

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, January 16, 2020
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Diamond, Fung, Johnson, Koppel, Melgar, Moore
COMMISSIONERS ABSENT: Richards

THE MEETING WAS CALLED TO ORDER BY PRESIDENT MELGAR AT 1:04 PM

STAFF IN ATTENDANCE: Aaron Starr, Andrew Perry, Diego Sanchez, Kari Lentz, Sally Morgan, Jacob Bintliff, Michael Christensen, Ken Qi, David Weissglass, David Winslow, Corey Teague –Zoning Administrator, Lisa Gibson, John Rahaim – 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. 2018-002124CUA (C. ALEXANDER: (415) 575-8724)
54 04TH STREET – west side of 4th Street and between Market and Mission Streets; Lot 034 in Assessor's Block 3705 (District 13) – Request for a **Conditional Use Authorization** for hotel use pursuant to Planning Code Sections 210.2 and 303. The Project proposes a conversion of the 68 vacant residential hotel rooms (SROs) to tourist use. The subject property (Mosser Hotel) currently contains 81 residential hotel rooms and 87 tourist hotel rooms for a total of

168 rooms within a C-3-R (Downtown-Retail) Zoning District and 160-S Height and Bulk District. 13 tenants currently reside in the 81 residential hotel rooms, with 68 of them vacant. None of the existing tenants are proposed to be evicted. The Project Sponsor proposes to satisfy the one-for-one residential room replacement required by Administrative Code Section 41.13(a)(4) and (a)(5) by paying an in-lieu fee “to a public entity or nonprofit organization, which will use the funds to construct comparable units, an amount at least equal to 80% of the cost of construction of an equal number of comparable units plus site acquisition costs.” This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).

(Continued from Regular hearing on December 19, 2019)

(Proposed for Continuance to February 6, 2020)

SPEAKERS: None
ACTION: Continued to February 6, 2020
AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
ABSENT: Richards

2. 2019-001455CUA (C. CAMPBELL: (415) 575-8732)
1750 WAWONA STREET – north side of Wawona Street between 25th and 30th Avenues, Lot 011 in Assessor’s Block 2468 (District 4) – Request a **Conditional Use Authorization**, pursuant to Planning Code Sections 209.1, 303 and 317 to allow the tantamount to demolition of an existing two-story single-family dwelling and legalize work exceeded beyond the scope approved under permit 201707121692 to construct a horizontal addition within a RH-1 (Residential House, Single-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions
(Proposed for Continuance to February 6, 2020)

SPEAKERS: None
ACTION: Continued to February 6, 2020
AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
ABSENT: Richards

3. 2018-012576CUA (D. WEISSGLASS: (415) 575-9177)
1769 LOMBARD STREET – south side of Lombard Street between Laguna and Octavia Streets; Lot 027 in Assessor’s Block 0506 (District 2) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 145.2, 303, and 712 to authorize an Outdoor Activity Area in conjunction with a Kennel Use (d.b.a. “The Grateful Dog”) as well as a one-year review of Motion No. 20355, which authorized the Kennel Use, within the NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. The Project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.
(Proposed for Continuance to February 13, 2020)

SPEAKERS: None
ACTION: Continued to February 13, 2020
AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
ABSENT: Richards

4. 2016-006860IKA (V. FLORES: (415) 575-9173)
65 OCEAN AVENUE – between Alemany Boulevard and Cayuga Avenue, Lot 018 in Assessor's Block 6954 (District 11) – Request for a **Fee Waiver and In-Kind Agreement**, pursuant to Planning Code Sections 406 and 414A, to approve a fee waiver to provide an on-site child care facility in lieu of the Residential Child Care Impact Fee.
Preliminary Recommendation: Approve
(Continued from Regular hearing on December 12, 2019)
Note: On October 24, 2019, after hearing and closing public comment, continued to December 12, 2019 by a vote of +4 -1 (Moore against; Melgar absent). On December 12, 2019, without hearing, continued to January 16, 2020 by a vote of +5 -0 (Johnson and Richards absent).
(Proposed for Continuance to February 13, 2020)
- SPEAKERS: None
ACTION: Continued to February 13, 2020
AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
ABSENT: Richards
5. 2017-012887DRP (D. WINSLOW: (415) 575-9159)
265 OAK STREET – between Gough and Octavia; Lot 024 in Assessor's Block 0838 (District 5) – Request for **Discretionary Review** of Building Permit Application Nos. 2019.0618.3775 and 2019.0618.3782, proposing to demolish a one-story garage structure and construct a 4-story two- family home at the rear of a through-lot. The project also includes tenant improvements and reconfiguration of the existing ground floor unit to an existing 5-unit apartment building within a Hayes-NCT (Hayes-Neighborhood Commercial Transit) Zoning District and 40-X Height and Bulk District. Planning Code Section 134 requires a 30' deep rear yard. The proposed building would encroach entirely into the rear yard; therefore, a variance is required to enable this construction. 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 December 5, 2019)
(Proposed for Continuance to February 27, 2020)
- SPEAKERS: None
ACTION: Continued to February 27, 2020
AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
ABSENT: Richards
16. [2017-005154CUA](#) (C. FAHEY: (415) 575-9139)
1300 COLUMBUS AVENUE – north side of Columbus Avenue between Leavenworth and North Point Streets; Lot 005 in Assessor's Block 0023 (District 3) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.1, 303, and 304 to expand an existing hotel use and allow a Planned Unit Development with minor deviations from the provisions for height measurement. The project would construct an 87,620 square-foot, 174 room addition with 8,100 square feet of ground floor retail within a C-2 (Community Business) Zoning District and 40-X Height and Bulk District. This action constitutes the

Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on December 19, 2019)

SPEAKERS: None

ACTION: Continued to February 20, 2020

AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore

ABSENT: Richards

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

C. COMMISSION MATTERS

7. Commission Comments/Questions

President Melgar:

Commissioners, it's been in the paper that I am going to be resigning from this commission. And I just wanted to say – I'm also no longer going to be President, but I wanted to thank each and every one of you for the time that I have spent here, for your support and also for the great discussion that we have had about the issues that pertain to our city and our built environment. I have learned something really valuable from each and every one of you. I consider you friends, as well as colleagues. Also, to the staff, I think we have amazing staff and particularly Jonas and Director Rahaim. I am very fond of you both and appreciate your professionalism and the care that you bring to this work. I have been so honored to be here and look forward to seeing where this Commission goes.

Commissioner Moore:

President Melgar, good onward journey. It was quite a shock when you called me because I hadn't read the paper, but the challenges and the road to success is always ahead of us. I wish you the best. We will miss you, but we will always remain colleagues anyway. Thank you for everything.

Commissioner Johnson:

I first just want to thank you for your leadership as President of the Planning Commission. I think your passion, nerdiness, your desire to really work with all of the stakeholders in the City and to work together for the betterment of our city and looking at the big picture has both set an example and really helped bolster this Commission. And so, I feel really grateful for that leadership and I feel very excited for the City that, you know, about your next steps, and that your leadership will continue to light the way and set the tone for how business should be done here.

Commissioner Koppel:

Yes, definitely sad to see you go. Hopefully you won't go too far. We wish you the best of luck, and since you and I came on together, I have had the last three and a half years to get to know you and learn about everything you do know. And I just appreciate your breadth of knowledge that you have brought on here and hopefully will continue to bring to the City.

Commissioner Diamond:

I want to thank you for all of your assistance in guiding me through the confirmation hearings and the transition to being a commissioner. I really wished it were longer, but I wish you the best of success in the next endeavor.

Commissioner Fung:

Thank you.

8. Election of Officers: In accordance with the Rules and Regulations of the San Francisco Planning Commission, the President and Vice President of the Commission shall be elected at the first Regular Meeting of the Commission held on or after the 15th day of January of each year, or at a subsequent meeting, the date which shall be fixed by the Commission at the first Regular Meeting on or after the 15th day of January each year.

SPEAKERS: None

ACTION: President – Koppel; Vice President – Moore

AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore

ABSENT: Richards

D. DEPARTMENT MATTERS

9. Director's Announcements

John Rahaim, Planning Director:

I will start with congratulating President Koppel and Vice President Moore. Thank you. We look forward to working with you in the few weeks that I have left. And the staff will I'm sure look forward to that as well. Let me just also thank Commissioner Melgar for all of her great work on this Commission. What I really appreciate about your work, commissioner, is the balance that you brought to your work and the thinking that you brought. That was super helpful to me and very helpful to the staff. And I really appreciate your taking on the task, not a small task of finding my replacement which I know was not an easy task. Thank you for all of your work that you did on that and we look forward to working with you in the future and great good fortune. Thank you.

President Koppel:

And as soon as I was done congratulating and wishing you luck, I also wanted to thank you for the last year of your leadership and especially leading the charge with the search for the new director. I really appreciate all of the direction you gave us.

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

Aaron Starr:

Land Use Committee

- **191260** Planning Code, Zoning Map - Establishing 12 Named Neighborhood Commercial Districts. Sponsors: Ronen; Fewer, Walton, Haney, Preston and Yee. Staff: Merlone. Item 2

This week, the Land Use Committee considered the rezoning that would establish 12 new named NCDs this week. The Planning Commission heard this item on January 9th, just last week, and voted to recommend approval. After some brief discussion, the Committee voted to send the Ordinance with technical amendments to the Full Board as a Committee Report.

The Small Business Commission also heard this item on Monday. The Commissioners expressed general support for the Ordinance but also cautioned any future proposal that would further restrict uses in these districts versus relaxing zoning controls on use types. The Commissioners warned that certain NCD's proposed for rezoning are already facing issues with vacancies and that restricting uses would only serve to exacerbate vacancy issues. The Commission also requested that individual neighborhoods be heavily consulted before any changes are made to the zoning controls of their new districts. In the end the Commission voted to recommend the Ordinance.

Full Board

- **191125** Planning, Administrative Codes - Approval of Development Agreement, Conditional Use Procedures for Large Noncontiguous Post-Secondary Educational Institutions, Planning and Administrative Code Waivers. Sponsors: Peskin; Yee. Staff: Foster/Sider. PASSED Second Read, Item 2
- **191260** Planning Code, Zoning Map - Establishing 12 Named Neighborhood Commercial Districts. Sponsors: Ronen; Fewer, Walton, Haney, Preston and Yee. Staff: Merlone. Passed First Read, Item 38

Corey Teague, Zoning Administrator:

The Board of Appeals did meet last night, and they considered one item that may be of interest to this Commission. The Board of Appeals heard the appeal of the Planning Commission's approval of HomeSF project at 65 Ocean Avenue. The appellant argued that the project did not provide enough units that would be affordable to the members of the community, would have negative impacts on the affordability of the existing housing and that the proposed units were substandard. The Department noted that the project complied with the affordability requirements of the planning code and the HomeSF program including a requirement that the units be marketed at a price that is at least 20% less than the current market rate for that unit size. And neighborhood and MOHCD shall reduce the area median income level to maintain such pricing. The Department also noted that the units were designed in a manner to provide adequate exposure and open space and otherwise co-complying, and the Board voted unanimously to uphold the Planning Commission's decision on this item. Thank you.

Jonas P. Ionin, Commission Secretary:

The Historic Preservation Commission did meet yesterday. They also had their election of officers and voted to stay the course with Commission President Hyland and Commission Vice President Matsuda. They heard the proposed Department Budget and Work Program which is on your agenda for next week. They also heard the SB330 informational presentation from Mr. Bintliff that you have already heard. They considered several legacy

business registry applications maybe most notably was the New Delhi restaurant at 160 Ellis Street.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – 463 Duncan
Kevin Chang – Illegal unit mergers

F. REGULAR CALENDAR

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

- 6a. [2009.0159DNX-02](#) (A. PERRY: (415) 575-9017)
1540 MARKET STREET (AKA "ONE OAK") – north side of Market Street, bounded by Van Ness Avenue on the east and Oak Street on the north; Lots 001, 002, 003, 004, and 005 in Assessor's Block 0836 (District 5) – Request to modify conditions of approval for an existing **Downtown Project Authorization** approved by the Planning Commission on June 15, 2017 under Motion No. 19943, to extend the project's authorization and validity by two years to June 15, 2022. The Project authorized under Motion No. 19943 includes the demolition of two existing structures and a commercial parking lot, and the new construction of a 40-story, 400-foot-tall residential tower containing 304 Dwelling Units and approximately 4,110 square feet of ground floor retail. The project is located within a C-3-G (Downtown-General) Zoning District, the Van Ness and Market Downtown Residential Special Use District, and 120-400-R-2, 120-R-2 Height and Bulk Districts.
Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Andrew Perry – Staff report
+ Lou Vasquez – Project presentation
+ Corey Smith – Support
= Georgia Schuttish – Issues and concerns
+ Daniel Gregg – Support
+ Kevin Stahl – All Star Donuts
ACTION: After being pulled off Consent; Approved with Conditions
AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
ABSENT: Richards
MOTION: [20621](#)

- 6b. [2009.0159CUA-02](#) (A. PERRY: (415) 575-9017)
1540 MARKET STREET (AKA "ONE OAK") – north side of Market Street, bounded by Van Ness Avenue on the east and Oak Street on the north; Lots 001, 002, 003, 004, and 005 in Assessor's Block 0836 (District 5) – Request to modify conditions of approval for an existing **Conditional Use Authorization** approved by the Planning Commission on June 15, 2017 under Motion No. 19944, to extend the project's authorization and validity by two years to June 15, 2022. As authorized under Motion No. 19944, the Project would include up to 136 underground off-street parking spaces. The project is located within a C-3-G (Downtown-

General) Zoning District, the Van Ness and Market Downtown Residential Special Use District, and 120-400-R-2, 120-R-2 Height and Bulk Districts.

Preliminary Recommendation: Approve with Conditions

SPEAKERS: Same as item 6a.
 ACTION: After being pulled off Consent; Approved with Conditions
 AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore
 ABSENT: Richards
 MOTION: [20622](#)

- 6c. [2019-022891VAR](#) (A. PERRY: (415) 575-9017)
1540 MARKET STREET (AKA "ONE OAK") – north side of Market Street, bounded by Van Ness Avenue on the east and Oak Street on the north; Lots 001, 002, 003, 004, and 005 in Assessor's Block 0836 (District 5) – Request for Zoning Administrator consideration of a **Variance** from Dwelling Unit Exposure requirements (Section 140) and Active Frontages (Section 145.1), and an **Elevator Height Exemption Waiver** pursuant to Section 260(b)(1)(B). The variances and height exemption approved previously for the project may not be extended and must be considered as a new application, being sought in conjunction with the extension request for the Downtown Project and Conditional Use Authorizations. The project is located within a C-3-G (Downtown-General) Zoning District, the Van Ness and Market Downtown Residential Special Use District, and 120-400-R-2, 120-R-2 Height and Bulk Districts.

SPEAKERS: Same as item 6a.
 ACTION: After being pulled off Consent; ZA Closed public comment and indicated an intent to Grant

11. [2019-020940PCA](#) (D. SANCHEZ: (415) 575-9082)
RESIDENTIAL OCCUPANCY – INTERMEDIATE LENGTH OCCUPANCY – Planning Code Amendment introduced by Supervisor Peskin to create the Intermediate Length Occupancy residential use characteristic; amend the Administrative Code to clarify existing law regarding the enforceability of fixed-term leases in rental units covered by the just cause protections of the Residential Rent Stabilization and Arbitration Ordinance (the "Rent Ordinance"), prohibit the use of rental units for temporary occupancies by non-tenants, require landlords to disclose in advertisements for such units that the units are subject to the Rent Ordinance, and authorize enforcement through administrative and/or civil penalties, and require the Controller to conduct a study to analyze the impacts of new Intermediate Length Occupancy units in the City; 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.

Preliminary Recommendation: Approve with Modifications

SPEAKERS: = Diego Sanchez – Staff report
 + Sunny Angulo, Aide to Sup. Peskin – Proposed legislation
 - Speaker – Corporate housing
 - Speaker – Corporate housing
 - Ryan Thompson – Corporate housing

+ Speaker – Corporate housing
 = Josephine Radville – Corporate housing
 + Deepa Varuna - Corporate housing
 + Theresa Flandrick – Corporate housing
 + Speaker – Corporate housing
 + Speaker – Support
 + Ozzie Rohm – Support
 + Scott Weaver – Numerical limit
 + Peter Cohen – Support
 + Maya Chupkov – Support
 = Corey Smith – Support
 + Tess Welborn – 30 day threshold; impact to neighborhoods
 + Speaker – Housing crisis
 + Georgia Schuttish – Support
 + Richard Frisbie – Support

ACTION: After hearing and closing public comment; Continued to January 30, 2020

AYES: Fung, Johnson, Koppel, Melgar, Moore

ABSENT: Richards

RECUSED: Diamond

12. [2020-000052PCA](#) (J. BINTLIFF: (415)575-9170)
STANDARD ENVIRONMENTAL CONDITIONS OF APPROVAL – Initiation of **Planning and Administrative Code Amendments** to authorize the Planning Commission to standardize policies and conditions that avoid or lessen common environmental impacts of development projects, and create a program to apply those policies and conditions to development projects, as applicable, as standard environmental conditions of approval, in order to protect public health, safety, welfare and the environment while expediting environmental review for housing and other development projects; affirming the Planning Department's determination under the California Environmental Quality Act (CEQA); 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 findings under Planning Code, Section 302.
Preliminary Recommendation: Initiate and Consider Adoption on or after February 27, 2020

SPEAKERS: = Jacob Bintliff – Staff report
 = Corey Smith – Confused
 = Dick Frisbie – Community outreach
 = Ozzie Rohm – Community outreach
 + Steve Vettel – Support
 - Tess Welborn – Reject
 = Georgia Schuttish – Notification

ACTION: Initiated and scheduled a hearing on or after February 27, 2020

AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore

ABSENT: Richards

RESOLUTION: [20623](#)

13. 2018-003614OTH (M. CHRISTENSEN: (415) 575-8742)
OFFICE OF CANNABIS – Informational Presentation by the Office of Cannabis on permit application processes and requirements.

Preliminary Recommendation: None – Informational

SPEAKERS: = Michael Christensen – Staff presentation
 + Marissa Rodriguez – Cannabis Informational
 + Jeremy Schwartz – Cannabis Informational
 + Eugene Hillsman – Cannabis Informational

ACTION: None – Informational

14. [1996.0016CWP](#) (K. Qi: (415) 575-9029)
COMMERCE AND INDUSTRY INVENTORY 2018 – Informational Presentation – This inventory is one of the Department’s reports on the economy and land use. It contains a 10-year time-series of data for calendar years 2009-2018, including population, labor force, employment, establishments, wages, retail sales, government expenditures and revenues, and building activity. The Inventory is available for the public at the Planning Department and can be downloaded from the website at [http://commissions.sfplanning.org/cpcpackets/2018 Commerce and Industry Inventory FINAL.pdf](http://commissions.sfplanning.org/cpcpackets/2018_Commerce_and_Industry_Inventory_FINAL.pdf).

Preliminary Recommendation: None – Informational

SPEAKERS: = Ken Qi – Staff presentation
 = Sue Hestor – Study implications

ACTION: None – Informational

15. [2019-001694CUA](#) (D. WEISSGLASS: (415) 575-9177)
1500 MISSION STREET – north side of Mission Street between 11th Street and Van Ness Avenue; Lots 008-011 in Assessor’s Block 3506 (District 6) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 210.2 and 303, to establish a massage use within a spa (d.b.a. “The Spa”) as accessory to the primary gym use (d.b.a. “Equinox”) within a C-3-G (Downtown-General) Zoning District and 130/240-R-3, 130/400-R-3, and 85-X Height and Bulk Districts. The spa use will be operated by Equinox Gym and accessed via the main Equinox entrance at the corner of Van Ness Avenue and Mission Street. The Spa itself will occupy approximately 550 square-feet at the basement level of the 31,000 square-foot Equinox Gym and provide 2 treatment rooms in which massages will be administered. The Project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.

Preliminary Recommendation: Approve with Conditions
 (Continued from Regular hearing on November 14, 2019)

SPEAKERS: = David Weissglass – Staff report
 + Steve Vettel – Project presentation
 + Darren Cepeda – Project presentation
 - Speaker – Opposition
 - Larisa Petroncelli – Opposition
 - Kelly Hill – Opposition

ACTION: After hearing and closing public comment; Continued to January 30, 2020

AYES: Diamond, Fung, Koppel, Melgar, Moore

ABSENT: Johnson, Richards

G. 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.

- 17a. [2018-010941DRP](#) (D. WINSLOW: (415) 575-9159)
2028-2030 LEAVENWORTH STREET – east side of Leavenworth Street between Filbert and Union Streets, Lot 010 of Assessor's Block 0098 (District 2) – Request for a **Discretionary Review** of Building Permit Application No. 2019.06.27.4546 which proposes to legalize the construction of 2nd and 3rd floor horizontal additions (approx. 60 sq. ft. total) at the rear of the building located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District. The project includes removing an interior stair that connected/merged the two units on site (under active enforcement). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Take Discretionary Review and Approve with Modifications
 (Continued from Regular hearing on December 19, 2019)

SPEAKERS: = David Winslow – Staff report
 - Kevin Chang – DR presentation
 - Jerry Dratler – Opposition
 - Ozzie Rohm – Opposition
 - Kathleen Courtney – Sins of commission
 - Sue Hestor – Medicine
 + Vin Leger – Project presentation
 ACTION: Took DR and Approved with Staff modifications
 AYES: Diamond, Fung, Koppel, Melgar, Moore
 ABSENT: Johnson, Richards
 DRA: [677](#)

- 17b. [2018-010941VAR](#) (D. WINSLOW: (415) 575-9159)
2028-2030 LEAVENWORTH STREET – east side of Leavenworth Street between Filbert and Union Streets, Lot 010 of Assessor's Block 0098 (District 2) – Request for **Variance** from the Zoning Administrator to legalize the construction of 2nd and 3rd floor horizontal additions (approx. 60 sq. ft. total) at the rear of the building located within the required rear yard. Section 134 requires a rear yard of 25% of the total lot depth (18 feet – 3 inches). The project proposes to legalize the additions on the noncomplying building, which already encroaches into the required rear yard. The subject property is located within a RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.
 (Continued from Regular hearing on December 19, 2019)

SPEAKERS: Same as item 17a.
 ACTION: ZA Closed public comment and indicated an intent to Grant

18. [2019-005400DRP-02](#) (D. WINSLOW: (415) 575-9159)
166 PARKER AVENUE – between Geary Boulevard and Euclid Avenue; Lot 032 in Assessor's Block 1065 (District 2) – Request for **Discretionary Review** of Building Permit Application No. 2019.0410.7564, proposing new construction of a four-story, two-family dwelling approximately 40 feet in height with two off-street parking spaces on a vacant lot 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

SPEAKERS: = David Winslow – Staff report
- Speaker – DR presentation No. 1
- Rose Hillson – DR presentation No. 2
- Richard Frisbie – Building style not appropriate
+ Jonathan Pearlman – Project presentation
ACTION: Took DR and Approved with Staff modifications and to continue working with Staff on roof deck designs to mitigate privacy impacts
AYES: Fung, Koppel, Melgar, Moore
ABSENT: Johnson, Richards
RECUSED: Diamond
DRA: [678](#)

ADJOURNMENT 7:50 PM

ADOPTED AS AMENDED JANUARY 30, 2020