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RECEIVED BOARD OF SUPERVISORS SAMERANCISSO

2015 MAY 12 PM 5: 00

May 12, 2015

BJ

To:

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

From: Melody Mar

358 Vallejo Street

San Francisco, CA 94133

Melomm@ aol.com

Re:

Appeal of Determination of Exemption from Environmental Review

26 Hodges Alley

Hearing Date: May 19, 2015

Dear President Breed and Members of the Board of Supervisors,

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

#### **Project Description**

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

#### **Unique Site Background**

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

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

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

#### **Recent Developments**

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

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

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

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

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

#### **Procedural Background**

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

#### **CEQA** Categorical Exemption is Rebuttable

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

One, are there substantial unusual circumstances in this case?

Project is located on greater than 20% slope

- Project is located on a Landslide Zone. The Planning Department erred in stating that the project is not in a Landslide Zone. Did the Planning Department check the State of California Seismic Hazards map?
- In the rear, 26 Hodges sits on the edge of a near vertical unstable slope, and 20 feet below on the base, within inches of the base is a downslope neighbor's house. This is an extraordinary, exceptional, and an unusual circumstance, see Exhibit 3, artist drawing. Landslide geologists Betsy Mathieson and other geologists have never seen this site circumstance before, as structures usually have greater setbacks. This is not common for the vicinity. Even on our 44 hills, there are setbacks.
- 2012 and 2014 Notices of Violations for unstable slope. Exhibits 4 and 5.
- All four neighbors adjoining 26 Hodges are on and/or adjacent to the unstable cliff, and the entire cliff is unstable. On the attached 26 Hodges map, it indicates, "Dilated zone with open fractures, friable rock (high potential for topple), Closely fractured zone with open fractures, friable rock, Recent wedge failure, closely fractured and deeply weathered zone with roots." See attached map from 26 Hodges geologic/geotechnical report, plan #1, map in the back, Geologic Cross Section, B-B, Figure 5, Exhibit 2 pages. Attached 26 Hodges geologic/geotechnical report, plan #1, Exhibit 10
- In 2007, up one block, a major catastrophic landslide on Vallejo and Broadway Streets.
   In 2012, several block away, a major catastrophic landslide, Montgomery and Lombard Streets.
- Just recently, December 12, 2014, a rockslide/landslide from the project site, 26 Hodges.
   Attached NOVs, Exhibit 5.

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

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

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

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

#### Conclusion

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

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

Sincerely yours,

Melody Mar

President London Breed. San Francisco Board of Superusors May 12, 2015 Page 6

## EXHIBIT LIST

- 1. Appeal Letter, Certificate of Determination of Exemption from Environmental Review
- 2. Site Photo
- 3. Artist drawing of 26 Hodges & 358 Vallejo St.
- 4. 2012 Notice of Violation 2 pages
- 5. 2014 Notice of Violation 2 pages
- 6. Cotton Shines & Associates, John Wallace Geelogic & Geotechnical Report
- 7. Joshua B. Kardon, Structural Engineer Report
- 8. Discretionary Review Action Letter, March 12, 7015
- 9. Ho Hodges Map Condition of Entire Cliff Z pages Geologic Cross Section, B-B, Figure 5
- 10. 26 Hodges Geologie/Geolechnicae Report, Plan#1
- 11. 26 Hodges Plan Location of Moment Frames installation 8'(+-) From Slope

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

San Francisco, CA 94102

From: Melody Mar

358 Vallejo Street

San Francisco, CA 94133

Appeal of Exemption from Environmental Review Re:

26 Hodges Alley

Dear Board of Supervisors,

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

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

Sincerely yours,

Melody Dran Melomm@ and. com

Mar Date: april 10, 2015



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

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

1650 Mission St. Suite 400 San Francisco,

CA 94103-2479

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information:

415.558.6377

#### 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

Supervisor Chiu, District 3 (via Clerk of the Board)

Heidi Liebes, Project Sponsor Kate Conner, Current Planner Jonathan Lammers, Preservation Planner Historic Preservation Distribution List

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-footwide 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

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. 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.

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.<sup>3</sup>

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

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<sup>4</sup> 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.

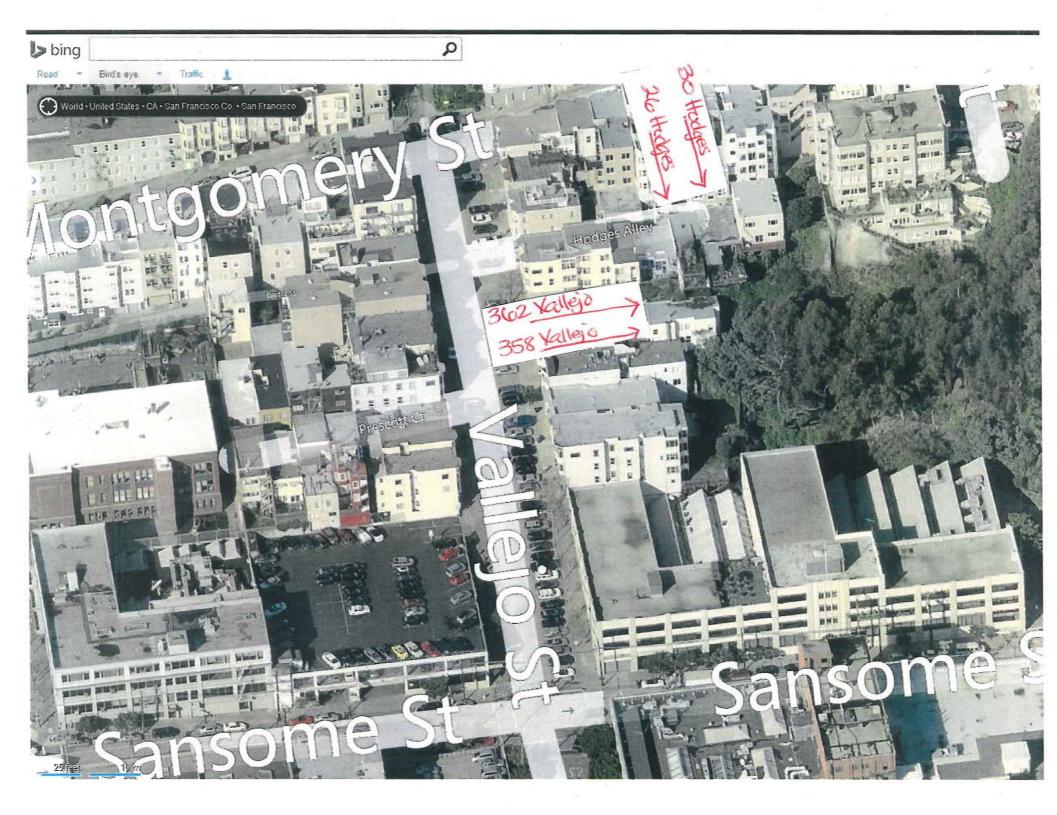
#### **EXEMPT STATUS:**

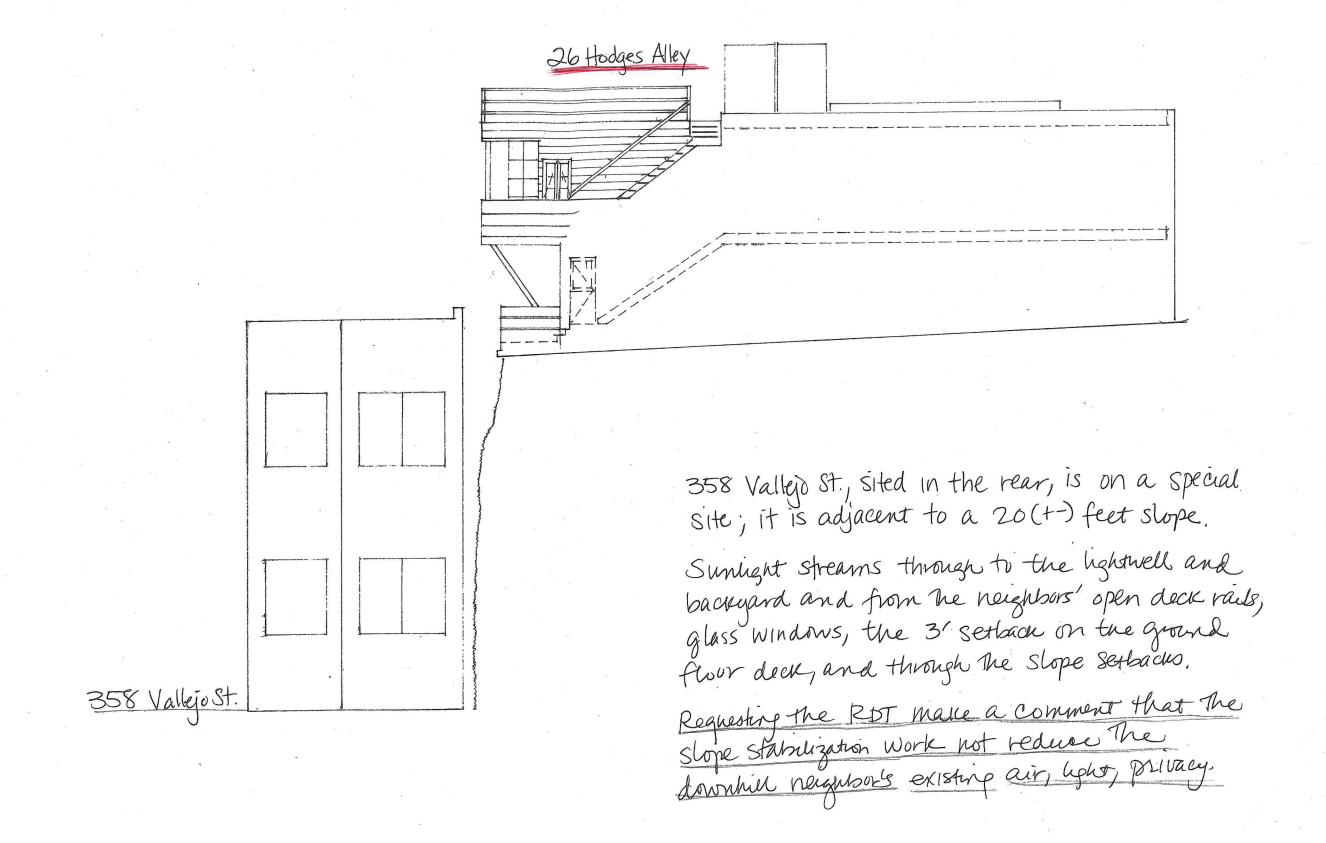
CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption for minor alteration of existing private structures, involving negligible or no expansion of use beyond that existing at the time of determination. Additionally, Class 1 exempts additions to existing structures provided that 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.

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.









## NOTICE OF VIOLATION

SAN FRANCISCO NOTICE OF VIOLATION
of the San Francisco Municipal Codes Regarding Unsafe,
substandard or Noncomplying Structure or Land or Occupancy

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	y of San Francisco San Francisco, CA 94103					(	<b>DATE:</b> 01-MAR-12	
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MAILING	ANN W SKJEI TRUST							
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	2735 NW ARTHU7R AVE CORVALLIS OR		97330					
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		THE STREET	KKECII	VE	ACTION	:	8	
<b>□STOP ALI</b>	L WORK SFBC 104.	2.4				415	5-558-6120	
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	OLATIONS WITHIN DAY	S.	□ NO I	PERMI	T REQUIRED			
YOU FAILED TO	COMPLY WITH THE NOTICE(S	S) DATE	D , THEREFORI	E THIS I	DEPT. HAS INITIAT	ED ABATEN	MENT PROCEEDINGS.	
	O COMPLY WITH THIS NO HMENT FOR ADDITIONAL		E. C.	E ABA'	TEMENT PROC	EEDINGS	TO BEGIN.	
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By:(Inspectors's S	Signature)				9			

### Permits, Complaints and Boiler PTO Inquiry

#### COMPLAINT DATA SHEET

Complaint

Number:

Owner/Agent:

201296253

Owner's Phone:

OWNER DATA SUPPRESSED

Date Filed:

Location: Block:

26 HODGES AL 0134 012

Contact Name: Contact Phone: Complainant:

COMPLAINANT DATA SUPPRESSED

Lot: Site:

Rating:

Division:

Occupancy Code:

Received By:

Alma Canindin PID

02/22/2012

Complainant's Phone:

Complaint

OFFICE VISIT

Source: Assigned to

Division:

Description:

In the rear of property, below deck, hazardous rocks and mud sliding off fractured rock slope Hazard to all on hillside.

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	DUFFY	1100	ja	

#### REFFERAL INFORMATION

#### COMPLAINT STATUS AND COMMENTS

DATE	TYPE .	DIV	INSPECTOR	STATUS	COMMENT
02/22/12	CASE OPENED	BID	Duffy	CASE RECEIVED	1 30
03/01/12	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	FIRST NOV SENT	Issued 1st NOV by Inspector D. Duffy
03/06/12	OTHER BLDG/HOUSING VIOLATION	ÍNS	Duffy	CASE UPDATE	Mailed copy of 1st NOV mst
03/29/12	OTHER BLDG/HOUSING VIOLATION	CES	Duffy	CASE CONTINUED	Received letter from Albert Urrutia S.E. He will visit the site on 3/29/12 and keep me apprised of developments.
06/05/14	OTHER BLDG/HOUSING VIOLATION	INS	Duffy	CASE CONTINUED	Continue for engineers report per DD

#### COMPLAINT ACTION BY DIVISION

NOV (HIS):

NOV (BID):

03/01/12

Inspector Contact Information

Online Permit and Complaint Tracking home page.

#### **Technical Support for Online Services**

If you need help or have a question about this service, please visit our FAQ area.

Contact SFGov Accessibility Policies City and County of San Francisco @2000-2009

## Permits, Complaints and Boiler PTO Inquiry

/w EPDw UKLTE3I

EBE5C146

/w EWAgK7hu3vt

#### COMPLAINT DATA SHEET

Complaint

Number:

OWNER DATA

Owner/Agent: Owner's

Phone:

Contact

Name: Contact

Phone:

Complainant:

COMPLAINANT DATA

SUPPRESSED

**TELEPHONE** 

BID

Complainant's

Phone: Complaint

Source:

Assigned to

Division:

Description:

Instructions:

DIVISION

BID

INSPECTOR INFORMATION

INSPECTOR

**POWER** 

ID 6270

15

DISTRICT PRIORITY

COMMENT

#### REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

DATE TYPE **DIVINSPECTOR STATUS** 

Power

CASE RECEIVED

COMPLAINT ACTION BY DIVISION

NOV (HIS):

12/12/14 CASE OPENED BID

NOV (BID):

201412371

Date Filed: 12/12/2014

26 HODGES AL

Block: 0134

Lot:

Location:

012

Site:

Rating: Occupancy Code:

Received By:

Maria Asuncion

Division:

Rock slide from the back of 26 Hodges hit neighbor's home at 358

Vallejo.

PID

## Permits, Complaints and Boiler PTO Inquiry

/w EPDw UKLTE31

EBE5C146

/w EWAgKqoce/E

#### **COMPLAINT DATA SHEET**

Complaint

Number:

201413221

Owner/Agent: OWNER DATA

SUPPRESSED

Date Filed:

Owner's

Phone: Contact 10

Location:

Block:

0134

Name: Contact

Phone:

Lot:

012

26 HODGES A

COMPLAINANT

Complainant:

DATA

Site:

SUPPRESSED

Rating: Occupancy

Code: Received By:

JingJing Lu

Complainant's

Phone:

Division:

BID

Complaint Source:

**TELEPHONE** 

Assigned to

Division:

BID

Vertical bank of shale rock approx 15 ft high at 26 Hodges Alley is approx 18"-24" away from p/l wood framed wall. At 358-60 Vallejo St

Description:

approx 1 cubic yard of rock has detached from bank and is restine against wood framed p/l wall at 358-60 Vallejo St. Other sections of the bank has loose rock, and may detach in furture. SFBC 102A

Instructions:

#### INSPECTOR INFORMATION

DIVISION INSPECTOR

ID DISTRICT PRIORITY

BID

**POWER** 

6270

15

#### REFFERAL INFORMATION

#### COMPLAINT STATUS AND COMMENTS

DATE TYPE DIVINSPECTOR STATUS

COMMENT

**OTHER** 

12/12/14 BLDG/HOUSING BID VIOLATION Power

FIRST NOV SENT

1st NOV sent by RP



February 17, 2015 G5084

Ms. Melody Mar 358 Vallejo Street San Francisco, California

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

SUBJECT:

Geologic and Geotechnical Summary of Site Conditions and Review of

Gilpin Geosciences, Inc. Report

RE:

Proposed Slope Stabilization of Near-Vertical Rock Slope

Hodges Alley and Vallejo Street

San Francisco, California

Dear Ms. Mar and Mr. Wood:

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

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

#### DISCUSSION

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

#### PREVIOUS SITE RECONNAISSANCE

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

#### RECENT SITE RECONNAISSANCE

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

#### SUMMARY OF OPINIONS REGARDING SITE CONDITIONS

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

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

#### REVIEW OF PROPOSED STABILIZATION CONCEPT

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

- 1. Scaling Scaling of loose and weathered rock from the rock face;
- Concrete Removal Demolish and remove the existing thick concrete stem wall from the top of the slope;
- Shotcrete The upper approximately 7 vertical feet of the slope will be covered
  with reinforced shotcrete. The shotcrete will include 12-inch dowels drilled into
  the rock face to help secure the shotcrete to the rock face;
- 4. **Vertical Dowels** A line of vertical dowels will be installed along the top of the slope, drilled the full height of the slope and to a depth of at least 3 feet below the base of the slope. The line of dowels will be set back a minimum of 3 feet from the top of the slope.
- 5. Wire Mesh Wire mesh slope netting will be draped over the slope, and attached to the vertical anchors at the top of the slope.
- New Residential Loads Gilpin Geosciences, Inc. indicates that new additions
  are proposed for 26 Hodges, but that any additional building loads will be
  conveyed to the existing footings, and will not place new loads onto the steep
  rock face area.

#### CSA COMMENTS

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

- A. A comprehensive repair should ideally be attempted that includes the four property owners at 358 and 362 Vallejo Street, and 26 and 30 Hodges Alley.
- B. The steep rock slope conditions at 26 Hodges Alley are also present at 362 Vallejo Street, and 30 Hodges Alley. It is our opinion that 362 Vallejo Street and 26 Hodges Alley contain similar site constraints and could be mitigated with similar

- methods. 30 Hodges Alley is not constrained (for the most part) by the presence of the residential structure at 358 Vallejo Street, and thus, could be mitigated without the tight space constraints inherent to the neighboring slope to the south.
- C. Based on our observations, the northwest wall of the 358 Vallejo Street structure appears to be deflected inwards by the rock debris load. We recommend that the structure be evaluated by a structural engineer as soon as possible, and structural repairs (if needed) be identified. Depending upon the nature of necessary structural repairs, there may be an opportunity to use more traditional rock slope mitigation measures along the steep slope. For example, if the wall covering needs to be removed, it may be possible to install tensioned rock anchors in a near-horizontal orientation to apply an active force against the rock face rather than the passive support provided by the proposed vertical dowels. In addition, it may be possible to extend the shotcrete lower on the slope than currently proposed.
- D. The Gilpin letter does not address rock debris removal. We recommend the rock debris be removed as soon as possible from against the 358 Vallejo Street structure. Additional rockslides could place new loads on an already compromised structure.
- E. Scaling of the loose rock blocks from the slope should include adequate protection for the residence at 358 Vallejo Street, including placement of steel plates or wood planks, or other measures, to protect the residence.
- F. Drainage details of the shotcrete facing (such as drainage panels) should be included in any final plans to help reduce the potential for the buildup of hydrostatic pressure.
- G. Shotcrete reinforcing details should be included in the final mitigation plans, including consideration of supporting the steel reinforcing (i.e., welded wire mesh) and shotcrete face by the vertical rock anchors.
- H. The rock slope mitigation plan should include a mechanism to convey surface water from behind the residential structure at 358 Vallejo Street, northward to an appropriate discharge location.
- Consideration should be given to colorizing/texturing the shotcrete for a more natural appearance.
- J. Consideration should be given to utilizing rock anchors that meet PTI's Class I corrosion protection standards.

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

#### INVESTIGATION LIMITATIONS

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

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

Very truly yours,

COTTON, SHIRES AND ASSOCIATES, INC.

John M. Wallace

Principal Engineering Geologist

**CEG 1923** 

Dale R. Marcum Geologic Engineer

CE 65837

DRM:JMW:st

Joshua B. Kardon + Co

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

March 7, 2015

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

#### Via electronic transmittal to steven.wood@rmkb.com

Subject:

Rock Fall, Melody Mar Property

358-360 Vallejo St., San Francisco, CA

Dear Mr. Wood:

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

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

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

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

(continued)

March 7, 2015 Steven G. Wood Ropers, Majeski, Kohn & Bentley 1001 Marshall Street, Suite 1000 Redwood City, CA 94063-2052 Rock Fall, Melody Mar Property 358-360 Vallejo St. San Francisco, CA Page 2

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

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

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

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

No. 2305

Yours truly.

Joshua B. Kardon

Lawrence B. Karp



## SAN FRANCISCO ANNING DEPARTMENT

## Discretionary Review Action DRA-0410

**HEARING DATE: MARCH 12, 2015** 

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Date: Case No .:

March 20, 2015 2014-001042DRP

Project Address:

26 HODGES ALLEY

Permit Application: 2013.03.21.2735

Zoning:

RH-3 (Residential House, Three-Family) District

Telegraph Hill North Beach Residential Special Use District

40-X Height and Bulk District

Block/Lot:

0134/012

Project Sponsor:

Heidi Liebes

Liebes Architects

450 Sansome Street, Suite 1200

San Francisco, CA 94111

Staff Contact:

Kate Conner - (415) 575-6914

kate.conner@sfgov.org

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2013.1652DV AND THE APPROVAL OF BUILDING PERMIT 2013.03.21,2735 PROPOSING CONSTRUCTION OF A SIDE ADDITION TO THE NORTHERN PROPERTY LINE AT THE FIRST AND SECOND FLOORS WHICH ENCROACHES INTO THE REAR YARD SETBACK AND A THIRD FLOOR ADDITION WHICH COMPLIES WITH THE REAR YARD REQUIREMENT. THE PROJECT IS SUBJECT TO APPROVAL OF A REAR YARD VARIANCE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE RH-3 (RESIDENTIAL HOUSE, THREE-FAMILY) DISTRICT, THE TELEGRAPH HILL NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND THE 40-X HEIGHT AND BULK DISTRICT.

#### PREAMBLE

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

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

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

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

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

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

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

### ACTION

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

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

### BASIS FOR RECOMMENDATION

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

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

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

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

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

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

Jonas P. Ionin Commission Secretary

AYES:

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

NAYS:

None

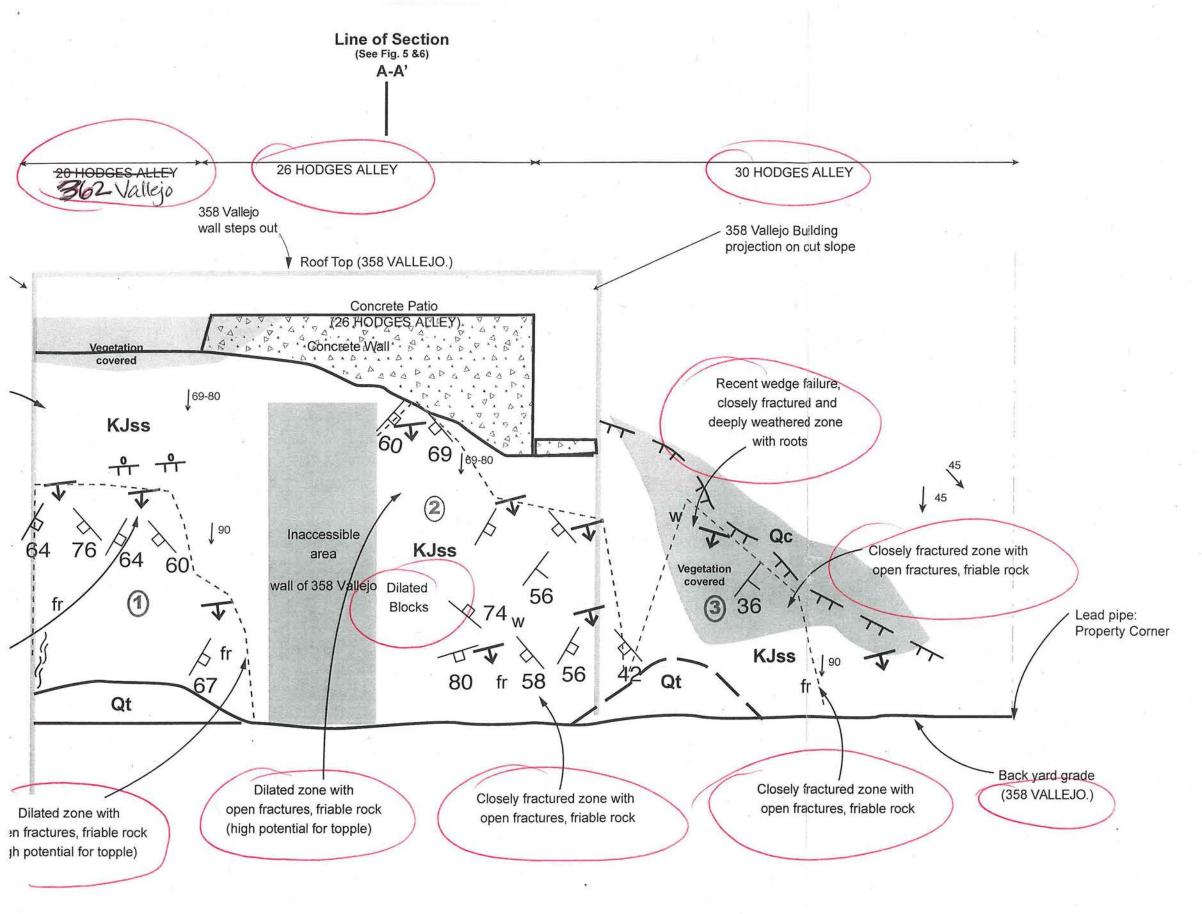
ABSENT:

None

ADOPTED:

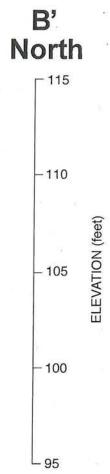
March 12, 2015

EXHIBIT 9

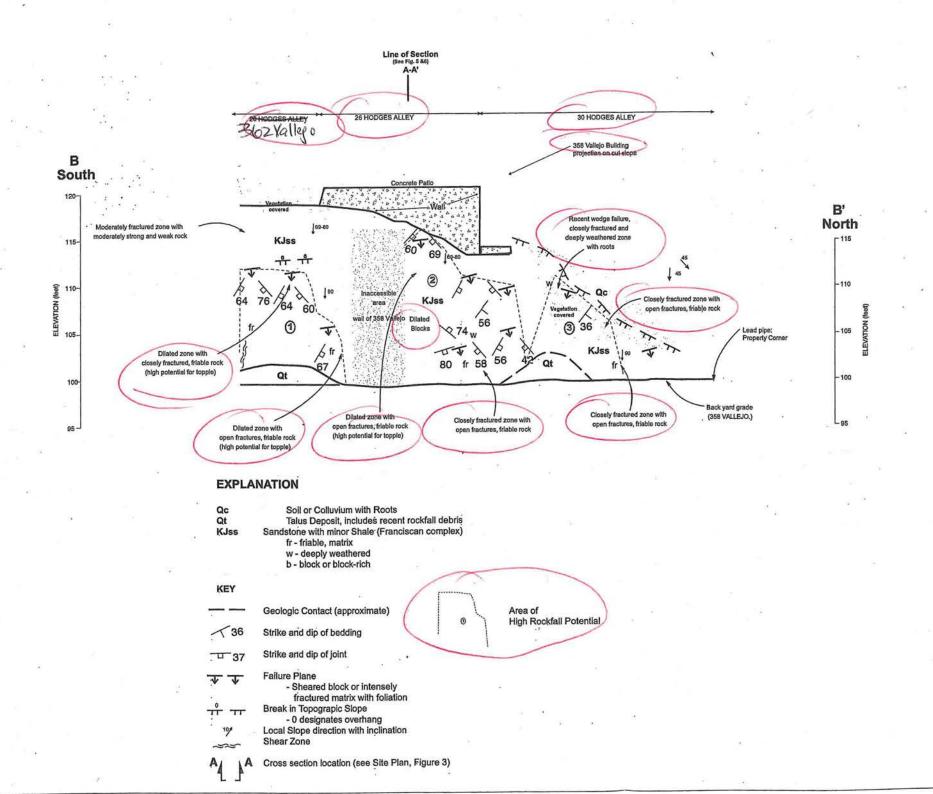


# **(PLANATION**

Soil or Colluvium with Roots Talus Deposit, includes recent rockfall debris Sandstone with minor Shale (Franciscan complex)



Geologic Cross Sachon B-B' 26 Hodges Alley Dote: 5/28/13 Fgure 5 Gilpin Geosciences, Inc.



Notes1. Standard tape and compass mapping techniques, feature locations are approximate.

Geologic interpretation based on limited reconnageologic mapping
 Line of section shown on Figure 3 Site Plan.

4. No vertical exaggeration (Horizontal=Vertical).

# **GEOLOGIC CROSS SECTION** B-B'

**DEWILDE RESIDENCE** 26 HODGES ALLEY San Francisco, California

Date 5/28/13

Project No. 91552.01 Figure 5



EXHIBIT 10

# Gilpin Geosciences, Inc Earthquake & Engineering Geology

May 28, 2013 91552.01

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

Subject:

Engineering Geologic and Geotechnical Investigation

**Residential Improvements** 

26 Hodges Alley

San Francisco, California

Dear Mr. And Mrs. de Wilde:

### INTRODUCTION

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

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

### SCOPE OF SERVICES

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

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

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

### **FINDINGS**

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

### **Site Conditions**

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

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

# Background

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

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

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

# Aerial Photograph Review

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

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

# Regional Geology

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

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

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

# Site Geology

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

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

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

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

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

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

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

# Seismicity

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

TABLE 1
Regional Faults and Seismicity

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

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

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

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

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

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

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

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

### CONCLUSIONS AND RECOMMENDATIONS

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

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

# Soldier Pile Wall Design and Construction

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

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

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

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

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

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

### GEOTECHNICAL SERVICES DURING CONSTRUCTION

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

### LIMITATIONS

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

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

Sincerely,

GILPIN GEOSCIENCES, INC.

TREADWELL & ROLLO, INC.,

A Langan Company

Lou M. Gilpin

Enginerering Geologist

Frank L. Rollo

Geotechnical Engineer

Attachments:

REFERENCES

**TABLES** 

Table 1

Regional Faults and Seismicity

LIST OF FIGURES

Figure 1 Site Location Map

Figure 2 Regional Geology Map

Figure 3 Site Plan

Figure 4 Geologic Cross Section A-A'

Figure 5 Geologic Cross Section B-B'

Figure 5 Conceptual Repair Section A-A'

Figure 6 Conceptual Repair Section B-B'

# REFERENCES

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

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

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

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

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

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

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

### LIST OF AERIAL PHOTOGRAPHS

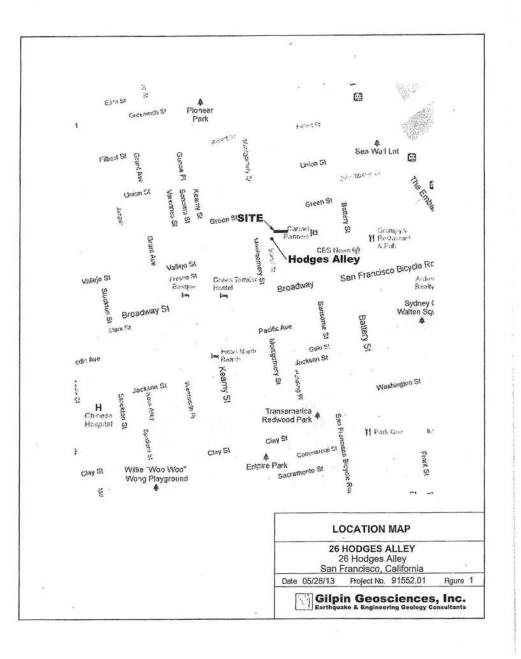
# Aerial Photographs

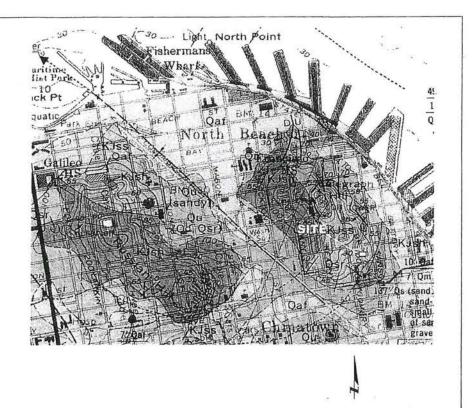
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06/23/97	AV 5434-6-3, 4	1:12,000
02/13/95	K-SF-E-467	Oblique
00/00/35	AV 248-2-1,2	1:16,500

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FIGURES

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### **EXPLANATION**

Qsr - Slope debris & ravine fill

Qu - Surficial deposits (undifferentiated)

Qal - Alluvium

Qaf - Artificial fill

Qc - Colma Formation

Franciscan Complex Bedrock

KJsh - shale & thin sandstone beds

KJss - sandstone with thin shale beds

Regional Geology Map

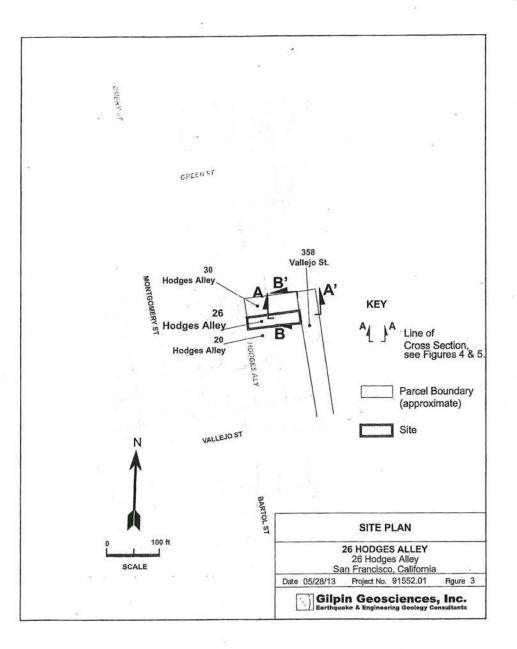
Approximate scale

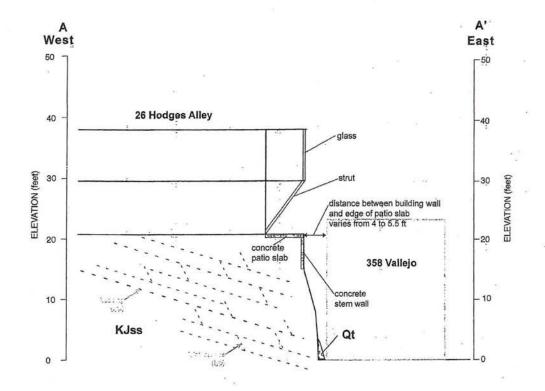
2000 Feet

26 HODGES ALLEY San Francisco, California

9 5/28/13 Project No. 91552.01 Figure 2

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## Explanation

Qt **KJss**  Talus, includes recent rockfall debris.

Sandstone/Shale (Franciscan Complex Melange)

Key

Cross section location (see Site Plan, Figure 3)

Notes:

1. Geologic Interpretation based on limited reconnaissance geologic mapping

2. Line of section shown on Figure 3 Site Plan.

3. No vertical exaggeration (Horizontal=Vertical).

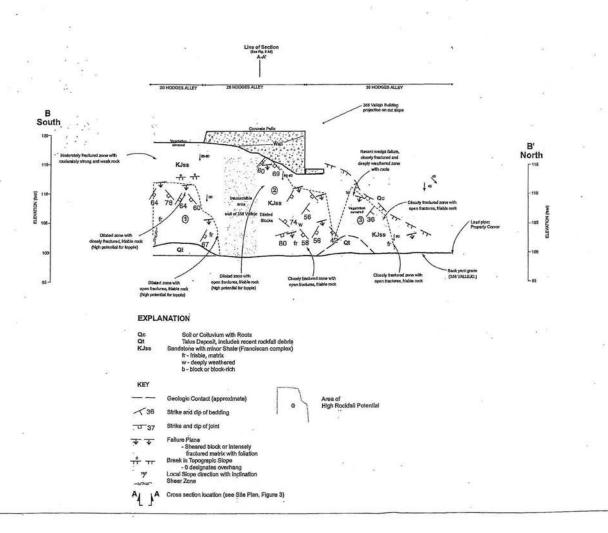
### Geologic Cross Section A-A'

DE WILDE RESIDENCE 26 Hodges Alley San Francisco, California

Date 5/28/13

Project No. 91552.01





otes1, Standard tape and compass mapping techniq locations are approximate.

2. Geologic interpretation based on Emitted recor geologic mapping

3. Linu of section shown on Figure 3 Site Plan.

### GEOLOGIC CROSS SECTION B-B'

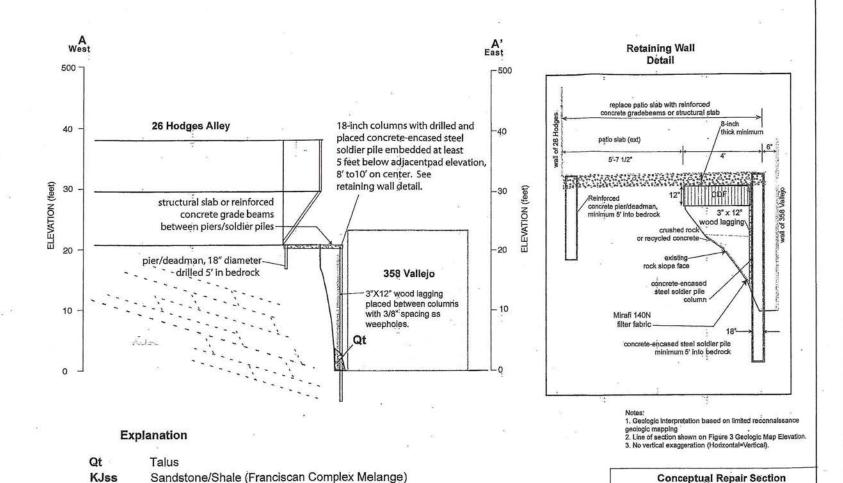
DEWILDE RESIDENCE 26 HODGES ALLEY San Francisco, California

Date 5/28/13

Project No. 91552.01 Figure 5

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Key

Cross section location (see Site Plan, Figure 3)

A-A'

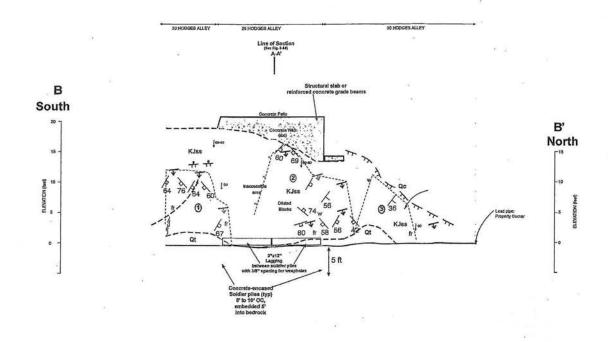
DE WILDE RESIDENCE
26 Hodges Alley
San Francisco, California

Project No. 91552.01

Gilpin Geosciences, Inc.

Figure 6

Date 5/28/13



EXPLANATION (see Figure 5)

Conceptual Repair Section
B-B'
DEWILDE RESIDENCE
26 HODGES ALLEY
San Francisco, California

Date 5/28/13

Project No. 91552.01 Figure 7

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# EXHIBIT

