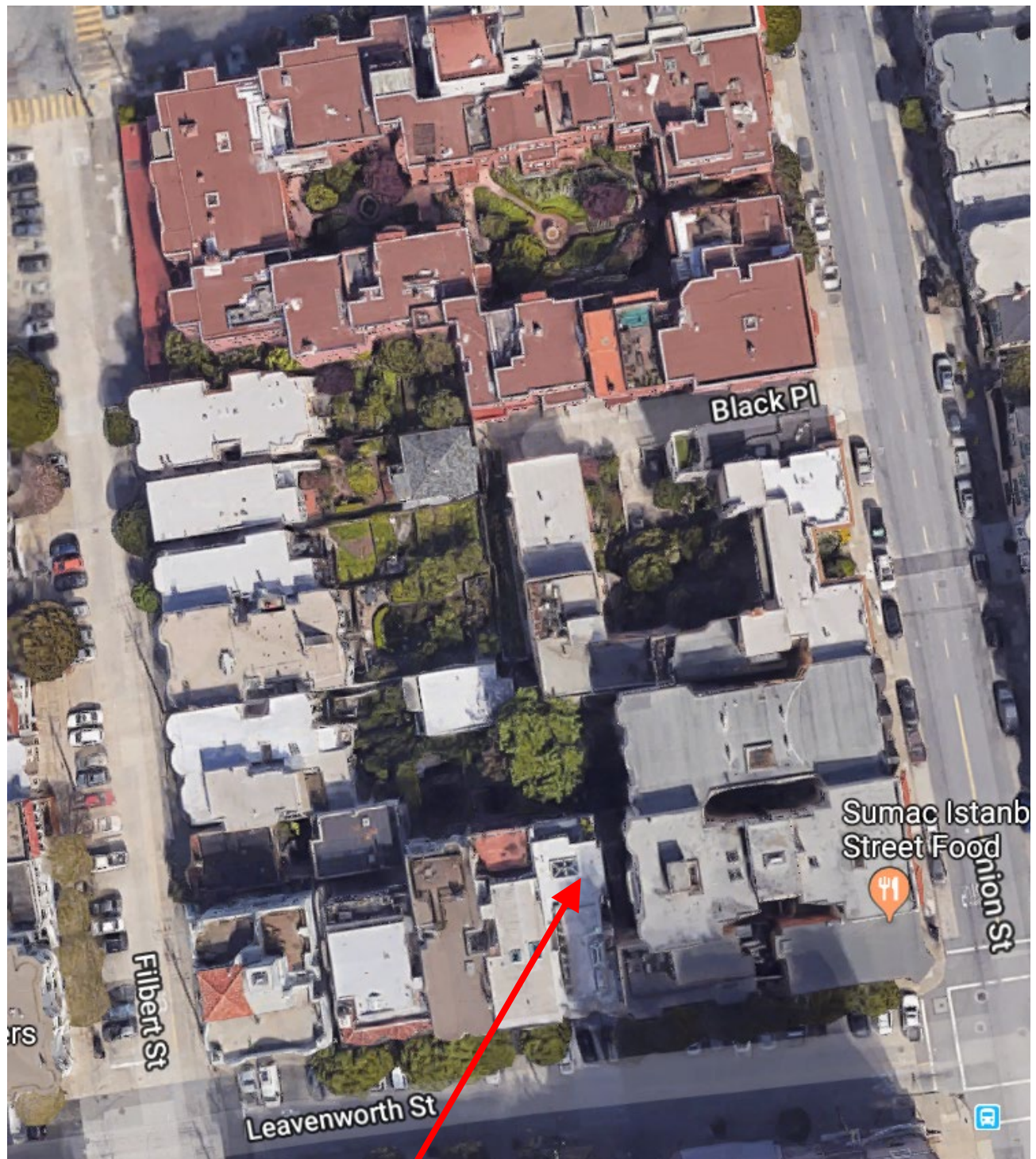
SUBJECT PROPERTY



Discretionary Review Hearing  
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# Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2018-010941DRP  
2028 Leavenworth Street

# Site Photo



**SUBJECT PROPERTY**

Discretionary Review Hearing  
Case Number 2018-010941DRP  
2028 Leavenworth Street



# Site Photo



**SUBJECT PROPERTY**

Discretionary Review Hearing  
Case Number 2018-010941DRP  
2028 Leavenworth Street



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **June 27, 2019**, Building Permit Application No. **2019.06.27.4546** was filed for work at the Project Address below.

**Notice Date: 7/23/2019**

**Expiration Date: 8/22/2019**

PROJECT INFORMATION		APPLICANT INFORMATION	
Project Address:	2028 LEAVENWORTH ST	Applicant:	Vin Leger
Cross Street(s):	Havens Street	Address:	2443 Fillmore Street #215
Block/Lot No.:	0098 / 010	City, State:	San Francisco, CA 94115
Zoning District(s):	RM-1 /40-X	Telephone:	415-246-8808
Record Number:	2018-010941PRJ	Email:	Vin@eagstudio.com

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. **You are not required to take any action.** For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	None	No Change
Side Setbacks	None	No Change
Building Depth	66 feet – 11 inches	No Change
Rear Yard	6 feet – 1 inch	No Change
Building Height	34 feet – 4 inches	No Change
Number of Stories	3	No Change
Number of Dwelling Units	2	No Change
Number of Parking Spaces	2	No Change
PROJECT DESCRIPTION		
<p>The project proposes to legalize the construction of 2<sup>nd</sup> and 3<sup>rd</sup> floor horizontal additions within the required rear yard. Information regarding the variance hearing for a rear yard setback variance will be submitted through a separate notice. The project also includes removing an interior stair that connected/merged the two units on site (under active enforcement). See attached plans.</p> <p>The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code</p>		

To view plans or related documents, visit [sf-planning.org/notices](http://sf-planning.org/notices) and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

**For more information, please contact Planning Department staff:**

Nancy Tran, 415-575-9174, Nancy.H.Tran@sfgov.org



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2028 Leavenworth Street		0098/010	
Case No.	Permit No.	DBI Stamp Date on Plans	
	201601207456	01/20/2016	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Revision to permit number 2014.10.14.8857. Adjust roof deck location per neighbor request. Roof deck to be 4 feet, 8 inches from front property line. Reconfigure skylights, remove approved bath from first floor and relocate to basement.			

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

<b>Note: If neither Class 1 or 3 applies, an <i>Environmental Evaluation Application</i> is required.</b>	
<input checked="" type="checkbox"/>	<b>Class 1 – Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or more than six (6) dwelling units in one building; new commercial/office structures under 10,000 sq. ft.; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>

<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b>	

### STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map)	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST**  
TO BE COMPLETED BY PROJECT PLANNER

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input checked="" type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW**  
TO BE COMPLETED BY PRESERVATION PLANNER

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .



<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input type="checkbox"/>	10. <b>Reclassification of property status</b> to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
Comments (optional):	
Preservation Planner Signature: Stephanie A. Cisneros	

## STEP 6: CATEGORICAL EXEMPTION DETERMINATION TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA.</b>	
	<b>Project's First Approval Action:</b> Building Permit Issuance*	<b>Planner Name:</b> Stephanie A. Cisneros
	*If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Stamp:</b> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>CATEGORICALLY EXEMPT</b>          from Environmental Review  <b>12:02 pm, Jan 20, 2016</b>  <b>SFPLANNING</b> </div>
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.		



## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

If at least one of the above boxes is checked, further environmental review is required. **CATEX FORM**

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2028-30 Leavenworth Street		0098/010	
Case No.	Permit No.	Plans Dated	
	2014.10.14.8857	1/27/15	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Relocate garage door and entry to Unit 1. Add (n) window at front facade. Replace wood windows at front facade in kind to match existing. Replace windows at rear, add skylights, infill portion of blind lightwell. Interior remodel.			

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input checked="" type="checkbox"/>	<b>Class 1 – Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or more than six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>

<input type="checkbox"/>	<b>Soil Disturbance/Modification:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required</b>
<input type="checkbox"/>	<b>Serpentine Rock:</b> Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
<b>*If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b>	

### STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map)	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST**  
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input checked="" type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input checked="" type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input checked="" type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input checked="" type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

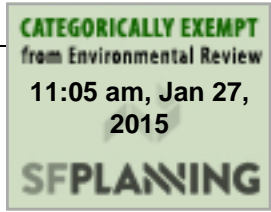
**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW**  
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .

<input checked="" type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments): <b>Replace and change configuration of windows at rear. Add new skylights not visible from street.</b>
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input type="checkbox"/>	10. <b>Reclassification of property status</b> to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify): _____
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

## STEP 6: CATEGORICAL EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA.</b>	
	<b>Project's First Approval Action:</b> Building Permit Issuance*	<b>Planner Name:</b> Pilar LaValley
	*If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Stamp:</b>
		
	<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>	

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

If at least one of the above boxes is checked, further environmental review is required. **CATEX FORM**

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:





# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF ENFORCEMENT

March 12, 2018

**Property Owner**

Zhang, Libin & Jennifer X  
912 Hunter Lane  
Fremont, CA 94539

**Site Address:** 2028 Leavenworth Street  
**Assessor's Block/Lot:** 0098/010  
**Zoning District:** RM-1, Residential- Mixed, Low Density  
**Complaint Number:** 2018-001515ENF  
**Code Violation:** Section 317: Loss of Residential Units  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Jonathan Purvis, (415) 558-6354, jonathan.purvis@sfgov.org

The Planning Department has received a complaint that a Planning Code violation exists on the above referenced property that needs to be resolved. As the owner of the subject property, you are a responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

Our records indicate that the subject property is currently authorized for a two-family dwelling. The violation pertains to the merger of two units into one on the subject property. Pursuant to Planning Code Section 317(c), a Conditional Use Authorization is required for the loss of a dwelling through the merger of two dwellings into one.

On January 31, 2018, the Planning Department sent you a Notice of Complaint to inform you about the complaint. You did not contact the Planning Department to respond to this notice.

Pursuant to Planning Code Section 171, structures and land in any zoning district shall be used only for the purposes listed in this Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any of Planning Code provisions constitutes a violation of Planning Code and is subject to enforcement process under Code Section 176.

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

[www.sfplanning.org](http://www.sfplanning.org)

中文詢問請電: 415.575.9010 | PARA INFORMACION EN ESPANOL LLAMAR AL: 415.575.9010 | PARA SA IMPORMASYON SA TAGALOG TUMAWAG SA: 415.575.9121 | [WWW.SFPLANNING.ORG](http://WWW.SFPLANNING.ORG)

## HOW TO CORRECT THE VIOLATION

Contact the Enforcement Planner listed above to arrange for a site inspection of the subject property within 15 days from the date of this notice. If the building does not have a second dwelling unit and a violation is confirmed, you must immediately proceed to abate the violation by restoring the second unit with a revised Building Permit application. If you intend to use the above property as a single-family dwelling, you may file a Conditional Use Authorization application to seek legalization of such use. The Conditional Use Authorization application is available from the Planning Department's website at <http://www.sf-planning.org>. If the Conditional Use Authorization is granted, you will also need to obtain a Building Permit.

The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Evidence would include a duly issued permit showing Planning Department approval of the property as it exists. A site visit will be required to verify compliance.

Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street or website: [www.sf-planning.org](http://www.sf-planning.org) for any questions regarding the planning process.

## TIMELINE TO RESPOND

The responsible party has fifteen (15) days from the date of this notice to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. A site visit may also be required to verify the authorized use at the above property. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

## PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code within fifteen (15) days from the date of this notice will result in issuance of a **Notice of Violation** by the Zoning Administrator. Administrative penalties of up to **\$250 per day** will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

- 1) Request for Zoning Administrator Hearing. The Zoning Administrator's decision is appealable to the Board of Appeals.
- 2) Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.



### **ENFORCEMENT TIME AND MATERIALS FEE**

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of \$1,351 plus any additional accrued time and materials cost for Code Enforcement investigation and abatement of violation. This fee is separate from the administrative penalties as noted above and is not appealable.

### **OTHER APPLICATIONS UNDER CONSIDERATION**

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.

cc: Current Owner or Occupant  
2028 Leavenworth Street  
San Francisco, CA 94133



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF VIOLATION

June 22, 2018

**Property Owner/Agent**

Jennifer Love  
Withers Bergman  
505 Sansome Street, 2<sup>nd</sup> Floor  
San Francisco, CA 94111

**Site Address:** 2028 Leavenworth Street  
**Assessor's Block/Lot:** 0098/010  
**Zoning District:** RM-1, Residential- Mixed, Low Density  
**Complaint Number:** 2018-001515ENF  
**Code Violation:** Section 134: Rear Yard Requirements  
Section 317: Loss of Residential Units  
**Administrative Penalty:** Up to \$250 Each Day of Violation  
**Response Due:** Within 15 days from the date of this Notice  
**Staff Contact:** Jon Purvis, (415) 558-6354, jonathan.purvis@sfgov.org

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The Planning Department has determined that the above referenced property is in violation of the Planning Code. As the owner and/or leaseholder of the subject property, you are a responsible party to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

### DESCRIPTION OF VIOLATION

Our records indicate that the subject property is currently authorized for a two-family dwelling. The violation pertains to the work done without Planning Department approval or outside the scope of an issued building permit. This work includes the expansion of the building at the rear and into the required rear yard; and, the addition of an internal stairway connecting the two dwelling units so that they would function as a single-family dwelling.

Pursuant to Planning Code Section 134(a)(2), the minimum rear yard depth in the RM-1 District shall be equal to 45 percent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted based upon conditions on adjacent lots, but under no circumstances shall the minimum rear yard be thus reduced to less than a depth equal to 25 percent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater. Rear yards shall be provided at grade level and at each succeeding level or story of the building. The subject property is 73 feet deep, so a minimum rear yard depth of 18.25 feet is required.

[www.sfplanning.org](http://www.sfplanning.org)



Since the existing rear yard is only 12 feet, it is non-complying and cannot be reduced further without a rear yard variance. The plans submitted under Building Permit Application No. 2014.10.14.8857 erroneously showed the "existing" condition at the rear of the building to include a portion of the building that did not actually exist and the "proposed" work approved under this permit included this portion extending into the rear yard without the required variance.

Pursuant to Zoning Administrator Bulletin 1: "Developing Ground Floor Accessory Rooms In Residential Buildings," an open stairway connection between two living spaces in a building precludes them from functioning as separate dwelling units. The open stairway connecting the lower dwelling with the upper dwelling was built without permit and it must be removed in order for this building to legally function as a two-family dwelling.

Pursuant to Planning Code Section 171, structures and land in any zoning district shall be used only for the purposes listed in this Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any of the Planning Code provisions constitutes a violation of the Planning Code and is subject to an enforcement process under Code Section 176.

## **TIMELINE OF INVESTIGATION**

On January 31, 2018, the Planning Department sent a Notice of Complaint to the prior owner, who did not respond to this notice. On March 12, 2018, a Notice of Enforcement was issued seeking a site inspection to confirm the layout of each of two dwelling units.

On April 11, 2018, staff conducted the site inspection and found there were two distinct units. The original two flats were combined and a second studio unit was added behind the garage. There was no apparent internal connection between the units other than an elevator, which you explained was locked to restrict access between units. It was noted by staff that the lower unit had no address on its entry door, no mailbox, and it was staged as if to be used not as a separate dwelling unit but as an extension of the upper unit.

On April 25, 2018, the prior owner had added address labels, a mail box and removed the staging from the lower unit and the violation was closed.

On May 16, 2018, staff discovered new violations and reopened this enforcement case. First, online real estate floor plans showed a discrepancy between what was presented as the "existing" rear yard open space on the approved plans and the actual rear yard prior to the remodeling work. This indicates that the project extended the building into the required rear yard open space without notice and without a rear yard variance. Second, an online video and photos showed an open stairway connecting the lower level dwelling with the upper level dwelling. This open stairway connection was not visible during the site inspection on April 11, 2018 suggesting it had been walled over. In the meantime, the property had changed hands.

## HOW TO CORRECT THE VIOLATION

The Planning Department requires that you, as the current property owner or agent, immediately proceed to abate the violation by (1) submitting a Rear Yard Variance application to legalize the extension of the building in the required non-complying rear yard open space, (2) file a Building Permit application to show this extension as well as to also show the removal of the unauthorized internal stairs connecting the two dwelling units.

Alternatively, you will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence that includes duly issued permits reviewed and approved by Planning for the above-referenced work. A site visit may also be required to verify compliance.

Information regarding the Variance Application can be found in the following link:  
<http://sf-planning.org/article/new-application-procedures-effective-june-4-2018#resources>.

Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: [www.sfgov.org/dbi](http://www.sfgov.org/dbi), regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street or website: [www.sf-planning.org](http://www.sf-planning.org) for any questions regarding the planning process.

## TIMELINE TO RESPOND

The responsible party has **fifteen (15) days from the date of this notice** to either;

- 1) Correct the violation as noted above; or
- 2) Appeal this Notice of Violation as noted below.

The corrective actions shall be taken as early as possible. Please contact the enforcement staff as noted above to submit evidence of correction. Any unreasonable delays in abatement of the violation will result in further enforcement action by the Planning Department.

## APPEAL PROCESSES

If the responsible party believes that this order to remove violation of the Planning Code is an abuse of discretion by the Zoning Administrator, the following appeal processes are available **within fifteen (15) days from the date of this notice**:

- 1) The responsible party may request a Zoning Administrator Hearing under Planning Code Section 176 to show cause why this Notice of Violation is issued in error and should be rescinded by submitting the Request for Zoning Administrator Hearing Form and supporting evidence to the Planning Department. The Zoning Administrator shall render a decision on the Notice of Violation within 30 days of such hearing. The responsible party may appeal the Zoning Administrator's decision to the Board of Appeals within 15 days from the date of the decision.



- 2) The responsible or any interested party may waive the right to a Zoning Administrator Hearing and proceed directly to appeal the Notice of Violation to the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, CA 94103, telephone: (415) 575-6880, website: [www.sfgov.org/bdappeal](http://www.sfgov.org/bdappeal). The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation continues unabated, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

## ADMINISTRATIVE PENALTIES

If any responsible party does not request any appeal process and does not take corrective action to abate the violation **within the 15-day time limit** as noted above, this Notice of Violation will become final. Beginning on the following day, administrative penalties of up to **\$250 per day** to the responsible party will start to accrue for each day the violation continues unabated. The penalty amount shall be paid **within 30 days** from the final date of the Notice of Violation. After 30 days, the Planning Department may forward the matter to the Bureau of Delinquent Revenue for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please be advised that payment of penalty does not excuse failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until a corrective action is taken to abate the violation.

## ENFORCEMENT TIME AND MATERIALS FEE

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting the Planning Code violations. Accordingly, the responsible party is currently subject to a fee of **\$6,125.15** for 'Time and Materials' cost associated with the Code Enforcement investigation. **Please submit a check payable to 'San Francisco Planning Department' for Code Enforcement within 15 days from the date of this notice.** Additional fees will continue to accrue until the violation is abated. This fee is separate from the administrative penalties as noted above and is not appealable.

## OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code.

Please contact the enforcement planner noted above if you have any questions or wish to review the enforcement file related to the above matter. The enforcement file may be available for public inspection at the Planning Department during normal office hours (Monday to Friday, 8:00 a.m. to 5:00 p.m., 1650 Mission Street, Room 400) and in the hearing room on the date the matter is scheduled to be heard upon receipt of a request for a hearing.

2028 Leavenworth Street  
Complaint No.: 2018-001515ENF

Notice of Violation  
June 22, 2018

Sincerely,



Tina Tam  
Code Enforcement Manager

Enc.: Notice of Enforcement March 12, 2018

cc: Zhang, Libin & Jennifer X  
912 Hunter Lane  
Fremont, CA 94539

Current Owner or Occupant  
2028 Leavenworth Street  
San Francisco, CA 94133



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Department Request for Eviction History Documentation

(Date) 10.23.19

ATTN: Van Lam  
Rent Stabilization and Arbitration Board  
25 Van Ness Avenue, Suite 320  
San Francisco, CA 94102-6033

RE: Address of Permit Work: 2028 Leavenworth  
Assessor's Block/Lot: 0098 / 010  
BPA # / Case #: 2019.0627.4546

### Project Type

- ☒ Merger – Planning Code Section 317
- ☐ Enlargement / Alteration / Reconstruction – Planning Code Section 181
- ☐ Legalization of Existing Dwelling Unit – Planning Code Section 207.3
- ☐ Accessory Dwelling Unit Planning – Planning Code Section 207(c)(4)

Pursuant to the Planning Code Section indicated above, please provide information from the Rent Board's records regarding possible evictions at the above referenced unit(s) on or after:

☒ 12/10/13: for projects subject to Planning code 317(e)4 or 181(c)3  
(Search records for eviction notices under 37.9(a)(8) through (14))

☐ 3/13/14: for projects subject to Planning Code Section 207.3  
(Search records for evictions notices under 37.9(a)(8) through (14))

☒ 10 years prior to the following date: 10.23.19  
(Search records for eviction notices under 37.9(a)(9) through (14) (10 years) and under 37.9(a)(8) (5 years))

Sincerely, **David Winslow**  
Planner

Digitally signed by David Winslow  
Date: 2019.10.23  
15:52:18 -07'00'

cc: Jennifer Rakowski- Rent Board Supervisor

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

## Rent Board Response to Request from Planning Department for Eviction History Documentation

Re: 2028-2030 Leavenworth

This confirms that the undersigned employee of the San Francisco Rent Board has reviewed its records pertaining to the above-referenced unit(s) to determine whether there is any evidence of evictions on or after the date specified. All searches are based upon the street addresses provided.

No related eviction notices were filed at the Rent Board after:

- ☒ 12/10/13  
☐ 03/13/14  
☒ 10 years prior to the following date: 10-23-19

Yes, an eviction notice was filed at the Rent Board after:

- ☐ 12/10/13  
☐ 03/13/14  
☐ 10 years prior to the following date: \_\_\_\_\_  
    ○ See attached documents.

There are no other Rent Board records evidencing an eviction after:

- ☒ 12/10/13  
☐ 03/13/14  
☒ 10 years prior to the following date: 10-23-19

Yes, there are other Rent Board records evidencing a an eviction after:

- ☐ 12/10/13  
☐ 03/13/14  
☐ 10 years prior to the following date: \_\_\_\_\_  
    ○ See attached documents.

Signed:



Dated:

10-24-19

Van Lam  
Citizens Complaint Officer

The Rent Board is the originating custodian of these records; the applicability of these records to Planning permit decisions resides with the Planning Department.





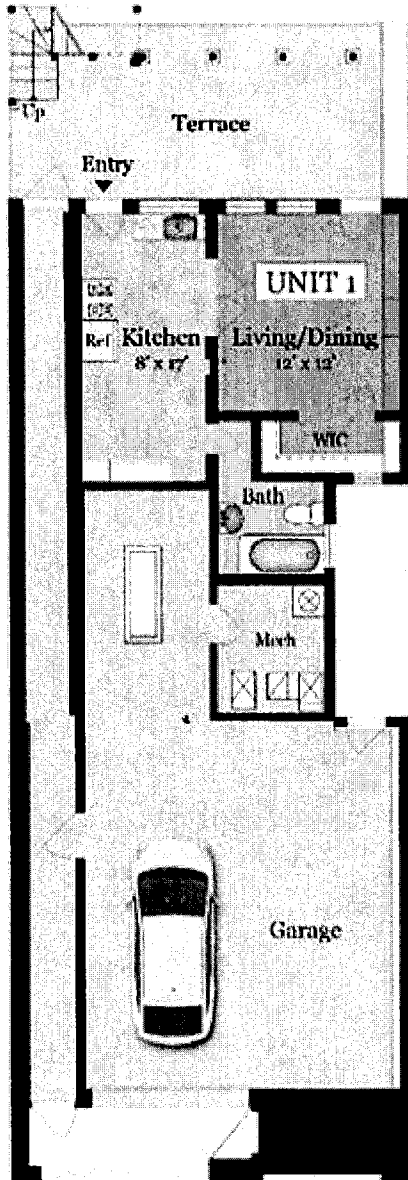
Rear view June 2014



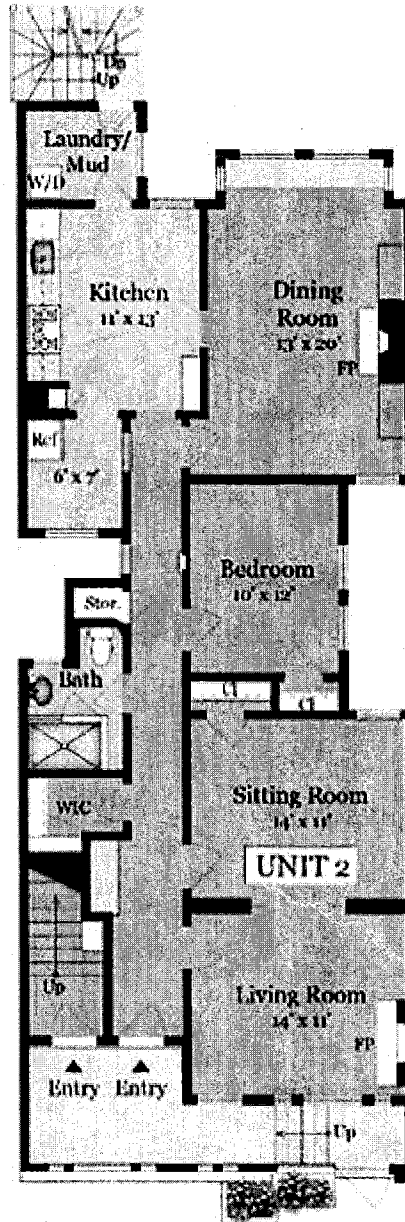
Rear view June 2014

# 2028-2030 LEAVENWORTH STREET

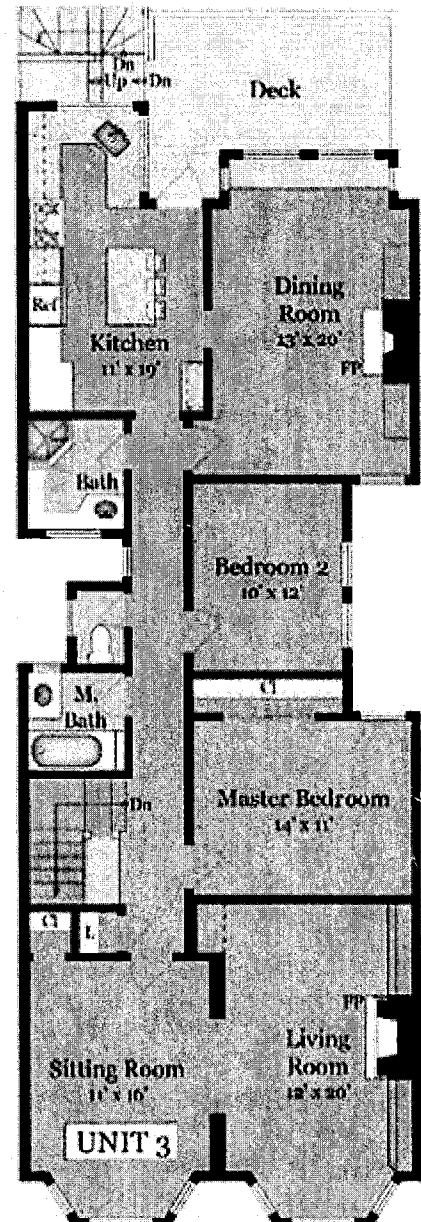
SAN FRANCISCO, CA 94133



FIRST FLOOR



SECOND FLOOR



THIRD FLOOR

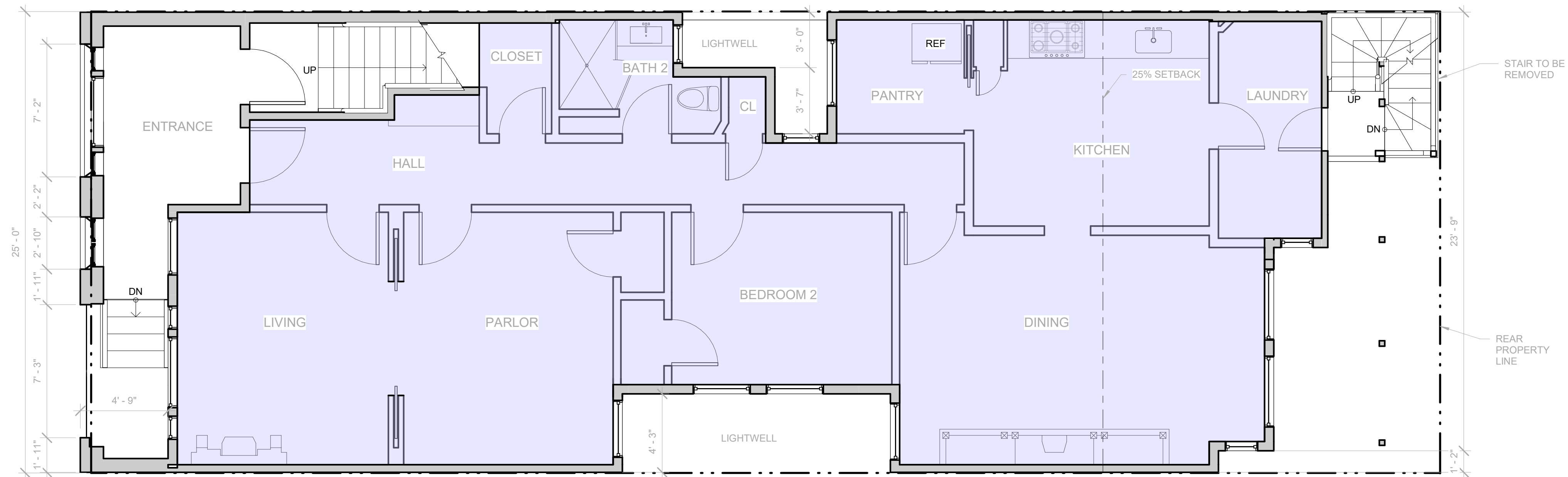


Rendering by Floor Plan Visuals.  
All measurements are approximate. While deemed reliable, no information on these floor plans should be relied upon without independent verification.

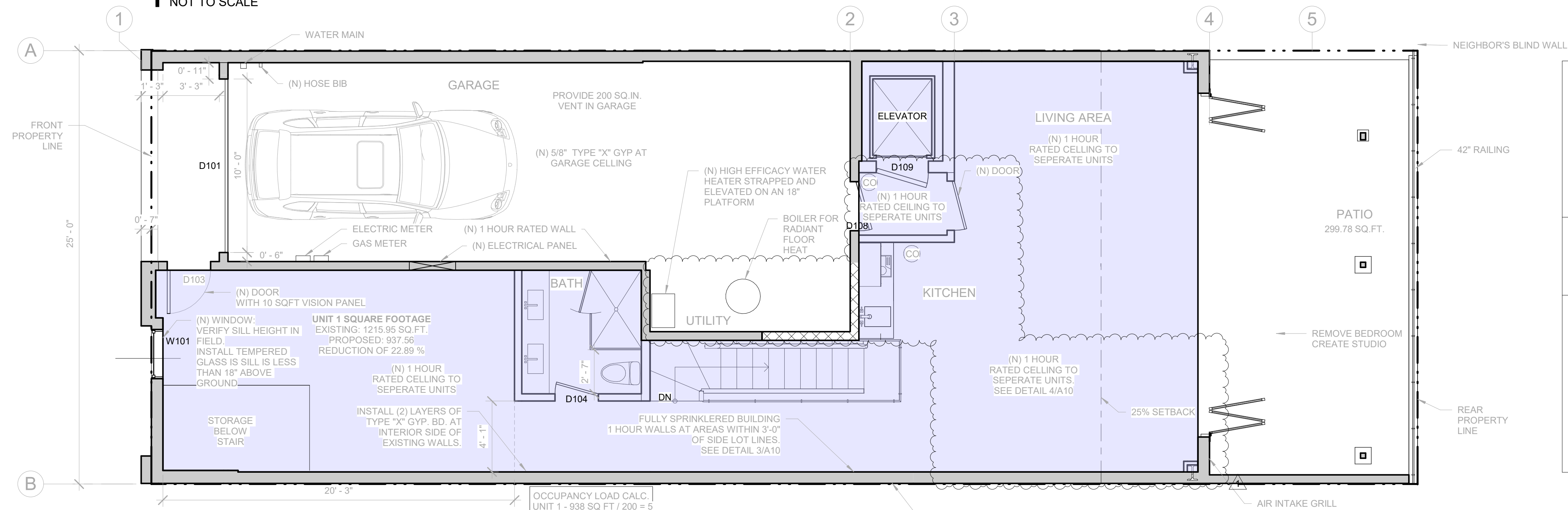
**HILL & CO.**  
REAL ESTATE

Presented by Sam Goodman, Hill & Company  
Tel: 415-595-0853  
Email: sgoodman@hill-co.com

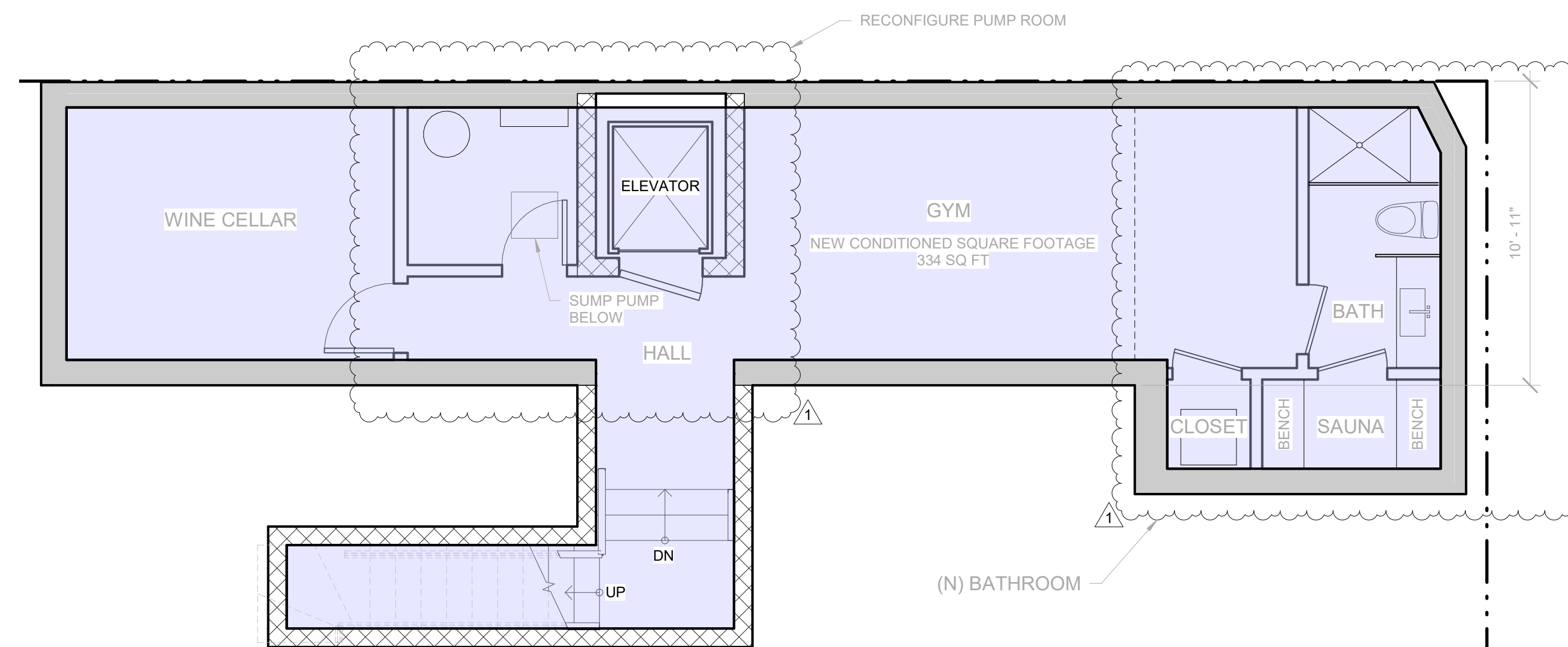




**1** PREVIOUS LOWER UNIT  
NOT TO SCALE



**3** CURRENT LOWER UNIT LEVEL 1 - PER APPROVED PERMIT # 201601207456  
NOT TO SCALE



**2** CURRENT LOWER UNIT BASEMENT - PER APPROVED PERMIT # 201601207456  
NOT TO SCALE

### LOWER UNIT SQUARE FOOTAGE

REFERRING TO DARKENED AREAS IN THE PLANS TO THE LEFT

PREVIOUS LOWER UNIT 1,238 SQ FT

CURRENT LOWER UNIT BASEMENT 568 SQ FT

CURRENT LOWER UNIT LEVEL 1 878 SQ FT

1,446 SQ FT

**CURRENT LOWER UNIT IS 14%  
LARGER THAN THE FORMER  
LOWER UNIT**





San Francisco  
PLANNING

2018-010941 DRP

## DISCRETIONARY REVIEW APPLICATION

RECEIVED

AUG 16 2019

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
PIC

### Property Owner's Information

Name:

Address:

Email Address:

Telephone:

### Applicant Information (if applicable)

Name: Malcolm Xiang et al

Same as above ☐

Company/Organization: Public Initiated Discretionary Review

Address:

Email Address: malcolmlxiang@gmail.com

Telephone: 415-320-7736

Please Select Billing Contact:

☐ Owner

☒ Applicant

☐ Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Select Primary Project Contact:

☐ Owner

☒ Applicant

☐ Billing

### Property Information

Project Address: 2028 Leavenworth Street

Block/Lot(s): 0098 / 010

Plan Area:

### Project Description:

Please provide a narrative project description that summarizes the project and its purpose.

The project proposes to legalize the construction of 2nd and 3rd floor horizontal additions within the required rear yard. Information regarding the variance hearing for a rear yard setback variance will be submitted through a separate notice. The project also includes removing an interior stair that connected/merged the two units on site (under active enforcement). See attached plans.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code

**Project Details:**

- ☐ Change of Use    ☐ New Construction    ☐ Demolition    ☐ Facade Alterations    ☐ ROW Improvements  
☒ Additions    ☐ Legislative/Zoning Changes    ☐ Lot Line Adjustment-Subdivision    ☐ Other \_\_\_\_\_

**Estimated Construction Cost:** \_\_\_\_\_

- Residential:**    ☐ Special Needs    ☐ Senior Housing    ☐ 100% Affordable    ☐ Student Housing    ☐ Dwelling Unit Legalization  
                  ☐ Inclusionary Housing Required    ☐ State Density Bonus    ☐ Accessory Dwelling Unit

- Non-Residential:**    ☐ Formula Retail    ☐ Medical Cannabis Dispensary    ☐ Tobacco Paraphernalia Establishment  
                          ☐ Financial Service    ☐ Massage Establishment    ☐ Other: \_\_\_\_\_

**Related Building Permits Applications**

Building Permit Applications No(s): 201906274546

## ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

In reviewing applications for Certificate of Appropriateness the Historic Preservation Commission, Department staff, Board of Appeals and/or Board of Supervisors, and the Planning Commission shall be governed by *The Secretary of the Interior's Standards for the Treatment of Historic Properties* pursuant to Section 1006.6 of the Planning Code. Please respond to each statement completely (Note: Attach continuation sheets, if necessary). Give reasons as to *how* and *why* the project meets the ten Standards rather than merely concluding that it does so. IF A GIVEN REQUIREMENT DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		✓
Did you discuss the project with the Planning Department permit review planner?	✓	
Did you participate in outside mediation on this case? (including Community Boards)		✓

## CHANGES MADE TO THE PROJECT AS A RESULT OF MEDIATION

If you have discussed the project with the applicant, planning staff or gone through mediation, please attach a summary of the result, including any changes that were made to the proposed project.

## DISCRETIONARY REVIEW REQUEST

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

- Demolished three units into de facto SFR without permit; failed to submit CUA as required
- Attempted to hide demolition / de facto SFR from code enforcement
- Extended building / deck into non-complying rear yard open space without permit / variance
- Excavated into rear yard open space (above grade) beyond and through series of permits, >50cy
- Possible Tantamount to Demolition given all interior walls, most floor plates removed

- 
2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

- Project eliminated three affordable, rent-controlled apartments (two equal-sized flats with studio in-law) to create a \$8.5 million de facto SFR'
- Project attempted to hide all non-conforming / non-complying work

- 
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?


- Return property to original three unit configuration, given lack of sufficient by Planning Department



## APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.



Signature

Malcolm Xiang et al

Name (Printed)

Public Initiated DR

415-320-7736

malcolmlxiang@gmail.com

Relationship to Project  
(i.e. Owner, Architect, etc.)

Phone

Email

## APPLICANT'S SITE VISIT CONSENT FORM

I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

Signature

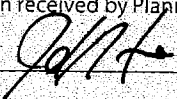
Name (Printed)

Date

For Department Use Only

Application received by Planning Department:

By:



Date:

8/16/19

# RESPONSE ON EACH POINT BROUGHT UP IN THE DR REQUEST

REGARDING THE PROPERTY LOCATED AT:

12/23/2019

2028-2030 LEAVENWORTH STREET

BLOCK: 0090/ LOT: 010 / ZONING RM-1

## SPONSOR ANALYSIS ON DR REQUEST

The DR Request is without merit. It is ill-informed in its entirety. It comes from an individual with his own agenda, who also disguises his true identity. Said individual has himself resorted to fraudulent permitting activities and demonstrated irresponsible building practices on his own property on States Street. He has now seemingly mounted a vendetta against the Planning Department and will resort to any means necessary to put others, guilty or not, through the same treatment he received out of spite. No City Officials should condone such deception or accept DR requests from fictitious individuals acting on misguided vendettas to destroy the lives of hardworking honest individuals.

## POINT BY POINT RESPONSE TO ARGUMENTS BROUGHT UP IN THE DR REQUEST

*“Demolished three units into de facto SFR without permit; failed to submit CUA as required”*

The DR requestor is incorrect. The property owner lawfully removed an illegal third unit in 2014 as authorized by the Planning Code at that time. The unit was removed pursuant to Building Permit Application No. 201410148857. The drawings submitted with this permit showed the removal of the illegal unit. Planning reviewed and approved the permit and drawings. The unit was removed and DBI issued a Certificate of Final Completion dated 9/25/2017 confirming the lawful removal of the unit and the status of the property as two units. All of this has been confirmed by enforcement planning three times.



*“Attempted to hide demolition / de facto SFR from code enforcement”*

Thorough demolition calculations were provided and reviewed by the Planning Department. Staff has confirmed the project does not qualify as a demolition. The remodel was designed for two units, not a single-family dwelling.

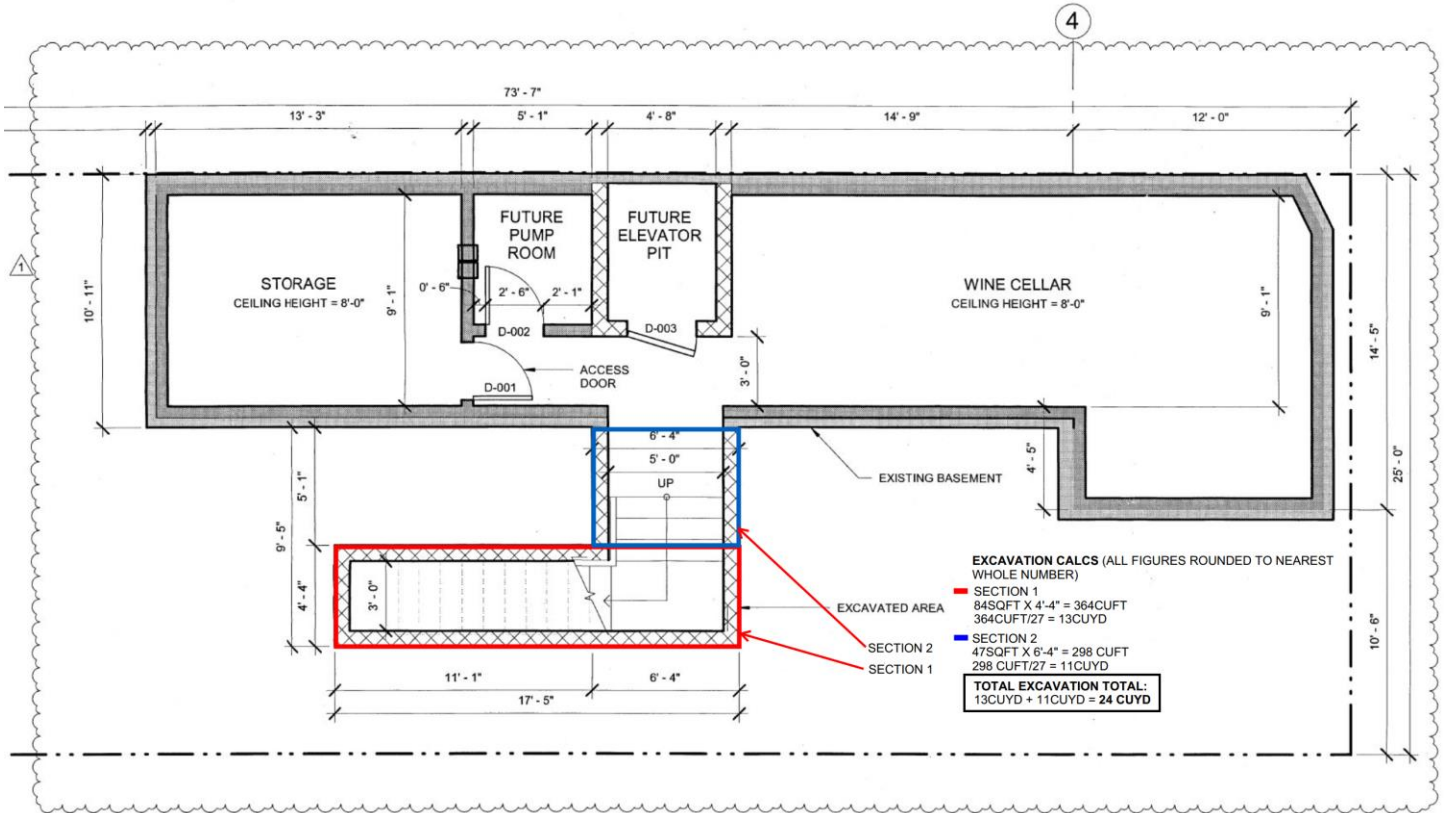
*“Extended building / deck into non-complying rear yard open space without permit / variance”*

No decks were added that didn't exist before. The infill of the very small alcove of the main structure is precisely what is sought by this variance. It has no impact on neighbors on either side, and both neighbors support the project.

PROPOSED AREA TO LEGITIMIZE

***“Excavated into rear yard open space (above grade) beyond and through series of permits, >50cy”***

This statement is misleading and incorrect. One cannot excavate above grade. Either way, the basement already existed and the new bathroom that was added there to improve the lower unit was permitted (see permit 201503201429). The only excavation was to create a code-complying stair to the existing full-height basement, and the volume was well below 50 cubic yards. This was indicated on the permit drawings.



The permitting process was completely transparent. Over the course of three years, there were three permits with clearly spelled-out scopes. The fourth permit was triggered by accommodations to neighbors. See permit history below.

***“Project eliminated three affordable, rent-controlled apartments (two equal-sized flats with studio in-law) to create a \$8.5 million de facto SFR”***

The project started as two units, as previously clarified and acknowledged by the Planning Department, and it remains two units.

***“Project attempted to hide all non-conforming / non-complying work”***

A misleading and false statement. All plans and permits were submitted to city agencies and approved before any work started. All proposed work was shown on the plans and permits. There was no “serial permitting”, as is implied by the DR requestor and has been the case in other projects. Building and Fire conducted multiple inspections as the work got completed, monitoring the process over the course of over two dozen visits, and the planning department enforcement division exonerated the property owner from accusations of de facto merger not once, but twice.

***“Return property to original three unit configuration, given lack of sufficient by Planning Department.”***

The project started as two units and remains two units. The illegal third unit was removed lawfully in 2014.

PERMIT HISTORY TABLE		
PERMIT NUMBER AND DESCRIPTION	INTAKE / OTC APPROVAL	DATE ISSUED
<b>201410148857</b> - Removal of unpermitted ground floor unit, relocate lower unit to ground floor, interior remodel with new windows in lightwells and at rear, remove stairs at deck, new square footage at garage, partially raise floor level at upper unit.	Intake	10/19/15
<b>201502249188</b> - Footing and foundation upgrade - structural only	OTC	3/4/15
<b>201503201429</b> - Relocate stairway on level 1 to existing basement area, create storage, pump room, and wine cellar in (e) unfinished basement	OTC	3/20/15
<b>201601207456</b> - Adjust roof deck permit by neighbor request, relocate bath from level 1 to basement, convert wine room to gym in approved basement, add washer/dryer to basement	OTC	2/25/16
<b>201906274546</b> - Comply with NOV to remove unpermitted communicating stair between units and to legalize infill of notch at rear of building	Intake - currently under review	Under review

## CLOSING COMMENTS ON DR REQUEST

The DR requestor appears to be attempting a replay of what he started at 3847 18<sup>th</sup> Street, where he sought retribution for the deserved penalties imposed on his own project at 214 States Street.

The fact is the three projects are completely different. The project at hand, on Leavenworth, is merely seeking to rectify a very small infill in the rear by a variance (see graphic above). There is not a trace of serial permitting at Leavenworth, and upholding the two-unit configuration causes no issue with Building or Fire as it was designed and approved as such.

The DR requestor does not live in the neighborhood. Two letters of support from the neighbors on either side are attached below.

We respectfully request that the DR request be flatly turned down and that Mr. Kevin Cheng, AKA Malcom Xiang, not be encouraged to conduct frivolous and baseless accusations in the pursuit of his vindictive activities to bog down the Commission.



Date: 11/12/2019

To: SF Planning Department / our fellow SF residents

Re: Proposed addition and remodel at **2028-2030 Leavenworth Street**, San Francisco

From:

I live at 2034 Leavenworth St #2, in the direct vicinity of the subject property at 2028-2030 Leavenworth Street.

We have been contacted by the owner and representatives of Leavenworth variance and unwarranted shady obstruction from someone who doesn't use his real name. We take great interest in changes to our neighborhood and always appreciate the opportunity to express our views and concerns about projects such as these.

After reviewing the plans, we believe that the variance request is perfectly appropriate and of minuscule scope and it doesn't impact anyone. The project as complete already has improved the neighborhood considerably and we are happy to have had this taken place.

As for the illegitimate obstruction from a vindictive character who seeks to ~~make~~ <sup>complicate</sup> the life of honest hard-working building and owners, we think the Commission should completely ignore it and discourage that such injustice takes place. The request is a tissue of lies and falsities and should be entirely dismissed.

We believe that the granting the variance is most reasonable, and the project as designed has attractive features.

We would like to express our full support of this project and recommend its prompt approval.

Sincerely,

Susan Leslie Goodman  
Nov. 13, 2019

Dear Planning Department, Planning Commissioners and Zoning Administrator -

**RE: 2028-2030 Leavenworth Street – Minor variance request**

My name is Robert Cohen and I am the owner of the subject property of 2022-2024 Leavenworth Street.

The owner's representative of 2028-30 Leavenworth St contacted me and gave me the opportunity to see the proposed project. We have resided in the area for quite some time and we are pleased to see the neighborhood improve.

I understand that the simple request is to straighten out a tiny notch that probably shouldn't have been there in the first place. We believe that is a very minor request and should be granted with no delay.

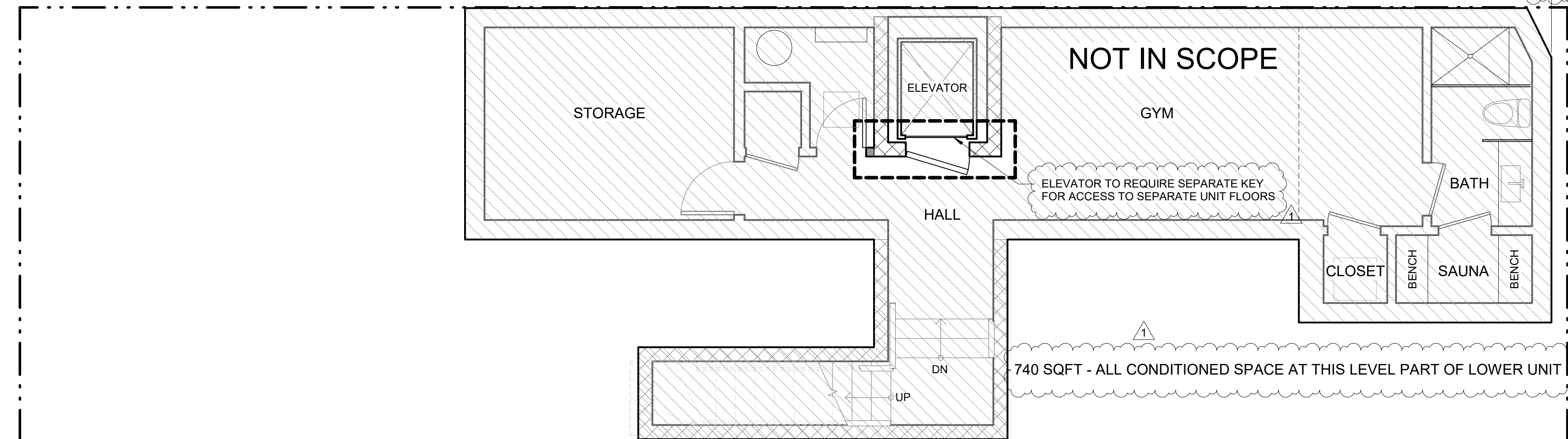
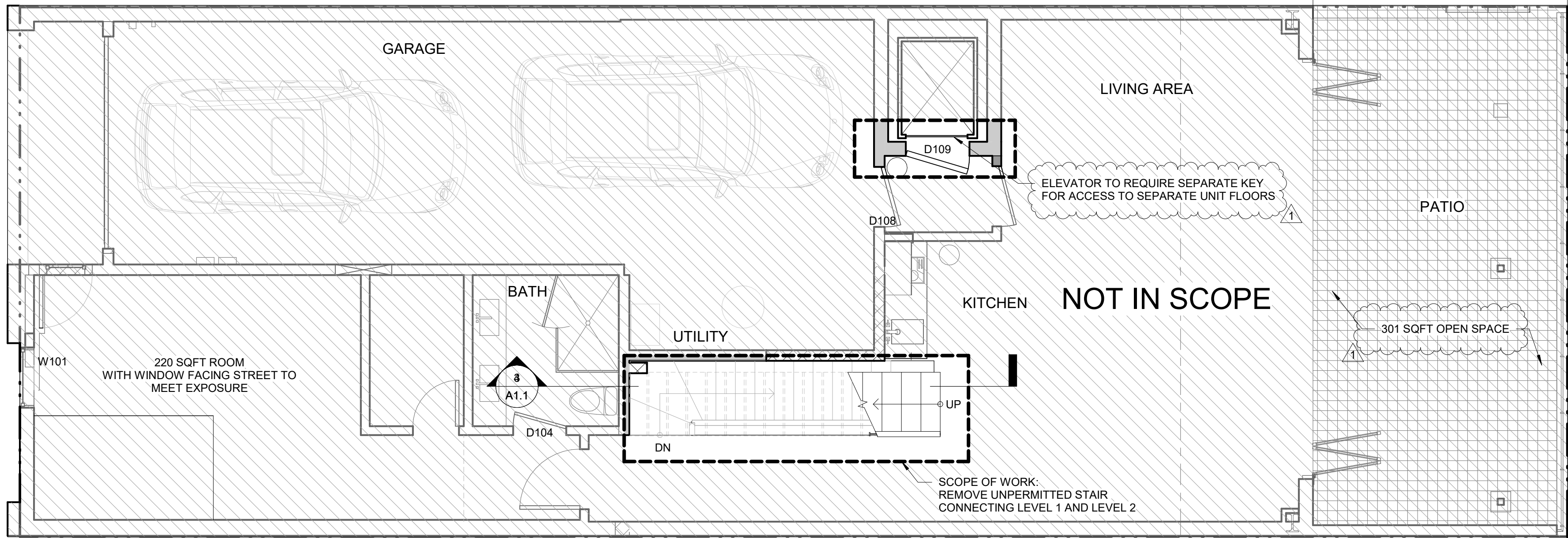
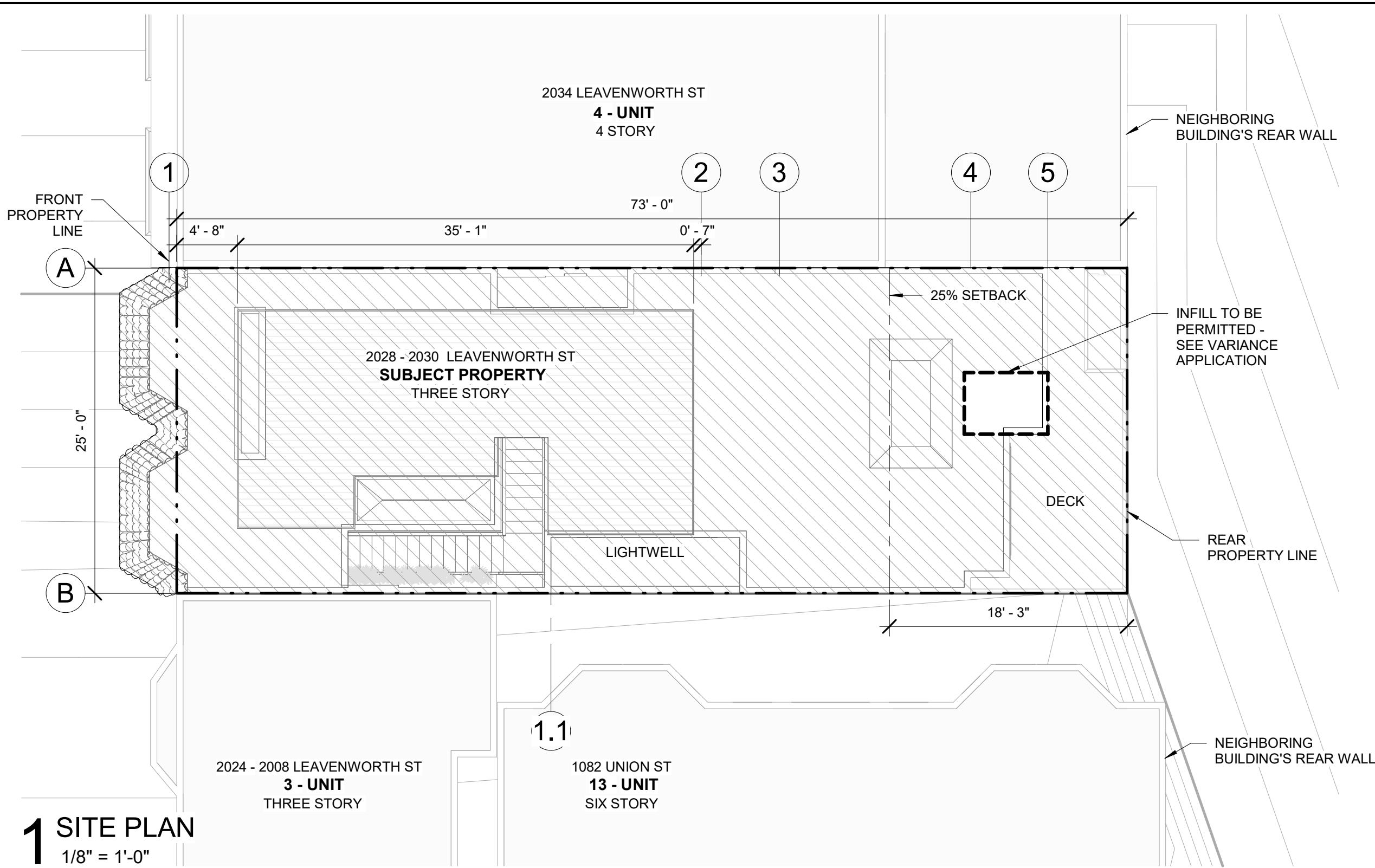
We certainly don't wish to see construction take place again, or retaliation take place against our neighbor.

I believe that this project is already a positive addition to our neighborhood and I would like to express our support of the variance request and the rest of the project in its entirety.

Sincerely,

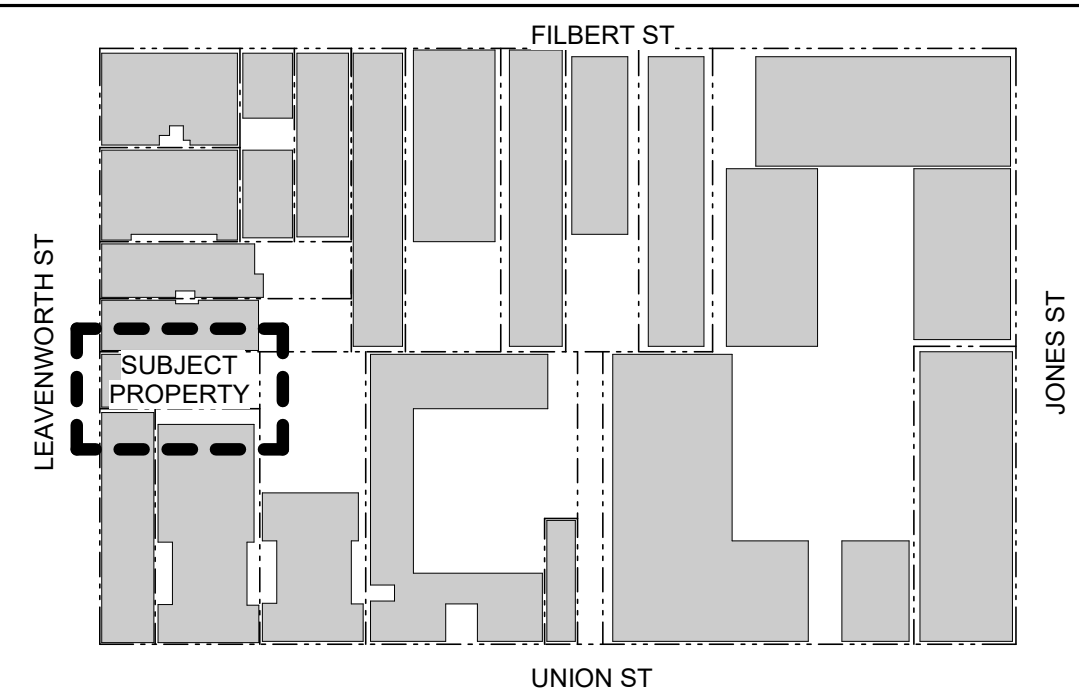
Robert S Cohen

Date: 11/14/2019

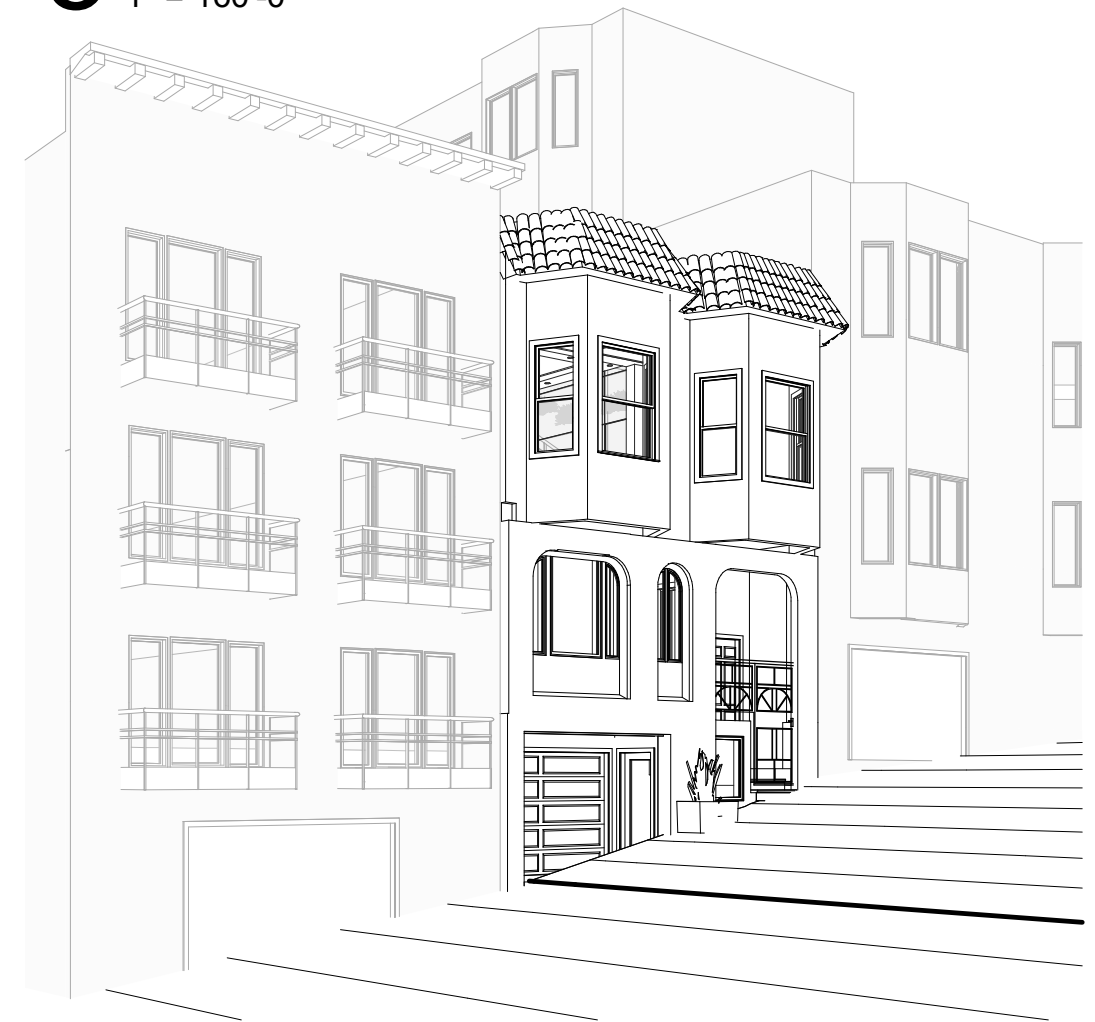


LEGEND

	EXISTING WALL
	NEW WALL
	NEW 1 HR FIRE RATED WALL.
	DETAIL 3/A10



**5 KEY MAP**  
1" = 160'-0"



**4 LEAVENWORTH PERSPECTIVE**

OWNER			
75 INVESTMENTS, LLC			
2028 - 2030 LEAVENWORTH STREET, SAN FRANCISCO, CA 94133			
TEAM			
ARCHITECT		ENGINEER	
EAG STUDIO		LAWRENCE LIAO	
2443 FILLMORE #215, SAN FRANCISCO, CA 94115			
PHONE: (415) 300-0585		(415) 793-7769	
EMAIL@EAGSTUDIO.COM		LAWRENCE.LIAO271@GMAIL.COM	
PROJECT DATA			
ADDRESS	2028 - 2030 LEAVENWORTH STREET		
	SAN FRANCISCO, CA 94133		
BLOCK	98		
LOT	10		
ZONING	RM-1		
YEAR BUILT	1910		
OCCUPANCY	R3		
HEIGHT LIMIT	40-X		
LEGISLATIVE SETBACKS	NONE		
STORIES	3		
RESTRICTIONS	NONE		
TYPE	V		
PROJECT FEATURES			
	EXISTING	NET NEW	PROJECT TOTALS
DWELLING UNITS	2	0	2
PARKING SPACES	2	0	2
NUMBER OF BUILDINGS	1	0	1
HEIGHT OF BUILDING(S)	32'-11"	0	32'-11"
NUMBER OF STORIES	3	0	3
GROSS SQUARE FOOTAGE			
	EXISTING	NET NEW	PROJECT TOTALS
BASEMENT	740	0	740
FIRST LEVEL	938	0	938
SECOND LEVEL	1393	0	1393
THIRD LEVEL	1523	0	1523
TOTAL SQUARE FOOTAGE	4594	0	4594
GARAGE	422	0	422
SUMMARY			
NEW SQUARE FOOTAGE	0		
LOT SIZE	1824		
SHEET LIST			
SHEET #	SHEET NAME		
A1.0	SITE PLAN / FLOOR PLANS / DATA		
A1.1	FLOOR PLANS / SECTION / DETAILS		
A1.2	ELEVATIONS - REAR AXON		
A1.3	NOTES 1		
A1.4	NOTES 2 & ABBREVIATIONS		
A1.5	NOTES 3		

SCOPE OF WORK

COMPLY WITH PLANNING ENFORCEMENT VIOLATION - REMOVE UNPERMITTED STAIR BETWEEN UNITS - LEGALIZE UNPERMITTED INFILL AT REAR - SEE VARIANCE APPLICATION

APPLICABLE CODES

2016 CA BUILDING CODE W/ SF AMENDMENTS  
2016 CA ENERGY CODE (TITLE 24)  
2016 CA PLBG CODE W/ SF AMENDMENTS  
2016 CA ELECT CODE W/ SF AMENDMENTS  
2016 CA MECHANICAL CODE W/ SF AMENDMENTS  
2016 CALIFORNIA FIRE CODE W/ SF AMENDMENTS

EAG  
STUDIO

PHONE  
415-300-0585  
EMAIL  
EMAIL@EAGSTUDIO.COM  
ADDRESS  
2443 FILLMORE STREET #215  
SAN FRANCISCO, CA 94115

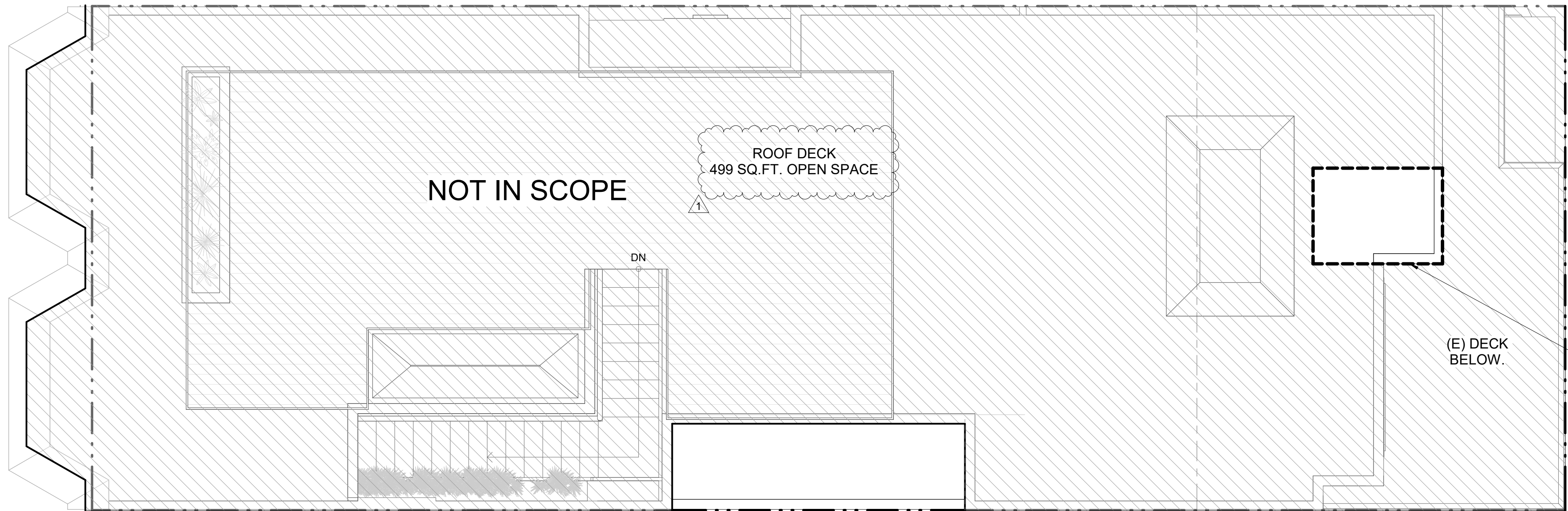
LEAVENWORTH RESIDENCE REMODEL

2028 - 2030 LEAVENWORTH ST  
SAN FRANCISCO, CA 94133  
BLOCK 0098 LOT 010

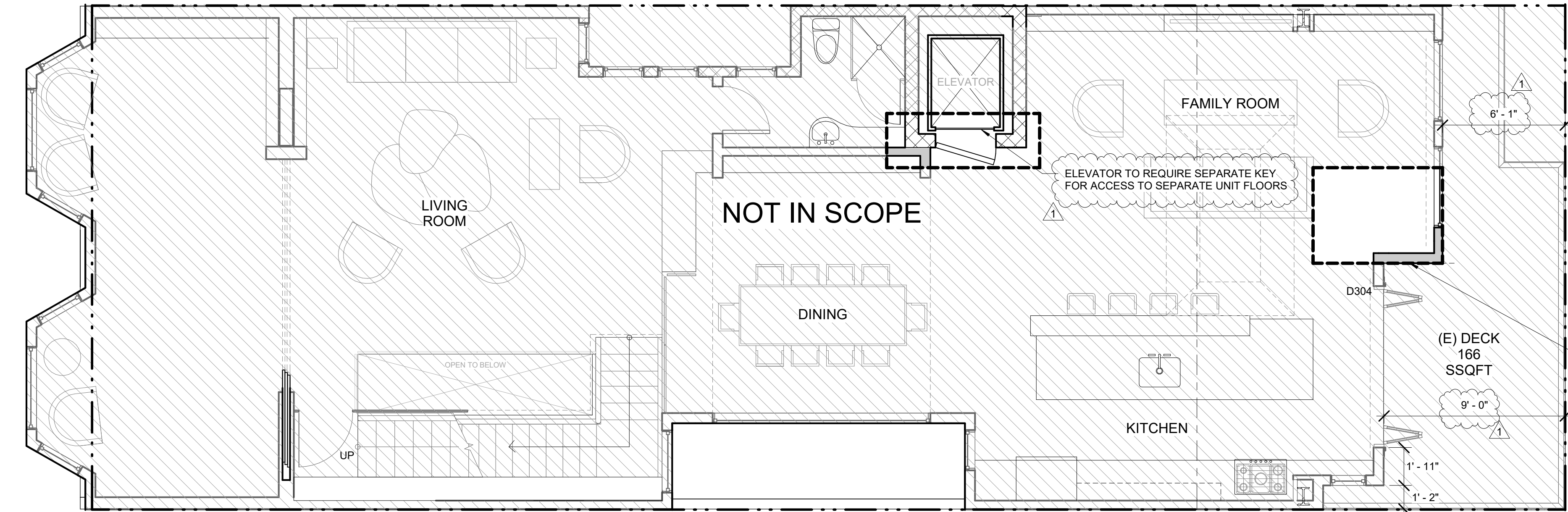
SITE PLAN / FLOOR  
PLANS / DATA

A1.0



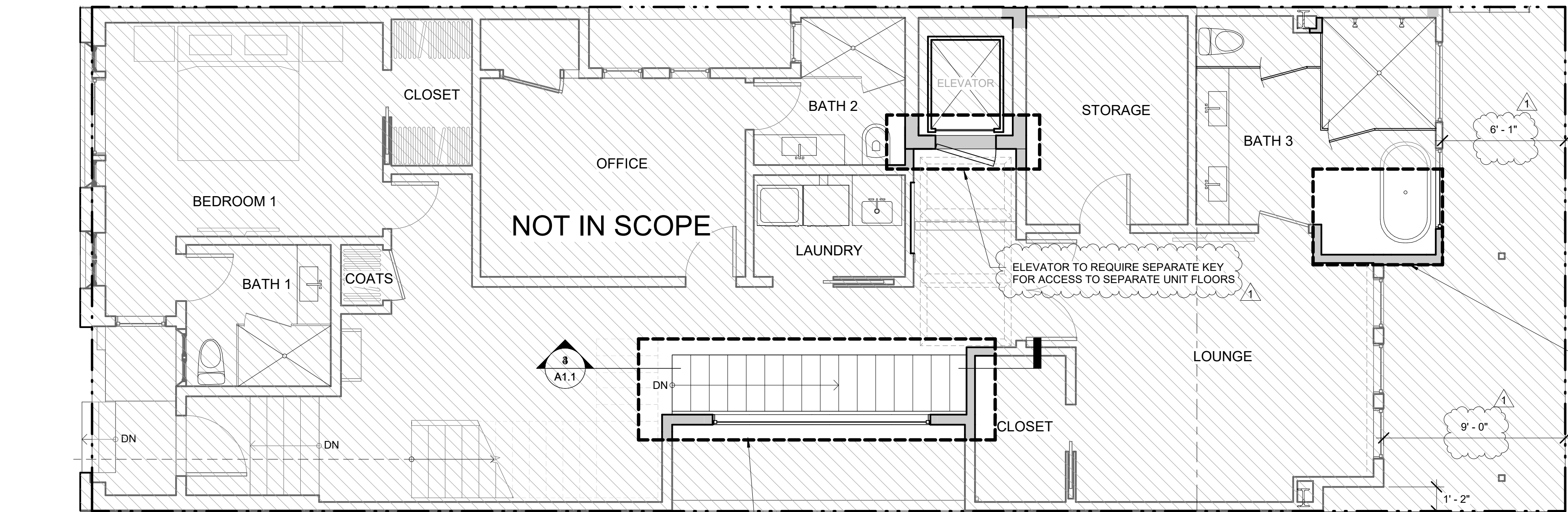


**2** ROOF PLAN - APPROVED PER PERMIT # 201601207456 (NOT IN SCOPE)  
1/4" = 1'-0"



**1** LEVEL 3 - APPROVED PER PERMIT # 201601207456 (NOT IN SCOPE)  
1/4" = 1'-0"

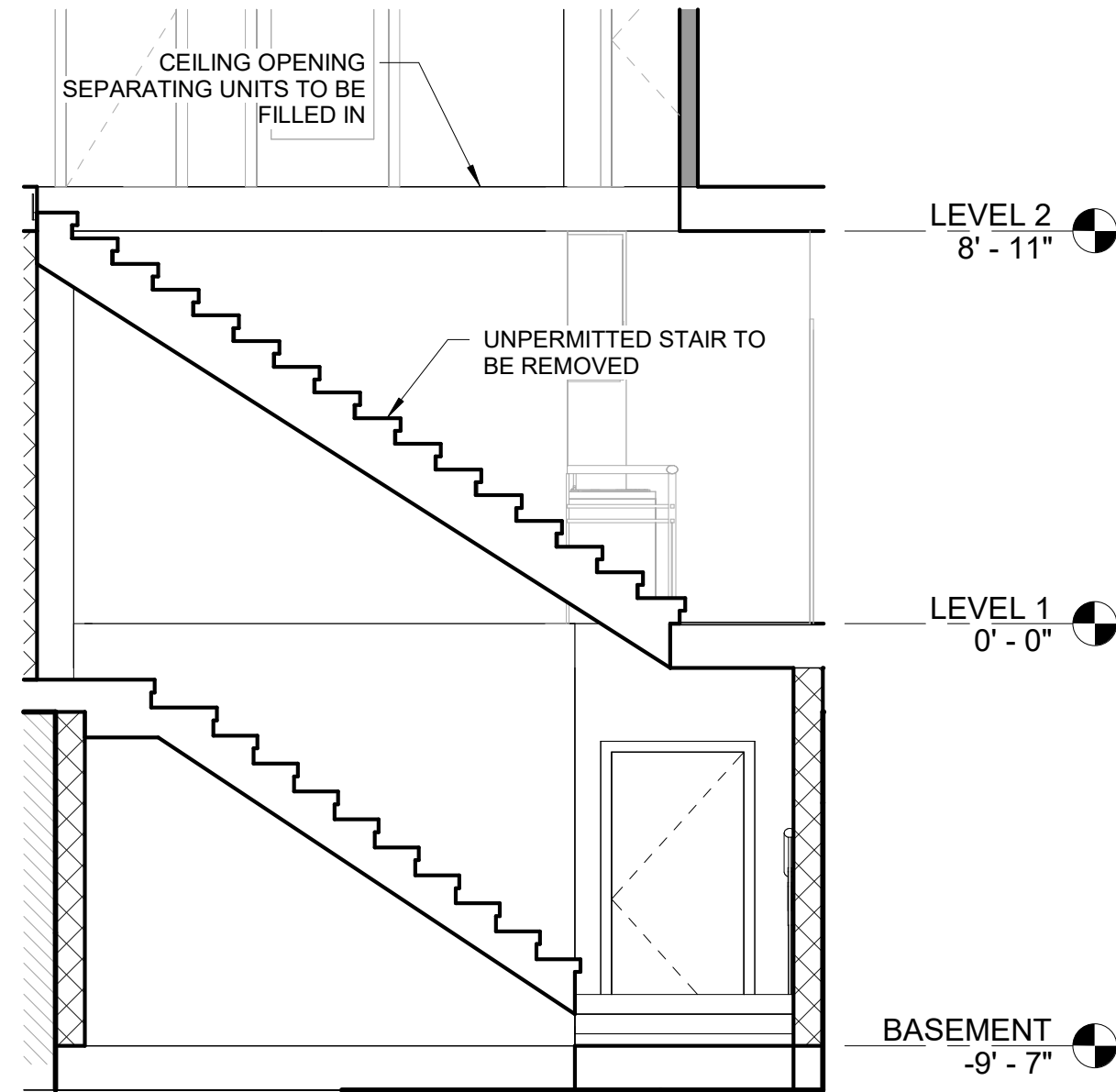
1523 SQFT ALL CONDITIONED SPACE AT THIS LEVEL PART OF UPPER UNIT



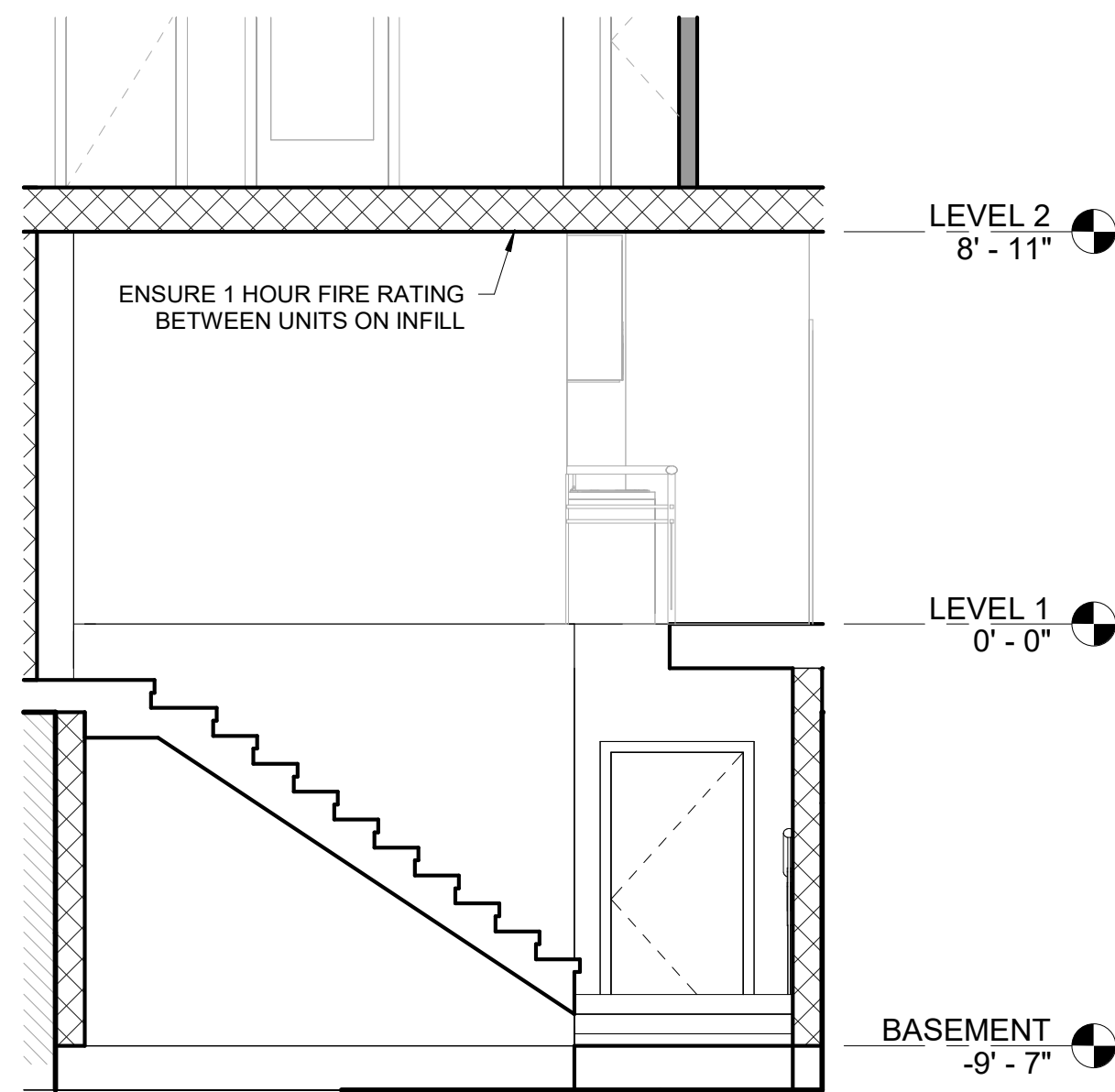
**6** LEVEL 2 - APPROVED PER PERMIT # 201601207456  
1/4" = 1'-0"

SCOPE OF WORK:  
REMOVE UNPERMITTED STAIR  
CONNECTING LEVEL 1 AND LEVEL 2

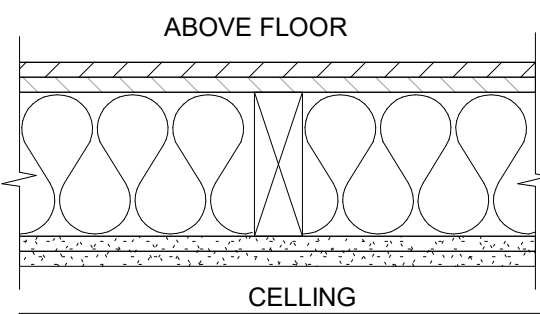
1393 SQFT ALL CONDITIONED SPACE AT THIS LEVEL PART UPPER UNIT



**3** EXISTING CONDITION (UNPERMITTED CONNECTION)  
1/4" = 1'-0"



**4** PROPOSED CONDITION (RESTORE TO PERMITTED CONDITION)  
1/4" = 1'-0"



**GA FILE NO. RC 2601**  
**FIRE TEST: FM FC 172, 2-25-72; ITS, 8-6-98**

**GYPSUM WALLBOARD, WOOD JOISTS, ROOF COVERING**

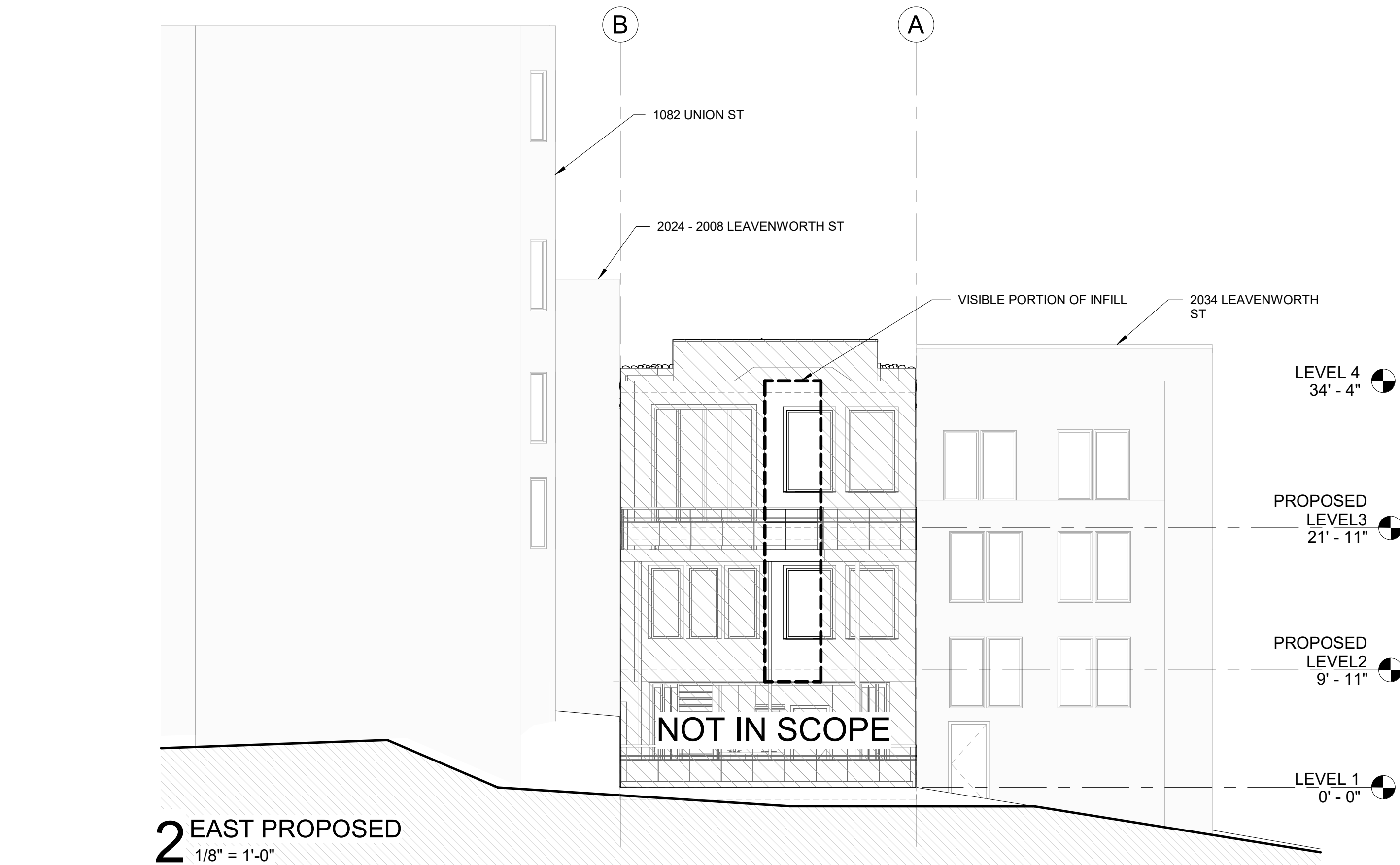
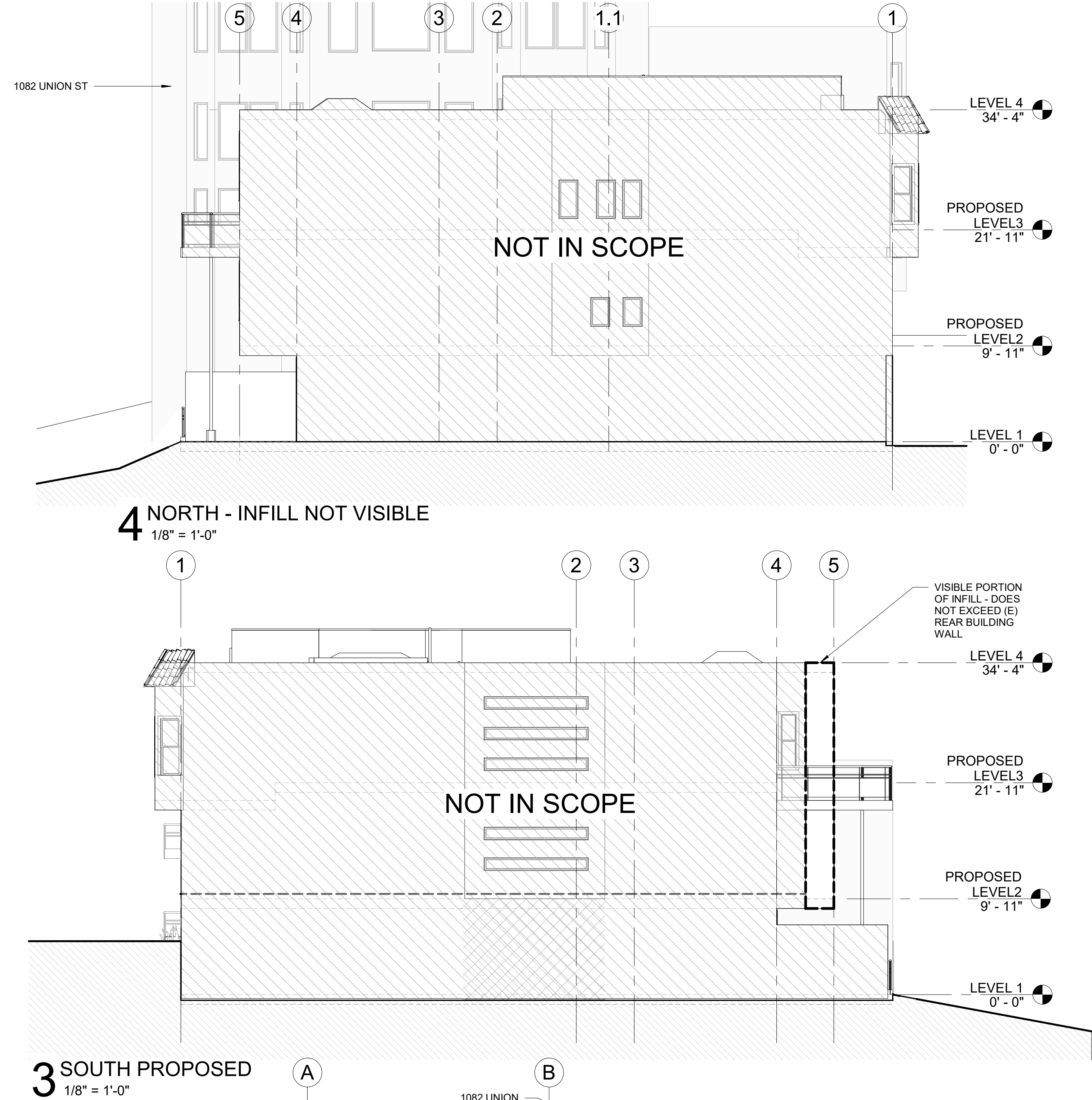
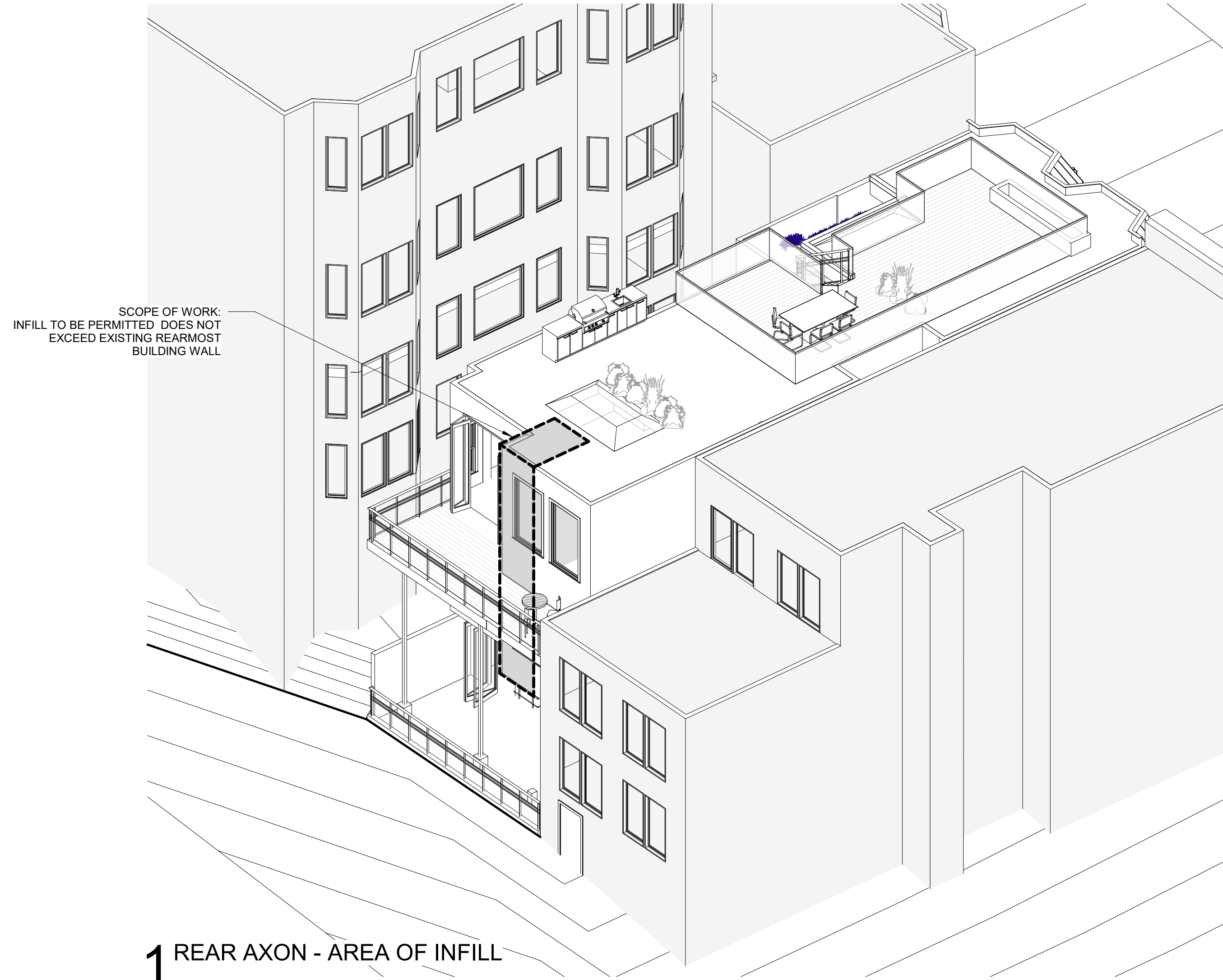
BASE LAYER 5/8" TYPE "X" GYPSUM WALLBOARD APPLIED AT RIGHT ANGLES TO 2X10 WOOD JOISTS 24" O.C. WITH 1 1/4" TYPE W OR S DRYWALL SCREWS 24" O.C. FACE LAYER 5/8" TYPE "X" GYPSUM WALLBOARD OR GYPSUM VENEER BASE APPLIED AT RIGHT ANGLES TO JOISTS WITH 1 7/8" TYPE W OR S DRYWALL SCREWS 12 O.C. AT JOINTS AND INTERMEDIATE JOISTS AND 1 1/2" TYPE G DRYWALL SCREWS 12" O.C. PLACE 2" BACK ON EITHER SIDE OF END JOISTS. JOINTS OFFSET 24" FROM BASE LAYER JOINTS. WOOD JOISTS SUPPORTING 1/2" PLYWOOD WITH EXTERIOR GLUE APPLIED AT RIGHT ANGLE TO JOISTS WITH 8d NAILS. APPROPRIATE ROOF COVERING CEILING PROVIDES ONE HOUR FIRE RESISTANCE PROTECTION FOR WOOD FRAMING, INCLUDING TRUSSES.

**5** TYPICAL - 1 HR RATED ROOF-CEILING SYSTEMS  
1 1/2" = 1'-0"

LEGEND	
	EXISTING WALL
	NEW WALL
	NEW 1 HR FIRE RATED WALL. DETAIL 3/A10

#	REVISIONS	DATE
	PERMIT REV	07/09/18
	RESPONSE TO PLAN CHECK	06/20/19





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1	PERMIT REV	07/09/18
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