



REVISED STREET SCAPE



EXISTING STREET SCAPE

2417 GREEN STREET
 SAN FRANCISCO, CA 94123
 BLOCK 0560 LOT 028

DUMICAN MOSEY
 ARCHITECTS

128 10th street, 3rd floor
 san francisco, california 94103
 t: 415.495.9322 f: 415.651.9290

Issue	Date
PROJECT REVIEW	
MEETING SET	03 14 17
SITE PERMIT/311	
NOTIFICATION SET	04 20 17
SITE PERMIT/311	
REVISION SET	06 06 18
PLANNING	
COMMISSION SET	03 16 20
PLANNING	
COMMISSION SET	04 17 20
PLANNING	
COMMISSION SET	06 08 20
PLANNING	
COMMISSION SET	07 01 20

Drawing Title
**EXISTING & REVISED
 STREETSCAPES
 ENLARGED**

Sheet Number
A0.34b

The proposed project at 2417 Green Street **“presents unusual circumstances relating to historic resources and hazardous materials and it appears as a result of those circumstances the project may have a significant effect on the environment”**

- Unanimous 11-0 Vote of the San Francisco Board of Supervisors (Feb. 6, 2018).

CEQA'S FAIR ARGUMENT STANDARD

A negative declaration is improper, and an EIR is required, whenever substantial evidence in the record supports a “fair argument” that significant impacts may occur.

-Stanislaus Audubon v. Stanislaus, 33 Cal.App.4th 144, 150 (1995)

“If there is a disagreement among experts over the significance of an effect, the agency is to treat the effect as significant and prepare an EIR.”

- Sierra Club v. Co. of Sonoma, 6 Cal.App.4th at 1316–1317 (1992).

EXPERT EVIDENCE ESTABLISHES A FAIR ARGUMENT

- **Structural Engineer Dr. Lawrence Karp:** Project could undermine the structural stability of the Coxhead House and cause it to collapse on the steep hillside.
- **Architectural Historian Bridget Maley:** Project will undermine many architecturally significant features of the Coxhead House, including blocking access to light and air, blocking views of the house from Pierce Street.
- **Architect Carol Karp:** Project would “adversely affect the historic significance of the Coxhead House,” by threatening the fragile brick foundation, destroying views of the house from public streets, and destroying significant architectural feature such as blocking the central light well.
- **Hydrogeologist Matthew Hagemann:** Project site may be contaminated because the site is located on the City’s own Maher Map of potentially contaminated sites and no adequate testing has been conducted.

Furthermore, during the exemption appeal, the appellant's engineer cited an elevation detail on the foundation replacement permit (BPA #201705116316) drawings that indicated a connection with the foundation of 2421 Green Street, discussed in more detail under Impact GE-1 on page 59. Given the history of this project, as outlined in the Project History section above, combined with the concerns raised by the Board of Supervisors at the appeal hearing, **this initial study finds that project construction could compromise the structural integrity of the historic adjacent foundation at 2421 Green Street. As noted in the CEQA findings by the Board of Supervisors during the appeal of the categorical exemption,²⁵ such an impact could be considered significant.** To address this concern, the planning department coordinated with the building department during the preparation of this initial study, and had the Plan Review Services Division of the building department review the project's geotechnical investigation in advance of when they would typically do so. Nevertheless, given the Board's concerns and the fact that the project sponsor has, in the past, directed work on the project site beyond what was permitted by the building department, **Mitigation Measure M-GE-1, Ongoing Coordination with the Planning Department and the Department of Building Inspections Prior to and During the Construction Phase Regarding Compliance with Geotechnical Requirements**, provided below for ease of reference and also discussed further on page 63, would obligate the project sponsor to maintain ongoing coordination with DBI and the planning department, pursuant to a required milestone schedule, prior to and over the course of project construction for the specific purposes of ensuring the security and stability of the project site and adjacent historic resources.

Mitigation Measure M-GE-1: Ongoing Coordination with the Planning Department and the Department of Building Inspections Prior to and During the Construction Phase Regarding Compliance with Geotechnical Requirements. Pursuant to the San Francisco Department of Building Inspection process, the project sponsor (and their design team, geotechnical engineer, and contractor, as applicable) will be subject to ongoing coordination requirements with the planning department and the building department regarding plan check reviews and building inspections prior to and during construction work. This process will include the following requirements:

- Prior to commencement of construction, the project sponsor shall submit to the planning department and building department a report outlining anticipated construction milestones with corresponding (approximate) dates of reaching those milestones as well and all memoranda and/or reports anticipated to be prepared or approved at those milestones. The report shall address how all code requirements will be met, including responsible parties and the city agency providing oversight. The report shall be reviewed and approved by the planning department and the building department prior to commencement of construction.
- Once construction commences, the sponsor shall notify the planning department and the building department (when coordination with the building department is not already included as typical part of the process) when the above milestones have

²⁵ San Francisco Board of Supervisors, Motion No. M18-012, Adopting Findings Reversing the Categorical Exemption Determination – 2417 Green Street, Amended February 6, 2018, File No. 180123, available at <https://sfgov.legistar.com/View.ashx?M=F&ID=5792879&GUID=75361D57-546D-41F0-B0A3-D11B6083C3D2>

<u>Topics:</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project would connect to San Francisco’s sewer and stormwater collection and treatment system. It would not use a septic water disposal system. Therefore, Topic 15e is not applicable to the project.

Impact GE-1: The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground shaking, ground failure, or landslides. (Less than Significant with Mitigation)

San Francisco Permit Review Process

To ensure that the potential for adverse effects related to geology and soils is adequately addressed, San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code (state building code, California Code of Regulations, Title 24); the San Francisco Building Code (local building code), which is the state building code plus local amendments that supplement the state code, including the building department’s administrative bulletins and information sheets.

The project site is in a landslide hazard zone and thus is subject to the additional requirements of the Slope Protection Act (building code section 106A.4.1.4), as identified in the building code.⁸² The Slope Protection Act states that the final geotechnical report must be prepared and signed by both a licensed geologist and a licensed geotechnical engineer, which in turn shall undergo design review by a licensed geotechnical or civil engineer to verify that appropriate geological and geotechnical issues have been considered and that appropriate slope instability mitigation strategies, including drainage plans if required, are proposed.

Based on the review of the geotechnical submittal (discussed in more detail below), the building department director may also require that the project be subject to review by a three-member

⁸² The project site is located within an area of potential landslide hazard as identified on the 1974 Blume map. In 2018, the San Francisco Building Code was amended by the Slope and Seismic Hazard Zone Protection Act (Ordinance No. 121-18) to no longer reference the Blume map. However, Building Permit Application 201704285244 for the building expansion was submitted before Ordinance No. 121-18 became effective, and thus the project is subject to DBI regulations in place before Ordinance No. 121-18 became effective.

As discussed under Impact GE-1, the project site is located within a landslide hazard zone and, thus, may be subject to landslide hazard. This hazard potential would be highest during site excavation and construction, which would last between three and five months, and the project has the potential to result in significant impacts related to protection of the adjacent foundation at 2421 Green Street that could become unstable as a result of the project. As discussed above under Impact GE-1, oversight by DBI and implementation of Mitigation Measure M-GE-1 would ensure the security and stability of the project site and adjacent properties, and would reduce to less than significant any potential impacts related to earthquake fault, seismic ground shaking, ground failure, or landslide. Compliance with this mitigation measure would also reduce to less-than-significant any effects related to landslide, lateral spreading, subsidence, liquefaction, or collapse.

Impact GE-4: The proposed project would not create substantial risks to life or property as a result of being located on expansive soil. (Less than Significant)

Soils located beneath fully developed urban areas are generally not highly susceptible to the effects of expansive soils, which are characterized by their ability to undergo significant volume change (i.e., to shrink and swell) due to variations in moisture content. The presence of expansive soils is typically associated with high clay content. Expansive soils can damage structures and buried utilities and increase maintenance requirements. Section 1803 of the state building code states that in areas likely to have expansive soil, the building official shall require soil tests to determine where such soils do exist, and if so, the geotechnical report must include recommendations and special design and construction provisions for foundations of structures on expansive soils, as necessary.

Subsurface exploration at the project site identified undocumented artificial fill overlying residual soils resting on friable to weak sandstone bedrock.⁹¹ Because soils with high clay content were not encountered, the project site is unlikely to contain expansive soil, and impacts related to expansive soils would be less than significant.

Impact GE-5: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)

Paleontological resources, or fossils, are the remains, imprints, or traces of mammals, plants, and invertebrates from a previous geological period. Such fossil remains as well as the geological formations that contain them are also considered a paleontological resource. Together, they represent a limited, non-renewable scientific and educational resource. The potential to affect fossils varies with the depth of disturbance, construction activities, and previous disturbance.

Ground-disturbing activities would occur to a depth of 13 feet and be confined to the sandy clay and Franciscan Complex bedrock underlying the site. These geologic units are considered to have low potential to contain significant fossils or paleontological resources.⁹² Thus, the project site has a low potential to contain significant fossils due to the geologic units that would be affected by project

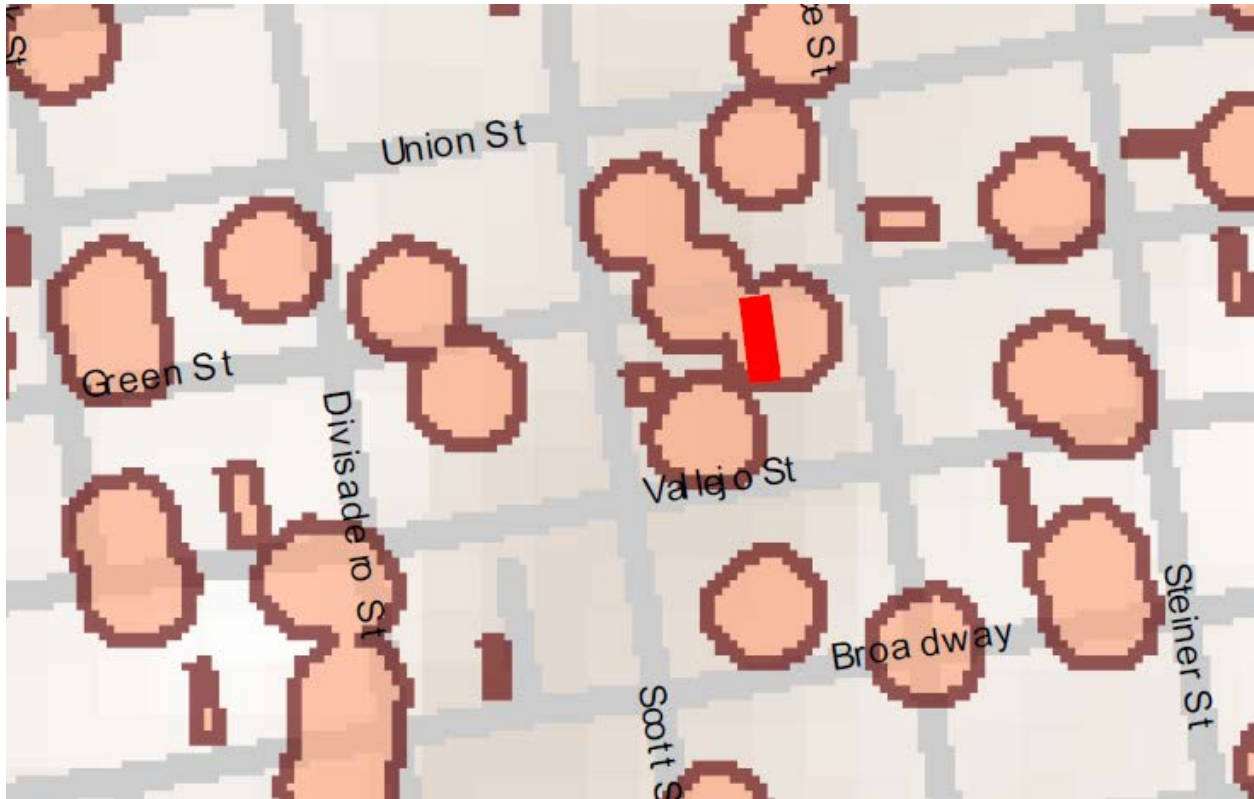
⁹¹ Divis Consulting, Inc., Geotechnical Investigation Report for 2417 Green Street, April 25, 2019.

⁹² California Academy of Sciences Invertebrate, Zoology, and Geology Fossil Collection Database, <http://researcharchive.calacademy.org/research/izg/fossil/index.asp?xAction=ShowForm&PageStyle=Single&PageSize=0&OrderBy=AccessionNo&County=san+francisco&RecStyle=Full>, accessed June 6, 2018.



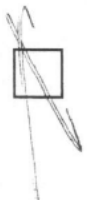
TWO WAY
TRAFFIC
AHEAD

Far West
Sanitation and Storage
800-832-6888



Conditions and stipulations for the Maher Ordinance under the October 2, 2017 Application for a Building Permit are as follow:

APPROVED:



Accepted by the San Francisco Department of Public Health Maher Program with the following conditions:
 Obtain copies and follow the requirements of the Site Mitigation Plan, Environmental Health and Safety Plan, Dust Control Plan and other documents and requirements to ensure compliance with the S.F. Maher Ordinance.

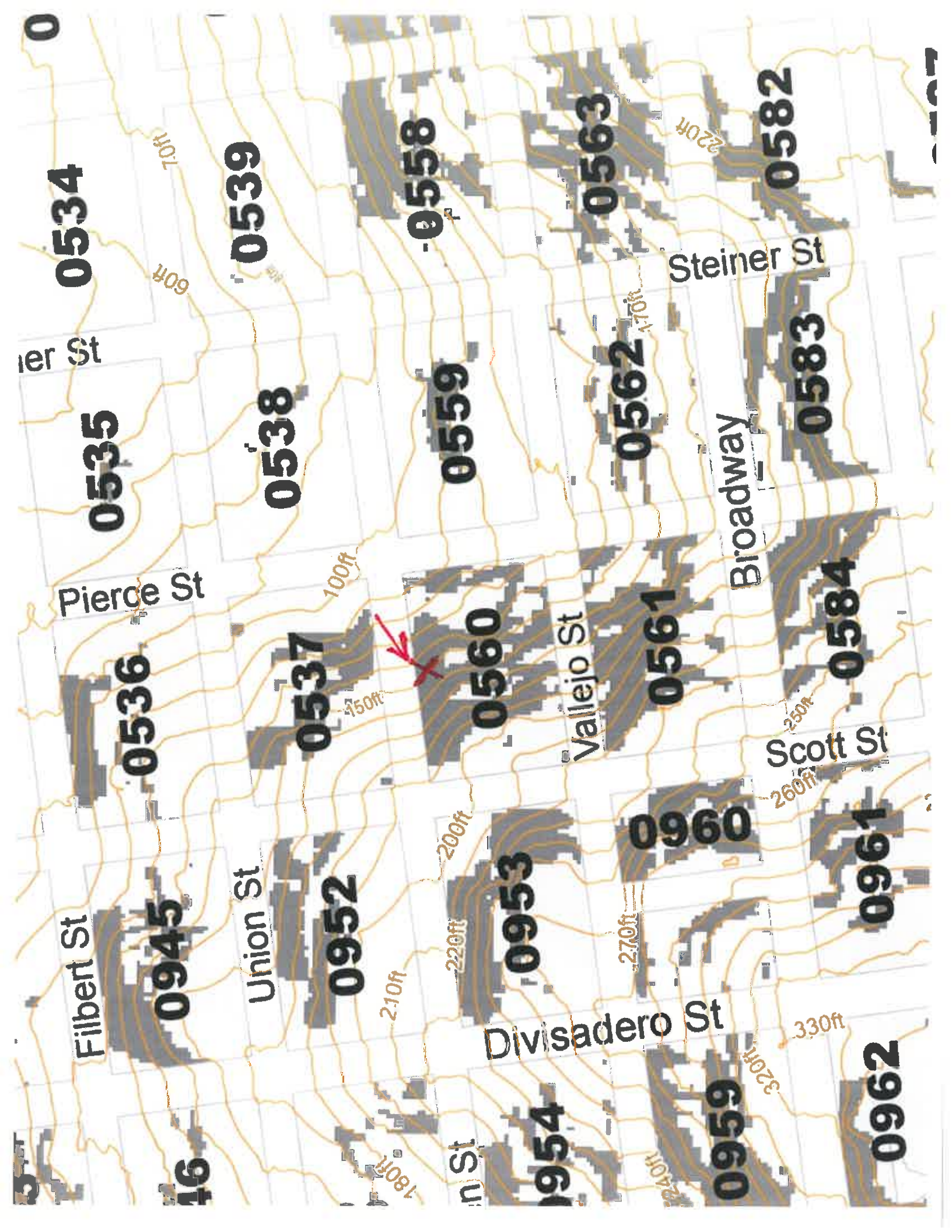
DEPARTMENT OF PUBLIC HEALTH

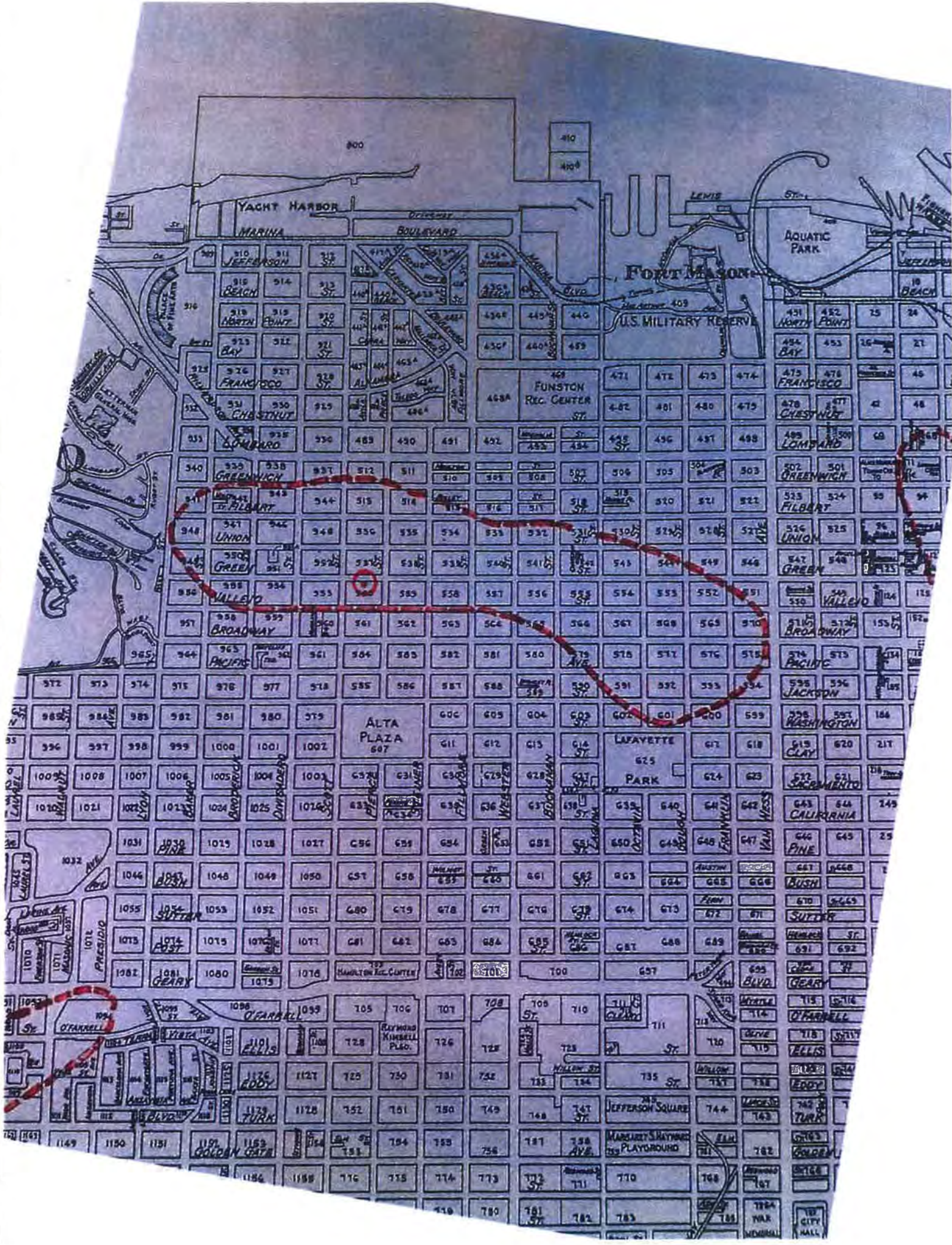
M. Zalay
 10/31/2017

None of the required elements under this approval have been produced. A full CEQA review is required to include a Site Mitigation Plan, an Environmental Health and Safety Plan, a Dust Control Plan, and other documents, as required under the Maher Program.

The application materials indicate that the proposed project on the subject property would require 408 cubic yard of soil excavation and removal (Environmental Evaluation, p. 7). Given the listing of the property on the Maher Map, this excavation may disturb potentially contaminated soil, which may expose nearby residents and/or construction workers to hazardous chemicals. Given this, there is a fair argument that the proposed project at 2417 Green Street may have adverse environmental impacts that must be analyzed under the Maher Ordinance and CEQA.

Additionally, Project documents show that excavation to a depth of approximately 15 feet will be required for the construction of a garage. An excavation to this depth will likely affect shallow





YACHT HARBOR
MARINA

FORT MASON

U.S. MILITARY RESERVE

AQUATIC PARK

FUNSTON
REC. CENTER
ST.

ALTA
PLAZA
607

LAFAYETTE
PARK
625

O'FARRELL

JEFFERSON SQUARE

GOLDEN GATE

MARGARET SHAYNE
PLAYGROUND

1184

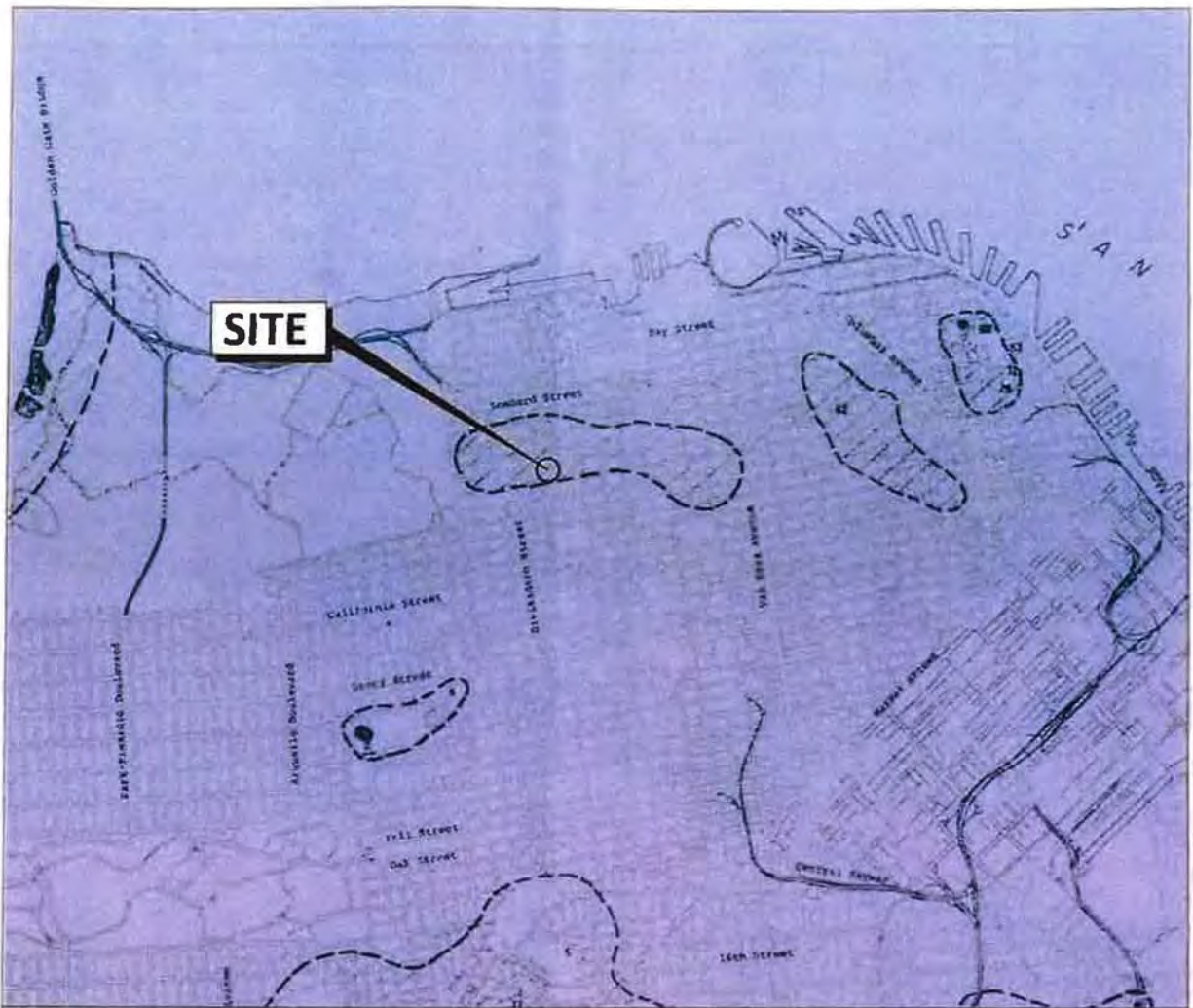
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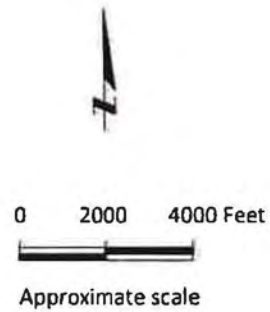
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EXPLANATION

-  outline of slide area
-  areas of potential landslide hazard
-  location of slide, SFDBI
those underlined are active slides



Base map: John A. Blume & Associates, Engineers, (1974). Figure 4, Landslide Locations, San Francisco Seismic Safety Investigation, June 1974.



2417 GREEN STREET
San Francisco, California

**SAN FRANCISCO SLOPE
PROTECTION ACT MAP**

Date 01/12/17 | 17-120101-01 | Figure 2

NOTICES OF VIOLATION

- December 10, 2017: NOV for Work Without a Permit – illegal removal of chimney.
- December 13, 2017: Illegal Removal of Second Chimney.
- December 16, 2017: NOV and Stop Work Order to cease demolition of foundation.
- January 8, 2018: Notice of Violation to repair illegal holes made in the roof.
- January 9, 2018: Notice of Violation Final Warning due to failure to repair the unlawful damage.
- April 13, 2018: Order of Abatement of Public Nuisance.
- Feb. 14, 2020: Order of Abatement for failure to remedy violations.