COB, BOS11, Cty Atty, Cpage, Leg clerks

REUBEN, JUNIUS & ROSE, LLP

May 7, 2015

By Messenger

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

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

Dear Mr. Johnson:

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

Very truly yours,

Denise Robello
Legal Assistant

REUBEN, JUNIUS & ROSE, LLP

Enclosures:

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

One Bush Street, Suite 600
San Francisco, CA 94104

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

www.reubenlaw.com

REUBEN, JUNIUS & ROSE, LLP

May 8, 2015

By Email and Hand Delivery

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

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

Dear President Breed and Commissioners:

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

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

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

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben[1] | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Jared Eigerman[2,3] | John McInerney III[2]
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A. Property and Project Overview

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

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

1. Addition

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

2. Slope Work

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

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

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

B. Neighborhood Outreach

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

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

C. Class 1 Categorical Exemption

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

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

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

D. Conclusion

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

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Jody Knight

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

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

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EXHIBIT LIST

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

Exhibit B ..... Plans

Exhibit C ..... Slope Work Proposal Summary

Exhibit D ..... CEQA Certificate of Determination

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Exhibit A

May 7, 2015

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

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

Dear Supervisors:

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

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

Sincerely,

Lulu Ezekiel

March 11, 2015

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

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

Dear Planning Commissioners

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

Thank you for your consideration.

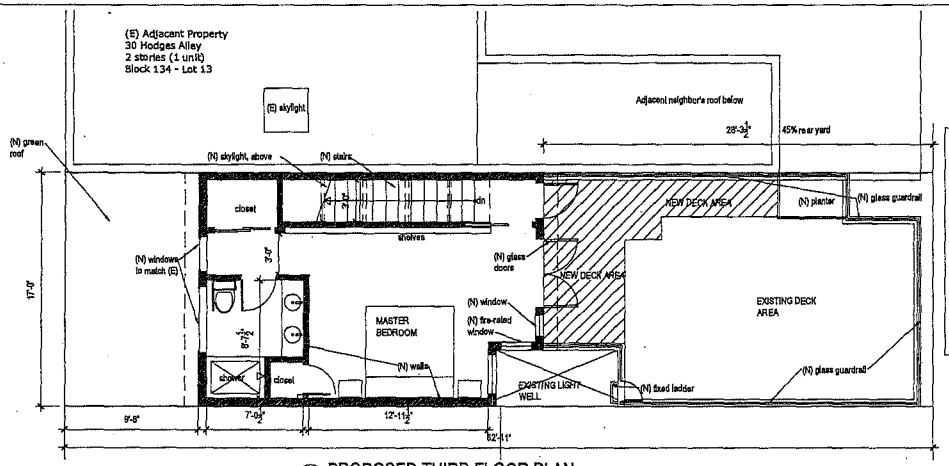
Sincerely,

Gary Massetani

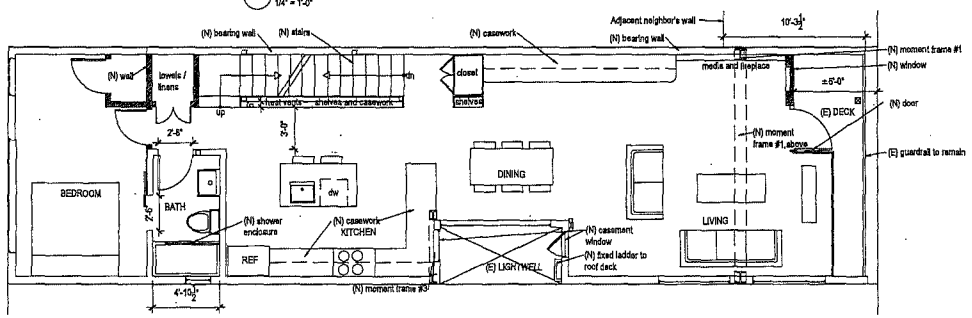
Gary Massetani

Cc: Kate Conner, Planner

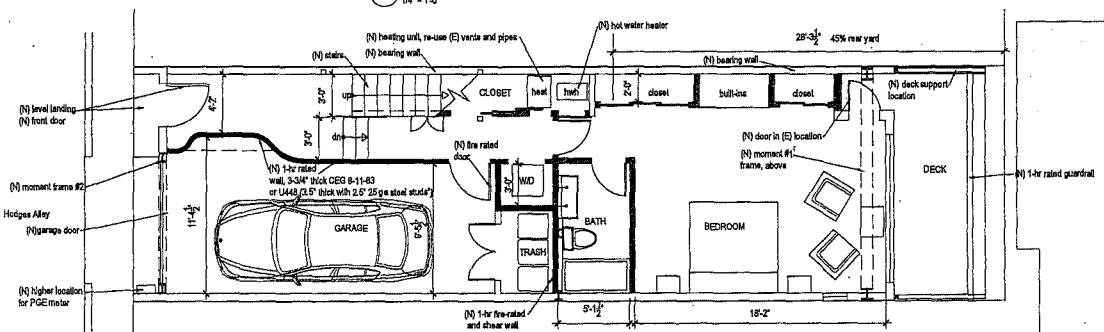
Exhibit B



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



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



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

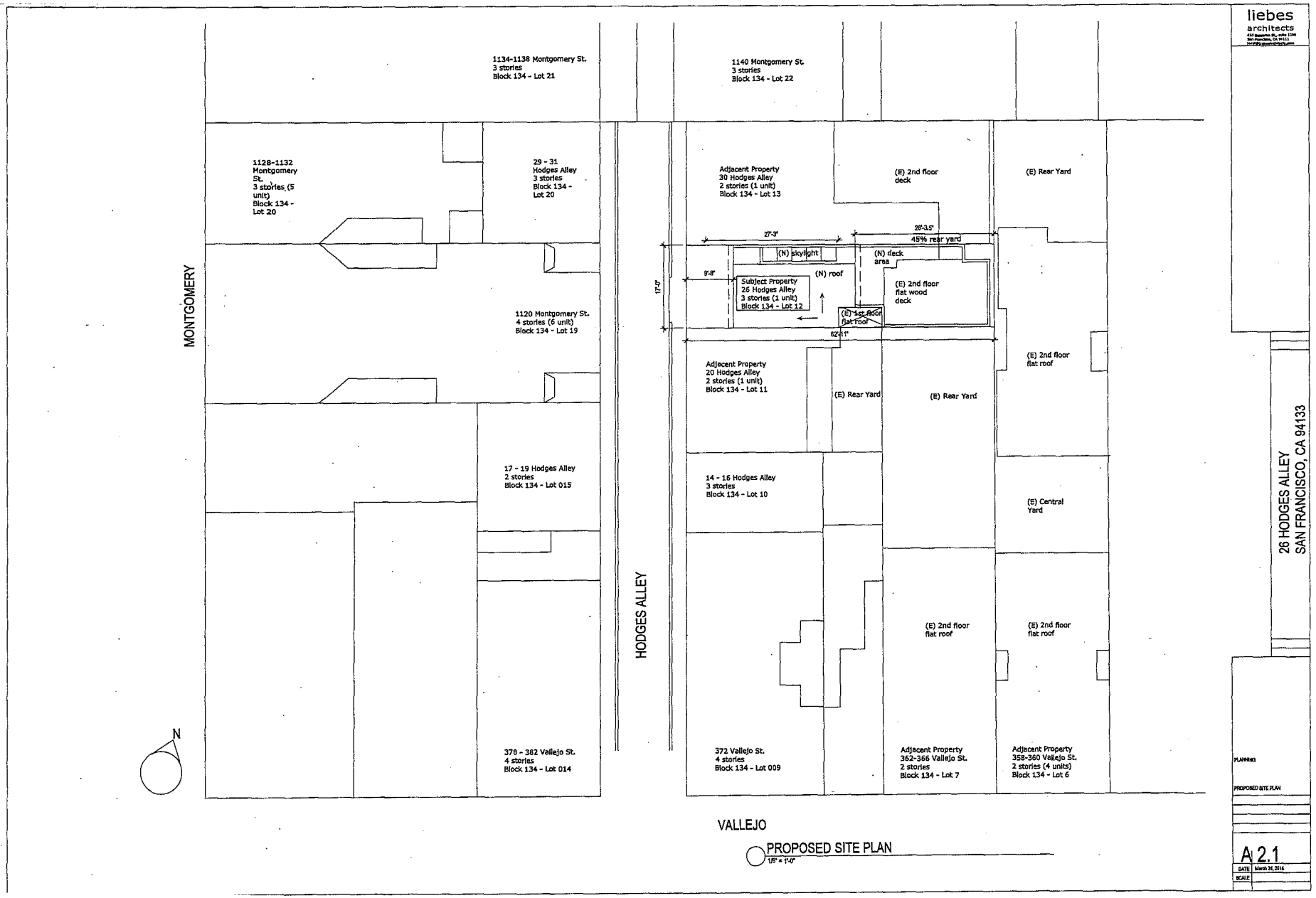
N

liebes
architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING
PROPOSED PLANS

A 2.0
DATE March 28, 2016
SCALE



PROPOSED SITE PLAN
1/8" = 1'-0"

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architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

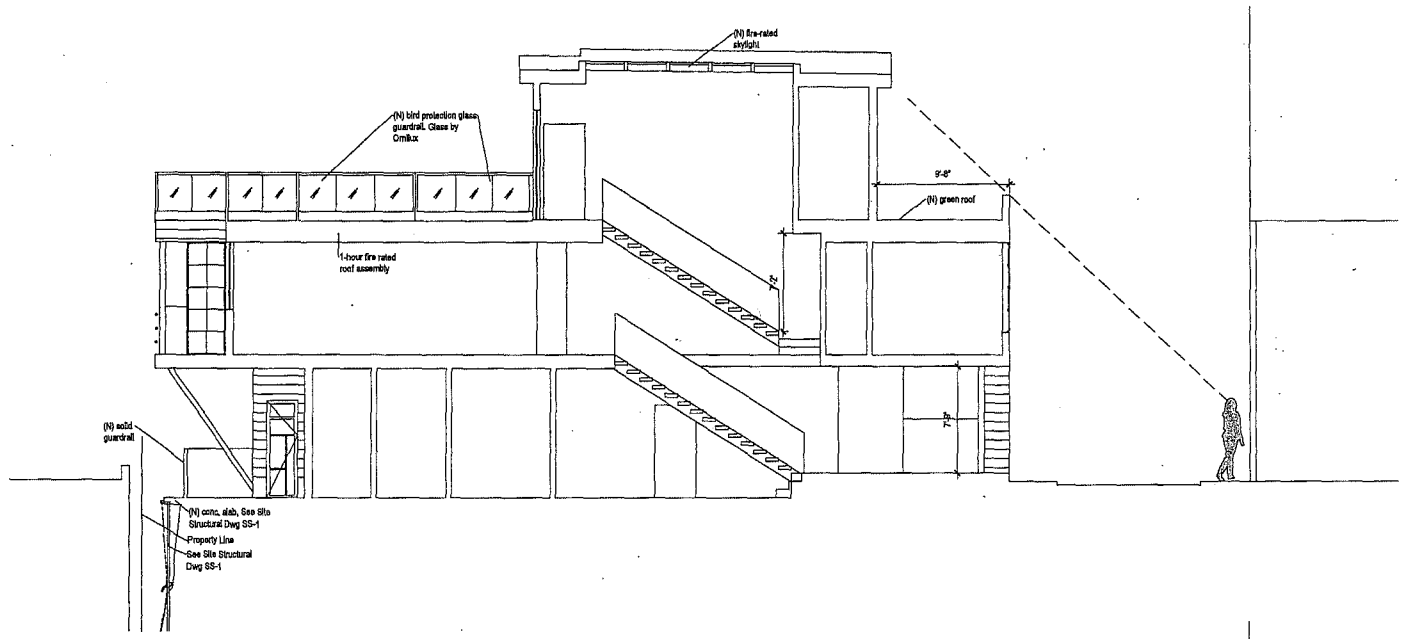
PLANNING

PROPOSED SITE PLAN

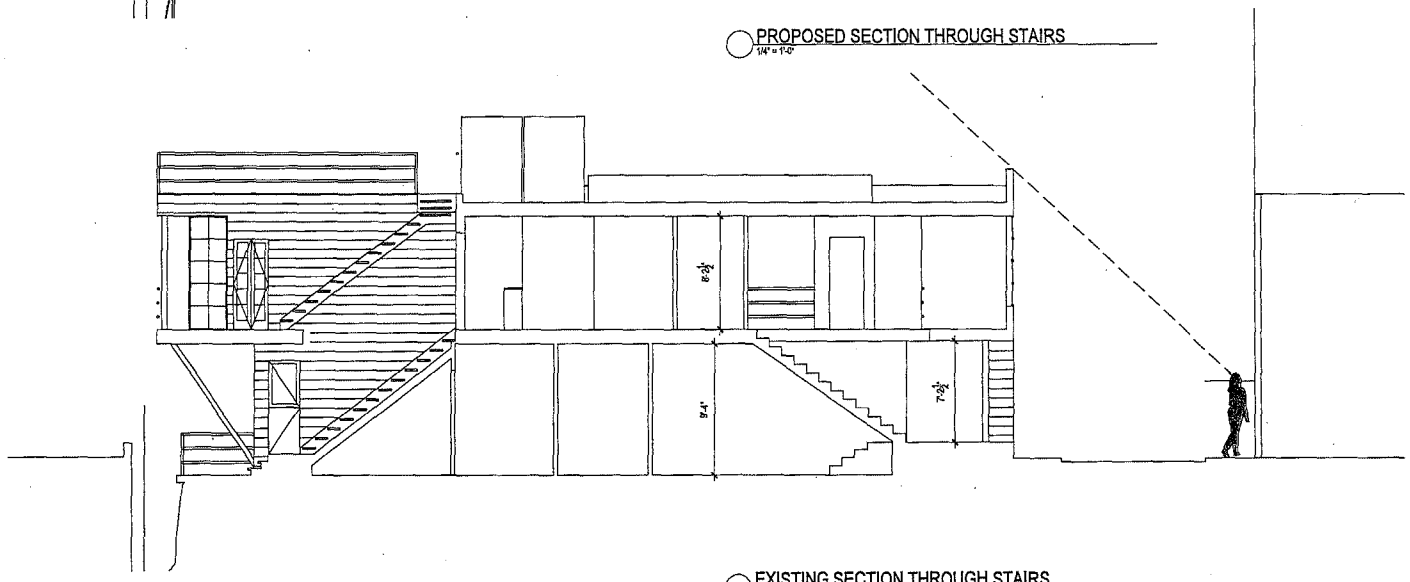
A2.1

DATE March 28, 2014

SCALE



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



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

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architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

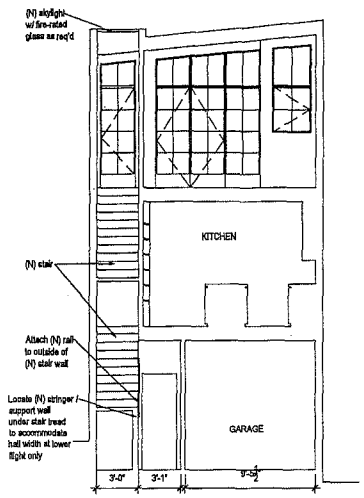
PLANNING

PROPOSED PLANS

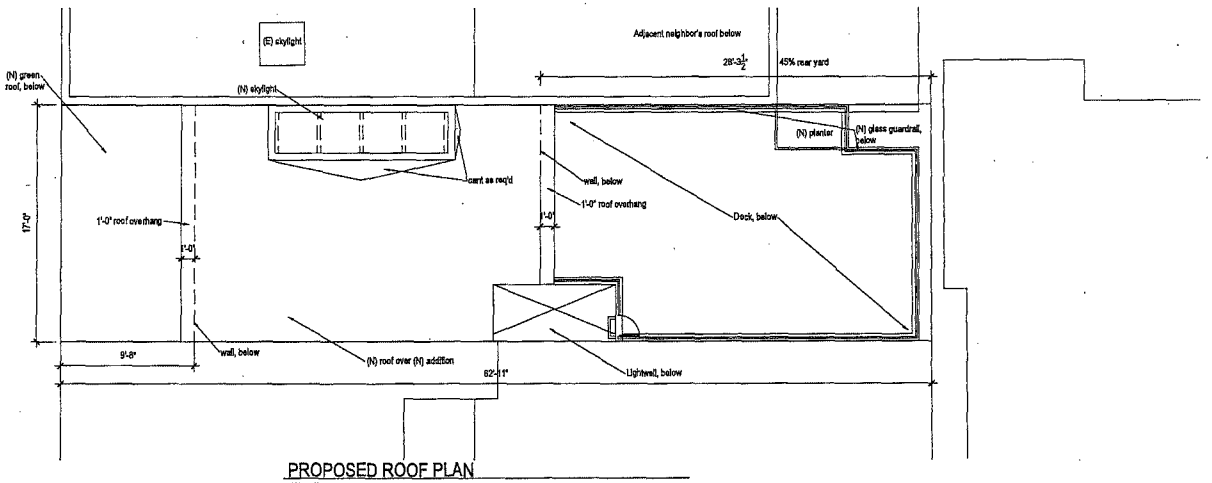
A 3.0

DATE March 26, 2015

SCALE



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



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

liebes
architects
436 Sansome St., suite 1200
San Francisco, CA 94111
mail@liebesarchitects.com

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

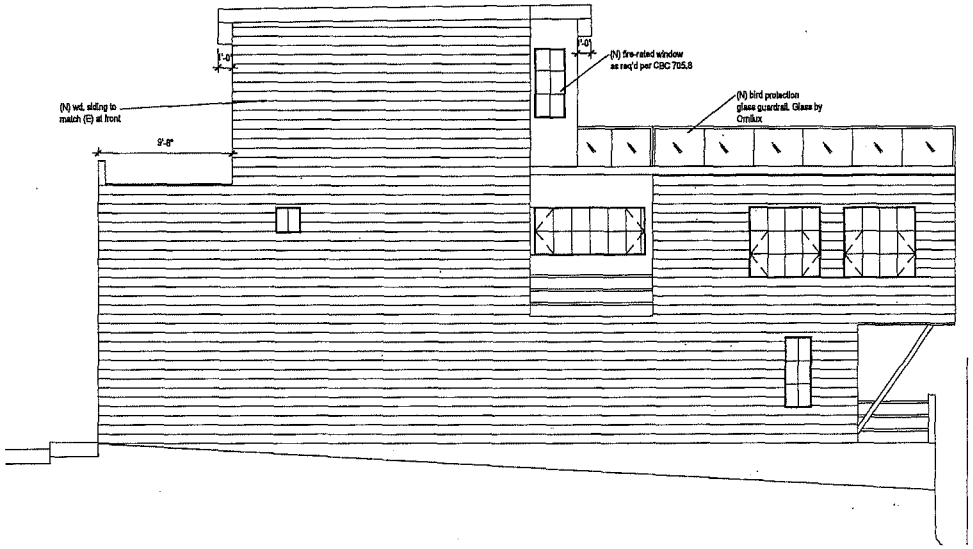
PLANNING

PROPOSED PLANS

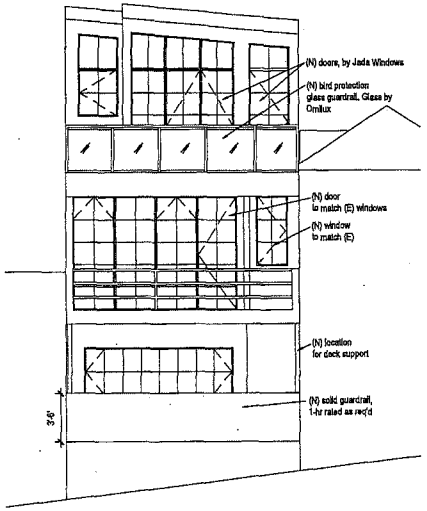
A 3.1

DATE April 14, 2015

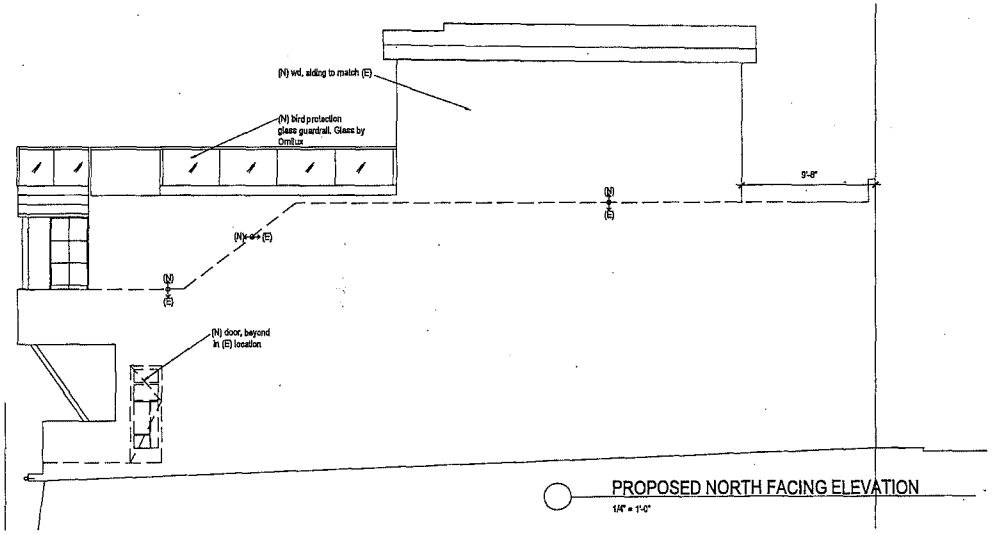
SCALE



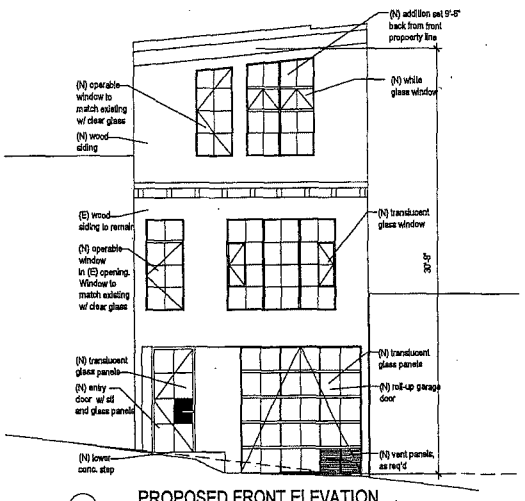
PROPOSED SOUTH FACING ELEVATION
1/4" = 1'-0"



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



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



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

liebes
architects

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING

PROPOSED EXT. ELEVATIONS

A4.0

DATE March 24, 2015

SCALE

Exhibit C

Gilpin Geosciences, Inc
Earthquake & Engineering Geology

January 30, 2015
91552.01

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

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

Dear Mr. and Mrs. de Wilde:

INTRODUCTION

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

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

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

RECOMMENDATIONS

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

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

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

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

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

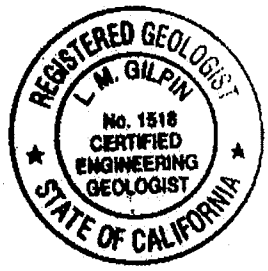
LIMITATIONS

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

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

Sincerely,

GILPIN GEOSCIENCES, INC.



Lou M. Gilpin
Enginerering Geologist

LANGAN TREADWELL ROLLO, INC.

Frank L. Rollo
Geotechnical Engineer

Attachment: 28 January 2015 Letter to SF Planning Commission

Exhibit D

SAN FRANCISCO
PLANNING DEPARTMENT

Certificate of Determination
Exemption from Environmental Review

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

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

PROJECT DESCRIPTION:

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

EXEMPT STATUS:

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

REMARKS:

See next page.

DETERMINATION:

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

Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

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

PROJECT DESCRIPTION (continued):

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

Project Approvals

The proposed project would require the following approvals:

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

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

REMARKS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EXEMPT STATUS:

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

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

CONCLUSION:

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