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3111 Jackson St
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January 16, 2015

REQUEST FOR CEQA HEARING

BOARD OF SUPERVISORS
Ms. Angela Calvillo
Clerk of the Board
City Hall, Room 244
San Francisco, CA 94102

RE: 2655 Broderick
Block 0955 Lot 002
Permit Application: 2013.09.12.6709
DR case No: 14.1497D
Permit Applicatrion: 2013.0912.6711
DR case No: 14.1498D

CEQA Categorical Exemption Determination by Mary Woods
December 5, 2014

APPELLANTS:

Irving Zaretsky owner of 2701 Green Street

Engineers for 2701 Green Street:

Frank Rollo - geotechnical engineer
Rodrigo Santos - Structural engineer
Paul Cox - Structural engineer

Dear Members of the Board of Supervisors:

We are requesting a CEQA Hearing for the above captioned subject property. The City Planning Department has issued a CEQA CATEGORICAL EXEMPTION DETERMINATION (CASE NOS. 2014.

1497D AND 2014.1498D) by Mary Woods on December 5, 2014.

We are hereby appealing the City Planning Department Exemption based on its stated conclusion that "The project is categorically exempt under CEQA".

The subject property is located at 2655 Broderick Street, on the West side of Broderick, bounded by Green Street to the North and Vallejo Street to the South. It was constructed around 1926. It is the uphill neighboring property to 2701 Green Street, an Historical Resource 12 unit apartment building constructed in 1913, as one of the earliest apartment buildings built in the Cow Hollow District of San Francisco.

BACKGROUND

2655 Broderick is a single family home. Since late 1980's it has been sold and resold several times and each new owner engaged in construction of exterior additions to the building structure without proper permits and not with standing CIty review and prohibition of building these structures. These structures were accompanied by the raising of the soil level of up to 2 feet all along the 80 foot retaining wall of 2701 Green Street. These structures negatively impact 2701 Green street, its downhill neighbor, and have damaged the property.

1. The structures built surcharge the retaining wall of 2701 Green Street.

a. A planter constructed to abut the retaining wall (the issue only partially resolved) surcharges the retaining wall.

b. Rear deck stairs and foundation abutting the retaining wall of 2701 Green Street continue to surcharge the wall.

c. Raised soil levels at 2655 Broderick along the 80 foot open air retaining wall of 2701 Green Street surcharge the retaining wall.

2. Lack of proper drainage at 2655 Broderick and drainage directed against the property line of 2701 Green Street.

a. Raised soil level causes water to overflow onto 2701 Green Street and to continue to flow onto the public sidewalk of Green Street,

c. Soil - wood contact has led to decay to the property-line wood wall and framing of 2701 Green.

3. Encroachment across the property line at the roof in conjunction with an illegal roof deck prevent re-roofing of 2701 Green Street and prohibit repair of water penetration and the prevention of dry rot and mold.

The owners of 2655 Broderick request through these Permit Applications to legalize the existing structures AS IS.

The environmental impact of the raised soil level at 2655 Broderick, the lack of proper drainage and the overflow of water onto 2701 Green Street and onto the public sidewalk of Green Street present an environmental hazard.

2655 Broderick Street was built in 1926 and is over 45 years old and can is therefore to be considered as if an Historical Asset. The current exterior construction and proposed changes negatively impact the adjoining Historical Resource, 2701 Green Street.

There will be additional evidence presented to the Board of Supervisors eleven days prior to the Hearing date as provided by the Rules.

I attach the briefs submitted to the Planning Commission for the Hearing held on December 18, 2014. These briefs contain the technical engineering reports dealing with the geotechnical issues of the soil level and the surcharge of the retaining wall of 2701 Green Street.

Respectfully submitted,

Irving Zaretsky
Appellant

SAN FRANCISCO
PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2655 Broderick Street		0955/002	
Case No.	Permit No.	Plans Dated	
2014.1497D & 2014.1498D	2013.09.12.6709 & 2013.09.12.6711	June 6, 2014	
☑ Addition/ Alteration	☐ Demolition (requires HRER if over 45 years old)	☐ New Construction	☐ Project Modification **(GO TO STEP 7)**

Project description for Planning Department approval.

BPA# 2013.09.12.6709 is to legalize an existing roof deck and stair penthouse; add new one-hour fire-rated wall along the south property line of the roof deck; and increase the existing parapet wall/guardrail from 38 inches to 42 inches in height (Exempt under CEQA Class 1). BPA# 2013.09.12.6711 is to legalize an existing second-story rear deck, and stairs connecting the deck to grade (this permit work is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment).

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

*Note: If neither class applies, an *Environmental Evaluation Application* is required.*	
☑	**Class 1 – Existing Facilities.** Interior and exterior alterations; additions under 10,000 sq. ft.
☐	**Class 3 – New Construction/ Conversion of Small Structures.** Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
☐	**Class**__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.	
☐	**Transportation:** Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
☐	**Air Quality:** Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? *(refer to EP _ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)*
☐	**Hazardous Materials:** If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. *Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the*

	Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
☐	**Soil Disturbance/Modification:** Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)*
☐	**Noise:** Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)*
☐	**Subdivision/Lot Line Adjustment:** Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? *(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)*
☐	**Slope = or > 20%: :** Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? *Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)* **If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required**
☐	**Seismic: Landslide Zone:** Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? *Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)* **If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required**
☐	**Seismic: Liquefaction Zone:** Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? *Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)* **If box is checked, a geotechnical report will likely be required**
☐	**Serpentine Rock:** Does the project involve any excavation on a property containing serpentine rock? *Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work. (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)*
***If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.</u>**	
☐	**Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.**
Comments and Planner Signature (*optional*):	

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: *(refer to Parcel Information Map)*	
☐	**Category A:** Known Historical Resource. **GO TO STEP 5.**
☑	**Category B:** Potential Historical Resource (over 45 years of age). **GO TO STEP 4.**
☐	**Category C:** Not a Historical Resource or Not Age Eligible (under 45 years of age). **GO TO STEP 6.**

STEP 4: PROPOSED WORK CHECKLIST

TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
☐	1. **Change of use and new construction.** Tenant improvements not included.
☑	2. **Regular maintenance or repair** to correct or repair deterioration, decay, or damage to building.
☐	3. **Window replacement** that meets the Department's *Window Replacement Standards*. Does not include storefront window alterations.
☐	4. **Garage work.** A new opening that meets the *Guidelines for Adding Garages and Curb Cuts*, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
☑	5. **Deck, terrace construction, or fences** not visible from any immediately adjacent public right-of-way.
☐	6. **Mechanical equipment installation** that is not visible from any immediately adjacent public right-of-way.
☐	7. **Dormer installation** that meets the requirements for exemption from public notification under *Zoning Administrator Bulletin No. 3: Dormer Windows*.
☐	8. **Addition(s)** that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
☐	Project is not listed. **GO TO STEP 5.**
☐	Project **does not conform** to the scopes of work. **GO TO STEP 5.**
☐	Project involves **four or more** work descriptions. **GO TO STEP 5.**
☐	Project involves **less than four** work descriptions. **GO TO STEP 6.**

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
☐	1. Project involves a **known historical resource (CEQA Category A)** as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
☐	2. **Interior alterations to publicly accessible spaces.**
☐	3. **Window replacement** of original/historic windows that are not "in-kind" but are consistent with existing historic character.
☑	4. **Façade/storefront alterations** that do not remove, alter, or obscure character-defining features.
☐	5. **Raising the building** in a manner that does not remove, alter, or obscure character-defining features.
☐	6. **Restoration** based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
☑	7. **Addition(s)**, including mechanical equipment that are minimally visible from a public right-of-way and meet the *Secretary of the Interior's Standards for Rehabilitation*.

☐	8. **Other work consistent** with the *Secretary of the Interior Standards for the Treatment of Historic Properties* (*specify or add comments*):
☐	9. **Other work** that would not materially impair a historic district (specify or add comments): *(Requires approval by Senior Preservation Planner/Preservation Coordinator)* _____
☐	10. **Reclassification of property status** to Category C. *(Requires approval by Senior Preservation Planner/Preservation Coordinator)* a. Per HRER dated: _____ *(attach HRER)* b. Other *(specify)*:
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
☐	**Further environmental review required.** Based on the information provided, the project requires an *Environmental Evaluation Application* to be submitted. **GO TO STEP 6.**
☑	**Project can proceed with categorical exemption review.** The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. **GO TO STEP 6.**
Comments (*optional*):	
Preservation Planner Signature: Shelley Caltagirone	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

☐	**Further environmental review required.** Proposed project does not meet scopes of work in either *(check all that apply)*: ☐ Step 2 – CEQA Impacts ☐ Step 5 – Advanced Historical Review **STOP! Must file an *Environmental Evaluation Application.***
☑	**No further environmental review is required. The project is categorically exempt under CEQA.**

Planner Name: mary woods	**Signature:** Mary Woods 12/5/2014
Project Approval Action: Planning Commission Hearin *If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	

Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.

In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.

WJE | ENGINEERS ARCHITECTS MATERIALS SCIENTISTS

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510.428.2907 tel | 510.428.0456 fax
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Via Email: iiz@pacbell.net

December 10, 2014

San Francisco Planning Commission
C/O Mary Woods
San Francisco, California 94115

Re: Planning Commission Hearing on 2655 Broderick
WJE No. 2009.4685.0

Dear Commissioners and Ms. Woods:

In preparation for the Planning Commission Hearing, December 18, 2014, at which time you will consider Discretionary Review Cases 14.1497D (attached as Exhibit 1) and 14.1497D (attached as Exhibit 2), I would like to submit the following opinions on the property-line issues between 2701 Green and 2655 Broderick

There are four substantive issues in the long-running conflict between the owners of neighboring properties at 2701 Green and 2655 Broderick, only one of which is partially resolved. In short, those issues involve damage to the property at 2701 Green from various construction projects at 2655 Broderick, including:

- Surcharges against the retaining wall of 2701 Green property from a planter (partially resolved) rear deck stairs and foundation, and raised soil levels.
- Drainage directed against the property-line wall of 2701 Green due to landscaping
- Soil-wood contact that has led to decay to the property-line wood wall and framing of 2701 Green.
- Encroachment across the property line at the roof in conjunction with an illegal roof deck.

Each of the issues was either caused by or related to a code violation or unpermitted construction at 2655 Broderick, owned by Mr. Mark Casey, and each of them has encroached or caused property damaged at 2701 Green, owned by Mr. Irving Zaretsky. The two Discretionary Review applications before you involve all the issues.

DR CASE NUMBER 14.1498D Concerning Permit Application 2013.0912.6711

This Permit Application to legalize an existing exterior staircase is only one of several filed by Mr. Casey (including 2011.0912.4340, 2011.1201.9984, 2012.0319.6361, and 2013.0918.7182) attempting to legalize construction originally built under PA 8504468. The 1985 permit expired without a final inspection probably because the rear stairs violated the specific terms of the permit by encroaching 8 feet into the 25-foot back yard setback. In the most recent applications the applicant has begun maintaining that the existing stairs are permissible under Planning Code exemption, 36 (c) (14). It is not at all clear that the stairs squeeze by the encroachment issue; we have not been able to inspect them and we have no information that anyone from the city has, either.

However, potential setback encroachment is not the only reason why this question is before you. When the stairs were installed adjacent to the property line, they were founded on fill that added significant surcharge to the unreinforced concrete foundation wall of 2701 Green. The foundation and stairs themselves also imposed surcharge loads on the foundation wall of 2701 Green. A general view of the back stairs is shown in Figure 1. The additional soil fill and an unpermitted patio has directed water from 2655 Broderick against the walls and foundation of 2701 Green. Lastly, the soil fill was pushed against the wood framing of the wall causing decay of the wood siding and framing, as shown in Figures 2 and 3. The existence and cause of the

decay is not, as far as we know, disputed by Mr. Casey, but his experts have taken issue over the significance of the soil and foundation surcharge.

In 2010, among other recommendations, I recommended, that the stairs be removed, the wall and framing be repaired, and that the stairs be relocated or reconfigured to conform to various Building, Planning and Plumbing (drainage) Code requirements. My report, dated June 13, 2010 is attached as Exhibit 3. Instead of agreeing to these reasonable recommendations, the Mr. Casey has sought only to get the existing nonconforming construction permitted, leaving the question of repair of the decay 2701 Green and future protection of the wood wall unaddressed.

Subsequent investigations of the conditions along the property line by WJE, Frank Rollo, and Rodrigo Santos found that the surcharges due to the stairs, excess soil fill and a nearby large concrete planter (also built without a permit) apply additional bending and overturning stresses to the concrete foundation/retaining wall of 2701 Green. The concrete retaining wall is a 1913 unreinforced gravity wall braced by the first floor framing where the four story building rests on it at the east and west ends of the property, and is an 8-foot-high cantilevered wall in the approximately 40-foot-long central section. A geotechnical investigation for Mr. Casey by Patrick Shires confirmed substantial recent fill next to the retaining wall. The four test pits found that the recent fill (Af_3 by his terminology) ranged from at least 1 foot to approximately 2 feet. Mr. Shires' report dated February 3, 2012 is attached as Exhibit 4. Mr. Frank Rollo reviewed the information supplied by the Shires report, and provided his analysis in two letters, March 14, 2012, and August 28, 2012, attached as Exhibits 5 and 6.

Based on Mr. Shires' data, in the area of the planter, the combined surcharge from the fill and the planter increased the lateral pressure against the cantilevered portion of the wall by between 120% and 210%, and increased the overturning moment by between 310% and 560%. WJE's report, dated November 4, 2012, is attached as Exhibit 7. Without the planter load, and in the areas where the walls are braced by the building, the additional lateral load will be smaller—

but not insignificant. Also, in the braced area, there will be no overturning moment but the horizontal bending moment on the wall will be increased. No one knows the capacity of the wall, but in the cantilevered section there are indications that it has been subject to bending forces from the surcharge that have exceeded its cracking strength, including vertical cracks and deflection of the top of the wall. In addition, the recent soil fill has cause leakage into the basement garage of 2701 Green.

Lastly, the exposed wood-framed property line wall is vulnerable to weather and water, and Mr. Casey must remain cognizant of that in his landscaping choices. Care must be taken that sprinklers do not spray the wall, and trees should not be of a type that are not too close to the wall or so large they abrade the wall in the wind.

The parties have come to terms on the removal of the planter and construction of a new one that will not surcharge the retaining wall. The permit application for the new planter design is pending with the Building Department. However, the soil level remains contentious in terms of its surcharge on the wall of 2701 Green, soil-wood contact, and its effects on drainage.

I recommend that the Planning Commission instruct Mr. Casey to comply with the following:

- Remove the existing deck stairway and foundation.
- Provide access to Mr. Zaretsky's contractors to repair the existing wall decay of 2701 Green.
- Pay for the repair of the decay repair.
- Re-grade the soil adjacent to the property line to remove an average of 18-inches of fill.
- Provide positive drainage for runoff towards 2701 Green.
- If the stairs are to be reinstalled within the zone of influence of the retaining wall, design the footings so that they will not surcharge the wall.
- Landscaping must be kept small and held away from the property line wall.
- Irrigation must be drip or far enough from wall to not spray water on the wall

CASE NUMBER 14.1497D. Permit Application 2013.0912.6709

This Permit Application to legalize an illegal roof deck at 2655 Broderick is only one of several (including 8802566, 9009756, 9206713, 9216894, 9501127, 2012.0514.0394, P332891, and E140669). The building department notes on many of the permit applications and drawings required that the planned deck be deleted from the permit or the existing deck removed from the building. However, it is clear that the deck, rather than being deleted or removed was built and rebuilt multiple times. The current Permit Application seeks to legalize the existing roof deck with minor modifications to the south property-line parapet and east handrail.

The neighbors whose views and uses of their own properties are affected by the presence of this deck have consistently opposed it. The Building Department and Planning Commission should not approve this scofflaw roof deck after so very many episodes of noncompliance and in the face of neighborhood opposition.

The second reason for this Discretionary Review is that the north property line parapet encroaches onto 2701 Green, preventing the owner of 2701 Green from servicing his property-line parapet and potentially creating a legal easement. The parapet wall framing was installed along the edge of the property-line wall of 2655 Broderick. Subsequent siding and trim on the south side of the parapet framing crosses the apparent property line by at least one inch, and perhaps as much as two inches. Figure 4 illustrates this condition.

I recommend that the Planning Commission instruct Mr. Casey to comply with the following:

- Remove the south parapet wall.
- If the deck is ultimately permitted, the new parapet wall is to be constructed within the property of 2655 Broderick.
- Comply with the detailed answer to Question 3, Page 9 of the Discretionary Review Application.

Sincerely,

WISS, JANNEY, ELSTNER ASSOCIATES, INC.

Paul Cox, C.E. 45152

Associate Principal

FIGURES

Figure 1. View of deck stairs and property-line wall

Figure 2. Soil-wood contact between stair foundation and wood property-line wall has caused decay..

Figure 3. Soil-wood contact caused decay in property-line wall.

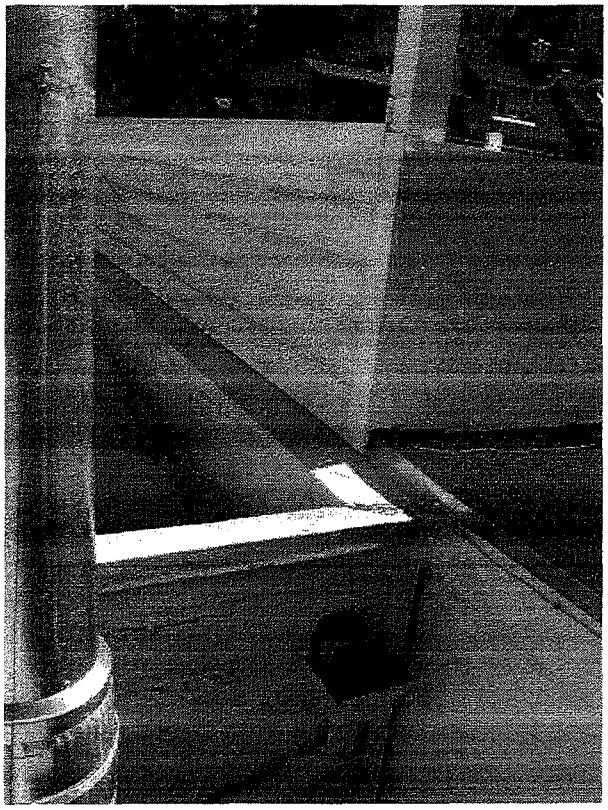


Figure 4. 2655 Broderick parapet wall siding and trim encroaching across property line.

EXHIBITS:

1: Discretionary Review Application 14.1498D (Rear Stairs)
2: Discretionary Review Application 14.1497D (Roof Deck)
3: 2010 WJE Report
4: 2012 Shires Report
5: 2012-03 Rollo Letter
6: 2012-08 Rollo Letter
7: 2012 WJE Report

Application for **Discretionary Review**

CASE NUMBER: For Staff Use only 14.1498D

APPLICATION FOR
Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME:
Irving Zaretsky

DR APPLICANT'S ADDRESS: | ZIP CODE: | TELEPHONE:
2701 Green Street | 94123 | (415)922-7609

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:
Mark Casey

ADDRESS: | ZIP CODE: | TELEPHONE:
2655 Broderick Street | 94123 | ( )

CONTACT FOR DR APPLICATION:
Same as Above ☐ Irving Zaretsky

ADDRESS: | ZIP CODE: | TELEPHONE:
3111 Jackson Street | 94115 | (415) 922-7609

E-MAIL ADDRESS:
iiz@pacbell.net

2. Location and Classification

STREET ADDRESS OF PROJECT: | ZIP CODE:
2655 Broderick Street | 94123

CROSS STREETS:
Green and Vallejo

ASSESSORS BLOCK/LOT: | LOT DIMENSIONS: | LOT AREA (SQ FT): | ZONING DISTRICT: | HEIGHT/BULK DISTRICT:
0955 /002 | | | RH-1/40-X |

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☐ Demolition ☐ Other ☒

Additions to Building: Rear ☒ Front ☐ Height ☒ Side Yard ☒

Present or Previous Use: Residential

Proposed Use: Residential

Building Permit Application No. 201309126711 Date Filed: September 12, 2013

14.1498D

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	☒	☐
Did you discuss the project with the Planning Department permit review planner?	☒	☐
Did you participate in outside mediation on this case?	☒	☐

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.
SEE ATTACHMENT

Application for **Discretionary Review**

CASE NUMBER
For Staff Use only 14.1498D

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

SEE ATTACHMENT

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

SEE ATTACHMENT

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

SEE ATTACHMENT

~~14-14078~~

Discretionary Review Application for
2655 Broderick, PA 2013.0912.6709
September 24, 2014

incorrect permit #, should be 2013.09.12.6711

Additional information:

Question 5 page 8: This project was in litigation and withdrawn on October 24, 2012, at the request of Tom Hui and DBI to allow them to address the issues without "obstacles in the way" which was the term used by Tom Hui for the litigation.

Mediation was by pre-trial conference and mediation with Judge Quidachay in San Francisco Superior Court. None of the issues concerning this property were resolved. The case was to proceed to trial, but was withdrawn by the plaintiff, Mr. Zaretsky, without prejudice in order to allow the SF Building and Planning Departments to resolve the three Notices of Violation. The NOV related to this DR application is 201139322.

Question 1 page 9: The property adjacent to and downhill from the subject property at 2655 Broderick is 2701 Green Street, and they share a long property line. The uphill side of 2701 Green has a an unreinforced concrete gravity wall that functions as a combination braced foundation and retaining wall for a portion of the building, and as an 8-foot high cantilevered retaining wall for that portion of the building that is a lightwell. In the last several years, this wall has been subjected to several unacceptable surcharges by construction on the 2655 Broderick property including (for purposes of this DR) non-conforming deck and stair structures in violation of the building permit and additional soil backfill. In addition, the soil backfill was placed in contact with the wood siding and framing of 2701 Green, which has caused decay. Submitted plans do not address a cure for the current surcharge and merely want to legalize existing structures and backfill that will continue to surcharge the retaining wall after completion.

In addition, the surcharges direct rainwater from the 2655 Broderick property towards and onto the building at 2701. The current Permit Application does not acknowledge, much less effectively address, drainage issues that have been caused by the surcharges.

The building at 2701 Green is listed as Historical Asset. It was built in 1913, is one of the oldest apartment buildings in Cow Hollow, and exhibits distinctive architecture. It has been maintained to period in exterior and interior finishes. It was previously owned by Judge Cabbanas who ordered the fires set along Van Ness after the 1906 Quake. The unreinforced concrete gravity wall on which this historic building rests cannot sustain the surcharge currently imposed on it by unpermitted, uninspected, and un-engineered improvements from the uphill property at 2655 Broderick, namely, as much as 2-feet of additional soil; trees whose root systems abut the retaining wall; the stair and deck footing; and the additional water exposure. All of these surcharges land within in the zone of influence of the wall (generally recognized to be within the area adjacent to the retaining wall equal to 1-1/2 times its height).

On a related matter, as presented, the drawings, notes, and calculations for this permit application are incorrect in substantial and consequential details. The original approved permit, PA #8504468/3, taken out by a previous owner, was clear that the stairs could not encroach into the backyard closer than 25 feet from the rear property

incorrect permit # is cited

line. However, the stairs were built to within 17 feet of the property line, and the permit expired without a final inspection. The current permit application seeks to finesse the Planning Code violation utilizing an exception that allows encroachments for structures less than 3 feet above grade. It is my belief that the measurements for this exception, as presented in the permit application, are incorrect on their own merits; however, without access to the property, I have not been able to confirm this. Additionally, the assumption that the current grade is the datum for the 3-foot height measurement is erroneous since the current grade must be reduced to alleviate the stresses on the adjacent retaining wall.

All of the above considerations are reasons for this DR request: as presented, the permit application documents are inaccurate, fail to conform to the SF Building or Planning Codes, and do not address the surcharge and drainage issues that gave rise to the NOV.

Question 2 page 9: 2701 Green Street will be negatively affected if this permit is issued in the following ways: 1) The surcharges in this section of the mutual property line have increased loads on the unreinforced gravity wall far beyond those it can be expected to withstand without damage. 2) The water from irrigation and rain is directed onto the wood framing of 2701 Green Street, onto the Green Street rear yard and sidewalk, and onto the tradesmen side entrance and walkway of the adjoining property to the northwest along on Green Street.

Question 3, page 9:

1. The Planning Department or Building Department should field inspect the property at 2655 Broderick to confirm the accuracy of the drawings and measurements. The permits validity rests in large part upon correcting incorrect measurements. If the drawings are proven to be consequentially incorrect, encroachment of the stairs into the rear yard will likely require a variance. If for no other reason, the proposed exception to the 25-foot setback rule is violated by measuring the height of the stairs from the existing grade instead of the corrected soil height which will be approximately 2 feet below the current grade.
2. The drawings, must show that stairs and footings to the rear deck will be removed to provide access to repair the decay of the wall and framing of 2701 Green.
3. If the stairs are to be rebuilt within the zone of influence of the retaining wall, the new stair and deck footings and landings must be founded deeply enough to eliminate any surcharge on the wall. Engineering calculations should be supplied to support the proposed footing design.
4. The drawings must address the space between the firewall/balustrade and the wood wall of 2701 Green by installing a properly designed flashing to prevent water intrusion between them.
5. The drawings must show reduction of the soil level within the zone of influence to the historic soil level approximately 2 feet below its current height.
6. The drawings must present an engineered landscaping and drainage plan that eliminates water flow against or across the property at 2701 Green.
7. Drawings must show that all trees along the retaining wall be removed, except for those planted in the planter (submitted under separate permit), and stipulate that no trees or shrubs capable of growing higher than 10 feet will be planted along the

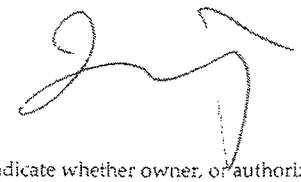
property line unless they are in a container engineered to prevent surcharge on retaining wall.

8. Drawings must stipulate that soil level adjacent to the retaining wall is to be kept at lower level in the future.
9. The plans should include the following notes:
   A. ALL CONSTRUCTION TO BE CARRIED OUT BY LICENSED CONTRACTORS.
   B. CONSTRUCTION IN CONTACT WITH 2701 GREEN TO OCCURR ONLY WITH THE CONSENT OF THE OWNER OF 2701 GREEN STREET.
   C. CONSTRUCTION TO INCLUDE REMOVAL OF UP TO 2 FEET OF SOIL ADJACENT TO WALL TAPERING TO ZERO FEET 3-1/2 FEET FROM WALL.
   D. OWNER OF 2701 GREEN STREET WILL BE ALLOWED ACCESS ANY REASONABLE TIMES TO INSPECT, REPAIR, AND PAINT PROPERTY LINE BLIND WALL AND UNDERLYING FRAMING AFTER THE DECK STAIRS, FOOTING, AND LANDING, HAVE BEEN REMOVED, AND THE GRADE HAS BEEN LOWERED.
   E. THE OWNER OF 2701 GREEN STREET AND HIS PROFESSIONAL REPRESENTATIVES AND CONTRACTORS WILL BE GIVEN REASONALBLE ACCESS TO THE SITE FOR INSPECTIONS AND REQUIRED REPAIRS THROUGHOUT THE CONSTRUCTION.
   F. ALL FINAL PLANS FOR AND CHANGES OF DECK AND STAIRS ARE TO BE PROVIDED TO OWNER OF 2701 GREEN STREET FOR REVIEW PRIORE TO ISSUANCE OF PERMIT OR COMMENCEMENT OF CONSTRUCTION.
   G. WOODEN WALL ALONG PORTION OF RETAINING WALL ADJACENT TO LIGHTWELL IS TO BE REPLACED BY OWNER OF 2701 GREEN STREET, BUT PAID FOR BY OWNER OF 2655 BRODERICK, PER PREVIOUS AGREEMENT.

14.1498D

Applicant's Affidavit

Under penalty of perjury the following declarations are made:
a: The undersigned is the owner or authorized agent of the owner of this property.
b: The information presented is true and correct to the best of my knowledge.
c: The other information or applications may be required

Signature: 

Date: 9/25/14

Print name, and indicate whether owner, or authorized agent:

Owner / Authorized Agent (circle one)

Application for **Discretionary Review**

CASE NUMBER
For Staff Use only

14.1498D

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	☑
Address labels (original), if applicable	○
Address labels (copy of the above), if applicable	○
Photocopy of this completed application	☑
Photographs that illustrate your concerns	▩
Convenant or Deed Restrictions	▩
Check payable to Planning Dept.	☑
Letter of authorization for agent	☑
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	▩

NOTES:
☐ Required Material.
▩ Optional Material.
○ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only
Application received by Planning Department:

By: Brett Bollinger Date: 9/25/14

14-1498D

SAN FRANCISCO
PLANNING DEPARTMENT
1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **September 12, 2013**, the Applicant named below filed Building Permit Application No. **2013.09.12.6711** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	**2655 Broderick Street**	Applicant:	**Mark Casey c/o Craig Nikitas**
Cross Street(s):	**Green and Vallejo Streets**	Address:	**2655 Broderick Street**
Block/Lot No.:	**0955/002**	City, State:	**San Francisco, CA 94123**
Zoning District(s):	**RH-1 / 40-X**	Telephone:	**(415) 810-5166**

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
☐ Demolition	☐ New Construction	■ Alteration
☐ Change of Use	☐ Façade Alteration(s)	☐ Front Addition
■ Rear Addition	☐ Side Addition	☐ Vertical Addition

PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	None	No change
Side Setbacks	None	No change
Building Depth	57 feet	No change
Rear Yard	43 feet	No change
Building Height	33 feet	No change
Number of Stories	3	No change
Number of Dwelling Units	1	No change
Number of Parking Spaces	1	No change

PROJECT DESCRIPTION

The proposal is to modify stairs constructed under Building Permit Application No. 8504468. See attached plans.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner: Mary Woods
Telephone: (415) 558-6315
E-mail: mary.woods@sfgov.org

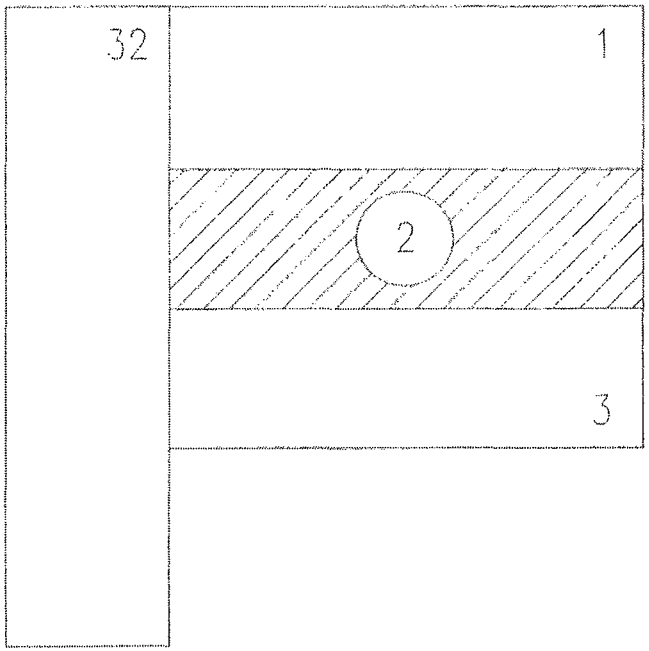
Notice Date: **8/26/2014**
Expiration Date: 9/25/2014

中文詢問請電: **(415) 575-9010**

Para información en Español llamar al: **(415) 575-9010**

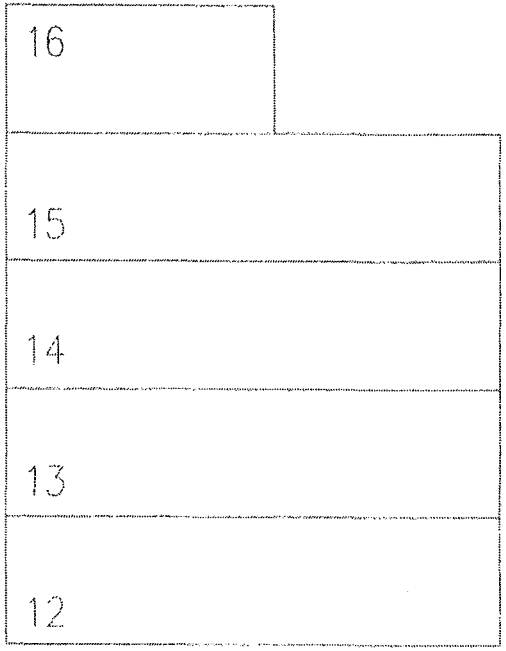
GREEN STREET

BLOCK 955



BRODERICK STREET

BLOCK 954



The information contained herein has been obtained from sources that we deemed reliable and current at the time of preparation. We have no reason to doubt its accuracy but we do not guarantee it

14.12.19

RADIUS

(415) 391-4777

BLOCK 955
LOT 2

San Francisco, CA

JOB NO:	DATE: 140923
09550027	DRAWN: DC
	CHECKED: DC

DISCRETIONARY REVIEW AREA MAP

14.14980

RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

BLOCK	LOT	OWNER	OADDR	CITY	STATE	ZIP
0001	001	RADIUS SERVICES NO. 0955002T	3111 JACKSON ST	ZONECON	14	0923
0001	002					
0001	003	RADIUS SERVICES	1221 HARRISON ST #18	SAN FRANCISCO	CA	94103
0001	004	IRVING ZARETSKY	2555 32ND AVE	SAN FRANCISCO	CA	94116
0001	005					
0954	012	KALES TRS	2634 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	013	MICHAEL KRAUTKRAMER	2640 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	014	WOEBER TRS	2646 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	015	MARY-ANNA RAE	PO BOX 31515	SAN FRANCISCO	CA	94131-0515
0954	015	OCCUPANT	2652 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	016	BEN-HALIM HAYA	2691 GREEN ST	SAN FRANCISCO	CA	94123-4606
0955	001	KARDOS-ZARETSKY	2701 GREEN ST	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #1	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #2	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #3	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #4	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #5	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #6	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #7	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #8	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #9	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #10	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #11	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #12	SAN FRANCISCO	CA	94123-4639
0955	002	CASEY TRS	2655 BRODERICK ST	SAN FRANCISCO	CA	94123-4604
0955	003	CLAUDIO ANGELI TRS	2645 BRODERICK ST	SAN FRANCISCO	CA	94123-4604
0955	032	KIESELHORST TRS	2731 GREEN ST	SAN FRANCISCO	CA	94123-4608
9999	999					

Application for **Discretionary Review**

CASE NUMBER: For Staff Use only

14.1497D

APPLICATION FOR
Discretionary Review

1 Owner/Applicant Information

DR APPLICANT'S NAME:
Irving Zaretsky

DR APPLICANT'S ADDRESS: 2701 Green Street | ZIP CODE: 94123 | TELEPHONE: (415)922-7609

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME:
Mark Casey

ADDRESS: 2655 Broderick Street | ZIP CODE: 94123 | TELEPHONE: ( )

CONTACT FOR DR APPLICATION:
Same as Above ☐ Irving Zaretsky

ADDRESS: 3111 Jackson Street | ZIP CODE: 94115 | TELEPHONE: (415) 922-7609

E-MAIL ADDRESS:
iiz@pacbell.net

2. Location and Classification

STREET ADDRESS OF PROJECT: 2655 Broderick Street | ZIP CODE: 94123

CROSS STREETS:
Green and Vallejo

ASSESSORS BLOCK/LOT: / | LOT DIMENSIONS: | LOT AREA (SQ FT): | ZONING DISTRICT: | HEIGHT/BULK DISTRICT:

3. Project Description

Please check all that apply

Change of Use ☐ Change of Hours ☐ New Construction ☐ Alterations ☐ Demolition ☐ Other ☒

Additions to Building: Rear ☒ Front ☐ Height ☒ Side Yard ☒

Present or Previous Use: Residential

Proposed Use: Residential

Building Permit Application No. 2013.0912.6709 Date Filed: September 12, 2013

14.1497D

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	☒	☐
Did you discuss the project with the Planning Department permit review planner?	☒	☐
Did you participate in outside mediation on this case?	☒	☐

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

SEE ATTACHMENT

Application for **Discretionary Review**

CASE NUMBER: For Staff Use only

14.1497D

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

SEE ATTACHMENT

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

SEE ATTACHMENT

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

SEE ATTACHMENT

~~14-1498~~

Discretionary Review Application for
2655 Broderick, PA 201309126711 ← incorrect permit#; should be 2013.09.12.6709
September 24, 2014

Additional information:

Question 5 page 8: This project was in litigation and withdrawn on October 24, 2012, at the request of Tom Hui and DBI to allow them to address the issues without "obstacles in the way" which was the term used by Tom Hui for the litigation.

Mediation was by pre-trial conference and mediation with Judge Quidachay in San Francisco Superior Court. None of the issues concerning this property were resolved. The case was to proceed to trial, but was withdrawn by the plaintiff, Mr. Zaretsky, without prejudice in order to allow the SF Building and Planning Departments to resolve the three Notices of Violation. The NOV related to this DR application is 201168973.

Question 1 page 9: The property adjacent to and downhill from the subject property at 2655 Broderick is 2701 Green Street, and they share a long property line. 2655 Broderick has a roof deck specifically denied in two earlier permit applications, 8925489 and 9009756. The then owners ignored the City's denial and built the deck anyway. This deck included a roof-top hot tub and structural supports for it--all without drawings, permits, or inspections. Later, two separate permits were issued to remove the illegal deck--permit applications, 9206713 and 9216894. Those permits, too, were ignored. Moreover, the current owner has removed the hot tub, the old deck, and the old wind screens, and completely rebuilt the deck and screens without a permit or inspections.

Thus, for a very long time, the law has not been enforced. The current application seeks to legalize the existing illegal and non-conforming construction. The owners' failure to abide by the City's instructions, and lack of prior enforcement by the City alone are reasons enough for the Planning Department to undergo a thorough review of this permit application. To do otherwise will be to encourage scofflaws.

A second reason for this Discretionary Review Request is to address the current permit application's failure to address the existing deck's encroachment across the property line with 2701 Green Street. The existing windscreen is mounted on top of the property-line curb and the siding boards are over the outer edge of the parapet of 2701 Green Street, preventing access to the sheet metal coping. No permit should be issued authorizing encroachment onto a neighboring property.

Lastly, the previous permits denied authorization to install a roof deck at 2655 Broderick at least in part because all the neighbors opposed it. They still do. The City has a responsibility to consider the impact of new construction on the neighbors, and at this point, only a discretionary review stands in the way of this permit.

Question 2 page 9: 2701 Green Street will be negatively affected if this permit is issued in the following ways: 1) The encroachment impinges onto the neighboring property denying the owner of 2701 access to his property, and if not reversed, will effectively give the owner of 2655 Broderick an easement. 2) The encroachment prevents the owner of 2701 from being able to service coping of his parapet.

Question 3, page 9:

1. The Planning Department or Building Department should field inspect the property at 2655 Broderick to confirm the accuracy of the drawings and measurements. The permits validity rests in large part upon correcting incorrect measurements. If the drawings are proven to be consequentially incorrect, they should be corrected prior to issuance of the permit.
2. The drawings should show removal of the existing property-line screen wall and, if the deck is approved, its relocation fully behind the property line.
3. If a permit for the roof deck is issued, the drawings should specify that a hot tub is specifically excluded.
4. Once the wall is removed or relocated, the drawings should show a properly designed coping and counterflashing to cover the parapet of 2701 Green Street and the space between the buildings.
5. The plans should include the following notes:
   A. ALL CONSTRUCTION TO BE CARRIED OUT BY LICENSED CONTRACTORS.
   B. CONSTRUCTION IN CONTACT WITH 2701 GREEN TO OCCURR ONLY WITH THE CONSENT OF THE OWNER OF 2701 GREEN STREET.
   C. CONTRACTOR OR INSPECTOR ACCESS TO THE ROOF OF 2701 GREEN STREET IS TO BE MADE ONLY WITH THE SPECIFIC PERMISSION OF THE OWNER OF 2701 GREEN STREET. SUCH PERMISSION WILL NOT BE UNREASONABLY WITHHELD.
   D. THE ROOF OF 2701 GREEN STREET WILL BE FULLY PROTECTED IN THE AREA OF ANY CONSTRUCTION.
   E. THE ROOF OF 2701 GREEN STREET WILL NOT BE USED FOR STAGING OR STORAGE OF MATERIALS.
   F. THE OWNER OF 2701 GREEN STREET AND HIS PROFESSIONAL REPRESENTATIVES AND CONTRACTORS WILL BE GIVEN REASONALBLE ACCESS TO THE SITE FOR INSPECTIONS AND REQUIRED REPAIRS THROUGHOUT THE CONSTRUCTION.
   G. ALL FINAL PLANS FOR AND CHANGES OF ROOF DECK ARE TO BE PROVIDED TO OWNER OF 2701 GREEN STREET FOR REVIEW PRIORE TO ISSUANCE OF PERMIT OR COMMENCEMENT OF CONSTRUCTION.

14.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

a: The undersigned is the owner or authorized agent of the owner of this property.

b: The information presented is true and correct to the best of my knowledge.

c: The other information or applications may be required.

Signature: Date: 9/25/14

Print name, and indicate whether owner, or authorized agent: Owner

Owner / Authorized Agent (circle one)

Application for **Discretionary Review**

CASE NUMBER: For Staff Use only: 14.1497D

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	☑
Address labels (original), if applicable	⊘
Address labels (copy of the above), if applicable	⊘
Photocopy of this completed application	☑
Photographs that illustrate your concerns	▩
Convenant or Deed Restrictions	▩
Check payable to Planning Dept.	☑
Letter of authorization for agent	☑
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	▩

NOTES:
☐ Required Material
▩ Optional Material
○ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only
Application received by Planning Department:

By: Brad Bollenz Date: 9/25/14

14-1497D

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **September 12, 2013**, the Applicant named below filed Building Permit Application No. **2013.09.12.6709** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	**2655 Broderick Street**	Applicant:	**Mark Casey c/o Craig Nikitas**
Cross Street(s):	**Green and Vallejo Streets**	Address:	**2655 Broderick Street**
Block/Lot No.:	**0955/002**	City, State:	**San Francisco, CA 94123**
Zoning District(s):	**RH-1 / 40-X**	Telephone:	**(415) 810-5166**

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE		
☐ Demolition	☐ New Construction	■ Alteration
☐ Change of Use	■ Façade Alteration(s)	☐ Front Addition
☐ Rear Addition	☐ Side Addition	■ Vertical Addition

PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	None	No change
Side Setbacks	None	No change
Building Depth	57	No change
Rear Yard	43 feet	No change
Building Height	33 feet	No change
Number of Stories	3	No change
Number of Dwelling Units	1	No change
Number of Parking Spaces	1	No change

PROJECT DESCRIPTION

The proposal is to (1) legalize an existing 425 square-foot roof deck and stair penthouse, (2) add an one-hour fire-rated parapet wall along the south property line of the roof deck; and (3) modify the existing parapet wall/guardrail from 38 inches to 42 inches in height. See attached plans.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner: Mary Woods
Telephone: (415) 558-6315
E-mail: mary.woods@sfgov.org

Notice Date: **8/26/2014**
Expiration Date: **9/25/2014**

中文詢問請電: **(415) 575-9010**

Para información en Español llamar al: **(415) 575-9010**

RADIUS SERVICES BELIEVES THAT
THE INFORMATION CONTAINED HEREIN

0000/0008
WHILE NOT GUARANTEED HAS BEEN
SECURED FROM SOURCES DEEMED
RELIABLE

0001/001
RADIUS SERVICES NO. 09550027
3111 JACKSON ST
ZONECON 14 0923

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 #19
SAN FRANCISCO CA 94103

0001/004
IRVING ZARETSKY
2555 32ND AVE
SAN FRANCISCO CA 94116

0001/005

0954/013
MICHAEL KRAUTKRAMER
2640 BRODERICK ST
SAN FRANCISCO CA 94123-4605

0954/014
WOEBER TRS
2646 BRODERICK ST
SAN FRANCISCO CA 94123-4605

0954/015
MARY-ANNA RAE
PO BOX 31515
SAN FRANCISCO CA 94131-0515

RADIUS SERVICES BELIEVES THAT
THE INFORMATION CONTAINED HEREIN

14.1497D

0000/0008
WHILE NOT GUARANTEED HAS BEEN
SECURED FROM SOURCES DEEMED
RELIABLE

0001/001
RADIUS SERVICES NO. 09550027
3111 JACKSON ST
ZONECON 14 0923

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
SAN FRANCISCO CA 94103

0001/004
IRVING ZARETSKY
2555 32ND AVE
SAN FRANCISCO CA 94116

0001/005

0954/013
MICHAEL KRAUTKRAMER
2640 BRODERICK ST
SAN FRANCISCO CA 94123-4605

0954/014
WOEBER TRS
2646 BRODERICK ST
SAN FRANCISCO CA 94123-4605

0954/015
MARY-ANNA RAE
PO BOX 31515
SAN FRANCISCO CA 94131-0515

0955/001
KARDOS-ZARETSKY
2701 GREEN ST
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #1
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #2
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #3
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #4
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #5
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #6
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #7
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #8
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #9
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #10
SAN FRANCISCO CA 94123-4639

0955/001
KARDOS-ZARETSKY
2701 GREEN ST
SAN FRANCISCO CA 94123-4639

14.1497D

0955/001
OCCUPANT
2701 GREEN ST #1
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #2
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #3
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #4
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #5
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #6
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #7
SAN FRANCISCO CA 94123-4639

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OCCUPANT
2701 GREEN ST #8
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #9
SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #10
SAN FRANCISCO CA 94123-4639

14.14970

OCCUPANT
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SAN FRANCISCO CA 94123-4639

0955/001
OCCUPANT
2701 GREEN ST #1[illegible]
SAN FRANCISCO CA 94123-4639

[illegible]/000
[illegible] TRS
2655 BRODERICK ST
SAN FRANCISCO CA 94123-4604

[illegible]/003
CLAUDIO ANGELI TRS
[illegible] BRODERICK ST
SAN FRANCISCO CA 94123-4604

[illegible]
[illegible]LHORST TRS
[illegible] GREEN ST
SAN FRANCISCO CA 94123-4608

[illegible]

[illegible]/001
OCCUPANT
2701 GREEN ST #11
SAN FRANCISCO CA 94123-4637

0955/001
OCCUPANT
2701 GREEN ST #12
SAN FRANCISCO CA 94123-4637

0955/000
[illegible] TRS
2655 BRODERICK ST
SAN FRANCISCO CA 94123-4604

0955/003
CLAUDIO ANGELI TRS
[illegible] BRODERICK ST
SAN FRANCISCO CA 94123-4604

[illegible]/032
[illegible]SELHORST TRS
[illegible] GREEN ST
SAN FRANCISCO CA 94123-4608

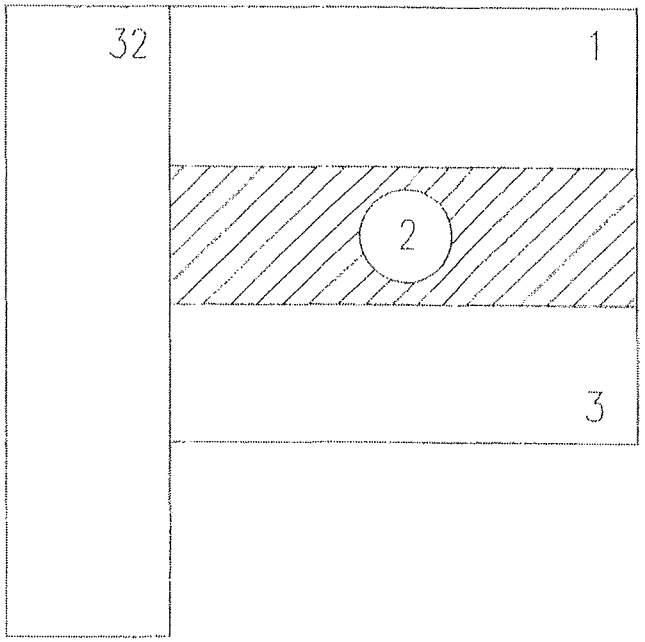
[illegible]

14.1497D

BLOCK	LOT	OWNER	OADDR	CITY	STATE	ZIP
0001	001	RADIUS SERVICES NO. 0955002T	3111 JACKSON ST	ZONECON	14	0923
0001	002					
0001	003	RADIUS SERVICES	1221 HARRISON ST #18	SAN FRANCISCO	CA	94103
0001	004	IRVING ZARETSKY	2555 32ND AVE	SAN FRANCISCO	CA	94116
0001	005					
0954	012	KALES TRS	2634 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	013	MICHAEL KRAUTKRAMER	2640 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	014	WOEBER TRS	2646 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	015	MARY-ANNA RAE	PO BOX 31515	SAN FRANCISCO	CA	94131-0515
0954	015	OCCUPANT	2652 BRODERICK ST	SAN FRANCISCO	CA	94123-4605
0954	016	BEN-HALIM HAYA	2691 GREEN ST	SAN FRANCISCO	CA	94123-4606
0955	001	KARDOS-ZARETSKY	2701 GREEN ST	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #1	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #2	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #3	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #4	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #5	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #6	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #7	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #8	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #9	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #10	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #11	SAN FRANCISCO	CA	94123-4639
0955	001	OCCUPANT	2701 GREEN ST #12	SAN FRANCISCO	CA	94123-4639
0955	002	CASEY TRS	2655 BRODERICK ST	SAN FRANCISCO	CA	94123-4604
0955	003	CLAUDIO ANGELI TRS	2645 BRODERICK ST	SAN FRANCISCO	CA	94123-4604
0955	032	KIESELHORST TRS	2731 GREEN ST	SAN FRANCISCO	CA	94123-4608
9999	999					

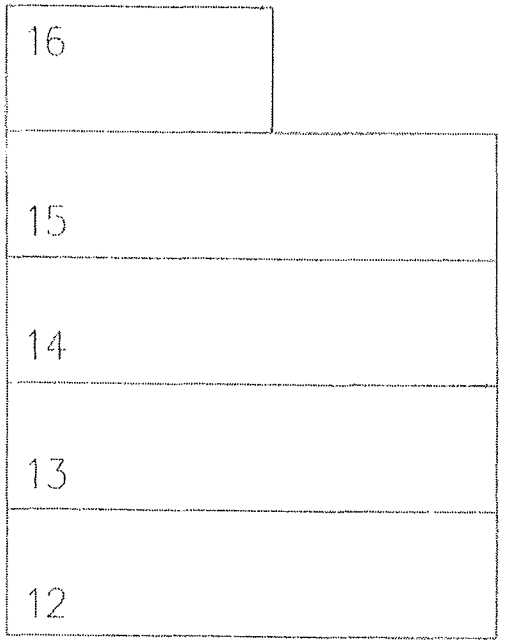
GREEN STREET

BLOCK 955



BRODERICK STREET

BLOCK 954



The information contained herein has been obtained from sources that we deemed reliable and current at the time of preparation. We have no reason to doubt its accuracy but we do not guarantee it.

14.1497D

RADIUS

BLOCK 955
LOT 2

San Francisco, CA

JOB NO:	DATE: 140923
09550021	DRAWN: DC
	CHECKED: DC

DISCRETIONARY REVIEW AREA MAP

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

February 3, 2012
E5270

Mr. James Biernat, Esq.
JAMES BIERNAT ATTORNEY AT LAW
2121 Ardmore Road
San Carlos, California 93446

SUBJECT: **Geotechnical Investigation of Northern Side Yard Improvements**
RE: **2655 Broderick Street**
San Francisco, California

Dear Mr. Biernat:

With this letter report, Cotton, Shires and associates, Inc. (CSA) is pleased to provide you with the results of our geotechnical investigation of improvements made to the northern side yard at 2655 Broderick Street in San Francisco, California. In this letter, we discuss the scope of work we conducted, our findings and conclusions, recommendations and the limitations of our investigation.

SCOPE OF WORK

As part of our investigation, we conducted the following tasks:

- Review of regional and site specific documents,
- Subsurface exploration (hand-excavated test pits),
- Laboratory testing of representative samples,
- Engineering analysis of the resulting data,
- Formulation of conclusions and recommendations, and
- Preparation of this letter report.

FINDINGS

Background

Based on our review of documents, it appears that the lots comprising 2655 Broderick Street and the adjoining lot to the north, 2701 Green Street, were created

approximately 100 years ago by cutting on the upslope (south) sides and filling on the downslope (north) sides, and constructing a concrete gravity retaining wall of about 7.5 to 7.9 feet in height along the property line between the two lots. A single family residence was constructed on the Broderick property and an apartment building was constructed on the Green Street property. Subsequently (after 1990), additional improvements were constructed on the Broderick property, including a deck with a rear staircase and a concrete planter box containing trees along the northern side yard of 2655 Broderick Street. Concern has been expressed by the owner of the Green Street property regarding potential impacts that the loads these structures might place on the old gravity retaining wall at the property line. Consequently, we conducted this geotechnical investigation to evaluate that concern.

Subsurface Exploration

We excavated a total of four (4) test pits (TP-1 through TP-4) in the northern side yard of 2655 Broderick Street in the locations shown on Figure 1 (attached).

TP-1 (Figure 2) was located along the western end of the deck stairs landing. Due to abundant large tree roots, this test pit was terminated at a depth of about 1.3 feet. The concrete footing for the landing extended deeper than the test pit and the earth materials encountered were silty sandy artificial fill (designated Af3).

TP-2 was located at the east end of the deck staircase footing. Because irrigation lines were encountered in this test pit, it was abandoned and backfilled without logging it.

Test Pit TP-3 (Figure 3) was located at the western end of the concrete planter box and extended to a depth of about 3.9 feet. Bedrock (sandstone of the Franciscan Complex) was encountered at a depth of about 3.5 feet beneath the ground surface. We encountered three types of artificial fill (designated Af1, Af2 and Af3) in this test pit. Af1, the deepest artificial fill, consisted of silty sand with clay. This fill abutted and truncated Quaternary dune sand which was found above the bedrock with a thickness of about 1 foot. Above the Af3 and dune sand was Af2, artificial fill consisting of silty sand containing significant fines content. The footing for the planter box was founded in this fill material with additional artificial fill, Af1, placed on the retaining wall side of the planter box against the bottom of the wooden fence constructed on top of the retaining wall. The Af3 fill consisted of silty sand. Test pit

TP-4 (Figures 4 and 5) was excavated along the side of the middle of the staircase footing to a depth of about 3.9 feet. In it, we encountered the three fill types discussed above as well as Quaternary dune sand over native sandstone bedrock of the Franciscan Complex, encountered at a depth of about 3.6 feet. The dune sand tapered down to nil thickness on the side of the test pit nearest the retaining wall. On this side of the test pit,

Af1 underlies the deck staircase footing above the bedrock with a thickness of about 1 foot. A thickness of about 0.5 foot of Af2 is directly under the staircase footing and above the Af1 material.

Laboratory Testing

Laboratory tests were conducted on representative soil samples of the earth materials encountered in the test pits, including moisture content, wet and dry unit weight determination, Atterberg limits and direct shear strength testing. Based on these tests, the deepest artificial fill, Af1, was found to have moisture contents of 12.6% to 15.8%, wet unit weights of 114.8 to 126.3 pcf, dry unit weights of 101.0 to 109.1 pcf, a liquid limit of 43 and plasticity index (PI) of 27 and a drained shear strength of phi = 28.1 degrees, cohesion = 275 psf. Af2 was found to have moisture contents of 16.4% to 19.4%, wet unit weights of 126.3 to 129.7 pcf, dry unit weights of 106.7 to 109.2 pcf and a drained shear strength of phi = 27 degrees, cohesion = 500 psf. Because it did not underlie footings, Af3 was not tested. The underlying bedrock was found to have moisture contents of 8.9% to 14.2%, wet unit weights of 124.4 to 138.1 pcf, dry unit weights of 114.2 to 124.3 pcf and a drained shear strength of phi = 37.0 degrees, cohesion = 1,700 psf.

Engineering Analysis

Staircase Footing - Based on the strength and distribution of earth materials beneath the staircase footing, most of the load from the footing is transferred to the sandstone bedrock beneath the footing and any lateral pressure exerted on the existing retaining wall is minimal,. Even neglecting soil cohesion, the lateral load from the stairs distributed to the retaining wall would only be on the order of 55 psf over the upper 3.5 feet of the retaining wall and nil below that due to the presence of the sandstone bedrock.

Planter Box - Based on the strength and distribution of earth materials beneath the planter box, most of the load from the box is transferred to the sandstone bedrock beneath the footing and any lateral pressure exerted on the existing retaining wall is minimal,. Even neglecting soil cohesion, the lateral load from the planter box distributed to the retaining wall would only be on the order of 140 psf over the upper 3.5 feet of the retaining wall and nil below that due to the presence of the sandstone bedrock.

CONCLUSIONS

Based on our subsurface exploration, laboratory testing and engineering analysis of loading conditions in the vicinity of the northern side yard of 2655 Broderick Street, it is our opinion that any lateral loads distributed from the deck staircase footing and the

planter box on the retaining wall are minimal and therefore likely easily supported by the retaining wall (thus explaining the apparent lack of significant distress observed in the retaining wall). However, the design details of this wall are unknown and likely minimal in terms of steel reinforcing (due to the age of the wall) and while the wall apparently performed well during the Loma Prieta earthquake of 1989, the wall has yet to be subjected to significant seismic loading with these additional structures (that were reportedly built after 1990) in place.

RECOMMENDATIONS

While we are of the opinion that the deck staircase footing and planter box represent minimal lateral loads to the retaining wall, for the reason discussed above (and for conservatism), we recommend that these structures be underpinned into the sandstone bedrock. There is approximately 1.7 feet thickness of artificial fill soil beneath the deck staircase footing and 2.2 to 2.5 feet thickness of artificial fill soil beneath the planter box until sandstone bedrock is encountered. We recommend that reinforced concrete underpins with haunches extending under and dowelled into (minimum 6 inches epoxied embedment) the existing footings be installed at minimum 6 feet edge to edge beneath these structures. Underpins should extend a minimum of 2 feet into the sandstone bedrock. All artificial fill should be removed between the planter box and the top of the retaining wall and underpins should be located at each end of the planter box adjacent to the retaining wall as well as midway along the planter box on the deck side. Underpins and haunches should be steel reinforced concrete with a minimum of 4 number 4 bars vertical in each underpin and horizontal in each haunch (with minimum 3 inches concrete cover over the steel). Concrete should have a minimum 28-day unconfined compressive strength of 3,000 psi. Shop drawings of all underpins and haunches should be provided by the contractor and approved by the engineer prior to construction. All excavations should be inspected by the engineer prior to pouring of concrete.

LIMITATIONS

Our services consist of professional opinions and conceptual recommendations made in accordance with generally accepted engineering geology and civil and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability or 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.

We trust that this provides you with the information that you need at this time. If you have any questions, or need additional information, please contact us.

Very truly yours,

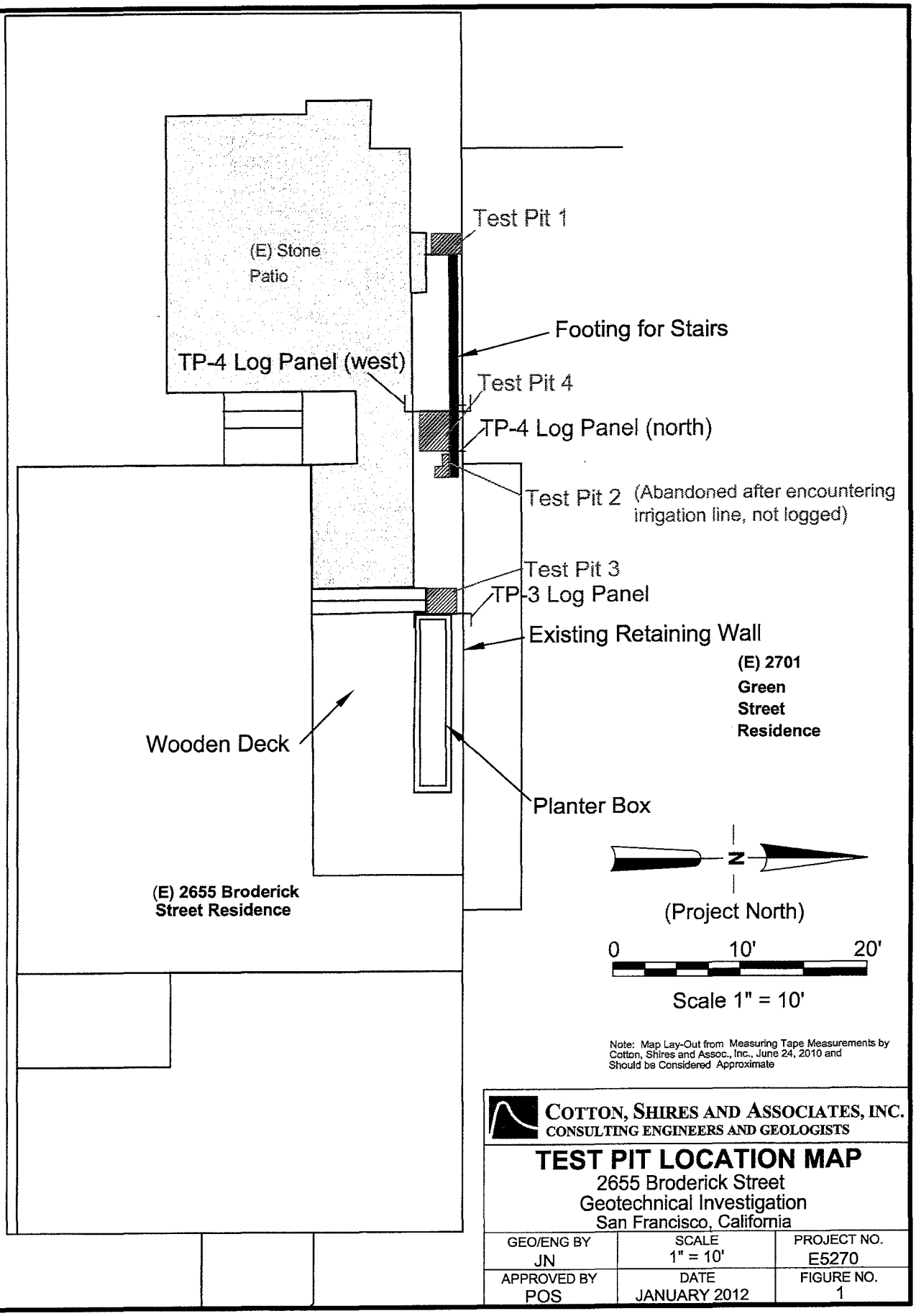
COTTON, SHIRES AND ASSOCIATES, INC.

Patrick O. Shires
Senior Principal Geotechnical Engineer
GE 770

REGISTERED PROFESSIONAL ENGINEER
PATRICK O. SHIRES
No. 770
Exp. 3/31/12
GEOTECHNICAL
STATE OF CALIFORNIA

POS:st

Attachments: Figures 1 through 5 and Appendix A (Laboratory Testing)



Note: Map Lay-Out from Measuring Tape Measurements by Cotton, Shires and Assoc., Inc., June 24, 2010 and Should be Considered Approximate

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

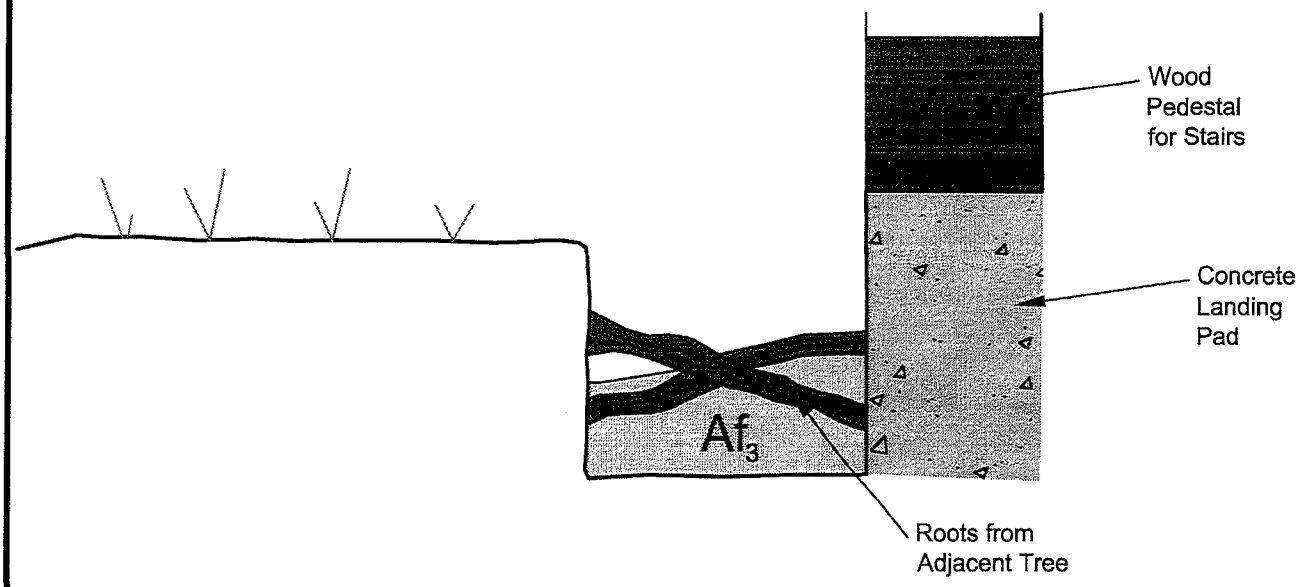
TEST PIT LOCATION MAP

2655 Broderick Street
Geotechnical Investigation
San Francisco, California

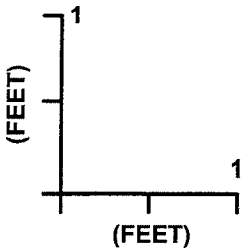
GEO/ENG BY	SCALE	PROJECT NO.
JN	1" = 10'	E5270
APPROVED BY	DATE	FIGURE NO.
POS	JANUARY 2012	1

(North Panel)

N80E



Af_3 - (SM) Silty Sand - Dark black to dark brown, stiff, moist, occasional clasts rootlets (planter fill)

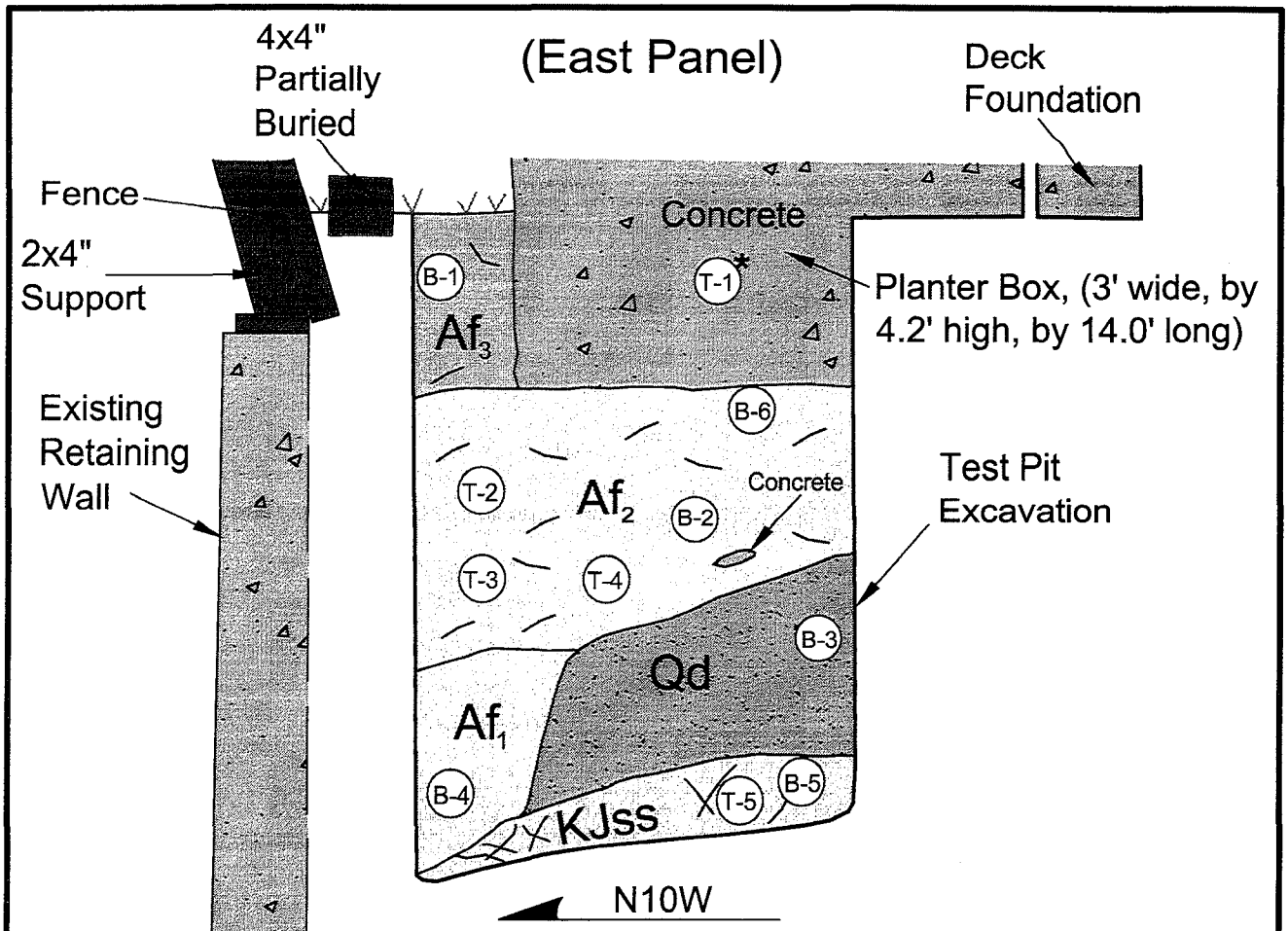


COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

TEST PIT 1

2655 Broderick Street
Geotechnical Investigation
San Francisco, California

GEO/ENG BY	SCALE	PROJECT NO.
JN	1"=1'	E5270
APPROVED BY	DATE	FIGURE NO.
POS	JANUARY 2012	2



Af_3 - (SM) Silty Sand - Dark black to dark brown, stiff, moist, glass, occasional clasts rootlets (planter fill)

Af_2 - (SM) Silty Sand - Dark brown to gray, stiff, dry to moist, roots, glass and brick fragments, clasts up to .5" dia.

Af_1 - (SC) Silty Sand with Clay - Orange brown to brown, stiff, moist to wet, rootlets, clasts up to 2" dia.

Qd - (SP) Sand - Brown and tan, loose, moist, fine to medium grained, well rounded (dune sand)

KJss - (BR) Bedrock; Sandstone with Interbedded Siltstone and Claystone - Gray brown to blue gray, moderate strength, moderate hardness, dry to moist, moderate to little weathering, intensely fractured

Adjacent Patio Area

*Sample designation and location

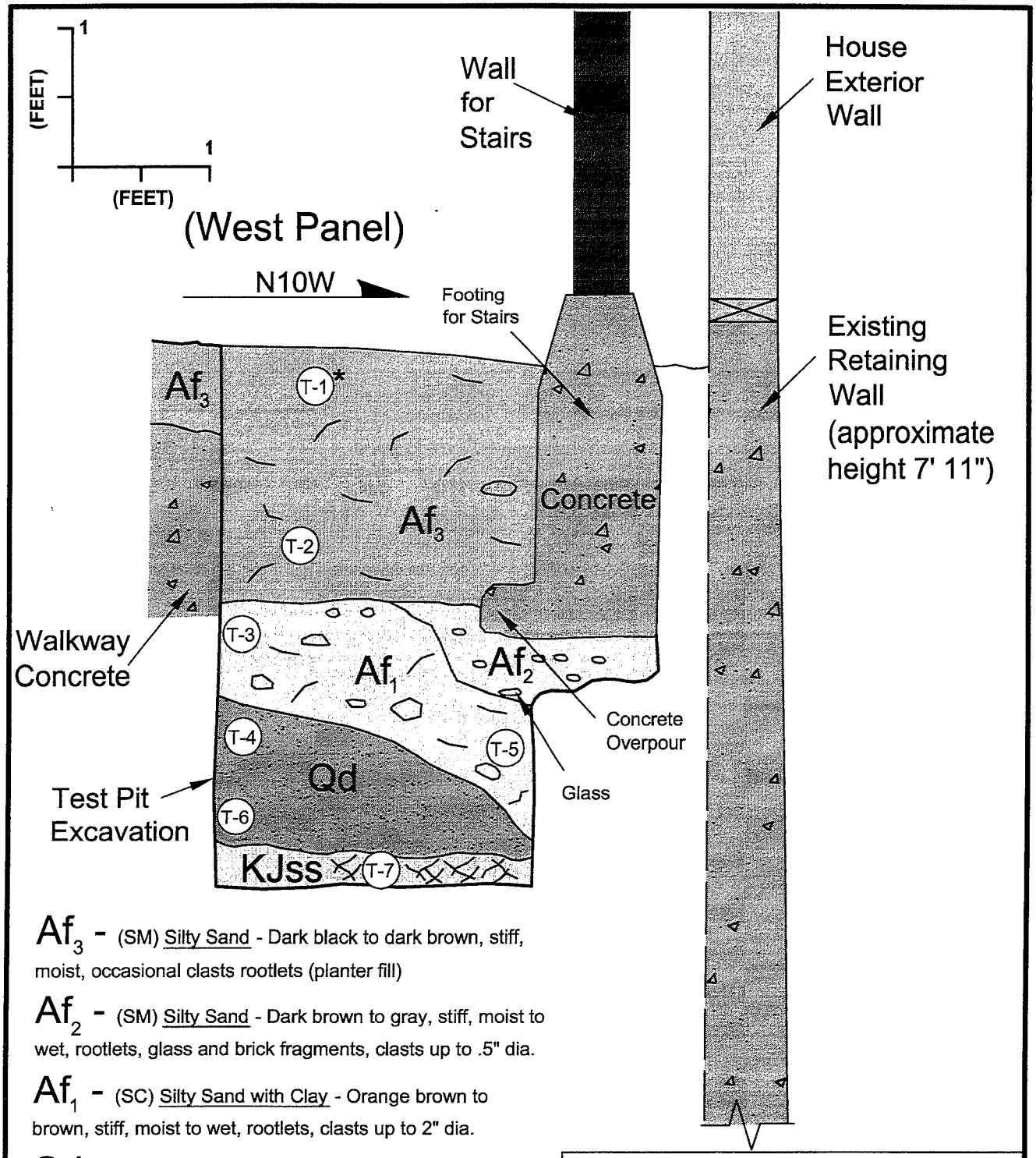
1 (FEET)

1 (FEET)

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

TEST PIT 3
2655 Broderick Street
Geotechnical Investigation
San Francisco, California

GEO/ENG BY	SCALE	PROJECT NO.
JN	1"=1'	E5270
APPROVED BY	DATE	FIGURE NO.
POS	JANUARY 2012	3



Af_3 - (SM) Silty Sand - Dark black to dark brown, stiff, moist, occasional clasts rootlets (planter fill)

Af_2 - (SM) Silty Sand - Dark brown to gray, stiff, moist to wet, rootlets, glass and brick fragments, clasts up to .5" dia.

Af_1 - (SC) Silty Sand with Clay - Orange brown to brown, stiff, moist to wet, rootlets, clasts up to 2" dia.

Qd - (SP) Sand - Brown and tan, loose, moist, fine to medium grained, well rounded (dune sand)

KJss - (BR) Bedrock; Sandstone with Interbedded Siltstone and Claystone - Gray brown to blue gray, moderate strength, moderate hardness, moist to wet, moderate to little weathering, intensely fractured

* Sample designation and location

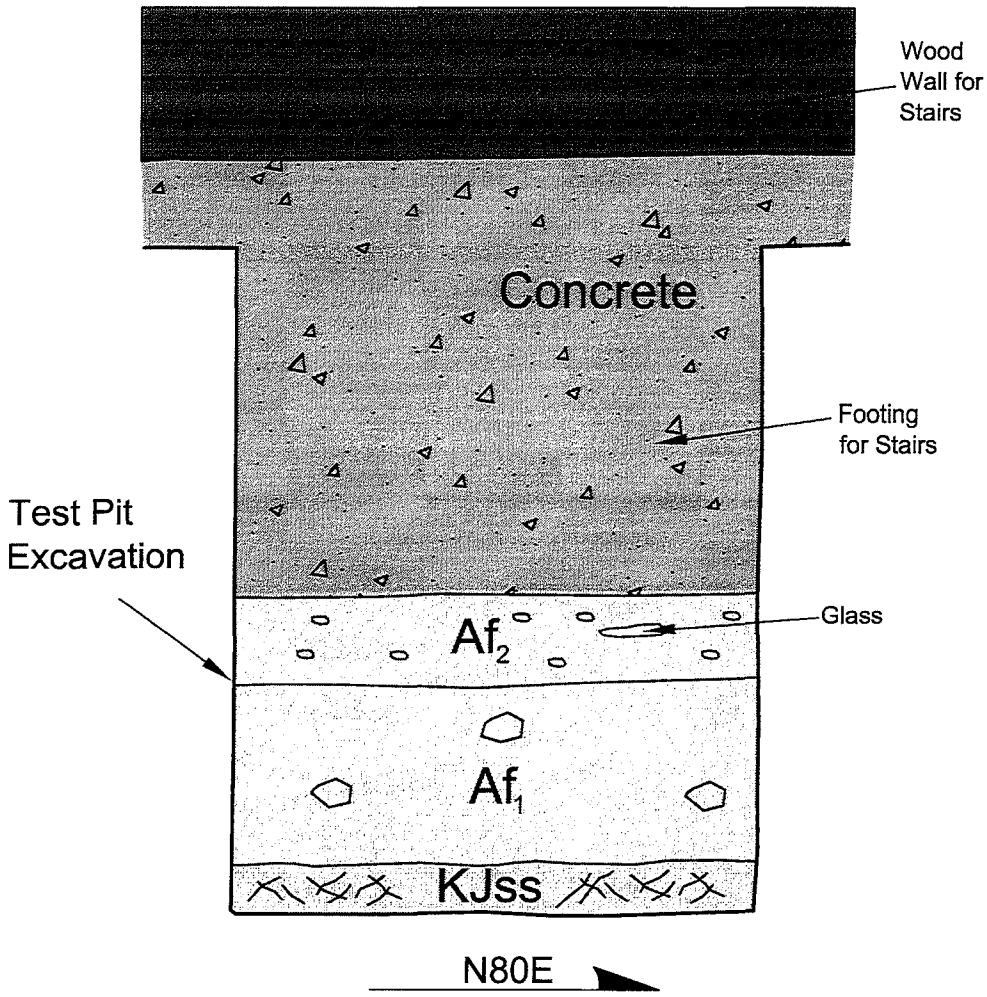
COTTON, SHIRES AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND GEOLOGISTS

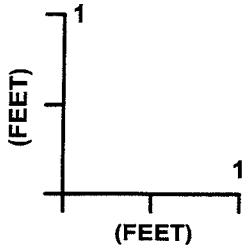
TEST PIT 4

2655 Broderick Street
Geotechnical Investigation
San Francisco, California

GEO/ENG BY	SCALE	PROJECT NO.
JN	1"=1'	E5270
APPROVED BY	DATE	FIGURE NO.
POS	JANUARY 2012	4

(North Panel)





Af_2 - (SM) Silty Sand - Dark brown to gray, stiff, moist to wet, rootlets, glass and brick fragments, clasts up to .5" dia.

Af_1 - (SC) Silty Sand with Clay - Orange brown to brown, stiff, rootlets, clasts up to 2" dia.

KJss - (BR) Bedrock; Sandstone with Interbedded Siltstone and Claystone - Gray brown to blue gray, moderate strength, moderate hardness, moist to wet, moderate to little weathering, intensely fractured

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

TEST PIT 4
2655 Broderick Street
Geotechnical Investigation
San Francisco, California

GEO/ENG BY	SCALE	PROJECT NO.
JN	1"=1'	E5270
APPROVED BY	DATE	FIGURE NO.
POS	JANUARY 2012	5

APPENDIX A

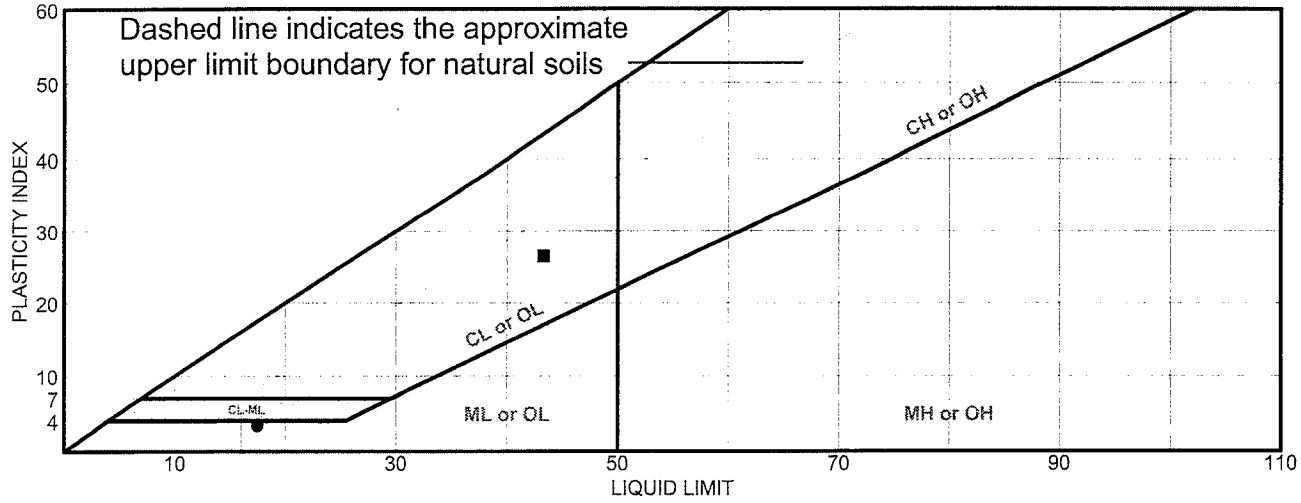
LABORATORY TESTING

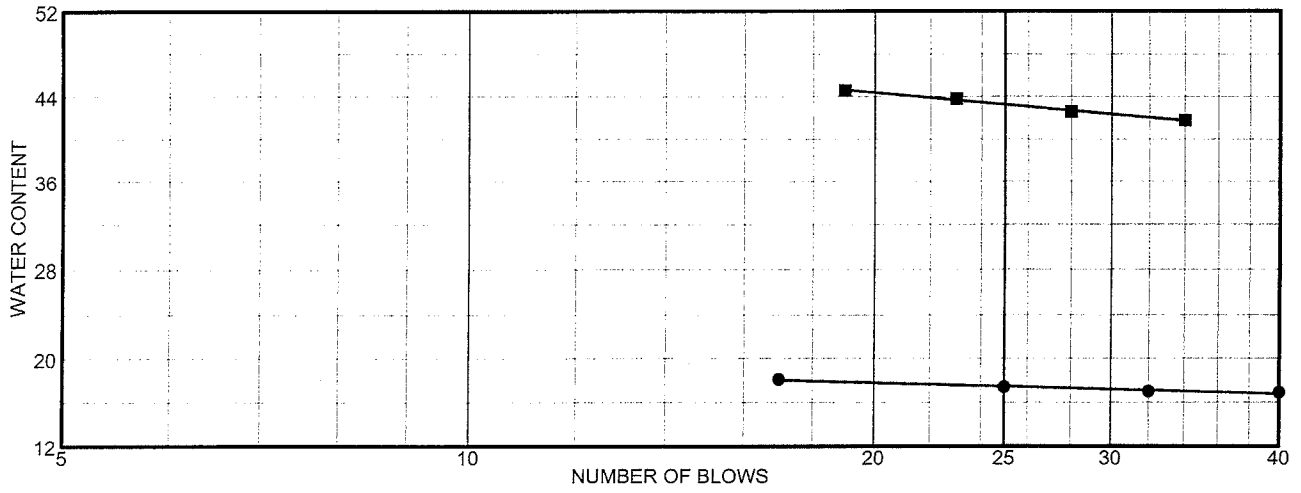
The laboratory testing performed for the 2655 Broderick site consisted of identification and testing of the principal soil types sampled during the field investigation to evaluate index properties and strength parameters of subsurface materials. The soil descriptions and the field and laboratory test results were used to assign parameters to the various materials at the site. The results of the laboratory test program are presented in this appendix (Figures A-1 through A-4).

The following laboratory tests were performed as part of this investigation:

1. Detailed soil/rock description;
2. Moisture content determination;
3. Wet and Dry unit weight determination;
4. Atterberg limits; and
5 Direct shear strength testing.

LIQUID AND PLASTIC LIMITS TEST REPORT





	MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
●	Very Dark Brown Silty SAND	17.5	14.1	3.4			
■	Dark Yellowish Brown Lean Clayey SAND	43.3	16.8	26.5			

Project No. 026-511 **Client:** Cotton, Shires & Associates

Project: Zaretsky - E5270

● **Source:** TP-3 **Sample No.:** B-2 **Elev./Depth:** 1.8-2.0'

■ **Source:** TP-3 **Sample No.:** B-4 **Elev./Depth:** 3-3.5'

Remarks:

●

■

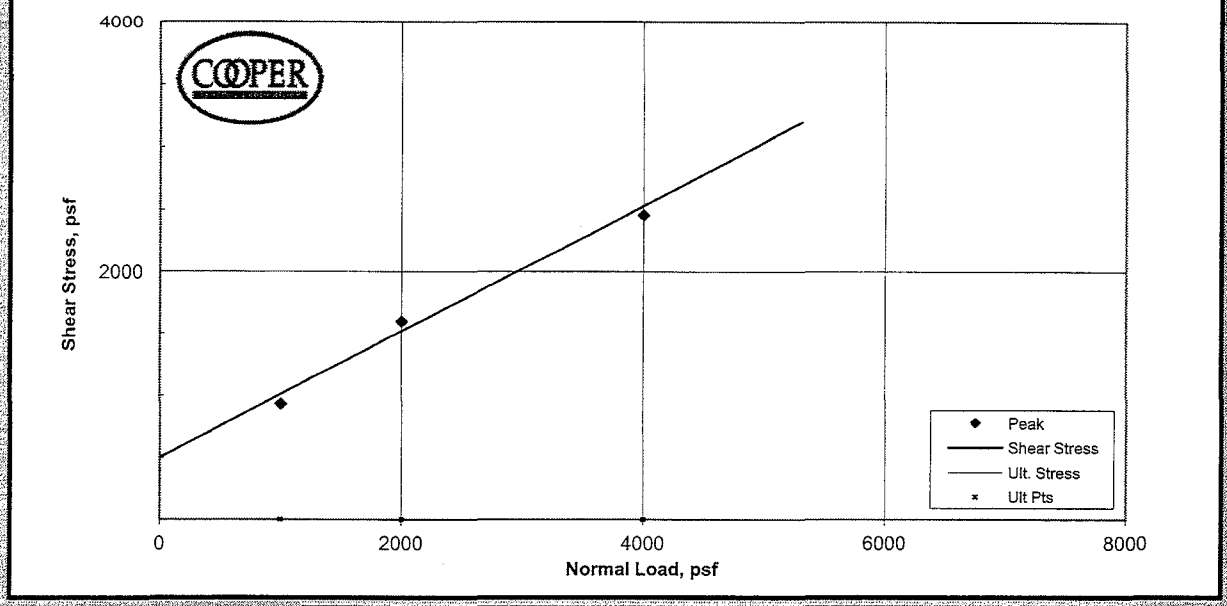
LIQUID AND PLASTIC LIMITS TEST REPORT

COOPER TESTING LABORATORY

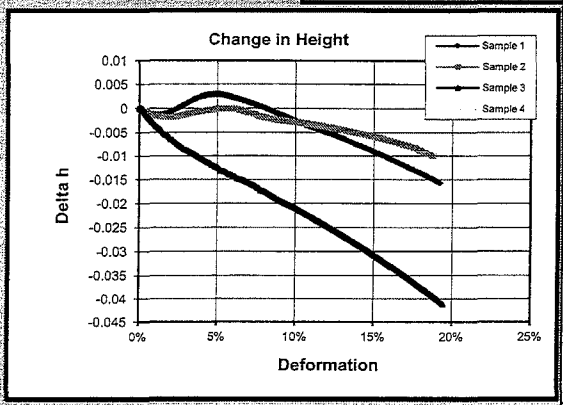
Figure

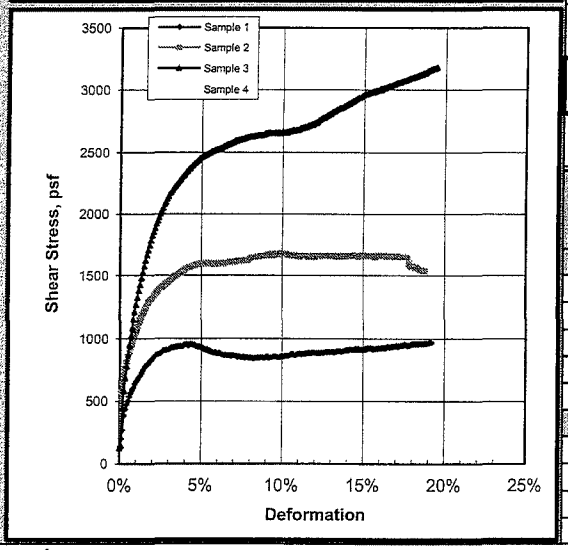
Direct Shear

ASTM D3080



P. Phi (degrees)	27.0	Ult. phi (degrees)	
P. Cohesion (psf)	500	Ult.Cohesion (psf)	





	Sample Data: Initial			
Initial	1	2	3	4
Moisture	18.8%	19.4%	16.4%	
Dry Density, pcf	109.2	106.7	108.5	
Void Ratio	0.601	0.638	0.612	
Saturation	87.5%	85.3%	75.1%	
Diameter, in.	2.43	2.43	2.43	
Height, in.	1.01	1.00	1.00	
	Sample Data: At Test			
Moisture	19.7%	20.3%	16.6%	
Dry Density, pcf	112.1	111.3	112.2	
Void Ratio	0.561	0.571	0.563	
Saturation	98.3%	99.5%	84.1%	
Diameter, in.	2.43	2.43	2.43	
Height, in.	0.98	0.96	0.97	
Normal Stress, psf	1000	2000	4000	
Peak Stress, psf	976	1681	3167	
Stress Used, psf	931	1596	2461	
@ Deformation	5%	5%	5%	
Ultimate Stress, psf				
Rate in/min.	0.0005	0.0005	0.0005	

CTL #	026-511	Date:	1/23/2012
Client:	Cotton, Shires & Associates		
Project Name:	Zaretsky		
Project Number:	E5270	Reduced by:	MD

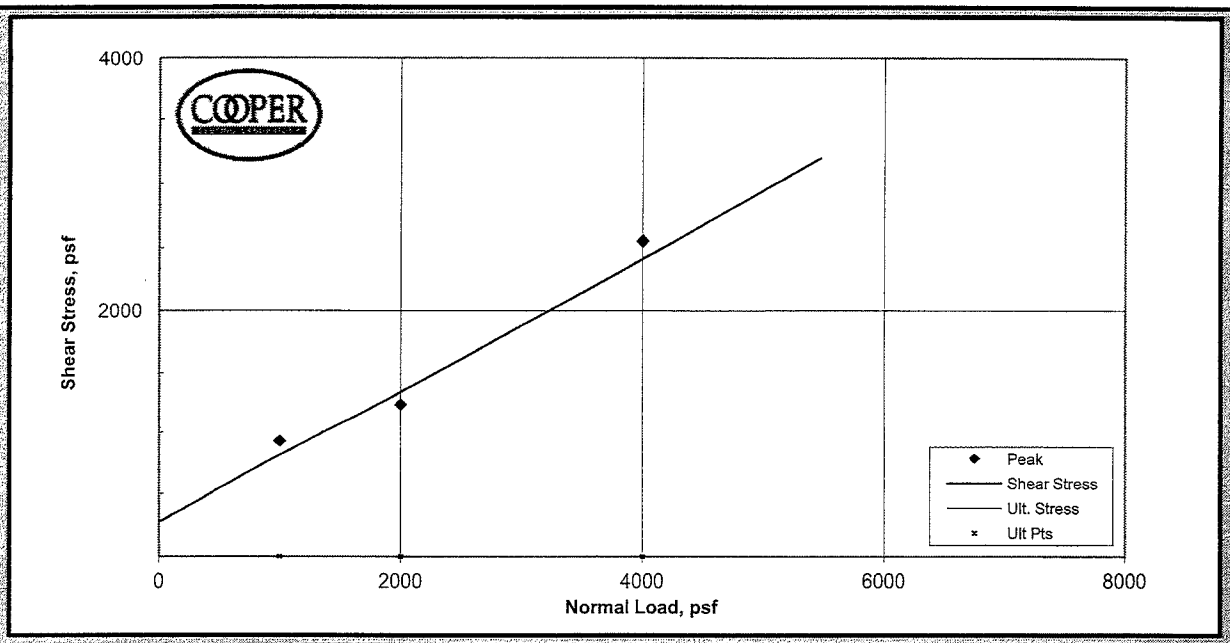
Sample #	Boring	Sample	Depth, ft.	
1	TP-3	T3	1.6-2.1	
2	TP-3	T3	1.6-2.1	
3	TP-3	T3	1.6-2.1	
4				

Visual Soil Classification	
1	Dark Gray Cl SAND/ Si SAND (slightly plastic)
2	Dark Gray Cl SAND/ Si SAND (slightly plastic)
3	Dark Gray Cl SAND/ Si SAND (slightly plastic)
4	

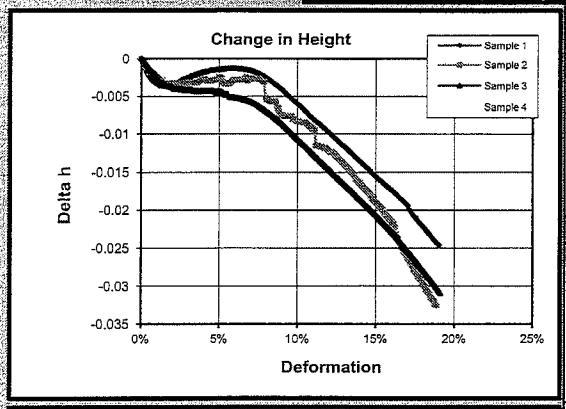
Remarks:

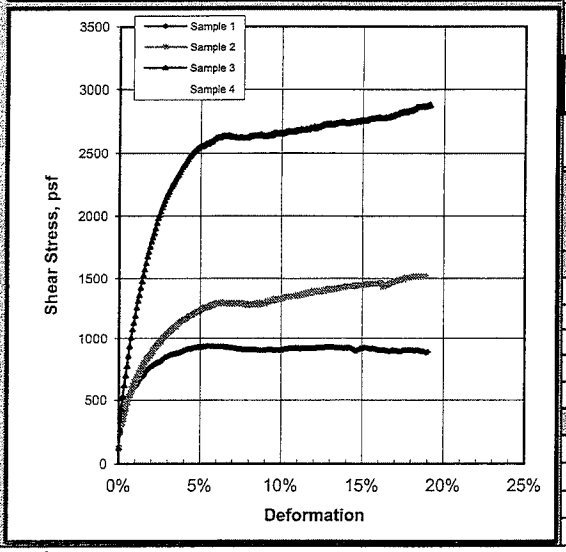
Direct Shear

ASTM D3080



P. Phi (degrees)	28.1	Ult. phi (degrees)	
P. Cohesion (psf)	275	Ult.Cohesion (psf)	





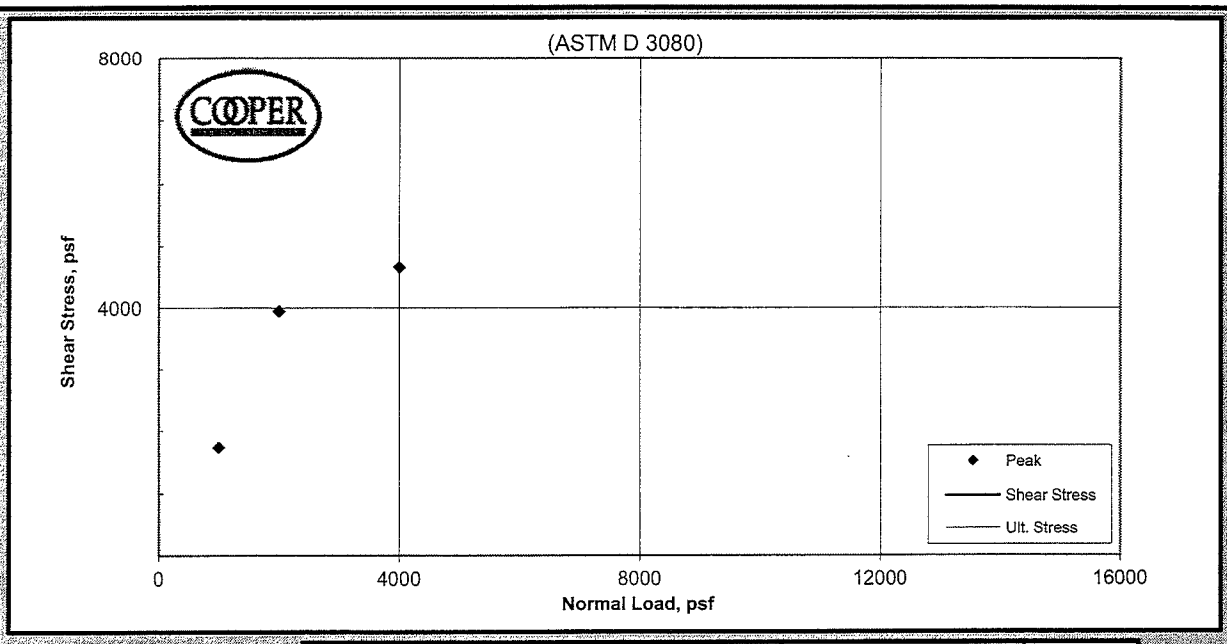
	Sample Data: Initial			
Initial	1	2	3	4
Moisture	13.7%	12.6%	15.8%	
Dry Density, pcf	101.0	103.0	109.1	
Void Ratio	0.669	0.636	0.545	
Saturation	55.2%	53.3%	78.5%	
Diameter, in.	2.42	2.42	2.42	
Height, in.	1.00	1.00	1.00	
	Sample Data: At Test			
Moisture	20.0%	19.7%	18.2%	
Dry Density, pcf	102.7	105.6	113.0	
Void Ratio	0.643	0.600	0.494	
Saturation	83.9%	89.5%	100.2%	
Diameter, in.	2.42	2.42	2.42	
Height, in.	0.98	0.98	0.97	
Normal Stress, psf	1000	2000	4000	
Peak Stress, psf	938	1518	2882	
Stress Used, psf	928	1242	2557	
@ Deformation	5%	5%	5%	
Ultimate Stress, psf				
Rate in/min.	0.0005	0.0005	0.0005	

CTL #	026-511	Date:	1/17/2012
Client:	Cotton, Shires & Associates		
Project Name:	Zaretsky		
Project Number:	E5270	Reduced by:	MD

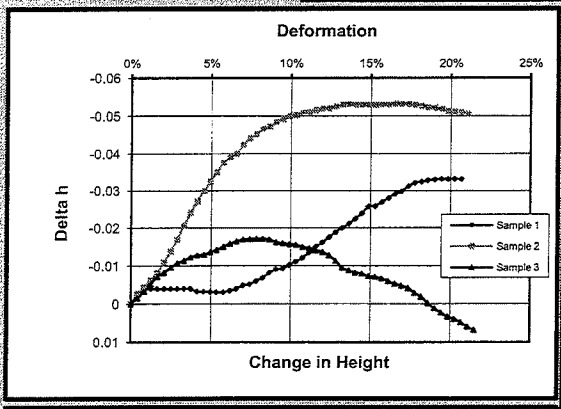
Sample #	Boring	Sample	Depth, ft.	
1	TP-4	T-5	2.8-3.4	
2	TP-4	T-5	2.8-3.4	
3	TP-4	T-5	2.8-3.4	
4				
	Visual Soil Classification			
1	Olive Brown Silty SAND w/ Clay pockets			
2	Olive Brown Silty SAND w/ Clay pockets			
3	Olive Brown Silty SAND w/ Clay pockets			
4				

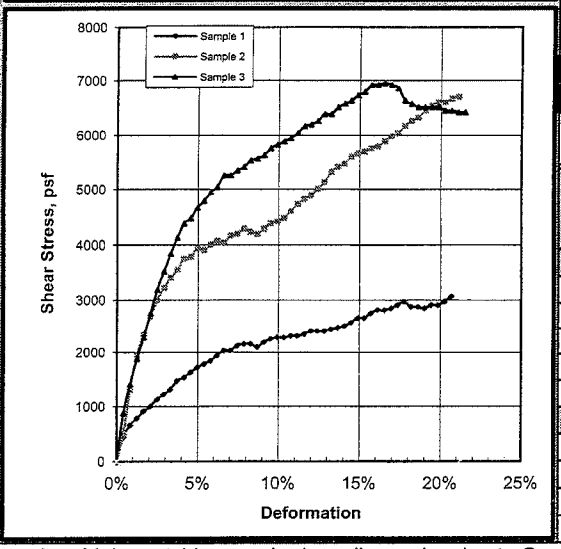
Remarks:

Direct Shear



P. Phi (degrees)		Ult. phi (degrees)	
P. Cohesion (psf)		Ult.Cohesion (psf)	





Initial	1	2	3	4
Sample Data: Initial				
Moisture	8.9%	9.8%	14.2%	
Dry Density, pcf	114.2	124.3	120.9	
Void Ratio	0.476	0.356	0.394	
Saturation	50.6%	74.6%	97.2%	
Diameter, in.	2.42	2.42	2.42	
Height, in.	1.00	1.01	1.00	
Sample Data: At Test				
Moisture	15.2%	11.7%	12.9%	
Dry Density, pcf	114.9	127.0	126.6	
Void Ratio	0.468	0.332	0.339	
Saturation	81.1%	95.4%	102.7%	
Diameter, in.	2.42	2.42	2.42	
Height, in.	0.99	0.99	0.96	
Normal Stress, psf	1000	2000	4000	
Peak Stress, psf	3068	6700	6950	
Stress Used, psf	1722	3945	4665	
@ Deformation	5%	5%	5%	
Ultimate Stress, psf	3068	6700	6418	
Rate in/min.	0.0020	0.0020	0.0020	

CTL #	026-511	Date:	1/26/2012	
Client:	Cotton, Shires & Associates			
Project Name:	Zaretsky			
Project Number:	E5270		Reduced by:	MD

Sample #	Boring	Sample	Depth, ft.	
1	TP-3/TP-4	T5/T7	3.4-4.2	
2	TP-3/TP-4	T5/T7	3.4-4.2	
3	TP-3/TP-4	T5/T7	3.4-4.2	
4				

Visual Soil Classification	
1	Olive Brown Clayey GRAVEL w/ Sand
2	Olive Brown Clayey GRAVEL w/ Sand
3	Olive Brown Clayey GRAVEL w/ Sand
4	

Remarks: Major patching required on all samples due to Gravel in shear plane.

Treadwell&Rollo
A LANGAN COMPANY

14 March 2012
Project 731588101

Robert DeVries, Esq.
Law Offices of Robert DeVries
150 Post Street, Suite 600
San Francisco, California 94108

Re: Report Review
Retaining Wall
2701 Green Street/2655 Broderick Street
San Francisco, California

Dear Mr. DeVries:

In accordance with your request, we reviewed the report prepared by Cotton, Shires and Associates, Inc. (CSA) dated February 3, 2012, for the existing northside improvement at 2655 Broderick Street. You have asked us to review the report and evaluate whether the results of the study adequately address the impact of the improvements on an existing gravity wall that is present along the property that separates 2655 Broderick from the adjacent 2701 Green Street. During the course of our review, we visited the site, discussed the issues with you and the owner of 2701 Green Street and had several conversations with the author of the report, Mr. Patrick Shires, Geotechnical Engineer with CSA.

The wall was built about 100 years ago and is about 7.5 to 8.0 feet high. Starting in the early 2000s, improvements were constructed adjacent to the wall by the owners of 2655 Broderick Street. These improvements include a large rectangular, concrete planter box, a wooden deck, stairs, and a stone patio; trees were planted in the planter box and adjacent to the wall.

During its investigation CSA, excavated several test pits along the wall and found fill over bedrock where explored. The bedrock, of the Franciscan, Complex consists of sandstone interbedded with siltstone and claystone. The bedrock is about 3.5 feet below the existing ground surface. It appears that the fill was placed at different times during development of the property; there is no documentation presented in the report that the fill was compacted during placement. Furthermore, at least 12 to 18 inches of the fill may have been placed during patio and planter box construction; according to testimony by Mr. Cox of WJE, Engineers, a portion of the fill is against a new fence along the west of end of the property and the fence does not show evidence of dry rot.

In its report, CSA concludes the lateral loads from the deck and the planter box are "minimal." Our review of their calculations dated January 30, 2012, indicate that the pressures computed are vertical pressures — not lateral pressures. The lateral pressures in the fill against the wall would be significantly greater than the values presented in the report.

CSA further concludes that there is a lack of significant distress observed in the wall adjacent to the improvements. Mr. Cox measured a ¾-inch bowing of the wall toward Green Street and observed vertical cracks that may be caused by bending and deflection of the wall.

While CSA concludes that the load imposed by the stairs and planter box can be supported by the retaining wall, they recognize that the details of the wall are unknown and that the wall has not experienced earthquake loads. Consequently, they recommended that the stair footing and planter box be underpinned into the sandstone bedrock. We agree. Also, CSA recommended that all the artificial fill placed between the planter box and the top of the retaining walls be removed. We agree.

In our opinion, all the recent fill designated as Af_3 by CSA that lies within the zone defined by an imaginary 1½:1 (Horizontal to vertical) line drawn up from the surface of the rock at the wall should be removed. This fill is recent, uncompacted and imposes a load on the wall that was not part of the original design and construction (Circa 1913).

We have observed throughout the City of San Francisco that mature trees adjacent to retaining walls have caused damage to walls. There are numerous examples where the roots impose significant stresses on the walls causing them to lean and crack. Therefore, we recommend that all trees that lie within the same imaginary 1½;1 line drawn up from the intersection of the bedrock and wall be removed. This recommendation should also apply to the trees planted in the concrete box unless it is shown that the box has a well reinforced concrete bottom.

We appreciate the opportunity to review and comment on the CSA report and to assist you with this matter.

Sincerely yours,
TREADWELL & ROLLO, A LANGAN COMPANY

Frank L. Rollo
Geotechnical Engineer

731588101.01_FLR

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

Treadwell&Rollo
A LANGAN COMPANY

29 August 2012
Project 731588101

Robert Hendrickson, Esq.
Duane Morris, LLP
One Market Plaza, Spear Tower, Suite 2200
San Francisco, California 94105-1127

Re: Fill Materials
2701 Green Street/2655 Broderick Street
San Francisco, California

Dear Mr. Hendrickson:

This letter clarifies our understanding of the placement of fill adjacent to the existing gravity retaining wall that separates the properties at 2701 Green Street and 2655 Broderick Street in San Francisco.

In our letter dated 14 March 2012, we stated that at least 12 to 18 inches of fill may have been placed during patio and planter box construction. We used the term "may have been" because we were not present during the fill placement nor during the excavation of test pits by Cotton, Shire Associates, Inc. (CSA). Consequently, we were not able to state conclusively when the fill was placed; however, the information provided in the CSA report indicates the fill, designated as Af_3, is the most recent of the three fills encountered in the test pits; the Af_3 fill was placed against the recently cast deck foundation, planter box and concrete landing pad and is above the older Af_1 and Af_2 fills. Therefore, it is likely that the fill is recent and was not a part of the original gravity wall construction. Furthermore, the Af_3 fill is shown adjacent to the wall at test pit locations 1 and 3.

As stated in our letter, we believe this fill, designated as Af_3, imposes a load on the wall that was not part of the original design; it should be removed.

Sincerely yours,
TREADWELL & ROLLO, A LANGAN COMPANY

Frank L. Rollo
Geotechnical Engineer

731588101.02_FLR_2701 Green Street

WJE | ENGINEERS
ARCHITECTS
MATERIALS SCIENTISTS

Wiss, Janney, Elstner Associates, Inc.
2000 Powell Street, Suite 1650
Emeryville, California 94608
510.428.2907 tel | 510.428.0456 fax
www.wje.com

Via Email: rchendrickson@duanemorris.com

November 14, 2012

Mr. Robert Hendrickson
Duane Morris
One Market Plaza, Suite 2200
San Francisco, CA 94105-1127

Re: 2701 Green/2655 Broderick Investigation
WJE No. 2009.4685

Dear Mr. Hendrickson:

This letter provides an update to Wiss Janney Elstner Associates' (WJE) investigation and analysis of the conditions existing at Mr. Irving Zaretsky's property at 2701 Green Street and the adjacent property at 2655 Broderick Street, San Francisco, California. This letter supplements our previous report, dated June 4, 2010.

As you know, the four-story wood-framed apartment structure at 2701 Green was built around 1912, including an unreinforced gravity retaining wall on the uphill side property line adjacent to 2655 Broderick. The original Broderick house reportedly was constructed around 1926, but there have been many remodels and additions over the years, and it is the remodels over the last approximately 10 years that included addition of fill materials and surcharge loads against the property-line retaining wall of 2701 Green that are of concern.

Originally the soil level against the property-line retaining wall was somewhat lower than the top of the wall, as late as 1994 when Mr. Zaretsky bought the property at 2701 Green, but additional fill soils have been added until the soil is now above the top of the retaining wall and is against the base of the 2701 Green wood-framed walls and fences. In addition to the decay and termite damage that having moist soil in contact with wood has inflicted and possibly other damage that may be revealed during repairs, the additional soil fill has increased the lateral load on the retaining wall. Moreover, the owners of 2655 Broderick built both a deck with stairway and a large concrete planter that contains numerous large trees along the property line. The weights of both additions add surcharge loads to the retaining wall. Also, rootballs of the large trees and shrubs in the planter and elsewhere along the property line are adding further unanticipated pressures against the retaining wall.

The deflection of the top of the cantilevered portion of the retaining wall has been measured to be approximately 1.25 inches. We also observed two more-or-less vertical cracks in the wall, one at the center of the span, and one at the third-point of the span. The deflection and (at least) the centerline crack are likely due to the active earth pressure of the soil and planter surcharges adjacent to this wall.

UPDATE

The neighbors' geotechnical engineer, Patrick Shires of Cotton, Shires, and Associates (CSA), conducted an investigation on the 2655 Broderick property that involved digging four test pits to evaluate the soil profiles near the property line, laboratory testing of several soil samples, and performing engineering analysis. The subsequent CSA report, dated February 3, 2012, provides us with some additional information that we can use to better estimate the loads on the retaining wall of 2701 Green. In addition, WJE has taken measurements of the retaining wall that also help with the process of estimating loads.

The CSA test pits generally indicate that the uphill site is underlain with sandstone/siltstone/ claystone bedrock 3.5 to 3.6 feet below the top of the retaining wall. The test pits revealed varying amounts of ancient dune sand immediately above the bedrock and varying amounts of three different fills identified in each of the pits, with a cumulative fill height adjacent to the wall of about 3.5 feet

At the lightwell of 2701 Green, the retaining wall cantilevers above the slab approximately 7 feet, 9 inches. It is 7-inches thick at the top and the front face is battered slightly so that—assuming the hidden face is vertical—the wall is about 14-inches thick at the lightwell slab; WJE has not confirmed the geometry of wall along the uphill side. In addition, we do not know the depth or shape of the footing below the top surface of the lightwell slab, but can reasonably assume that it extends 1 foot below the lightwell slab's upper surface for a total height of 8 feet, 9 inches.

Test pit 3, by CSA, was dug adjacent to the neighbor's planter and near the lightwell retaining wall. CSA found exposed bedrock at approximately 3 feet, 6 inches, below the top of the wall. However, the test pit was dug some distance away from the back of the retaining wall, and thus did not reveal if the retaining wall was cast directly against the bedrock cut below that level. If the wall was over-excavated, the backfill soil exerts lateral pressure over the full height of the wall. Since we do not know the interaction between the wall and bedrock--and in order to be reasonably conservative--our calculations are based on the assumption that the soil and bedrock behind the wall was over-excavated to its full height and backfilled.

It is reasonable to assume that the lowest layer of fill (designated Af1 by CSA) was placed soon after the wall was constructed, and represents the original condition of the wall. However, while there is no way to date fill Af2, there have been repeated additions of soil over the years. Af2 may have been placed more than 10 years ago, or less; but either way, it represents a significant surcharge against the retaining wall beyond the original design intent. Both the stairway foundation next to the 2701 Green building and the planter foundation next to the cantilevered retaining lightwell wall are founded on Af2 soil. Af3 is the most recent fill, clearly less than 10 years old, and was placed next to the planter and also the stairway footing. According to the CSA report, the depth of fills Af2 and Af3 total about 2 feet.

The CSA report estimated the surcharge created by the 3-foot wide concrete planter, soil and trees near the retaining wall weighs about 550 psf along its 14-foot length, or about 1,650 pounds per lineal foot and 23,000 pounds total. This is close to WJE's earlier estimate of about 20,000 pounds total. WJE assumed two initial, pre-remodel cases for our calculations: an original soil height one foot below the top of the

wall, and an original soil height two feet below the top of the wall. From our investigation and the CSA report, the original soil height against the wall likely fell at or between those two extremes.

CALCULATIONS

The planter and its trees appear to add the most severe loading to the retaining wall, so WJE concentrated on determining the additional forces and moments on the retaining wall for that condition. Our calculations indicate significant lateral load increases due to additional soil fill and planter surcharge, summarized in the table, below. The table also lists major increases in the overturning moments at the base of the retaining wall. While the loads and moments are relatively straightforward calculations, we are unable to calculate the additional stresses on various portions of the walls due to a lack of knowledge about the geometry of the wall, concrete strength, etc.

Fill Height	Active earth pressure, P_A, increase, including planter surcharge	Overturning moment, M_A, increase, including planter surcharge
1'	120%	310%
2'	210%	560%

Clearly, the cumulative effects of raising the grade over the years has greatly increased the horizontal loads and overturning forces on the wall above the original intent of the designer. In addition, these increased loads will reduce the ability of the retaining wall to withstand seismic forces.

WJE did not calculate the added loads and moments due to the stairway and its foundation at 2655 Broderick, but they, too, will be significant.

RECOMMENDATIONS

The increases in the lateral loading and overturning moments in conjunction with the observed cracking of the retaining wall, argue for reducing the stresses against this very old, unreinforced wall. This problem, along with the issues of proper runoff drainage, and decay of the walls of 2701 Green that have been previously discussed should be resolved by a single, comprehensive engineered design.

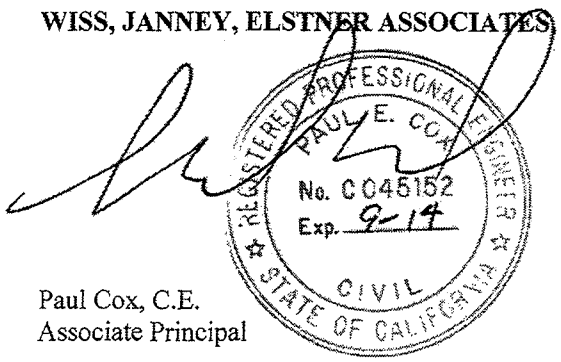
WJE recommends the following actions by the owner of 2655 Broderick:

- Remove the planter and its trees.
- Remove all other trees along the property line.
- If the planter is to be rebuilt near that location, it should be located away from the wall, or founded on deep foundations that prevent it surcharging the property-line retaining wall.
- Any trees to be installed along the property line are to be installed in planters with impenetrable sides and bottoms that prevent the roots from applying lateral pressure to the walls.
- Remove the deck and stairway and its foundation. If it is to be rebuilt in the same location, it should be founded on deep foundations that prevent it from loading the retaining wall.
- While the deck and stairway are removed, provide access for the owner of 2701 Green to repair the wood framing of the property line walls.

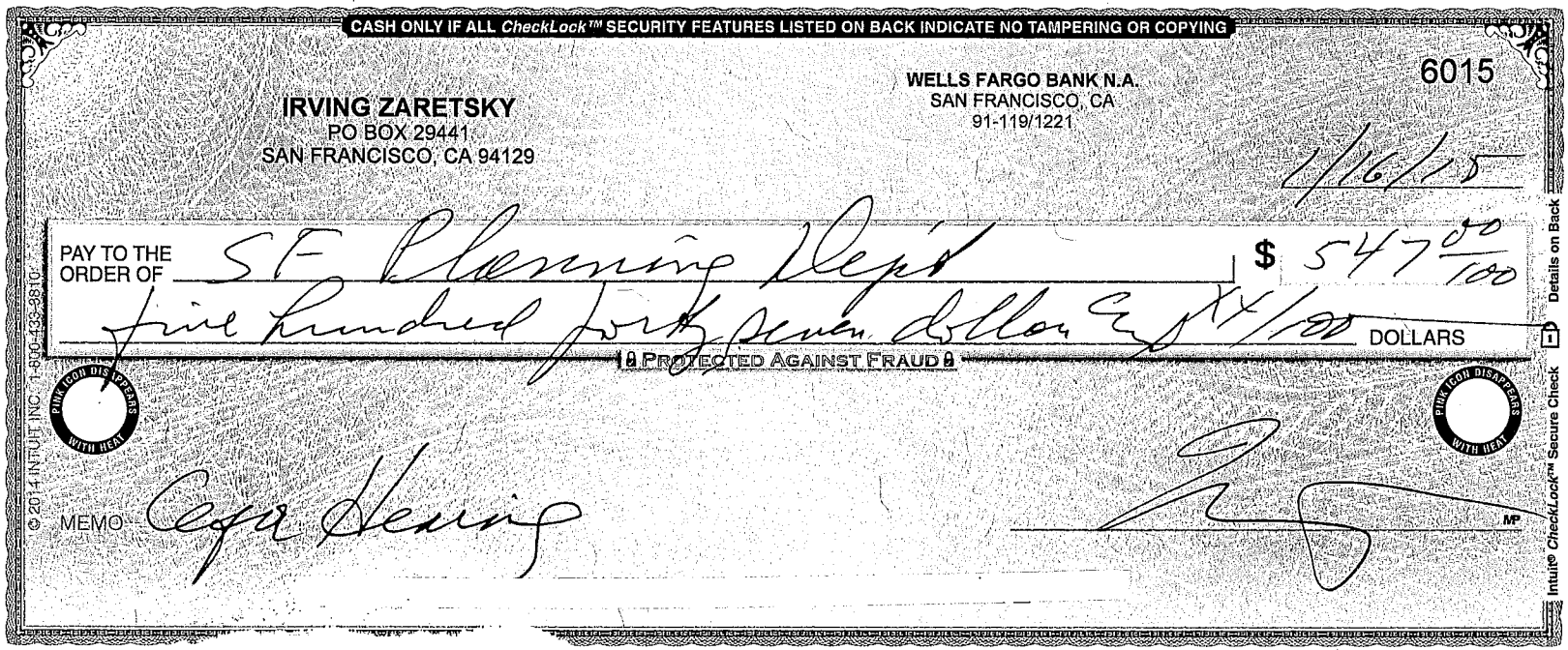
- Regrade the soil along the property line to a level that will reduce the stresses on the retaining wall to acceptable levels based on sound engineering analysis and graded at a maximum 1:1-1/2 uphill slope.
- Once the height of the soil along the property line has been reduced, install runoff controls to prevent uphill water from accumulating against the retaining wall, or draining onto the 2701 Green property.
- As an alternate to some of the above items, the owner of 2655 Broderick can construct a retaining wall on the uphill side of the property line that will support or retain soils, planters, plant roots, and structures without loading the 2701 Green retaining wall. A minimum of six inches of separation between soil and wood will have to be maintained, and provisions made for proper rainwater drainage.

Sincerely,

WISS, JANNEY, ELSTNER ASSOCIATES, INC.



Paul Cox, C.E.
Associate Principal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