

**The Law Offices of Gloria D. Smith**  
48 Rosemont Place  
San Francisco, CA 94103  
(415) 308-9124  
gloria@gsmithlaw.com

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March 5, 2021

Angela Calvillo  
Clerk of the Board  
San Francisco Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**RE: Notice of Appeal and Appeal of San Francisco Planning Department’s Second CEQA Exemption for 2651-2653 Octavia Street, (Case No. 2018-011022 PRJ)**

Dear Ms. Calvillo:

PLEASE TAKE NOTICE THAT, on behalf of the GGV Library Friends (“Appellants”), this letter appeals the San Francisco Planning Department’s issuance of a **second** categorical exemption from the California Environmental Quality Act (“CEQA”) for the above referenced matter.<sup>1</sup> Specifically, this appeal arises from the Planning Commission’s February 4, 2021 approval of a Class 1 categorical exemption determination for a project that remains in violation of CEQA.<sup>2</sup> GGV Library Friends is an association of neighbors who live near, utilize and seek to protect the Golden Gate Valley Branch of the San Francisco Public Library (“Library”).

**I. Introduction**

Appellants seek relief for a **second time** because the Planning Department acted in direct violation of the Board’s 2020 unanimous finding that “a categorical exemption cannot be relied upon to approve a project that *may* have an impact on a historic resource.”<sup>3</sup> Specifically, the

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<sup>1</sup> This appeal is filed pursuant to San Francisco Administrative Code section 31.16.

<sup>2</sup> Class 1 categorical exemptions are allowed for interior and exterior alterations under 10,000 square-feet that can be shown to not have significant effects on the environment. CEQA § 21084(a).

<sup>3</sup> Motion No M20-129, File No. 201076, at p. 3 (Sept. 22, 2020) (emphasis added).

Board directed the Planning Department “to analyze the potential historic resource impacts of the Project on the character-defining features of the adjacent Golden Gate Valley Branch Library.”<sup>4</sup> In the course of this process, the Planning Department sponsored two analyses: (1) An assessment of the project’s impacts on the Library’s interior light; and, (2) a shading analysis of the Library’s photovoltaic system. Both analyses show the project *would* have negative impacts on the Library. Therefore, the only issue is the severity of those impacts. Nevertheless, the Planning Department issued a second exemption to CEQA. Because the dispute centers on the severity of the impacts and not their mere existence, relying on a CEQA exemption is illegal.

## **II. Background**

Bear in mind it is a group of neighbors and Library supporters appealing the Planning Department’s decision in order to protect a neighborhood library. The community has come together not to protect property values or other private interests, but to stand up for a cherished public resource in an instance when the City itself has chosen not to.

### **A. Project Description**

#### **1. Golden Gate Valley Branch of the San Francisco Public Library**

Since May of 1918, the Golden Gate Valley Library has served residents of the Golden Gate Valley, Cow Hollow, and Marina neighborhoods.<sup>5</sup> The brick and terra cotta Beaux-Arts structure was designed in the shape of a basilica by famed local architect Ernest Coxhead.<sup>6</sup> The grand scale of the Library’s interior was designed with windows on all sides, clearly intending to maximize light into the main reading room. There is no dispute that the Library is an historic resource.<sup>7</sup>

The Library underwent significant renovation in 2012 to achieve LEED Gold certification with major infrastructure improvements, such as photovoltaic roof panels, as well as improvements of the facility for public use. These upgrades were accomplished at great taxpayer expense, costing \$8.5 million, in addition to significant private contributions by residents in the

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<sup>4</sup> Id. at p. 4.

<sup>5</sup> <https://sfpl.org/locations/golden-gate-valley/golden-gate-valley-library-history>.

<sup>6</sup> Id.

<sup>7</sup> Motion No M20-129 at p. 2.

neighborhood. The building has new south facing high performance windows controlling solar heat exchange and a new photovoltaic system on the south facing roof providing 25% of the library's energy needs.

The Library renovation project received a number of architectural awards and accolades including: a 2012 American Institute of Architects California Council Honor Award for Architecture, a 2012 California Preservation Foundation Honor Award for Rehabilitation, and a 2012 American Institute of Architecture Honor Award for Historic Preservation.

## **2. The Proposed Project**

2651-2653 Octavia Street is in the Pacific Heights neighborhood. The project's parcel is approximately 3,100-square-feet and is currently occupied by a two-family residence built in 1950. The proposed project would add a fourth-floor-level vertical and horizontal addition to the existing 37-foot-tall, three-story, 4,151-gross-square-foot two-family residence. The final project would be 40- feet tall, plus a 3.5-foot-tall parapet and guardrail on the roof deck, with a penthouse elevator structure in a four-story, 6,512 square-foot two family residence. The project would greatly increase the height, bulk and square-footage on this small parcel immediately adjacent to the library, to the south.

### **B. Procedural Background**

- On September 5, 2019, the Planning Department issued its first categorical exemption for the project.
- On February 6, 2020 the Planning Commission denied discretionary review on the first categorical exemption.
- On July 28, 2020 the Board of Supervisors reversed the Planning Commission's denial of discretionary review and approval of the CEQA exemption, sending it back to the Planning Department.
- On January 26, 2021, the Planning Department re-issued the categorical exemption determination and attached a daylight impact report and shading analysis.
- On February 4, 2021, the Planning Commission again denied discretionary review and approved the CEQA exemption.

## II. Grounds for Appeal: The California Environmental Quality Act

The project is not eligible for a Class 1 categorical exemption under CEQA for two reasons: first, the record is clear that the proposed project may impact an **historic resource**; and second, the project would reduce the effectiveness of the **Library's photovoltaic system** in violation of numerous governmental policies. Therefore, the Planning Department must investigate and disclose whether the proposed fourth-floor vertical and horizontal additions would reduce interior light inside the Library, a character-defining feature, and decrease the effectiveness of the Library's photovoltaic system.

It is axiomatic that public agencies utilizing CEQA exemptions must support their determination that a particular project is exempt with substantial evidence that supports each element of the invoked exemption.<sup>8</sup> A court will reverse an agency's use of an exemption if the court finds evidence a project may have an adverse impact on the environment.<sup>9</sup> The 'foremost principle' in interpreting CEQA is that it must be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.<sup>10</sup> CEQA requires agencies to conduct a three-tier process to ensure that the environmental consequences of their decisions are fully considered.<sup>11</sup> The first tier is jurisdictional, requiring an agency to complete a preliminary review to determine whether an activity is subject to CEQA.<sup>12</sup> An activity that is not a "project" is not subject to CEQA.<sup>13</sup> The second-tier concerns exemptions from CEQA review, both statutory and categorical.<sup>14</sup> If a project does not fall within an exemption, the agency must "conduct an initial study to determine if the project may have a significant effect on the environment."<sup>15</sup>

If there exists "no substantial evidence that the project or any of its aspects may cause a significant effect on the environment," the agency prepares a "negative declaration" that briefly describes the reasons supporting its determination.<sup>16</sup> CEQA's third tier applies if the agency

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<sup>8</sup> CEQA § 21168.5.

<sup>9</sup> *Dunn Edwards Corp. v. Bay Area Air Quality Management Dist.* (1992) 9 Cal.App.4th 644, 656.

<sup>10</sup> *Communities for a Better Env't v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 109.

<sup>11</sup> *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 74.

<sup>12</sup> CEQA Guidelines, § 15060; see Pub. Resources Code, § 21065.

<sup>13</sup> Public Resources Code (see § 21065).

<sup>14</sup> Pub. Resources Code, § 21080(b)(1) (2).

<sup>15</sup> CEQA Guidelines, § 15063(a).

<sup>16</sup> *Id.*, §§ 15063(b)(2);15070.

determines substantial evidence exists that an aspect of the project may cause a significant effect on the environment. In that event, the agency must prepare a full environmental impact report. The evidence shows that the proposed additions to 2651-2653 Octavia would block light from the south, undermining natural light to the library, rendering the solar panels and windows much less effective.

**A. There is evidence the proposed project may cause significant impacts to an historic resource.**

To assist with CEQA compliance for the protection of historic resources, San Francisco adopted Preservation Bulletin No. 16 (the “Bulletin”). The Bulletin sets out a two-step process for evaluating proposed projects that may impact historical resources. First, a Preservation Planner determines whether the property is an historical resource as defined by CEQA Guidelines Section 15064.5(a)(3); and, second, if the property is an historical resource, it then evaluates whether the proposed action or project would cause a “substantial adverse change” to the historical resource.<sup>17</sup>

For the first question, there is no dispute the Library is an historic resource.<sup>18</sup> As to the second question, CEQA defines a “substantial adverse change” as the physical demolition, destruction, relocation or alteration of the historical resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. CEQA goes on to define “materially impaired” as work that materially alters, in an adverse manner, those physical characteristics that convey the resource’s historical significance and justify its inclusion in the California Register of Historic Places, a local register of historical resources, or an historical resource survey.<sup>19</sup>

The grand scale of the Library’s interior was designed with large windows on all sides, clearly intending to maximize natural light into the main and other reading rooms. As it stands, 2651-2653 Octavia already blocks natural light into the Library’s south-facing windows. This problem cannot be compounded, because **it cannot be overstated how important indoor natural light is to any library**, especially one over a century old.

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<sup>17</sup> San Francisco Preservation Bulletin No. 16, at p. 2.

<sup>18</sup> Motion No M20-129, at p. 3.

<sup>19</sup> CEQA Guidelines 15064.5(b), Bulletin 16, p. 9.

The Planning Department sought to dodge the interior natural light issue entirely by asserting that no historic resource analysis was required because “indoor light levels are not character defining features of any of the six Carnegie libraries that have been landmarked in San Francisco.”<sup>20</sup> The Planning Department made this claim because natural light was not specifically enumerated as a character-defining feature. But this assertion is wrong for at least three connected reasons:

First, if natural light was not listed as a character defining feature for the Carnegie libraries, it was an oversight, but reasonable because character defining features are typically material or physical features. Conversely, nonmaterial, nonphysical features like natural light are not generally enumerated. But just because natural light was not listed does not mean it is not a character defining feature of this library.

Second, when the Library was built in 1918, electric light was expensive and less efficient. This condition applied to all buildings at the time, and for many building types the provision of natural light was a fundamental organizing feature of the design. For example, libraries were symbols of building types with good natural light, both for the functional illumination of reading materials and for the philosophical association of light with truth. A dark library or a library with shadowy interiors was unheard of. Other examples of natural light being integral to design in the early twentieth century were factories at the time called "daylight factories," with skeletal frames and large glass window surfaces. Hospitals were designed in the pavilion plan with narrow, linear wings designed to admit a maximum of light and air. Operating rooms were designed with skylights and reflecting surfaces to maximize light and visibility while minimizing shadows. In short, during the period when the Library was built, public spaces relied on well-designed windows to maximize natural light as a central principle, not an afterthought.

Third, the Library was designed with windows on four sides to provide a maximum of natural light at all times of the day. To obstruct natural light would alter the building just as much as if it were physically altered. Blocking natural light now would diminish the significant historic character of the building. Imagine if a new building were proposed that blocked the stained-glass windows in Grace Cathedral. Or imagine if San Francisco City Hall became

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<sup>20</sup> Categorical Exemption exhibit, at p. 3.

hemmed in by new construction such that the light inside the dome was diminished. It would be obvious to all that a "character defining feature" of those buildings was harmed and such new construction would not be permitted.

The notion that the Planning Department is powerless to regulate new construction projects in a manner that would be protective of treasured public spaces like libraries is absurd on its face. The department chose to narrowly interpret the Secretary of Interior's Standards for Rehabilitation to greenlight private development at the expense of a public library.

Finally, the foregoing is important because the Planning Department admits the Library's natural light will be diminished in the south facing windows. In the northern hemisphere south facing windows provide more light than from windows from any other direction at all times of the year. This Board ordered the Planning Department to "analyze the potential historic resource impacts of the Project on the character-defining features" of the Library. In response, the Planning Department's own analyses admitted the Library's natural light would be impaired: The "proposed project may have the potential to reduce light to some of the half windows at the south elevation of the library."<sup>21</sup>

Rather than prepare a legally-required CEQA analysis, the Planning Department attacked the idea that natural light is an essential component of an historic public library. It is inescapable that CEQA required the Planning Department to prepare an environmental analysis for public review and comment. Under CEQA, "It is the possibility of a significant effect ... which is at issue, not a determination of the actual effect, which would be the subject of negative declaration or an EIR."<sup>22</sup> Put differently, "the determination of the applicability of an exemption must be made before environmental evaluation."<sup>23</sup> Here, once the Planning Department provided environmental analysis showing an effect on the Library, it could not continue to unlawfully exempt the project from CEQA.

The Planning Department is required to fully investigate and then disclose to the public in a CEQA document that analyzes whether there are feasible project alternatives or mitigation

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<sup>21</sup> Categorical Exemption exhibit, at p. 2.

<sup>22</sup> *Azusa Land Rec. Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1200.

<sup>23</sup> *Id.*

measures that would not degrade the significance of this historical library. The project may not be exempted from CEQA review.

**B. The proposed project undermines energy services and San Francisco’s clean energy goals.**

The Planning Department’s own study showed the proposed project would partially block the south-facing photovoltaic system on the Library’s rooftop. The only issue is how severely the project would undermine the system’s effectiveness. According to the department, the project would reduce solarity by an average of 5.8%.<sup>24</sup> However, shading would increase 69% on the panels’ eastern array.

The Planning Department testified last month before the Planning Commission that the department cannot regulate new construction in order to protect municipal solar generation because “solar panels are not protected by state or local laws, doing so would allow them to act as *de facto* impediments to development.”<sup>25</sup> But the Planning Department is not charged with making up and enforcing “*de facto* law.” Instead, it must adhere to local and state laws as codified. City agencies “must enforce the law which is in effect at the time in which the permit is issued,”<sup>26</sup> and exercise that authority “within the bounds of the statutes, code sections and ordinances that are applicable to the circumstances and facts of any matter which comes before it.”<sup>27</sup> In short, the Planning Department is not free to implement either *de facto* or future law regarding rooftop photovoltaic systems, it must apply existing ordinances and policies in effect today.

The City is well aware of the need to protect existing rooftop solar, and has prepared a study with recommendations on the issue.<sup>28</sup> But the Planning Department is correct that there are not yet state or local laws on point to address protecting solar access. Nevertheless, federal, state and local laws and policies are all emphatic that renewable energy is a key component to

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<sup>24</sup> Shading Analysis Report (December 1, 2019).

<sup>25</sup> David Winslow, principal architect, San Francisco Planning Department testifying before the San Francisco Planning Commission on Feb. 4, 2021. *See* [https://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=20&clip\\_id=37723](https://sanfrancisco.granicus.com/MediaPlayer.php?view_id=20&clip_id=37723) at 1:11:54 - 1:12.

<sup>26</sup> *Avco Community Developers, Inc. v. South Coast Regional* (1976) 17 Cal.3d 785, 793.

<sup>27</sup> *City and County of San Francisco v. Board of Permit Appeals* (1989) 207 Cal.App.3d 1099, 1105.

<sup>28</sup> [https://sfenvironment.org/sites/default/files/fliers/files/protecting\\_solar\\_access.pdf](https://sfenvironment.org/sites/default/files/fliers/files/protecting_solar_access.pdf)



stopping climate change, and rooftop solar is a proven solution in cities.<sup>29</sup> As shown below, the Planning Department ignored numerous San Francisco policies and ordinances that promote the City's investment in rooftop solar generation on municipal and private buildings. Worse, allowing the Planning Department to adopt a *de facto* policy that leaves rooftop solar generation vulnerable to future development would be contrary to policies approved by the City's elected officials, all of whom are working to ramp up renewable energy, with an emphasis on rooftop solar.

In 2007, San Francisco was designated by the U.S. Department of Energy as a "Solar America City" because the City was making significant progress promoting and installing solar generation through the Solar America Cities partnership.<sup>30</sup> According to SF Environment, "the City of San Francisco has developed a number of innovative policies and programs to move the city toward its goal of 100% renewable energy to become a cleaner, healthier and more secure city."<sup>31</sup> Solar energy is one of the cornerstones of the City's plan to achieve a 100% renewable electricity supply, and reduce our reliance on fossil fuels for heating.<sup>32</sup> To carry out these mandates, in 2017 San Francisco began requiring that all new commercial buildings less than 10 stories be constructed with solar generation.<sup>33</sup>

And leading by example, the City is installing roof top generation on public buildings throughout the San Francisco, including its libraries. Currently, the City operates 23 photovoltaic systems which generate approximately 8.6 MWh of renewable energy for San Francisco.<sup>34</sup>

Similarly, San Francisco's General Plan is replete with policies and objectives that "promote the use of renewable energy sources."<sup>35</sup> The General Plan's energy section is a guide for both public and private entities affecting the use of energy. San Francisco's Energy Policy

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<sup>29</sup> See e.g., <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/27/fact-sheet-president-biden-takes-executive-actions-to-tackle-the-climate-crisis-at-home-and-abroad-create-jobs-and-restore-scientific-integrity-across-federal-government/>

<sup>30</sup> <https://www.nrel.gov/docs/fy12osti/50203.pdf>

<sup>31</sup> <https://sfenvironment.org/energy/renewable-energy#:~:text=The%20City%20of%20San%20Francisco,healthier%20and%20more%20secure%20city.>

<sup>32</sup> See <https://sfenvironment.org/energy/renewable-energy#:~:text=The%20City%20of%20San%20Francisco,healthier%20and%20more%20secure%20city.>

<sup>33</sup> <https://www.theguardian.com/environment/2016/apr/21/san-francisco-adopts-law-requiring-solar-panels-on-all-new-buildings#:~:text=San%20Francisco%20has%20this%20week,fitted%20with%20rooftop%20solar%20panels>

<sup>34</sup> <https://sfwater.org/index.aspx?page=403>

<sup>35</sup> [https://generalplan.sfplanning.org/I6\\_Environmental\\_Protection.htm#ENV\\_EGY\\_12](https://generalplan.sfplanning.org/I6_Environmental_Protection.htm#ENV_EGY_12)

was designed with four goals in mind: (1) increasing the efficiency with which energy is used locally; (2) diversifying the present balance of resource supplies to meet local energy needs; (3) fostering the economic development of energy management services and renewable energy systems; and (4) encouraging the active participation of members of the community to carry out this program.<sup>36</sup> More specifically:

- **General Plan Policy 16.2 - Remove obstacles to energy conservation and renewable energy systems in zoning and building codes.** This policy calls for a detailed analysis of zoning and building codes, particularly in terms of problems encountered by persons who have installed or tried to install rooftop solar.
- **General Plan Policy 16.1 – Develop land use policies that will encourage the use of renewable energy sources.** It is the San Francisco Board of Supervisors along with the Mayor’s office who set land use policies related to construction activities and existing rooftop generation, not the Planning Department.

Since 1978, the state of California has protected rooftop solar generation by prohibiting shading from trees on adjacent properties from blocking a neighbor’s solar access.<sup>37</sup> The law has been upheld by numerous state courts requiring tree owners to either remove or trim any trees that obstruct solar generation systems. It makes little sense to think that property owners are required to cut down majestic redwood trees on their land,<sup>38</sup> but would still have free reign to overbuild their lots and block a neighbor’s solar panels unimpeded.

Federal, state and local commitments to rooftop solar as part of larger climate goals are not in question. Therefore, the City cannot sit by and do nothing when new land use issues arise that could undermine that commitment. As new photovoltaic projects come on line conflicts will arise. The City must protect its investments in renewable energy. The idea that in 2021 the City would fund and operate solar rooftop projects then do nothing to protect those same systems in the face of private expansion projects sends a message opposite of what the City has long worked to achieve for renewable energy.

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<sup>36</sup> Id.

<sup>37</sup> 1978 Cal. Stat. ch. 1366.

<sup>38</sup> See e.g., <https://www.nytimes.com/2008/04/07/science/earth/07redwood.html>

In this connection, it is well-settled that under CEQA, a demonstration of a conflict with local policies indicates a potentially significant impact on the environment.<sup>39</sup> And when land use policies at issue were adopted to avoid or mitigate environmental effects, as they were here to mitigate climate change, applicability under the fair argument test applies with no presumption in favor of the City.<sup>40</sup>

Pursuant to Appendix G of the CEQA Guidelines, agencies must assess whether a project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including a general plan, specific plan or ordinance) adopted for the purpose of avoiding or mitigating environmental effects. As the foregoing illustrates, the exemption violated this requirement. Instead, the Planning Department is making its own “de facto” policy of affirmatively disregarding the value of rooftop solar despite numerous local, state and federal policies mandating increased rooftop solar generation.

There is substantial evidence in the record showing the project presents potentially significant impacts on local land use rules and ordinances. Accordingly, the proposed project may not be exempted from CEQA. Instead, the City must prepare an environmental document that proposes feasible project alternatives and/or mitigation measures to the project that would reduce or eliminate impacts on the Library.

### **III. Conclusion**

There is no question the proposed project violates CEQA in addition to San Francisco’s Historic Resource Preservation Ordinance, the General Plan and numerous City-wide policies to address the effects of climate change through increased reliance on rooftop solar. Accordingly,

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<sup>39</sup> *Pocket Protectors v. Sacramento* (2005) 124 Cal.App.4th 903, 930 (“if substantial evidence supports a fair argument that the proposed project conflicts with [local] policies, this constitutes grounds for requiring an EIR.”).

<sup>40</sup> *Id.* at p. 934.

for all of the factual and legal reasons described above, the San Francisco Board of Supervisors must grant the Appellants' CEQA appeal and send the project back to the Planning Department for full review under CEQA and all other applicable laws and ordinances.

THE LAW OFFICES OF GLORIA D. SMITH

A handwritten signature in black ink, appearing to read "Gloria D. Smith". The signature is fluid and cursive, with the first name being the most prominent.

By: Gloria D. Smith



## CEQA Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
2651-2653 OCTAVIA ST		0554002
<b>Case No.</b>		<b>Permit No.</b>
2018-011022ENV		201808036405
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b></p> <p>The proposed project would construct a fourth-floor-level vertical and horizontal addition to an existing 37-foot-tall (inclusive of a seven-foot-tall mansard roof), three-story, 4,151-gross-square-foot two-family residence constructed in 1950, resulting in a 40-foot-tall (exclusive of a 3.5-foot-tall parapet and clear glass guardrail on the roof deck), four-story, 6,512-gross-square-foot two family residence.</p> <p>The project construction would involve localized excavation for new foundation and possible excavation to replace existing foundations in kind, resulting in a total of approximately 15 to 30 cubic yards of soil excavated. The average depth of excavation would be 1.5 feet, with a maximum depth of 2 feet.</p>		

### STEP 1: EXEMPTION TYPE

<b>The project has been determined to be exempt under the California Environmental Quality Act (CEQA).</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.</b> Up to three new single-family residences or six 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.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input type="checkbox"/>	<b>Other</b> _____
<input type="checkbox"/>	<b>Common Sense Exemption (CEQA Guidelines section 15061(b)(3)).</b> It can be seen with certainty that there is no possibility of a significant effect on the environment. <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>

## STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

### TO BE COMPLETED BY PROJECT PLANNER

<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. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? <i>(refer to The Environmental Information tab on the San Francisco Property Information Map)</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? <b>Note that a categorical exemption shall not be issued for a project located on the Cortese List if box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant. (refer to The Environmental Information tab on the San Francisco Property Information Map)</b>
<input type="checkbox"/>	<b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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? If yes, archeology review is required.
<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? <i>(refer to The Environmental Information tab on the San Francisco Property Information Map)</i> <b>If box is checked, Environmental Planning must issue the exemption.</b>
<input type="checkbox"/>	<b>Average Slope of Parcel = or &gt; 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area:</b> Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? <i>(refer to The Environmental Planning tab on the San Francisco Property Information Map)</i> <b>If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</b>
<input type="checkbox"/>	<b>Seismic Hazard:</b> <input type="checkbox"/> <b>Landslide</b> or <input type="checkbox"/> <b>Liquefaction Hazard Zone:</b> Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? <i>(refer to The Environmental tab on the San Francisco Property Information Map)</i> <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</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> <i>(refer to Property Information Map)</i>	
<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 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 checked="" 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 type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

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

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Reclassification of property status.</b> <i>(Attach HRER Part I)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify):</i> <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i>
<input type="checkbox"/>	2. 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"/>	3. <b>Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.</b>
<input type="checkbox"/>	4. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input checked="" type="checkbox"/>	8. <b>Work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required)</i> : See the attached preservation review memo for historic resource analysis of the subject property and the adjacent Golden Gate Valley Branch Library.
<input type="checkbox"/>	9. <b>Work compatible</b> with a historic district (Analysis required):
<input type="checkbox"/>	10. <b>Work that would not materially impair</b> a historic resource (Attach HRER Part II).
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b> Allison Vanderslice	

**STEP 6: EXEMPTION DETERMINATION**  
**TO BE COMPLETED BY PROJECT PLANNER**

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Planning Commission discretionary review decision	<b>Signature:</b> Kei Zushi
		01/27/2021
<p>Once signed or stamped and dated, this document constitutes a n exemption pursuant to CEQA Guidelines and Chapter 31of the Administrative Code.  In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.  Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</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.

### MODIFIED PROJECT DESCRIPTION

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?
<b>If at least one of the above boxes is checked, further environmental review is required.</b>	

### 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 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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed to the Environmental Review Officer within 10 days of posting of this determination.	
<b>Planner Name:</b>	<b>Date:</b>



# Historic Preservation Review Memorandum

**2651-2653 Octavia Street (PLANNING CASE NO. 2018-011022ENV)**

**Prepared By Allison Vanderslice, CEQA Cultural Resources Team Manager, on January 26, 2021**

## Introduction

The San Francisco Planning Department (the planning department) published a Categorical Exemption for the proposed project on September 5, 2019 (Planning Department Case No. 2018-011022PRJ). The Categorical Exemption was appealed and heard by the Board of Supervisors (the board) on July 28, 2020. The board upheld the appeal and on September 22, 2020 approved Motion No. M20-129, which stated, “[T]he Planning Department did not document that it analyzed the potential impacts of the Project on the character-defining features of the adjacent Golden Gate Valley Branch Library, a Category A Known Historic Resource, prior to issuing the Categorical Exemption Determination . . . The Board directs the Planning Department to analyze the potential historic resource impacts of the Project on the character-defining features of the adjacent Golden Gate Valley Branch Library – specifically, to consider whether the potential impacts of the Project on the lighting inside the library’s main reading room would significantly impact those character defining features.” Accordingly, the planning department has prepared this memo to evaluate the potential impacts on historic resources that could result from the 2651-2653 Octavia Street project.

No changes have been made to the scope of the proposed project since the appeal hearing before the board on July 28, 2020.

## Background

Before the planning department issued the September 5, 2019 Categorical Exemption for this project (Planning Department Case No. 2018-011022PRJ), several rounds of design revisions were made at the direction of planning department preservation staff. Based on these design revisions, the planning department preservation staff determined that the proposed alteration including both a horizontal and vertical addition at 2651-2653 Octavia Street would be minimally visible and meet the Secretary of the Interior’s Standards for Rehabilitation (Secretary’s Standards). This review took into account the subject property and its environment, including the adjacent Golden Gate Valley Library located at 1801 Green Street, an individually-eligible historic resource. This determination is documented in this memo.

Based on the planning department process, as the project was found to meet the Secretary’s Standards, an historic resource evaluation of the subject property is not required and the need for a Historic Resource Determination (HRD) or Historic Resource Evaluation (HRE) was not triggered.

Before the planning department issued the September 5, 2019 Categorical Exemption for this project (Planning Department Case No. 2018-011022PRJ), the project sponsor worked with planning department staff to revise the proposal to avoid removal of historic materials and alteration of features that characterize the property and its

environment. As originally designed, the project proposed to remove the mansard roof, false parapet, and stucco quoining and construct a rooftop addition with decks at the third and fourth story roofs. Based on staff recommendations and multiple design meetings with the project sponsor, the proposal was revised to retain the mansard roof, false parapet, and stucco quoining, and have a compatible fenestration pattern on the visible portion of the north elevation. In addition, the revised proposal reduced the mass of the rooftop addition and set it back by 15 feet from the front elevation and also set it back at the rear elevation, eliminated the third-story roof deck and set back, and reduced the size of the fourth-story roof deck.

The Golden Gate Valley Library is directly adjacent to 2651-2653 Octavia Street and stands at the corner of Octavia and Green streets. The main reading room in the Golden Gate Valley Library is contained in the one-story plus high basement portion of the building and fronts on both Octavia and Green streets. The library also has a one-story, flat roofed portion at the south elevation. This one-story portion helps to protect the historic integrity of the library from the mass of the proposed rooftop and rear additions to the existing residence at the subject property by providing a separation between the subject property and the main volume of the library.

This separation minimizes the effect of the proposed rooftop and rear additions on the amount of available light to the reading room. There are four full height windows and one half size window at the north elevation of the reading room. The west elevation has one full height window and the east elevation has three full height windows. The south elevation has four half size windows. The proposed project may have the potential to reduce light to some of the half windows at the south elevation of the library. The project will not block light to the library's windows on the east, north and west elevations, thus providing ample light to the reading room.

## Project Description

The proposed project would construct a fourth-floor-level vertical and horizontal addition to an existing 37-foot-tall (inclusive of a seven-foot-tall mansard roof), three-story, 4,151-gross-square-foot two-family residence constructed in 1950, resulting in a 40-foot-tall (exclusive of a 3.5-foot-tall parapet and clear glass guardrail on the roof deck), four-story, 6,512-gross-square-foot two family residence.

## Golden Gate Valley Library and Article 10 Landmarking

The Golden Gate Valley Library stands adjacent to the proposed project site at the southwest corner of Green and Octavia streets. As part of a discontinuous grouping of Carnegie libraries<sup>1</sup> in San Francisco, the Golden Gate Valley Library is an individually significant resource and eligible for landmarking under Article 10 of the San Francisco Planning Code. At the time the other Carnegie libraries were landmarked, the Golden Gate Valley branch was under rehabilitation. The building was proposed for landmark designation upon completion of construction activities. The planning department expects to move forward with landmarking in Summer/Fall 2021.

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<sup>1</sup> The San Francisco Carnegie libraries are significant for their architecture and their association with the patterns of social and cultural history of San Francisco, particularly with the contesting of political and cultural power between working class based groups and middle class based Progressives; architectural embodiment of Progressive and City Beautiful tenets of civic grandeur used as a means of social organization, particularly to the acculturation of working class and immigrant populations; architectural embodiment of the distinctive characteristics of branch libraries, especially those delineated in "Notes of the Erection of Library Buildings."

Character defining features of the six landmark-designated Carnegie libraries in San Francisco include the following:

**Landmark #234, Mission Branch, 300 Bartlett Street** - character defining features include exterior composition and materials, spatial volume and ornamental ceiling of the main reading room.

**Landmark #235, Chinatown Branch, 1135 Powell Street** - character defining features include exterior composition and materials, spatial volume, and ornamental ceiling of the main reading room.

**Landmark #239, Sunset Branch, 1305 18th Avenue** – character defining features include exterior composition and materials, the paneled vestibule, the spatial volume and ornamental ceiling of the main reading room, and the glazed and paneled partition between the main reading room and the children's room.

**Landmark #240, Presidio Branch, 3150 Sacramento Street** – character defining features include exterior composition and materials, spatial dimensions of Sacramento Street set back, the paneled vestibule, the spatial volume and ornamental ceiling of the main reading room, and the glazed and paneled partition between the main reading room and the children's room.

**Landmark #247, Richmond Branch, 351 9th Avenue** – character defining features include exterior composition and materials, spatial dimensions and mature palm trees of the 9th Avenue set back, paneled vestibule, and spatial volume and ornamental ceiling of the main reading room.

**Landmark #259, Noe Valley Branch, 451 Jersey Street** – character defining features include the exterior composition and materials, the paneled vestibule, the primary stairway, the spatial volume of the main reading room, the ornamental ceiling of the main reading room, the glazed and paneled partition between the main reading room and the children's room.

As presented above, character defining features are similar for all the Carnegie libraries. Indoor light levels are not character defining features of any of the six Carnegie libraries that have been landmarked in San Francisco. The character defining features of the Golden Gate Valley Library that would likely be included in the landmark designation are the exterior composition and materials, paneled vestibule, spatial volume and ornamental ceiling of the main reading room. The draft Landmark Designation Report for the Golden Gate Valley Branch San Francisco Public Library by Bridget Maley dated July 22, 2020<sup>2</sup> includes the following features to be preserved: Exterior composition and materials, especially the window pattern and terra cotta detailing; Basilica shaped-plan; Small alley at south side and courtyard at west side; West side courtyard gates of similar terra cotta material; Interior entry vestibule and stair; The spatial volume of the Main Reading Room; The ornamental ceiling of the Main Reading Room, and Built in shelving around the Main Reading Room. Notably, indoor light levels are not included as a character-defining feature in this draft designation report. Thus, it is unlikely that indoor light levels will be included as a character defining feature of the Golden Gate Valley Library in the final designation report.

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<sup>2</sup> Bridget Maley, Draft Landmark Designation Report, Golden Gate Valley Branch, San Francisco Public Library, 1801 Green Street, San Francisco, CA, July 22, 2020, available online at <https://sfplanninggis.org/PIM/>.

The landmarking of the Golden Gate Valley Library would not change the planning department's review process for this project. Specifically, no Historic Preservation Commission (HPC) hearing is required to complete the planning department's environmental review for the proposed work at the 2651-2653 Octavia Street project site.

## Secretary of the Interior's Standards for Rehabilitation

As discussed above, planning department preservation staff determined that the proposed project would meet the Secretary's Standards. A full analysis documenting that the proposed project complies with the Secretary's Standards is provided below. Character-defining features for the Golden Gate Valley Library in the below analysis are based on those identified in the draft landmark designation report discussed above and character-defining features identified in previous Carnegie library landmarks. The below analysis also relies upon those character defining features identified in the Department's 2008 Historic Resource Evaluation Response for the renovation of the library (Planning Department Case 2008.0239E) which included the following: the exterior composition and materials, the spatial volume of the main reading room, and the ornamental ceiling of the main reading room.

### **Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**

The subject property is a two-family residence. It is classified as a potential historic resource. The proposed project will continue the residential use of the property. The proposed project will cause minimal change to the character defining features of the subject property. The mansard roof, false parapet, quoining, and fenestration pattern will be retained. While the proposed project may reduce the amount of natural light into some of the windows on the south elevation of the Golden Gate Valley Library, the proposed project will not change the character defining features of the library because indoor light levels are not character defining features of the library. The exterior composition and materials, and interior volume and ornamental ceiling of the reading room of the library will not be impacted by the proposed project.

Even though indoor light level is not a character defining feature of the library and is therefore not a factor relevant to the determination that the proposed project would not affect the library's historical significance, a daylight impact study was prepared pursuant to the board's findings in support of its action to uphold the appeal of the prior categorical exemption. Planning department preservation and environmental planning staff reviewed the scope of the study to ensure that it would fully address the board's direction to assess the impact of the proposed project on the natural light (daylight) levels and quality at the main floor reading room of the library. The study concluded that the proposed project would not substantially reduce the visual comfort of the library's patrons.<sup>3</sup> Specifically, the study found that the project would reduce the library's averaged indoor illumination levels by 1.8 percent on clear days, 4 percent on overcast days, and 11.1 percent on partially-cloudy days, as compared to the existing conditions. These minimal reductions in the indoor illumination levels would not materially impair any of the character defining features of the library. The daylight impact study further states that the existing indoor illumination levels on overcast and partially-cloudy days require supplemental electrical illumination at all times to provide the necessary illumination recommended for libraries (300-500 LUX). In other words, the lights in the library already have to be turned on during overcast and partially-cloudy days, so library patrons' experience would not be substantially altered by the minimal reduction in indoor illumination levels at those times.

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<sup>3</sup> Symphysis, Daylight Impact Analysis Report for 2651-53 Octavia Street, December 13, 2020, available online at <https://sfplanninggis.org/PIM/>.

**Standard 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

The project sponsor worked with planning department staff to revise the proposal to avoid removal of historic materials and alteration of features that characterize the property. As originally designed, the project proposed to remove the mansard roof, false parapet, and stucco quoining and construct a rooftop addition with decks at the third- and fourth-story roofs. Based on staff recommendations and multiple design meetings with the project sponsor, the proposal was revised to retain the mansard roof, false parapet, and stucco quoining and have a compatible fenestration pattern on the visible portion of the north elevation. In addition, the revised proposal reduced the mass of the rooftop addition and set it back by 15 feet from the front elevation and also set it back at the rear elevation, eliminated the third-story roof deck and set back and reduced the size of the fourth-story roof deck. Thus, the historic character of the property is retained and preserved.

**Standard 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**

The proposed project does not create a false sense of historical development, nor does it add architectural elements from other buildings.

**Standard 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**

Not applicable.

**Standard 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**

The proposed project preserves the distinctive mansard roof, false parapet, quoining, and fenestration pattern that characterizes the property.

**Standard 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

The project proposes to replace deteriorated and incompatible vinyl windows at the front elevation with double-hung, wood-clad windows. Due to the construction date of the property and properties in the surrounding neighborhood, the property likely had double-hung, wood sash windows. The proposed windows will better match historic windows and the character of the property in design, visual qualities and materials. The use of double-hung, wood clad windows comply with the planning department's standards for window replacement.

**Standard 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**

Not applicable.

**Standard 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

Not applicable.

**Standard 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**

The proposed additions will subsume a small portion of the historic mansard roof for the rooftop addition. However, this portion of the roof is not visible from Octavia Street because it is hidden behind the front portion of the mansard and the false parapet. The majority of the mansard roof, as well as the false parapet will be retained.

The rooftop addition is set back 15 feet from the front elevation of the property. Because Octavia Street slopes downhill to the north, the rooftop addition will be minimally visible behind the library from Green Street. However, the addition is compatible with the massing, size, and scale of the subject property and adjacent buildings to the south. Even with the rooftop addition at the subject property, the height of the buildings on Octavia Street will still appear to step down to the library.

The main reading room in the library is contained in the one-story plus high basement portion of the building. The library also has a one-story, flat roofed portion at the south elevation. This one-story addition helps to protect the historic integrity of the library from the mass of the proposed rooftop and rear additions to the existing residence at the subject property by providing a separation between the subject property and the main volume of the library.

This separation minimizes the effect of the proposed rooftop and rear additions on the amount of available natural light to the library's reading room. There are four full height windows and one half size window at the north elevation of the reading room. The west elevation has one full height window and the east elevation has three full height windows. The south elevation has four half size windows. Based on the size and location of the proposed additions in relationship to the placement of the library windows, the proposed project will result in a minimal reduction of natural light levels to the library's indoor reading room as discussed above. For the same reason stated under Standard 1 above, even if indoor light levels were considered character defining features of the library, the planning department's conclusion is that there would be minimal change to the indoor light levels and that the proposed project would not result in an alteration to the indoor reading room. The project will not block light to the windows on the east, north and west elevations, thus providing ample light to the reading room.

The rear elevation of the existing residence will be removed for the proposed rear addition. The existing rear elevation is not a character defining feature. The existing rear of the building is not visible from Green Street as it is behind the library. The new rear addition may be minimally visible from Green Street. However, the additions will be clad in horizontal wood siding that is compatible with the materials of the subject property and neighborhood.

**Standard 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

Given the rear elevation and flat portion of the roof will be removed for the new additions, it would be difficult to remove the new additions in the future. However, the form of the front elevation, a portion of the visible side elevation, as well as the mansard roof, false parapet, quoining, and fenestration pattern will be retained. Thus, the integrity of the visible features of the subject property would be unimpaired even if the new additions were to be removed in the future. This is because the essential form of the original footprint of the property will also be retained within the additions. The adjacent buildings and library would also be unimpaired if the additions were removed in the future.

### **Impact Analysis to Adjacent Resources**

As discussed above, the proposed project meets the Secretary's Standards as the project will not substantially impact the proposed property, nor will it substantially impact the adjacent Golden Gate Valley Library. None of the character defining features of the Golden Gate Valley Library as defined above would be impacted by the proposal. The project will not cause any direct impacts to the adjacent resource as no work is proposed outside of the subject parcel. Additionally, the paneled vestibule, spatial volume and ornamental ceiling of the main reading room would still be visible and able to be experienced by patrons when inside the library after the completion of the proposed project. As discussed above, even if indoor light levels were considered character defining features of the library, the planning department's conclusion that the proposed project would not materially alter any of the library's character defining features would not change.

In order to understand project impacts to adjacent resources, the planning department evaluates the project, focusing on setting, one of the seven aspects of historical integrity. Setting is the physical environment of a historic property. Projects can have setting impacts on adjacent resources if they will change the setting of the resources. As the library is in a residential setting and an addition to an adjacent residential property will not change the character of the residential neighborhood, the library would retain its integrity of setting.

### **Summary**

Based on the above analysis, the project meets the Secretary's Standards and will not cause a substantial impact to the subject property and its environment, which includes the adjacent Golden Gate Valley Library and the residential character of the surrounding streets. As discussed above, the character-defining features of the library would not be materially impaired by the proposed project as the library would still be able to convey its historical significance and would retain its historical integrity, including integrity of setting.

As discussed above, planning department preservation staff determined that the proposed residential alteration project would be minimally visible and meets the Secretary's Standards. Following the planning department's normal procedures, the planning department determined that the scope of this project does not require further written analysis on the part of staff, nor does this project require additional historical information from the project sponsor or a consultant report. The landmarking of the library is currently in process, however, no additional historic preservation review process would have been required if landmarking of the library had been completed prior to review of this project.



1 [Findings Reversing the Categorical Exemption Determination - 2651-2653 Octavia Street]

2  
3 **Motion adopting findings to reverse the determination by the Planning Department that**  
4 **the proposed project at 2651-2653 Octavia Street is categorically exempt from further**  
5 **environmental review.**

6  
7 WHEREAS, On September 5, 2019, the Planning Department issued a CEQA  
8 Categorical Exemption Determination for the proposed project located at 2651-2653 Octavia  
9 Street ("Project") under the California Environmental Quality Act (Public Resources Code,  
10 Section 21,000 et seq., "CEQA"), the CEQA Guidelines (California Code of Regulations,  
11 Title 14, Section 15,000 et seq.), and San Francisco Administrative Code, Chapter 31; and

12 WHEREAS, The project site is located on the block bounded by Green Street to the  
13 north, Octavia Street to the east, Vallejo Street to the south, and Laguna Street to the west, in  
14 the Pacific Heights neighborhood; and

15 WHEREAS, The approximately 3,100-square-foot project site is within the Residential,  
16 House, Two-Family (RH-2) Zoning District and a 40-X Height and Bulk District; and the project  
17 site is currently occupied by a two-family residence; and

18 WHEREAS, The Project includes the construction of a fourth-floor-level vertical and  
19 horizontal addition to an existing 37-foot-tall (inclusive of a 7-foot-tall mansard roof), three-  
20 story, 4,151-gross-square-foot two-family residence constructed in 1950, resulting in a 40-  
21 foot-tall (exclusive of a 3.5-foot-tall parapet and clear glass guardrail on the roof deck), four-  
22 story, 6,512-gross-square-foot two family residence; and

23 WHEREAS, The project construction would involve localized excavation for new  
24 foundation and possible excavation to replace existing foundations in kind, resulting in a total  
25 of approximately 15 to 30 cubic yards of soil excavated, at an average depth of 1.5 feet; and

1           WHEREAS, The Planning Department issued a categorical exemption for the Project  
2 on September 5, 2019, finding that the proposed project is exempt from CEQA under Section  
3 15301 of the CEQA Guidelines, also known as a Class 1 Categorical Exemption (applicable to  
4 the alteration and addition to an existing structure) and that no further environmental review  
5 was required; and

6           WHEREAS, On February 6, 2020, the Planning Commission passed Discretionary  
7 Review Action DRA-683 denying a discretionary review request at a public hearing (Planning  
8 Department Case No. 2018-011022DRP), which constituted the approval action for the project  
9 under CEQA; and

10           WHEREAS, On March 6, 2020, Maureen Holt, Elizabeth Reilly, Paul Guermonprez,  
11 and Jack Fowler (collectively, “Appellants”) filed an appeal of the September 5, 2019  
12 categorical exemption to the board; and

13           WHEREAS, By memorandum to the Clerk of the Board dated March 12, 2020, the  
14 Planning Department’s Environmental Review Officer determined that the appeal was timely  
15 filed; and

16           WHEREAS, On July 28, 2020, this Board held a duly noticed public hearing to consider  
17 the appeal of the exemption determination filed by Appellants; and

18           WHEREAS, The Board heard extensive testimony regarding the potential impacts of  
19 the Project on the adjacent Golden Gate Valley Branch of the San Francisco Public Library, a  
20 property listed as a Category A building (Known Historic Resource) in the Planning  
21 Department’s Property Information Map; and

22           WHEREAS, The Golden Gate Valley Branch is one of seven branches of the San  
23 Francisco Public Library that were built in the early 20th century with funds from Andrew  
24 Carnegie; and

25

1           WHEREAS, When the San Francisco Public Library undertook its Branch  
2 Modernization Program, it committed to formally seek designation under Article 10 of the  
3 Planning Code of each of the seven Carnegie branch libraries existing in San Francisco once  
4 rehabilitation had been completed; and

5           WHEREAS, Today, six of the seven Carnegie branch libraries have been landmarked  
6 under Article 10, including the Mission, Chinatown, Sunset, Presidio, Richmond, and Noe  
7 Valley branches, and in each of these landmark designations, the spatial volume of the main  
8 reading room was identified as a significant character-defining feature of the building; and

9           WHEREAS, The landmark designation for the Golden Gate Valley Branch Library has  
10 been submitted to the Planning Department and is therefore pending, but it is possible that the  
11 library's main reading room will be found to be a significant feature, as in the case of the other  
12 Carnegie branch libraries; and

13           WHEREAS, Evidence and testimony presented at the hearing show that the Planning  
14 Department failed to document that it analyzed the potential impacts of the Project on the  
15 lighting inside the main reading room of the adjacent historic Golden Gate Valley Branch  
16 Library prior to issuing the Categorical Exemption Determination for the Project; and

17           WHEREAS, Under Section 21084 of CEQA and Sections 15064.5 and 15300.2 of the  
18 CEQA Guidelines, a categorical exemption cannot be relied upon to approve a project that  
19 may have an impact on a historic resource; and

20           WHEREAS, In reviewing the appeal of the exemption determination, this Board  
21 reviewed and considered the exemption determination, the appeal letter, the responses to the  
22 appeal documents that the Planning Department prepared, the other written records before  
23 the Board of Supervisors and all of the public testimony made in support of and opposed to  
24 the exemption determination appeal; and

25

1           WHEREAS, Following the conclusion of the public hearing, in Motion M20-093, the  
2 Board of Supervisors unanimously reversed the determination that the Project is categorically  
3 exempt, subject to the adoption of written findings of the Board in support of such  
4 determination based on the written record before the Board of Supervisors as well as all of the  
5 testimony at the public hearing in support of and opposed to the appeal; and

6           WHEREAS, The written record and oral testimony in support of and opposed to the  
7 appeal and deliberation of the oral and written testimony at the public hearing before the  
8 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
9 the exemption determination is in the Clerk of the Board of Supervisors File No. 200284, and  
10 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

11           MOVED, That the Board of Supervisors reverses the determination by the Planning  
12 Department that the Project is categorically exempt, as the Planning Department did not  
13 document that it analyzed the potential impacts of the Project on the character-defining  
14 features of the adjacent Golden Gate Valley Branch Library, a Category A Known Historic  
15 Resource, prior to issuing the Categorical Exemption Determination; and, be it

16           FURTHER MOVED, That the Board directs the Planning Department to analyze the  
17 potential historic resource impacts of the Project on the character-defining features of the  
18 adjacent Golden Gate Valley Branch Library - specifically, to consider whether the potential  
19 impacts of the Project on the lighting inside the library's main reading room would significantly  
20 impact those character defining features; and, be it

21           FURTHER MOVED, That as to all other issues, the Board finds the Categorical  
22 Exemption Determination conforms to the requirements of CEQA and is adequate, accurate,  
23 and objective, the record does not include substantial evidence to support a fair argument that  
24 the project may have a significant effect on the environment, and no further analysis is  
25 required.



# City and County of San Francisco

## Tails

### Motion: M20-129

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

**File Number:** 201076

**Date Passed:** September 22, 2020

Motion adopting findings to reverse the determination by the Planning Department that the proposed project at 2651-2653 Octavia Street is categorically exempt from further environmental review.

September 22, 2020 Board of Supervisors - APPROVED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201076

I hereby certify that the foregoing Motion was APPROVED on 9/22/2020 by the Board of Supervisors of the City and County of San Francisco.



A handwritten signature in blue ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo  
Clerk of the Board

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BOARD OF SUPERVISORS  
SAN FRANCISCO

2021 MAR -5 AM 10:30

BY [Signature]

<b>MAUREEN HOLT</b>		<b>4783</b>
		11-4288/1210 4000
		<u>Mar 5/21</u> Date
Pay to the Order of	<u>San Francisco Planning Department</u>	<u>\$ 665<sup>00</sup></u>
<u>Six hundred sixty five</u>		<u>24</u> / <u>100</u> Dollars  Photo Safe Deposit® Details on back
 Wells Fargo Bank, N.A. California wellsfargo.com		
For	<u>Case # 2018-011022 PRJ</u> <u>[Signature]</u> 