File No. 150395 Committee Item No. _____
Board Item No. 22

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____
Board of Supervisors Meeting Date May 19, 2015

Cmte	Board	
☐	☐	Motion
☐	☐	Resolution
☐	☐	Ordinance
☐	☐	Legislative Digest
☐	☐	Budget and Legislative Analyst Report
☐	☐	Youth Commission Report
☐	☒	Introduction Form
☐	☐	Department/Agency Cover Letter and/or Report
☐	☐	MOU
☐	☐	Grant Information Form
☐	☐	Grant Budget
☐	☐	Subcontract Budget
☐	☐	Contract/Agreement
☐	☐	Form 126 – Ethics Commission
☐	☐	Award Letter
☐	☐	Application
☐	☐	Public Correspondence

OTHER (Use back side if additional space is needed)

☐	☒	Appeal letter - April 10, 2015
☐	☒	Appellant memo - May 12, 2015
☐	☒	Planning memo - May 11, 2015
☐	☒	Project Sponsor's memo - May 8, 2015
☐	☒	Clerical documents and hearing notice

Completed by: John Carroll Date May 14, 2015
Completed by: _____ Date _____

April 10, 2015

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

From: Melody Mar
358 Vallejo Street
San Francisco, CA 94133

Re: Appeal of Exemption from Environmental Review
26 Hodges Alley

Dear Board of Supervisors,

I am appealing the San Francisco Planning Department's determination that the project at 26 Hodges Alley is exempt from CEQA review. Under CEQA State Guidelines Section 15300.2, a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project will have significant environmental effects, and therefore would not be exempt from environmental review. This will be explained further at the appeal hearing and in further materials.

I respectfully request that the San Francisco Board of Supervisors require that this project undergo environmental review as required by CEQA.

Sincerely yours,

Melody Mar Melomm@aol.com

Melody Mar Date: April 10, 2015

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Discretionary Review Action DRA-0410

HEARING DATE: MARCH 12, 2015

Date:	March 20, 2015
Case No.:	**2014-001042DRP**
Project Address:	**26 HODGES ALLEY**
Permit Application:	2013.03.21.2735
Zoning:	RH-3 (Residential House, Three-Family) District Telegraph Hill North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0134/012
Project Sponsor:	Heidi Liebes Liebes Architects 450 Sansome Street, Suite 1200 San Francisco, CA 94111
Staff Contact:	Kate Conner – (415) 575-6914 kate.conner@sfgov.org

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2013.1652DV AND THE APPROVAL OF BUILDING PERMIT 2013.03.21.2735 PROPOSING CONSTRUCTION OF A SIDE ADDITION TO THE NORTHERN PROPERTY LINE AT THE FIRST AND SECOND FLOORS WHICH ENCROACHES INTO THE REAR YARD SETBACK AND A THIRD FLOOR ADDITION WHICH COMPLIES WITH THE REAR YARD REQUIREMENT. THE PROJECT IS SUBJECT TO APPROVAL OF A REAR YARD VARIANCE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) DISTRICT, THE TELEGRAPH HILL NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 21, 2013, Heidi Liebes filed for Building Permit Application No. 2013.03.21.2735 proposing construction of a third floor addition to a two-story single-family residence and a horizontal addition on the first and second floors. The subject property is located within the RH-3 (Residential House, Three-Family) District, the Telegraph Hill North Beach Residential Special Use District, and the 40-X Height and Bulk District.

On June 12, 2013, Heidi Liebes filed Variance Application 2013.0783V for the first and second floor horizontal addition. The rear yard requirement is 28'-4" and the existing building is non-conforming as it maintains a 9" rear yard. The proposed third floor addition complies with the rear yard requirement. The proposed 3'-0" deep side addition encloses an existing stairway and extends approximately 5'-6" beyond the adjacent neighbor to the north and spans approximately 16'-0" but does not increase the overall building depth.

Memo

On December 4, 2014, the Zoning Administrator granted Variance (2013.0783V) after a public hearing held on September 24, 2014. The Variance was appealed and will be heard at the Board of Appeals on March 18, 2015.

On October 27, 2014, Melody Mar (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2014-001042DRP) of Building Permit Application No. 2013.03.21.2735.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On March 12, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2014-001042DRP.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission hereby takes Discretionary Review requested in Application No. 2014-001042DRP and approves the Building Permit Application 2013.03.21.2735 subject to the following modifications:

1. Increasing the front setback at the third level equal to the width of the closet space (approximately four feet);
2. Increasing the depth of the third level addition to the required rear yard line (approximately three feet); and
3. Reducing the third level roof deck at the northeast corner to align with the adjacent building depth.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. There are extraordinary and exceptional circumstances in the case.
2. Reducing the roof deck at the third level along the northern property line will improve the northern neighbor's privacy at the rear deck and open space.
3. The width of Hodges Alley is an extraordinary circumstance and the additional setback at the proposed third floor will increase the amount of light cast on Hodges Alley.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission took Discretionary Review and approved the building permit as referenced in this action memo on March 12, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Fong, Antonini, Hillis, Johnson, Moore, Richards, Wu,

NAYS: None

ABSENT: None

ADOPTED: March 12, 2015

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	2013.0783E
Project Title:	**26 Hodges Alley**
Zoning:	RH-3 (Residential – House, Three Family) Zoning District 40-X Height and Bulk District
Block/Lot:	0134/012
Lot Size:	1,067 square feet
Project Sponsor:	Heidi Liebes – Liebes Architects (415) 812-5124
Staff Contact:	Christopher Espiritu – (415) 575-9022 Christopher.Espiritu@sfgov.org

PROJECT DESCRIPTION:

The proposed project would include the interior remodel of an existing two-story residence and the vertical addition for a new third floor to add an approximately 460-square-foot (sq ft) bedroom suite. The proposed project would also include the expansion of an existing roof deck by adding approximately 131 square feet of new roof deck space, accessed from the new third floor bedroom. The proposed third-floor addition would add approximately 11'-1" to the existing 19'-10" structure, for a total building height of 30'-11". Other project details include the installation of new interior stairs, enlarging the existing kitchen, and enclosing an existing exterior staircase for access to the expanded roof deck. The project site is located on the block bounded by Green Street to the north, Vallejo Street to the south, Sansome Street to the east, and Hodges Alley to the west, within the North Beach neighborhood.

EXEMPT STATUS:

Categorical Exemption, Class 1 [California Environmental Quality Act (CEQA) Guidelines Section 15301].

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

cc: Heidi Liebes, Project Sponsor; Kate Conner, Current Planner; Jonathan Lammers, Preservation Planner; Historic Preservation Distribution List; Supervisor Chiu, District 3 (via Clerk of the Board); Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The proposed project is located on a site that has a slope of approximately 20 percent sloping downward (to the east) towards the rear of project site. The proposed project would involve excavation associated with foundation-strengthening related to the proposed additions and provide slope-stabilization support to adjacent buildings. The existing one-vehicle garage at-grade would remain and the existing 10-foot-wide curb cut, located on the Hodges Alley frontage, would also remain.

Project Approvals

The proposed project would require the following approvals:

- Variance (Zoning Administrator) – The proposed project would require a Variance from the Planning Code for a rear yard modification pursuant to Planning Code Section 134. This variance would be granted by the Planning Department's Zoning Administrator.
- Site Permit (Department of Building Inspection [DBI]) – The proposed project would require the approval of a Site Permit by DBI.

Approval Action: While the proposed project would require the approval of a Variance by the Zoning Administrator, the Approval Action for the project would be through the issuance of a Site Permit by DBI. If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a Site Permit by DBI is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Architectural Resources. The Planning Department's Historic Preservation staff evaluated the property to determine whether the existing structure on the project site is a historical resource as defined by CEQA. According to the Historic Resource Evaluation Response (HRER)[1] prepared for the project, and information found in the Planning Department archives, the property at 26 Hodges Alley contains a two-story, wood-frame, single-family residence constructed in 1907. Originally addressed as 6 Hodges Alley, the residence is vernacular in style, clad with unpainted horizontal rustic wood channel siding, and capped by a flat roof. The primary façade faces west onto Hodges Alley and features a metal-frame panel garage door to the south and a metal panel pedestrian entry to the north.

The property is not located within the boundaries of any listed historic districts. However, the property is located within proximity (¼-mile) of the Telegraph Hill, Northeast Waterfront, and Jackson Square

[1] Jonathan Lammers – Preservation Planner, *Historic Resource Evaluation Response (HRER), 26 Hodges Alley*, November 15, 2013. This report is available for review as part of Case No. 2013.0783E.

Historic Districts. Therefore, the property was evaluated for individual eligibility for inclusion, as well as inclusion as contributor to a historic district, to the California Register.

The California Register criteria for eligible individual resources and historic districts provide specific measures on evaluating individual properties for inclusion into the California Register. Criterion 1 (Events) determines whether a property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States. Criterion 2 (Persons) examines whether a property is associated with the lives of persons important to the local, regional or national past. Criterion 3 (Architecture) analyzes whether a property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values. Criterion 4 (Information Potential) determines whether a property yields, or may be likely to yield, information important in prehistory or history. The property at 26 Hodges Alley was evaluated for inclusion into the California Register and is further discussed below.

Criterion 1 (Events). According to the HRER, the building stock along the southeastern slopes of Telegraph Hill represents a cohesive development pattern associated with rebuilding efforts following the 1906 Earthquake. The reconstruction of San Francisco was unprecedented in its scope and pace, and remains one of the most significant events in the city's history. Nearly all buildings in the immediate vicinity were residential or mixed-use properties constructed during a punctuated burst of activity between 1906 and 1913, and they convey clear and significant association with the reconstruction effort. While the property at 26 Hodges Alley does not appear to be an individually eligible for historic listing under this Criterion, it is part of a larger grouping of properties which collectively constitute a potential historic district. Therefore, Preservation Staff determined that 26 Hodges Alley Street is significant under California Register Criterion 1 (Events) for its association with post-1906 Earthquake reconstruction.

Criterion 2 (Persons). According to the HRER, Preservation Staff determined that as a group, the owners and residents of 26 Hodges Alley illustrate the strong working-class Italian demographics that were representative of the North Beach and Telegraph Hill area during the early 20th century. However, none of the persons appear to be important to local, state or national history such that the subject property would be eligible for historic listing under this Criterion. Therefore, Preservation Staff concluded that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 2 (Persons).

Criterion 3 (Architecture). The HRER found that the building was designed by local architect, Fedele Costa, per the original 1907 building permit record. Fedele Costa was born in 1863 in Bioglio, Italy and immigrated to the United States in 1906. The son of a successful builder, he arrived in San Francisco in 1906 and was known to have served as the architect for St. Joseph's Catholic Church in Auburn, California (1911) and the Holy Rosary Roman Catholic Church in Woodland, California (1912). The existing building at 26 Hodges Alley does not appear to be a distinctive example of a type, period, region or method of construction such that it would be individually eligible for the California Register under this Criterion. Also, the property also does not appear to be a prominent work of architect, Fedele Costa.

However, the building does appear to be part of a concentration of residential buildings significant for their association with post-1906 Earthquake reconstruction and eligible for the California Register as a historic district. Nearly all of the buildings in the immediate vicinity were constructed between 1906 and 1913, and most evidence a shared design vocabulary based on Classical Revival influences. Character-defining architectural features of this district include wood frame construction and wood cladding, and the use of design elements such as pilasters, entablatures, dentil moldings and prominent cornices.

Therefore, Preservation Staff determined that 26 Hodges Alley, while not individually significant under this Criterion, could be significant as part of a concentration of properties that convey clear association with post-1906 Earthquake reconstruction and appear to constitute a potential historic district eligible for listing in the California Register under Criterion 3 (Architecture).

Criterion 4 (Information Potential). Finally, based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 (Information Potential), which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type and would therefore not be eligible for listing in the California Register under Criteria 4.

In order to be considered a resource for the purposes of CEQA, a property must not only be shown to have significance under the California Register of Historical Resources criteria (Criterion 1-4), but also must have historic integrity.[2] Historic integrity enables a property to illustrate significant aspects of its past. According to the HRER, 26 Hodges Alley retains integrity of location, setting and association as it remains a residential property, has never been moved, and is largely surrounded by the same properties as it was historically. However, the building does not appear to retain integrity of design, workmanship, or materials. The property has experienced several alterations between 1934 and 1969, which included raising the building to insert a garage, window replacement, and the installation of a roof deck. Other alterations which are undocumented or poorly documented include the large rear addition constructed between 1913 and 1938 and the construction of the second-story overhang at the primary façade. The primary entry, garage and fenestration pattern and materials are all contemporary in nature, while the articulation of the primary façade has been altered. Collectively, these changes have significantly changed the character of the building such that it is no longer able to effectively convey its 1907 construction. Therefore, Preservation Staff determined that the property at 26 Hodges Alley does not retain historic integrity.

[2] Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance."

As discussed, the property was shown to have significance under Criterion 1 (Events) and Criterion 3 (Architecture) for inclusion to the California Register as part of a historic district. However, the property did not retain its historic integrity and lacks integrity from its period of significance (1906-1915). Preservation Staff concluded that the property at 26 Hodges Alley is a non-contributor to an eligible Historic District. For the above reasons, the proposed project would not materially impair the characteristics of the existing historic resource, thus the proposed project would not result in significant impacts related to historic resources.

Geotechnical. According to Planning Department records, the project site is not located within a Landslide Hazard Zone or Liquefaction Hazard Zone; however, the property is located on a site with a slope of 20 percent. A Geotechnical Investigation was conducted for the property and is summarized below.[3]

The Geotechnical Investigation notes that the site slopes downward toward the rear of the property to the east and the rear of the property sits at the top of a near vertical 15- to 20-foot-tall slope that was excavated into the hillside for the development of a downslope residence located at 358 Vallejo Street. The project site is documented to be located in an area that is underlain by Franciscan Complex comprised of sedimentary rocks composed of sandstone, shale, and greywacke sandstone. Also, the site lies immediately southwest of former rock quarry operations that were present on the eastern slopes of Telegraph Hill until the turn of the 20th Century.

The Geotechnical Investigation provides specific recommendations and requirements concerning site preparation and foundations, retaining walls, and rock-slope support. These are further discussed below.

Foundations. The Geotechnical Investigation noted that the proposed improvements including the addition of a new third floor bedroom would be adequately supported by drilled pier foundations. Drilled piers should be at least 18-inches in diameter and drilled at least five feet into the underlying bedrock beneath the existing building.

Rock-Slope Stabilization. The Geotechnical Investigation noted that due to former quarry operations, which included blasting has resulted in over-steepened and shattered slopes. Aggressive quarrying that was common in the Telegraph Hill area left exposed bedrock in the eastern slope, and the Geotechnical Investigation found evidence of recent rockfalls, with debris and rock fragments, that have fallen from the eastern slope at the rear of the property and have accumulated in the rear yard of the adjacent property at 358 Vallejo Street.

A Supplemental Geotechnical Analysis was performed and revised recommendations for rock-slope stabilization were recommended. Due to the unique features of the eastern slope at the rear of the site, the previous recommendation to construct a concrete wall to stabilize the slope was deemed infeasible. The Supplemental Geotechnical Investigation therefore recommended that the best solution for reducing

[3] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, May 28, 2013.* This report is available for review as part of Case No. 2013.0783E.

rockfall hazards at the project site would be to include the installation of a steel wire mesh net that would contain loose rock from impacting the residence at 358 Vallejo Street, and the installation of concrete encased steel rock bolts that would reinforce the rock slope. The netting would be supported by vertical rock bolts drilled into the slope at the top and bottom.

The Supplemental Geotechnical Investigation[4] identified this strategy as the most feasible since the process will essentially stitch the rock together to prevent pieces of rock from becoming dislodged. Finally, a closely spaced steel mesh net will be attached to the slope to contain pieces of rock that may become dislodged in the future. The selected approach stabilizes loose rock by scaling the rock face and applying mesh. Stability of the existing rock slope is increased by pinning potential wedge-type rock failures with the vertical rock bolts.

The Supplemental Geotechnical Investigation ultimately concluded that the project site is suitable to support the proposed project, provided that its recommendations are incorporated into the design and construction of the proposed project. The project sponsor has agreed to implement these recommendations, subject to Building Code requirements and implementation would not result in foreseeable significant impacts.

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the DBI permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties and the subject property is maintained during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.

EXEMPT STATUS:

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption for minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination. Additionally, Class 1 exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project would include the addition of approximately 460 square feet for a new third-floor bedroom suite and the interior remodel of the existing two-story residence. Therefore, the proposed demolition meets the criteria for exemption from environmental review under Class 1.

[4] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Supplemental Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, August 14, 2014.* This report is available for review as part of Case No. 2013.0783E.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

ELODY MAR

90-7162/3222
8611727998

1071

DATE April 10, 2015

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2015 APR 10 PM

PAY TO THE ORDER OF San Francisco Planning Dept. $ 547.00

Five hundred forty seven and 00/100 DOLLARS

Security Features Included. Details on Back.

NOTES

Melody Mar

MP

Carroll, John (BOS)

From:	BOS Legislation, (BOS)
Sent:	Wednesday, May 13, 2015 9:21 AM
To:	melomm@aol.com; Givner, Jon (CAT); Byrne, Marlena (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Conner, Kate (CPC); Ionin, Jonas (CPC); 'liebes.heidi@gmail.com'; Espiritu, Christopher (CPC); Jody Knight; BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Caldeira, Rick (BOS); BOS Legislation, (BOS); Lamug, Joy (BOS); Carroll, John (BOS)
Subject:	Appeal of Determination of Exemption from Environmental Review - 26 Hodges Alley - Appellant Follow-Up Memo
Categories:	150395

Good morning,

Please find linked below a memo received by the Office of the Clerk of the Board from appellant Melody Mar regarding the appeal of the proposed project at 26 Hodges Alley.

Appellant Memo - 5/12/2015

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on **May 19, 2015.** You are invited to review the entire matter on our Legislative Research Center by following the link below.

Board of Supervisors File No. 150395

Thank you,
John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

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The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

May 12, 2015

To: Honorable London Breed, President
San Francisco Board of Supervisors
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94103

From: Melody Mar
358 Vallejo Street
San Francisco, CA 94133 Melomm@aol.com

Re: Appeal of Determination of Exemption from Environmental Review
26 Hodges Alley
Hearing Date: May 19, 2015

Dear President Breed and Members of the Board of Supervisors,

On behalf of my family, I am writing to appeal the above referenced Certificate of Determination of Exemption from Environmental Review, a copy of which is attached as Exhibit 1. Exemption from the protections of the California Environmental Quality Act (CEQA) cannot be allowed for this project because there exists substantial unusual circumstances which would suggest a reasonable possibility of a significant effect on the environment.

Project Description

26 Hodges Alley is on Hodges Alley, which runs north and south parallel to Montgomery and Sansome Streets and perpendicular to Vallejo Street, in the Telegraph Hill neighborhood. The project is to construct a third floor vertical addition to the existing two-story, single family residence and a horizontal side addition to the northern property line at the first and second floors in the required rear yard. 26 Hodges has no front, side, or rear setbacks. 26 Hodges Alley is on a small lot, measuring 17' x 63'. The site contains an existing two-story 2,263 square-foot-single family residence. The proposed project adds an approximately 460 square foot bedroom suite and expands the roof deck by adding an additional approximately 131 square feet of new roof deck space. Attached site photo, Exhibit 2

Unique Site Background

In the rear of the house, 26 Hodges Alley sits on the edge of a near vertical slope, which varies from 15 to 20 feet. Adjacent to 26 Hodges and directly downhill at the base of the slope, within inches of the slope, sits my family's house on 358 Vallejo Street. Attached is Exhibit 3,

an artist drawing of 26 Hodges and 358 Vallejo Street. Several years ago, my family voluntarily seismically upgraded our house in the front. We also plan to seismically upgrade the house in the rear. We were advised that the slope in which 26 Hodges sits on and adjacent to our house be investigated for slope stability, especially in light of the 2007 catastrophic landslide just one block up on Vallejo Street and Broadway Street. In 2012, geotechnical engineer Harold Lewis advised we work with the three neighbors on the cliff for stabilization work.

The plan was that all four neighbors would work together to stabilize the cliff. During this process, the owner of 26 Hodges Alley sold the house. The DeWildes purchased the house in the fall of 2012. The realtor disclosed the 2012 Notice of Violation, which indicated, "In the rear of property, below deck, hazardous rocks and mud sliding off fractured rock slope. Hazard to all on hillside." Attached is a copy of the 2012 Notice of Violation, Exhibit 4 . This building and all the adjoining buildings to 26 Hodges have Notices of Violations because the cliff and soil under the project site is unstable, including the site of the variance for the project. The four neighbors have not agreed on a repair or stabilization plan to date and it cannot be accomplished without access and cooperation and a method among the four neighbors. In fact, the Planning Department should not have accepted the application for a new project until the NOV was cleared.

Recent Developments

On December 12, 2014, just five months ago, a rock slide/landslide crashed onto the wall of my house. Attached are the two Notices of Violations issued, Exhibit 5 and Exhibit 5 . One NOV states, "Rock slide from the back of 26 Hodges hit neighbor's home at 358 Vallejo." Second NOV indicates the amount of rock stacked up against the wall of my house, and that the bank has loose rock, which may detach in the future.

Following the rockslide/landslide, my family asked John Wallace, an engineering geologist with Cotton Shires & Associates to come to the site to evaluate the situation. He and his firm investigated and designed the repair plans for the last two recent catastrophic landslides on Telegraph Hill, one in 2007, one block up from my house, and one in 2012, several blocks from my house.

Mr. Wallace's report, "Geologic and Geotechnical Summary of Site Conditions and Review of Gilpin Geosciences, Inc. Report" is attached, exhibit 6 . Mr. Wallace writes, "we observed rockslide debris stacked approximately 8 feet high against the northwestern portion of the 358 Vallejo Street structure. Our observations of the interior of this portion of the structure revealed that the wall appeared to be deflected in response to the rockslide debris load. We recommended to Ms. Mar that no one should occupy this portion of the structure,...." Mr. Wallace further writes, "We are of the opinion that the existing conditions along the precipitous rockslope, including 26 and 30 Hodges Alley, 362 Vallejo Street, and the lower portion of 358 Vallejo Street, represent a continuing rockslide/rockfall hazard with a **high risk** to the northwest

portion of the 358 Vallejo Street residential structure...". "It is our opinion that the site conditions represent a hazardous, emergency condition, and mitigation of this slope should be performed as soon as possible. The slope plans, when completed, should be part of a stand-alone permit application, and not be associated with a permit application for residential improvements upslope." Based on his recommendation, we hired a structural engineer to inspect the structure. Structural engineer Joshua B. Kardon's report on the rock fall is also attached, Exhibit 7. Mr. Kardon writes, "Based on our observations, we also believe there is a high risk of additional collapse of the escarpment, which could cause further physical damage to Ms. Mar's property, and could injure or kill occupants of buildings on either side of the property line."

From these engineers' reports, it is clear rock slope stabilization is required by all four neighbors as we are all on the same cliff.

Procedural Background

The Planning Commission took Discretionary Review of this project on March 18, 2015 and required modifications. At the hearing, Commissioner Antonini expressed concern that the Planning Department did not require that the 2012 Notice of Violation be cleared prior to accepting this new project. At the hearing, Commissioner Richards held up for everyone to see the drawing my family had an artist draw of 26 Hodges and 358 Vallejo Street, Exhibit 3. He recommended they take Discretionary Review of this project as there were extraordinary and exceptional circumstances in both the front (narrow alley) and the rear (one house on the edge of the near vertical cliff and the other house is on the base of the cliff within inches of the cliff). Attached Exhibit 8, Discretionary Review Action Letter.

CEQA Categorical Exemption is Rebuttable

The issue here is whether it was appropriate for the Planning Department under CEQA to issue a categorical exemption when there existed an unusual circumstances exception. Two months ago on March 2015, the California Supreme Court, in Berkeley Hillside Preservation v. City of Berkeley, established a two-part test in determining whether the unusual circumstances exception to a categorical exemption will apply. The first question is whether there are unusual circumstances present in this case? The second question is whether there is a reasonable possibility the project would have a significant effect on the environment.

One, are there substantial unusual circumstances in this case?

- Project is located on greater than 20% slope

- Project is located on a Landslide Zone. The Planning Department erred in stating that the project is not in a Landslide Zone. Did the Planning Department check the State of California Seismic Hazards map?
- In the rear, 26 Hodges sits on the edge of a near vertical unstable slope, and 20 feet below on the base, within inches of the base is a downslope neighbor's house. This is an extraordinary, exceptional, and an unusual circumstance, see Exhibit 3, artist drawing. Landslide geologists Betsy Mathieson and other geologists have never seen this site circumstance before, as structures usually have greater setbacks. This is not common for the vicinity. Even on our 44 hills, there are setbacks.
- 2012 and 2014 Notices of Violations for unstable slope. Exhibits 4 and 5.
- All four neighbors adjoining 26 Hodges are on and/or adjacent to the unstable cliff, and the entire cliff is unstable. On the attached 26 Hodges map, it indicates, "Dilated zone with open fractures, friable rock (high potential for topple), Closely fractured zone with open fractures, friable rock, Recent wedge failure, closely fractured and deeply weathered zone with roots." See attached map from 26 Hodges geologic/geotechnical report, plan #1, map in the back, Geologic Cross Section, B-B, Figure 5, Exhibit 9 2 pages. Attached 26 Hodges geologic/geotechnical report, plan #1, Exhibit 10

- In 2007, up one block, a major catastrophic landslide on Vallejo and Broadway Streets. In 2012, several block away, a major catastrophic landslide, Montgomery and Lombard Streets.
- Just recently, December 12, 2014, a rockslide/landslide from the project site, 26 Hodges. Attached NOVs, Exhibit 5.

The second question is whether there is information that there is a reasonable possibility that the unusual circumstances will produce a significant effect on the environment? Yes, all four neighbors share this cliff, and the entire cliff is unstable. If one neighbor builds on this cliff, a fair argument can be made that there is a reasonable possibility that all the unusual circumstances stated above will produce a significant effect on the environment. It is not only these four neighbors, but other downslope neighbors could be affected. See again attached exhibit 9 2 pages, for condition of the entire cliff, map is from 26 Hodges geological/geotechnical plan #1, map in the back, Geologic Cross Section, B-B, Figure 5. See also again, attached exhibit 6, John Wallace, Cotton Shires and Associates, Geologic and Geotechnical Summary of Site Conditions and Review of Gilpin Geosciences, Inc. Report, and exhibit 7 of structural engineer Joshua Kardon's rock fall report.

The project requires earth movement work, excavation, and installation of moment frames/structural work approximately 8(+-) feet from the unstable slope. See attached Exhibit 11 This would require the cooperation of all four neighbors to stabilize the cliff.

CEQA requires further environmental review if others are affected by the project. With environmental review, all neighbors can review and provide input. At this time, it is unknown

what the plan is for the neighbors. According to Mr. Wallace, we would need to see a detailed plan, not just concepts.

Conclusion

Even small projects are not exempt from review if there are unusual circumstances. The Legislature specifically provided exceptions to categorical exemptions for precisely this case. If this were not the case, small projects could be built on landslide zones, earthquake faults, etc. without environmental review, and that is not in the public's interest.

I respectfully request that the San Francisco Board of Supervisors require that this project undergo environmental review as required by CEQA.

Sincerely yours,

Melody Mar

EXHIBIT LIST

1. Appeal Letter, Certificate of Determination of Exemption from Environmental Review
2. Site Photo
3. Artist drawing of 26 Hodges & 358 Vallejo St.
4. 2012 Notice of Violation – 2 pages
5. 2014 Notice of Violation – 2 pages
6. Cotton Shires & Associates, John Wallace Geologic & Geotechnical Report
7. Joshua B. Kardon, Structural Engineer Report
8. Discretionary Review Action Letter, March 12, 2015
9. 26 Hodges Map – Condition of Entire Cliff – 2 pages Geologic Cross Section, B–B, Figure 5
10. 26 Hodges Geologic/Geotechnical Report, Plan #1
11. 26 Hodges Plan – Location of Moment Frames Installation – 8'(+-) From Slope

EXHIBIT

1

April 10, 2015

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

From: Melody Mar
358 Vallejo Street
San Francisco, CA 94133

Re: Appeal of Exemption from Environmental Review
26 Hodges Alley

Dear Board of Supervisors,

I am appealing the San Francisco Planning Department's determination that the project at 26 Hodges Alley is exempt from CEQA review. Under CEQA State Guidelines Section 15300.2, a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project will have significant environmental effects, and therefore would not be exempt from environmental review. This will be explained further at the appeal hearing and in further materials.

I respectfully request that the San Francisco Board of Supervisors require that this project undergo environmental review as required by CEQA.

Sincerely yours,

Melody Mar Melomm@aol.com

Melody Mar Date: April 10, 2015

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2013.0783E**
Project Title:	**26 Hodges Alley**
Zoning:	RH-3 (Residential – House, Three Family) Zoning District 40-X Height and Bulk District
Block/Lot:	0134/012
Lot Size:	1,067 square feet
Project Sponsor:	Heidi Liebes – Liebes Architects (415) 812-5124
Staff Contact:	Christopher Espiritu – (415) 575-9022 Christopher.Espiritu@sfgov.org

PROJECT DESCRIPTION:

The proposed project would include the interior remodel of an existing two-story residence and the vertical addition for a new third floor to add an approximately 460-square-foot (sq ft) bedroom suite. The proposed project would also include the expansion of an existing roof deck by adding approximately 131 square feet of new roof deck space, accessed from the new third floor bedroom. The proposed third-floor addition would add approximately 11'-1" to the existing 19'-10" structure, for a total building height of 30'-11". Other project details include the installation of new interior stairs, enlarging the existing kitchen, and enclosing an existing exterior staircase for access to the expanded roof deck. The project site is located on the block bounded by Green Street to the north, Vallejo Street to the south, Sansome Street to the east, and Hodges Alley to the west, within the North Beach neighborhood.

EXEMPT STATUS:

Categorical Exemption, Class 1 [California Environmental Quality Act (CEQA) Guidelines Section 15301].

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

cc: Heidi Liebes, Project Sponsor; Kate Conner, Current Planner; Jonathan Lammers, Preservation Planner; Historic Preservation Distribution List; Supervisor Chiu, District 3 (via Clerk of the Board); Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The proposed project is located on a site that has a slope of approximately 20 percent sloping downward (to the east) towards the rear of project site. The proposed project would involve excavation associated with foundation-strengthening related to the proposed additions and provide slope-stabilization support to adjacent buildings. The existing one-vehicle garage at-grade would remain and the existing 10-foot-wide curb cut, located on the Hodges Alley frontage, would also remain.

Project Approvals

The proposed project would require the following approvals:

- Variance (Zoning Administrator) – The proposed project would require a Variance from the Planning Code for a rear yard modification pursuant to Planning Code Section 134. This variance would be granted by the Planning Department's Zoning Administrator.
- Site Permit (Department of Building Inspection [DBI]) – The proposed project would require the approval of a Site Permit by DBI.

Approval Action: While the proposed project would require the approval of a Variance by the Zoning Administrator, the Approval Action for the project would be through the issuance of a Site Permit by DBI. If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a Site Permit by DBI is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Architectural Resources. The Planning Department's Historic Preservation staff evaluated the property to determine whether the existing structure on the project site is a historical resource as defined by CEQA. According to the Historic Resource Evaluation Response (HRER)[1] prepared for the project, and information found in the Planning Department archives, the property at 26 Hodges Alley contains a two-story, wood-frame, single-family residence constructed in 1907. Originally addressed as 6 Hodges Alley, the residence is vernacular in style, clad with unpainted horizontal rustic wood channel siding, and capped by a flat roof. The primary façade faces west onto Hodges Alley and features a metal-frame panel garage door to the south and a metal panel pedestrian entry to the north.

The property is not located within the boundaries of any listed historic districts. However, the property is located within proximity (¼-mile) of the Telegraph Hill, Northeast Waterfront, and Jackson Square

[1] Jonathan Lammers – Preservation Planner, *Historic Resource Evaluation Response (HRER), 26 Hodges Alley*, November 15, 2013. This report is available for review as part of Case No. 2013.0783E.

Historic Districts. Therefore, the property was evaluated for individual eligibility for inclusion, as well as inclusion as contributor to a historic district, to the California Register.

The California Register criteria for eligible individual resources and historic districts provide specific measures on evaluating individual properties for inclusion into the California Register. Criterion 1 (Events) determines whether a property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States. Criterion 2 (Persons) examines whether a property is associated with the lives of persons important to the local, regional or national past. Criterion 3 (Architecture) analyzes whether a property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values. Criterion 4 (Information Potential) determines whether a property yields, or may be likely to yield, information important in prehistory or history. The property at 26 Hodges Alley was evaluated for inclusion into the California Register and is further discussed below.

Criterion 1 (Events). According to the HRER, the building stock along the southeastern slopes of Telegraph Hill represents a cohesive development pattern associated with rebuilding efforts following the 1906 Earthquake. The reconstruction of San Francisco was unprecedented in its scope and pace, and remains one of the most significant events in the city's history. Nearly all buildings in the immediate vicinity were residential or mixed-use properties constructed during a punctuated burst of activity between 1906 and 1913, and they convey clear and significant association with the reconstruction effort. While the property at 26 Hodges Alley does not appear to be an individually eligible for historic listing under this Criterion, it is part of a larger grouping of properties which collectively constitute a potential historic district. Therefore, Preservation Staff determined that 26 Hodges Alley Street is significant under California Register Criterion 1 (Events) for its association with post-1906 Earthquake reconstruction.

Criterion 2 (Persons). According to the HRER, Preservation Staff determined that as a group, the owners and residents of 26 Hodges Alley illustrate the strong working-class Italian demographics that were representative of the North Beach and Telegraph Hill area during the early 20th century. However, none of the persons appear to be important to local, state or national history such that the subject property would be eligible for historic listing under this Criterion. Therefore, Preservation Staff concluded that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 2 (Persons).

Criterion 3 (Architecture). The HRER found that the building was designed by local architect, Fedele Costa, per the original 1907 building permit record. Fedele Costa was born in 1863 in Bioglio, Italy and immigrated to the United States in 1906. The son of a successful builder, he arrived in San Francisco in 1906 and was known to have served as the architect for St. Joseph's Catholic Church in Auburn, California (1911) and the Holy Rosary Roman Catholic Church in Woodland, California (1912). The existing building at 26 Hodges Alley does not appear to be a distinctive example of a type, period, region or method of construction such that it would be individually eligible for the California Register under this Criterion. Also, the property also does not appear to be a prominent work of architect, Fedele Costa.

However, the building does appear to be part of a concentration of residential buildings significant for their association with post-1906 Earthquake reconstruction and eligible for the California Register as a historic district. Nearly all of the buildings in the immediate vicinity were constructed between 1906 and 1913, and most evidence a shared design vocabulary based on Classical Revival influences. Character-defining architectural features of this district include wood frame construction and wood cladding, and the use of design elements such as pilasters, entablatures, dentil moldings and prominent cornices.

Therefore, Preservation Staff determined that 26 Hodges Alley, while not individually significant under this Criterion, could be significant as part of a concentration of properties that convey clear association with post-1906 Earthquake reconstruction and appear to constitute a potential historic district eligible for listing in the California Register under Criterion 3 (Architecture).

Criterion 4 (Information Potential). Finally, based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 (Information Potential), which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type and would therefore not be eligible for listing in the California Register under Criteria 4.

In order to be considered a resource for the purposes of CEQA, a property must not only be shown to have significance under the California Register of Historical Resources criteria (Criterion 1-4), but also must have historic integrity.[2] Historic integrity enables a property to illustrate significant aspects of its past. According to the HRER, 26 Hodges Alley retains integrity of location, setting and association as it remains a residential property, has never been moved, and is largely surrounded by the same properties as it was historically. However, the building does not appear to retain integrity of design, workmanship, or materials. The property has experienced several alterations between 1934 and 1969, which included raising the building to insert a garage, window replacement, and the installation of a roof deck. Other alterations which are undocumented or poorly documented include the large rear addition constructed between 1913 and 1938 and the construction of the second-story overhang at the primary façade. The primary entry, garage and fenestration pattern and materials are all contemporary in nature, while the articulation of the primary façade has been altered. Collectively, these changes have significantly changed the character of the building such that it is no longer able to effectively convey its 1907 construction. Therefore, Preservation Staff determined that the property at 26 Hodges Alley does not retain historic integrity.

[2] Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance."

As discussed, the property was shown to have significance under Criterion 1 (Events) and Criterion 3 (Architecture) for inclusion to the California Register as part of a historic district. However, the property did not retain its historic integrity and lacks integrity from its period of significance (1906-1915). Preservation Staff concluded that the property at 26 Hodges Alley is a non-contributor to an eligible Historic District. For the above reasons, the proposed project would not materially impair the characteristics of the existing historic resource, thus the proposed project would not result in significant impacts related to historic resources.

Geotechnical. According to Planning Department records, the project site is not located within a Landslide Hazard Zone or Liquefaction Hazard Zone; however, the property is located on a site with a slope of 20 percent. A Geotechnical Investigation was conducted for the property and is summarized below.[3]

The Geotechnical Investigation notes that the site slopes downward toward the rear of the property to the east and the rear of the property sits at the top of a near vertical 15- to 20-foot-tall slope that was excavated into the hillside for the development of a downslope residence located at 358 Vallejo Street. The project site is documented to be located in an area that is underlain by Franciscan Complex comprised of sedimentary rocks composed of sandstone, shale, and greywacke sandstone. Also, the site lies immediately southwest of former rock quarry operations that were present on the eastern slopes of Telegraph Hill until the turn of the 20th Century.

The Geotechnical Investigation provides specific recommendations and requirements concerning site preparation and foundations, retaining walls, and rock-slope support. These are further discussed below.

Foundations. The Geotechnical Investigation noted that the proposed improvements including the addition of a new third-floor bedroom would be adequately supported by drilled pier foundations. Drilled piers should be at least 18-inches in diameter and drilled at least five feet into the underlying bedrock beneath the existing building.

Rock-Slope Stabilization. The Geotechnical Investigation noted that due to former quarry operations, which included blasting has resulted in over-steepened and shattered slopes. Aggressive quarrying that was common in the Telegraph Hill area left exposed bedrock in the eastern slope, and the Geotechnical Investigation found evidence of recent rockfalls, with debris and rock fragments, that have fallen from the eastern slope at the rear of the property and have accumulated in the rear yard of the adjacent property at 358 Vallejo Street.

A Supplemental Geotechnical Analysis was performed and revised recommendations for rock-slope stabilization were recommended. Due to the unique features of the eastern slope at the rear of the site, the previous recommendation to construct a concrete wall to stabilize the slope was deemed infeasible. The Supplemental Geotechnical Investigation therefore recommended that the best solution for reducing

[3] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, May 28, 2013.* This report is available for review as part of Case No. 2013.0783E.

rockfall hazards at the project site would be to include the installation of a steel wire mesh net that would contain loose rock from impacting the residence at 358 Vallejo Street, and the installation of concrete encased steel rock bolts that would reinforce the rock slope. The netting would be supported by vertical rock bolts drilled into the slope at the top and bottom.

The Supplemental Geotechnical Investigation[4] identified this strategy as the most feasible since the process will essentially stitch the rock together to prevent pieces of rock from becoming dislodged. Finally, a closely spaced steel mesh net will be attached to the slope to contain pieces of rock that may become dislodged in the future. The selected approach stabilizes loose rock by scaling the rock face and applying mesh. Stability of the existing rock slope is increased by pinning potential wedge-type rock failures with the vertical rock bolts.

The Supplemental Geotechnical Investigation ultimately concluded that the project site is suitable to support the proposed project, provided that its recommendations are incorporated into the design and construction of the proposed project. The project sponsor has agreed to implement these recommendations, subject to Building Code requirements and implementation would not result in foreseeable significant impacts.

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the DBI permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties and the subject property is maintained during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.

EXEMPT STATUS:

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption for minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination. Additionally, Class 1 exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project would include the addition of approximately 460 square feet for a new third-floor bedroom suite and the interior remodel of the existing two-story residence. Therefore, the proposed demolition meets the criteria for exemption from environmental review under Class 1.

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4 Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Supplemental Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, August 14, 2014.* This report is available for review as part of Case No. 2013.0783E.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

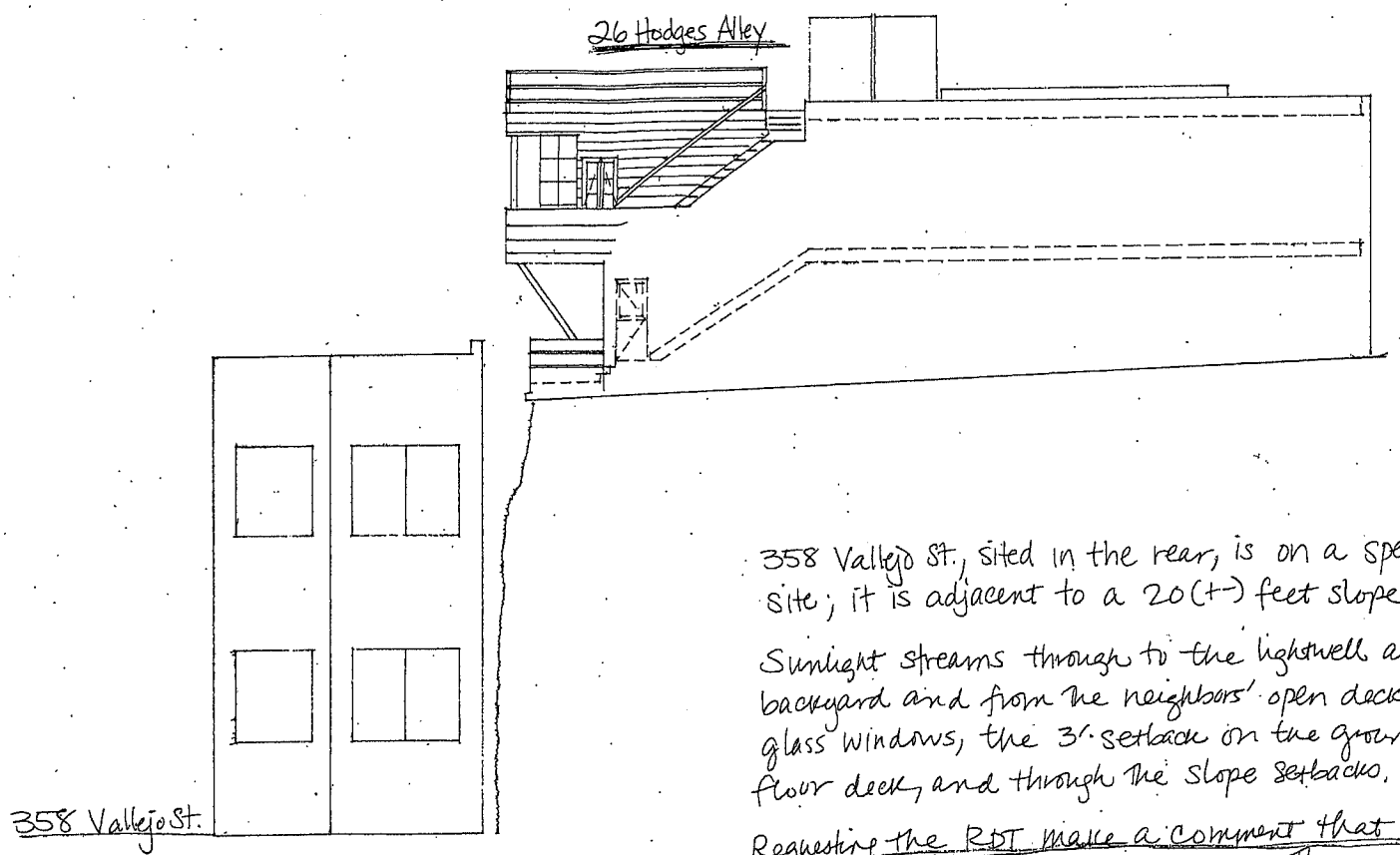
EXHIBIT

2


bing
Road
Bird's eye
Traffic
World • United States • CA • San Francisco Co. • San Francisco
Montgomery St
Hodges Alley
362 Vallejo
358 Vallejo
Sansome St
Sansome St
Sansome St
30 Hodges
36 Hodges

EXHIBIT

3



358 Vallejo St., sited in the rear, is on a special site; it is adjacent to a 20(+-) feet slope.

Sunlight streams through to the lightwell and backyard and from the neighbors' open deck rails, glass windows, the 3'-setback on the ground floor deck, and through the slope setback.

Requesting the RDT make a comment that the slope stabilization work not reduce the downhill neighbors existing air, light, privacy.

1225

EXHIBIT

4

NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy

OFFICIAL COPY

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 201296253
DATE: 01-MAR-12

ADDRESS: 26 HODGES AL
OCCUPANCY/USE: 0

BLOCK: 0134 LOT: 012

☐ If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: ANN W SKJEI TRUST
MAILING ADDRESS: ANN W SKJEI TRUST
KARGEN SKJEI
2735 NW ARTHU7R AVE
CORVALLIS OR 97330

PHONE #: --

PERSON CONTACTED @ SITE: ANN W SKJEI TRUST

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☐ WORK WITHOUT PERMIT	106.1.1
☐ ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
☐ EXPIRED OR ☐ CANCELLED PERMIT PA#:	106.4.4
☑ UNSAFE BUILDING ☐ SEE ATTACHMENTS	102.1

A complaint has been filed with the department regarding a potentially unsafe condition at above location. Steep slope at Eastern property line exhibits evidence of Spalling and poses a hazard to neighboring properties. SFBC 102A.

CORRECTIVE ACTION:

☐ **STOP ALL WORK SFBC 104.2.4**

415-558-6120

☐ **FILE BUILDING PERMIT WITHIN DAYS** ☐ **(WITH PLANS)** A copy of This Notice Must Accompany the Permit Application

☐ **OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.**

☐ **CORRECT VIOLATIONS WITHIN DAYS.** ☐ **NO PERMIT REQUIRED**

☐ **YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.**

- **FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.**

Obtain evaluation of slope from licensed design professional (suggest Geotechnical Engineer) within 28 days of receipt of this notice and provide copy to inspector named below. Failure to do so will result in further action by this department.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

☐ 9x FEE (WORK W/O PERMIT AFTER 9/1/60) ☐ 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)

☐ OTHER: ☐ REINSPECTION FEE $ ☐ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT **VALUE OF WORK PERFORMED W/O PERMITS $**

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy
PHONE # 415-558-6120 DIVISION: CES DISTRICT :
By:(Inspectors's Signature) _____

Permits, Complaints and Boiler PTO Inquiry

COMPLAINT DATA SHEET

Complaint Number: 201296253

Owner/Agent: OWNER DATA SUPPRESSED
Owner's Phone: —
Contact Name:
Contact Phone: —
Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed: 02/22/2012
Location: 26 HODGES AL
Block: 0134
Lot: 012
Site:
Rating:
Occupancy Code:
Received By: Alma Canindin
Division: PID

Complainant's Phone:
Complaint Source: OFFICE VISIT
Assigned to Division: BID
Description: In the rear of property, below deck, hazardous rocks and mud sliding off fractured rock slope. Hazard to all on hillside.
Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	DUFFY	1100		

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
02/22/12	CASE OPENED	BID	Duffy	CASE RECEIVED	
03/01/12	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	FIRST NOV SENT	Issued 1st NOV by Inspector D. Duffy
03/06/12	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE UPDATE	Mailed copy of 1st NOV -- mst
03/29/12	OTHER BLDG/HOUSING VIOLATION	CES	Duffy	CASE CONTINUED	Received letter from Albert Urrutia S.E. He will visit the site on 3/29/12 and keep me apprised of developments.
06/05/14	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE CONTINUED	Continue for engineers report per DD

COMPLAINT ACTION BY DIVISION

NOV (HIS): **NOV (BID):** 03/01/12

Inspector Contact Information

Online Permit and Complaint Tracking home page.

Technical Support for Online Services
If you need help or have a question about this service, please visit our FAQ area.

EXHIBIT

5

Permits, Complaints and Boiler PTO Inquiry

/w EPDw UKLTE3I

EBE5C146 | /w EWAgK7hu3v(

COMPLAINT DATA SHEET

Complaint Number: 201412371

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name:

Contact Phone: --

Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed: 12/12/2014

Location: 26 HODGES AL

Block: 0134

Lot: 012

Site:

Rating:

Occupancy Code:

Received By: Maria Asuncion

Division: PID

Complainant's Phone:

Complaint Source: TELEPHONE

Assigned to Division: BID

Description: Rock slide from the back of 26 Hodges hit neighbor's home at 358 Vallejo.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	POWER	6270	15	

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
12/12/14	CASE OPENED	BID	Power	CASE RECEIVED	

COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

Permits, Complaints and Boiler PTO Inquiry

/w EPDw UKLTE3I

EBE5C146 /w EWAgKqoce/D

COMPLAINT DATA SHEET

Complaint Number: **201413221**

Owner/Agent: OWNER DATA SUPPRESSED

Owner's Phone: --

Contact Name:

Contact Phone: --

Complainant: COMPLAINANT DATA SUPPRESSED

Date Filed: 12/12/2014

Location: 26 HODGES AL

Block: 0134

Lot: 012

Site:

Rating:

Occupancy Code:

Received By: JingJing Lu

Division: BID

Complainant's Phone:

Complaint Source: TELEPHONE

Assigned to Division: BID

Description: Vertical bank of shale rock approx 15 ft high at 26 Hodges Alley is approx 18"-24" away from p/l wood framed wall. At 358-60 Vallejo St approx 1 cubic yard of rock has detached from bank and is restine against wood framed p/l wall at 358-60 Vallejo St. Other sections of the bank has loose rock, and may detach in furture. SFBC 102A

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT PRIORITY
BID	POWER	6270	15

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIV	INSPECTOR	STATUS	COMMENT
12/12/14	OTHER BLDG/HOUSING VIOLATION	BID	Power	FIRST NOV SENT	1st NOV sent by RP

EXHIBIT

6

COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

February 17, 2015
G5084

Ms. Melody Mar
358 Vallejo Street
San Francisco, California

Mr. Steven G. Wood
ROPERS, MAJESKY, KOHN & BENTLEY
1001 Marshall Street, Suite 500
Redwood City, CA 94063-2052

SUBJECT: **Geologic and Geotechnical Summary of Site Conditions and Review of Gilpin Geosciences, Inc. Report**
RE: Proposed Slope Stabilization of Near-Vertical Rock Slope
Hodges Alley and Vallejo Street
San Francisco, California

Dear Ms. Mar and Mr. Wood:

Cotton, Shires and Associates, Inc. (CSA) is providing you with this brief summary of our review of the recently submitted Gilpin Geosciences, Inc. letter, dated January 30, 2015, along with a summary of our recent site reconnaissance, performed on February 9, 2015 at 358 Vallejo Street. The following document was reviewed:

- *Revised, Rock Slope Mitigation, Residential Improvements, 26 Hodges Alley,* prepared by Gilpin Geosciences, Inc., dated January 30, 2015.

DISCUSSION

We understand that the property owners at 26 and 30 Hodges Alley are proposing slope stabilization measures along the near-vertical slope near the western boundary of 358 Vallejo Street. We also understand that the property owner at 26 Hodges Alley is proposing residential improvements to the existing structure. The rock slope between 358 Vallejo Street and 26 Hodges Alley is near-vertical, varies from approximately 15 to 20 feet in height, and is within 1 foot of the 358 Vallejo Street residential structure at the base of the slope. The majority of the slope at 30 Hodges Alley is precipitous, varies from 4 feet to 15 feet in height, and is adjacent to the rear yard area of 358 Vallejo Street. A third property, 362 Vallejo Street, contains a near-vertical slope to the immediate south of the 26 Hodges Alley slope; however, we are unaware of any proposed stabilization measures for this slope.

PREVIOUS SITE RECONNAISSANCE

Mr. Wallace has performed several site inspections over the past approximately 6 months, including a December 2014 inspection to observe a rockslide that failed primarily from the precipitous slope at 26 Hodges Alley. The rockslide occurred during heavy rainfall in and around December 11/12, 2014, and impacted the northern portion of the residential structure at 358 Vallejo Street. During our inspection shortly following this rockslide event, we observed rockslide debris stacked approximately 8 feet high against the northwestern portion of the 358 Vallejo Street structure. Our observations of the interior of this portion of the structure revealed that the wall appeared to be deflected inward in response to the rockslide debris load. We recommended to Ms. Mar that no one should occupy this portion of the structure, or the second story of this portion of the structure, until the rocks are cleared, a structural engineer inspects the structure, and the slope above the residence is stabilized.

RECENT SITE RECONNAISSANCE

A recent site reconnaissance was performed on February 9, 2015 by John Wallace of CSA, in conjunction with Mr. Joe Duffy and Mr. Donal Duffy of the San Francisco Department of Building Inspection. During the site reconnaissance, we observed a relatively small rockslide that was not observed on previous site visits. This rock slope failure originated from the 30 Hodges Alley slope, and deposited rock debris and an old concrete deck footing in the rear yard area of 358 Vallejo Street. We suspect this event occurred during the recent heavy rainfall of February 6-8, 2015. No significant changes were observed along the precipitous rockslope of 26 Hodges Alley, or 362 Vallejo Street. The December 2014 rockslide debris was still in place against the 358 Vallejo Street structure.

SUMMARY OF OPINIONS REGARDING SITE CONDITIONS

We are of the opinion that the existing conditions along the precipitous rockslope, including 26 and 30 Hodges Alley, 362 Vallejo Street, and the lower portion of 358 Vallejo Street, represent a continuing rockslide/rockfall hazard with a **high risk** to the northwest portion of the 358 Vallejo Street residential structure and any occupants therein. It is our opinion that the northwestern portion of the structure be cordoned off so that no human occupancy be allowed, and only geotechnical and structural engineering experts, and qualified engineering contractors with rockslope experience be allowed to access the site for characterization and mitigation purposes. It is our opinion that the site conditions represent a hazardous, emergency condition, and mitigation of this slope should be performed as soon as possible. The slope mitigation plans, when completed, should be part of a stand-alone permit application, and not be associated with a permit application for residential improvements upslope. It is our opinion that mitigation of the rockslope hazards would be

most effective if all four neighboring property owners (mentioned above) agree to facilitate access to this area so that investigation and mitigation can be performed as soon as possible.

REVIEW OF PROPOSED STABILIZATION CONCEPT

Our review of the rock slope mitigation concept for the eastern slope of 26 Hodges Alley, as outlined in the revised Gilpin Geosciences, Inc. letter of January 30, 2015 reveals that the proposed concept will include the following items:

1. **Scaling** - Scaling of loose and weathered rock from the rock face;

2. **Concrete Removal** - Demolish and remove the existing thick concrete stem wall from the top of the slope;

3. **Shotcrete** – The upper approximately 7 vertical feet of the slope will be covered with reinforced shotcrete. The shotcrete will include 12-inch dowels drilled into the rock face to help secure the shotcrete to the rock face;

4. **Vertical Dowels** – A line of vertical dowels will be installed along the top of the slope, drilled the full height of the slope and to a depth of at least 3 feet below the base of the slope. The line of dowels will be set back a minimum of 3 feet from the top of the slope.

5. **Wire Mesh** – Wire mesh slope netting will be draped over the slope, and attached to the vertical anchors at the top of the slope.

6. **New Residential Loads** – Gilpin Geosciences, Inc. indicates that new additions are proposed for 26 Hodges, but that any additional building loads will be conveyed to the existing footings, and will not place new loads onto the steep rock face area.

CSA COMMENTS

Based upon our review of the referenced document, and our recent site reconnaissance, with have the following comments pertaining to the revised rock slope mitigation concept for 26 Hodges Alley:

A. A comprehensive repair should ideally be attempted that includes the four property owners at 358 and 362 Vallejo Street, and 26 and 30 Hodges Alley.

B. The steep rock slope conditions at 26 Hodges Alley are also present at 362 Vallejo Street, and 30 Hodges Alley. It is our opinion that 362 Vallejo Street and 26 Hodges Alley contain similar site constraints and could be mitigated with similar

methods. 30 Hodges Alley is not constrained (for the most part) by the presence of the residential structure at 358 Vallejo Street, and thus, could be mitigated without the tight space constraints inherent to the neighboring slope to the south.

C. Based on our observations, the northwest wall of the 358 Vallejo Street structure appears to be deflected inwards by the rock debris load. We recommend that the structure be evaluated by a structural engineer as soon as possible, and structural repairs (if needed) be identified. Depending upon the nature of necessary structural repairs, there may be an opportunity to use more traditional rock slope mitigation measures along the steep slope. For example, if the wall covering needs to be removed, it may be possible to install tensioned rock anchors in a near-horizontal orientation to apply an active force against the rock face rather than the passive support provided by the proposed vertical dowels. In addition, it may be possible to extend the shotcrete lower on the slope than currently proposed.

D. The Gilpin letter does not address rock debris removal. We recommend the rock debris be removed as soon as possible from against the 358 Vallejo Street structure. Additional rockslides could place new loads on an already compromised structure.

E. Scaling of the loose rock blocks from the slope should include adequate protection for the residence at 358 Vallejo Street, including placement of steel plates or wood planks, or other measures, to protect the residence.

F. Drainage details of the shotcrete facing (such as drainage panels) should be included in any final plans to help reduce the potential for the buildup of hydrostatic pressure.

G. Shotcrete reinforcing details should be included in the final mitigation plans, including consideration of supporting the steel reinforcing (i.e., welded wire mesh) and shotcrete face by the vertical rock anchors.

H. The rock slope mitigation plan should include a mechanism to convey surface water from behind the residential structure at 358 Vallejo Street, northward to an appropriate discharge location.

I. Consideration should be given to colorizing/texturing the shotcrete for a more natural appearance.

J. Consideration should be given to utilizing rock anchors that meet PTI's Class I corrosion protection standards.

K. Engineered plans should be prepared for stabilizing the precipitous rock slope along 362 Vallejo Street, 358 Vallejo Street, 26 Hodges Alley, and 30 Hodges Alley incorporating the recommendations outlined in the Gilpin Geosciences, Inc. revised report, and including consideration of the items outlined herein. We recommend that the slope mitigation plans be a stand-alone permit application, and not be part of a permit application for residential improvements upslope.

INVESTIGATION LIMITATIONS

Our services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our work, by the proposal for consulting or other services, or by the furnishing of oral or written reports or findings. The recommendations in this report are conceptual and are for consideration by other design professionals only, and should not be construed as project specific design criteria.

We appreciate the opportunity to have been of service to you on this project. If you have any questions regarding this report, please call.

Very truly yours,

COTTON, SHIRES AND ASSOCIATES, INC.

John M. Wallace
Principal Engineering Geologist
CEG 1923

Dale R. Marcum
Geologic Engineer
CE 65837

DRM:JMW:st

EXHIBIT

7

Joshua B. Kardon + Co

Structural Engineers
2634 Grant Street
Berkeley, CA 94703
Phone 510 548-1892

March 7, 2015

Steven G. Wood
Ropers, Majeski, Kohn & Bentley
1001 Marshall Street, Suite 1000
Redwood City, CA 94063-2052

Via electronic transmittal to steven.wood@rmkb.com

Subject: *Rock Fall, Melody Mar Property*
358-360 Vallejo St., San Francisco, CA

Dear Mr. Wood:

On February 23, 2015, I met John Dooling of Ropers, Majeski, Kohn & Bentley at the property of Melody Mar, 358-360 Vallejo Street, San Francisco. The purpose of my visit was to visually review the physical damage to Ms. Mar's building caused by a rockfall from adjoining properties to the west at 26 and 30 Hodges Alley. For a portion of our site visit and inspection, I was accompanied by Lawrence B. Karp. geotechnical engineer who has had considerable experience with Telegraph Hill rockfalls and he contributed to this letter-report. In accordance with the reporting requirements of the Professional Engineer's Act, B&P Code §6735, his geotechnical engineering seal and signature appear below as do mine as structural engineer.

Dr. Karp examined the strata from inside the Mar Building, and relates that on the south facing hillside of Telegraph Hill there were the major rockfalls in October 1962 and February 2007 and intermittent rockfalls between 1984 and 1998 that were attributed to new construction which included rock sporadically falling from below the condominiums on Vallejo Street to the west.

The history of Telegraph Hill includes numerous rock falls on its east, north, and south faces even after quarrying terminated approximately 100 years ago. Observations of the predominate sandstone (greywacke) exposed in the larger rock faces of Telegraph Hill found pervasive fractures with both subhorizontal and subvertical intersecting joint sets with varying spacing of discontinuities in the formation [***KJss***]; minor fine sandstone shale [***ssh***] horizons interbedded with thick to massive sandstone [***ss***] units.

The geologic formation, greywacke (massive sandstone) and shale (beds of clay and sand lenses) at rockfall locations that occurred below Vallejo between Montgomery and Kearny are shown in light blue on the 1974 Schlocker map of the San Francisco North Quadrangle. The map indicates joint set data of the greywacke at the 1962-2007 rockfall site and closer to the Mar site are almost the same (40° or 45° dips to the southwest from similar strikes). From inside the Mar building it can be seen that greywacke sits over shale. The shale is relatively weak and erodes from groundwater seeping from the hillside. As the shale erodes it loosens graywacke blocks that fall away from fractures. The same process caused rock falls in 2007 that resulted in the City declaring several of the buildings in the area uninhabitable.

(continued)

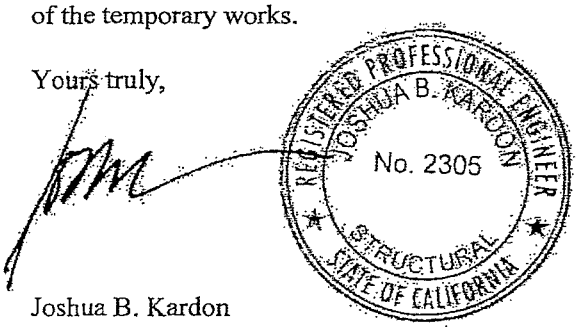
It was related to us that another consultant to Ms. Mar, John Wallace, an engineering geologist, characterized the existing rock surface as "continuing rockslide/rockfall hazard with a high risk to the northwest portion of the 358 Vallejo Street residential structure and any occupants therein." The rock which fell from the escarpment at the property line between 358-360 Vallejo, and 26 and 30 Hodges impacted the exterior of Ms. Mar's house causing some distortion of the wood-framed structure and cracking of brittle interior finishes. At 26 Hodges corrugated plastic sheeting has been installed in an attempt to divert rainwater away from the slope below the building. The fallen rock remains in the space between the escarpment and Ms. Mar's house, is in contact with her exterior siding, and is exerting an inward load on her wall.

Based on our observations, we also believe there is a high risk of additional collapse of the escarpment, which could cause further physical damage to Ms. Mar's property, and could injure or kill occupants of buildings on either side of the property line.

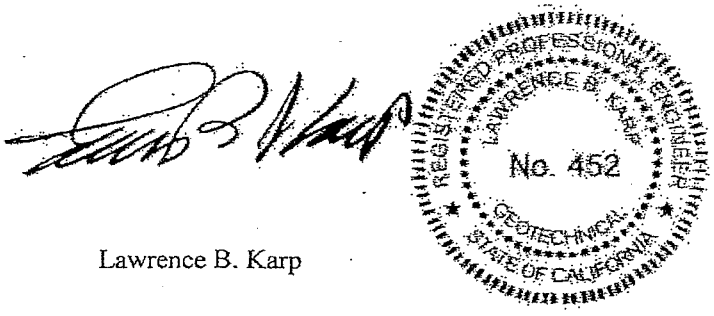
We saw no work in place during my visit intended to prevent further collapse of the rock escarpment, or to protect Ms. Mar's property from a future rock fall. We recommend the loose rock and debris be removed and the escarpment stabilized and strengthened by engineering and constructing a retaining structure directly on its face. The wall should be restrained with double corrosion protected rock anchors or grouted bars drilled into the rock. After the permanent repair and stabilization of the rock escarpment is completed, structural and architectural repairs should be made to Ms. Mar's building.

A practicable and cost-effective repair of the rock escarpment could entailing drilling into the rock surface and pneumatically placing concrete on the surface of the escarpment. That work can be accomplished from within Ms. Mar's building, using equipment supported on temporary works rigged for that purpose. After that work is completed, the work on Ms. Mar's property should include repair of damage to the walls, foundations, and finishes caused by the rock fall, and repair of any damage to her property caused by the installation and operation of the temporary works.

Yours truly,



Joshua B. Kardon



Lawrence B. Karp

EXHIBIT

8

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Discretionary Review Action DRA-0410

HEARING DATE: MARCH 12, 2015

Date:	March 20, 2015
Case No.:	**2014-001042DRP**
Project Address:	**26 HODGES ALLEY**
Permit Application:	2013.03.21.2735
Zoning:	RH-3 (Residential House, Three-Family) District Telegraph Hill North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0134/012
Project Sponsor:	Heidi Liebes Liebes Architects 450 Sansome Street, Suite 1200 San Francisco, CA 94111
Staff Contact:	Kate Conner – (415) 575-6914 kate.conner@sfgov.org

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2013.1652DV AND THE APPROVAL OF BUILDING PERMIT 2013.03.21.2735 PROPOSING CONSTRUCTION OF A SIDE ADDITION TO THE NORTHERN PROPERTY LINE AT THE FIRST AND SECOND FLOORS WHICH ENCROACHES INTO THE REAR YARD SETBACK AND A THIRD FLOOR ADDITION WHICH COMPLIES WITH THE REAR YARD REQUIREMENT. THE PROJECT IS SUBJECT TO APPROVAL OF A REAR YARD VARIANCE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) DISTRICT, THE TELEGRAPH HILL NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 21, 2013, Heidi Liebes filed for Building Permit Application No. 2013.03.21.2735 proposing construction of a third floor addition to a two-story single-family residence and a horizontal addition on the first and second floors. The subject property is located within the RH-3 (Residential House, Three-Family) District, the Telegraph Hill North Beach Residential Special Use District, and the 40-X Height and Bulk District.

On June 12, 2013, Heidi Liebes filed Variance Application 2013.0783V for the first and second floor horizontal addition. The rear yard requirement is 28'-4" and the existing building is non-conforming as it maintains a 9" rear yard. The proposed third floor addition complies with the rear yard requirement. The proposed 3'-0" deep side addition encloses an existing stairway and extends approximately 5'-6" beyond the adjacent neighbor to the north and spans approximately 16'-0" but does not increase the overall building depth.

Memo

On December 4, 2014, the Zoning Administrator granted Variance (2013.0783V) after a public hearing held on September 24, 2014. The Variance was appealed and will be heard at the Board of Appeals on March 18, 2015.

On October 27, 2014, Melody Mar (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2014-001042DRP) of Building Permit Application No. 2013.03.21.2735.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On March 12, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2014-001042DRP.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission hereby takes Discretionary Review requested in Application No. 2014-001042DRP and approves the Building Permit Application 2013.03.21.2735 subject to the following modifications:

1. Increasing the front setback at the third level equal to the width of the closet space (approximately four feet);
2. Increasing the depth of the third level addition to the required rear yard line (approximately three feet); and
3. Reducing the third level roof deck at the northeast corner to align with the adjacent building depth.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. There are extraordinary and exceptional circumstances in the case.
2. Reducing the roof deck at the third level along the northern property line will improve the northern neighbor's privacy at the rear deck and open space.
3. The width of Hodges Alley is an extraordinary circumstance and the additional setback at the proposed third floor will increase the amount of light cast on Hodges Alley.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission took Discretionary Review and approved the building permit as referenced in this action memo on March 12, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Fong, Antonini, Hillis, Johnson, Moore, Richards, Wu,

NAYS: None

ABSENT: None

ADOPTED: March 12, 2015

EXHIBIT

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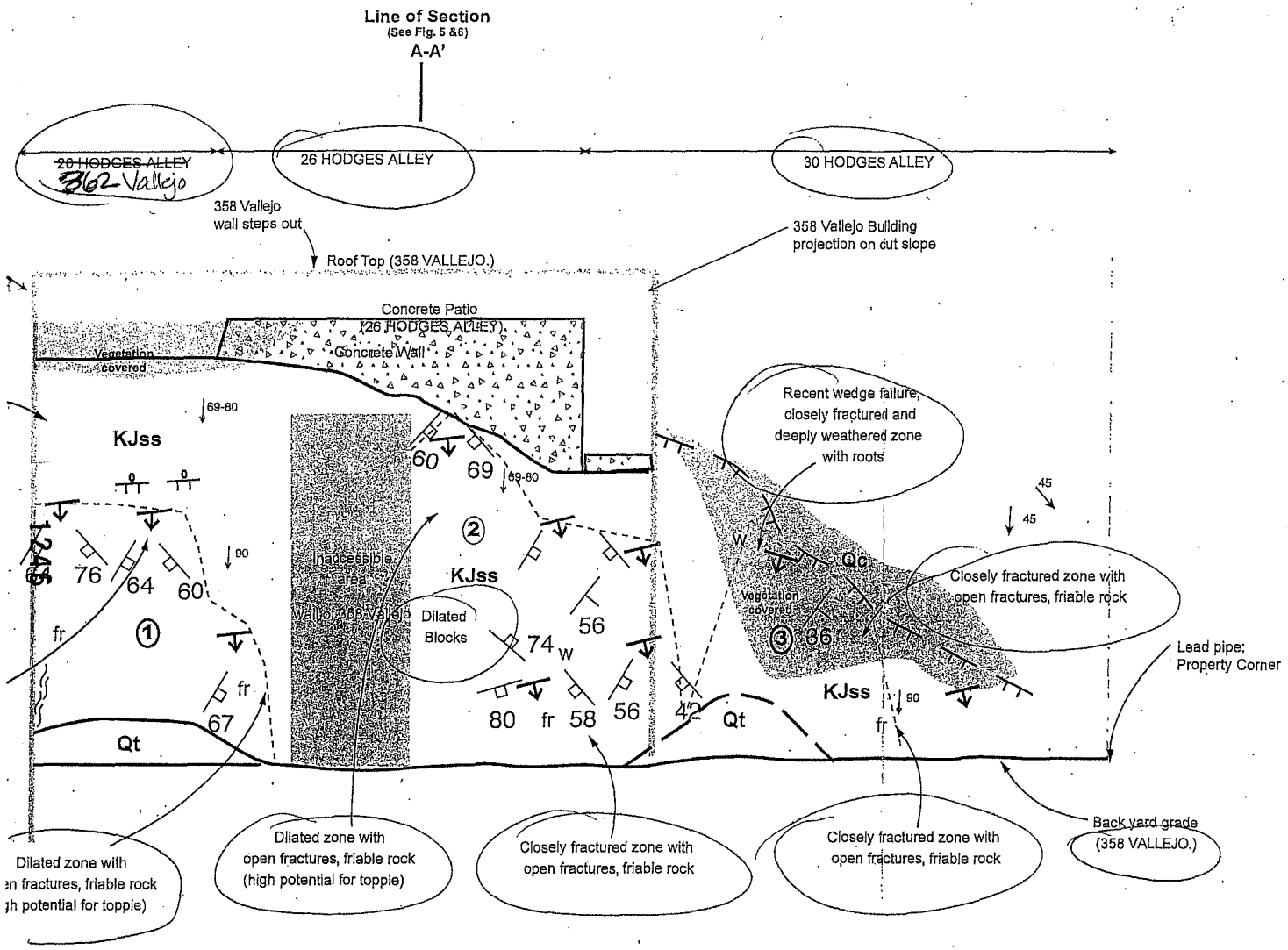
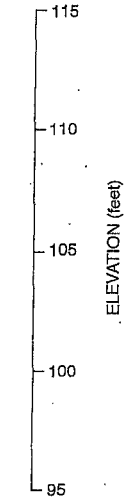


B'
North



(PLANATION

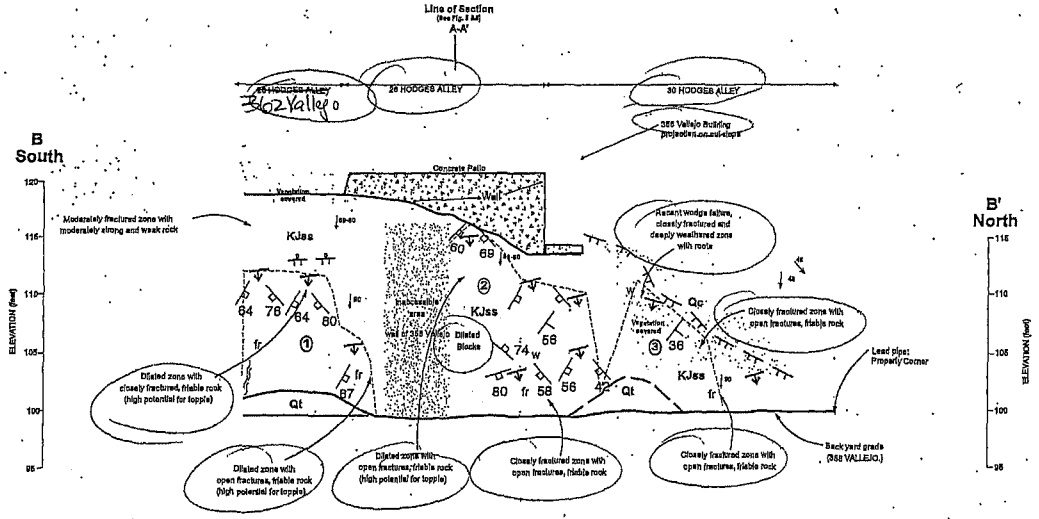
Soil or Colluvium with Roots

Talus Deposit, includes recent rockfall debris

ss Sandstone with minor Shale (Franciscan complex)

Geologic Cross Section
B-B'
26 Hodges Alley
Date: 5/28/13 Figure 5
Gilpin GeoSciences, Inc.

1247



EXPLANATION

Qc — Soil or Colluvium with Roots

Qt — Talus Deposit, includes recent rockfall debris

KJss — Sandstone with minor Shale (Franciscan complex)
- fr - friable, matrix
- w - deeply weathered
- b - block or block-rich

KEY

- Geologic Contact (approximate)
- 36 — Strike and dip of bedding
- 37 — Strike and dip of joint
- Failure Plane - Sheared block or intensely fractured matrix with foliation
- Break in Topographic Slope - 0 designates overhang
- Local Slope direction with inclination
- Shear Zone
- A A' — Cross section location (see Site Plan, Figure 3)

Area of High Rockfall Potential

Notes: 1. Standard tape and compass mapping techniques, feature locations are approximate.
2. Geologic interpretation based on limited reconnaissance geologic mapping
3. Line of section shown on Figure 3 Site Plan.
4. No vertical exaggeration (Horizontal=Vertical).

GEOLOGIC CROSS SECTION
B-B'

DEWILDE RESIDENCE
26 HODGES ALLEY
San Francisco, California

Date 5/28/13	Project No. 91552.01	Figure 5

Gilpin Geosciences, Inc.
Earthquake & Engineering Geology Consultants

EXHIBIT

10

Gilpin Geosciences, Inc
Earthquake & Engineering Geology

May 28, 2013
91552.01

Mr. and Mrs. David de Wilde
2650 Green Street
San Francisco, CA 94123

Subject: **Engineering Geologic and Geotechnical Investigation**
Residential Improvements
26 Hodges Alley
San Francisco, California

Dear Mr. And Mrs. de Wilde:

INTRODUCTION

Gilpin Geosciences, Inc. is pleased to submit the results of its geological and geotechnical investigation related to the stability of the existing rock cut conditions below the home at 26 Hodges Alley, (see Location Map, Figure 1). We understand you wish to remodel and expand the existing residence by seismically strengthening the existing structure and constructing an additional floor at the back of the residence.

We visited the site on 19 February and 21 May 2013 in the company of Mr. Frank Rollo of Treadwell & Rollo, Inc., a Langan Company (T&R) to observe the present conditions and discuss the project with you and your construction contractor Mr. Day Hilborn, of All Bay Construction. T&R is providing geotechnical consultation during this study.

SCOPE OF SERVICES

Our scope for this project is outlined in our proposal dated 8 March 2013. The objective of our services was to provide you recommendations to improve the

2038 Redwood Road, Napa, CA 94558 tel: (707) 251-8543 fax: (707) 257-8543

stability of the existing slopes. We researched and reviewed available publications and performed a geological reconnaissance of the site and vicinity.

FINDINGS

Our findings are based on the results of our research and reconnaissance and are presented in the remainder of this section.

Site Conditions

The site is at the top of the east-facing slope of Telegraph Hill in San Francisco, California. The building that occupies the site is a wood-framed two-story structure that has an entry at the ground level from Hodges Alley. At the rear of the building are a concrete patio at the ground level, and a cantilevered wooden deck at the second level. The concrete patio sits at the top of a near vertical 15- to 20-foot high slope that was excavated into the hillside presumably for construction of the downslope residence at 358 Vallejo Street. The patio is partially supported by a concrete perimeter wall that varies from 2 to 7 feet high.

Over the years debris and rock fragments have fallen from the slope adjacent to the eastern property line. Most of the rock fragments have accumulated in the backyard of your neighbor at 358 Vallejo Street.

Background

In the late 1800's, Telegraph Hill was mined by various quarrying operators. In 1884, the City of San Francisco authorized the lowering of Sansome Street, (located east of the site) and W.D. English & Company, operating under contract with the State Harbor Commissioners, began blasting material from the eastern

flank of the hill for its use in seawall construction. Records indicate landslides resulted from the blasting operations. The combination blasting and earth movement did severe damage to homes on Telegraph Hill. Between 1884 and 1885, several homes were demolished and removed, and ten homes on the hill were deemed unfit for habitation. Some were reported having slipped from their foundations and slid to the base of the slope.

Myrick (1972) describes a large quarry operated by Gray Brothers Company at the corner of Sansome and Green Streets. A particularly heavy blast shook the quarry on March 27, 1907, which wiped out the corner of Green and Calhoun Streets.

Aerial Photograph Review

We reviewed 4 pairs of vertical stereographic photographs archived at Pacific Aerial Surveys in Oakland, California. The time period spanned by the photographs was 1935 to 2000. We use standard aerial photograph analysis techniques to identify surface features indicative of slope instability, such as arcuate scarps, erosion channeling, breaks in topographic slope, and signs of excessive seepage. The photographs reviewed are listed in the references.

The 1935 photograph shows the site with a building in place. The eroded and graded area north and northeast of the site appears less vegetated and more disturbed than at present. In later photography, the actual cut slope under investigation in this letter could not be observed because of poor contrast and limited resolution. One exception to this is a broad eroded area at the north end of the cut slope corresponding to the slope at 30 Hodges Alley. The eroded area appears in high contrast to the surrounding ground, suggesting recent erosion on the 1995 color oblique photograph.

Regional Geology

Regional geology mapping by Schlocker (1974) shows the site to be underlain by Franciscan Complex interbedded sedimentary rocks composed of sandstone, shale and greywacke sandstone (see Figure 2). These sediments were deposited during the Jurassic and Cretaceous time (approximately 65 to 195 million years ago). Schlocker's map indicates that these sequences consist of interbedded units, which strike northwest and dip towards the southwest and northeast, or obliquely into and out of the local slope. Several inactive faults are mapped which trend northerly and are exposed in the old quarry walls on the eastern perimeter of Telegraph Hill north of the site.

Numerous inactive faults were mapped north of the site on the slope below Calhoun Terrace (Kropp, 1984; Dames & Moore, 1982; Rollo & Ridley, 2012). Groundwater seepage and adverse bedding were also noted in the vicinity. Although the results of mapping north of Green Street does not focus on the slope immediately below our site, the results provide important information on the local geology and slope stability.

In February 1962, a significant rockfall occurred below the residence one block to the north at 260 Green Street, adjacent to Calhoun Terrace. The failure deposited debris on the 200 Green Street building at the base of the slope.

Site Geology

The residence at 26 Hodges Alley lies immediately southwest of the old quarry operations that took place on the east slopes of Telegraph Hill until the turn of the 20th century. Aggressive quarrying that included blasting has left the slopes oversteepened and shattered.

The narrow, 17 feet-wide parcel has zero setback along the sides and extends to a vertical cut slope up to 20 feet in height at the rear, east side of the parcel. The residence at 358 Vallejo Street is a wood-framed two-story with the west wall located from 4 feet to 5.5 feet from the rear edge of the concrete patio at the rear of the 26 Hodges Alley parcel. The cut slope is irregular and lies from inches to several feet from the face of the 358 Vallejo Street building.

On 2 March 2013, we accessed the cut slope via 358 Vallejo Street to perform a geological reconnaissance. We viewed the slope through windows, and light wells to observe the exposed bedrock in the cut slope face, except for two areas on the cut slope face. These are: 1) dense blackberry brush-covered area at the southern extend of the slope, and 2) a constricted access area where the 358 Vallejo wall stepped towards the central section of the slope. The cut slope continues to the south and north of the 26 Hodges Alley parcel, extending onto 20 and 30 Hodges Alley parcels, respectively.

The results of our observations are presented on Figures 3, 4 and 5. Figure 3 shows a generalized site plan for reference. Because of the steep slope and limited access we have mapped our observation on cross sections perpendicular and parallel to the cut slope; these are shown on Figures 4 and 5, respectively. The Cross Section B-B', Figure 5, shows the limits of the parcels at 20, 26, and 30 Hodges Alley.

We mapped three areas of the slope that are susceptible to wedge-type rock failures. Evidence of recent rockfalls include numerous fresh scars, loose blocks, and talus composed of debris and sandstone blocks at the base of the slope, which is the backyard of 358 Vallejo Street residence. Three areas that appear to be rockfall areas susceptible to wedge-type block failures are depicted on Figure 5.

The sandstone exposed in the cut slope is thin- to thick-bedded, intensly to moderately fractured, friable to weak, with low hardness and moderate to deep weathering. Thin shale layers are interbedded locally, and can form crushed weak zones prone to ravelling and undermining failure.

Bedding in the sandstone and shale unit dips generally northeast, oriented out of the slope, at inclinations of 30 to 56 degrees. Jointing was mapped in the sandstone unit as dipping to the southeast at between 42 to 76 degrees and north or northeast at between 36 to 74 degrees. The adverse joints combined with the northeast dipping beds yield wedge-type failure potential along the intersection of these two planes with a preponderance of failures oriented due east and northeast dipping at 16 to 54 degrees out of the slope. (See Figure 5).

Seismicity

The major active faults in the region include the San Andreas, San Gregorio, Hayward, Rodgers Creek, Concord-Green Valley, and Calaveras faults. A list of major active faults in the region, including their distances from the site and maximum moment magnitudes, is provided in Table 1.

TABLE 1
Regional Faults and Seismicity

Fault Segment	Distance (kilometers)	Direction From Site	Maximum Moment Magnitude
San Andreas (North Coast)	13	West	7.5

San Gregorio	19	West	7.2
Hayward	16	East	6.9
Rodgers Creek	32	northeast	7.0
Calaveras	35	east	6.9
Concord-Green Valley	37	east	6.7

The site lies in the seismically active San Francisco Bay region and is subject to frequent earthshaking. The active faults nearest to the site are the San Andreas (13 km west), San Gregorio (19 km southwest), Hayward (16 km east), Rodgers Creek (32 km northeast), Calaveras (35 km east) and Concord (37 km east). The site does not lie within a known active fault zone. No active faults were identified on the site during our investigation.

The 1906 San Francisco earthquake had an estimated Moment Magnitude (M_w) of 7.8 and created a surface rupture along the San Andreas fault approximately 270 miles long, with a maximum lateral displacement of about 21 feet. The epicenter of the 1906 event is estimated to be offshore of the San Francisco coastline approximately 13 km west of the site. Strong shaking occurred at many sites in the East Bay and extensive damage was documented.

Two moderate earthquakes (Richter Magnitude 5.6 and 5.7) occurred on the Rodgers Creek fault near Santa Rosa in 1969. These earthquakes resulted in widespread minor damage and localized structural damage in Sonoma County but no significant damage in San Francisco.

The recent Loma Prieta Earthquake (M_w 6.9) was centered on or near the San Andreas fault about 97 km from the site. It produced moderate ground shaking and minor damage to the Telegraph Hill area.

The U.S. Geological Survey's (2008) 2007 Working Group on California

Earthquake Probabilities has compiled the earthquake fault research for the San Francisco Bay area in order to estimate the probability of fault segment rupture. They have determined that the overall probability of moment magnitude 6.7 or greater earthquake occurring in the San Francisco Bay Region during the next 30 years is 63 percent. The highest probabilities are assigned to the Hayward/Rodgers Creek and the Northern segment of the San Andreas faults. These probabilities are 31 and 21 percent, respectively (USGS, 2008).

CONCLUSIONS AND RECOMMENDATIONS

We conclude the proposed remodeling is feasible provided the recommendations contained in this letter related to the stabilization of the loose rock and potential wedge-type rock failures mapped in the existing slope between the 26 Hodges Alley and 358 Vallejo Street properties are implemented. These recommendations should be performed prior to the proposed remodeling and expansion.

The slope adjacent to 26 Hodges Alley should be retained by a soldier pile and wood-lagging wall. The wall relies on support from piers, acting as deadmen, installed along the back of the building and connected to the soldier pile wall by a series of reinforced concrete grade beams or a structural slab.

Soldier Pile Wall Design and Construction

The retention system proposed addresses the difficulty of developing appropriate mitigation measures to improve stability of the slope. We evaluated several alternatives and recommend that the rockfall hazard be mitigated by installing a retaining wall system using concrete-encased, steel soldier piles with pressure-treated wood lagging along the east property line of 26 Hodges Alley.

The wall should be constructed to support the existing rock cut slope (Figure 6, 7) and should extend approximately 17 lineal feet across the 26 Hodges Alley parcel width. The soldier piles should be connected by a structural slab or reinforced concrete grade beam to piers drilled along the rear of the building for supplemental lateral support. The piers would require drilling at or close to the present building perimeter foundation.

For our design, we assumed the soldier piles would be drilled approximately 6 inches from the existing 358 Vallejo residence wall, and would consist of HP12 x 32 steel beams and would be spaced at approximately 8 feet on center. The soldier piles would be placed in an 18-inch-diameter drilled shaft extending 5 feet below the lowest adjacent grade; the portion of the drilled shaft that extends below the ground surface should be filled with structural concrete having a compressive strength of at least 3,000 pounds per square inch (psi) at 28 days. Above the ground surface, the steel beam should be encased in concrete and the distance between soldier piles lagged with 3-inch by 12-inch timber boards.

The wood lagging boards should be placed with a gap at least 3/8 inches wide between boards to allow groundwater to flow freely through the lagging.

The space between the lagging and the face of the slope should be backfilled with 3/4-inch by 1-1/2-inch crushed rock or recycled concrete. To reduce the potential for fines to migrate through the rock, filter fabric consisting of Mirafi 140N or equivalent should be placed against the slope.

The bottom of the drilled holes for the soldier piles should be free of debris and water before placement of concrete. Drilling should be observed by a representative of Gilpin Geosciences/Treadwell & Rollo to confirm the foundation rock is similar to that encountered in our field investigation.

GEOTECHNICAL SERVICES DURING CONSTRUCTION

Prior to construction, Gilpin Geosciences, Inc., project engineering geologist/Treadwell & Rollo, Inc., project geotechnical engineer should review the project plans and specifications to check the conformance with the intent of our recommendations. During construction, our field engineer should provide on-site observation and testing during site preparation, placement and compaction of fill, and installation of foundations for the soldier beam and lagging retaining wall(s). These observations will allow us to compare actual with anticipated subsurface conditions and to verify that the contractor's work conforms with the geotechnical aspects of this report and the construction drawings.

LIMITATIONS

Our services have been performed in accordance with generally accepted principles and practices of the geological and geotechnical profession. This warranty is in lieu of all other warranties, either expressed or implied. In addition, the conclusions and recommendations presented in this report are professional opinions based on the indicated project criteria and data described in this report. They are intended only for the purpose, site location and project indicated.

We trust that this provides you with the information that you require at this time. If you have questions, please call.

Sincerely,

GILPIN GEOSCIENCES, INC.

REGISTERED GEOLOGIST L. M. GILPIN No. 1518 CERTIFIED ENGINEERING GEOLOGIST STATE OF CALIFORNIA

4/30/14

Lou M. Gilpin
Enginerering Geologist

TREADWELL & ROLLO, INC.,
A Langan Company

REGISTERED PROFESSIONAL ENGINEER FRANK L. ROLLO GE733 Exp. 6/30/13 GEOTECHNICAL STATE OF CALIFORNIA

Frank L. Rollo
Geotechnical Engineer

Attachments:

REFERENCES

TABLES
Table 1 Regional Faults and Seismicity

LIST OF FIGURES
Figure 1 Site Location Map
Figure 2 Regional Geology Map
Figure 3 Site Plan
Figure 4 Geologic Cross Section A-A'
Figure 5 Geologic Cross Section B-B'
Figure 5 Conceptual Repair Section A-A'
Figure 6 Conceptual Repair Section B-B'

REFERENCES

Dames & Moore, 1982, Report on Foundation Investigation, Proposed 12 Story Office Building and Apartment Building, 1171 Sansome Street, San Francisco, California: dated 28 May 1982.

ENGEO, Inc., 2012, Consultation regarding slope conditions 26Hodges Alley San Francisco, California: prepared for Karen Skjei, 2 pages.

Harold Lewis & Associates, 2011, Geotechnical Investigation proposed slope stabiliation at 358 Vallejo Street San Francisco, California: 19 p.,figures.

Alan Kropp and Associates, 1984, Geotechnical Consultations 1171 Sansome Street Development San Francisco, California: report prepared for Telegraph Hill Dwellers, dated February 24,1984, 13 p., Plates and Figures.

Myrick, D.F., 1972, San Francisco's Telegraph Hill: Howell-North Books, Berkeley, California, 220 p.

Rollo and Ridley, 2012, Rockfall Hazard Investigation 260 Green Street San Francisco, California: prepared for Mr. J. Reuben, 13 p. map scale 1-inch=24 feet.
Myrick, D.F., 1972, San Francisco's Telegraph Hill: Howell-North Books, Berkeley, California, 220 p.

Schlocker, J., 1974, Geology of the San Francisco North Quadrangle, California: U.S. Geological Survey Professional Paper 782, 109 p.

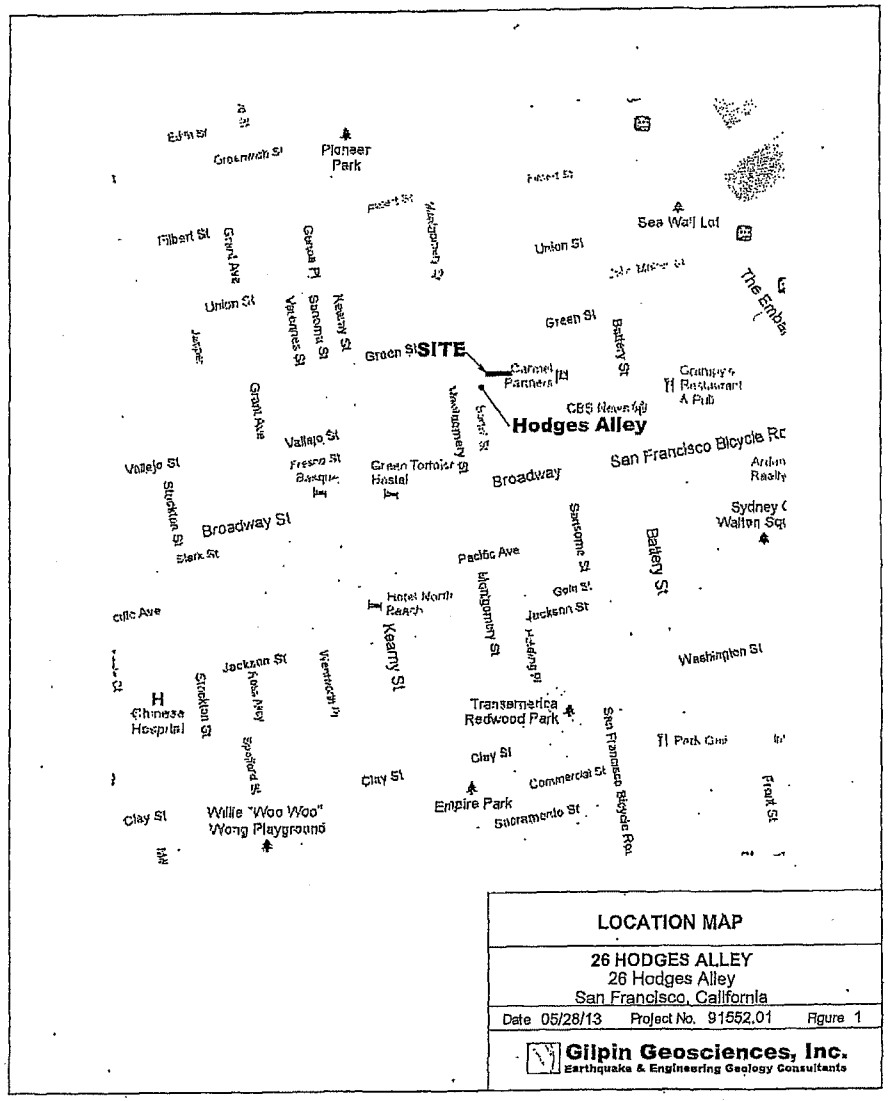
U.S. Geological Survey (USGS), 2008, The Uniform California Earthquake Rupture Forecast, Version 2 (UCERF 2): prepared by the 2007 Working Group on California Earthquake Probabilities, U.S. Geological Survey Open File Report 2007-1437.

LIST OF AERIAL PHOTOGRAPHS

Aerial Photographs

Date	Photo Number	Scale
08/15/00	AV-6600-7-1, 2	1:12,000
06/23/97	AV 5434-6-3, 4	1:12,000
02/13/95	K-SF-E-467	Oblique
00/00/35	AV 248-2-1,2	1:16,500

FIGURES



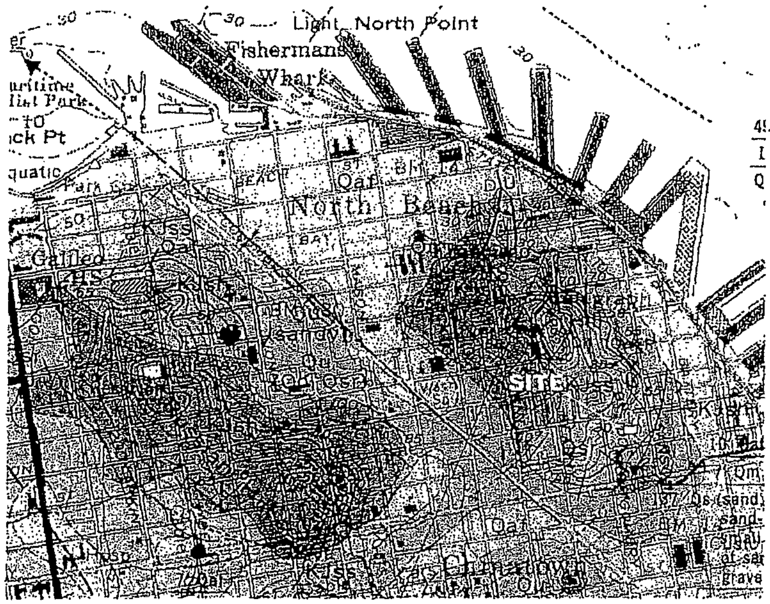
LOCATION MAP

26 HODGES ALLEY
26 Hodges Alley
San Francisco, California

Date 05/28/13 Project No. 91552.01 Figure 1

Gilpin Geosciences, Inc.
Earthquake & Engineering Geology Consultants

12-64



0 2000 Feet

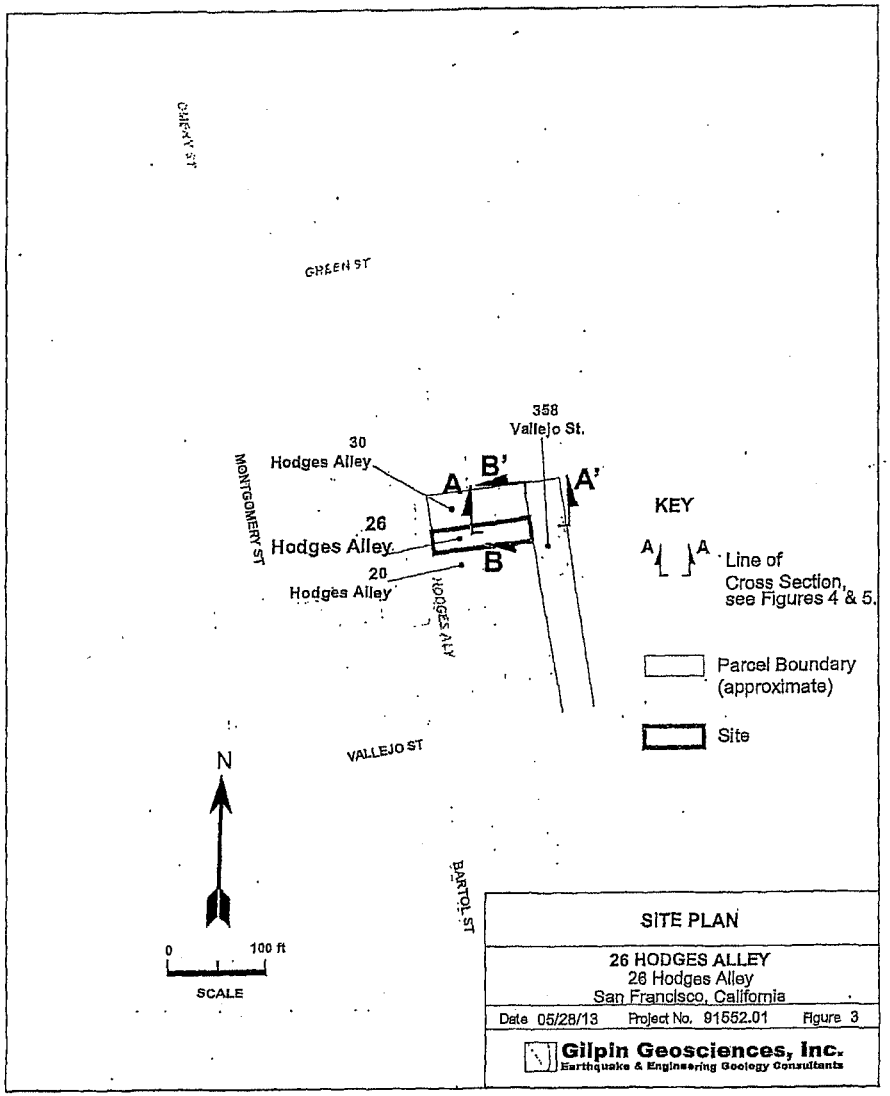
Approximate scale

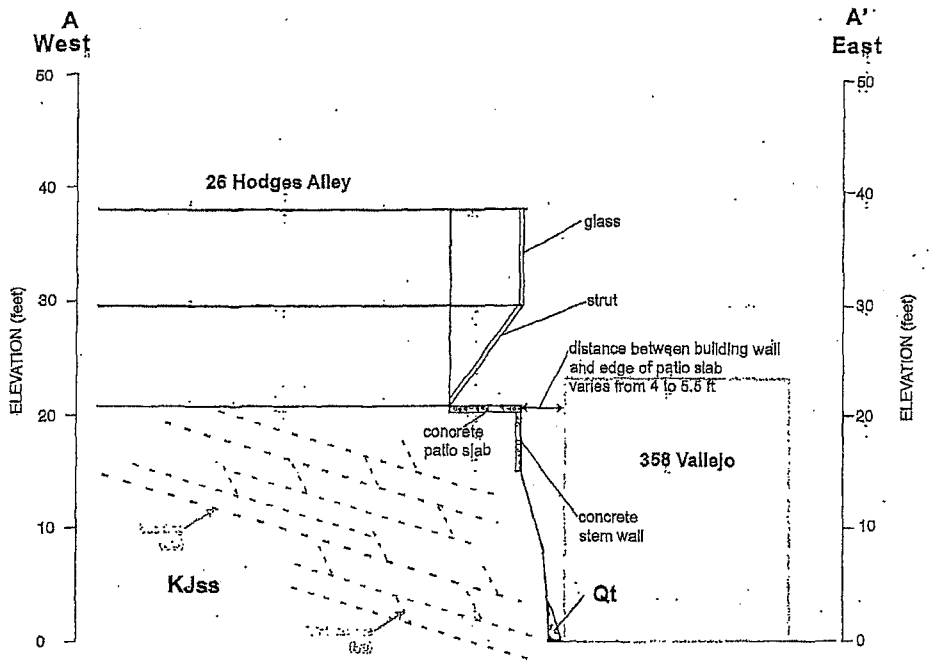
EXPLANATION

Qsr - Slope debris & ravine fill
Qu - Surficial deposits (undifferentiated)
Qal - Alluvium
Qaf - Artificial fill
Qc - Colma Formation

Franciscan Complex Bedrock
KJsh - shale & thin sandstone beds
KJss - sandstone with thin shale beds

Regional Geology Map		
26 HODGES ALLEY San Francisco, California		
Date 5/28/13	Project No. 91552.01	Figure 2
Gilpin Geosciences, Inc. Earthquake & Engineering Geology Consultants		


CHERRY ST
GREEN ST
358
Vallejo St.
30
Hodges Alley
MONTGOMERY ST
A
B'
A'
26
Hodges Alley
B
20
Hodges Alley
HODGES ALY
VALLEJO ST
BARTOL ST
N
0
100 ft
SCALE
KEY
A
A
Line of
Cross Section,
see Figures 4 & 5.
Parcel Boundary
(approximate)
Site
SITE PLAN
26 HODGES ALLEY
26 Hodges Alley
San Francisco, California
Date 05/28/13
Project No. 91552.01
Figure 3
Gilpin Geosciences, Inc.
Earthquake & Engineering Geology Consultants



Explanation

Qt	Talus, includes recent rockfall debris.
KJss	Sandstone/Shale (Franciscan Complex Melange)

Key

A A Cross section location (see Site Plan, Figure 3)

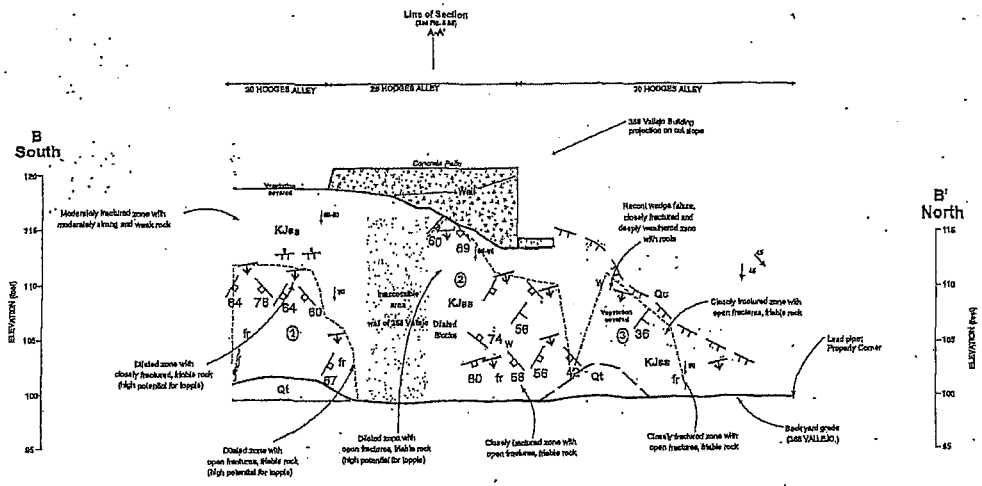
Notes:
1. Geologic interpretation based on limited reconnaissance geologic mapping
2. Line of section shown on Figure 3 Site Plan.
3. No vertical exaggeration (Horizontal=Vertical).

Geologic Cross Section
A-A'

DE WILDE RESIDENCE
26 Hodges Alley
San Francisco, California

Date 5/28/18	Project No. 91552.01	Figure 4

Gilpin Geosciences, Inc.
Earthquake & Engineering Geology Consultants



EXPLANATION

Qc	Soil or Colluvium with Roots
Qt	Talus Deposit, Includes recent rockfall debris
KJss	Sandstone with minor Shale (Franciscan complex) fr - friable, matrix w - deeply weathered b - block or block-rich

KEY

	Geologic Contact (approximate)
36	Strike and dip of bedding
37	Strike and dip of joint
	Failure Plane - Sheared block or intensely fractured matrix with foliation
	Break in Topograpic Slope - 0 designates overhang
	Local Slope direction with inclination
	Shear Zone
A A'	Cross section location (see Site Plan, Figure 3)
②	Area of High Rockfall Potential

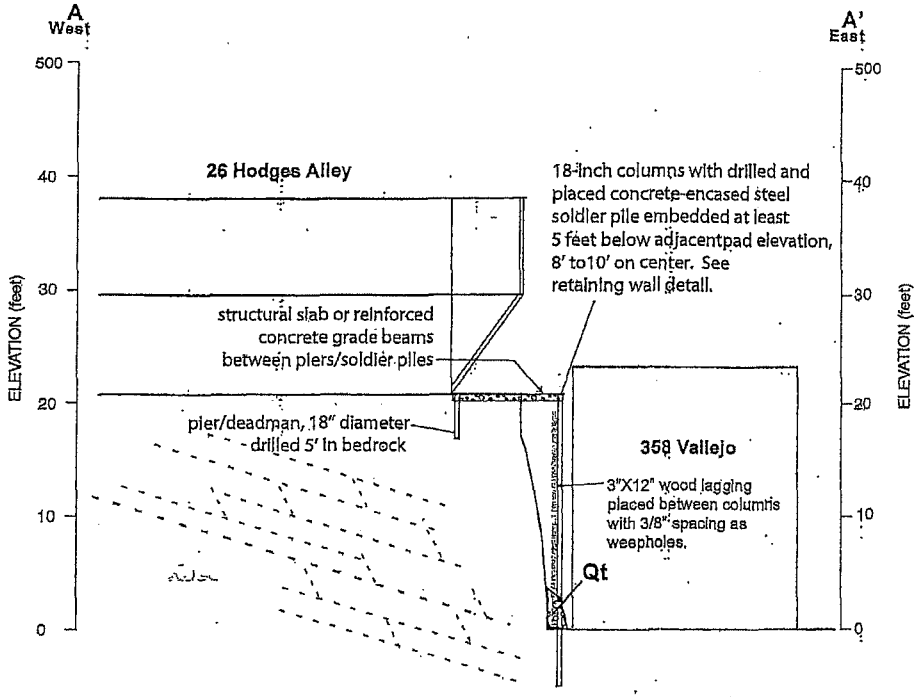
Notes: 1. Standard tape and compass mapping techniques, feature locations are approximate.
2. Geologic interpretation based on limited reconnaissance geologic mapping
3. Line of section shown on Figure 3 Site Plan.
4. No vertical exaggeration (Horizontal=Vertical).

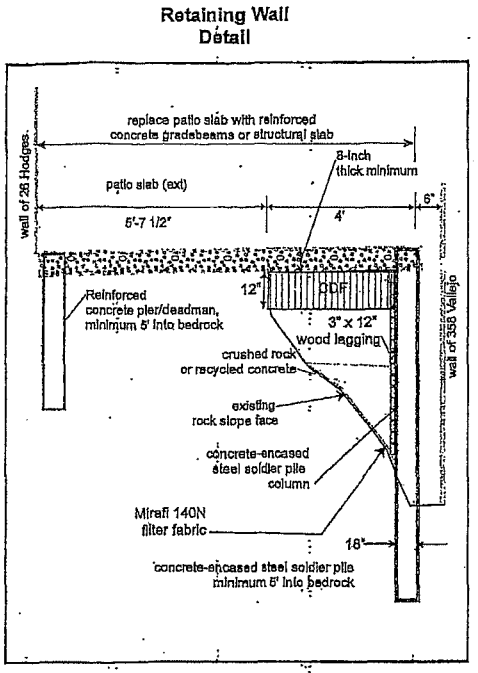
GEOLOGIC CROSS SECTION
B-B'

DEWILDE RESIDENCE
28 HODGES ALLEY
San Francisco, California

Date 5/28/13	Project No. 91552.01	Figure 5

Gilpin Geosciences, Inc.
Earthquake & Engineering Geology Consultants





Explanation

Qt	Talus
KJss	Sandstone/Shale (Franciscan Complex Melange)

Key

A A Cross section location (see Site Plan, Figure 3)

Notes:
1. Geologic interpretation based on limited reconnaissance geologic mapping
2. Line of section shown on Figure 3 Geologic Map Elevation.
3. No vertical exaggeration (Horizontal=Vertical).

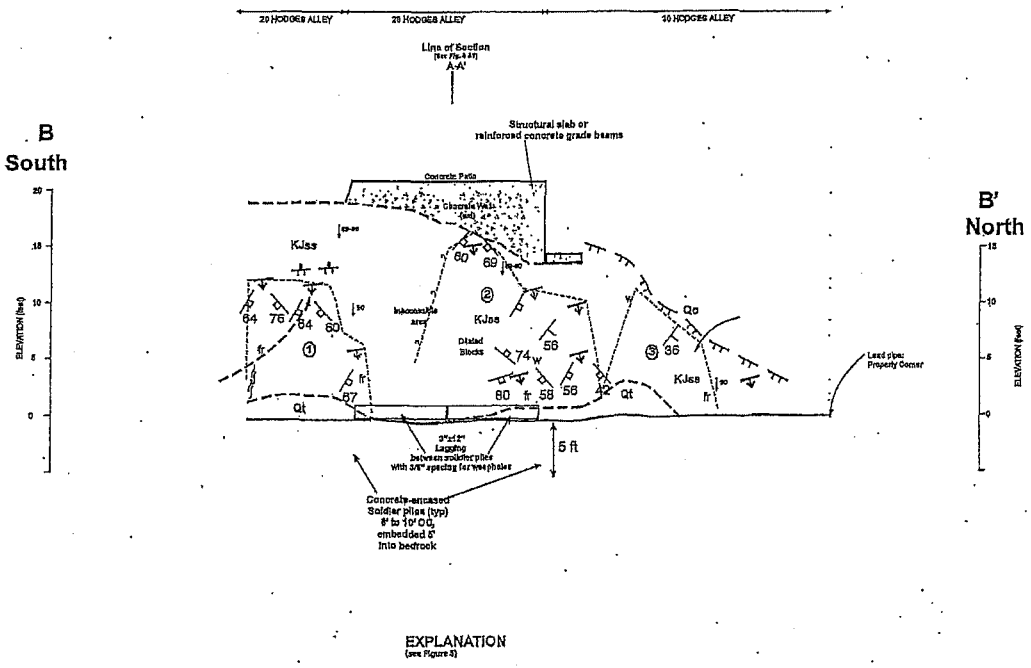
Conceptual Repair Section A-A'

DE WILDE RESIDENCE
28 Hodges Alley
San Francisco, California

Date 5/28/13 | Project No. 91552.01 | Figure 6

Glipin Geosciences, Inc.
Earthquake & Engineering Geology Consultants

1268



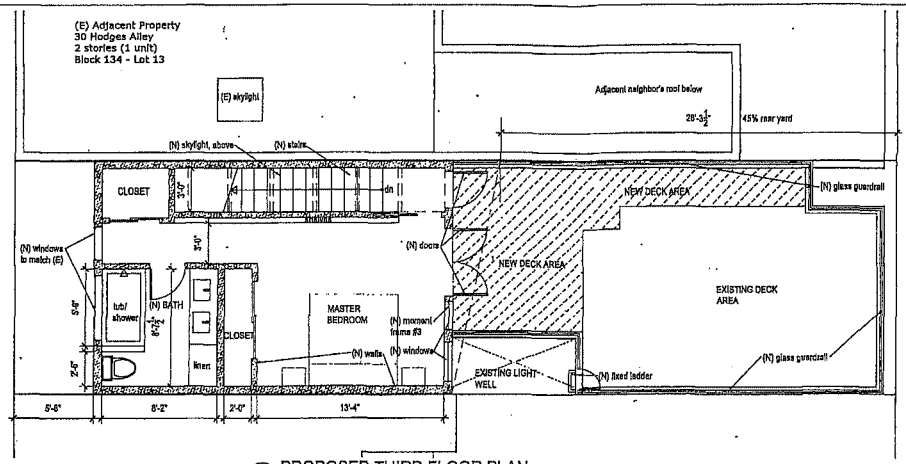
Conceptual Repair Section B-B'		
DEWILDE RESIDENCE 26 HODGES ALLEY San Francisco, California		
Date 5/28/13	Project No. 91552.01	Figure 7

Gilpin Geosciences, Inc.
Earthquake & Engineering Geology Consultants

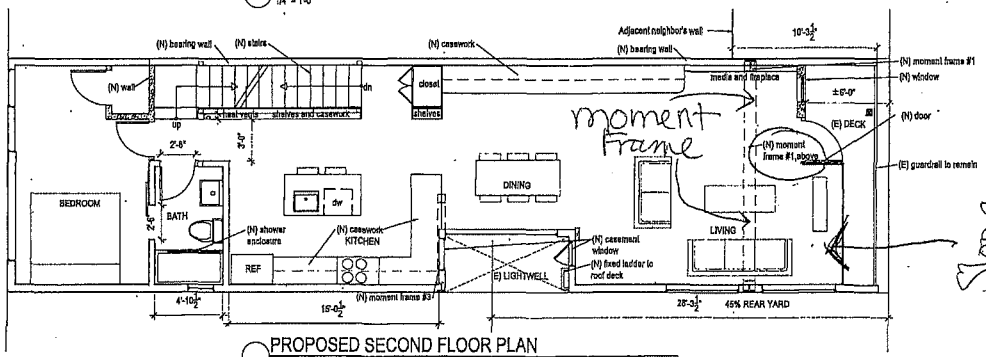
EXHIBIT

11

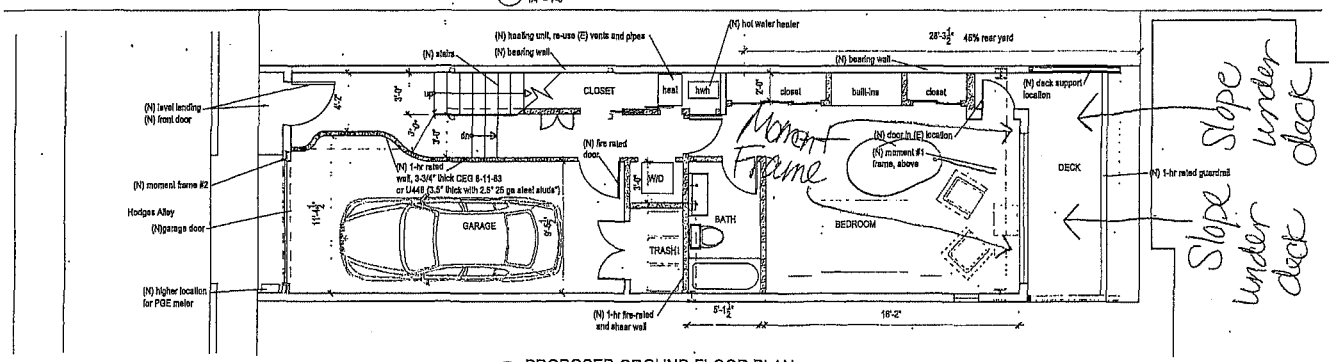
1271



PROPOSED THIRD FLOOR PLAN
1/4" = 1'-0"



PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"



PROPOSED GROUND FLOOR PLAN
1/4" = 1'-0"

N

liebes
architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING
PRELIMINARY PRICING SET
PROPOSED PLANS

A2.0
DATE July 11, 2014
SCALE

Carroll, John (BOS)

From:	BOS Legislation, (BOS)
Sent:	Monday, May 11, 2015 11:06 AM
To:	melomm@aol.com; Givner, Jon (CAT); Byrne, Marlena (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Conner, Kate (CPC); Ionin, Jonas (CPC); 'liebes.heidi@gmail.com'; Espiritu, Christopher (CPC); Jody Knight; BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Caldeira, Rick (BOS); BOS Legislation, (BOS); Lamug, Joy (BOS); Carroll, John (BOS)
Subject:	Appeal of Determination of Exemption from Environmental Review - 26 Hodges Alley - Planning Dept. Response
Categories:	150395

Good morning,

Please find linked below a memo received by the Office of the Clerk of the Board from the Planning Department, regarding the appeal of the proposed project at 26 Hodges Alley.

Planning Memo - May 11, 2015

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on May 19, 2015. You are invited to review the entire matter on our Legislative Research Center by following the link below.

Board of Supervisors File No. 150395

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

Click here to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

SAN FRANCISCO
PLANNING DEPARTMENT

BOS-11, COB, Leg Dep, Leg Clerk

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2015 MAY 11 AM 10:22

AK

MEMO

CPage

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Transmittal

Planning Department Response to the Appeal of the Categorical Exemption for 26 Hodges Alley

DATE: May 11, 2015

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Sarah Jones, Environmental Review Officer – (415) 575-9034
Christopher Espiritu, Environmental Planner – (415) 575-9022

RE: BOS File No. 150395 [Planning Case No. 2013.0783E]
Appeal of Categorical Exemption for 26 Hodges Alley

HEARING DATE: May 19, 2015

Pursuant to the San Francisco Administrative Code Chapter 31, the Planning Department has prepared a response to the Appeal of the Categorical Exemption for 26 Hodges Alley. The Planning Department is transmitting one (1) hard copy of the appeal response. In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents," the Planning Department has submitted a multi-page response to the Appeal of Categorical Exemption for 26 Hodges Alley [BF 150395] in digital format.

If you have any questions regarding this matter, or require additional hard copies, please contact Christopher Espiritu of the Planning Department at (415) 575-9022 or Christopher.Espiritu@sfgov.org.

SAN FRANCISCO
PLANNING DEPARTMENT

MEMO

1650 Mission St.
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Categorical Exemption Appeal

26 Hodges Alley

DATE:	May 11, 2015
TO:	Angela Calvillo, Clerk of the Board of Supervisors
FROM:	Sarah B. Jones, Environmental Review Officer – (415) 558-9048 Christopher Espiritu – (415) 575-9022
RE:	Planning Case No. 2013.07683E Appeal of Categorical Exemption for 26 Hodges Alley
HEARING DATE:	May 19, 2015
ATTACHMENT:	Attachment A – Categorical Exemption Determination with Historic Resource Evaluation Response Attachment B – April 10, 2015 Appeal Letter from Melody Mar
PROJECT SPONSOR:	Heidi Liebes, Liebes Architects, (415) 812-5142
APPELLANT:	Melody Mar, 358 Vallejo Street, San Francisco melomm@aol.com

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Department's (the "Department") issuance of a Categorical Exemption under the California Environmental Quality Act ("CEQA Determination") for the proposed 26 Hodges Alley project (the "Project").

The Department, pursuant to Title 14 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15300–15387), issued a Categorical Exemption for the Project on September 19, 2014, finding that the proposed Project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical exemption. The Class 1 exemption applies to minor alterations of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination.

The decision before the Board is whether to uphold the Department's decision to issue a categorical exemption and deny the appeal, or to overturn the Department's decision to issue a categorical exemption and return the project to the Department staff for additional environmental review.

SITE DESCRIPTION & EXISTING USE

The project site contains an existing two-story, 2,263-square-foot single-family residence. The project lot measures 17 feet wide by 62 feet-11 inches deep with an area of 1,067 square feet, and is zoned RH-3

(Residential House, Three Family). Along Hodges Alley and adjacent streets (Vallejo Street) is a mix of housing types, from single-family to apartment buildings, ranging from two to five stories, consistent with the RH-3 and RM-1 (Residential House, Three Family and Residential-Mixed, Low Density) zoning of the project vicinity. Generally, more recently constructed buildings are larger and contain more residential units than the older housing stock in the project vicinity.

PROJECT DESCRIPTION

The Project would involve a third floor vertical addition to an existing two-story single family residence. In addition there is a side addition to the northern property line at the first and second floors which encroaches into the rear yard setback. The rear yard requirement is 28'-4" and the existing building is non-conforming as it maintains a 1'-0" rear yard. The proposed third floor addition complies with the rear yard requirement. The proposed 3'-0" deep side addition encloses an existing stairway and extends approximately 5'-6" beyond the adjacent neighbor to the north and spans approximately 16'-0" but does not increase the overall building depth. The project would involve 940 cubic yards of excavation to a depth of 14 feet.

BACKGROUND

On July 24, 2013, Heidi Liebes Architects (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for CEQA determination for the project described above.

On September 18, 2014, the Department determined that the project was categorically exempt under CEQA Class 1, Existing Facilities (CEQA Guidelines Section 15301(e)(1)), and that no further environmental review was required. The Project was approved on February 12, 2015 at a Discretionary Review Hearing before the Planning Commission.

On April 10, 2015, Melody Mar filed an appeal of the Categorical Exemption Determination. The appeal letter was dated and filed with the Clerk of the Board on April 10, 2015.

On April 15, 2015, the Department determined that the appeal of the CEQA determination was timely filed and advised the Clerk of the Board to schedule the CEQA appeal hearing in compliance with Section 31.16(b)(4) of the San Francisco Administrative Code

CEQA GUIDELINES

Categorical Exemptions

Section 21084 of the California Public Resources Code requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333, do not have a significant impact on the environment, and therefore are categorically exempt from the requirement for the preparation of further environmental review.

CEQA State Guidelines Section 15301(e), or Class 1(e), allows for additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

In determining the significance of environmental effects caused by a project, CEQA State Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA State Guidelines 15604(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the April 10, 2015 Appeal Letter are cited below and are followed by the Department's responses.

Issue 1: There are unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project will have significant environmental effects, and therefore would not be exempt from environmental review.

Response 1: CEQA Guidelines Section 15300.2(c) states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The Appellant has not submitted any evidence that the Project would result in individual or cumulative impacts under CEQA due to usual circumstances, let alone unusual circumstances as required by CEQA.

Further, the determination of whether a project is eligible for a categorical exemption is based on a two-step analysis: (1) determining whether the project meets the requirements of the categorical exemption, and (2) determining whether there are unusual circumstances at the site or with the proposal that would result in a reasonable possibility of a significant effect. The Appellant does not claim that the proposed project does not meet the requirements of the Class 1 categorical exemption. Moreover, the Appellant has not established what the unusual circumstances are at the site or with the proposed project. Finally, the Appellant also has not specified that the project would affect a particular resource topic.

CONCLUSION

No substantial evidence demonstrating that any unusual circumstances exist that could result in significant impacts to the environment has been presented that would warrant preparation of further environmental review. The Department has found that the proposed project is consistent with the cited

exemption. The Appellant has not provided any substantial evidence or expert opinion to refute the conclusions of the Department.

For the reasons stated above and in the September 18, 2014 CEQA Categorical Exemption Determination, the CEQA Determination complies with the requirements of CEQA and the Project is appropriately exempt from environmental review pursuant to the cited exemption. The Department therefore recommends that the Board uphold the CEQA Categorical Exemption Determination and deny the appeal of the CEQA Determination.

Attachment A

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	2013.0783E
Project Title:	**26 Hodges Alley**
Zoning:	RH-3 (Residential – House, Three Family) Zoning District 40-X Height and Bulk District
Block/Lot:	0134/012
Lot Size:	1,067 square feet
Project Sponsor:	Heidi Liebes – Liebes Architects (415) 812-5124
Staff Contact:	Christopher Espiritu – (415) 575-9022 Christopher.Espiritu@sfgov.org

PROJECT DESCRIPTION:

The proposed project would include the interior remodel of an existing two-story residence and the vertical addition for a new third floor to add an approximately 460-square-foot (sq ft) bedroom suite. The proposed project would also include the expansion of an existing roof deck by adding approximately 131 square feet of new roof deck space, accessed from the new third floor bedroom. The proposed third-floor addition would add approximately 11'-1" to the existing 19'-10" structure, for a total building height of 30'-11". Other project details include the installation of new interior stairs, enlarging the existing kitchen, and enclosing an existing exterior staircase for access to the expanded roof deck. The project site is located on the block bounded by Green Street to the north, Vallejo Street to the south, Sansome Street to the east, and Hodges Alley to the west, within the North Beach neighborhood.

EXEMPT STATUS:

Categorical Exemption, Class 1 [California Environmental Quality Act (CEQA) Guidelines Section 15301].

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

cc: **Heidi Liebes**, Project Sponsor; **Jonathan Lammers**, Preservation Planner; **Supervisor Chiu**, District 3 (via Clerk of the Board)
Kate Conner, Current Planner; Historic Preservation Distribution List; Virna Byrd, M.D.F.

Historic Districts. Therefore, the property was evaluated for individual eligibility for inclusion, as well as inclusion as contributor to a historic district, to the California Register.

The California Register criteria for eligible individual resources and historic districts provide specific measures on evaluating individual properties for inclusion into the California Register. Criterion 1 (Events) determines whether a property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States. Criterion 2 (Persons) examines whether a property is associated with the lives of persons important to the local, regional or national past. Criterion 3 (Architecture) analyzes whether a property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values. Criterion 4 (Information Potential) determines whether a property yields, or may be likely to yield, information important in prehistory or history. The property at 26 Hodges Alley was evaluated for inclusion into the California Register and is further discussed below.

Criterion 1 (Events). According to the HRER, the building stock along the southeastern slopes of Telegraph Hill represents a cohesive development pattern associated with rebuilding efforts following the 1906 Earthquake. The reconstruction of San Francisco was unprecedented in its scope and pace, and remains one of the most significant events in the city's history. Nearly all buildings in the immediate vicinity were residential or mixed-use properties constructed during a punctuated burst of activity between 1906 and 1913, and they convey clear and significant association with the reconstruction effort. While the property at 26 Hodges Alley does not appear to be an individually eligible for historic listing under this Criterion, it is part of a larger grouping of properties which collectively constitute a potential historic district. Therefore, Preservation Staff determined that 26 Hodges Alley Street is significant under California Register Criterion 1 (Events) for its association with post-1906 Earthquake reconstruction.

Criterion 2 (Persons). According to the HRER, Preservation Staff determined that as a group, the owners and residents of 26 Hodges Alley illustrate the strong working-class Italian demographics that were representative of the North Beach and Telegraph Hill area during the early 20th century. However, none of the persons appear to be important to local, state or national history such that the subject property would be eligible for historic listing under this Criterion. Therefore, Preservation Staff concluded that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 2 (Persons).

Criterion 3 (Architecture). The HRER found that the building was designed by local architect, Fedele Costa, per the original 1907 building permit record. Fedele Costa was born in 1863 in Bioglio, Italy and immigrated to the United States in 1906. The son of a successful builder, he arrived in San Francisco in 1906 and was known to have served as the architect for St. Joseph's Catholic Church in Auburn, California (1911) and the Holy Rosary Roman Catholic Church in Woodland, California (1912). The existing building at 26 Hodges Alley does not appear to be a distinctive example of a type, period, region or method of construction such that it would be individually eligible for the California Register under this Criterion. Also, the property also does not appear to be a prominent work of architect, Fedele Costa.

However, the building does appear to be part of a concentration of residential buildings significant for their association with post-1906 Earthquake reconstruction and eligible for the California Register as a historic district. Nearly all of the buildings in the immediate vicinity were constructed between 1906 and 1913, and most evidence a shared design vocabulary based on Classical Revival influences. Character-defining architectural features of this district include wood frame construction and wood cladding, and the use of design elements such as pilasters, entablatures, dentil moldings and prominent cornices.

Therefore, Preservation Staff determined that 26 Hodges Alley, while not individually significant under this Criterion, could be significant as part of a concentration of properties that convey clear association with post-1906 Earthquake reconstruction and appear to constitute a potential historic district eligible for listing in the California Register under Criterion 3 (Architecture).

Criterion 4 (Information Potential). Finally, based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 (Information Potential), which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type and would therefore not be eligible for listing in the California Register under Criteria 4.

In order to be considered a resource for the purposes of CEQA, a property must not only be shown to have significance under the California Register of Historical Resources criteria (Criterion 1-4), but also must have historic integrity.[2] Historic integrity enables a property to illustrate significant aspects of its past. According to the HRER, 26 Hodges Alley retains integrity of location, setting and association as it remains a residential property, has never been moved, and is largely surrounded by the same properties as it was historically. However, the building does not appear to retain integrity of design, workmanship, or materials. The property has experienced several alterations between 1934 and 1969, which included raising the building to insert a garage, window replacement, and the installation of a roof deck. Other alterations which are undocumented or poorly documented include the large rear addition constructed between 1913 and 1938 and the construction of the second-story overhang at the primary façade. The primary entry, garage and fenestration pattern and materials are all contemporary in nature, while the articulation of the primary façade has been altered. Collectively, these changes have significantly changed the character of the building such that it is no longer able to effectively convey its 1907 construction. Therefore, Preservation Staff determined that the property at 26 Hodges Alley does not retain historic integrity.

[2] Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance."

As discussed, the property was shown to have significance under Criterion 1 (Events) and Criterion 3 (Architecture) for inclusion to the California Register as part of a historic district. However, the property did not retain its historic integrity and lacks integrity from its period of significance (1906-1915). Preservation Staff concluded that the property at 26 Hodges Alley is a non-contributor to an eligible Historic District. For the above reasons, the proposed project would not materially impair the characteristics of the existing historic resource, thus the proposed project would not result in significant impacts related to historic resources.

Geotechnical. According to Planning Department records, the project site is not located within a Landslide Hazard Zone or Liquefaction Hazard Zone; however, the property is located on a site with a slope of 20 percent. A Geotechnical Investigation was conducted for the property and is summarized below.[3]

The Geotechnical Investigation notes that the site slopes downward toward the rear of the property to the east and the rear of the property sits at the top of a near vertical 15- to 20-foot-tall slope that was excavated into the hillside for the development of a downslope residence located at 358 Vallejo Street. The project site is documented to be located in an area that is underlain by Franciscan Complex comprised of sedimentary rocks composed of sandstone, shale, and greywacke sandstone. Also, the site lies immediately southwest of former rock quarry operations that were present on the eastern slopes of Telegraph Hill until the turn of the 20th Century.

The Geotechnical Investigation provides specific recommendations and requirements concerning site preparation and foundations, retaining walls, and rock-slope support. These are further discussed below.

Foundations. The Geotechnical Investigation noted that the proposed improvements including the addition of a new third floor bedroom would be adequately supported by drilled pier foundations. Drilled piers should be at least 18-inches in diameter and drilled at least five feet into the underlying bedrock beneath the existing building.

Rock-Slope Stabilization. The Geotechnical Investigation noted that due to former quarry operations, which included blasting has resulted in over-steepened and shattered slopes. Aggressive quarrying that was common in the Telegraph Hill area left exposed bedrock in the eastern slope, and the Geotechnical Investigation found evidence of recent rockfalls, with debris and rock fragments, that have fallen from the eastern slope at the rear of the property and have accumulated in the rear yard of the adjacent property at 358 Vallejo Street.

A Supplemental Geotechnical Analysis was performed and revised recommendations for rock-slope stabilization were recommended. Due to the unique features of the eastern slope at the rear of the site, the previous recommendation to construct a concrete wall to stabilize the slope was deemed infeasible. The Supplemental Geotechnical Investigation therefore recommended that the best solution for reducing

[3] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California; May 28, 2013.* This report is available for review as part of Case No. 2013.0783E.

rockfall hazards at the project site would be to include the installation of a steel wire mesh net that would contain loose rock from impacting the residence at 358 Vallejo Street, and the installation of concrete encased steel rock bolts that would reinforce the rock slope. The netting would be supported by vertical rock bolts drilled into the slope at the top and bottom.

The Supplemental Geotechnical Investigation[4] identified this strategy as the most feasible since the process will essentially stitch the rock together to prevent pieces of rock from becoming dislodged. Finally, a closely spaced steel mesh net will be attached to the slope to contain pieces of rock that may become dislodged in the future. The selected approach stabilizes loose rock by scaling the rock face and applying mesh. Stability of the existing rock slope is increased by pinning potential wedge-type rock failures with the vertical rock bolts.

The Supplemental Geotechnical Investigation ultimately concluded that the project site is suitable to support the proposed project, provided that its recommendations are incorporated into the design and construction of the proposed project. The project sponsor has agreed to implement these recommendations, subject to Building Code requirements and implementation would not result in foreseeable significant impacts.

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the DBI permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties and the subject property is maintained during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.

EXEMPT STATUS:

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption for minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination. Additionally, Class 1 exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project would include the addition of approximately 460 square feet for a new third-floor bedroom suite and the interior remodel of the existing two-story residence. Therefore, the proposed demolition meets the criteria for exemption from environmental review under Class 1.

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[4] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Supplemental Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, August 14, 2014.* This report is available for review as part of Case No. 2013.0783E.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

SAN FRANCISCO
PLANNING DEPARTMENT

Historic Resource Evaluation Response

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Date	November 4, 2013
Case No.:	**2013.0783E**
Project Address:	**26 Hodges Alley**
Zoning:	RH-3 (Residential House, Three Family) 40-X Height and Bulk District
Block/Lot:	0134/012
Date of Review:	November 4, 2013 (Part I)
Staff Contact:	Jonathan Lammers (Preservation Planner) (415) 575-9093 jonathan.lammers@sfgov.org

PART I: HISTORIC RESOURCE EVALUATION

Buildings and Property Description

The subject property, 26 Hodges Alley, is located on a rectangular-shaped lot measuring 17 feet by 62.917 feet on the east side of Hodges Alley north of Vallejo Street in the North Beach neighborhood. The property is located within an RH-3 (Residential-House, Three Family) Zoning District and a 40-X Height and Bulk District.

The subject property is occupied by a two-story, wood frame, single-family residence constructed in 1907 per the original building permit—although the San Francisco Assessor lists the date of construction as 1924. Originally addressed as 6 Hodges Alley, the residence is vernacular in style, clad with unpainted horizontal rustic wood channel siding, and capped by a flat roof. The primary façade faces west onto Hodges Alley and features a metal-frame, multi-light and panel garage door to the south and a multi-light and metal panel pedestrian entry to the north. Both the garage and pedestrian entries are located beneath a shallow overhang of the second story. The pedestrian entry is accessed via a raised concrete step with a metal pipe handrail. Typical fenestration includes metal-sash multi-light windows inset with operable casement windows. The primary façade terminates in a simple modillion cornice. The second story at the rear of the property overhangs an open area on the first story, creating a porch. Fenestration on the rear and south facades includes multi-light metal windows.

Known alterations to the property include raising the building to insert a garage (1934); repairing the stairs, garage door and replacing back windows (1969); repairing a roof sun deck (1969); addition of a basement bathroom and laundry area (1976); replacement of windows (1984); repairing dry-rot on siding and trim at side and back, as well as the roof deck (2011). Sanborn map and historic aerial photos also indicate that a large rear addition was constructed between 1913 and 1938.

Pre-Existing Historic Rating / Survey

The subject property has not been addressed by any adopted historic resource surveys and is not listed on any local, state or national registries. The subject property is considered a "Category B" property

(Properties Requiring Further Consultation and Review) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures due to its age.

Neighborhood Context and Description

26 Hodges Alley is located on the southeastern slopes of Telegraph Hill in the North Beach neighborhood, an area roughly bounded by Broadway Street to the south, Columbus Avenue to the west, and the waterfront to the north and east. The area northeast and east of the subject property is marked by steep slopes that remain undeveloped. The developed area immediately surrounding the subject property is exclusively residential in character and primarily composed of single-family dwellings or flats ranging from one- to three-stories in height. Construction dates for buildings located on the subject block range from 1906 to 1998, with the vast majority of buildings constructed between 1906 and 1913. This is reflected in the architecture of the building stock, which ranges from small post-1906 vernacular dwellings along Hodges Alley, to Classical Revival "Edwardian era" flats along Vallejo and Montgomery streets. The overall level of historic integrity is good, although some buildings have been altered to varying degrees, most frequently through the replacement of windows and/or replacement of the original wood cladding with stucco.

A short distance to the east, the residential development abuts the boundaries of the Northeast Waterfront Historic District, a significant concentration of commercial warehouses and industrial facilities dating from the 1850s through the 1930s. Similarly, the Telegraph Hill Historic District is located a short distance to the north in an area roughly bounded by Greenwich, Sansome, Montgomery and Green streets. The district is considered a unique expression of the pattern of development which took place on the east slope of Telegraph Hill from 1850 to 1939.

CEQA Historical Resource(s) Evaluation

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA.

Individual		Historic District/Context	
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:	
Criterion 1 - Event:	☐ Yes ☒ No	Criterion 1 - Event:	☒ Yes ☐ No
Criterion 2 - Persons:	☐ Yes ☒ No	Criterion 2 - Persons:	☐ Yes ☒ No
Criterion 3 - Architecture:	☐ Yes ☒ No	Criterion 3 - Architecture:	☒ Yes ☐ No
Criterion 4 - Info. Potential:	☐ Yes ☒ No	Criterion 4 - Info. Potential:	☐ Yes ☒ No
Period of Significance: N/A		Period of Significance: 1906 – circa 1915 ☐ Contributor ☒ Non-Contributor	

Based on the information provided in the Supplemental Information Form for Historical Resource Determination prepared by Heidi Liebes (dated 16 July 2013), information found in the Planning Department files, and research conducted on Telegraph Hill and the North Beach neighborhood, Preservation staff finds that the subject building is not eligible for listing on the California Register, although it is located within a potential California Register eligible historic district.

Criterion 1: It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
Telegraph Hill was first developed during the Gold Rush, when residential and commercial facilities were erected along the lower slopes of the hill in proximity to waterfront traffic areas such as Clark's Point, the Broadway Wharf and Cunningham's Wharf. A semaphore, or marine telegraph, was also constructed near the crest of the hill to signal the arrival of ships through the Golden Gate—a feature which in time earned the hill its name. Among the oldest surviving buildings from this period are 1301 Montgomery Street, constructed circa 1850, and the Cooney House at 291 Union Street, constructed in 1853.

During the 1850s and 1860s the eastern base of the hill, as well as adjacent filled ground, was further developed as a waterfront industrial district, with numerous wharves, warehouses and manufacturing facilities. By 1869, maps show the southern slopes of Telegraph Hill were thickly built up, despite the fact that some streets were so steep as to be declared impassible. As a consequence, several streets existed only as public footpaths or stairs—a convention that still persists today, such as the stairs located along Vallejo Street west of Montgomery Street.

During this period, a good deal of development consisted of working class dwellings, flats, and rooming houses for residents engaged in maritime industries. These included longshoreman and stevedores who unloaded the ships, as well as the drayman and teamsters who delivered the goods to nearby warehouses. Initially, the hill was home to Irish immigrants, although the west slopes of Telegraph Hill—which encompassed much of the developing North Beach neighborhood—attracted large numbers of Italian immigrants during the 1870s. By the turn of the century, Italians comprised the largest ethnic enclave in both North Beach and on Telegraph Hill.

Approximately three blocks north of the subject property was Pioneer Park, established in 1876 at the peak of the hill by a group of businessmen who donated several lots to the city in honor of San Francisco's pioneers. The expansive views from the hill also attracted real estate speculators such as Frederick Layman, who developed the Telegraph Hill Railroad—a funicular railway that operated along Greenwich Street during the mid-1880s. At the top, visitors could visit Layman's Telegraph Hill Observatory, which featured a restaurant and beer garden known as the "German Castle."

The eastern side of the hill, however, was dominated by rock quarry companies which blasted rock to secure ballast for empty ships, as well as obtain fill and construction materials. Most notorious of the quarry operators were W. D. English & Company and the Gray Brothers, whose blasting sometimes resulted in landslides or actually demolished nearby houses. While citizens tried to shut down the quarries, the companies were politically well connected and blasting continued through the turn of the century.

The 1906 Earthquake touched off numerous fires that consumed vast areas of the city, including nearly all of the buildings on Telegraph Hill and in the North Beach neighborhood. Only a few enclaves were spared destruction, including Jackson Square and the crest of Telegraph Hill. In spite of the devastation, reconstruction began almost at once. The North Beach/Telegraph Hill area was one of the earliest areas of the city to be rebuilt, due in large part to loans that were offered by local Italian banks. The rapid pace of construction meant that the area was rebuilt largely along the same property lines that existed prior to the disaster, and by 1915 most area streets were lined with rows of new two- and three-story flats and dwellings. At this time, the area remained a predominately Italian enclave, with most residents engaged in working class occupations.

During the 1920s and 1930s, Telegraph Hill's scenic location and relatively affordable rents attracted artists and writers to the area The crest of the hill was also enhanced by a number of civic improvements. In 1923, Telegraph Hill Boulevard was graded and paved to Pioneer Park, followed in 1925 by the construction of an observation area designed by architect G. Albert Lansburgh. Most notable of all was the construction of Coit Tower in 1933, which was designed by prominent local architect Arthur Brown, Jr.

Following World War II, rising rents and real estate prices led many longtime Italian and Irish residents to move elsewhere. The hill then began to take on a more affluent character, although many new residents proved to be staunch advocates of Telegraph Hill's unique qualities. This is best evidenced by the formation of the Telegraph Hill Dwellers organization in 1954, which over the years succeeded in establishing a 40-foot height limit in much of the area, stopping the Embarcadero Freeway at Broadway Street, and establishing the Northeast Waterfront and Telegraph Hill historic districts.

Historic maps indicate that Hodges Alley was created during the 1850s, and was one of several small alleys that still exist in the vicinity, including Bartol Street, Prescott Court, Kohler Place and Castle Street. Several small buildings were erected in the general vicinity no later than 1853, and by 1869 most streets in the vicinity were almost entirely built out. However, development along Vallejo Street and Green Streets east of Hodges Alley ended abruptly about mid-block owing to the steep topography and quarrying activities.

On the 1887 Sanborn map Hodges Alley is shown as being lined primarily with two-story frame dwellings, and connected at the north end to another alley known as Jackson Place. Nearby, the north side of Vallejo Street included a few stores with dwelling units above. These conditions were largely the same in 1905, although Jackson Place was no longer shown on Sanborn maps by that time. The 1905 Sanborn map also gives some indication of the industrial development at the base of Telegraph Hill. The California Fruit Canners Association operated a large brick masonry canning facility at the corner of Vallejo and Sansome streets, while the block to the east included the Western Sugar Refining Company Refinery.

The fires that spread following the 1906 Earthquake consumed all of the buildings on the subject block. San Francisco Assessor's data shows that most buildings located along either side of Hodges Place were constructed in the first three years following the disaster, while Sanborn maps show complete reconstruction of the area by 1913. Since that time there has been no additional infill construction along

Hodges Alley, and only minor infill construction in the adjacent block faces along Vallejo and Montgomery streets.

Considered as a whole, the building stock along the southeastern slopes of Telegraph Hill represents a cohesive development pattern associated with rebuilding efforts following the 1906 Earthquake. The reconstruction of San Francisco was unprecedented in its scope and pace, and remains one of the most significant events in the city's history. Nearly all buildings in the immediate vicinity were residential or mixed-use properties constructed during a punctuated burst of activity between 1906 and 1913, and they convey clear and significant association with the reconstruction effort. While 26 Hodges Alley does not appear to be an individually eligible for historic listing under this Criterion, it is part of a larger grouping of properties which collectively constitute a potential historic district.

It is therefore determined that 26 Hodges Alley Street is significant under California Register Criterion 1 for its association with post-1906 Earthquake reconstruction.

Criterion 2: It is associated with the lives of persons important in our local, regional or national past.
26 Hodges Alley was constructed in 1907. Both the 1906 and 1909 San Francisco Block Books show W. H. Hamilton as owner of the subject property. However, the original building permit names the owner of the property as Mary Figari. City directory and U.S. Census research indicate that William & Mary Figari were natives of Italy. William worked as an engineer and captain for the Crowley Launch & Tugboat Company. At the time of the building's construction, the Figaris lived nearby at 330 Vallejo Street. The 1912 city directory shows William Figari living at the property along with Joseph and John Figari, both laborers. By 1917 the Figaris had moved to 2528 Polk Street, and Andreo Bertolini (no occupation given) is shown living at the subject property.

According to the Supplemental Information Form for Historic Resource Determination, the property was sold in April 1930 by James and Annie Nicora to Giuseppe and Marie Figari, who immediately sold the property to Egidio Luchessi. The dates of ownership by the Nicora family are not specified. City directories indicate that Joseph and Antoinette Lucchesi—presumably relatives of Egidio—lived at the property as early as 1920, and continued to reside there until at least 1933. Joseph worked as a laborer and winery foreman. Records show the Egidio Lucchesi worked in the livery trade and lived at 7 Hodges Alley, across the street from the subject property.

In 1933 the property was sold to Gardino and Josephine Granzella, who lived nearby at 1140 Montgomery Street. Gardino was employed in the liquor and restaurant industry, and the Granzellas lived at the property through at least 1947. The property remained in the Granzella family through 1967, although it was rented by Ruth Prager, a social worker, from at least 1953 to 1966.

Between 1967 and 1970 the property was owned by Agnes F. Gump, although city directories do not show anyone living at the property. In 1970, the property was sold to Roger and Ann Skjei, who lived at the property from 1974 through at least 1993. In 2012 the property was sold by the Ann W. Skjei Trust to the present owners.

As a group, the owners and residents of 26 Hodges Alley illustrate the strong working-class Italian demographics of the North Beach and Telegraph Hill area during the early 20th century. However, none of the persons named above appear to be important to local, state or national history such that the subject

property is eligible for historic listing under this Criterion. It is therefore determined that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 2.

Criterion 3: It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
According to the original 1907 building permit, 26 Hodges Alley was designed by the architect, Fedele Costa. According to a history of Yolo County, California published in 1913, Fedele Costa was born in 1863 in Bioglio, Italy as the son of a successful builder. He immigrated to the United States in 1906 and arrived in San Francisco that year, presumably in search of work during the rebuilding effort following the 1906 Earthquake. In addition to the construction of 26 Hodges Alley, the January 16, 1907 edition of the *San Francisco Call* shows that he contracted for the brick work during construction of the Societa Garibaldina building at 447-461 Broadway Street. Within a few years Costa moved to Livermore, where he is identified in the 1910 U.S. Census as a contractor. He is known to have served as the architect for St. Joseph's Catholic Church in Auburn, California (1911) and the Holy Rosary Roman Catholic Church in Woodland, California (1912). Research did not reveal additional information about his subsequent career.

Although no historic photos of the property are available, the 1913 Sanborn map shows the building as a one-story-over-basement structure. The original design was likely vernacular in nature and similar to the simple, utilitarian designs used for the other single-family dwellings along Hodges Alley. The building appears to retain portions of its original wood channel rustic siding, but the primary entry and fenestration are alterations, and it is unlikely that the building was originally designed with a second-story overhang. It is also unclear how much of the cornice is original.

Considered as a whole, 26 Hodges Alley does not appear to be a distinctive example of a type, period, region or method of construction such that it would be individually eligible for the California Register under this Criterion. The property also does not appear to be a prominent work of architect, Fedele Costa. As discussed previously, however, the building does appear to be part of a concentration of residential buildings significant for their association with post-1906 Earthquake reconstruction and eligible for the California Register as a historic district. Nearly all of the buildings in the immediate vicinity were constructed between 1906 and 1913, and most evidence a shared design vocabulary based on Classical Revival influences. Character-defining architectural features of this district include wood frame construction and wood cladding, and the use of design elements such as pilasters, entablatures, dentil moldings and prominent cornices. Most buildings also feature bay windows on the upper floors. Building height and massing is likewise consistent, with most buildings ranging from two to three stories in height. Buildings along Hodges Alley and Prescott Court are typically smaller and more utilitarian—a pattern that strongly conveys association with the historic working class character of the area.

While buildings with similar ages and stylistic influences are common in the Telegraph Hill area, the adjacent blocks show heavier concentrations of altered buildings, as well as more numerous examples of later infill. Thus, this small potential district remains one of the best preserved areas on the southern and eastern slopes of Telegraph Hill. The preliminary boundaries of this district begin with the residential development along Vallejo Street west of Sansome Street (parcels 0134/003 and 0143/034). The boundaries continue west along Vallejo Street to Montgomery Street, including the properties located along Hodges Alley and Prescott Court, but excluding the building on the southeast corner of Montgomery and Vallejo streets. The district then runs north along both side of Montgomery Street to its intersection with Green Street, where it runs briefly west along the south side of Green Street to parcel 0133/040A.

It is therefore determined that 26 Hodges Alley, while not individually significant under this Criterion, is part of a concentration of properties that convey clear association with post-1906 Earthquake reconstruction and appear to constitute a potential historic district eligible for listing in the Caliifornia Register under Criterion 3.

Criterion 4: It yields, or may be likely to yield, information important in prehistory or history.
Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. The building is also unlikely to yield information important to history, such as evidence of unique building materials or methods.

It is therefore determined that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 4.

Step B: Integrity
To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

The subject property has retained or lacks integrity from the period of significance noted in Step A:

Location:	☒ Retains	☐ Lacks	**Setting:**	☒ Retains	☐ Lacks
Association:	☒ Retains	☐ Lacks	**Feeling:**	☐ Retains	☒ Lacks
Design:	☐ Retains	☒ Lacks	**Materials:**	☐ Retains	☒ Lacks
Workmanship:	☐ Retains	☒ Lacks			

26 Hodges Alley retains integrity of location, setting and association as it remains a residential property, has never been moved, and is largely surrounded by the same properties as it was historically. However, the building does not appear to retain integrity of design, workmanship, materials and feeling. The property has experienced several alterations which included raising the building to insert a garage (1934); window replacement (1969; 1984); and the installation of a roof deck (pre-1969). Other alterations which are undocumented or poorly documented include the large rear addition constructed between 1913 and 1938 and the construction of the second-story overhang at the primary façade. The primary entry, garage and fenestration pattern and materials are all contemporary in nature, while the articulation of the primary façade has been altered. Collectively, these changes have significantly changed the character of the building such that it is no longer able to effectively convey its 1907 construction. Thus, 26 Hodges does not retain historic integrity.

Step C: Character Defining Features
If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

26 Hodges Alley does not retain integrity. Therefore, a discussion of character defining features is not warranted.

CEQA Historic Resource Determination

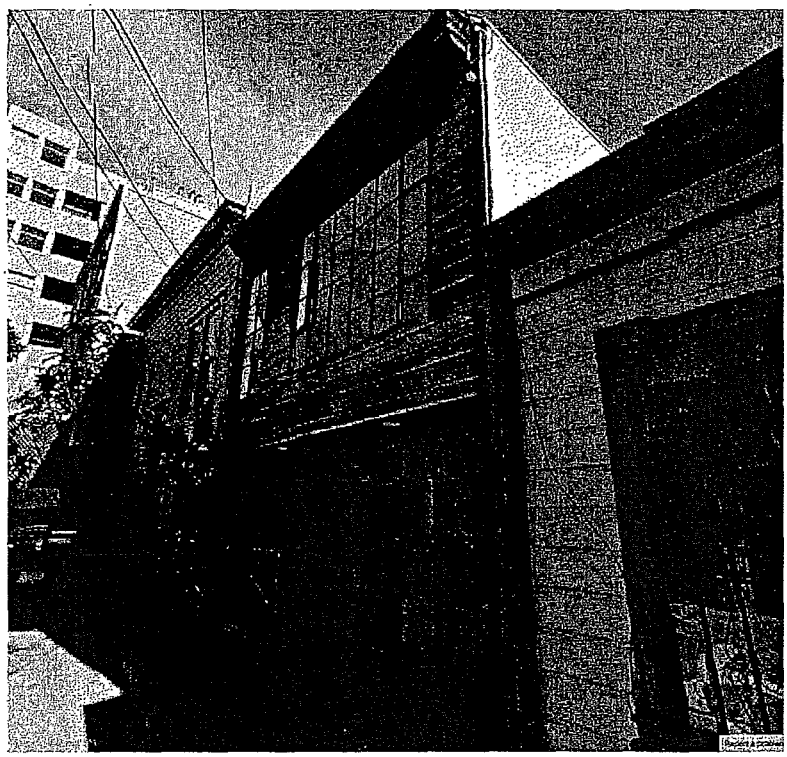
☒ Historical Resource Present
- ☐ Individually-eligible Resource
- ☐ Contributor to an eligible Historic District
- ☒ Non-contributor to an eligible Historic District

☐ No Historical Resource Present

PART I: SENIOR PRESERVATION PLANNER REVIEW

Signature: _____ Date: 11-15-2013
Tina Tam, *Senior Preservation Planner*

cc: Virnaliza Byrd, Environmental Division/ Historic Resource Impact Review File



26 Hodges Alley primary façade (Google Maps)

Satellite view west showing the rear of 26 Hodges Alley (Bing Maps)

Attachment B

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

April 10, 2015

To: John Rahaim
Planning Director

From: Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Determination of Exemption from Environmental Review - 26 Hodges Alley

An appeal of the CEQA Exemption Determination for 26 Hodges Alley was filed with the Office of the Clerk of the Board on April 10, 2015, by Melody Mar.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Tina Tam, Planning Department
Kate Conner, Planning Department
Jonas Ionin, Planning Department

April 10, 2015

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

From: Melody Mar
358 Vallejo Street
San Francisco, CA 94133

Re: Appeal of Exemption from Environmental Review
26 Hodges Alley

Dear Board of Supervisors,

I am appealing the San Francisco Planning Department's determination that the project at 26 Hodges Alley is exempt from CEQA review. Under CEQA State Guidelines Section 15300.2, a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project will have significant environmental effects, and therefore would not be exempt from environmental review. This will be explained further at the appeal hearing and in further materials.

I respectfully request that the San Francisco Board of Supervisors require that this project undergo environmental review as required by CEQA.

Sincerely yours,

Melody Mar Melomm@aol.com

Melody Mar Date: April 10, 2015

SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Discretionary Review Action DRA-0410

HEARING DATE: MARCH 12, 2015

Date:	March 20, 2015
Case No.:	**2014-001042DRP**
Project Address:	**26 HODGES ALLEY**
Permit Application:	2013.03.21.2735
Zoning:	RH-3 (Residential House, Three-Family) District Telegraph Hill North Beach Residential Special Use District 40-X Height and Bulk District
Block/Lot:	0134/012
Project Sponsor:	Heidi Liebes Liebes Architects 450 Sansome Street, Suite 1200 San Francisco, CA 94111
Staff Contact:	Kate Conner – (415) 575-6914 kate.conner@sfgov.org

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2013.1652DV AND THE APPROVAL OF BUILDING PERMIT 2013.03.21.2735 PROPOSING CONSTRUCTION OF A SIDE ADDITION TO THE NORTHERN PROPERTY LINE AT THE FIRST AND SECOND FLOORS WHICH ENCROACHES INTO THE REAR YARD SETBACK AND A THIRD FLOOR ADDITION WHICH COMPLIES WITH THE REAR YARD REQUIREMENT. THE PROJECT IS SUBJECT TO APPROVAL OF A REAR YARD VARIANCE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) DISTRICT, THE TELEGRAPH HILL NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 21, 2013, Heidi Liebes filed for Building Permit Application No. 2013.03.21.2735 proposing construction of a third floor addition to a two-story single-family residence and a horizontal addition on the first and second floors. The subject property is located within the RH-3 (Residential House, Three-Family) District, the Telegraph Hill North Beach Residential Special Use District, and the 40-X Height and Bulk District.

On June 12, 2013, Heidi Liebes filed Variance Application 2013.0783V for the first and second floor horizontal addition. The rear yard requirement is 28'-4" and the existing building is non-conforming as it maintains a 9" rear yard. The proposed third floor addition complies with the rear yard requirement. The proposed 3'-0" deep side addition encloses an existing stairway and extends approximately 5'-6" beyond the adjacent neighbor to the north and spans approximately 16'-0" but does not increase the overall building depth.

Memo

On December 4, 2014, the Zoning Administrator granted Variance (2013.0783V) after a public hearing held on September 24, 2014. The Variance was appealed and will be heard at the Board of Appeals on March 18, 2015.

On October 27, 2014, Melody Mar (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2014-001042DRP) of Building Permit Application No. 2013.03.21.2735.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

On March 12, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2014-001042DRP.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission hereby takes Discretionary Review requested in Application No. 2014-001042DRP and approves the Building Permit Application 2013.03.21.2735 subject to the following modifications:

1. Increasing the front setback at the third level equal to the width of the closet space (approximately four feet);
2. Increasing the depth of the third level addition to the required rear yard line (approximately three feet); and
3. Reducing the third level roof deck at the northeast corner to align with the adjacent building depth.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. There are extraordinary and exceptional circumstances in the case.
2. Reducing the roof deck at the third level along the northern property line will improve the northern neighbor's privacy at the rear deck and open space.
3. The width of Hodges Alley is an extraordinary circumstance and the additional setback at the proposed third floor will increase the amount of light cast on Hodges Alley.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission took Discretionary Review and approved the building permit as referenced in this action memo on March 12, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Fong, Antonini, Hillis, Johnson, Moore, Richards, Wu,

NAYS: None

ABSENT: None

ADOPTED: March 12, 2015

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	2013.0783E
Project Title:	**26 Hodges Alley**
Zoning:	RH-3 (Residential – House, Three Family) Zoning District 40-X Height and Bulk District
Block/Lot:	0134/012
Lot Size:	1,067 square feet
Project Sponsor:	Heidi Liebes – Liebes Architects (415) 812-5124
Staff Contact:	Christopher Espiritu – (415) 575-9022 Christopher.Espiritu@sfgov.org

PROJECT DESCRIPTION:

The proposed project would include the interior remodel of an existing two-story residence and the vertical addition for a new third floor to add an approximately 460-square-foot (sq ft) bedroom suite. The proposed project would also include the expansion of an existing roof deck by adding approximately 131 square feet of new roof deck space, accessed from the new third floor bedroom. The proposed third-floor addition would add approximately 11'-1" to the existing 19'-10" structure, for a total building height of 30'-11". Other project details include the installation of new interior stairs, enlarging the existing kitchen, and enclosing an existing exterior staircase for access to the expanded roof deck. The project site is located on the block bounded by Green Street to the north, Vallejo Street to the south, Sansome Street to the east, and Hodges Alley to the west, within the North Beach neighborhood.

EXEMPT STATUS:

Categorical Exemption, Class 1 [California Environmental Quality Act (CEQA) Guidelines Section 15301].

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

cc: Heidi Liebes, Project Sponsor; Kate Conner, Current Planner; Jonathan Lammers, Preservation Planner; Historic Preservation Distribution List; Supervisor Chiu, District 3 (via Clerk of the Board); Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The proposed project is located on a site that has a slope of approximately 20 percent sloping downward (to the east) towards the rear of project site. The proposed project would involve excavation associated with foundation-strengthening related to the proposed additions and provide slope-stabilization support to adjacent buildings. The existing one-vehicle garage at-grade would remain and the existing 10-foot-wide curb cut, located on the Hodges Alley frontage, would also remain.

Project Approvals

The proposed project would require the following approvals:

- Variance (Zoning Administrator) – The proposed project would require a Variance from the Planning Code for a rear yard modification pursuant to Planning Code Section 134. This variance would be granted by the Planning Department's Zoning Administrator.
- Site Permit (Department of Building Inspection [DBI]) – The proposed project would require the approval of a Site Permit by DBI.

Approval Action: While the proposed project would require the approval of a Variance by the Zoning Administrator, the Approval Action for the project would be through the issuance of a Site Permit by DBI. If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a Site Permit by DBI is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Architectural Resources. The Planning Department's Historic Preservation staff evaluated the property to determine whether the existing structure on the project site is a historical resource as defined by CEQA. According to the Historic Resource Evaluation Response (HRER)[1] prepared for the project, and information found in the Planning Department archives, the property at 26 Hodges Alley contains a two-story, wood-frame, single-family residence constructed in 1907. Originally addressed as 6 Hodges Alley, the residence is vernacular in style, clad with unpainted horizontal rustic wood channel siding, and capped by a flat roof. The primary façade faces west onto Hodges Alley and features a metal-frame panel garage door to the south and a metal panel pedestrian entry to the north.

The property is not located within the boundaries of any listed historic districts. However, the property is located within proximity (¼-mile) of the Telegraph Hill, Northeast Waterfront, and Jackson Square

[1] Jonathan Lammers – Preservation Planner, *Historic Resource Evaluation Response (HRER), 26 Hodges Alley*, November 15, 2013. This report is available for review as part of Case No. 2013.0783E.

Historic Districts. Therefore, the property was evaluated for individual eligibility for inclusion, as well as inclusion as contributor to a historic district, to the California Register.

The California Register criteria for eligible individual resources and historic districts provide specific measures on evaluating individual properties for inclusion into the California Register. Criterion 1 (Events) determines whether a property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States. Criterion 2 (Persons) examines whether a property is associated with the lives of persons important to the local, regional or national past. Criterion 3 (Architecture) analyzes whether a property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values. Criterion 4 (Information Potential) determines whether a property yields, or may be likely to yield, information important in prehistory or history. The property at 26 Hodges Alley was evaluated for inclusion into the California Register and is further discussed below.

Criterion 1 (Events). According to the HRER, the building stock along the southeastern slopes of Telegraph Hill represents a cohesive development pattern associated with rebuilding efforts following the 1906 Earthquake. The reconstruction of San Francisco was unprecedented in its scope and pace, and remains one of the most significant events in the city's history. Nearly all buildings in the immediate vicinity were residential or mixed-use properties constructed during a punctuated burst of activity between 1906 and 1913, and they convey clear and significant association with the reconstruction effort. While the property at 26 Hodges Alley does not appear to be an individually eligible for historic listing under this Criterion, it is part of a larger grouping of properties which collectively constitute a potential historic district. Therefore, Preservation Staff determined that 26 Hodges Alley Street is significant under California Register Criterion 1 (Events) for its association with post-1906 Earthquake reconstruction.

Criterion 2 (Persons). According to the HRER, Preservation Staff determined that as a group, the owners and residents of 26 Hodges Alley illustrate the strong working-class Italian demographics that were representative of the North Beach and Telegraph Hill area during the early 20th century. However, none of the persons appear to be important to local, state or national history such that the subject property would be eligible for historic listing under this Criterion. Therefore, Preservation Staff concluded that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 2 (Persons).

Criterion 3 (Architecture). The HRER found that the building was designed by local architect, Fedele Costa, per the original 1907 building permit record. Fedele Costa was born in 1863 in Bioglio, Italy and immigrated to the United States in 1906. The son of a successful builder, he arrived in San Francisco in 1906 and was known to have served as the architect for St. Joseph's Catholic Church in Auburn, California (1911) and the Holy Rosary Roman Catholic Church in Woodland, California (1912). The existing building at 26 Hodges Alley does not appear to be a distinctive example of a type, period, region or method of construction such that it would be individually eligible for the California Register under this Criterion. Also, the property also does not appear to be a prominent work of architect, Fedele Costa.

However, the building does appear to be part of a concentration of residential buildings significant for their association with post-1906 Earthquake reconstruction and eligible for the California Register as a historic district. Nearly all of the buildings in the immediate vicinity were constructed between 1906 and 1913, and most evidence a shared design vocabulary based on Classical Revival influences. Character-defining architectural features of this district include wood frame construction and wood cladding, and the use of design elements such as pilasters, entablatures, dentil moldings and prominent cornices.

Therefore, Preservation Staff determined that 26 Hodges Alley, while not individually significant under this Criterion, could be significant as part of a concentration of properties that convey clear association with post-1906 Earthquake reconstruction and appear to constitute a potential historic district eligible for listing in the California Register under Criterion 3 (Architecture).

Criterion 4 (Information Potential). Finally, based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 (Information Potential), which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type and would therefore not be eligible for listing in the California Register under Criteria 4.

In order to be considered a resource for the purposes of CEQA, a property must not only be shown to have significance under the California Register of Historical Resources criteria (Criterion 1-4), but also must have historic integrity.[2] Historic integrity enables a property to illustrate significant aspects of its past. According to the HRER, 26 Hodges Alley retains integrity of location, setting and association as it remains a residential property, has never been moved, and is largely surrounded by the same properties as it was historically. However, the building does not appear to retain integrity of design, workmanship, or materials. The property has experienced several alterations between 1934 and 1969, which included raising the building to insert a garage, window replacement, and the installation of a roof deck. Other alterations which are undocumented or poorly documented include the large rear addition constructed between 1913 and 1938 and the construction of the second-story overhang at the primary façade. The primary entry, garage and fenestration pattern and materials are all contemporary in nature, while the articulation of the primary façade has been altered. Collectively, these changes have significantly changed the character of the building such that it is no longer able to effectively convey its 1907 construction. Therefore, Preservation Staff determined that the property at 26 Hodges Alley does not retain historic integrity.

[2] Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance."

As discussed, the property was shown to have significance under Criterion 1 (Events) and Criterion 3 (Architecture) for inclusion to the California Register as part of a historic district. However, the property did not retain its historic integrity and lacks integrity from its period of significance (1906-1915). Preservation Staff concluded that the property at 26 Hodges Alley is a non-contributor to an eligible Historic District. For the above reasons, the proposed project would not materially impair the characteristics of the existing historic resource, thus the proposed project would not result in significant impacts related to historic resources.

Geotechnical. According to Planning Department records, the project site is not located within a Landslide Hazard Zone or Liquefaction Hazard Zone; however, the property is located on a site with a slope of 20 percent. A Geotechnical Investigation was conducted for the property and is summarized below.[3]

The Geotechnical Investigation notes that the site slopes downward toward the rear of the property to the east and the rear of the property sits at the top of a near vertical 15- to 20-foot-tall slope that was excavated into the hillside for the development of a downslope residence located at 358 Vallejo Street. The project site is documented to be located in an area that is underlain by Franciscan Complex comprised of sedimentary rocks composed of sandstone, shale, and greywacke sandstone. Also, the site lies immediately southwest of former rock quarry operations that were present on the eastern slopes of Telegraph Hill until the turn of the 20th Century.

The Geotechnical Investigation provides specific recommendations and requirements concerning site preparation and foundations, retaining walls, and rock-slope support. These are further discussed below.

Foundations. The Geotechnical Investigation noted that the proposed improvements including the addition of a new third-floor bedroom would be adequately supported by drilled pier foundations. Drilled piers should be at least 18-inches in diameter and drilled at least five feet into the underlying bedrock beneath the existing building.

Rock-Slope Stabilization. The Geotechnical Investigation noted that due to former quarry operations, which included blasting has resulted in over-steepened and shattered slopes. Aggressive quarrying that was common in the Telegraph Hill area left exposed bedrock in the eastern slope, and the Geotechnical Investigation found evidence of recent rockfalls, with debris and rock fragments, that have fallen from the eastern slope at the rear of the property and have accumulated in the rear yard of the adjacent property at 358 Vallejo Street.

A Supplemental Geotechnical Analysis was performed and revised recommendations for rock-slope stabilization were recommended. Due to the unique features of the eastern slope at the rear of the site, the previous recommendation to construct a concrete wall to stabilize the slope was deemed infeasible. The Supplemental Geotechnical Investigation therefore recommended that the best solution for reducing

[3] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, May 28, 2013.* This report is available for review as part of Case No. 2013.0783E.

rockfall hazards at the project site would be to include the installation of a steel wire mesh net that would contain loose rock from impacting the residence at 358 Vallejo Street, and the installation of concrete encased steel rock bolts that would reinforce the rock slope. The netting would be supported by vertical rock bolts drilled into the slope at the top and bottom.

The Supplemental Geotechnical Investigation[4] identified this strategy as the most feasible since the process will essentially stitch the rock together to prevent pieces of rock from becoming dislodged. Finally, a closely spaced steel mesh net will be attached to the slope to contain pieces of rock that may become dislodged in the future. The selected approach stabilizes loose rock by scaling the rock face and applying mesh. Stability of the existing rock slope is increased by pinning potential wedge-type rock failures with the vertical rock bolts.

The Supplemental Geotechnical Investigation ultimately concluded that the project site is suitable to support the proposed project, provided that its recommendations are incorporated into the design and construction of the proposed project. The project sponsor has agreed to implement these recommendations, subject to Building Code requirements and implementation would not result in foreseeable significant impacts.

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the DBI permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties and the subject property is maintained during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.

EXEMPT STATUS:

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption for minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination. Additionally, Class 1 exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project would include the addition of approximately 460 square feet for a new third-floor bedroom suite and the interior remodel of the existing two-story residence. Therefore, the proposed demolition meets the criteria for exemption from environmental review under Class 1.

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[4] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Supplemental Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, August 14, 2014.* This report is available for review as part of Case No. 2013.0783E.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

ELODY MAR

90-7162/3222
8611727998

1071

DATE April 10, 2015

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2015 APR 10 PM

PAY TO THE ORDER OF San Francisco Planning Dept. $ 547.00

Five hundred forty seven and 00/100 DOLLARS

NOTES

MP

COO, BOS11, City Atty, Cpage, Leg clerks

REUBEN, JUNIUS & ROSE, LLP

May 7, 2015

By Messenger

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

Re: 26 Hodges Alley CEQA Appeal
Hearing Date: May 19, 2015
Our File No.: 8561.01

Dear Mr. Johnson:

Per Jody Knight I have enclosed 18 copies of the project sponsors letter brief and opposition to CEQA exemption determination appeal. An electronic copy will follow by email. Please feel free to call Jody Knight with any questions.

Very truly yours,

Denise Robello
Legal Assistant

REUBEN, JUNIUS & ROSE, LLP

Enclosures:

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben[1] | Tuija I. Catalano | Thomas Tunny | David Silverman
Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey | Jared Eigerman[2,3] | John McInerney III[2]
1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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San Francisco, CA 94104

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REUBEN, JUNIUS & ROSE, LLP

May 8, 2015

By Email and Hand Delivery

President London Breed
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: 26 Hodges Alley CEQA Appeal
Hearing Date: May 19, 2015
Our File No.: 8561.01

Dear President Breed and Commissioners:

Our office represents David and Katherine deWilde ("deWildes"), owners of the property located at 26 Hodges Alley (the "Property") who propose to add a modest master bedroom addition and small side addition to the Property in order to make it a functional single-family home (the "Project"). The deWildes also propose to conduct work to stabilize the slope at the rear of the Property.

The Property shares a slope with Appellant Melody Mar, whose property at 358 Vallejo is directly downslope. Despite the fact that the addition has no impact on Ms. Mar's property, and that the deWildes seek to pay the entire cost and do all of the work on the shared slope, Ms. Mar has fought the Project at every step. The reason for the opposition is not clear since the deWildes seek to solve Ms. Mar's problem by stabilizing the slope and removing NOVs from both properties. Nor is basis for the CEQA appeal clear, as Ms. Mar has yet to file a brief or explain what she contends is the significant environmental effect to be caused by a small residential addition and fairly routine slope work.

On September 24, 2014, deWildes received a variance to enclose an existing stairwell at the rear of the property, and on March 18, 2015 that variance was upheld by the Board of Appeals. The Project also went through Discretionary Review, and on March 12, 2015 the Project was approved by the Planning Commission with an increased front setback of the third floor addition and slight decrease in the size of the roof deck. The Project has the support of the Planning Department and the neighbors at 30 Hodges and 364 Montgomery Street, both of which share a rear slope with the Property. (Support letters attached as **Exhibit A**.)

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben[1] | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Jared Eigerman[2,3] | John McInerney III[2]
1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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A. Property and Project Overview

Hodges Alley is a short dead-end block in Telegraph Hill that slopes steeply down to Vallejo Street. The properties on the east side of Hodges Alley are also steeply sloped eastward, so that 26 Hodges Alley is significantly upslope from Ms. Mar's property at 358 Vallejo Street. The area was previously quarried, creating exposed rock faces on many of the properties. Hodges Alley contains a mix of buildings that are between two and four stories tall, most of which are older wooden structures. 26 Hodges is one of the shorter buildings on the block. The apartment building directly across Hodges Alley from the Property, 1120 Montgomery Street, is significantly taller than the Property at four stories.

The Property is a very small 17-foot by approximately 63-foot lot fronting on Hodges Alley. It is improved with an approximately 21-foot tall, two-story building that consists of a first level with garage, studio and small deck, a second level with two undersized bedrooms and a small combined living room and kitchen area and wooden deck, and a third deck at the roof level. The flow of the Property as currently configured is awkward. In addition, the small size of the two bedrooms on the second floor, lack of dining space, and tiny kitchen that is combined with the living room, limits the Property's usefulness for modern single-family living. The Project proposes to create a usable single family home by adding a small third floor addition, small side addition, and renovating the interior of the Property, as well as doing work to permanently stabilize the rear slope. All improvements will be supported by an existing or new foundation within the footprint of the existing building and using the existing perimeter footing.

1. Addition

The Project proposes a modest one-story vertical addition that would add a small master bedroom and bathroom to the third floor level. It also proposes a small side addition on the second floor to enclose an existing stairwell. The addition allows a functional kitchen, dining area and living room to be added to the second floor, creating usable space for a single family home. Moreover, the addition will decrease weight on the rear slope by removing a concrete stemwall that currently supports the ground floor deck, and cantilevering the lower deck so that there is no weight on the rock face. Project Plans are attached as **Exhibit B**.

2. Slope Work

As part of the Project, the deWildes propose to conduct work to stabilize the slope at the rear of the Property. The deWildes have assembled a team that includes Geotechnical Engineer, Frank Rollo and Geologist, Lou Gilpin, who both have extensive experience in San Francisco, and Brent Harris, a Specialty Contractor with expertise in Telegraph Hill projects. The slope team has made every effort to work with Ms. Mar regarding the slope work, including meeting with her Geotechnical Engineer, John Wallace, and incorporating her expert Mr. Wallace's

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suggestions into the plans for the slope work. A summary of the slope team's proposal is attached as **Exhibit C**. In an attempt to start the slope work as soon as possible, and with the support of the Department of Building Inspection, the slope team submitted a permit application for the slope work on April 27, 2015. However Planning would not sign off on the permit until after the present CEQA appeal.

The slope work is highly beneficial to both Ms. Mar's property at 358 Vallejo and the surrounding neighbors. Moreover, the deWildes have agreed to perform slope stabilization work not only to their Property, but also to that of 30 Hodges Alley, which will result in a significant benefit to all surrounding properties, particularly Ms. Mar's property, which also abuts 30 Hodges. The deWildes are also working with the neighbor at 364 Vallejo to stabilize the slope at that property. Therefore, the deWildes seek a global solution to the slope problem and are held up only by Ms. Mar's repeated delays and appeals.

B. Neighborhood Outreach

Throughout the entitlement process, the deWildes have strived to design a project that provides a livable, modern single family home, while also fulfilling the aesthetic considerations of the neighborhood and concerns regarding stabilization of the slope. As part of the process, the deWildes and their team have conducted a series of meetings with neighbors. David deWilde met with Ms. Mar on December 12, 2012, very early in the Project planning process. Architect Heidi Liebes met with the surrounding neighbors at the Property on February 11, 2013 to describe the Project and address concerns. She met with them again on March 13, 2013 to answer additional questions. On March 6, 2013, the Project was presented at a meeting of the Telegraph Hill Dwellers Association, which expressed no concern with the Project – and in fact asked why such a small project was presented at the meeting. David deWilde, Architect Heidi Liebes, and Contractor Day Hilborn met with Ms. Mar on August 8, 2014, and again on September 22, 2014, along with other neighbors, to address concerns regarding the Project. In addition, there has been extensive email communication between the team and neighbors in order to answer questions and address concerns.

The deWildes and their team, including Rollo and Gilpin, have made every effort to address Ms. Mar's concerns regarding the slope work, including meeting multiple times with her Geotechnical Engineer, John Wallace, and agreeing to modify the proposed slope work solution as requested by Mr. Wallace. The team continues to work to satisfy Ms. Mar's concerns regarding the slope work, but the time has come to allow the team to proceed with its work.

C. Class 1 Categorical Exemption

On September 18, 2014, the Project received the Certificate of Determination of Exemption from Environmental Review, attached as **Exhibit D**. The Planning Department considered the small

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

addition and the slope work (to be conducted only after DBI review of the geotechnical report) and found that a Class 1 Categorical Exemption was appropriate as the Project consists of a minor alteration of an existing private structure involving no expansion of use beyond that existing at the time of determination. 26 Hodges is exactly the type of project for which Class 1 exemptions were created.

Ms. Mar challenged the exemption, but has failed to explain the basis of her challenge. Is it based on the small addition to the existing home? Or on the slope work that will fix a long-standing (and common for the area) condition, thereby benefiting her property? Since neither of these aspects of the Project creates a reasonable possibility of a significant environmental effect due to unusual circumstances, this appeal is entirely without merit. Instead, it appears to be simply another procedural hurdle for the deWildes to leap before they can progress with their otherwise fully vetted and approved Project.

D. Conclusion

This Project will allow the deWildes to create a usable single family home, which the City is desperately in need of. It will also provide benefit to the entire block by working to stabilize the slope that runs behind the homes. All the deWildes need to get their expert slope team mobilized is to get through the last road blocks thrown up by Ms. Mar, including the present appeal. I look forward to presenting this matter to you on May 19, 2015. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Jody Knight

Cc: Supervisor Eric Mar
Supervisor Mark Farrell
Supervisor Julie Christensen
Supervisor Katy Tang
Supervisor Jane Kim
Supervisor Norman Yee
Supervisor Scott Wiener

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San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

Supervisor David Campos
Supervisor Malia Cohen
Supervisor John Avalos
Rick Caldeira, Board of Supervisors Clerk's Office
John Rahaim, Planning Director
Sarah Jones, Environmental Review Officer
Christopher Espiritu, Planning Department
Kate Conner, Planning Department
Melody Mar

REUBEN, JUNIUS & ROSE, LLP

One Bush Street, Suite 600
San Francisco, CA 94104

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fax: 415-399-9480

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EXHIBIT LIST

Exhibit A ..... 30 Hodges and 364 Vallejo Support Letters

Exhibit B ..... Plans

Exhibit C ..... Slope Work Proposal Summary

Exhibit D ..... CEQA Certificate of Determination

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EXHIBIT A

May 7, 2015

Board of Supervisors
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689

Re: 26 Hodges Alley
CEQA Appeal
Hearing Date: May 19, 2015

Dear Supervisors:

I live at 30 Hodges Alley and am writing to support the proposed Project at 26 Hodges Alley.

I believe that the Project will enhance Hodges Alley and the neighborhood as a whole. I therefore support the Project without reservation.

Sincerely,

Lulu Ezekiel

March 11, 2015

San Francisco Planning Commission
1650 Mission Street
San Francisco, CA 94103

Re: DR hearing for 26 Hodges Alley
Case No.: 2014-001042DRP
Hearing date: March 12, 2015

Dear Planning Commissioners

My family lives at 364 Vallejo Street. The rear portion of our lot abuts the rear portion of 26 Hodges Alley. After reviewing the public documents, I have no objection to the proposed project at 26 Hodges Alley.

Thank you for your consideration.

Sincerely,

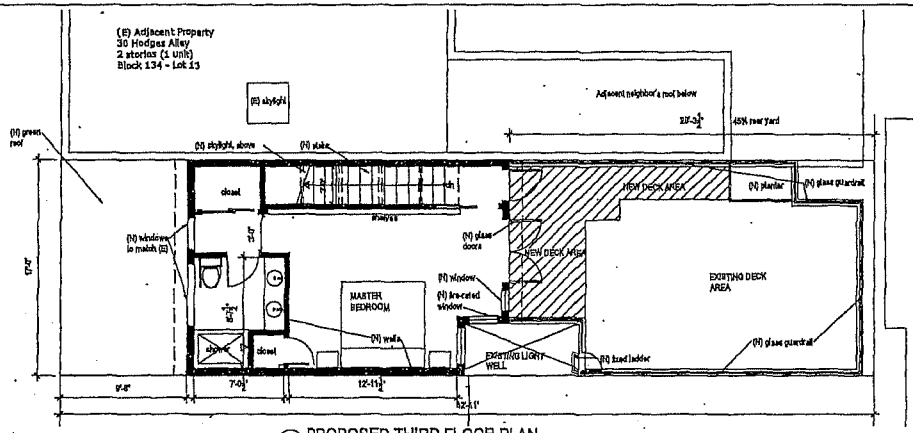
Gary Massetani

Gary Massetani

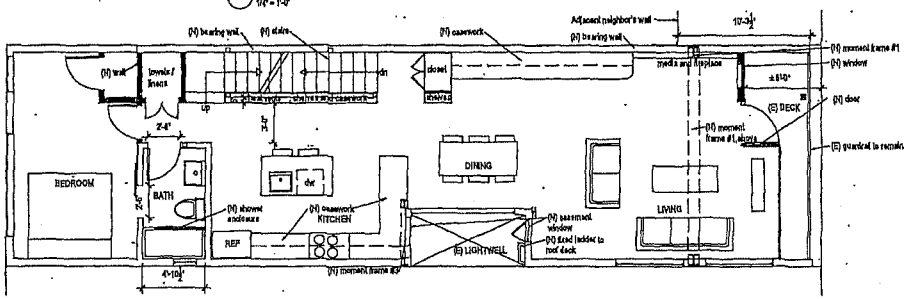
Cc: Kate Conner, Planner

EXHIBIT B

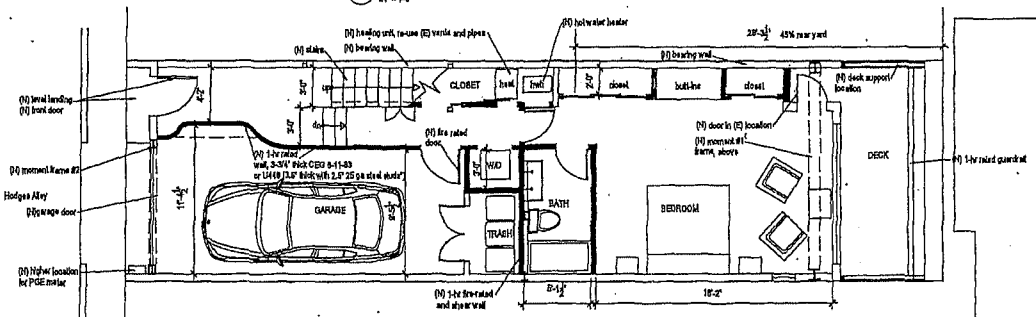
1317



PROPOSED THIRD FLOOR PLAN
1/4" = 1'-0"



PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"



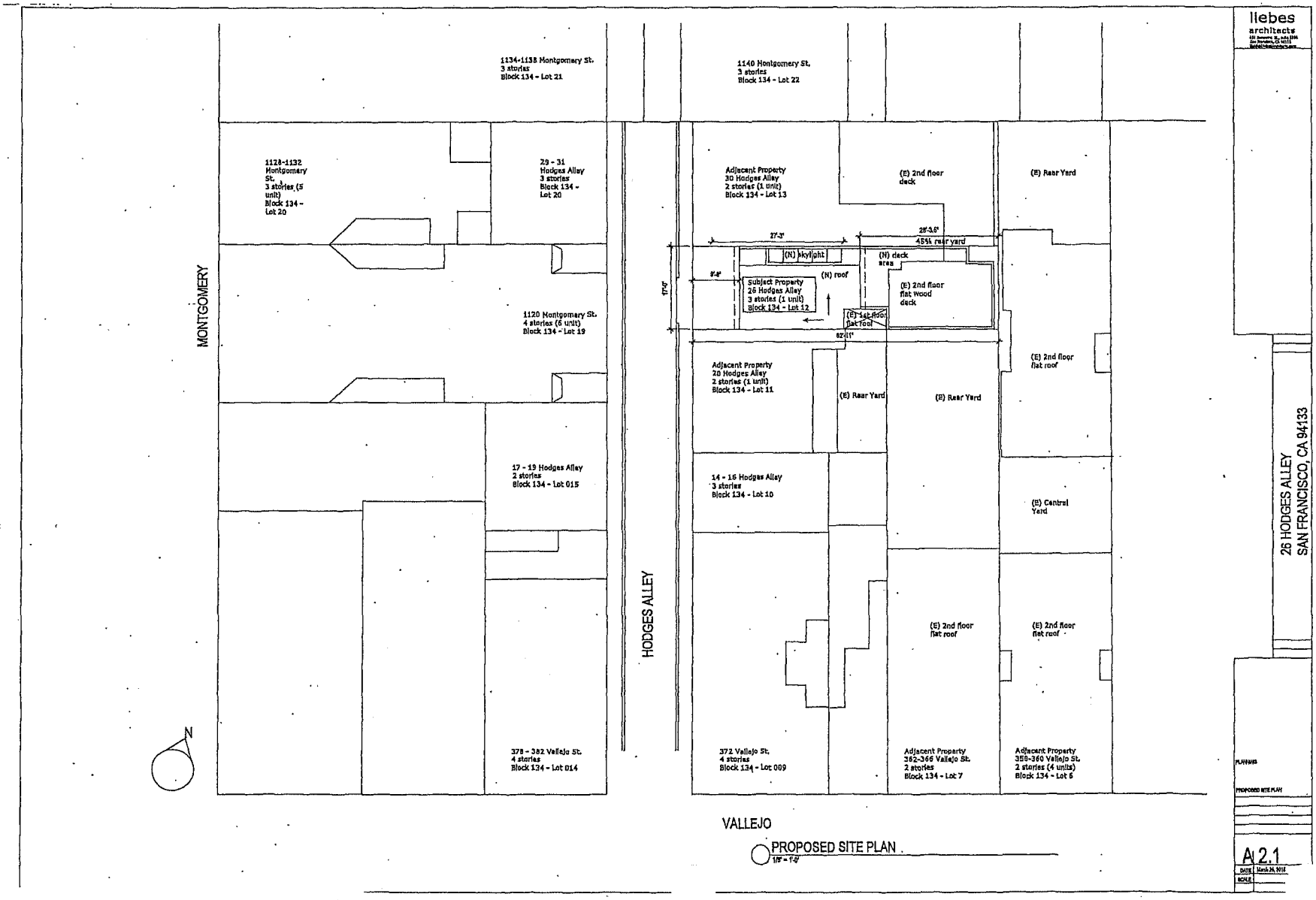
PROPOSED GROUND FLOOR PLAN
1/4" = 1'-0"

liebes
architects

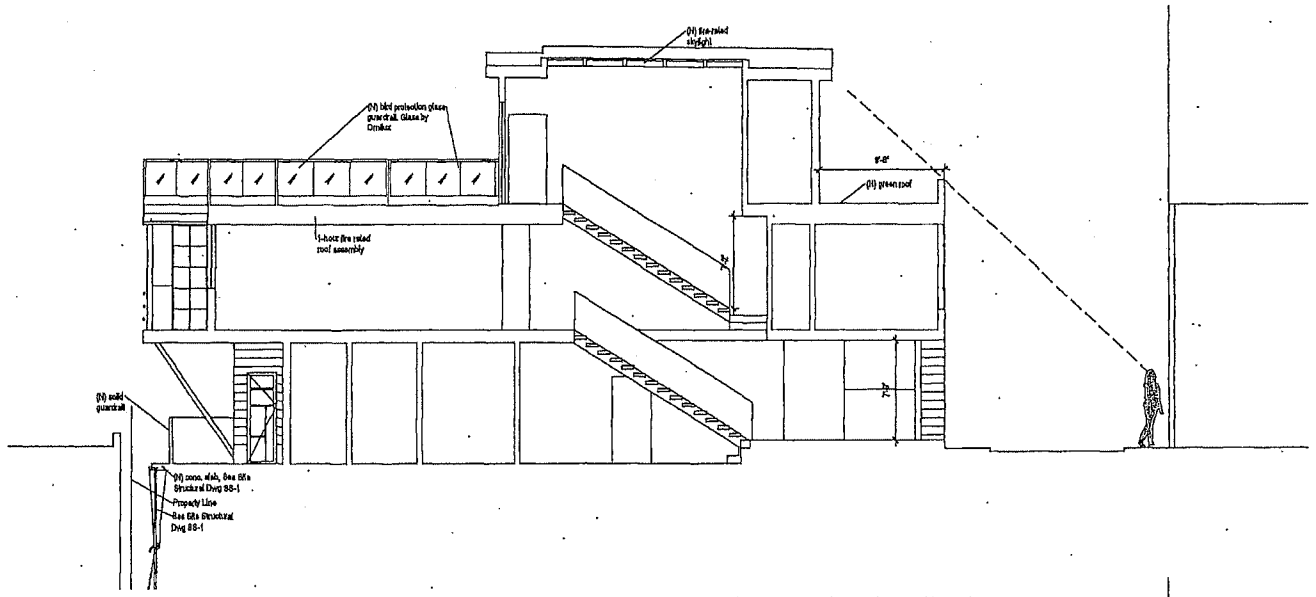
26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING
PROPOSED PLANS

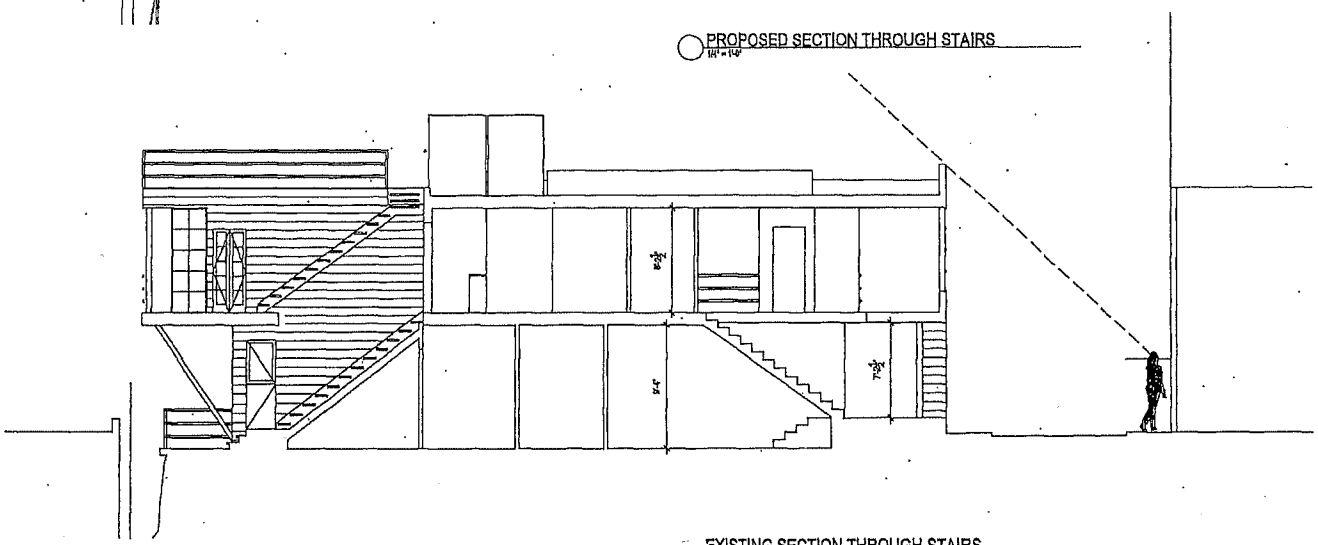
A 2.0
DATE: March 14, 2011
SCALE


1134-1138 Montgomery St.
3 stories
Block 134 - Lot 21
1140 Montgomery St.
3 stories
Block 134 - Lot 22
1128-1132 Montgomery St.
3 stories (5 unit)
Block 134 - Lot 20
29 - 31 Hodges Alley
3 stories
Block 134 - Lot 20
Adjacent Property
30 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 13
(E) 2nd floor deck
(E) Rear Yard
27'-3"
28'-3.5"
45% rear yard
(N) skylight
(N) deck area
(N) roof
8'-4"
17'-5"
Subject Property
26 Hodges Alley
3 stories (1 unit)
Block 134 - Lot 12
(E) 1st floor flat roof
(E) 2nd floor flat wood deck
82'-11"
MONTGOMERY
1120 Montgomery St.
4 stories (6 unit)
Block 134 - Lot 19
Adjacent Property
20 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 11
(E) Rear Yard
(E) Rear Yard
(E) 2nd floor flat roof
17 - 19 Hodges Alley
2 stories
Block 134 - Lot 015
14 - 16 Hodges Alley
3 stories
Block 134 - Lot 10
(E) Central Yard
HODGES ALLEY
(E) 2nd floor flat roof
(E) 2nd floor flat roof
N
378 - 382 Vallejo St.
4 stories
Block 134 - Lot 014
372 Vallejo St.
4 stories
Block 134 - Lot 009
Adjacent Property
362-366 Vallejo St.
2 stories
Block 134 - Lot 7
Adjacent Property
350-360 Vallejo St.
2 stories (4 units)
Block 134 - Lot 6
VALLEJO
PROPOSED SITE PLAN
1/8" = 1'-0"
liebes
architects
26 HODGES ALLEY
SAN FRANCISCO, CA 94133
PLANNING
PROPOSED SITE PLAN
A2.1
DATE March 24, 2014
SCALE

1318



PROPOSED SECTION THROUGH STAIRS
1/4" = 1'-0"



EXISTING SECTION THROUGH STAIRS
1/4" = 1'-0"

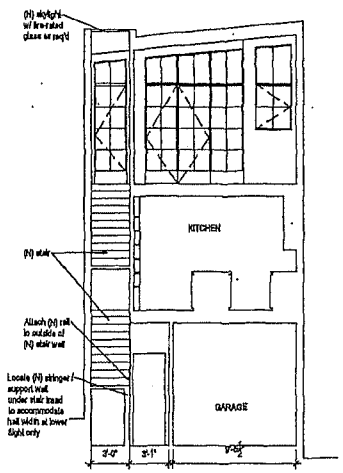
llebes
architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

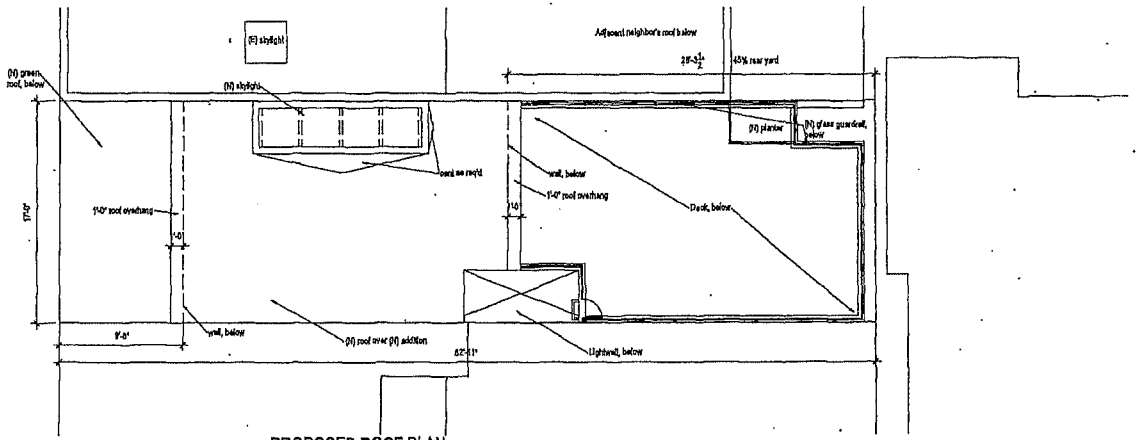
PLANNING
PROPOSED PLANS

A3.0
DATE
SCALE

1319



PROPOSED CROSS SECTION
1/4" = 1'-0"



PROPOSED ROOF PLAN
1/4" = 1'-0"

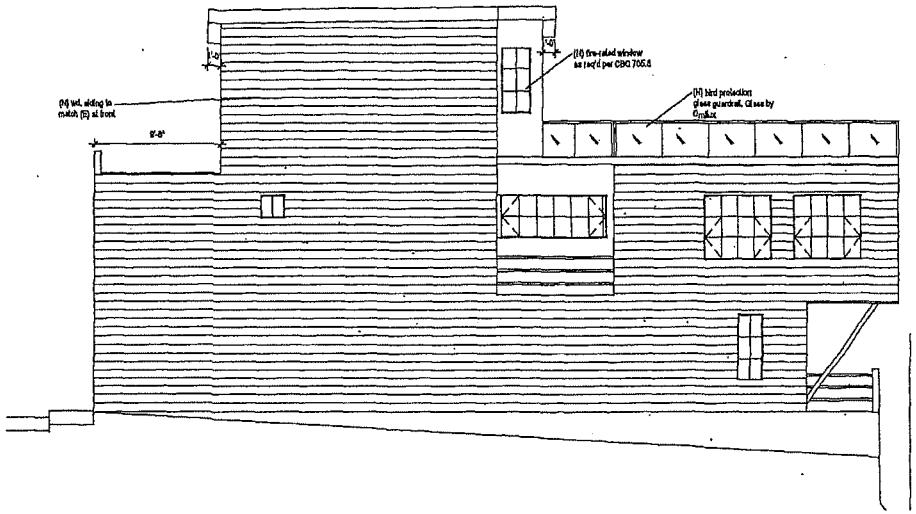
liebes
architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

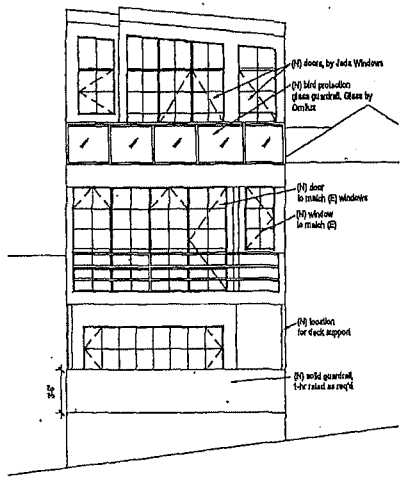
1320

PLANNING
PROPOSED PLANS

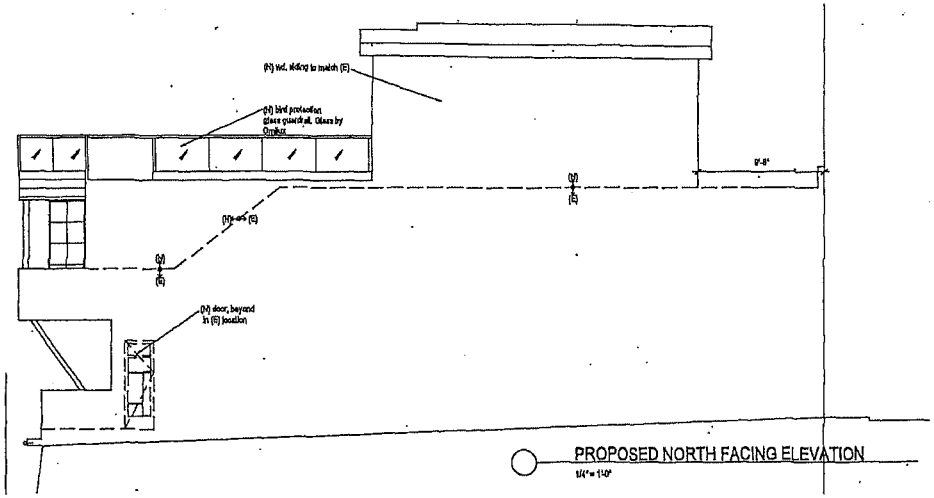
A3.1
DATE April 16, 2012
SCALE



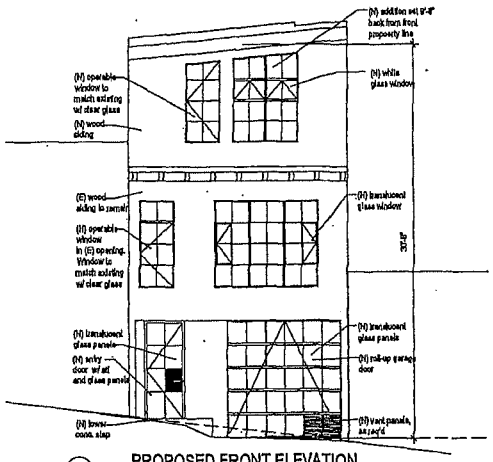
PROPOSED SOUTH FACING ELEVATION
1/4" = 1'-0"



PROPOSED REAR ELEVATION
1/4" = 1'-0"



PROPOSED NORTH FACING ELEVATION
1/4" = 1'-0"



PROPOSED FRONT ELEVATION
1/4" = 1'-0"

llebes
architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING
PROPOSED EXT. ELEVATIONS

A4.0

DATE
SCALE

1321

EXHIBIT C

Gilpin Geosciences, Inc
Earthquake & Engineering Geology

January 30, 2015
91552.01

Mr. and Mrs. David de Wilde
2650 Green Street
San Francisco, CA 94123

Subject: **REVISED**
Rock Slope Mitigation
Residential Improvements
26 Hodges Alley
San Francisco, California

Dear Mr. and Mrs. de Wilde:

INTRODUCTION

We are pleased to submit the results of our recent consultation concerning rockfall mitigation related to the proposed improvements at 26 Hodges Alley, San Francisco, California. Previously we presented our Engineering Geolgic and Geotechnical Investigation report dated 28 May 2013. Since then we studied several alternative methods of rock slope stabilization based on discussions with the project structural engineer and contractors experienced with rock slope mitigation. The results were summarized in a letter dated 14 August 2014.

Following submittal of our original report and the results of our supplemental study we met with Mr. John Wallace of Cotton Shires, Associates, the neighbor's geologic consultant. Working with Mr. Wallace we developed an alternative mitigation plan for the rock slope on the property recognizing that space limitations and available equipment types will affect the construction methodology. The recommendations presented in this letter are consistent with the original intent of our 28 May 2013 report and subsequent letter dated 14 August 2014 and incorporate the recommentations developed with Mr. Wallace.

To provide and understanding of the proposed remodelling and expansion of the home, a letter from the owner to the San Francisco Planning Commmission is attached.

2038 Redwood Road, Napa, CA 94558 tel: (707) 251-8543 fax: (707) 257-8543

RECOMMENDATIONS

The revised rock slope mitigation plan addresses the problems of stabilizing the loose rock and potential wedge-type rock failures outlined in our previous report.

The revised mitigation will commence with scaling of loose and weathered rock from the slope (i.e. remove loose rock from the face of the slope). As part of the scaling the concrete stem wall supporting the existing deck will be demolished and removed.

To reduce the potential for raveling of the rock face, shotcrete will be applied to the upper face of the rock slope. This mitigation was discussed with a specialty contractor who indicates that the shotcrete can be installed satisfactorily.

To improve the overall stability of the rock, holes set back approximately 3 feet from the face of the slope will be drilled vertically into the rock for the full height of the slope (20 feet) and three feet below the base of the rock slope, for a total length of 23 feet. Steel rods will be inserted in the holes and high-strength grout will be injected between the rods and the rock. This process should stitch the rock together to reduce the hazard of pieces of rock from becoming dislodged and should provide support for the subsequent application of reinforced shotcrete. Finally, steel reinforcing mesh will be hung from the vertical rock bolts and #3 rebar dowels, 12 inches long will be drilled and epoxied into the rock face at 5 feet on-center. The dowels should be L-shaped and inserted in 6-inch deep drilled holes. The reinforced shotcrete facing will be applied over the upper 7 feet of the rock face.

This revised rock slope stabilization should provide the necessary rock fall hazard mitigation. We have not been provided with design level architectural or structural plans for the residence; however, we understand the existing foundations will be used to support the new loads, or, if new foundations are needed, they will be installed a significant distance from the top of slope. Furthermore, the planned removal of the existing stem wall and deck will reduce the load on the rock slope. Any new loads will be sited in such a manner that no new loads will affect the stability of the rock slope.

LIMITATIONS

Our services have been performed in accordance with generally accepted principles and practices of the geological and geotechnical profession. This warranty is in lieu of all other warranties, either expressed or implied. In addition, the conclusions and recommendations presented in this report are professional opinions based on the indicated project criteria and data described in this report. They are intended only for the purpose, site location and project indicated.

We trust that this provides you with the information that you require at this time. If you have questions, please call.

Sincerely,

GILPIN GEOSCIENCES, INC.

Lou M. Gilpin
Enginerering Geologist

LANGAN TREADWELL ROLLO, INC.

Frank L. Rollo
Geotechnical Engineer

Attachment: 28 January 2015 Letter to SF Planning Commission

EXHIBIT D

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.:	**2013.0783E**
Project Title:	**26 Hodges Alley**
Zoning:	RH-3 (Residential – House, Three Family) Zoning District 40-X Height and Bulk District
Block/Lot:	0134/012
Lot Size:	1,067 square feet
Project Sponsor:	Heidi Liebes – Liebes Architects (415) 812-5124
Staff Contact:	Christopher Espiritu – (415) 575-9022 Christopher.Espiritu@sfgov.org

PROJECT DESCRIPTION:

The proposed project would include the interior remodel of an existing two-story residence and the vertical addition for a new third floor to add an approximately 460-square-foot (sq ft) bedroom suite. The proposed project would also include the expansion of an existing roof deck by adding approximately 131 square feet of new roof deck space, accessed from the new third floor bedroom. The proposed third-floor addition would add approximately 11'-1" to the existing 19'-10" structure, for a total building height of 30'-11". Other project details include the installation of new interior stairs, enlarging the existing kitchen, and enclosing an existing exterior staircase for access to the expanded roof deck. The project site is located on the block bounded by Green Street to the north, Vallejo Street to the south, Sansome Street to the east, and Hodges Alley to the west, within the North Beach neighborhood.

EXEMPT STATUS:

Categorical Exemption, Class 1 [California Environmental Quality Act (CEQA) Guidelines Section 15301].

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

cc: Heidi Liebes, Project Sponsor; Kate Conner, Current Planner; Jonathan Lammers, Preservation Planner; Historic Preservation Distribution List; Supervisor Chiu, District 3 (via Clerk of the Board); Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The proposed project is located on a site that has a slope of approximately 20 percent sloping downward (to the east) towards the rear of project site. The proposed project would involve excavation associated with foundation-strengthening related to the proposed additions and provide slope-stabilization support to adjacent buildings. The existing one-vehicle garage at-grade would remain and the existing 10-foot-wide curb cut, located on the Hodges Alley frontage, would also remain.

Project Approvals

The proposed project would require the following approvals:

- Variance (Zoning Administrator) – The proposed project would require a Variance from the Planning Code for a rear yard modification pursuant to Planning Code Section 134. This variance would be granted by the Planning Department's Zoning Administrator.
- Site Permit (Department of Building Inspection [DBI]) – The proposed project would require the approval of a Site Permit by DBI.

Approval Action: While the proposed project would require the approval of a Variance by the Zoning Administrator, the Approval Action for the project would be through the issuance of a Site Permit by DBI. If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a Site Permit by DBI is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

Historic Architectural Resources. The Planning Department's Historic Preservation staff evaluated the property to determine whether the existing structure on the project site is a historical resource as defined by CEQA. According to the Historic Resource Evaluation Response (HRER)[1] prepared for the project, and information found in the Planning Department archives, the property at 26 Hodges Alley contains a two-story, wood-frame, single-family residence constructed in 1907. Originally addressed as 6 Hodges Alley, the residence is vernacular in style, clad with unpainted horizontal rustic wood channel siding, and capped by a flat roof. The primary façade faces west onto Hodges Alley and features a metal-frame panel garage door to the south and a metal panel pedestrian entry to the north.

The property is not located within the boundaries of any listed historic districts. However, the property is located within proximity (¼-mile) of the Telegraph Hill, Northeast Waterfront, and Jackson Square

[1] Jonathan Lammers – Preservation Planner, *Historic Resource Evaluation Response (HRER), 26 Hodges Alley*, November 15, 2013. This report is available for review as part of Case No. 2013.0783E.

Historic Districts. Therefore, the property was evaluated for individual eligibility for inclusion, as well as inclusion as contributor to a historic district, to the California Register.

The California Register criteria for eligible individual resources and historic districts provide specific measures on evaluating individual properties for inclusion into the California Register. Criterion 1 (Events) determines whether a property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States. Criterion 2 (Persons) examines whether a property is associated with the lives of persons important to the local, regional or national past. Criterion 3 (Architecture) analyzes whether a property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values. Criterion 4 (Information Potential) determines whether a property yields, or may be likely to yield, information important in prehistory or history. The property at 26 Hodges Alley was evaluated for inclusion into the California Register and is further discussed below.

Criterion 1 (Events). According to the HRER, the building stock along the southeastern slopes of Telegraph Hill represents a cohesive development pattern associated with rebuilding efforts following the 1906 Earthquake. The reconstruction of San Francisco was unprecedented in its scope and pace, and remains one of the most significant events in the city's history. Nearly all buildings in the immediate vicinity were residential or mixed-use properties constructed during a punctuated burst of activity between 1906 and 1913, and they convey clear and significant association with the reconstruction effort. While the property at 26 Hodges Alley does not appear to be an individually eligible for historic listing under this Criterion, it is part of a larger grouping of properties which collectively constitute a potential historic district. Therefore, Preservation Staff determined that 26 Hodges Alley Street is significant under California Register Criterion 1 (Events) for its association with post-1906 Earthquake reconstruction.

Criterion 2 (Persons). According to the HRER, Preservation Staff determined that as a group, the owners and residents of 26 Hodges Alley illustrate the strong working-class Italian demographics that were representative of the North Beach and Telegraph Hill area during the early 20th century. However, none of the persons appear to be important to local, state or national history such that the subject property would be eligible for historic listing under this Criterion. Therefore, Preservation Staff concluded that 26 Hodges Alley is not eligible for listing in the California Register under Criterion 2 (Persons).

Criterion 3 (Architecture). The HRER found that the building was designed by local architect, Fedele Costa, per the original 1907 building permit record. Fedele Costa was born in 1863 in Bioglio, Italy and immigrated to the United States in 1906. The son of a successful builder, he arrived in San Francisco in 1906 and was known to have served as the architect for St. Joseph's Catholic Church in Auburn, California (1911) and the Holy Rosary Roman Catholic Church in Woodland, California (1912). The existing building at 26 Hodges Alley does not appear to be a distinctive example of a type, period, region or method of construction such that it would be individually eligible for the California Register under this Criterion. Also, the property also does not appear to be a prominent work of architect, Fedele Costa.

However, the building does appear to be part of a concentration of residential buildings significant for their association with post-1906 Earthquake reconstruction and eligible for the California Register as a historic district. Nearly all of the buildings in the immediate vicinity were constructed between 1906 and 1913, and most evidence a shared design vocabulary based on Classical Revival influences. Character-defining architectural features of this district include wood frame construction and wood cladding, and the use of design elements such as pilasters, entablatures, dentil moldings and prominent cornices.

Therefore, Preservation Staff determined that 26 Hodges Alley, while not individually significant under this Criterion, could be significant as part of a concentration of properties that convey clear association with post-1906 Earthquake reconstruction and appear to constitute a potential historic district eligible for listing in the California Register under Criterion 3 (Architecture).

Criterion 4 (Information Potential). Finally, based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 (Information Potential), which is typically associated with archaeological resources. Furthermore, the subject property is not likely significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type and would therefore not be eligible for listing in the California Register under Criteria 4.

In order to be considered a resource for the purposes of CEQA, a property must not only be shown to have significance under the California Register of Historical Resources criteria (Criterion 1-4), but also must have historic integrity.[2] Historic integrity enables a property to illustrate significant aspects of its past. According to the HRER, 26 Hodges Alley retains integrity of location, setting and association as it remains a residential property, has never been moved, and is largely surrounded by the same properties as it was historically. However, the building does not appear to retain integrity of design, workmanship, or materials. The property has experienced several alterations between 1934 and 1969, which included raising the building to insert a garage, window replacement, and the installation of a roof deck. Other alterations which are undocumented or poorly documented include the large rear addition constructed between 1913 and 1938 and the construction of the second-story overhang at the primary façade. The primary entry, garage and fenestration pattern and materials are all contemporary in nature, while the articulation of the primary façade has been altered. Collectively, these changes have significantly changed the character of the building such that it is no longer able to effectively convey its 1907 construction. Therefore, Preservation Staff determined that the property at 26 Hodges Alley does not retain historic integrity.

[2] Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance."

As discussed, the property was shown to have significance under Criterion 1 (Events) and Criterion 3 (Architecture) for inclusion to the California Register as part of a historic district. However, the property did not retain its historic integrity and lacks integrity from its period of significance (1906-1915). Preservation Staff concluded that the property at 26 Hodges Alley is a non-contributor to an eligible Historic District. For the above reasons, the proposed project would not materially impair the characteristics of the existing historic resource, thus the proposed project would not result in significant impacts related to historic resources.

Geotechnical. According to Planning Department records, the project site is not located within a Landslide Hazard Zone or Liquefaction Hazard Zone; however, the property is located on a site with a slope of 20 percent. A Geotechnical Investigation was conducted for the property and is summarized below.[3]

The Geotechnical Investigation notes that the site slopes downward toward the rear of the property to the east and the rear of the property sits at the top of a near vertical 15- to 20-foot-tall slope that was excavated into the hillside for the development of a downslope residence located at 358 Vallejo Street. The project site is documented to be located in an area that is underlain by Franciscan Complex comprised of sedimentary rocks composed of sandstone, shale, and greywacke sandstone. Also, the site lies immediately southwest of former rock quarry operations that were present on the eastern slopes of Telegraph Hill until the turn of the 20th Century.

The Geotechnical Investigation provides specific recommendations and requirements concerning site preparation and foundations, retaining walls, and rock-slope support. These are further discussed below.

Foundations. The Geotechnical Investigation noted that the proposed improvements including the addition of a new third floor bedroom would be adequately supported by drilled pier foundations. Drilled piers should be at least 18-inches in diameter and drilled at least five feet into the underlying bedrock beneath the existing building.

Rock-Slope Stabilization. The Geotechnical Investigation noted that due to former quarry operations, which included blasting has resulted in over-steepened and shattered slopes. Aggressive quarrying that was common in the Telegraph Hill area left exposed bedrock in the eastern slope, and the Geotechnical Investigation found evidence of recent rockfalls, with debris and rock fragments, that have fallen from the eastern slope at the rear of the property and have accumulated in the rear yard of the adjacent property at 358 Vallejo Street.

A Supplemental Geotechnical Analysis was performed and revised recommendations for rock-slope stabilization were recommended. Due to the unique features of the eastern slope at the rear of the site, the previous recommendation to construct a concrete wall to stabilize the slope was deemed infeasible. The Supplemental Geotechnical Investigation therefore recommended that the best solution for reducing

[3] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, May 28, 2013.* This report is available for review as part of Case No. 2013.0783E.

rockfall hazards at the project site would be to include the installation of a steel wire mesh net that would contain loose rock from impacting the residence at 358 Vallejo Street, and the installation of concrete encased steel rock bolts that would reinforce the rock slope. The netting would be supported by vertical rock bolts drilled into the slope at the top and bottom.

The Supplemental Geotechnical Investigation[4] identified this strategy as the most feasible since the process will essentially stitch the rock together to prevent pieces of rock from becoming dislodged. Finally, a closely spaced steel mesh net will be attached to the slope to contain pieces of rock that may become dislodged in the future. The selected approach stabilizes loose rock by scaling the rock face and applying mesh. Stability of the existing rock slope is increased by pinning potential wedge-type rock failures with the vertical rock bolts.

The Supplemental Geotechnical Investigation ultimately concluded that the project site is suitable to support the proposed project, provided that its recommendations are incorporated into the design and construction of the proposed project. The project sponsor has agreed to implement these recommendations, subject to Building Code requirements and implementation would not result in foreseeable significant impacts.

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the DBI permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties and the subject property is maintained during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.

EXEMPT STATUS:

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption for minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination. Additionally, Class 1 exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project would include the addition of approximately 460 square feet for a new third-floor bedroom suite and the interior remodel of the existing two-story residence. Therefore, the proposed demolition meets the criteria for exemption from environmental review under Class 1.

[4] Gilpin Geosciences, Inc. – Earthquake & Engineering Geology, *Supplemental Engineering Geologic and Geotechnical Investigation, Residential Improvements, 26 Hodges Alley, San Francisco, California, August 14, 2014.* This report is available for review as part of Case No. 2013.0783E.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

Carroll, John (BOS)

From: SF Docs (LIB)
Sent: Tuesday, May 05, 2015 1:46 PM
To: BOS Legislation, (BOS)
Subject: Re: Please Post the Attached Hearing Notices

Hi John,

I have posted the hearing notices.

Thank you,

Michael

From: BOS Legislation, (BOS)
Sent: Tuesday, May 5, 2015 1:36 PM
To: SF Docs (LIB)
Cc: BOS Legislation, (BOS)
Subject: Please Post the Attached Hearing Notices

Good afternoon,

Please kindly post the attached hearing notices.

File No. 140767 - Public Hearing - Appeal of Categorical Exemption from Environmental Review - 2251 Greenwich Street - Fire Station No. 16

File No. 150395 - Public Hearing - Appeal of Categorical Exemption from Environmental Review - 26 Hodges Alley

Thanks!

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

Click here to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Carroll, John (BOS)

From:	BOS Legislation, (BOS)
Sent:	Tuesday, May 05, 2015 11:40 AM
To:	Melomm@aol.com; Givner, Jon (CAT); Byrne, Marlena (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Tam, Tina (CPC); Conner, Kate (CPC); Ionin, Jonas (CPC); BOS-Supervisors; liebes.heidi@gmail.com; Espiritu, Christopher (CPC); jknight@reubenlaw.com; BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Caldeira, Rick (BOS); BOS Legislation, (BOS); Lamug, Joy (BOS); Carroll, John (BOS)
Subject:	Appeal of Categorical Exemption Determination - 26 Hodges Alley - Hearing Notice

Good morning,

The Office of the Clerk of the Board has scheduled an appeal hearing for a Special Order before the Board on **May 19, 2015, at 3:00 p.m.**

Please find linked below the Hearing Notice for the appeal of categorical exemption from environmental review under the California Environmental Quality Act for the proposed project at 26 Hodges Alley.

Hearing Notice – 26 Hodges Alley

You are invited to review the entire matter on our Legislative Research Center by following the link below.

Board of Supervisors File No. 150395

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

Click here to complete a Board of Supervisors Customer Service Satisfaction form.

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BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 150395

Description of Items: HEARING NOTICES TO APPELLANT, PROJECT SPONSOR, AND RECIPIENTS FROM LIST PROVIDED BY PLANNING DEPT.

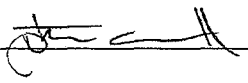
I, John Carroll, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: 5/5/2015

Time: 8:25 a.m.

USPS Location: Clerk's Office USPS Dropoff

Mailbox/Mailslot Pick-Up Times (if applicable): Picked up @ 9:30 a.m. by Ahmad

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No 554-5184
Fax No. 554-5163
TTD/TTY No. 5545227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, May 19, 2015**

Time: **3:00 p.m.**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102**

Subject: **File No. 140767.** Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on June 2, 2014, for the proposed project at 2251 Greenwich Street known as Fire Station No. 16. (District 2) (Appellant: Stephen Williams, on behalf of Brent McMicking and Evan Kletter) (Filed July 2, 2014).

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Board. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, May 15, 2015.

Angela Calvillo
Clerk of the Board

DATED: **May 5, 2015**
MAILED/POSTED: **May 5, 2015**

BLOCK	LOT	OWNER	OADDR
0001	001	RADIUS SERVICES NO. 013412NU	26 HODGES ALLEY
0001	002	. . . . .	. . . . .
0001	003	R A D I U S S E R V I C E S	1221 H A R R I S O N S T #18
0001	004	LIEBES ARCHITECTS	45 SANSOME ST #1200
0001	005	. . . . .	. . . . .
0134	001	ABBOTT BRADY PRINTING CORP	1045 SANSOME ST
0134	001	OCCUPANT	1005 SANSOME ST
0134	001	OCCUPANT	1025 SANSOME ST
0134	001	OCCUPANT	225 GREEN ST
0134	003	SHEILA BAKHTIARI	PO BOX 330
0134	003	OCCUPANT	334 VALLEJO ST
0134	003	OCCUPANT	336 VALLEJO ST
0134	003	OCCUPANT	338 VALLEJO ST
0134	003	OCCUPANT	338A VALLEJO ST
0134	003	OCCUPANT	340 VALLEJO ST
0134	003	OCCUPANT	340A VALLEJO ST
0134	004	SANDRA YEE TRS	1809 GOLDEN RAIN RD #5
0134	004	OCCUPANT	342 VALLEJO ST
0134	004	OCCUPANT	344 VALLEJO ST
0134	004	OCCUPANT	346 VALLEJO ST
0134	004	OCCUPANT	348 VALLEJO ST
0134	006	MAR TRS	PO BOX 471762
0134	006	OCCUPANT	358 VALLEJO ST
0134	006	OCCUPANT	358A VALLEJO ST
0134	006	OCCUPANT	360 VALLEJO ST
0134	006	OCCUPANT	360B VALLEJO ST
0134	007	N & W MASSETANI	315 OXFORD ST
0134	007	OCCUPANT	362 VALLEJO ST
0134	007	OCCUPANT	364 VALLEJO ST
0134	008	MATTHEW BRAITHWAITE	PO BOX 590396
0134	008	OCCUPANT	368 VALLEJO ST
0134	009	D & I LEE	2641 STUART ST
0134	009	OCCUPANT	372 VALLEJO ST #1
0134	009	OCCUPANT	372 VALLEJO ST #2
0134	009	OCCUPANT	372 VALLEJO ST #3
0134	009	OCCUPANT	372 VALLEJO ST #4
0134	009	OCCUPANT	372 VALLEJO ST #5
0134	009	OCCUPANT	372 VALLEJO ST #6
0134	010	LISA FAIL TRS	16 HODGES ALY
0134	010	OCCUPANT	14 HODGES ALY
0134	011	WONG- LEW TRS	20 HODGES ALY
0134	012	DEWILDE TRS	26 HODGES ALY
0134	013	KAREN EZEKIELTRS	30 HODGES ALY
0134	014	YU & CHIU	382 VALLEJO ST
0134	014	OCCUPANT	378 VALLEJO ST
0134	014	OCCUPANT	380 VALLEJO ST
0134	015	PONG FAI LAM TRS	942 JACKSON ST
0134	015	OCCUPANT	17 HODGES ALY
0134	015	OCCUPANT	19 HODGES ALY
0134	016	TIDEPOOL INVESTMENTS LLC	24791 NORTHCREST LN
0134	016	OCCUPANT	384 VALLEJO ST

0134	016	OCCUPANT	384A VALLEJO ST
0134	016	OCCUPANT	384B VALLEJO ST
0134	016	OCCUPANT	386 VALLEJO ST
0134	016	OCCUPANT	388 VALLEJO ST
0134	017	LINDSAY WALKER	1104 MONTGOMERY ST
0134	017	OCCUPANT	1100 MONTGOMERY ST
0134	017	OCCUPANT	1106 MONTGOMERY ST
0134	017	OCCUPANT	1108 MONTGOMERY ST
0134	017	OCCUPANT	1110 MONTGOMERY ST
0134	017	OCCUPANT	1112 MONTGOMERY ST
0134	018	WOON TRS	32179 LUPE CT
0134	018	OCCUPANT	1114 MONTGOMERY ST
0134	018	OCCUPANT	1116 MONTGOMERY ST
0134	018	OCCUPANT	1118 MONTGOMERY ST
0134	019	MULBERRY TREE LP	1120 MONTGOMERY ST
0134	019	OCCUPANT	1120A MONTGOMERY ST
0134	019	OCCUPANT	1122 MONTGOMERY ST
0134	019	OCCUPANT	1122B MONTGOMERY ST
0134	019	OCCUPANT	1124 MONTGOMERY ST
0134	019	OCCUPANT	1126 MONTGOMERY ST
0134	020	SHIRLEY LIM TRS	1354 15TH AV
0134	020	OCCUPANT	1128 MONTGOMERY ST
0134	020	OCCUPANT	1130 MONTGOMERY ST
0134	020	OCCUPANT	1132 MONTGOMERY ST
0134	020	OCCUPANT	29 HODGES ALY
0134	020	OCCUPANT	31 HODGES ALY
0134	021	CHOW TRS	1140 MONTGOMERY ST #E
0134	021	OCCUPANT	1134 MONTGOMERY ST
0134	021	OCCUPANT	1134A MONTGOMERY ST
0134	021	OCCUPANT	1136 MONTGOMERY ST
0134	021	OCCUPANT	1136A MONTGOMERY ST
0134	021	OCCUPANT	1138 MONTGOMERY ST
0134	021	OCCUPANT	1138A MONTGOMERY ST
0134	021	OCCUPANT	1140C MONTGOMERY ST
0134	022	E & S CHOW TRS	1140 MONTGOMERY ST
0134	023	KATHERINE OLMO TRS	146 WESTWARD DR
0134	024	1142 MONTGOMERY ST LLC	500 WASHINGTON ST #488
0134	024	OCCUPANT	1142A MONTGOMERY ST
0134	024	OCCUPANT	1142B MONTGOMERY ST
0134	024	OCCUPANT	1144A MONTGOMERY S4
0134	024	OCCUPANT	1144B MONTGOMERY S4
0134	024	OCCUPANT	1146A MONTGOMERY ST
0134	024	OCCUPANT	1146B MONTGOMERY ST
0134	025	MONTGOMERY ST PTNRS LLC	2470 VAN NESS AV #310
0134	025	OCCUPANT	1148B MONTGOMERY ST
0134	025	OCCUPANT	1148C MONTGOMERY ST
0134	026	KUEN LEE TRS	2104 BROADWAY ST
0134	026	OCCUPANT	1158 MONTGOMERY ST
0134	026	OCCUPANT	1160 MONTGOMERY ST
0134	026	OCCUPANT	1162 MONTGOMERY ST
0134	026	OCCUPANT	1164 MONTGOMERY ST
0134	026	OCCUPANT	1166 MONTGOMERY ST

0134	026	OCCUPANT	1168 MONTGOMERY ST
0134	026	OCCUPANT	1170 MONTGOMERY ST
0134	026	OCCUPANT	275 GREEN ST
0134	026	OCCUPANT	277 GREEN ST
0134	026	OCCUPANT	279 GREEN ST
0134	026	OCCUPANT	281 GREEN ST
0134	026	OCCUPANT	283 GREEN ST
0134	026	OCCUPANT	285 GREEN ST
0134	026	OCCUPANT	287 GREEN ST
0134	027	SF 267 GREEN ST LLC	500 WASHINGTON ST #488
0134	027	OCCUPANT	267 GREEN ST
0134	027	OCCUPANT	269 GREEN ST
0134	027	OCCUPANT	271 GREEN ST
0134	027	OCCUPANT	271A GREEN ST
0134	027	OCCUPANT	273 GREEN ST #1
0134	027	OCCUPANT	273 GREEN ST #1B
0134	027	OCCUPANT	273 GREEN ST #2
0134	027	OCCUPANT	273 GREEN ST #3
0134	027	OCCUPANT	273 GREEN ST #3A
0134	027	OCCUPANT	273 GREEN ST #4
0134	027	OCCUPANT	273 GREEN ST #5
0134	027	OCCUPANT	273 GREEN ST #6
0134	027	OCCUPANT	273 GREEN ST #7
0134	027	OCCUPANT	273 GREEN ST #8
0134	027	OCCUPANT	273 GREEN ST #9
0134	027	OCCUPANT	273 GREEN ST #10
0134	027	OCCUPANT	273 GREEN ST #11
0134	027	OCCUPANT	273 GREEN ST #12
0134	027	OCCUPANT	273 GREEN ST #14
0134	027	OCCUPANT	273 GREEN ST #15
0134	029	GREEN ST LOTS LLC	268 BUSH ST #1688
0134	030	GREEN ST LOTS LLC	268 BUSH ST #1688
0134	031	GREEN ST LOTS LLC	268 BUSH ST #1688
0134	032	ABBOTT BRADY PRINTING CORP	1045 SANSOME ST
0134	033	T & A FERRO	100 POINT SAN PEDRO RD
0134	033	OCCUPANT	352 VALLEJO ST #1
0134	034	T & A FERRO	100 POINT SAN PEDRO RD
0134	034	OCCUPANT	352 VALLEJO ST #2
0134	035	T & A FERRO	100 POINT SAN PEDRO RD
0134	035	OCCUPANT	352 VALLEJO ST #3
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CITY	STAT	ZIP
LIEBES	14	0828
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SAN FRANCISCO	CA	94103
SAN FRANCISCO	CA	94111
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SAN FRANCISCO	CA	94111-1311
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SAN FRANCISCO	CA	94111-1311
SAN FRANCISCO	CA	94111-1311
SAN FRANCISCO	CA	94104-0330
SAN FRANCISCO	CA	94133-4166
SAN FRANCISCO	CA	94133-4166
SAN FRANCISCO	CA	94133-4166
SAN FRANCISCO	CA	94133-4166
SAN FRANCISCO	CA	94133-4166
SAN FRANCISCO	CA	94133-4166
WALNUT CREEK	CA	94595-2177
SAN FRANCISCO	CA	94133-4155
SAN FRANCISCO	CA	94133-4155
SAN FRANCISCO	CA	94133-4155
SAN FRANCISCO	CA	94133-4155
SAN FRANCISCO	CA	94147-1762
SAN FRANCISCO	CA	94133-4111
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SAN FRANCISCO	CA	94133-4111
SAN FRANCISCO	CA	94159-0396
SAN FRANCISCO	CA	94133-4111
BERKELEY	CA	94705-1236
SAN FRANCISCO	CA	94133-4183
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SAN FRANCISCO	CA	94133-4809
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SAN FRANCISCO	CA	94133-4105
LOS ALTOS HILLS	CA	94024-6433
SAN FRANCISCO	CA	94133-4115

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UNION CITY	CA	94587-3949
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CORTE MADERA	CA	94925-1931
SAN FRANCISCO	CA	94111-2948
SAN FRANCISCO	CA	94133
SAN FRANCISCO	CA	94133
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SAN FRANCISCO	CA	94111-1311
SAN RAFAEL	CA	94901-4200
SAN FRANCISCO	CA	94133-4180
SAN RAFAEL	CA	94901-4200
SAN FRANCISCO	CA	94133-4180
SAN RAFAEL	CA	94901-4200
SAN FRANCISCO	CA	94133-4180

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

April 17, 2015

Melody Mar
358 Vallejo Street
San Francisco, CA 94133

Subject: Appeal of California Environmental Quality Act (CEQA) Determination of Exemption from Environmental Review - 26 Hodges Alley

Dear Ms. Mar:

The Office of the Clerk of the Board is in receipt of a memo dated April 15, 2015, (copy attached), from the Planning Department regarding the timely filing of your appeal of the determination of exemption from environmental review for 26 Hodges Alley.

The Planning Department has determined that the appeal was filed in a timely manner.

The appeal filing period closed on Monday, April 13, 2015. Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, May 19, 2015, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by 12:00 noon:

20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

Sincerely,

Angela Calvillo
Clerk of the Board

c:
Heidi Liebes, Project Sponsor
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
John Rahaim, Planning Director
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
Aaron Starr, Planning Department
AnMarie Rodgers, Planning Department
Kate Conner, Planning Department
Christopher Espiritu, Planning Department
Jonas Ionin, Planning Commission

SAN FRANCISCO
PLANNING DEPARTMENT

MEMO

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: April 15, 2015

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Sarah B. Jones, Environmental Review Officer

RE: Appeal timeliness determination – 26 Hodges Alley, Planning Department Case No. 2013.0783E

An appeal of the categorical exemption for the proposed project at 26 Hodges Alley (Planning Department Case No. 2013.0783E) was filed with the Office of the Clerk of the Board on April 10, 2015 by Melody Mar, owner of 358 Vallejo Street.

Timeline: The Categorical Exemption was issued on September 18, 2014. The exemption identified the Approval Action for the project as the Discretionary Review Hearing by the Planning Commission, as provided for in Planning Code Section 311, which occurred on March 12, 2015 (Date of the Approval Action).

Timeliness Determination: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action.

The appeal of the exemption determination was filed on April 10, 2015, which is the 29th day within 30 days after the Date of the Approval Action and is within the time frame specified above. Therefore the appeal is considered timely.

Section 31.16(b)(4) of the San Francisco Administrative Code states that the Clerk of the Board shall schedule the appeal hearing no less than 21 days and no more than 45 days following expiration of the specified time period for filing of the appeal.

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

April 10, 2015

To: John Rahaim
Planning Director

From: Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Determination of Exemption from Environmental Review - 26 Hodges Alley

An appeal of the CEQA Exemption Determination for 26 Hodges Alley was filed with the Office of the Clerk of the Board on April 10, 2015, by Melody Mar.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks, Joy Lamug at (415) 554-7712, or John Carroll at (415) 554-4445.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Environmental Review Officer, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Tina Tam, Planning Department
Kate Conner, Planning Department
Jonas Ionin, Planning Department

BOARD of SUPERVISORS

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April 17, 2015

FILE NO. 150395

Received from the Board of Supervisors-Clerk's Office a check in the amount of Five Hundred Forty Seven Dollars ($547), representing filing fee paid by Melody Mar (Appellant), for the Appeal of CEQA Exemption Determination for 26 Hodges Alley.

Planning Department
By:

TONY YEUNG
Print Name

4/17/15
Signature and Date

MELODY MAR

90-7162/3222
8611727998

1071

DATE April 10, 2015

PAY TO THE ORDER OF San Francisco Planning Dept. $ 547.00

Five hundred forty seven and 00/100 DOLLARS

Security Features Included. Details on Back.

Washington Mutual

Washington Mutual Bank, FA
San Francisco-Chinatown Financial Center 1157
1040 Grant Avenue
San Francisco, CA 94133
1-800-788-7000
24 hour customer Service

Melody Mar

NOTES

MP

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp or meeting date 5/12/15

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)

☐ 2. Request for next printed agenda Without Reference to Committee.

☒ 3. Request for hearing on a subject matter at Committee.

☐ 4. Request for letter beginning "Supervisor [ ] inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. [ ] from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No. [ ]

☐ 9. Reactivate File No. [ ]

☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Public Hearing - Appeal of Categorical Exemption from Environmental Review - 26 Hodges Alley

The text is listed below or attached:

Hearing of persons interested in or objecting to the determination of categorical exemption from environmental review under the California Environmental Quality Act issued by the Planning Department on September 18, 2014, for the proposed project at 26 Hodges Alley. (District 3) (Appellant: Melody Mar) (Filed April 10, 2015).

Signature of Sponsoring Supervisor:

For Clerk's Use Only:

150395