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File #181200

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ZACKS, FREEDMAN & PATTERSON, PC
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San Francisco, CA 94104
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Attorneys for Appellant,
David Donofrio

SAN FRANCISCO BOARD

DAVID DONOFRIO,

Appellant,

vs:

CITY AND COUNTY OF SAN
FRANCISCO, SAN FRANCISCO
PLANNING DEPARTMENT,

Respondents.

File No.: 181200

**DECLARATION OF PATRICK
BUSCOVICH, S.E. IN SUPPORT OF
APPEAL**

BPA No. 201612084425/Planning Case No.
2015-004717ENV
Subject Property: 11 Gladys Street
Hearing Date: January 15, 2019

ZACKS, FREEDMAN & PATTERSON, PC

235 MONTGOMERY STREET, SUITE 400
SAN FRANCISCO, CALIFORNIA 94104

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I, Patrick Buscovich, declare as follows:

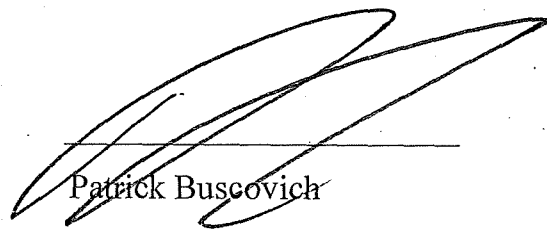
1. I am a licensed civil and structural engineer, practicing for more than 38 years in San Francisco, California. I make this declaration in support of the above-captioned appeal. Unless otherwise stated, I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto.

2. I have reviewed the permit history and city records for 11 Gladys Street, as well as the proposed project at issue in this appeal. I have also made multiple site visits to the vicinity of the project site, including to the adjacent properties to the east and south, bordering the project site.

3. Attached hereto as **Exhibit 1** is a true and correct copy of my report regarding the project's demolition calculation, which report I believe to be true.

4. Attached hereto as **Exhibit 2** is a true and correct copy of my curriculum vitae.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this was executed on January 15, 2019.


Patrick Buscovich

Exh. 1

January 15, 2019

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689
Board.of.Supervisors@sfgov.org

Re: Demolition Calculations – 11 Gladys Street – File No. 181200
BPA No. 201612084425/Planning Case No. 2015-004717ENV (“project”)

Dear Board of Supervisors:

My office represents Appellant David Donofrio. In reviewing the proposed project and its likely environmental impacts, I reviewed the necessary retaining wall at the project’s rear (to the east) in conjunction with the appellant’s geotechnical engineer.

The project site is situated on an up-sloping lot. The existing house’s rear foundation wall is more than 10 feet tall, extending to the finished floor of the existing house’s second story. The neighbor’s grade at 50 Santa Marina Street, to the east of the project site, is approximately 8-9 feet higher than the finished floor of the existing house’s second story. This means there is significant soil loaded against the existing second-floor wooden east wall.

Per San Francisco Building Code § 1805 & 1807, a concrete retaining wall is required to extend to the top of grade. In order to construct the proposed project, this requires either 1) upgrade the existing retaining wall, or 2) remove and install a new retaining wall. Installing a new retaining wall at the east side will necessarily require removal of the existing second-floor east wall, since the retaining wall must be placed in that location.

Likewise, upgrading the existing retaining wall will also require removal of the existing east wall, as the east wall is constructed of wood and cannot be loaded against soil – even if it is reinforced by a concrete wall behind. Even if it a wood wall could be loaded against soil – which is prohibited by Code – the existing wood wall must be removed for placement of cement form boards to pour the taller section of the retaining wall. There is no alternative that would preserve the east wall.

Planning Code § 317(b)(2) includes multiple definitions of a demolition:

...
(B) A major alteration of a Residential Building that proposes the Removal of more than 50% of the sum of the Front Facade and Rear Facade and also proposes the

Removal of more than 65% of the sum of all exterior walls, measured in lineal feet at the foundation level, or

(C) A major alteration of a Residential Building that proposes the Removal of more than 50% of the Vertical Envelope Elements and more than 50% of the Horizontal Elements of the existing building, as measured in square feet of actual surface area.

In this case, removal of the rear wall will cause the proposed project to exceed the demolition threshold of SFPC § 317(b)(2)(C).

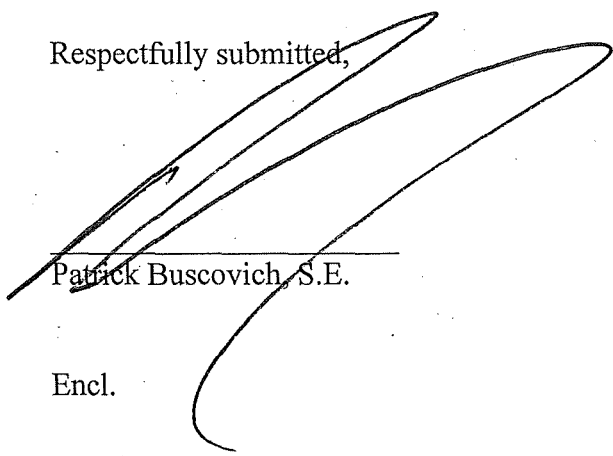
The first calculation is horizontal envelope elements. The project calls for removal of the roof of the existing two-story building, which is 50% of the horizontal elements. Any opening, including the opening that must be made to do the retaining wall work, will push this above 50%.

The second calculation is vertical envelope elements. The second-floor front and rear demolition is less than 50%. However, when the second-floor rear wall is removed to accommodate the aforementioned retaining wall, the total removal of vertical envelope elements exceeds 50%.

Attached hereto are my detailed calculations of the demolition percentages, based on the project plans approved by the Planning Commission.

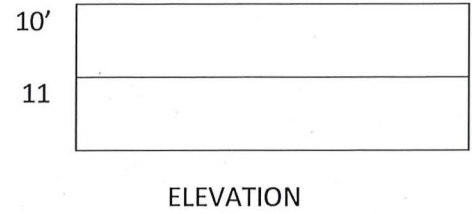
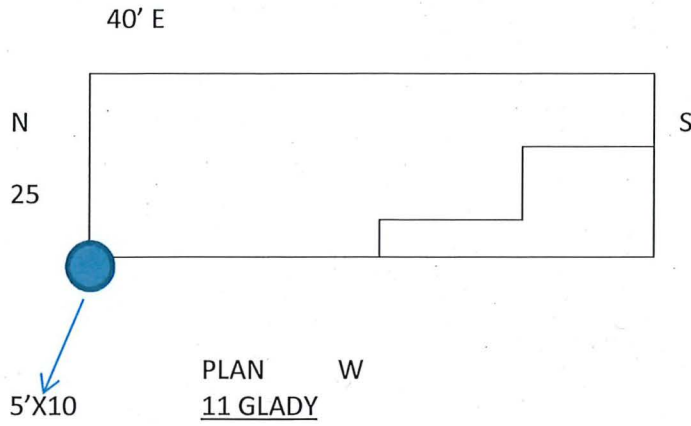
With more than 50% of both the horizontal and vertical envelope elements being removed, the project is a demolition.

Respectfully submitted,



Patrick Buscovich, S.E.

Encl.



FLOOR /	ROOF	DEMO
(E) ROOF	25 x 40 = 1000	1000
(E) 2 ND	25 x 40 = 1000	50 STAIR
	2000	1050

EXTERIOR WALL		
	EXISTING	DEMO
E	40 X 10 = 400	400
N	25 X 10 = 250 - 50	200
	25 X 11 = 275 - 50	
W	40 X 10 = 400 - 100	50
	40 X 11 = 440 - 150	
S	25 X 10 = 250	250
	2015 ∅	900

$$\frac{1050}{2000} = 52\%$$

$$\frac{1768}{2015}$$

$$\frac{2015}{250}$$

$$\text{WINDOW (E)} - \frac{250}{1765 \emptyset}$$

$$51\% = \frac{900}{1765}$$

Exh. 2

Patrick Buscovich & Associates Structural Engineers, Inc.

235 MONTGOMERY STREET, SUITE 823, SAN FRANCISCO, CALIFORNIA 94104-3105 • TEL: (415) 788-2708 FAX: (415) 788-8653

Patrick Buscovich S.E.

Education: University of California, Berkeley ~ Bachelors of Science, Civil Engineering 1978
 ~ Masters of Science, Structural Engineering 1979

Organizational: State of California, Building Standards Commission
 Commissioner 2000 – 2002
 City & County of San Francisco, Department of Building Inspection (DBI)
 Commissioner/Vice President 1995 – 1996
 Chair, SF Housing Code Update 1995
 UMB Appeals Board 2005 – 2006
 Code Advisory Committee 1990 – 1992
 Chair of Section 104 Sub-Committee.
 Structural Engineers Association of Northern California (SEAONC)
 President 1997 – 1998
 Vice President 1996 – 1997
 Board of Directors 1994 – 1999
 College of Fellows Elected 2002
 Edwin Zacher Award 1999
 Structural Engineers Association of California (SEAOC)
 Board of Directors 1996 – 2000
 Applied Technology Council (ATC)
 President 2007 – 2008
 Board of Directors 2000 – 2009

Licenses: California, Civil Engineer C32863, 1981
 Structural Engineer S2708, 1985

Experience: *Patrick Buscovich and Associates, Structural Engineer – Senior Principal (1990 to Present)*
Specializing in Existing Buildings, Seismic Strengthening/Structural Rehabilitation, Building Code/Permit Consultation, Peer Review, Expert Witness/Forensic Engineering

- Code Consulting and Peer Review for projects in San Francisco (Planning Department, Fire Preventing, Street Use & Mapping, Building Department; Board of Appeals).
- Permit Consultant in San Francisco (DBI, DCP, SFFD, BSUM & BOA).
- Expert Witness/Forensic Engineering/Collapse & Failure Analysis
- Seismic Retrofit Consultation.
- Member of the following SEAONC/DBI Committees:
 Committee to revise San Francisco Building Code Section 104F/3304.6.
 1988-1990 Committee to draft San Francisco UMB ordinance.
 1993 Committee to revise the San Francisco UMB ordinance.
 SEONC Blue-Ribbon panel to revise earthquake damage trigger, 1998
 Secretary, Blue Ribbon Panel on seismic amendments to the 1998 SFBC.
 Secretary, Blue Ribbon Panel Advising The San Francisco Building Department on CAPSS.
- Co-Authored of the following SF Building Code Sections.
 EQ damage trigger SFBC 3404.7.2, Repair 3405.1.3, Change of Occupancy 3408.4.1., Lateral Forces Existing Building 1604.11.1
- Author SFBC Administrative Bulletin: AB102 (Seismic alteration) & AB103 (CFC)
- Coordinator/Speaker for SEAONC San Francisco UMB Seminars 1992, 1993 & 1994.
- Speaker at 2009 SEAONC Seminar on San Francisco UMB Code, 1850 to Present.
- Member of 1993 San Francisco UMB Bond Advisory Board.
- Speaker at numerous San Francisco Department of Building Inspection Seminars on UMB.
- Speaker at numerous code workshops for the San Francisco Department Building Inspection.
- Co-author of 1990 San Francisco UMB Appeals Board Legislation.
- Co-author of San Francisco Building Code Earthquake Damage Trigger for Seismic Upgrade, Committee Rewrite 2008.
- As a San Francisco Building Commissioner:
 Directed formulation of Building Occupancy Resumption Plan (BORP)
 Chaired the 1995 update on the San Francisco Housing Code.
 Directed formulation of UMB tenant protection program
- Consultant to the City of San Francisco for evaluation of buildings damaged in the Loma Prieta Earthquake (October 17, 1989) to assist the Bureau of Building Inspection regarding shoring or demolition of "Red-Tagged" structures (SOHA).
- Consultant to San Francisco Department of Building Inspection on the Edgehill Land Slide 1997.
- Consultant to 100's of private clients for evaluating of damage to their buildings from the October 17, 1989 Loma Prieta Earthquake.
- Project Administrator for multi-team seismic investigation of San Francisco City-owned Buildings per Proposition A, 1989 (\$350 million bond). (SOHA).
- Project Manager for seismic strengthening of the Marin Civic Center (SOHA).
- Structural Engineer for the Orpheum Theater, Curran Theater and Golden Gate Theater.
- Consultant on numerous downtown SF High Rise Buildings.
- Rehabilitation & Seismic Strengthening design for 1000's of commercial and residential buildings in San Francisco.
- Commercial Tenant Improvement
- Structure Rehabilitation of Historic Building.
- Structural consultant for 1000's of single family homes and apartment buildings alteration in San Francisco

Previous Employment

- SOHA 1980-1990, Associate
- PMB 1979-1980, Senior Designer

Public Service: Association of Bay Area Government – Advisory Panels
 Holy Family Day Home – Board of Director
 Community Action Plan for Seismic Safety (CAPPs), Advisory Panel.

Awards: Congressional Award, 2003.
 SFDBI Certificate of Recognition, 1996.