

File No. 181200

Committee Item No. _____

Board Item No. 59

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: January 15, 2019

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter - 12/07/18</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Appeal Response - 01/07/19</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Supplemental Appeal Letter - 01/04/19</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Hearing Notice - 12/31/18</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Clerical Documents</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Lisa Lew

Date: January 10, 2019

Prepared by: _____

Date: _____

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

BOARD OF SUPERVISORS
SAN FRANCISCO

2018 DEC -7 PM 3:25

BY BA

235 Montgomery Street, Suite 400
San Francisco, California 94104
Telephone (415) 956-8100
Facsimile (415) 288-9755
www.zfplaw.com

December 7, 2018

VIA HAND DELIVERY

President Malia Cohen
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Re: Appeal of CEQA Categorical Exemption Determination
Planning Case No. 2015.004717ENV
11 Gladys Street, San Francisco

Dear President Cohen and Honorable Members of the Board of Supervisors:

This office represents the Appellant David Donofrio, the adjacent neighbor to the south of the proposed project at 11 Gladys Street, San Francisco (Planning Case No. 2015.004717ENV, the "Project"). The Project involves the addition a new level to the existing house at 11 Gladys Street (the "Subject Property"). On September 29, 2017, the Planning Department issued a categorical exemption for the Project. The Appellant requested discretionary review of the Project – this request was denied by the Planning Commission on November 8, 2018.

The Appellant opposes the above-captioned Project, inter alia, on the grounds that the Planning Department's certification of a categorical exemption for the Project violates the California Environmental Quality Act ("CEQA"). The Appellant submitted comments about the Project to the Planning Commission during the public notification period for the Project, including in writing on October 4, 2018, and orally.

Pursuant to San Francisco Administrative Code § 31.16, Appellant hereby appeals the September 29, 2017, Categorical Exemption (attached hereto as **Exhibit A**), which became final on November 8, 2018, when the Planning Commission denied the Appellant's request for Discretionary Review. (Administrative Code § 31.04(h)(1)(A).) A copy of the Planning Commission's meeting minutes for November 8, 2018, is attached hereto as **Exhibit B**. A copy of this letter of appeal will be concurrently submitted to the Environmental Review Officer.

There are significant unmitigated impacts associated with the Project, including potential geotechnical impacts that have not been analyzed. The Subject Property is on a steep slope, with a 10-12' tall existing retaining wall along the southeast property line. The existing retaining wall is an unreinforced gravity wall.

The College Hill reservoir is uphill from the Subject Property, with a capacity of 13.5 million gallons of water. The City filed a building permit for seismic upgrades of the reservoir in 2000, with the scope of work described as "SEISMIC RETROFIT COLLEGE HILL RESVR WORK INCLUDES CON SHEAR WALL/FOOTINGS, STRUCT STEEL COLLECTORS WO." However, this permit was never finally signed off by the Building Department.

The reservoir has a wide, flat berm that acts as a buttress against the force of the water pushing downhill. The berm is between the reservoir and the Subject Property. Due to the steepness of the slope between the Subject Property and the reservoir (at a grade of around 30%), there is a risk that foundation work at the Subject Property or failure of the existing retaining wall would destabilize the slope. The destabilization of the slope supporting the reservoir berm could lead to a catastrophic failure of the reservoir. The potential risk of slope stability issues is small, but is a risk with catastrophic consequences, and should *be analyzed*.

The slope stability impacts of the Project have not been analyzed at any point, despite the fact that the Project will require excavation and soil disturbance. The Environmental Evaluation Application claimed that the Project will not result in excavation or soil disturbance. (A copy of the EEA is attached hereto as **Exhibit C**.) This is incorrect. The Project is adding a level, which will increase the dead, live, and seismic loads on the existing archaic foundations. In order to support the increased loading, the Project sponsor will need to retrofit or replace of the existing foundations and retaining wall – this necessarily involves excavation and soil disturbance. Indeed, the geotechnical report prepared for the Project notes that grading and excavation will occur.

However, the EEA and geotechnical report do not disclose the extent of the excavation and soil disturbance associated with the Project. Similarly, these documents fail to analyze slope conditions uphill, or the impact of excavating downhill from the reservoir. A geotechnical report should have been prepared that analyzes the slope stability and other geotechnical impacts of the Project.

Moreover, we expect the excavation required for the Project to result in cumulative soil disturbance/modification greater than eight feet below grade, so that an archeological study would be required. No archeological survey has been prepared in relation to the Subject Property, which is located in a historically populated area of the Rancho Rincon de las Salinas (an 1839 Mexican land grant), near Cayuga Creek and the road to San Jose (now known as San Jose Avenue). Given the excavation work that will be required at the Subject Property, an archeological study should have been prepared.

The Appellant reserves the right to submit additional written and oral comments, bases, and evidence in support of this appeal to the City up to and including the final hearing on this appeal and any and all subsequent permitting proceedings or approvals for the Project. Appellant requests that this letter and exhibits be placed in and incorporated into the administrative record for Case No. 2015.004717ENV. The Appellant respectfully requests that the Board of Supervisors revoke the categorical exemption and require further environmental review pursuant to CEQA.

Very truly yours,
ZACKS, FREEDMAN & PATTERSON, PC



Sarah M. K. Hoffman
Attorney for David Donofrio

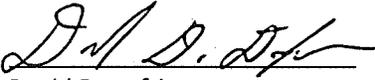
cc: Lisa Gibson, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
lisa.gibson@sfgov.org

Michael Christensen
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
michael.christensen@sfgov.org

December 6, 2018

I hereby authorize the attorneys of Zacks, Freedman & Patterson, PC to file an appeal against the Categorical Exemption Determination for Planning Case No. 2015.004717ENV (11 Gladys Street) on my behalf.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Donofrio", written over a horizontal line.

David Donofrio
19 Gladys Street

EXHIBIT A



**SAN FRANCISCO
PLANNING DEPARTMENT**

BOARD OF SUPERVISORS
SAN FRANCISCO

2016 DEC -7 PM 3:25

BJ

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
11 Gladys Street		5710/027	
Case No.	Permit No.	Plans Dated	
2015-004717ENV	2016.1208.4425	06/01/2016	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Approx. 660 sq. ft. third story vertical addition to the existing two-story, single-family dwelling.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maheer program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maheer layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

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

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input checked="" type="checkbox"/>	<p>10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p><input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: _____ (attach HRER)</p> <p>b. Other (specify): Per PTR form approved by T. Tam signed 03/20/2017.</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p>	
<p>Preservation Planner Signature: Doug Vu Digitally signed by Doug Vu Date: 2017.03.21 10:43:04 -07'00'</p>	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Doug Vu</p> <hr/> <p>Project Approval Action:</p> <p>Building Permit</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <p>Doug Vu</p> <p>Digitally signed by Doug Vu Date: 2017.09.26 15:12:11 -07'00'</p>
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Preservation Team Meeting Date:	N/A	Date of Form Completion:	2/27/2017
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PROJECT INFORMATION:		
Planner:	Address:	
Doug Vu	11 Gladys Street	
Block/Lot:	Cross Streets:	
5710/027	Santa Marina Street & Appleton Avenue	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2015-004717ENV / 2016.1208.4425

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	06/01/2016
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Supplemental for Historic Resource Determination prepared by Tim Kelley Consulting, dated September 2015.	

PRESERVATION TEAM REVIEW:			
Category:	<input type="radio"/> A	<input type="radio"/> B	<input type="radio"/> C
Individual	Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 2 - Persons: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 3 - Architecture: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 4 - Info. Potential: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Period of Significance: <input type="text"/>	Period of Significance: <input type="text" value="N/A"/>		
<input type="radio"/> Contributor <input type="radio"/> Non-Contributor			

Complies with the Secretary's Standards/Art 10/Art 11	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment to the individual historic resource	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
CEQA Material Impairment to the historic district	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

PRESERVATION TEAM COMMENTS:

The up- and laterally-sloping property at 11 Gladys Street was originally improved with a two-story single-family dwelling constructed in 1941 in a vernacular traditional style. The house has a roughly L-shaped footprint that is clad in stucco and rustic siding, and capped with a flat roof behind a false hipped eave supported by false rafter tails. The primary facade includes a roll-up garage door and small window at the ground story, and a second story that has a bump-out at the left side with a small corner hung wood sash window and tripartite window to the right underneath a false gable, and the floors separated by scalloped trim. A courtyard is located at the southeast corner of the property, which includes brick entry stairs that run parallel to the street and leads to a diagonally set covered front entrance. The building steps back behind the courtyard at right angles to form the irregular L-shaped plan, and includes multiple wood sash windows. The majority of the buildings on this block of Bernal Heights were constructed between 1900 and 1912, with the exception of two 1940s infill homes that include the subject property.

Pursuant to the Supplemental for Historic Resource Determination prepared by Tim Kelley Consulting dated September 2015 and additional research completed by Department staff, previous alterations to the building include raising the foundation in the garage area to standard grade, installation of four aluminum windows at the primary facade and interior renovations. The subject building is not architecturally distinct and would not qualify for listing in the CA Register under Criterion 3.

The original owner and occupant, Fred Isaacson, resided shortly on the property until 1945, followed by ten unrelated owners between 1945 to present day. The current owner and resident, Robert Oliver, has resided there since 1999. An additional seven people who were unrelated to the respective owners have also occupied the residence between 1943 and 1982. No known historic events occurred at the subject property under Criterion 1, and none of the owners and occupants have been identified as important to history under Criterion 2.

The building is not located within the boundaries of any identified historic district, and is not eligible for listing in the CA Register under any criteria individually or as part of a historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator	Date
	3.20.2017

Google Maps 11 Gladys St



San Francisco, California
Street View - Jul 2015

Image capture: Jul 2015 © 2017 Google

<https://www.google.com/maps/@37.7400595,-122.4224517,3a,90y:111.08h:88.41t/data=!3m6!1e1!3m4!1sKSpG2W6BZgN0ckSi0G5H-gJ2e0I7r13312I8I6656>

EXHIBIT B

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, November 8, 2018

1:00 p.m.

Regular Meeting

COMMISSIONERS PRESENT: Fong, Hillis, Johnson, Koppel, Melgar, Richards
COMMISSIONERS ABSENT: Moore

THE MEETING WAS CALLED TO ORDER BY PRESIDENT HILLIS AT 1:08 PM

STAFF IN ATTENDANCE: Aaron Starr, Tim Frye – Preservation Officer, Esmeralda Jardines, Rachel Schuett, Nick Foster, Chris May, Mary Woods, Kimberly Durandet, Michael Christensen, David Winslow, Jonas P. Ionin – Commission Secretary, Christine L. Silva – Acting Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2017-015810CUA (L. HOAGLAND: (415) 575-6823)
830 RHODE ISLAND – located on the west side of Rhode Island Street, between 20th and 22nd Streets, Lot 006 in Assessor's Block 4094 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 317, to demolish an existing two-story single-family dwelling and construct a new four-story structure with two dwelling units. The subject property is located within a RH-3 (Residential-House, Three-

Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

(Proposed Continuance to December 6, 2018)

SPEAKERS: None
 ACTION: Continued to December 6, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore

2. 2016-015675CUA (A. LINDSAY: (415) 575-9178)
2990 24TH STREET – northeast corner of the Harrison Street and 24th Street intersection, Lot 040 of Assessor's Block 4206 (District 9) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303(c) and 763, to install a new rooftop AT&T Mobility Macro Wireless Telecommunications Facility consisting of (2) new FRP enclosures; (9) new antennas; (24) new RRHs; (1) GPS antenna; ancillary equipment; and (1) equipment room within the existing building as part of the AT&T Mobility Telecommunications Network. The subject property is located within the 24th-Mission NCT (Neighborhood Commercial Transit), and 55-X Height and Bulk Districts. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on September 13, 2018)

(Proposed Continuance to December 20, 2018)

SPEAKERS: None
 ACTION: Continued to December 20, 2018
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore

3. 2015-008351DRP-06 (D. WINSLOW: (415) 575-9159)
380 HOLLADAY AVENUE – between Holladay and Brewster; Lots 001, 004, 005, and 006 in Assessor's Block 5577 (District 9) - Request for **Discretionary Review** of Building Permit Application Nos. 2017.02.27.0142; 2015.06.22.9589; 2015.06.22.9593; and 2015.06.22.9594 for construction of four single family houses within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions

(Proposed Continuance to January 10, 2019)

SPEAKERS: None
 ACTION: Continued to January 10, 2019
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

4. 2018-009951CUA (B. HICKS: (415) 575-9054)
1541 SLOAT BOULEVARD – south side of Sloat Boulevard between Clearfield Drive and Everglade Drive, within Lakeshore Plaza Shopping Center, Lot 004 of Assessor's Block 7255 (District 7) - Request for a **Conditional Use Authorization**, pursuant to Planning Code Sections 303, 713, and 780.1, to permit a change of use from retail to a limited restaurant (dba Teaspoon). The project scope of work consists of an interior remodel. The subject property is located within a NC-S (Neighborhood Commercial Shopping Center Zoning District), Lakeshore Plaza Special Use District, and 26-40-X Height and Bulk Districts. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 MOTION: 20331

5. 2018-011019CUA (L. HOAGLAND: (415) 575-6823)
400 WINSTON DRIVE – north side of Winston Drive, adjacent to the Stonestown Galleria, and generally bounded by Eucalyptus Drive to the north, Buckingham Way to the west (privately owned by Stonestown Galleria), Winston Drive to the south, and 19th Avenue to the east; Lot 004 of Assessor's Block 7295 (District 7) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 210.1 and 303 to allow a single retail use greater than 50,000 square feet within the C-2 (Community Business) Zoning District and 65-D Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
Preliminary Recommendation: Approve with Conditions

SPEAKERS: None
 ACTION: Approved with Conditions
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 MOTION: 20332

6. 2018-008620CUA (M. CHANDLER: (415) 575-9048)
693 14TH STREET – south side between Market and Landers Streets; Lot 070 of Assessor's Block 3544 (District 8) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 764, to establish an Institutional Use (dba Castro/Upper Market Community Benefit District) within a currently vacant 905 square foot ground floor tenant space most recently used as a General Retail Sales and Service Use within the Upper Market NCT (Neighborhood Commercial Transit) Zoning District, Market and Octavia Planning

Area, and split Height and Bulk district of 50/55-X & 40-X. This project was reviewed under the Community Business Priority Processing Program (CB3P). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

- SPEAKERS: None
- ACTION: Approved with Conditions
- AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
- ABSENT: Moore
- MOTION: 20333

- 7. 2017-007215DRM (E. TUFFY: (415) 575-9191)
506 VALLEJO STREET – North side of Vallejo between Kearny Street and Grant Avenue, Lot 006 in Assessor’s Block 0132 (District 3) – Application for **Mandatory Discretionary Review**, pursuant to Planning Code Section 249.49, to permit the installation of a new garage within an existing three-dwelling-unit building. The subject property is located within a RM-2 (Residential – Mixed, Moderate Density), Telegraph Hill-North Beach Residential Special Use District, and 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Approve

- SPEAKERS: None
- ACTION: Took DR and Approved
- AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
- ABSENT: Moore
- DRA: 0623

C. COMMISSION MATTERS

- 8. Consideration of Adoption:
 - Draft Minutes for October 18, 2018
 - Draft Minutes for October 25, 2018

- SPEAKERS: None
- ACTION: Adopted
- AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
- ABSENT: Moore

- 9. Commission Comments/Questions

Commissioner Richards:

I mentioned probably a year and a half ago that somebody from the SFMTA saying, a planner saying, they missed the whole transportation networking company's ride hailing, Uber and Lyft. They said, "Frankly, we were caught by surprise." A couple of Sundays ago in the San Francisco Chronicle, the headline caught my eye. They said driverless cars won't help this traffic, planner says. A noted urban planner, Peter Caltorphe, from Berkeley, actually saying if we think that self-driving cars are going to alleviate congestion, we need to think again. Because he has done simulations and the distinction that he has is a number of people that are going to be driving in each car, it's still going to be solo. When

people realize the convenience of a self-driving car, they're going to order it up. They're going to go to the dry cleaners, they're going to go and get their groceries, then they are going to go home. And he says that total vehicle miles travelled will probably increase and congestion will increase. So, I think that is one thing. I may send personally a letter to the SFMTA saying let's not miss this one too, but that was interesting. The other one was I met with Preservation Vice President, HPC Vice President Hyland. And I know we got a whole docket of things we need to talk about this year, housing, being the biggest priority. But we put together a draft, a list of items that we wanted to talk about when we have our joint HPC - Planning Commission hearing and I will send it to the secretary to circulate for a comment.

D. DEPARTMENT MATTERS

10. Director's Announcements

Dan Sider:

Commissioners, good afternoon, Dan Sider from staff, filling in for director Rahaim, who is overseas at the moment. The only very brief item for your acknowledgement perhaps today, is to call out our Commission Secretary, Jonas Ionin, and wish him a very happy birthday.

Jonas P. Ionin, Commission Secretary:

Thank you. Thank you. Thank you. So now you know why I'll be leaving early today.

11. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

Aaron Star:

Land Use Committee Last Week

- 180849 General Plan Amendment - Central Waterfront - Dogpatch Public Realm Plan. Sponsor: Cohen. Staff: Abad/Hrushowy. Recommended

At last week's land use hearing, the committee considered the Ordinance to amend the Central Waterfront Area Plan within the General Plan to incorporate the Dogpatch Public Realm Plan. Commissioners, this ordinance was originally sponsored by you, but Supervisor Cohen then took up sponsorship once it was introduced at the Board.

The Planning Commission heard item on August 23rd of this year and voted to approve the ordinance.

At the land use hearing there was no public comment and no significant comments or questions by the committee members. The Committee then voted to recommend this unanimously to the Full Board.

- 180892 Planning Code - 1629 Market Street Special Use District. Sponsor: Kim. Staff: Sucre. Recommended
- 180891 Development Agreement Amendment - Strada Brady, LLC - Market and Colton Streets. Sponsor: Kim. Staff: Sucre. Recommended

Next on the agenda were the amendments to the 1629 Market Street SUD and the Development Agreement for 1629 Market Street. Commissioners, you heard these items on October 11 of this year and voted to approve both.

At the land use hearing there were two speakers in favor of the proposed amendments, and no significant questions or comments from the Committee members. The Committee voted to recommend these items to the Full Board.

- 180911 Planning Code - Inclusionary Housing Ordinance. Sponsor: Mayor. Staff: Grob. Recommended as Amended

The Committee then heard The Mayor's proposed ordinance that would extend the entitlement for grandfathered projects w/ lower inclusionary rates for 30 months. Commissioners you heard this item on 10/18 and approved it without modifications.

At the Commission hearing, public comment was mixed, but at this hearing, many members of the development community came to discuss potential impacts to projects, and challenges in the Development process. Those that spoke in opposition stated it went against the will of the voters who voted to increase the Inclusionary rate to 25%.

Committee member comments and questions were mainly specific to projects included on the list of affected projects. The Committee then voted to amend the ordinance to change the 30-month time frame to 18 months from the date of entitlement, and to exclude unentitled projects. The Committee then recommends the amended ordinance to the full board.

Land Use Committee This Week

- 151258 Planning Code - Affordable Housing Requirement and Fee in Divisadero Neighborhood Commercial Transit District. Sponsor: Brown. Staff: Bintliff.

At the land use hearing this week, the committee first heard Supervisor Brown's ordinance that would establish specific inclusionary housing requirements in the Divisadero Street NCT district. Commissioners you heard this item on June 30, 2016 and voted to approve with modifications. This item was continued from the October 22 Land Use hearing.

The ordinance was amended so that the inclusionary rates for Divisadero would be 23% for owner occupied units and 20% for rental housing. The Fillmore NCT was also take out of the proposed ordinance and will be subject to the city-wide inclusionary requirements.

The Land Use Committee voted unanimously to accept the amendments, and to continue the ordinance to the November 5 Land Use Committee meeting to allow time for the fee change to be properly noticed.

- 180776 Planning Code, Zoning Map - 430-29th Avenue Special Use District. Sponsor: Fewer. Staff: Butkus.

The Committee then considered Supervisor Fewer's ordinance that would create the 430-29th Avenue SUD to allow social services in an RH-2 zoning district on property owned by a church. Commissioners, you heard this item on October 11 this year and recommended approval with modifications. The modification was to ensure that there would be no on-site services provide.

During the hearing Supervisor Kim gave Supervisor Fewer's opening remarks and proposed the ordinance be amended to include the Commission's recommendation. That amendment was added without objection. There was no public comment on this item and it was recommended to the Full Board with a positive recommendation.

- 180806 Planning Code - Temporary Pop-Up Retail, Flexible Retail, and Arts Activities Uses. Sponsors: Tang; Safai, Fewer, Brown and Cohen. Staff: Butkus.

Next, the Committee considered Supervisor Tang's Flexible Retail ordinance. Commissioners you heard this item on October 18 and voted to approve with modifications. Those modifications included items Supervisor Tang had presented to the Commission, which staff also recommended. After the Commission heard the item, Supervisor Tang reintroduced the ordinance to include the Commission's recommendation. Those recommendations were to:

1. Require that specific uses within the definition of Flexible Retail definition be principally permitted in the underlying zoning district in order to operate under the Flexible Retail Use;
2. Clarify that all other department's required approvals still apply;
3. Require that to establish and maintain a Flexible Retail Use, the site must operate at least two of the sub uses at any given time;
4. Amend Planning Code Section 205 to create a new "60-Day Pop-Up Temporary Use" permit;
5. Include Supervisor Districts 1, 5, 10 & 11 in the legislation;
6. Include NCT, NC-S and NC-3 Districts in the legislation;
7. Redefine the boundaries of the legislation to state geographical markers, rather than by using Supervisorial Districts; and
8. Amend all NCD's and NCT's in the participating Districts to Permit Arts Activities Uses.

The Supervisor also amended the ordinance to allow Flexible Retail uses 90-days to find replacement sub-uses before becoming non-compliant.

There was no public comment on this item and the committee voted to forward the time to the Full Board with a positive recommendation.

- 181028 Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions. Sponsor: Kim. Staff: Chasan.

Next the Committee considered Supervisor Kim's Better Streets Ordinance. Commissioners, you may recall that this item was duplicated on October 22, and the duplicated file was amended to remove minimum parking requirements citywide, as recommended by the Planning Commission at its October 18 hearing.

During the hearing, Supervisor Kim gave a comprehensive overview of how the proposed amendment fits with existing city goals and policy, how most zoning districts no longer have minimum parking controls, and how we already have removed minimum parking requirements city wide by allowing bike parking to replace any car parking space.

Planner Paul Chasan largely reiterated the same comments and affirmed that parking maximums would remain the same. Further the city is most often pushing to reduce parking proposed by developers and hasn't in recent memory every ask developers to increase parking.

About a dozen people spoke during public comment, all in favor. Speakers included representatives from the SFMTA, the CTA, SPUR, Livable City, Walk SF, SF Bicycle Coalition, HAC, and members from SF YIMBY Action. All expressing full support for this amendment and the direction it would take the city in meeting its environmental and public safety goals.

Supervisor Safai was skeptical of the proposed change citing the need families have to use their cars on a daily basis, and the lack of transit options in his district as justification for opposing the proposed amendment. In response staff and Supervisor Kim reiterate that this did not lower parking maximums or prevent any developer or homeowner from having parking.

Supervisor Tang was concerned about the lack of outreach on this proposed change and said she would feel more comfortable with the amendment if more outreach was done. In the end the Committee voted to continue the item to the November 26 land use hearing. They also requested that in the interim Planning Staff and Supervisor Kim's office outreach to groups in their community. Staff is currently in the process of setting up those meeting with Supervisor Kim's office.

- 180490 General Plan Amendments - Central South of Market Area Plan. Sponsor: Planning Commission. Staff: Chen. Item 7
- 180185 Planning Code, Zoning Map - Central South of Market Special Use District. Sponsors: Mayor; Kim. Staff: Chen. Item 8

- 180453 Business and Tax Regulations, Planning Codes - Central South of Market Housing Sustainability District. Sponsors: Mayor; Kim. Staff: Chen. Item 9
- 180184 Administrative, Planning Codes - Central South of Market Area Plan. Sponsors: Mayor; Kim. Staff: Chen. Item 10
- 180612 Administrative Code - San Francisco Special Tax Financing Law - Central SoMa. Sponsors: Mayor; Kim. Staff: Chen.

Finally, the Committee heard again the Central SoMa suite of amendments. Supervisor Kim introduced the following key amendments at last week and this week's land use hearing:

1. Rezoning a 150' by 200' portion of the Flower Mart site from CMUO to MUR to encourage housing production at the project.
2. Eliminating the incentive for POPOS to provide playgrounds, community gardens, sport courts, and dog runs.
3. Prohibiting SRO and group housing uses in the Plan Area, except for certain uses, including 100% affordable projects, student and senior housing, and residential care facilities.
4. Requiring that Key Sites that include office or hotel uses provide a child care facility on site, subject to review by the Planning Commission; and
5. Restoring the funding for the US Mint from \$15 million to \$20 million dollars

There were 14 commenters during public comment, their remarks including:

- Feedback from several Flower Mart vendors and the project sponsors that residential uses on the site would not be compatible with market operations. They also said they plan to acquire and dedicate land elsewhere for affordable housing if the Flower Mart site is allowed to remain commercial; and
- A call to reject the prohibition on SRO/group housing uses, given the potential for affordable modular housing and other emerging housing types

Supervisor Tang asked OEWD to describe the capital planning process for the Old Mint and why the \$20 million in funding from Central SoMa is important. Supervisor Safai expressed that that the Flower Mart site should remain CMUO, and any future affordable housing contribution from the project could be decided during the Development Agreement process

The Committee did finally vote to forward the Plan out of Committee and to the Full Board for a hearing on November 13th, with the amendments.

Full Board

- 180803 Planning Code - Mission Alcoholic Beverage Special Use District and Mission Street Neighborhood Commercial Transit District. Sponsor: Ronen. Staff: D. Sanchez. Passed First Read
- 180910 Planning Code - Affordable Housing Projects on Undeveloped Lots in Service/Arts/Light Industrial Districts. Sponsor: Kim. Staff: Butkus. Amended to allow the removal of general advertising signs, and Passed First Read
- 180914 Planning Code - Modifying Better Streets Plan Requirements and Curb Cut Restrictions. Sponsor: Kim. Staff: Chasan. Passed First Read
- 180849 General Plan Amendment - Central Waterfront - Dogpatch Public Realm Plan. Sponsor: Cohen. Staff: Abad/Hrushowy. Passed First Read
- 180836 Hearing - Appeal of Determination of Exemption From Environmental Review - Washington Square Water Conservation Project. Staff: Special Order 3:00 PM, Items 27-30 Continued to November 13, 2018.
- 180956 Hearing - Appeal of Determination of Community Plan Evaluation - 2750-19th Street. Staff: Horner. Appeal Denied

And finally the Board heard the appeal for 2750 19th Street. This project includes the demolition of three existing industrial buildings and the construction of a six-story, mixed-use building with approximately 10,000 square feet of ground-floor PDR, and 60 residential units. This commission heard this item on August 23, 2018 and approved it as a Large Project Authorization.

The Appellant appealed the Community Plan Evaluation (CPE) citing that:

1. The Eastern Neighborhoods EIR analysis is out-of-date, so cannot be relied upon for a CPE;
2. The CPE does not consider the gentrification and displacement effects of the proposed project; and
3. The Eastern Neighborhoods EIR is not valid because the Plan's Public Benefits Plan is not fully funded.

All the issues raised have been presented in previous CEQA appeals, including those of 2675 Folsom Street, 1296 Shotwell, 901 16th Street and 2918 Mission Street.

Public comment reiterated the above points of the CEQA appeal. Commenters also referred to the merits of the project, including the need for more affordable housing in the Mission. The proposed project includes replacement of demolished PDR and an agreement for the current PDR tenant to return to the project's PDR space, once completed. Some public comment expressed concern that the PDR space could become non-PDR space without Department approval; other public comment expressed a desire for a stronger guarantee of a local PDR tenant if the current tenant chose not to return.

Supervisor Ronen and President Cohen asked questions and provided comments. Both discussed transportation issues, including the growth of TNCs. Department staff provided a brief reply on its ongoing efforts to update its Transportation Analysis Guidelines.

In the end, the appeal was denied and CPE affirmed by a unanimous vote.

Commissioner Richards:

Just one question Mr. Starr. I know that you mentioned 901 16th Street and the appeal on all these different projects based on the community plan EIR. If you could maybe for next week, see where the appeal of the 901 16th Street is in the courts. They actually appealed the EIR. The eastern neighborhood's EIR and they still winding its way through the courts. If you could get a status, I would really appreciate it.

Aaron Starr:

Sure, I'll ask Environmental Planning for that.

Commissioner Richards:

Thank you.

Jonas P. Ionin, Commission Secretary:

I will remind members of the public that you can't block the doors and stand in front of the doors. There is a button that automatically opens the door up against that wall. So, if you are leaning up against it, it might be opening and closing the door. I am not going to arrange for an overflow room yet because I think there are a number of speakers here under general public comment that may end up vacating some seats.

Commissioners, the Board of Appeals met last night and considered the Large Project Authorization for 2750 19th Street. The Commission held multiple hearings on this item before approving it last summer. The Board upheld the approval; however, added a condition of approval requiring ground floor PDR in perpetuity. While the Commission's approval included the PDR use as part of the project, this condition will require to remain and prohibit a change to a non-PDR use.

Tim Frye, Preservation Officer:

Good afternoon Commissioners, Tim Frye, Department Staff. I am here to share with you a few items from yesterday's Historic Preservation Commission hearing. Also, I would like to update you on the six pending Mills Act applications. Those items were heard at the Government Audit and Oversight Committee yesterday and were given a favorable recommendation and will be forwarded to the Full Board for a vote next week. One Certificate of Appropriateness that I think would be of relevance to you, because this Commission will consider a Conditional Use Authorization forward in the near future. That is 3620 Buchanan Street. The location of the SF Gas and Light Company building and Merryvale Antiques. The property is Landmark No. 58. It was designated in 1973 and as such has a very lean case report and local designation ordinance. To that effect, there is a garden structure on the site that appears to be noncontributing. However, the designating ordinance is silent. There is a proposal right now to build eight residential units on the side of that garden structure. The staff determined that the garden structure was

noncontributing to the site. However, some Commissioners still have concerns over the design of this project. And a motion to continue failed at the hearing +4 to -3, to refer it back to the Architectural Review Committee of the Commission. There was then a motion to approve the project as proposed with department recommendations. The reason for the motion to approve, the Commissioners cited that the project sponsor had complied with all the recommendations from the previous Architectural Review Committee hearing of the HPC and felt that the project should move forward as proposed. That motion passed +4 to -3 as well and again, as there was a good deal of public comment, also stating concern over the overall massing and location of the new structure, these items will likely come up at your hearing as well. In addition to that item, there were two Landmark Designations that are moving forward to the full board. The first one, if I can get the overhead, is 2 Henry Adams Street. As you are probably aware from the news, this item had been tabled for some time at the Full Board, or this nomination. Supervisor Cohen reintroduced the item so the property owner may take advantage of more flexible zoning uses at the site which are afforded by the Planning Code for landmark properties. The Commission voted unanimously to forward that recommendation to the Board of Supervisors for approval. The second designation is for 22 Beaver Street. This is a property from the 1870's and has been designated with the help of Commissioner Richards for the Benedict-Gieling house. This property is a unique property in the neighborhood and in San Francisco due to its rarity and its age. And again, the Commission felt it warranted local designation for Article 10. And we believe both of these items will be heard within the next few weeks at the full Board of Supervisors. And that concludes my comments, unless you have any questions.

E. GENERAL PUBLIC COMMENT

SPEAKERS: Anastasia Yovanopoulos – 1979 Mission
Chirag Bhakta – 1979 Mission
Hans Art – 1979 Mission
Jeff Waltz – 1979 Mission
Gwen Kaplan – 1979 Mission
Sherman King – 1979 Mission
Angelica Santiago – 1979 Mission
Bobby Garcia – 1979 Mission
Isaiah – 1979 Mission
Hazel Lee – 1979 Mission
Theresa Wong – 1979 Mission
Joseph Silva – 1979 Mission
Aly Cunningham – 1979 Mission
Donnisha Tucker – 1979 Mission
Speaker – 1979 Mission
Xochitl Gonzalez – 1979 Mission
Selena Salgado – 1979 Mission
Armando Salgado – 1979 Mission
Morris Pineda – 1979 Mission
Susan Cieutat – 1979 Mission
Greg Mack – 1979 Mission
Eranae – 1979 Mission
Chiffona Patterson – 1979 Mission

- Speaker – 1979 Mission
- Steve Landers – 1979 Mission
- Kimberly Brown – 1979 Mission
- Francisco Contreras – 1979 Mission
- Rafael Picazo – 1979 Mission
- Speaker – 1979 Mission
- Mitchell Salazar – 1979 Mission
- Willie – 1979 Mission
- Doug McNeil – 1979 Mission
- Art Herzala – 1979 Mission
- Roxanne Romero – 1979 Mission
- Adel Alghazali – 1979 Mission
- Rick Hall – Data driven process tool
- Peter Holmes – 1979 Mission
- Dairo Romero – 1979 Mission
- Tim Colen – 1979 Mission
- Marilyn Duran – 1979 Mission
- Bruce Bowen – Election results
- Ozzie Rohm – Election results
- Georgia Schuttish – Residential design guidelines, demo calculation

F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

- 12. 2018-013893PCAMAP (E. JARDINES: (415) 575-9144)
1550 EVANS AVENUE – Planning Code and Zoning Map Amendments introduced by Supervisor Cohen to establish the 1550 Evans Avenue Special Use District; and affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Preliminary Recommendation: Approve with Modifications

- SPEAKERS:**
- = Esmerelda Jardines – Staff report
 - + Sophia Kittler, Aide to Sup. Cohen –
 - + David Gregg – Project presentation
 - + Gretta – Design presentation
 - + Steve Good – Open space without housing component
 - +Lottie Titus – No housing on this site
 - + Dorothy Kelley – No housing on this site
 - + Jesse Campos – No housing
 - + Karen Chung – No housing

- ACTION:** Approved with Modifications
AYES: Fong, Hillis, Johnson, Koppel, Melgar
NAYS: Richards

ABSENT: Moore
RESOLUTION: 20334

13. 2017-011878ENV (R. SCHUETT: (415) 575-9030)
POTRERO POWER STATION – Draft Environmental Impact Report – The 29-acre site is located along San Francisco’s central Bayshore waterfront and includes the site of the former Potrero Power Station. The proposed project would rezone the site, establish land use controls, develop design standards, and provide for a multi-phased, mixed-use development, including residential, commercial, parking, community facilities and open space land uses. The proposed project would include amendments to the General Plan and Planning Code, creating a new Potrero Power Station Special Use District. The proposed rezoning would modify the existing height limits of 40 and 65 feet to various heights ranging from 65 to 300 feet. Overall, the proposed project would construct up to approximately 5.3 million gross square feet of mixed uses and approximately 6.2 acres of open space. The project would include demolition of up to 20 existing structures, including up to five historic structures that are contributors to the historic Third Street Industrial District.

Preliminary Recommendation: Review and Comment

SPEAKERS:

- = Rachel Schuett – Staff presentation
- = Enrique Landa – Project presentation
- = Karen Alschuler – Project presentation
- = John Lau – Project presentation
- Ron Miguel – Public open space and shadow
- Katherine Petrin (SF Heritage) – Historic preservation
- + Zach Brown – Housing and density
- + JR Eppler – Context of project
- Peter Linenthal – Historic preservation
- + Vanessa Aquino – Support
- + Emily Pearl – Proposed program, adaptive reuse
- = Katherine Doumani – Livability, quality of life
- + Scott Klein – Amenities to neighborhood
- + Tim Colen – Repurposed land
- + Ray Hernandez – Housing
- Richard Hudson – Public view
- + John Larner – Revitalization of neighborhood
- Phillip Anisovich – Design, destroys historic resources
- Rick Hall – Analysis
- + Guy Carson – Preservation, reuse
- + Jim Worshel – Preservation Alternative C
- Shawn Engels – Lack of public community benefits
- Allison Heath – Poor design, few community benefits
- + Laura Clark – Cost and benefits
- Janet Carpinelli – Alternatives
- + Bruce Huie – Neighborhood amenities, conservation

ACTION: Reviewed and Commented
AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
ABSENT: Moore

- 14a. 2016-000378CUA (N. FOSTER: (415) 575-9167)
1600 JACKSON STREET – north side of Jackson Street, between Polk Street and Van Ness Avenues, Lots 002 and 003 in Assessor's Block 0595 (District 3) – Request for **Conditional Use Authorization** to establish a new general grocery store (a Retail Sales and Services Use) operating as a Formula Retail Use (d.b.a. "365 by Whole Foods") on the first and second floors and add eight (8) Dwelling Units on the second floor of the subject property, pursuant to Planning Code Sections 303, 303.1, 703(d), 703.4, and 723. The Dwelling Units would be comprised of four (4) two-bedroom units, three (3) one-bedroom units, and one (1) studio unit, resulting in 50 percent of the total number of Dwelling Units of at least two-bedrooms. The Project would involve both interior and exterior tenant improvements to the existing two-story-over-garage building, with no expansion of the gross square footage contained within the existing structure. The existing structure contains 43,898 gross square feet, and the general grocery store would occupy the entirety of the first floor, or approximately 22,000 gross square feet, and approximately one-half of the second floor, or approximately 11,000 gross square feet. The first floor would function as the primary sales floor for the general grocery store, with an area dedicated for prepared foods for on- or off-site consumption, and the second floor would contain additional retail floor area, and accessory office space. With respect to alcohol sales, 365 by Whole Foods proposes to hold a Type 20 alcohol license (beer and wine only). The exterior tenant improvements include a horizontal extension of the existing parapet, new paint, and new store signage. The proposed project would utilize the existing below-grade parking garage with 70 vehicular parking spaces (one to be reserved for car-sharing) and off-street loading dock fronting Jackson Street, while adding Class 1 and Class 2 bicycle parking spaces where none existed before. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular hearing on October 4, 2018)

NOTE: On April 26, 2018, after hearing and closing public comment, continued to July 26, 2018, by a vote of +4 -2 (Moore and Richards against; Melgar absent).

On July 26, 2018, without hearing, continued to September 27, 2018 by a vote of +6 -0 (Hillis absent).

On September 27, 2018, without hearing, continued to October 4, 2018 by a vote of +7 -0.

On October 4, 2018, after hearing and closing public comment, continued to November 8, 2018, with direction from the Commission by a vote of +4 -1 (Moore against; Fong and Melgar absent).

SPEAKERS: = Nick Foster – Staff presentation
 = Jim Reuben – Project presentation
 - Chris Kavinski – 8 housing units not a benefit
 - Duncan Ley – 8 housing units not a benefit
 - Jim Worshell – 8 housing units not a benefit
 - Frank Canata – Housing crisis
 - George Wooding – Opposed
 - Anastasia Yovanopoulos – Need more housing
 - Stephanie Peek – Housing
 - Joshua Devore – Use size limits
 - Michael Priollo – Business preservation
 - Tim McLaughlin – Small business impacts
 + Barbara Bahagan – Need grocery store in Russian Hill

- + Judith Robby – Need anchor destination with services
- + John Addeo – Need grocery store
- + Diane Carroll – Need services
- Paul Webber – Housing crisis
- Laura Clark – Housing
- Cynthia Gomez – Inappropriate for neighborhood
- Jerry Dratler – Square footage
- + Karen Dold – Empty storefronts
- + Greg Carr – Need grocery store
- + Richard Cardello – Added housing
- + Thomas Madland – Need grocery store
- + Anne Brubaker – Want grocery store
- + Carol Ann Rodgers – Need full service grocery store
- + Sarah Taber – Need grocery store nearby
- + Joyce Kuchervy – Need supermarket, quality of life
- Rick Barry – Need housing not grocery store
- Melissa Gutierrez – Need more housing
- Ray – Merchant, need housing
- Sandra Fish – Death of quality neighborhoods
- (F) Speaker – Small business needs protection
- Roy Chan – Significant impacts
- Leslie Van Dyke – Against proposed development
- Kevin Gleason – Need housing
- Nick Matthiesson – Housing crisis
- Patrick Hawkta – Densification
- Ozzie Rohm – Housing
- Ann Marie Einselen – Need housing
- + Richard Wayland – Supports
- Chris Schulman – Housing
- Dawn Trennert – Inclusionary housing
- Elaine Tangsmen – Traffic
- Marlene Morgan – Impacts
- Kate Chase – Housing
- + Tina Moylan – Need more grocery stores, services
- + Leslie Bull – Need grocery store
- Mitchell Burg – Amazon
- Vasu Narayanan – Housing
- Lorenzo Rios – 7th store in SF

ACTION: Adopted a Motion of Intent to Disapprove supporting a change to Code for grocery store use limits and Continued to November 29, 2018

AYES: Fong, Johnson, Koppel, Melgar, Richards

NAYS: Hillis

ABSENT: Moore

- 14b. 2016-000378VAR (N. FOSTER: (415) 575-9167)
1600 JACKSON STREET – north side of Jackson Street, between Polk Street and Van Ness Avenues, Lots 002 and 003 in Assessor’s Block 0595 (District 3) – Request for **Variance** pursuant to Planning Code Section 134 (“Rear Yard”). The basic rear yard requirement for the subject property is 25 percent (or approximately 41 feet) at the lowest story containing

a dwelling unit. The existing structure covers 100% of the lot and Code requires a rear at the lowest story containing a dwelling unit; therefore, the project requires a variance from the rear yard requirements of the Planning Code.

SPEAKERS: Same as item 14a.

ACTION: ZA Continued to November 29, 2019

15a. 2013.1037C (C. MAY: (415) 575-9087)

650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor's Block 1202 (District 5) - Request for **Conditional Use Authorization** pursuant to Planning Code Sections 121.1, 271, 303, 746.10 and 746.11 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within a Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

(Continued from Regular Meeting on September 27, 2018)

SPEAKERS: = Chris May – Staff presentation
 = Juan Carlos / Sup. Brown's Aide – Project presentation
 = Patrick Szeto – Project presentation
 = Warner Schmalz – Project presentation
 = Supervisor Brown – Legislation
 + Laura Clark – Community engagement
 - Gus Hernandez – Continuance for legislation
 - Jim Hillis – Legislation
 - Heike Kilian – Tree protection plan, bulk
 - Bill Thomson – Density, off-street parking
 = Donna Thomson – Negatively impacts building next door
 - Norm Degelman – Continue
 - Charles D. – Increase density, continuance
 + Tim Colen – Housing
 + Richard Kay – Support, continuance
 + Rev. Arnold Townsend – Diverse tenant mix
 - Jeff – Noise concerns
 + Phillip Robernich – More housing near transit
 + Owen O'Donnell- Not big enough, need housing
 - David Wu – Continue until legislation finalized

ACTION: Approved with Conditions and include licensed arborist be hired for tree protection plan.

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards

ABSENT: Moore

MOTION: 20335

15b. 2013.1037V (C. MAY: (415) 575-9087)

650 DIVISADERO STREET – southeast corner of Divisadero and Grove Streets; Lot 002B in Assessor's Block 1202 (District 5) - Request for **Rear Yard Modification** pursuant to Planning

Code Section 134 to permit the development of a 6-story mixed-use building containing 66 residential dwelling units above 26 ground floor parking spaces and 3,528 square feet of commercial uses within a Divisadero Street Neighborhood Commercial Transit (NCT) District, the Fringe Financial Services Restricted Use District and 65-A Height and Bulk District.

(Continued from Regular Meeting on September 27, 2018)

SPEAKERS: Same as item 15a.

ACTION: ZA Closed the PH and indicated an intent to Grant.

- 16a. 2007.1347CUA (M. WOODS: (415) 558-6315)
3637-3657 SACRAMENTO STREET – south side between Locust and Spruce Streets, Lots 012 and 020 in Assessor's Block 1018 (District 2) - Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 102, 121.1, 121.2, 303 and 724 to demolish three existing buildings, and construct a 40-foot tall, four-story mixed use building over three levels of below-grade parking, containing retail, medical office, 18 dwelling units, 64 parking spaces (including one car share space), and 35 bicycle spaces, totaling approximately 84,000 square feet. The proposal is seeking Conditional Use authorization for lot size exceeding 5,000 square feet, use size exceeding 2,500 square feet, and public parking garage for short term use. The proposal is also seeking a Modification of the rear yard requirement from the Zoning Administrator pursuant to Planning Code Sections 134 and 136. The project site is located within a Sacramento Street Neighborhood Commercial District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

Preliminary Recommendation: Approve with Conditions

- SPEAKERS: = Mary Woods – Staff report
 = Scott Emblidge – Project presentation
 = Gary Gee – Project presentation
 - John Herby – Construction concerns
 + Jason McDonald – Housing
 - Linda Eislund – Not affordable housing, light
 + Matthew Holmes – Housing, mixed-use project
 - Steven Krolik – Garage, traffic
 + Tim Colen – Housing
 - Dr. Karel Kretzschmar – Parking, traffic
 - Patrick Richards – Project scale
 + Julie & Raymond Aviles – Underground parking
 - Alex Thompson – Massing and scale
 - Jennifer Kopczynski – Scale, not appropriate
 - Brandon Ponce – Scale, traffic, small businesses
 - Cynthia Silverstein – Scale
 + Douglas Matthew – Support
 - Carol Bronanski – Parking
 + Nick Simpson – Alleviates pressure, needed
 + Jim Sobel – Benefits neighborhood
 + Barbra Devini – Support
 + Craig Greenwood – New housing opportunities

- (F) Speaker – Size
- Maggie Chafen – Small business in crisis
- John Burns – Disruption, scale
- Marsha Herman – Construction noise
- Natasha Kofsky – Scale, design
- + Jeff Leopold – Parking, growth, housing
- Doug Engmann – Scale, construction
- + Michael Reichmuth – High density housing
- + Jeff Litke – Project sponsor

ACTION: Approved with Conditions as amended removing one floor of parking.
 AYES: Fong, Hillis, Johnson, Koppel
 NAYS: Melgar, Richards
 ABSENT: Moore
 MOTION: 20336

16b. 2007.1347VAR (M. WOODS: (415) 558-6315)
3637-3657 SACRAMENTO STREET – south side between Locust and Spruce Streets, Lots 012 and 020 in Assessor’s Block 1018 (District 2) – Request for a Zoning Administrator **Modification** from the rear yard requirement (Planning Code Sections 134 and 136). The proposed project is to demolish three existing buildings, and construct a 40-foot tall, four-story mixed use building over three levels of below-grade parking, containing retail, medical office, 18 dwelling units, 64 parking spaces (including one car share space), and 35 bicycle spaces. The project site is located within a Sacramento Street Neighborhood Commercial District and 40-X Height and Bulk District.

SPEAKERS: Same as item 16a.
 ACTION: ZA Closed the PH and indicated an intent to Grant.

17a. 2016-008438SHD (K. DURANDET: (415) 575-6816)
1075-1089 FOLSOM STREET – south side of Folsom Street between 7th and Sherman Streets, Lots 038 and 039 of Assessor’s Block 3766 (District 6)- Request for **Adoption of Findings**, pursuant to Planning Code Section 295, regarding the shadow study that concluded, with the recommendation of the general manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, that net new shadow on Victoria Manalo Draves Park by the proposed project at 1075-1089 Folsom Street would not be adverse to the use of the public park. The proposed project would demolish the existing buildings on the site, and construct a six-story, 65-foot tall, approximately 25,756 square-foot (sf) mixed-use building consisting of 48 single room occupancy (SRO) residential units with balconies and decks on the first through sixth floors, and a rear yard, residential lobby, bicycle storage, 1,088 sf of commercial space, and utility areas on the ground floor. The subject property is located within the SoMa NCT (Neighborhood Commercial Transit) Zoning District and 65-X Height and Bulk Districts.
Preliminary Recommendation: Adopt Shadow Findings

SPEAKERS: = Kimberly Durandet – Staff report
 - Kevin Wu – DR requestor
 - Mary Claire Amable – SUD, shadow
 - Alexa Drapiza – Park use, SUD, shadow
 - PJ Eugenio – Parks, open space

- + Mark Loper – Project presentation
- + Jonathan Pearlman – Project presentation
- + Rudy Asercion – Housing
- + Katherine Wolfe – Added housing
- + George McNabb – Support
- + Christian Brand – Housing
- Sue Hestor – DR rebuttal

ACTION: Adopted Shadow Findings
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 MOTION: 20337

- 17b. 2016-008438DRP (K. DURANDET: (415) 575-6816)
1075-1089 FOLSOM STREET – south side of Folsom Street between 7th and Sherman Streets, Lots 038 and 039 of Assessor’s Block 3766 (District 6)- Request for **Discretionary Review** of Building Permit Application No. 2017.0214.9384. The proposed project would demolish the existing buildings on the site, and construct a six-story, 65-foot tall, approximately 25,756 square-foot (sf) mixed-use building consisting of 48 single room occupancy (SRO) residential units with balconies and decks on the first through sixth floors, and a rear yard, residential lobby, bicycle storage, 1,088 sf of commercial space, and utility areas on the ground floor. The subject property is located within the SoMa NCT (Neighborhood Commercial Transit) Zoning District and 65-X Height and Bulk Districts.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: Same as item 17a.
 ACTION: Did NOT Take DR and Approved
 AYES: Fong, Hillis, Johnson, Koppel, Melgar, Richards
 ABSENT: Moore
 DRA: 0624

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

- 18a. 2015-004717DRP (M. CHRISTENSEN: (415) 575-8742)
11 GLADYS STREET – southeast side of Gladys Street; Lot 027 of Assessor’s Block 5710 (District 9) – Request for **Discretionary Review** of Building Permit Application #201612084425 within a RH-2 (Residential, House – Two Family) and 40-X Height and Bulk District. The proposal includes a vertical addition to an existing single-family home. The proposal also includes interior alterations. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
 (Continued from Regular hearing on October 18, 2018)

SPEAKERS: = Michael Christensen – Staff report
 - David Donofrio – DR requestor
 - Mike Garavaglia – DR requestor
 - Pat Buskovich – DR Requestor
 - Ryan Patterson – DR requestor
 - Dan Greeman – Decks, privacy
 - Amy Kyle – Variance
 - (M) Speaker – Natural light
 - Geraldine Bosco – Home value
 + Rob Oliver – Project presentation
 + Jodie Knight – Project presentation
 + Ian Thompson – Families in SF, diversity
 + Patrick Crowe – Families in SF
 + Mason Kirby – Project sponsor rebuttal

ACTION: Did NOT Take DR and Approved with direction to staff to work on privacy screening.

AYES: Fong, Hillis, Koppel, Melgar, Richards

ABSENT: Johnson, Moore

DRA: 0625

- 18b. 2015-004717VAR (M. CHRISTENSEN: (415) 575-8742)
11 GLADYS STREET – southeast side of Gladys Street; Lot 027 of Assessor's Block 5710 (District 9) – Request for **Variance** to the front setback requirement pursuant to Planning Code Section 132 and rear yard requirement pursuant to Planning Code Section 134 for the project involving a vertical addition to an existing single-family home. The proposal also includes interior alterations. The project is located within a RH-2 (Residential, House – Two Family) and 40-X Height and Bulk District.
 (Continued from Regular hearing on October 18, 2018)

SPEAKERS: Same as item 18a.

ACTION: Acting ZA closed the public hearing and took the matter under advisement.

19. 2018-007690DRP (D. WINSLOW: (415) 575-9159)
269 AVILA STREET – between Beach and Capra; Lot 002 in Assessor's Block 0441A (District 2) - Request for **Discretionary Review** of Building Permit Application No. 2018.0524.0036, for construction of an Accessory Dwelling Unit per ordinance 162-16 in an existing 3-story two-family house within a RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve

SPEAKERS: = David Winslow – Staff report
 - Kelly Woodruff – DR requestor
 - Amy Rosewall-Godley – Non-conforming property
 - Dave Tower – Negative change
 - Katy Wahl – Opposed
 + (F) Speaker – Project sponsor presentation

ACTION: Did NOT Take DR and Approved

AYES: Fong, Hillis, Koppel, Melgar, Richards
ABSENT: Johnson, Moore
DRA: 0626

ADJOURNMENT – 11:00 PM
ADOPTED NOVEMBER 29, 2018

EXHIBIT C



SAN FRANCISCO
PLANNING
DEPARTMENT

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

APPLICATION PACKET FOR Environmental Evaluation

Pursuant to the California Environmental Quality Act (CEQA), public agencies must review the environmental impacts of proposed projects. The CEQA process is codified in the California Public Resources Code, Sections 21000 et seq., the California Code of Regulations, Title 14, Sections 15000 et seq., and Chapter 31 of the San Francisco Administrative Code.

WHAT IS ENVIRONMENTAL EVALUATION?

Environmental evaluation pursuant to CEQA is an objective process that is intended to disclose to decision makers and the public the significant environmental effects of proposed projects, to require agencies to reduce or avoid environmental effects, to disclose reasons for agency approval of projects with significant environmental effects, to enhance public participation, and to foster intergovernmental coordination. In San Francisco, the Environmental Planning Division of the San Francisco Planning Department administers the CEQA review process. More information on the environmental review process and how it is administered in San Francisco is available on the Planning Department's Environmental Planning web pages.

WHEN IS ENVIRONMENTAL EVALUATION NECESSARY?

Projects subject to CEQA are those actions that require a discretionary decision by the City; have the potential to result in a direct or reasonably foreseeable indirect physical change in the environment; or fall within the definition of a "project" as defined by the CEQA Guidelines in Sections 15060(e) and 15378. A project may be determined to be statutorily or categorically exempt from CEQA or may require an initial study to determine whether a negative declaration or environmental impact report (EIR) is required. Planners at the Planning Information Center (PIC) counter (1660 Mission Street, First Floor) may issue an exemption stamp or require that the project sponsor file an Environmental Evaluation Application.

If your project meets any of the following thresholds, you must first submit a Preliminary Project Assessment (PPA) Application before you submit the Environmental Evaluation Application: (1) the project creates seven or more dwelling units, (2) the project involves a change of use of 25,000 square feet or more, and/or (3) the project involves the construction of a new non-residential building or addition of 10,001 square feet or more. The Department may also request other complex projects not meeting these thresholds to undergo a PPA.

HOW DOES THE PROCESS WORK?

The Environmental Evaluation Application may be filed prior to or concurrently with the building permit application; however, the City may not approve projects or issue permits until the environmental review process is complete.

No appointment is required but Environmental Planning staff are available to meet with applicants upon request. The Environmental Evaluation Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. See the current Schedule of Application Fees (available online). Checks should be made payable to the San

Francisco Planning Department. Fees are generally non-refundable.

WHO MAY SUBMIT AN ENVIRONMENTAL EVALUATION APPLICATION?

Only the property owner or a party designated as the owner's agent may submit an Environmental Evaluation Application. (A letter of agent authorization from the owner must be attached.)

WHAT TO INCLUDE ON THE PROJECT DRAWINGS

Project drawings submitted with the Environmental Evaluation Application must be in 11x17 format and, in most cases, must include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed structures on both the subject property and on immediately adjoining properties; off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site.

SPECIAL STUDIES THAT MAY BE NEEDED

To assist in the environmental evaluation process, the project sponsor may be required to provide supplemental data or studies, as determined by Planning staff, to address potential impacts on cultural, paleontological, or historical resources, soils, traffic, biological resources, wind, shadows, noise, air quality, or other issue areas. Neighborhood notification may also be required as part of the environmental review processes.

HISTORIC RESOURCE REVIEW

All properties over 45 years of age in San Francisco are considered potential historic resources. If the proposed project involves physical alterations to a building over 45 years in age, you may be requested by Planning staff to provide additional information to determine (1) whether the property is a historic resource, and (2) whether the proposed project may cause a substantial adverse change in the significance of a historic resource. If requested by a Planner, you must submit the Supplemental Information for Historic Resource Evaluation form with the Environmental Evaluation Application.

The property may have already been evaluated as a historic resource through previous survey or analysis. Please consult the Preservation tab of the Property Information Map on the Planning Department's website. Certain types of projects will require a complete Historic Resource Evaluation (HRE) to be prepared by a professional preservation consultant. For further

information, please consult with a preservation planner at the PIC counter.

COMMUNITY PLAN EXEMPTION

Community plan exemption (CPE) from CEQA review may be issued for projects within adopted plan areas that would not otherwise be exempt, if they are determined not to create significant impacts beyond those identified in the applicable area plan EIR. There are three possible outcomes of this process: Preparation of (1) a CPE only, (2) a CPE and a focused initial study/mitigated negative declaration, or (3) a CPE and a focused EIR.

PROJECTS THAT ARE DETERMINED NOT TO BE EXEMPT

Projects that require mitigation measures are not eligible for environmental exemption. If Planning staff determines that the project is not exempt from CEQA review, an initial study will be required. The applicable environmental evaluation fee is based on the construction cost of the proposed project. Based on the analysis of the initial study, Planning staff will determine that the project will be issued either (1) a negative declaration stating that the project would not have a significant effect on the environment, or (2) an EIR if there is substantial evidence of one or more significant impacts.

DISCLOSURE REPORT FOR DEVELOPERS OF MAJOR CITY PROJECTS

The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not

include a residential development project with four or fewer dwelling units.

The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

HOW TO SUBMIT THE APPLICATION

The complete Environmental Evaluation Application should be submitted as follows: For projects that underwent Preliminary Project Assessment and already received the PPA letter, send the Environmental Evaluation Application to the attention of Virna Byrd. For all other projects, including those that require historical resource review only, send the Environmental Evaluation Application to the attention of Erica Russell. A preservation planner will be assigned to complete the historical review. Once an application is submitted, historical review questions may be directed to Tina Tam.

Virna Byrd
(415) 575-9025
virnaliza.byrd@sfgov.org

Erica Russell
(415) 575-9181
erica.russell@sfgov.org

Tina Tam
Senior Preservation Planner
(415) 558-6325
tina.tam@sfgov.org

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APPLICATION FOR Environmental Evaluation

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Robert Oliver	
PROPERTY OWNER'S ADDRESS: 11 Gladys Street	TELEPHONE: (415) 412.3664
	EMAIL: robert@oliver.name

APPLICANT'S NAME, COMPANY/ORGANIZATION (IF APPLICABLE): Rob Oliver Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE: ()
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Gabriel Guerriero Same as Above <input type="checkbox"/>	
ADDRESS: 301 Bocana Street	TELEPHONE: (415) 867-5357
	EMAIL: gg@masonkirby.com

2. Location and Classification

STREET ADDRESS OF PROJECT: 11 Gladys Street	ZIP CODE: 94110
CROSS STREETS: Santa Marina St.	

ASSESSORS BLOCK/LOT: 5710 / 027	LOT DIMENSIONS: 51.5'x25'	LOT AREA (SQ FT): 1287.5	ZONING DISTRICT: RH-2	HEIGHT/BULK DISTRICT: 40-X
COMMUNITY PLAN AREA (IF ANY): Bernal Heights				

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify: _____	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input checked="" type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: Single Family residence
		PROPOSED USE: Single Family residence
		BUILDING APPLICATION PERMIT NO.: DATE FILED:

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	1	1	0	1
Hotel Rooms				
Parking Spaces	2	2	0	2
Loading Spaces				
Number of Buildings	1	1	0	1
Height of Building(s)				
Number of Stories	1	1	1	2
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	908	908	660	1568
Retail				
Office				
Industrial				
PDR Production, Distribution, & Repair				
Parking	539	539	0	539
Other ()				
Other ()				
Other ()				
TOTAL GSF	1447	1447	660	2,107
Please provide a narrative project description that summarizes the project and its purpose or describe any additional features that are not included in this table. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable. THIS SECTION MUST BE COMPLETED.				

Lot dimensions and orientation create a substandard buildable area. The existing non-complying structure covers the entire lot. A variance is required for the rear and front yard set backs.

Applicable code sections:

Section 242.2 Bernal Heights Special Use District, Rear Yards.

Section 132. Front Setback Areas.

Section 134. Rear Yard Setback Areas.

EE Required for Lot slope greater than 20%.

5. Environmental Evaluation Project Information

1. **Would the project involve a major alteration of a structure constructed 45 or more years ago or a structure in a historic district?** YES NO

If yes, submit the *Supplemental Information for Historic Resource Evaluation* application.

2. **Would the project involve demolition of a structure constructed 45 or more years ago or a structure located in a historic district?** YES NO

If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with Preservation Planning staff.

3. **Would the project result in excavation or soil disturbance/modification?** YES NO

If yes, please provide the following:

Depth of excavation/disturbance below grade (in feet): _____

Area of excavation/disturbance (in square feet): _____

Amount of excavation (in cubic yards): _____

Type of foundation to be used (if known) and/or other information regarding excavation or soil disturbance modification:

Note: A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project:

- *The project involves a lot split located on a slope equal to or greater than 20 percent.*
- *The project is located in a seismic hazard landslide zone or on a lot with a slope average equal to or greater than 20 percent and involves either*
 - *excavation of 50 or more cubic yards of soil, or*
 - *building expansion greater than 1,000 square feet outside of the existing building footprint.*

A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.

4. **Would the project involve any of the following: (1) the construction of a new building; (2) the addition of a dwelling unit; (3) the addition of a new curb-cut; (4) the addition of a garage; and/or (5) a net addition to an existing building of 500 gross square feet or more?** YES NO

If yes, you will need to comply with the tree planting regulations of Public Works Code Section 806 prior to receiving a building permit.

4b. Does the project include the removal or addition of trees on, over, or adjacent to the project site? YES NO

If yes, please answer the following questions:

Number of trees on, over, or adjacent to the project site: _____

Number of trees on, over, or adjacent to the project site that would be removed by the project (see definitions of removal, significant, landmark, and street trees): _____

Significant trees: _____

Landmark trees: _____

Street trees: _____

Number of trees on, over, or adjacent to the project site that would be added by the project: _____

5. Would the project result in any construction over 40 feet in height? YES NO

If yes, please submit a *Shadow Analysis Application*. This application should be filed at the PIC and should not be included with the Environmental Evaluation Application. (If the project already underwent Preliminary Project Assessment, this application may not be needed. Please refer to the shadow discussion in the PPA letter.)

6. Would the project result in a construction of a structure 80 feet or higher? YES NO

If yes, an initial review by a wind expert, including a recommendation as to whether a wind analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, please refer to the wind discussion in the PPA letter.)

7. Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks? YES NO

If yes, please submit a Phase I Environmental Site Assessment (ESA) prepared by a qualified consultant. If the project is subject to Health Code Article 22A, Planning staff will refer the project sponsor to the Department of Public Health for enrollment in DPH's Maher program.

8. Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps? YES NO

If yes, please describe.

This variance is for the front and rear yard set back requirements.

9. Is the project related to a larger project, series of projects, or program? YES NO

If yes, please describe.

This variance is for the front and rear yard set back requirements.

Estimated Construction Costs

TYPE OF APPLICATION:	
Environmental Application	
OCCUPANCY CLASSIFICATION:	
R-3	
BUILDING TYPE:	
V	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
660 Sq. Ft.	Residential
ESTIMATED CONSTRUCTION COST:	
\$150,000	
ESTIMATE PREPARED BY:	
Architect Mason Kirby	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: _____

Date: _____

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

Owner / Authorized Agent (circle one)

Environmental Evaluation Application Submittal Checklist

APPLICATION MATERIALS	PROVIDED	NOT APPLICABLE
Two (2) originals of this application signed by owner or agent, with all blanks filled in.	<input type="checkbox"/>	
Two (2) hard copy sets of project drawings in 11" x 17" format showing existing and proposed site plans with structures on the subject property and on immediately adjoining properties, and existing and proposed floor plans, elevations, and sections of the proposed project.	<input type="checkbox"/>	
One (1) CD containing the application and project drawings and any other submittal materials that are available electronically. (e.g., geotechnical report)	<input type="checkbox"/>	
Photos of the project site and its immediate vicinity, with viewpoints labeled.	<input type="checkbox"/>	
Check payable to San Francisco Planning Department.	<input type="checkbox"/>	
Letter of authorization for agent.	<input type="checkbox"/>	<input type="checkbox"/>
<i>Supplemental Information for Historic Resource Evaluation</i> , as indicated in Part 5 Question 1.	<input type="checkbox"/>	<input type="checkbox"/>
Two (2) hard copies of the <i>Historic Resource Evaluation</i> , as indicated in Part 5 Question 2.	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical report, as indicated in Part 5 Question 3.	<input type="checkbox"/>	<input type="checkbox"/>
Phase I Environmental Site Assessment, as indicated in Part 5 Question 7.	<input type="checkbox"/>	<input type="checkbox"/>
Additional studies (list).	<input type="checkbox"/>	<input type="checkbox"/>

For Department Use Only
 Application received by Planning Department:

By: _____ Date: _____



FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
 1650 Mission Street, Suite 400
 San Francisco CA 94103-2479

TEL: **415.558.6378**
 FAX: **415 558-6409**
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*Planning staff are available by phone and at the PIC counter.
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San Francisco Planning Department
12/07/18 42835.001 - CEQA Appeal

42835.001

617.00

617.00

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12/07/18	San Francisco Planning Department		42835.001		617.00

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OF: San Francisco CA 94103

MEMO: 42835.001 - CEQA Appeal

[Handwritten Signature]
AUTHORIZED SIGNATURE

Security features included. Details on back

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3041027
5471 11 004

Wong, Jocelyn (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, January 7, 2019 11:58 AM
To: sarah@zfplaw.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Rodgers, AnMarie (CPC); Sider, Dan (CPC); Starr, Aaron (CPC); Christensen, Michael (CPC); Young, David (CPC); Rosenberg, Julie (BOA); Cantara, Gary (BOA); Longaway, Alec (BOA); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS); robert@oliver.name
Subject: PLANNING APPEAL RESPONSE: Appeal of CEQA Exemption Determination - 11 Gladys Street - Appeal Hearing on January 15, 2019
Categories: 181200

Greetings,

Please find linked below an appeal response brief received by the Office of the Clerk of the Board from the Planning Department, regarding the appeal of the Categorical Exemption Determination for the proposed project at 11 Gladys Street.

[Planning Appeal Response Letter - January 7, 2019](#)

The hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on January 15, 2019, at 3:00 p.m.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 181200](#)

Regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: January 7, 2019
TO: Angela Calvillo, Clerk of the Board
FROM: Lisa M. Gibson, Environmental Review Officer – (415) 575-9032
RE: Appeal of the Categorical Exemption for 11 Gladys Street
Assessor's Block 5710, Lot 027
Planning Department Case No. 2015-004717ENV

HEARING DATE: January 15, 2019

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

Reception:
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Planning
Information:
415.558.6377

Attached is 1 copy of the Planning Department's memorandum to the Board of Supervisors regarding the appeal of the categorical exemption for 11 Gladys Street, 11 Gladys Street, San Francisco 94110.

If you have any questions regarding this matter, please contact David Young at 415-575-9041 or david.L.young@sfgov.org.

Thank you



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Categorical Exemption Appeal 11 Gladys Street

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

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DATE: January 7, 2019
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
David Young – (415) 575-9041
RE: Planning Case No. 2015-004717ENV
Appeal of Categorical Exemption for 11 Gladys Street
HEARING DATE: January 15, 2019

PROJECT SPONSOR: Rob Oliver – (415) 412-3664
APPELLANT(S): David Donofrio, 19 Gladys Street

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the board of supervisors (the board) regarding the planning department’s (the department) issuance of a categorical exemption under the California Environmental Quality Act (CEQA determination) for the proposed 11 Gladys Street project.

The department, pursuant to Article 19 of the CEQA Guidelines, issued a categorical exemption for the project on September 29, 2017 finding that the proposed project is exempt from the California Environmental Quality Act (CEQA) as a Class 1 categorical exemption.

The department received a supplemental appeal letter in the late afternoon of January 4, 2019. The department will provide responses to the claims identified in the supplemental appeal letter, under separate cover, before the January 15, 2019 appeal hearing.

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

SITE DESCRIPTION AND EXISTING USE

The project site is located within the Bernal Heights neighborhood on a large block bounded by Gladys Street to the northwest, Santa Marina Street to the northeast, Elsie Street to the southeast and Appleton Avenue to the southwest. Mission Street is one block south of the project site, the Good Prospect Community Garden is 330 feet northeast of the site, the College Hill Reservoir is approximately 360 feet uphill and southeast of the project site, and Junipero Serra Early Elementary School is adjacent to the reservoir’s southern boundary. The site is zoned Residential-House, Two Family (RH-2), located in a 40-X

Memo

height and bulk district, and within the Bernal Heights Special Use District. The site is adjacent to Gladys Street to the northwest, 5 Gladys Street residence to the northeast, 48 Santa Marina Street residence to the southeast and 19 Gladys Street residence to the southwest. The surrounding vicinity is comprised primarily of residential development zoned RH-2, mostly constructed between 1900 and 1912. The project site parcel is 1,250 square feet rectangle parcel with a depth of 50 feet. The existing residence at 11 Gladys Street, constructed in 1941, is 971 square feet in size and set back from Gladys Street approximately eight feet. The first floor of the existing residence consists of a garage and storage space/basement, which is accessed from the garage and the existing second story. The second story consists of a living room, dining room, kitchen, bathroom and two bedrooms. The existing structure is constructed on a foundation of continuous and isolated spread footings. There are no existing decks. There is a decorative patio that also serves as the main entrance to the residence. The site is terraced with slopes greater than 20%. There is a retaining wall along the southeast property line ranging in height between about 7 and 12 feet tall and retaining walls within the footprint of the basement floor, which divide the garage from the storage space.

PROJECT DESCRIPTION

The proposed project involves interior and exterior alterations to the existing on-site building and the construction of a 669-square-foot vertical addition, increasing the square footage from 971 square feet to approximately 1,640 square feet. The addition would add a third floor, increasing the height of the residence from 20.5 feet to 32 feet. Two new roof decks would be constructed on the new third floor, one on the north side of the residence and one on the south side. New wood siding would be added on the second and third floors and wood clad windows would be used to match the existing on-site windows. A variance was requested and granted for the front and rear yard setback as the existing home is a non-conforming structure. Section 132 of the Planning Code requires that the subject lot provide a front setback equal to the average front setback provided by the adjacent properties. Planning Code Section 134 requires a rear yard that is equal to 45 percent of the total lot depth. The property on the project site (existing and proposed) do not meet these requirements; hence, the variance. The project would include on-site drainage improvements.

BACKGROUND

An Historical Resource Determination was prepared for the project site in September 2015, prior to the department's issuance of the categorical exemption determination. The department conducted a subsequent Historical Resource Determination on February 27, 2017. The subsequent Determination concluded that the building is not located within the boundaries of any identified historical district and is not eligible for listing in the California Register under any criteria individually or as a part of a historic district. A Geotechnical Investigation (hereinafter Geotech investigation) was conducted for the Subject Property on September 18, 2015.

September 26, 2017 - CEQA Clearance

On September 26, 2017 the department determined that the project was categorically exempt under CEQA Class 1 – Existing Facilities. Interior and Exterior Alterations, Additions Under 10,000 square feet and that no further environmental review was required.

November 8, 2018 - Discretionary Review and Approval by Planning Commission

The Planning Commission reviewed the Discretionary Review Request at the November 8, 2018 Planning Commission Hearing. Following public testimony, the Planning Commission voted not to grant the Discretionary Review and approved the project as proposed and in accordance with Chapter 31 of the San Francisco Administrative Code and directed staff to work with the project sponsor on issues related to privacy screening.

CEQA Appeal Filed – On December 7, 2018, Zacks, Freedman & Patterson on behalf of David Donofrio (hereinafter appellant) filed an appeal with the Board of Supervisors in opposition to the categorical exemption. The appellant is the adjacent neighbor to the south of the subject property.

December 12, 2018 - CEQA Appeal Timely Filed

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

CEQA GUIDELINES

Categorical Exemptions

CEQA Statutes and Guidelines, Article 19, Categorical Exemptions Section 15300 states: Section 21084 of the Public Resources Code requires a list of projects which have been determined to not have a significant effect on the environmental and which shall, therefore, be exempt from the provisions or CEQA. CEQA Section 15300.2 Exceptions states 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.

In accordance with CEQA section 21084, CEQA Guidelines sections 15301 through 15333 list classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

CEQA Guidelines section 15301, or Class 1 - Existing Facilities, consists of interior and exterior alterations; additions up to 10,000 square feet if the project is in an area where all public services and facilities are available for the maximum development allowable and where the area is not historically significant, or subject to landslide hazard. The key consideration is whether the project involves negligible or no expansion of an existing use.

Additionally, CEQA Guidelines section 15300.2 establishes exceptions to the application of a categorical exemption. When any of the below exceptions apply, a project that otherwise fits within a categorical exemption must undergo some form of environmental review.

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the

project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. 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.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

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

PLANNING DEPARTMENT RESPONSES

Response 1: The Appellant has not provided substantial evidence to support a reasonable possibility that the project could result in significant unmitigated geotechnical impacts.

The appellant does not cite or provide evidence or information regarding unmitigated Geotech impacts associated with the proposed project. CEQA Section 15300.2 Exceptions states 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. In this case, the appellant has provided no evidence supporting the existence of an unusual circumstance related to the proposed project. The project would include the construction of a 669-square-foot vertical addition to an existing dwelling and within the same on-site building footprint; therefore, the project would not expand the use of the site beyond the existing residential use. The project would involve site preparation and grading, excavation, surface drainage improvements, new foundations and retaining walls, concrete slab-on-grade floors, and seismic design consideration and measures, all typical of residential construction projects within San Francisco.

A Geotech investigation was conducted for the 11 Gladys Street project on September 18, 2015. The investigation identified the most appropriate new foundation type(s); estimated the total and differential settlement of new foundations; provided excavation recommendations; identified lateral earth pressures on retaining/basement walls; described slab-on-grade subgrade preparation; site grading criteria; and identified potential geologic hazards. The primary geotechnical considerations for the site were excavation to lower the floor of the storage area, the potential for seasonal groundwater impacts on the new space, excavation of up to six feet in residual soil and/or bedrock, and the existing retaining wall along the southeast property line. The investigation addressed the project's proposed activities and included recommendations to lessen or eliminate potential geologic related impacts. From a geotechnical standpoint, it was concluded that the site can be developed as planned, provided the recommendations presented in the investigation are incorporated into the project plans and specifications and implemented during construction. The Geotech investigation and recommendations contained therein will be reviewed by the Department of Building Inspection (DBI) prior to issuance of the building permit. The sponsor will incorporate the approved geotechnical recommendations into the project's structural design.

Slopes greater than 20% are not unusual in San Francisco, a City with up to 48 recognized "hills." Development on such lots is routinely reviewed by city staff and construction undertaken in accordance with applicable City regulations. The Appellant has not provided information or demonstrated what unusual topographic feature of this approximately 20%-sloped lot would prevent it from being able to be developed in compliance with the Geotech investigation's recommendations or why in a City with numerous 20% or greater-sloped lots, this lot is so unusual that the site's geotechnical safety requirements could not be adequately addressed through DBI's permit review of the proposed project.

The project is consistent with the provisions set forth in Sections 15300.2 Exceptions and 15301 Class 1, because it would involve minor interior and exterior alterations and an addition under 10,000 square feet. There are no unusual circumstances associated with the project site or proposed project activities that could result in a significant environmental effect and no further environmental review is required.

Response 2: The Appellant's concern that the requested building permit for upgrades to the nearby College Hill Reservoir is unsigned is not substantial evidence that there is a reasonable possibility that the reservoir would damage neighbor's properties downhill from the reservoir such that a significant environmental effect would occur.

The College Hill reservoir, located at 155 Appleton Avenue, is owned and operated by the San Francisco Public Utilities Commission (SFPUC). The reservoir is approximately 450 feet southeast of the project site. The San Francisco Department of Building Inspection (DBI) issued a building permit in 2000 to the SFPUC. The Job Card and permit from DBI (Permit 929933)¹ for the College Hill Reservoir seismic retrofit work was reviewed by planning department staff and confirmed with SFPUC staff Sam Young on December 20, 2018. The activities described in the permit included special tests and inspections of the structural components of the reservoir in accordance with Section 1701 of the Building Code, including shear walls and diaphragm

¹ San Francisco Department of Building Inspection. *Job Card and Permit Application (Permit 929933)*. Stet January 8, 2001.

systems, reinforced structural collectors, steel and wood bracing, new sampling pumps and hypochlorite disinfection systems, certification of glu-lam components, and reroofing on the reservoir. According to the SFPUC construction manager of that project, all the permitted work and required inspections were performed and completed. The permit application required special inspection of the structural work related to the reservoir. All seismic upgrades and reservoir retrofits were completed per project specifications. According to the project manager, the reservoir would not have been returned into service had the inspection not been completed successfully. There are no significant effects that would occur related to the reservoir.

Response 3: The appellant does not provide substantial evidence or information to support the claim that the project's foundation work would destabilize the slope supporting the existing retaining wall or the College Hill Reservoir; thereby, leading to the failure of the reservoir.

The Geotechnical investigation for the project included recommendations for the proposed foundations, new retaining walls and existing retaining walls on-site. The subsurface conditions at the site consist of fill, residual soil and bedrock. The residual soil on-site is bedrock that has been completely weathered to soil. The residual soil is suitable for foundation support. The existing foundations bear on bedrock, which is relatively strong and incompressible. The bedrock on-site is suitable for foundation support. The project's grading activities would result in excavation of up to six feet in depth and the removal of approximately 280 cubic yards of soil within the existing ground floor area; therefore, the foundations and floor slabs would be constructed on undisturbed residual soil and/or bedrock. Where new or existing foundations are planned to be located behind retaining walls, additional measures to address earth pressure and slope gradients would be taken to account for vertical and lateral foundation loading on the on-site retaining wall.

Based on field observations by the geotechnical engineer, the existing perimeter walls were repaired and capped with concrete at some point in the past. Excavation would be required for new foundations and/or to increase the headroom within the existing storage areas. The primary geotechnical issue related to excavation is the presence of existing retaining walls along the property line. The investigation included recommendations to reduce the potential for on-site foundation or retaining wall movement and to provide support during installation of the new retaining wall. The Geotech investigation concluded that the proposed project's new addition and retaining walls could be supported on the site's bedrock and/or residual soils and would not destabilize the slope supporting the reservoir. The Geotech investigation would be reviewed for compliance with DBI requirements. The project sponsor would adhere to the recommendations in the approved Geotechnical investigation; thus, the project would not destabilize the slope or lead to the failure of the reservoir.

Response 4: The slope stability impacts of the project were adequately analyzed including the project's effects related to excavation and soil disturbance. A Geotechnical investigation was conducted on September 17, 2015 by Divis Engineering that addressed slope stability, excavation, soil disturbance, and seismic conditions for the project site.

As discussed above, and contrary to the appellant's claims, a Geotechnical investigation was prepared for the proposed project. The purpose of this report was to identify any geotechnical issues related to the potential for landslides, liquefaction, subsidence or groundshaking as a result of seismic activity, and to recommend construction practices and techniques to protect on-site structures and neighboring properties. These recommendations will be taken into account during DBI's permit review process. The geotechnical report found the project's risks from liquefaction, surface rupture, lateral spreading, densification and landslides to be low at the project site.

With regards to geotechnical considerations, during the permit review process, DBI shall review the Geotechnical investigation to ensure that the potential settlement and subsidence impacts of project excavation are appropriately addressed in accordance with Section 1704.15 of the San Francisco Building Code. DBI would also require that the final geotechnical report include a determination as to whether a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings during project construction. If a monitoring survey were recommended, DBI shall require that a Special Inspector be retained by the project sponsor to perform this monitoring. If, in the judgment of the Special Inspector, unacceptable movement were to occur during construction, corrective actions shall be used to halt this settlement. Further, the final building plans will be reviewed by DBI, which would determine if additional site-specific reports will be required.

The recommendations in the geotechnical investigation for 11 Gladys Street include, but are not limited to:

- Weak soil encountered in the bottom of footing excavations should be excavated and replaced with lean concrete,
- The bottom and sides of the excavation should be wetted following excavation and maintained in a moist condition until concrete is placed,
- Soil and rock encountered within the footing excavations prior to the placement of waterproofing, reinforcing steel or other components should be removed,
- Foundation excavations should be free of standing water, debris, and disturbed materials prior to placing concrete,
- Site Class C (Very Dense Soil and Soft Rock) should be used for the proposed project's site preparation and excavation activities

With implementation of the above recommendations provided in the geotechnical investigation, subject to review and approval by DBI, and monitoring by a DBI Special Inspector (if required) as part of DBI's existing regulatory program and the requirements of the Building Code, the proposed project would not result in a significant impact related to geotechnical impacts.

Response 5: The Appellant has not provided substantial evidence to support a reasonable possibility that the project excavation could result in significant archeological impacts, thereby requiring the preparation of an archeological report.

The proposed project would include a vertical addition within the same footprint as the existing on-site residence. The project site is characterized with slopes greater than 20%, and where the on-site slopes generally traverse the site in easterly and southerly directions. The footprint for the existing residence is

cut moderately into the steep slope. The appellant asserts that the project would result in cumulative soil disturbance/modification greater than eight feet in excavation depth. A six-foot maximum depth for excavation is anticipated for the project. The existing on-site residence ground floor consists of a subterranean garage and storage space supported by continuous and isolated footings and a basement slab that bear on undisturbed soils and sandstone and bedrock, which are suitable for load bearing conditions. Based on the review by planning department's in-house archeological specialist, there are no CEQA-significant archeological resources expected to be encountered on site during project development. The proposed project site is characterized as steeply sloped with a history of site disturbance and deep terracing, which indicates a low potential both for the presence and survival of archeological materials. No further archeological analysis is required and there would be no significant project-related archeological impacts.

CONCLUSION

The department has determined that the proposed project is categorically exempt from environmental review under CEQA on the basis that: (1) the project meets the definition of one or more of the classes of projects that the Secretary of Resources has found do not have a significant effect on the environment, and (2) none of the exceptions specified in CEQA Guidelines section 15300.2 prohibiting the use of a categorical exemption are applicable to the project. No substantial evidence supporting a fair argument that a significant environmental effect may occur as a result of the project has been presented that would warrant preparation of further environmental review. The Appellant has not provided any substantial evidence or expert opinion to refute the conclusions of the Department.

As noted, the department received a supplemental appeal letter in the late afternoon of January 4, 2019. The department will provide responses to the claims identified in the supplemental appeal letter, under separate cover, before the January 15, 2019 appeal hearing.

For the reasons stated above and in the September 29, 2017 CEQA categorical exemption determination, the CEQA determination complies with the requirements of CEQA and the project is appropriately exempt from environmental review pursuant to the cited categorical exemption. The department therefore respectfully recommends that the board uphold the CEQA categorical exemption determination and deny the appeal of the CEQA determination.

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Friday, January 4, 2019 1:56 PM
To: sarah@zfplaw.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Rodgers, AnMarie (CPC); Sider, Dan (CPC); Starr, Aaron (CPC); Christensen, Michael (CPC); Young, David (CPC); Rosenberg, Julie (BOA); Cantara, Gary (BOA); Longaway, Alec (BOA); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS); robert@oliver.name
Subject: SUPPLEMENTAL APPEAL LETTER: Appeal of CEQA Exemption Determination - 11 Gladys Street - Appeal Hearing on January 15, 2019
Categories: 181200

Greetings,

Please find linked below a supplemental appeal letter received by the Office of the Clerk of the Board from Sarah Hoffman of Zacks, Freedman & Patterson, PC, on behalf of David Donofrio, the appellant, regarding the appeal of the Categorical Exemption Determination for the proposed project at 11 Gladys Street.

[Supplemental Appeal Letter - January 4, 2019](#)

The hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on January 15, 2019, at 3:00 p.m.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 181200](#)

Regards,

Lisa Lew

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Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

2019 JAN -4 AM 11:58

BY PJ

January 4, 2019

VIA HAND DELIVERY AND EMAIL

President Malia Cohen
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Re: Appeal of CEQA Categorical Exemption Determination: File No. 181200
11 Gladys Street, San Francisco

Dear President Cohen and Honorable Members of the Board of Supervisors:

I am a licensed civil and structural engineer, practicing for more than 38 years in San Francisco, California.¹ This letter sets out my findings in relation to the potential significant environmental impacts associated with the proposed project at 11 Gladys Street in Bernal Heights (the "Property"). The project sponsor proposes a vertical addition to the existing two-story single-family home (Building Permit No. 2016.12.08.4425, the "Project"). As set out in this letter, further environmental review of the Project is required.

It is my professional opinion that the Project has the potential to cause significant unmitigated environmental impacts. Such impacts were not analyzed as part of the CEQA review of the Project (attached hereto as **Exhibit A**), and include potential geotechnical and archaeological impacts.

The Project involves excavation and soil disturbance, with potential significant impacts that have not been analyzed.

The Environmental Evaluation Application asserted that the Project will not result in excavation or soil disturbance. (Attached hereto as **Exhibit B**.) This is not correct. There is no feasible way to complete the Project without excavation or soil disturbance occurring. The Project proposes to add a level to the building, which will increase the dead, live, and seismic loads on the existing archaic foundations.

The Property is at the bottom of a steep slope, with a 10-12' tall existing retaining wall along the rear property line, at the base of this slope. The existing building at the Property was constructed circa 1941, and the current retaining wall at the rear appears to be an unreinforced gravity wall. The current Building Code does not allow this type of construction. I have reviewed

¹ A copy of my CV is attached hereto as Exhibit F.

the permit history for the Property, and there is no record of any foundation upgrade work being performed at the Property since the building was constructed in 1941. This means that foundation upgrades will be required for the Project to be constructed. In order to support the increased loading, the Project sponsor will need to retrofit or replace of the existing foundations and retaining wall – this necessarily involves excavation and soil disturbance. At the rear retaining wall, it is an extremely complex engineering and construction issue to retrofit an archaic retaining wall that is 10' tall, plus additional excavation. Replacing this archaic wall with a new 10'-12' tall retaining wall on a neighboring property is just as challenging.

The geotechnical report prepared for the Project notes that grading and excavation will occur. (Attached hereto as **Exhibit C**.) However, neither the EEA nor the geotechnical report disclose the extent of the excavation and soil disturbance that will occur. This is a serious omission, because it means that the potential geotechnical impacts of the Project have not been analyzed. The geotechnical report that was prepared focuses on the Project site, and whether it can be developed in the way proposed. I am greatly concerned that no study of the archaic wall and its associated embedment has been done to determine the feasibility of this Project. The report also does not consider slope conditions uphill from the Property, or the impacts of the proposed excavation work.

This failure to consider conditions uphill is concerning because The College Hill reservoir is uphill from the Subject Property, with a capacity of 13.5 million gallons of water. The City filed a building permit for seismic upgrades of the reservoir in 2000, with the scope of work described as "SEISMIC RETROFIT COLLEGE HILL RESVR WORK INCLUDES CON SHEAR WALL/FOOTINGS, STRUCT STEEL COLLECTORS WO." (A true and correct copy of the information for this permit is attached hereto as **Exhibit D**). However, this permit was never finally signed off by the Building Department, opening the question about the seismic capability of the reservoir.

The reservoir has a wide, flat berm that acts as a buttress against the force of the water pushing downhill. The berm is between the reservoir and the Subject Property. The Subject Property is below the reservoir. Due to the steepness of the slope between the Subject Property and the reservoir (at a grade of around 30%), there is a small but unresolved risk that foundation work at the Subject Property or failure of the existing archaic retaining wall would destabilize the slope. The destabilization of the slope supporting the reservoir berm could lead to a catastrophic failure of the reservoir. The potential risk of slope stability issues is small, but is a risk with catastrophic consequences. I am also concerned about drainage of groundwater behind the wall.

A geotechnical or geologic report should have been prepared that analyzes the slope stability and other geotechnical impacts of the Project, including the effect on the reservoir.

The required archaeological survey was not undertaken.

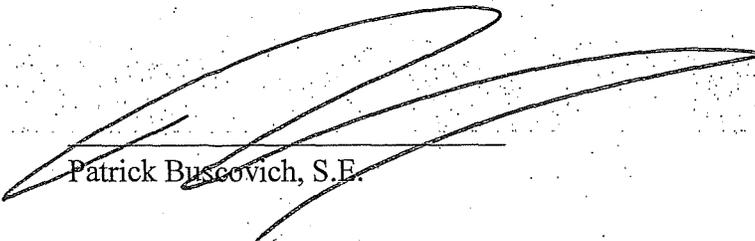
The excavation required for the Project will likely result in cumulative soil disturbance/modification greater than eight feet below grade, so that an archeological study should have been required. As set out in the City's Categorical Exemption checklist, where a project proposes soil disturbance / modification greater than eight feet below grade in a non-archaeologically sensitive area, this triggers potential CEQA impacts that must be analyzed. To upgrade the existing foundations by retrofitting them or replacing them will require additional excavation. There is a probability that the archaic gravity wall is not properly embedded into the soil. This will require additional excavation. The current gravity wall appears to have required 10' to 12' of excavation. Retrofitting or upgrading will require an even deeper total excavation – much greater than 8'.

No archeological survey has been prepared in relation to the Subject Property, which is located in a historically populated area of the Rancho Rincon de las Salinas (an 1839 Mexican land grant), near Cayuga Creek and the road to San Jose (now known as San Jose Avenue). (A true and correct copy of a section of V. Wackenreuder's 1861 map of San Francisco, with the location of the Property labeled on it, is attached hereto as **Exhibit E.**) Given the excavation work that will be required at the Subject Property, an archeological study should have been prepared.

Conclusion

The EEA submitted for the Project failed to disclose the extent of the excavation and soil disturbance associated with the Project, wrongly claiming that no excavation will occur. This omission means that the potential geotechnical and archaeological impacts of the Project have not been disclosed or analyzed, and the CEQA review of the Project was defective. The Project has the potential to cause significant environmental impacts, so that further environmental review should be required.

Very truly yours,



Patrick Buscovich, S.E.

EXHIBIT A



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
11 Gladys Street		5710/027	
Case No.	Permit No.	Plans Dated	
2015-004717ENV	2016.1208.4425	06/01/2016	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
Approx. 660 sq. ft. third story vertical addition to the existing two-story, single-family dwelling.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

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

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input checked="" type="checkbox"/>	<p>10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p><input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: _____ (attach HRER)</p> <p>b. Other (specify): Per PTR form approved by T. Tam signed 03/20/2017.</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p>	
<p>Preservation Planner Signature: Doug Vu</p> <p style="text-align: right; font-size: small;">Digitally signed by Doug Vu Date: 2017.03.21 10:43:04 -07'00'</p>	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Doug Vu</p> <hr/> <p>Project Approval Action:</p> <p>Building Permit</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <p>Doug Vu</p> <p>Digitally signed by Doug Vu Date: 2017.09.26 15:12:11 -07'00'</p>
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:	N/A	Date of Form Completion:	2/27/2017
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PROJECT INFORMATION:		
Planner:	Address:	
Doug Vu	11 Gladys Street	
Block/Lot:	Cross Streets:	
5710/027	Santa Marina Street & Appleton Avenue	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	N/A	2015-004717ENV / 2016.1208.4425

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	06/01/2016
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Supplemental for Historic Resource Determination prepared by Tim Kelley Consulting, dated September 2015.	

PRESERVATION TEAM REVIEW:			
Category	<input type="radio"/> A	<input type="radio"/> B	<input type="radio"/> C
Individual	Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 2 -Persons: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 -Persons: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 3 - Architecture: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Criterion 4 - Info. Potential: <input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential: <input type="radio"/> Yes <input checked="" type="radio"/> No		
Period of Significance: <input type="text"/>	Period of Significance: <input type="text" value="N/A"/>		
	<input type="radio"/> Contributor <input type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art.10/Art.11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment to the individual historic resource:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
CEQA Material Impairment to the historic district:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

PRESERVATION TEAM COMMENTS:

The up- and laterally-sloping property at 11 Gladys Street was originally improved with a two-story single-family dwelling constructed in 1941 in a vernacular traditional style. The house has a roughly L-shaped footprint that is clad in stucco and rustic siding, and capped with a flat roof behind a false hipped eave supported by false rafter tails. The primary facade includes a roll-up garage door and small window at the ground story, and a second story that has a bump-out at the left side with a small corner hung wood sash window and tripartite window to the right underneath a false gable, and the floors separated by scalloped trim. A courtyard is located at the southeast corner of the property, which includes brick entry stairs that run parallel to the street and leads to a diagonally set covered front entrance. The building steps back behind the courtyard at right angles to form the irregular L-shaped plan, and includes multiple wood sash windows. The majority of the buildings on this block of Bernal Heights were constructed between 1900 and 1912, with the exception of two 1940s infill homes that include the subject property.

Pursuant to the Supplemental for Historic Resource Determination prepared by Tim Kelley Consulting dated September 2015 and additional research completed by Department staff, previous alterations to the building include raising the foundation in the garage area to standard grade, installation of four aluminum windows at the primary facade and interior renovations. The subject building is not architecturally distinct and would not qualify for listing in the CA Register under Criterion 3.

The original owner and occupant, Fred Isaacson, resided shortly on the property until 1945, followed by ten unrelated owners between 1945 to present day. The current owner and resident, Robert Oliver, has resided there since 1999. An additional seven people who were unrelated to the respective owners have also occupied the residence between 1943 and 1982. No known historic events occurred at the subject property under Criterion 1, and none of the owners and occupants have been identified as important to history under Criterion 2.

The building is not located within the boundaries of any identified historic district, and is not eligible for listing in the CA Register under any criteria individually or as part of a historic district.

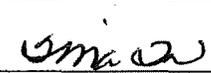
Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	3.20.2017

EXHIBIT B
3229



SAN FRANCISCO
PLANNING
DEPARTMENT

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

APPLICATION PACKET FOR

Environmental Evaluation

Pursuant to the California Environmental Quality Act (CEQA), public agencies must review the environmental impacts of proposed projects. The CEQA process is codified in the California Public Resources Code, Sections 21000 et seq., the California Code of Regulations, Title 14, Sections 15000 et seq., and Chapter 31 of the San Francisco Administrative Code.

WHAT IS ENVIRONMENTAL EVALUATION?

Environmental evaluation pursuant to CEQA is an objective process that is intended to disclose to decision makers and the public the significant environmental effects of proposed projects, to require agencies to reduce or avoid environmental effects, to disclose reasons for agency approval of projects with significant environmental effects, to enhance public participation, and to foster intergovernmental coordination. In San Francisco, the Environmental Planning Division of the San Francisco Planning Department administers the CEQA review process. More information on the environmental review process and how it is administered in San Francisco is available on the Planning Department's Environmental Planning web pages.

WHEN IS ENVIRONMENTAL EVALUATION NECESSARY?

Projects subject to CEQA are those actions that require a discretionary decision by the City; have the potential to result in a direct or reasonably foreseeable indirect physical change in the environment; or fall within the definition of a "project" as defined by the CEQA Guidelines in Sections 15060(e) and 15378. A project may be determined to be statutorily or categorically exempt from CEQA or may require an initial study to determine whether a negative declaration or environmental impact report (EIR) is required. Planners at the Planning Information Center (PIC) counter (1660 Mission Street, First Floor) may issue an exemption stamp or require that the project sponsor file an Environmental Evaluation Application.

If your project meets any of the following thresholds, you must first submit a Preliminary Project Assessment (PPA) Application before you submit the Environmental Evaluation Application: (1) the project creates seven or more dwelling units, (2) the project involves a change of use of 25,000 square feet or more, and/or (3) the project involves the construction of a new non-residential building or addition of 10,001 square feet or more. The Department may also request other complex projects not meeting these thresholds to undergo a PPA.

HOW DOES THE PROCESS WORK?

The Environmental Evaluation Application may be filed prior to or concurrently with the building permit application; however, the City may not approve projects or issue permits until the environmental review process is complete.

No appointment is required but Environmental Planning staff are available to meet with applicants upon request. The Environmental Evaluation Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. See the current Schedule of Application Fees (available online). Checks should be made payable to the San

Francisco Planning Department. Fees are generally non-refundable.

WHO MAY SUBMIT AN ENVIRONMENTAL EVALUATION APPLICATION?

Only the property owner or a party designated as the owner's agent may submit an Environmental Evaluation Application. (A letter of agent authorization from the owner must be attached.)

WHAT TO INCLUDE ON THE PROJECT DRAWINGS

Project drawings submitted with the Environmental Evaluation Application must be in 11x17 format and, in most cases, must include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed structures on both the subject property and on immediately adjoining properties; off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site.

SPECIAL STUDIES THAT MAY BE NEEDED

To assist in the environmental evaluation process, the project sponsor may be required to provide supplemental data or studies, as determined by Planning staff, to address potential impacts on cultural, paleontological, or historical resources, soils, traffic, biological resources, wind, shadows, noise, air quality, or other issue areas. Neighborhood notification may also be required as part of the environmental review processes.

HISTORIC RESOURCE REVIEW

All properties over 45 years of age in San Francisco are considered potential historic resources. If the proposed project involves physical alterations to a building over 45 years in age, you may be requested by Planning staff to provide additional information to determine (1) whether the property is a historic resource, and (2) whether the proposed project may cause a substantial adverse change in the significance of a historic resource. If requested by a Planner, you must submit the Supplemental Information for Historic Resource Evaluation form with the Environmental Evaluation Application.

The property may have already been evaluated as a historic resource through previous survey or analysis. Please consult the Preservation tab of the Property Information Map on the Planning Department's website. Certain types of projects will require a complete Historic Resource Evaluation (HRE) to be prepared by a professional preservation consultant. For further

information, please consult with a preservation planner at the PIC counter.

COMMUNITY PLAN EXEMPTION

Community plan exemption (CPE) from CEQA review may be issued for projects within adopted plan areas that would not otherwise be exempt, if they are determined not to create significant impacts beyond those identified in the applicable area plan EIR. There are three possible outcomes of this process: Preparation of (1) a CPE only, (2) a CPE and a focused initial study/mitigated negative declaration, or (3) a CPE and a focused EIR.

PROJECTS THAT ARE DETERMINED NOT TO BE EXEMPT

Projects that require mitigation measures are not eligible for environmental exemption. If Planning staff determines that the project is not exempt from CEQA review, an initial study will be required. The applicable environmental evaluation fee is based on the construction cost of the proposed project. Based on the analysis of the initial study, Planning staff will determine that the project will be issued either (1) a negative declaration stating that the project would not have a significant effect on the environment, or (2) an EIR if there is substantial evidence of one or more significant impacts.

DISCLOSURE REPORT FOR DEVELOPERS OF MAJOR CITY PROJECTS

The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and filed by the developer of any "major project." A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not

include a residential development project with four or fewer dwelling units.

The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

HOW TO SUBMIT THE APPLICATION

The complete Environmental Evaluation Application should be submitted as follows: For projects that underwent Preliminary Project Assessment and already received the PPA letter, send the Environmental Evaluation Application to the attention of Vima Byrd. For all other projects, including those that require historical resource review only, send the Environmental Evaluation Application to the attention of Erica Russell. A preservation planner will be assigned to complete the historical review. Once an application is submitted, historical review questions may be directed to Tina Tam.

Vima Byrd
(415) 575-9025
vimaliza.byrd@sfgov.org

Erica Russell
(415) 575-9181
erica.russell@sfgov.org

Tina Tam
Senior Preservation Planner
(415) 558-6325
tina.tam@sfgov.org

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APPLICATION FOR Environmental Evaluation

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Robert Oliver	
PROPERTY OWNER'S ADDRESS: 11 Gladys Street	TELEPHONE: (415) 412.3664
	EMAIL: robert@oliver.name

APPLICANT'S NAME, COMPANY/ORGANIZATION (IF APPLICABLE): Rob Oliver Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE: ()
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Gabriel Guerriero Same as Above <input type="checkbox"/>	
ADDRESS: 301 Bocana Street	TELEPHONE: (415) 867-5357
	EMAIL: gg@masonkirby.com

2. Location and Classification

STREET ADDRESS OF PROJECT: 11 Gladys Street	ZIP CODE: 94110
CROSS STREETS: Santa Marina St.	

ASSESSOR'S BLOCK/LOT: 5710 / 027	LOT DIMENSIONS: 51.5'x25'	LOT AREA (SQ FT): 1287.5	ZONING DISTRICT: RH-2	HEIGHT/BULK DISTRICT: 40-X
COMMUNITY PLAN AREA (IF ANY): Bernal Heights				

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify: _____	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input checked="" type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: Single Family residence
		PROPOSED USE: Single Family residence
		BUILDING APPLICATION PERMIT NO.:
		DATE FILED:

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	1	1	0	1
Hotel Rooms				
Parking Spaces	2	2	0	2
Loading Spaces				
Number of Buildings	1	1	0	1
Height of Building(s)				
Number of Stories	1	1	1	2
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	908	908	660	1568
Retail				
Office				
Industrial				
PDR Production, Distribution, & Repair				
Parking	539	539	0	539
Other ()				
Other ()				
Other ()				
TOTAL GSF	1447	1447	660	2,107
Please provide a narrative project description that summarizes the project and its purpose or describe any additional features that are not included in this table. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable. THIS SECTION MUST BE COMPLETED.				

Lot dimensions and orientation create a substandard buildable area. The existing non-complying structure covers the entire lot. A variance is required for the rear and front yard set backs.

Applicable code sections:

Section 242.2 Bernal Heights Special Use District, Rear Yards.

Section 132. Front Setback Areas.

Section 134. Rear Yard Setback Areas.

EE Required for Lot slope greater that 20%.

5. Environmental Evaluation Project Information

1. Would the project involve a major alteration of a structure constructed 45 or more years ago or a structure in a historic district? YES NO

If yes, submit the *Supplemental Information for Historic Resource Evaluation* application.

2. Would the project involve demolition of a structure constructed 45 or more years ago or a structure located in a historic district? YES NO

If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with Preservation Planning staff.

3. Would the project result in excavation or soil disturbance/modification? YES NO

If yes, please provide the following:

Depth of excavation/disturbance below grade (in feet): _____

Area of excavation/disturbance (in square feet): _____

Amount of excavation (in cubic yards): _____

Type of foundation to be used (if known) and/or other information regarding excavation or soil disturbance modification:

Note: A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project:

- The project involves a lot split located on a slope equal to or greater than 20 percent.
- The project is located in a seismic hazard landslide zone or on a lot with a slope average equal to or greater than 20 percent and involves either
 - excavation of 50 or more cubic yards of soil, or
 - building expansion greater than 1,000 square feet outside of the existing building footprint.

A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.

4. Would the project involve any of the following: (1) the construction of a new building; (2) the addition of a dwelling unit; (3) the addition of a new curb-cut; (4) the addition of a garage; and/or (5) a net addition to an existing building of 500 gross square feet or more? YES NO

If yes, you will need to comply with the tree planting regulations of Public Works Code Section 806 prior to receiving a building permit.

4b. Does the project include the removal or addition of trees on, over, or adjacent to the project site? YES NO

If yes, please answer the following questions:

Number of trees on, over, or adjacent to the project site: _____

Number of trees on, over, or adjacent to the project site that would be removed by the project (see definitions of removal, significant, landmark, and street trees):

Significant trees: _____

Landmark trees: _____

Street trees: _____

Number of trees on, over, or adjacent to the project site that would be added by the project: _____

5. Would the project result in any construction over 40 feet in height? YES NO

If yes, please submit a *Shadow Analysis Application*. This application should be filed at the PIC and should not be included with the Environmental Evaluation Application. (If the project already underwent Preliminary Project Assessment, this application may not be needed. Please refer to the shadow discussion in the PPA letter.)

6. Would the project result in a construction of a structure 80 feet or higher? YES NO

If yes, an initial review by a wind expert, including a recommendation as to whether a wind analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, please refer to the wind discussion in the PPA letter.)

7. Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks? YES NO

If yes, please submit a Phase I Environmental Site Assessment (ESA) prepared by a qualified consultant. If the project is subject to Health Code Article 22A, Planning staff will refer the project sponsor to the Department of Public Health for enrollment in DPH's Maher program.

8. Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps? YES NO

If yes, please describe.

This variance is for the front and rear yard set back requirements.

9. Is the project related to a larger project, series of projects, or program? YES NO

If yes, please describe.

This variance is for the front and rear yard set back requirements.

Estimated Construction Costs

TYPE OF APPLICATION:	
Environmental Application	
OCCUPANCY CLASSIFICATION:	
R-3	
BUILDING TYPE:	
V	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
660 Sq. Ft.	Residential
ESTIMATED CONSTRUCTION COST:	
\$150,000	
ESTIMATE PREPARED BY:	
Architect Mason Kirby	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: _____

Date: _____

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

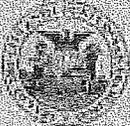
Owner / Authorized Agent (circle one)

Environmental Evaluation Application Submittal Checklist

APPLICATION MATERIALS	PROVIDED	NOT APPLICABLE
Two (2) originals of this application signed by owner or agent, with all blanks filled in.	<input type="checkbox"/>	
Two (2) hard copy sets of project drawings in 11" x 17" format showing existing and proposed site plans with structures on the subject property and on immediately adjoining properties, and existing and proposed floor plans, elevations, and sections of the proposed project.	<input type="checkbox"/>	
One (1) CD containing the application and project drawings and any other submittal materials that are available electronically. (e.g., geotechnical report)	<input type="checkbox"/>	
Photos of the project site and its immediate vicinity, with viewpoints labeled.	<input type="checkbox"/>	
Check payable to San Francisco Planning Department.	<input type="checkbox"/>	
Letter of authorization for agent.	<input type="checkbox"/>	<input type="checkbox"/>
<i>Supplemental Information for Historic Resource Evaluation</i> , as indicated in Part 5 Question 1.	<input type="checkbox"/>	<input type="checkbox"/>
Two (2) hard copies of the <i>Historic Resource Evaluation</i> , as indicated in Part 5 Question 2.	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical report, as indicated in Part 5 Question 3.	<input type="checkbox"/>	<input type="checkbox"/>
Phase I Environmental Site Assessment, as indicated in Part 5 Question 7.	<input type="checkbox"/>	<input type="checkbox"/>
Additional studies (list).	<input type="checkbox"/>	<input type="checkbox"/>

For Department Use Only
 Application received by Planning Department:

By: _____ Date: _____



FOR MORE INFORMATION:
 Call or visit the San Francisco Planning Department

<p>Central Reception 1650 Mission Street, Suite 400 San Francisco CA 94103-2479</p> <p>TEL: 415.558.6378 FAX: 415.558-6409 WEB: http://www.sfplanning.org</p>	<p>Planning Information Center (PIC) 1660 Mission Street, First Floor San Francisco CA 94103-2479</p> <p>TEL: 415.558.6377</p> <p><small>Planning staff are available by phone and at the PIC counter. No appointment is necessary.</small></p>
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Google Maps 11 Gladys St



Image capture: Jul 2015 © 2017 Google

San Francisco, California

Street View - Jul 2015

EXHIBIT C

GEOTECHNICAL INVESTIGATION REPORT

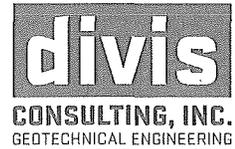
11 GLADYS STREET

SAN FRANCISCO, CALIFORNIA

Prepared for:
Rob Oliver
11 Gladys Street
San Francisco, CA 94110
c/o Gabriel Guerriero
Architect Mason Kirby
gg@masonkirby.com
18 September 2015
15-180505-01.pdf

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18 September 2015
Project No. 15-180505

Rob Oliver
c/o Gabriel Guerriero
Architect Mason Kirby
301 Bocana Street
San Francisco, CA 94110
gg@masonkirby.com

Subject: Geotechnical Investigation Report
11 Gladys Street
San Francisco, California

Dear Mr. Oliver:

This letter transmits our geotechnical investigation report for the proposed improvements at 11 Gladys Street in San Francisco, California. We understand the plans for the proposed improvements are being finalized. We can provide additional recommendations and consultation regarding final design upon request. The work described in this report was performed in accordance with our proposal dated 18 May 2015.

The site is located within an area defined by Section 106A.4.1.4 of the 2013 San Francisco Building code and consequently is located within a special study zone under the Slope Protection Act. This was discussed in our proposal and we understand that you are not required to provide a geologic hazard report at this time.

Our report contains detailed recommendations that should be reviewed in their entirety. We should review the geotechnical aspects of the project plans and specifications prior to final design to check that they are in general conformance with the recommendations presented in this report.

Our conclusions and recommendations are based on a limited investigation and variations between the expected and actual soil conditions may be found during construction. A competent experienced person should be present during construction to identify any deviations from the conditions described in this report and the project plans and specifications. We should be notified immediately if a changed condition is encountered.

We should be retained during construction to provide as needed consultation, geotechnical observation and geotechnical special inspection. This will allow us to check the actual soil conditions with those described in our report and make the appropriate changes to our recommendations.



We appreciate the opportunity to be involved with this project. If you have any questions, please call.

Sincerely yours,
DIVIS CONSULTING, INC.


Christian J. Divis
Geotechnical Engineer

ENCLOSURE

GEOTECHNICAL INVESTIGATION REPORT

11 GLADYS STREET

SAN FRANCISCO, CALIFORNIA

Prepared for:
Rob Oliver
11 Gladys Street
San Francisco, CA 94110
c/o Gabriel Guerriero
Architect Mason Kirby
gg@masonkirby.com
18 September 2015
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Prepared by:



Christian J. Divis, P.E., G.E.
Geotechnical Engineer #GE2694



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FIGURES

APPENDIX A – Important Information about Your Geotechnical Engineering Report

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FIGURES

- FIGURE 1 SITE LOCATION MAP
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**GEOTECHNICAL INVESTIGATION REPORT
11 GLADYS STREET
SAN FRANCISCO, CALIFORNIA**

1.0 INTRODUCTION

This report presents the results of the geotechnical investigation performed by Divis Consulting, Inc., for proposed improvements at 11 Gladys Street in San Francisco, California.

The site is located within the Bernal Heights neighborhood of San Francisco. The site is bounded by Gladys Street to the northwest, 5 Gladys Street to the northeast, 48 Santa Marina Street to the southeast and 19 Gladys Street to the southwest. The approximate site location is shown on the site location map, Figure 1.

We understand that development plans have not been finalized and will be determined based on the results of this report, San Francisco Planning requirements and cost.

2.0 SCOPE OF WORK

Our investigation was performed in accordance with our proposal dated 18 May 2015. Our investigation included performing a site visit to observe soil and rock exposed within four test pits. Based on the results of our investigation and engineering analysis, we developed conclusions and recommendations regarding the following:

- most appropriate new foundation type(s)
- estimated total and differential settlement of new foundations
- excavation
- lateral earth pressures and retaining/basement walls
- slab-on-grade subgrade preparation
- criteria for site grading
- preliminary study of geologic hazards

- site seismicity
- 2013 San Francisco Building Code (SFBC) seismic design recommendations
- construction considerations.

3.0 FIELD INVESTIGATION

We observed the near surface soil conditions within four test pits, dug by others. The test pits were approximately two feet deep and their approximate location is shown on the Site Plan, Figure 2.

Strength characteristic of the subsurface soil were investigated by performing Dynamic Penetration Tests DPT(s) within each test pit.

DPTs are performed by driving the 90 degree apex, 1.4-inch-diameter, lost point into the ground with a 35-pound hammer falling 15 inches. The lost point is larger in diameter than the driving rods and cuts clearance for the rods as it is advanced. The point remains lost in the ground at completion of the test. Hammer blows are recorded by the operator for each four inches of penetration into the ground. The DPT-N values are converted to SPT-N values for engineering analysis.

The subsurface conditions encountered and the results of the DPTs are discussed in Section 5.0.

4.0 SITE DESCRIPTION

The site is located on San Francisco City Assessors Block 5710 Lot 027. According to public records, the parcel is 1,250 square feet and the existing residence is 1,000 square feet. As shown on the site plan, Figure 2, the existing residence is located near the front of the property. The first floor of the residence consists of garage and storage space and founded on continuous and isolated spread footings.

The site is relatively flat; however there is a retaining wall along the southeast property line that is between about 7 and 12 feet tall. Furthermore, there are retaining walls within the footprint of the first floor which divide the garage from the storage space. Based on our observations on-site, it appears the existing perimeter walls were repaired and capped with concrete at some point in the past.

5.0 SUBSURFACE CONDITIONS

Our understanding of the subsurface conditions is based on a limited field exploration and familiarity with the project area. The subsurface conditions described within this section should be verified in the field.

We judge the subsurface conditions at the site consist of: fill, residual soil and bedrock.

Fill: Fill consisting of clay with rock fragments was observed adjacent to existing foundations and was most likely placed during construction of the foundations. All existing on-site fill should be characterized as unclassified. Consequently, fill should not be relied upon for foundation support.

Residual Soil: Residual soil is bedrock that has been completely weathered to soil. It is likely that residual soil will be encountered between any fill and the bedrock. The residual soil is suitable for foundation support.

Bedrock: We observed the existing foundations bear on bedrock. The bedrock is relatively strong and incompressible. In general, bedrock was encountered approximately two feet below the existing slab-on-grade. The bedrock consists of sandstone and shale. The bedrock is suitable for foundation support.

We observed the subsurface conditions and existing foundations in four test pits (TP-1 through TP-4). The approximate location of the test pits is shown on Figure 2. We observed a 2-3 inch concrete slab across both the garage and storage area.

TP-1 was performed adjacent to two existing retaining walls at the southern corner of the storage area. The existing wall had been capped and the cap extended to approximately 2 inches below the existing slab. We observed residual soil (clay with rock fragments) to a depth of about 2 feet 2 inches below the top of existing slab. A DPT indicates the residual soil is hard and relatively incompressible.

TP-2 was performed within the storage area and adjacent to an existing perimeter foundation. The foundation bears on weak clay with rock fragments at a depth of about 12 inches below the top of slab.

Fill and topsoil were observed above the bottom of footing. Bedrock was observed approximately two feet below the top of slab.

TP-3 was performed at the northern corner of the garage. The foundation was found to be about 2 foot 6 inches below the top of slab and bears on bedrock. The soil above the bottom of footing consisted of clayey fill.

TP-4 was performed along the southeastern property line at the base of the retaining wall. We observed the foundation (or cap) to be about five inches below the top of existing slab. The existing foundation bears on bedrock. Fill was observed between the slab and bedrock.

Groundwater was not observed during our field investigation. However, since the site is cut into a hillside, groundwater should be anticipated and designed for. Groundwater levels may vary seasonally and depending on a variety of factors such as landscaping activities and seasonal rainfall. Groundwater is typically encountered at the interface between the fill and bedrock and within sand lenses in the native clay. Seasonal springs may also be encountered due to fractures within the bedrock. Where groundwater or evidence of groundwater is encountered during construction, we should be notified to evaluate if additional measures are required to control the flow of groundwater at the site.

6.0 REGIONAL SEISMICITY

The major active faults in the area are the San Andreas, San Gregorio, and Hayward, and Calaveras Faults. These and other faults in the region are shown on Figure 4. The distance from the site and estimated maximum Moment magnitude¹ [Working Group on California Earthquake Probabilities (WGCEP) (2007) and Cao et al. (2003)] for the major active faults within 50 kilometers of the site are summarized in Table 1.

¹ Moment magnitude is an energy-based scale and provides a physically meaningful measure of the size of a faulting event. Moment magnitude is directly related to average slip and fault rupture area.

**TABLE 1
REGIONAL FAULTS AND SEISMICITY**

Fault Segment	Approximate Distance from Site (km)	Direction from Site	Maximum Magnitude
N. San Andreas - Peninsula	8.3	West	7.2
N. San Andreas (1906 event)	8.3	West	8.1
N. San Andreas - North Coast	14	West	7.5
San Gregorio Connected	15	West	7.5
Total Hayward	21	Northeast	7.0
Total Hayward-Rodgers Creek	21	Northeast	7.33
Monte Vista-Shannon	37	Southeast	6.5
Mount Diablo Thrust	37	East	6.7
Total Calaveras	37	East	7.0
Rodgers Creek	39	North	7.1
Green Valley Connected	42	East	6.8
Point Reyes	43	West	6.9
West Napa	50	Northeast	6.7

The most recent earthquake to affect the Bay Area was the Loma Prieta Earthquake of 17 October 1989, in the Santa Cruz Mountains with a M_w of 6.9, approximately 92 km from the site.

In 2006, the Working Group on California Earthquake Probabilities (WGCEP 2008) at the U.S. Geologic Survey (USGS) predicted a 62 percent probability of a magnitude 6.7 or greater earthquake occurring in the San Francisco Bay Area by the year 2031.

The U.S. Geological Survey's Working Group on California Earthquake Probabilities (2008) 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 during the period 2007 to 2037 is 63 percent. The highest probabilities are assigned to the Northern segment of the San Andreas Fault and the northern Hayward/Rodgers Creek Fault. These probabilities are 21 and 31 percent, respectively.

7.0 GEOLOGIC HAZARDS

Because the project site is in a seismically active region, we evaluated the potential for earthquake-induced geologic hazards including ground shaking, ground surface rupture, liquefaction,² lateral spreading,³ and cyclic densification⁴. The results of our evaluation are presented in the following sections.

7.1 Ground Shaking

The seismicity of the site is governed by the activity of the San Andreas Fault, although ground shaking from future earthquakes on other faults, including those presented in Table 1, would also be felt at the site. The intensity of earthquake ground motion at the site will depend upon the characteristics of the generating fault, distance to the earthquake epicenter, and magnitude and duration of the earthquake. We judge that strong to violent ground shaking could occur at the site during a large earthquake on one of the nearby faults.

² Liquefaction is a phenomenon where loose, saturated, cohesionless soil experiences temporary reduction in strength during cyclic loading such as that produced by earthquakes.

³ Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

⁴ Cyclic densification is a phenomenon in which non-saturated, cohesionless soil is compacted by earthquake vibrations, causing ground-surface settlement.

The potential intensity of ground shaking at the site can be quantitatively evaluated in terms of a probability that a particular level of shaking (i.e., ground motions) will be exceeded during the given life of a structure. The Design Basis Earthquake (DBE) for non-critical structures is generally defined as an event with a 10 percent probability of exceedance in 50 years. One measure of the ground motions associated with this event is the peak ground acceleration (PGA), which is expressed as a fraction of the acceleration due to gravity. The California Geological Survey (CGS) website⁵ indicates the PGA with a 10 percent probability of exceedance in 50 years for the subject property is 0.525 times gravity (g).

7.2 Fault Rupture

Historically, ground surface displacements closely follow the trace of geologically young faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known active or potentially active faults exist on the site.

7.3 Liquefaction and Associated Hazards

When a saturated, cohesionless soil liquefies, it experiences a temporary loss of shear strength created by a transient rise in excess pore pressure generated by strong ground motion. Soil susceptible to liquefaction includes loose to medium dense sand and gravel, low-plasticity silt, and some low-plasticity clay deposits. Flow failure, lateral spreading, differential settlement, loss of bearing strength, ground fissures and sand boils are evidence of excess pore pressure generation and liquefaction.

Considering the site is underlain by clayey fill and native clay, we conclude the potential for liquefaction and associated hazards are very low to nil.

⁵ http://www.quake.ca.gov/gmaps/PSHA/psha_interpolator.html

7.4 Cyclic Densification

Cyclic densification (also referred to as differential compaction) of non-saturated sand (sand above groundwater table) can occur during an earthquake, resulting in settlement of the ground surface and overlying improvements. Clean sand was not encountered during our investigation and with the exception of localized fills, we do not anticipate loose clean sand at the site. Therefore, we judge the potential for cyclic densification to be very low to nil.

8.0 CONCLUSIONS AND RECOMMENDATIONS

From a geotechnical standpoint, we conclude the site can be developed as planned, provided the recommendations presented in this report are incorporated into the project plans and specifications and implemented during construction. The primary geotechnical considerations for the site are the required excavation to lower the storage area, the potential for seasonal groundwater and its impact on the new space, excavation in bedrock and the existing retaining wall along the southeast property line.

8.1 Site Preparation and Grading

We understand that grading activities will be limited to excavation within the existing ground floor; consequently, the foundations and floor slabs should be constructed on undisturbed residual soil and/or bedrock. We further understand that engineered fill will not be required for the proposed work.

Where native soil or bedrock is exposed for new improvements, the soil subgrade should be kept moist until it is covered by concrete, waterproofing, capillary break material, or other materials. If bedrock is exposed at subgrade level, the subgrade should be level and any loose materials generated by the excavation of the rock should be removed.

Material excavated at the site will primarily consist of clay with varying amounts of sand and gravel, and bedrock. Excavation through the bedrock may be difficult with conventional equipment. Some excavation may contain large rocks that will not break down under compaction equipment. We can provide additional recommendations regarding the placement of engineered fill, if required.

8.2 Groundwater and Subsurface Drainage

Groundwater is typically encountered at the interface between the soil and bedrock and within sand lenses in the native clay. Due to the extent of the proposed excavation static groundwater or seasonal springs may be present even though no direct evidence of static groundwater or springs were encountered during construction. Where groundwater is encountered during construction, we should be notified to evaluate if additional measures are required to control the flow of groundwater at the site.

The final design should include measures to intercept groundwater where it may impact the proposed construction. This includes but is not limited to: drainage behind retaining walls, French drains and area drains to intercept groundwater and surface run-off, and waterproofing. Where collected, groundwater should be discharged to a suitable collection point. In San Francisco, intercepted groundwater is typically re-directed to the combined sewer-storm water system.

A typical French Drain is shown on Figure 5. Care should be taken when constructing French drains adjacent to foundations, as discussed in Section 8.5.

We recommend waterproofing be installed and water stops be placed at all construction joints. Waterproofing for basements is generally required by the building code. The design and implementation of the waterproofing system is beyond the scope of our services. The waterproofing system should be designed by others.

8.3 Surface Drainage

Positive surface drainage should be provided around the residence to direct surface water away from new and existing foundations as well as the top of retaining walls and slopes. To reduce the potential for water ponding adjacent to the building, we recommend the ground surface within a horizontal distance of five feet from the building slope down away from the building with a surface gradient of at least two percent in unpaved areas and one percent in paved areas. Any collected runoff should be discharged into the sewer system or a containment system.

Positive surface drainage should also be provided in crawl spaces beneath the residence, if any. The crawl space should be covered with at least two inches of concrete (“ratproofing”) sloped to drain at an inclination of at least one percent to a suitable discharge point. When possible, the discharge can be through one-inch-diameter weepholes in the foundation stem walls and redirected to a suitable collection point.

8.4 Temporary Slopes and Excavation

Where space permits, temporary slopes may be used during excavation. In general, temporary excavation slopes should be no steeper than 2:1 in soil. Vertical cuts of less than five feet may be performed in rock and vertical cuts of less than four feet may be performed in clay provided that they are approved by Divis Consulting prior to excavation and any adjacent improvement (i.e. adjacent foundations) are a minimum distance away from the toe of the cut equal to the height of the cut.

Development plans have not been finalized to date; however, we understand that excavation within the garage and storage areas will occur for new foundations and/or to increase the headroom within the storage areas. The primary geotechnical issue regarding excavation within the garage and storage areas is the presence of retaining walls along the property line. Any excavation within five feet of an existing retaining wall along the property line should be performed in sections.

Vertical cuts in clay and bedrock may be performed provided that the sections are no wider than four feet. To reduce the potential for movement and provide adequate support during installation of the new retaining wall, adjacent sections should not be excavated concurrently; the distance between concurrent sections should be at least eight feet. Sections should also be used where the excavation is deeper than five feet unless otherwise approved by the geotechnical engineer.

We should review the excavation plan once the plans have been finalized. We should be retained to observe the excavation and make adjustments to the sections as necessary.

The contractor should be responsible for all temporary slopes and shoring systems used at the site and should have a competent person on-site who is able to evaluate proposed excavations.

8.5 Foundation Support

We conclude that the proposed improvements may be supported on shallow spread footings bearing on bedrock or residual soil. Foundations designed in accordance with the recommendations presented in this section should not settle more than ½ inch; we anticipate differential settlement will be on the order of ½ inch in 30 feet.

8.5.1 Spread Footings

The proposed improvements may be supported on shallow, spread footings bearing on undisturbed residual soil and/or bedrock. The bottom of the footings should be embedded at least 24 inches below the lowest adjacent soil subgrade and should be at least 18 inches wide for continuous footings and 24 inches for isolated spread footings. We recommend a continuous perimeter footing be installed along the perimeter of the proposed improvements. Footings adjacent to utility trenches or French drains should bear below an imaginary 1.5:1 (horizontal to vertical) plane projected upward from the bottom edge of the utility trench or French drain. New footings should bear

For the recommended minimum embedment, the footings bearing on undisturbed residual soil or bedrock may be designed for an allowable bearing pressure of 3,000 psf for dead plus live loads and may be increased by one-third for total loads, including wind and/or seismic loads.

Lateral loads on footings can be resisted by a combination of passive resistance acting against the vertical faces of the footings and friction along the base of the footings. For foundations relying on existing fill for passive resistance, passive resistance may be calculated using an equivalent fluid weight of 250 pounds per cubic foot (pcf). Where residual soil or bedrock is relied upon for passive resistance, passive resistance may be calculated using a uniform pressure of 1,500 pounds per square foot (psf); the upper foot of soil should be ignored unless confined by a concrete slab or pavement. Frictional resistance should be computed using a base friction coefficient of 0.4 for concrete poured over rock, 0.3 for concrete poured over soil and 0.2 where waterproofing underlies the foundation. The passive

resistance and base friction values include a factor of safety of about 1.5 and may be used in combination without reduction.

Uplift loads may be resisted by the weight of the footing and any overlying soil.

8.5.2 Construction Considerations

Weak soil encountered in the bottom of footing excavations should be excavated and replaced with lean concrete.

The bottom and sides of the excavation should be wetted following excavation and maintained in a moist condition until concrete is placed.

We should check the native soil and rock encountered within the footing excavations prior to the placement of waterproofing, reinforcing steel or other components. Foundation excavations should be free of standing water, debris, and disturbed materials prior to placing concrete.

8.6 Basement and Retaining Wall Design

Retaining walls that retain either native clay or bedrock and are free to rotate at the top may be designed using an active earth pressure. For these walls, we recommend using a design equivalent fluid weight of 35 pounds per cubic foot (pcf) for level backfill. Backfill with a slope less than 4:1 (horizontal:vertical) may be considered level. For restrained walls (no movement at the top of the wall), or walls adjacent to existing improvements, an at-rest equivalent fluid weight of 50 pcf should be used for level backfill.

Where new or existing foundations are located behind retaining walls and an imaginary plane taken from the bottom of the footing projected at 1.5:1 (horizontal to vertical) downward intersects the retaining wall, additional surcharge pressures should be included to account for vertical and lateral foundation loading on the retaining wall. The existing foundation to remain in place at the rear of the

structure will impose a surcharge on the rear wall. We recommend including a uniform surcharge pressure on the rear wall equivalent to 0.5 times the calculated bearing pressure of the existing foundation. We can provide additional design parameters upon request.

Because the site is in a seismically active area, basement retaining walls should be designed to resist pressures associated with earthquake forces. We recommend retaining walls be designed to resist the greater of the restrained pressure given in the preceding paragraph, or the unrestrained pressure plus a seismic increment. For level backfill behind the wall, the seismic increment should be taken as a rectangular distribution of $16H$, where H is the height of the wall in feet.

The design pressures above are based on fully drained walls. Water can accumulate behind the walls from perched groundwater and other sources, such as rainfall, irrigation, and broken water lines. One acceptable method for back draining the wall is to place a prefabricated drainage panel (Miradrain 6000 or equivalent) against the backside of the wall. The drainage panel should extend down to a perforated PVC collector pipe at the base of the wall. The pipe should be surrounded on all sides by at least four inches of Caltrans Class 2 permeable or $\frac{3}{4}$ -inch drain rock wrapped in filter fabric (Mirafi 140NC or equivalent). The perforated collector pipe should be sloped at an inclination of at least one percent to the discharge location. Alternatively, a prefabricated drainage trench may be used in lieu of the PVC pipe and gravel provided it is installed per the manufacturer's recommendations.

Where walls are not back drained, an additional hydrostatic load of 62.4 pcf should be added to the lateral pressures indicated above.

We anticipate that the retaining walls will be poured against vertical cuts; consequently, engineered backfill will not be placed behind the walls. Where minor fills are required, we can provide additional recommendations regarding compaction. Lightweight compaction equipment should be used to reduce stresses induced on the retaining walls during fill placement unless the walls are appropriately braced. Retaining walls should be backfilled before framing or subsequent construction to minimize effects of initial wall deflections from backfill placement.

If moisture migration through the basement walls is undesirable, we recommend waterproofing be installed and water stops be placed at all construction joints. Waterproofing is generally required by the building code. The design and implementation of the waterproofing system is beyond the scope of our services. The waterproofing system should be designed by others.

8.7 Concrete Slab-on-Grade Floors

We anticipate that concrete slab-on-grade floors will be constructed over either undisturbed residual soil or bedrock subgrade. We should provide additional recommendations during construction where engineered fill is required to construct the slab-on-grade subgrade. The slab-on-grade subgrade should be level, clear of debris and standing water and firm. We should check the slab-on-grade subgrade once completed.

We anticipate that waterproofing will be installed below the proposed slab-on-grade. Therefore a capillary moisture break may be a redundant system.

In general, water vapor transmission through the floor slab should be reduced where there is potential for finished floor coverings to be adversely affected by moisture. A capillary moisture break consists of at least four inches of clean, free-draining gravel or crushed rock. The vapor retarder should meet the requirements for Class C vapor retarders stated in ASTM E1745-97. The vapor retarder should be placed in accordance with the requirements of ASTM E1643-98. These requirements include overlapping seams by six inches, taping seams, and sealing penetrations in the vapor retarder. The vapor retarder should be covered with two inches of sand to aid in curing the concrete and to protect the vapor retarder during slab construction. The particle size of the gravel/crushed rock and sand should meet the gradation requirements presented in Table 2.

The sand overlying the membrane should be moist, but not saturated, at the time concrete is placed. Excess water trapped in the sand could eventually be transmitted as vapor through the slab. If rain is forecast prior to pouring the slab, the sand should be covered with plastic sheeting to avoid wetting. If the sand becomes wet, concrete should not be placed until the sand has been dried or replaced.

Concrete mixes with high water/cement (w/c) ratios result in excess water in the concrete, which increases the cure time and results in excessive vapor transmission through the slab. Therefore, concrete for the floor slab should have a low w/c ratio - less than 0.50. If approved by the project structural engineer, the sand can be eliminated and the concrete can be placed directly over the vapor retarder, provided the w/c ratio of the concrete does not exceed 0.45 and water is not added in the field. If necessary, workability should be increased by adding plasticizers. In addition, the slab should be properly cured.

**TABLE 2
GRADATION REQUIREMENTS FOR CAPILLARY MOISTURE BREAK**

Sieve Size	Percentage Passing Sieve
Gravel or Crushed Rock	
1 inch	90 – 100
3/4 inch	30 – 100
1/2 inch	5 – 25
3/8 inch	0 – 6
Sand	
No. 4	100
No. 200	0 – 5

Before the floor covering is placed, the contractor should check that the concrete surface and the moisture emission levels (if emission testing is required) meet the manufacturer’s requirements.

8.8 Seismic Design

For design in accordance with the 2013 San Francisco Building Code (SFBC), we recommend Site Class C (Very Dense Soil and Soft Rock) be used. The latitude and longitude of the site are 37.7400 and -122.4223, respectively.

In accordance with the 2013 SFBC, we recommend the following:

- $SS = 1.513g$, $S1 = 0.764g$
- $SMS = 1.513g$, $SM1 = 0.993g$
- $SDS = 1.009g$, $SD1 = 0.662g$.

9.0 ADDITIONAL GEOTECHNICAL SERVICES

During construction, our field engineer and/or geologist should provide on-site observation and testing during site preparation, excavation, foundation installation, placement and compaction of fill, and other geotechnical aspects of the project. Our observations will allow us to compare actual with anticipated subsurface conditions and to verify that the contractor's work conforms to the geotechnical aspects of the plans and specifications.

10.0 LIMITATIONS

This geotechnical study has been conducted in accordance with the standard of care commonly used as state-of-practice in the profession. No other warranties are either expressed or implied. The recommendations made in this report are intended to protect the life and safety of occupants within the structure during a major seismic event on a nearby fault; damage to the structure and other improvements may still occur due to seismic forces on the proposed improvements. The recommendations made in this report are based on the assumption that the subsurface soil, rock, and groundwater conditions do not deviate appreciably from those described in this report. If any variations or undesirable conditions are encountered during construction, we should be notified immediately so that additional recommendations can be made, as required. The foundation recommendations presented in this report are developed exclusively for the proposed development described in this report and are not valid for other locations and construction in the project vicinity.

11.0 REFERENCES

California Division of Mines and Geology, (1997), *Fault Rupture Hazard Zones in California*, Special Publication 42.

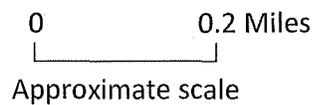
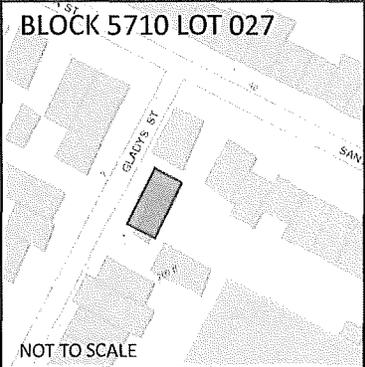
California Geological Survey, (2008), *Guidelines for Evaluating and Mitigating Seismic Hazards in California*, Special Publication 117.

Cao, T., Bryant, W. A., Rowshandel, B., Branum D. and Wills, C. J. (2003). *The Revised 2002 California Probabilistic Seismic Hazard Maps*

John A. Blume & Associates, Engineers, (1974), *San Francisco Seismic Safety Investigation*, June 1974.

State of California, (2000), *Seismic Hazard Zones, City and County of San Francisco, Official Map*.

FIGURES



Base map: (c) 2015 san francisco planning department



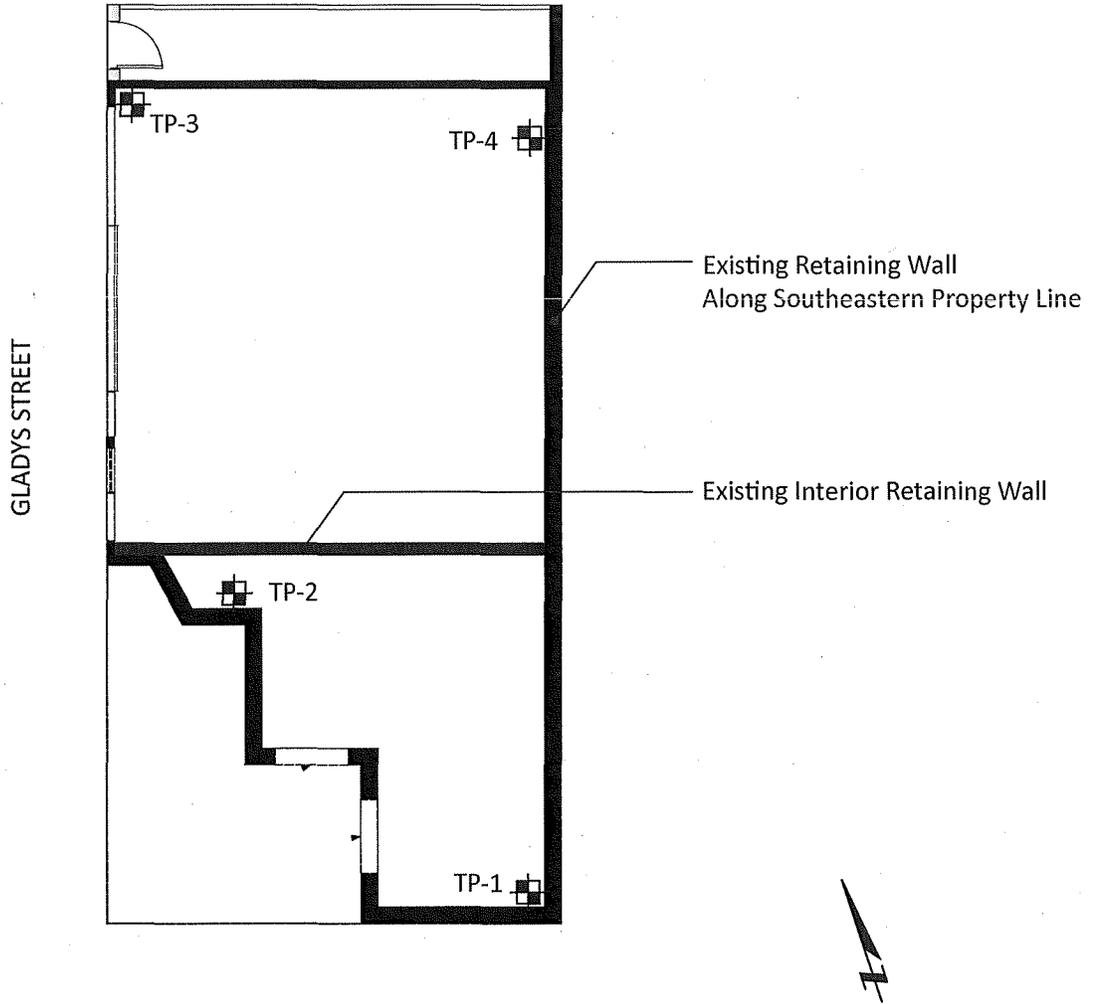
11 GLADYS STREET
San Francisco, California

SITE LOCATION MAP

Date 09/18/15	15-180505	Figure 1
---------------	-----------	----------

EXPLANATION:

■ TP-4 Approximate Location
of Test Pit Logged by
Divis Consulting, Inc.,
July 2015



0 10 Feet
Approximate scale

Reference: SHEET A1.0 - 1 (E) GROUND FLOOR, RESIDENTIAL ADDITION, 11 GLADYS ST, prepared by Architect Mason Kirby, Inc., dated 5/28/15.



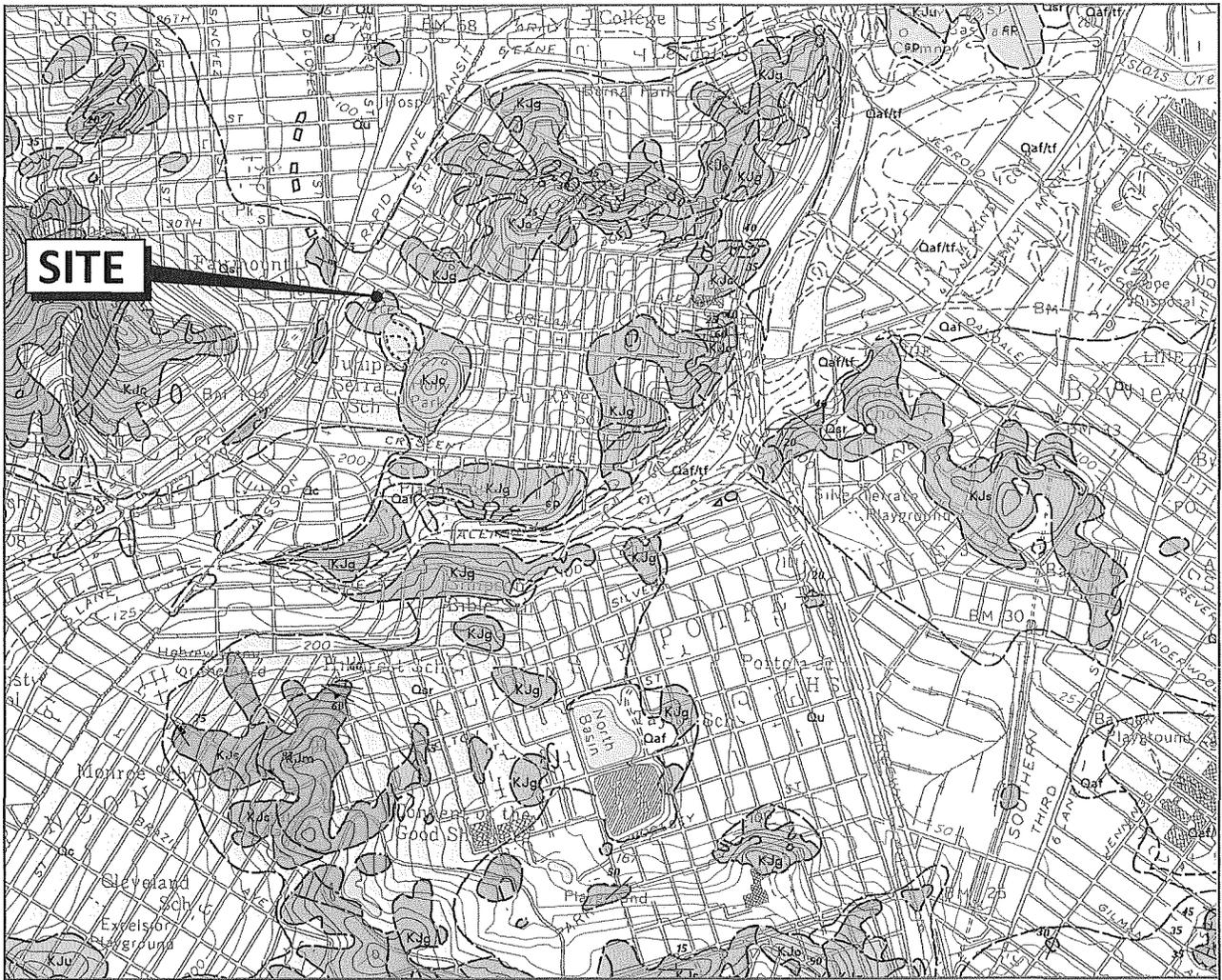
11 GLADYS STREET
San Francisco, California

SITE PLAN

Date 09/18/15

15-180505

Figure 2



-  water
-  Qaf Artificial fill
-  Qaf/tf Artificial Fill over Tidal Flat
-  Ql Landslide Deposits
-  Qsr Sloe Debris and Ravine Fill
-  Qc Colma Formation
-  KJg Greenstone
-  KJs Sandstone and Shale
-  KJc Chert
-  --- Contact, approximately located

0 2000 4000 feet



Approximate scale



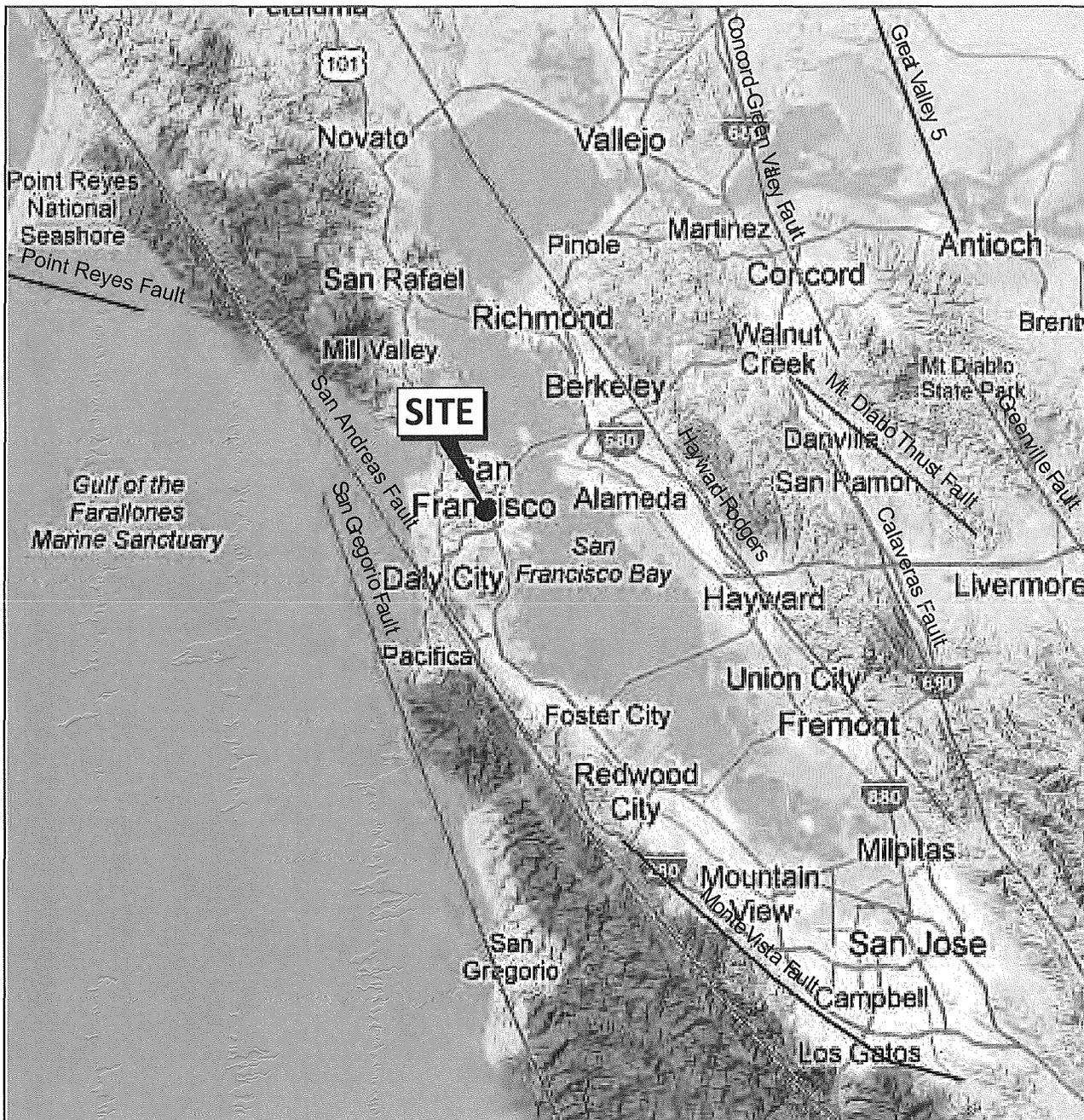
Reference: Preliminary Geologic Map of the San Francisco South 7.5' Quadrangle and Part of the Hunters Point 7.5' Quadrangle, San Francisco Bay Area, California, by M.G. Bonilla, 1998



11 GLADYS STREET
San Francisco, California

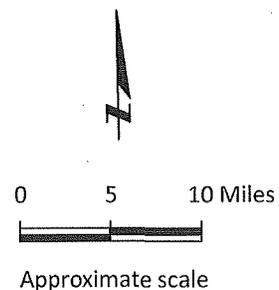
REGIONAL GEOLOGIC MAP

Date 09/18/15	15-180505	Figure 3
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FAULT TYPE

-  Strike slip
-  Thrust (Reverse)
-  Normal



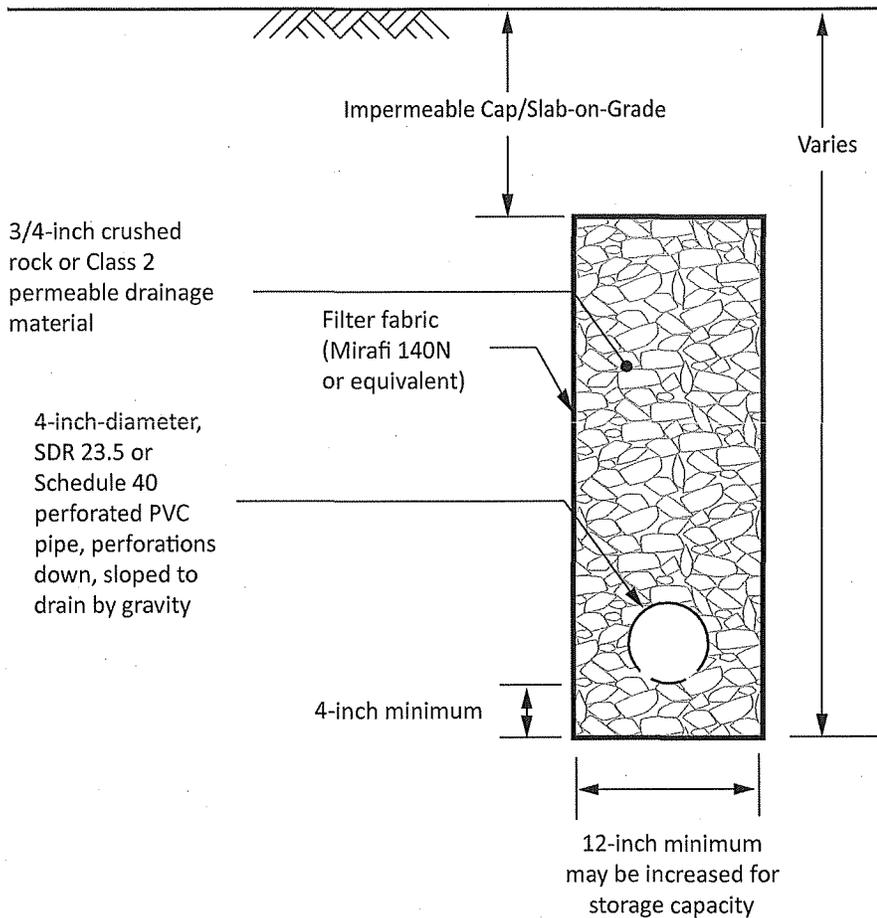
Base Map: U.S. Geological Survey, National Seismic Hazards Maps - Fault Sources, 2008.



11 GLADYS STREET
San Francisco, California

REGIONAL FAULT MAP

Date 09/18/15	15-180505	Figure 4
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11 GLADYS STREET
San Francisco, California

TYPICAL FRENCH DRAIN

Date 09/18/15	15-180505	Figure 5
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APPENDIX A

Important Information About Your Geotechnical Engineering Report

Important Information about Your Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared *solely* for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you — should apply the report for any purpose or project except the one originally contemplated.*

Read the Full Report

Serious problems have occurred because those relying on a geotechnical engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

A Geotechnical Engineering Report Is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,

- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical engineering report* whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, earthquakes, or groundwater fluctuations. *Always* contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are *Not* Final

Do not overrely on the construction recommendations included in your report. *Those recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual

subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.*

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure contractors have sufficient time to perform additional study.* Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that

have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations" many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a *geoenvironmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. *Do not rely on an environmental report prepared for someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a number of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; *none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention.* *Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.*

Rely on Your ASFE-Member Geotechnical Engineer for Additional Assistance

Membership in ASFE/THE BEST PEOPLE ON EARTH exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your ASFE-member geotechnical engineer for more information.



8811 Colesville Road/Suite G106, Silver Spring, MD 20910
Telephone: 301/565-2733 Facsimile: 301/589-2017
e-mail: info@asfe.org www.asfe.org

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EXHIBIT D

Permit Details Report

Report Date: 1/4/2019 10:11:45 AM

Application Number: 200010233810
 Form Number: 3
 Address(es): 5710 / 005 / 0 155 APPLETON AV
 Description: SEISMIC RETROFIT COLLEGE HILL RESVR WORK INCLUDES CON SHEAR WALL/FOOTINGS,STRUCT STEEL COLLECTORS WO
 Cost: \$920,000.00
 Occupancy Code: S-2
 Building Use: 64 - STORAGE TANKS

Disposition / Stage:

Action Date	Stage	Comments
10/23/2000	TRIAGE	
10/23/2000	FILING	
10/23/2000	FILED	
12/1/2000	PLANCHECK	
12/2/2000	APPROVED	
1/8/2001	ISSUED	

Contact Details:

Contractor Details:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	PAD-PC	10/24/00	11/1/00	11/10/00		11/22/00	LEUNG TED	
2	PAD-STR	11/22/00	11/22/00			11/22/00	LEUNG TED	
3	PAD-MECH	11/29/00	11/29/00			11/29/00	LAI JEFF	
4	ONE-STOP	12/1/00	12/1/00			12/1/00		
5	CPB	12/2/00	12/2/00			12/2/00	SHAWL HAREGGEWAIN	APPRVD,YLB

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
1/10/2002	Adwin Lau	PRE-FINAL	SITE VERIFICATION
6/27/2001	Darlene Hartley	REINFORCING STEEL	FORMS

Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
0			01	CONCRETE	
0			02	BOLTS IN CONCRETE	
0			04	REBAR/TENDONS	
0			05	WELDING	
0			23	OTHER	GLU-LAM
0			13	GRADING/EXCAVATION	
0			19	SHEAR DIAP	
0			20	SPECIAL CASES	PULL-TEST
0			06	HIGH STRESS BOLTS	

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

[Online Permit and Complaint Tracking](#) home page.

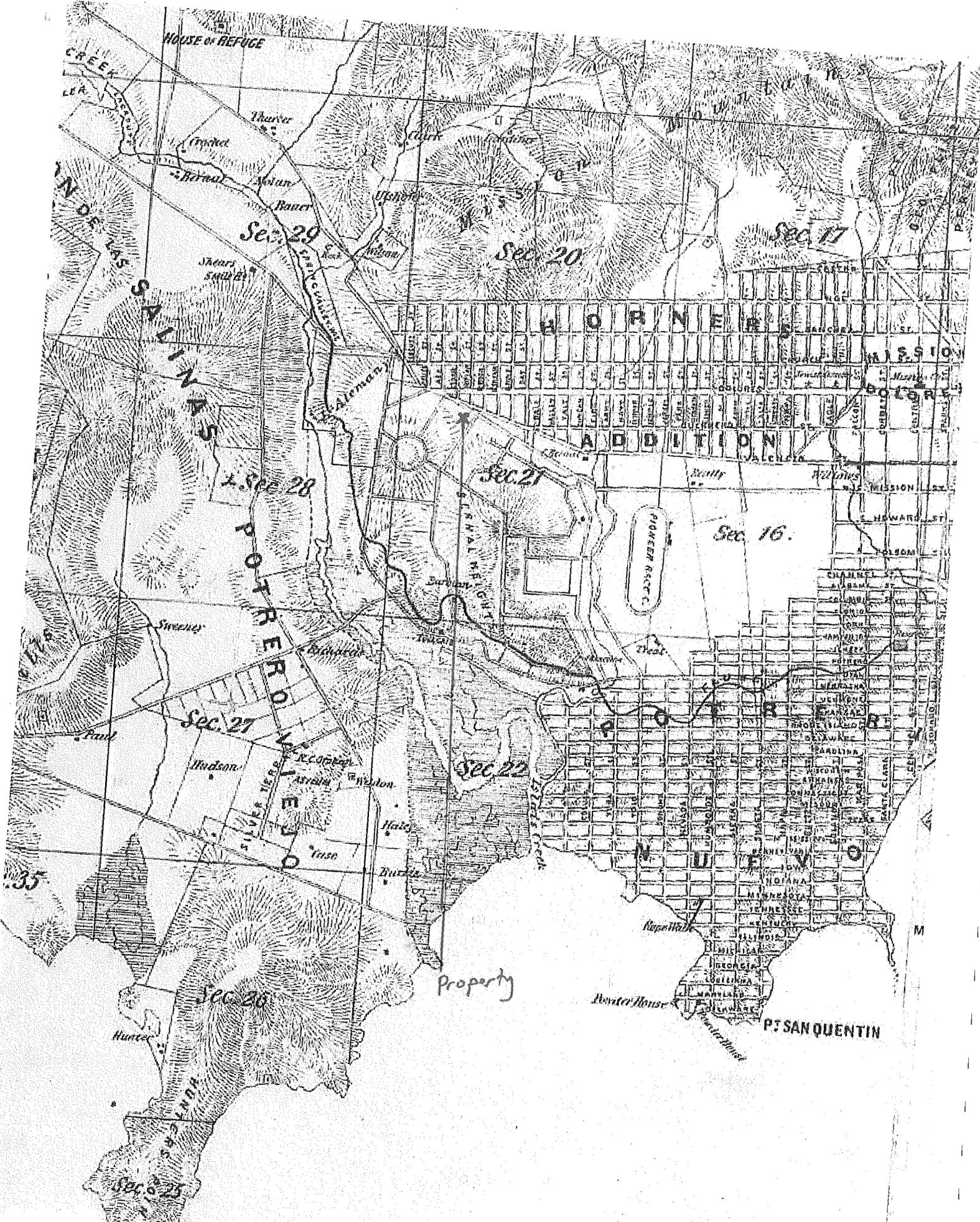
Technical Support for Online Services

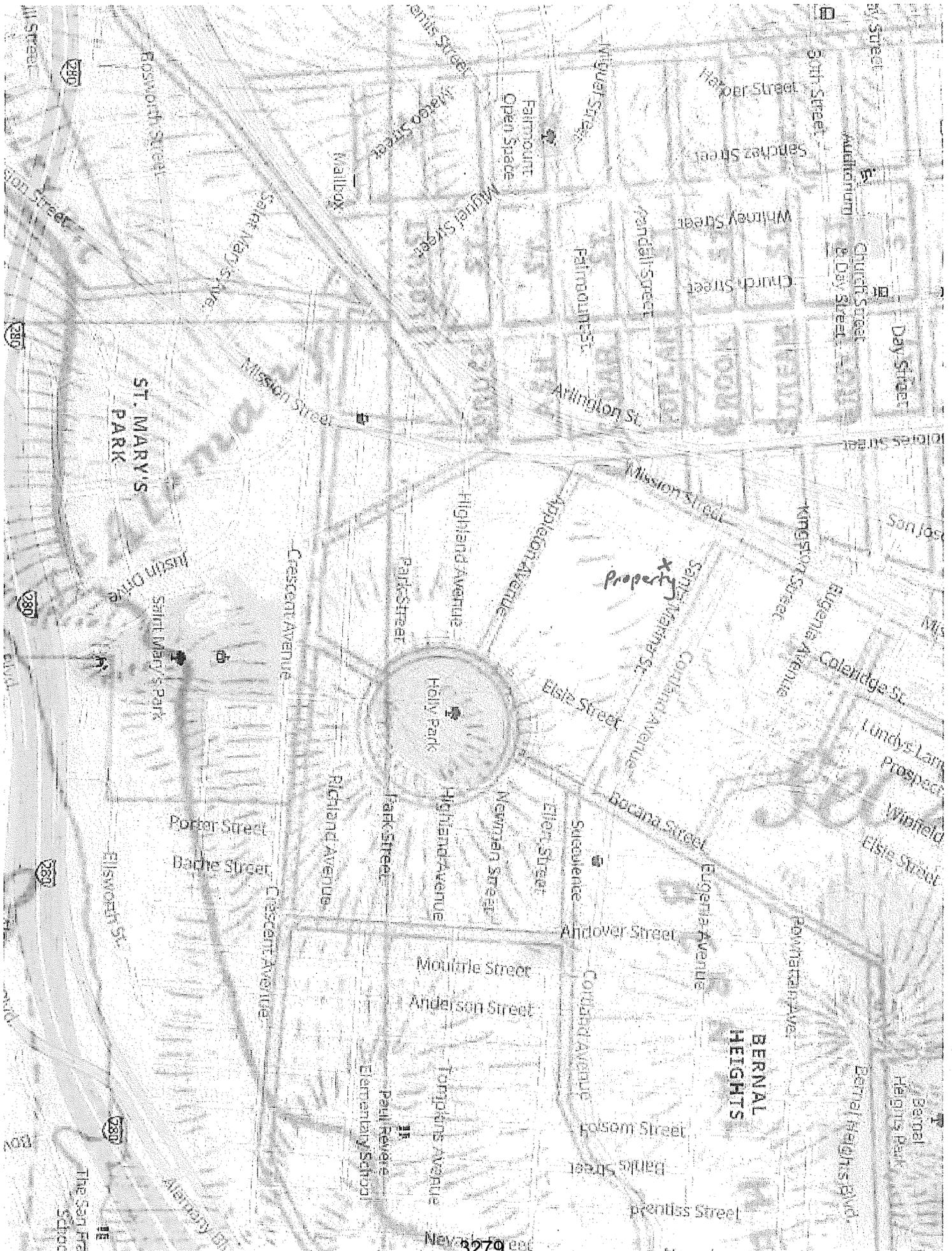
If you need help or have a question about this service, please visit our FAQ area.

[Contact SFGov](#) [Accessibility](#) [Policies](#)
City and County of San Francisco © 2019

EXHIBIT E

3277





ST. MARY'S PARK

Holy Park

Property*

BERNAL HEIGHTS

EXHIBIT F

Patrick Buscovich & Associates Structural Engineers, Inc.

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

Patrick Buscovich S.E. Oracle

Education: University of California, Berkeley ~ Bachelor Science, Civil Engineering 1978
~ Master Science, Structural Engineering 1979

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

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

Experience: *Patrick Buscovich and Associates, Structural Engineer – Senior Principal (1990 to Present)*
Specializing in existing buildings, seismic strengthening, rehabilitation design, building code/permit consultation/peer review, expert witness/forensic engineering

- Expert Witness/Forensic Engineering/Collapse & Failure Analysis
- Commercial Tenant Improvement.
- Seismic Retrofit Consultation.
- Peer Review/Building Code Consulting.
- Permit Consultant in San Francisco (DBI, DCP, SFFD & BSUM).
- Member of the following SEAONC/DBI Ad-Hoc Committees:
Committee to revise San Francisco Building Code Section 104F/3304.6.
Committee to draft San Francisco UMB ordinance.
1993 Committee to revise the San Francisco UMB ordinance.
Blue-Ribbon panel to revise earthquake damage trigger, 1998
Secretary, Blue Ribbon Panel on seismic amendments to the 1998 SFBC.
Secretary, Blue Ribbon Panel Advising San Francisco Building Department on CAPSS.
- Co-Authored of the following SF DBI Code Sections.
EQ damage trigger
- Coordinator for San Francisco UMB Seminars 1992, 1993 & 1994. SEAONC.
- Seminar on San Francisco UMB Code 1850 to Present. SEAONC.
- Member San Francisco UMB Bond Advisory Committee.
- Speaker at numerous San Francisco Building Department Building Inspection Seminar on UMB, 1993.
- Speaker at numerous code workshops for the San Francisco Department Building Inspection.
- Co-author of 1990 San Francisco UMB Appeals Board Legislation.
- Co-author of San Francisco Building Code Earthquake Damage Trigger for Seismic Upgrade, Committee Rewrite 2008.
- As a San Francisco Building Commissioner, directed formulation of Building Occupancy Resumption Plan (BORP)
- Chaired the 1995 update on the San Francisco Housing Code.
- Directed formulation of UMB tenant protection program
- Consultant to the City of San Francisco for evaluation of buildings damaged in the Loma Prieta October 17, 1989 earthquake to assist the Bureau of Building Inspection regarding shoring or demolition of “Red-Tagged” structures.
- Consultant to San Francisco Department of Building Inspection on the Edgehill Land Slide.
- Consultant to numerous private clients to evaluate damage to their buildings from the October 17, 1989 earthquake.
- Project Administrator for multi-team seismic investigation of San Francisco City-owned Buildings per Proposition A, 1989 (\$350 million bond).
- Project Manager for seismic strengthening of the Marin Civic Center.
- Structural engineer for Orpheum Theater, Curran Theater and Golden Gate Theater.
- Consultant on numerous downtown SF High Rise Buildings.
- Rehabilitation & seismic strengthening design for 1000’s of privately owned buildings in San Francisco.
- Structure Rehabilitation of Historic Building.
- Structural consultant for 1000’s single family house alteration in San Francisco

Previous Employment

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

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

From: BOS Legislation, (BOS)
To: sarah@zfplaw.com; robert@oliver.name
Cc: [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Christensen, Michael \(CPC\)](#); [Young, David \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Cantara, Gary \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: HEARING NOTICE: Appeal of CEQA Exemption Determination - Proposed 11 Gladys Street Project - Appeal Hearing on January 15, 2019
Date: Monday, December 31, 2018 10:15:30 AM
Attachments: [image001.png](#)

Good morning,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **January 15, 2019, at 3:00 p.m.**, to hear the appeal of the determination of categorical exemption from environmental review under CEQA for the proposed project at 11 Gladys Street.

Please find the following link to the hearing notice for the matter.

[Public Hearing Notice - December 31, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 181200](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

BOARD of SUPERVISORS



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

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

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

Date: Tuesday, January 15, 2019

Time: 3:00 p.m.

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

Subject: File No. 181200. Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on September 26, 2017, for the proposed project at 11 Gladys Street, to add a 660 square foot third story addition to an existing single-family unit. (District 9) (Appellant: Sarah M. K. Hoffman of Zacks, Freedman & Patterson, PC, on behalf of David Donofrio) (Filed December 7, 2018)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, January 11, 2019.


Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS



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

PROOF OF MAILING

Legislative File No. 181200

Description of Items: Hearing - Appeal of Determination of Exemption From Environmental Review - 11 Gladys Street - 3 Notices Mailed

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

Date: December 31, 2018

Time: 8:32 am

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

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

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, December 17, 2018 4:31 PM
To: Ko, Yvonne (CPC)
Cc: BOS Legislation, (BOS); BOS-Operations
Subject: APPEAL CHECK PICKUP: Appeal of CEQA Exemption Determination - Proposed 11 Gladys Street Project - Appeal Hearing on January 15, 2019

Categories: 181200

Good afternoon Yvonne,

The appeal filing fee for the CEQA Exemption Determination appeal of the proposed project at 11 Gladys Street is ready to be picked up here in the Clerk's Office weekdays from 8 a.m. through 5 p.m.

Also confirming that the appellant did not submit an Appeal Waiver Form.

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org



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From: Wong, Jocelyn (BOS)
Sent: Monday, December 17, 2018 4:10 PM
To: sarah@zfplaw.com
Cc: GIVNER, JON (CAT) <Jon.Givner@sfcityatty.org>; STACY, KATE (CAT) <Kate.Stacy@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lynch, Laura (CPC) <laura.lynch@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Christensen, Michael (CPC) <michael.christensen@sfgov.org>; Young, David (CPC) <david.l.young@sfgov.org>;

Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Cantara, Gary (BOA) <gary.cantara@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Subject: Appeal of CEQA Exemption Determination - Proposed 11 Gladys Street Project - Appeal Hearing on January 15, 2019

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for Special Order before the Board of Supervisors on **January 15, 2019, at 3:00 p.m.** Please find linked below the letter of appeal filed for the proposed project at 11 Gladys Street, as well as direct links to the Planning Department's timely filing determination, and an informational letter from the Clerk of the Board.

[Appeal Letter - December 7, 2018](#)

[Planning Department Memo - December 12, 2018](#)

[Clerk of the Board Letter - December 14, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 181200](#)

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org



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BOARD of SUPERVISORS



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Fax No. 554-5163
TDD/TTY No. 554-5227

December 18, 2018

File Nos. 181200-181203

Planning Case No. 2015-004717ENV

Received from the Board of Supervisors Clerk's Office a check, in the amount of Six Hundred Seventeen Dollars (\$617), representing the filing fee paid by Zacks, Freedman & Paterson for the appeal of the Categorical Exemption under CEQA for the proposed 11 Gladys Street project:

Planning Department

By:

Tony

Print Name

[Handwritten Signature]

12/18/18

Signature and Date

ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

235 Montgomery Street, Suite 400
San Francisco, California 94104
Telephone (415) 956-8100
Facsimile (415) 288-9755
www.zfplaw.com

December 21, 2018

VIA HAND DELIVERY AND EMAIL

President Malia Cohen
c/o Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Re: Appeal of CEQA Categorical Exemption Determination
Planning Case No. 2015.004717ENV
11 Gladys Street, San Francisco

Dear President Cohen and Honorable Members of the Board of Supervisors:

We are not aware of any interested parties to be notified of the hearing of the above-captioned matter, scheduled for January 15, 2019. However, the contact details for the project sponsor are as follows:

<u>Name</u>	<u>Description</u>	<u>Address</u>
Robert Oliver	Project Sponsor	11 Gladys Street, San Francisco, CA 94110
Mason Kirby	Architect for Project Sponsor	301 Bocana St, San Francisco, CA 94110

Thank you for your assistance with this matter.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC



Sarah M. K. Hoffman
Attorney for Appellant

BOARD OF SUPERVISORS
SAN FRANCISCO
2018 DEC 21 PM 1:16
BY [Signature]

FLAXED

Wong, Jocelyn (BOS)

From: Wong, Jocelyn (BOS)
Sent: Monday, December 17, 2018 4:10 PM
To: sarah@zfplaw.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Rodgers, AnMarie (CPC); Sider, Dan (CPC); Starr, Aaron (CPC); Christensen, Michael (CPC); Young, David (CPC); Rosenberg, Julie (BOA); Cantara, Gary (BOA); Longaway, Alec (BOA); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS)
Subject: Appeal of CEQA Exemption Determination - Proposed 11 Gladys Street Project - Appeal Hearing on January 15, 2019
Categories: 181200

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for Special Order before the Board of Supervisors on **January 15, 2019, at 3:00 p.m.** Please find linked below the letter of appeal filed for the proposed project at 11 Gladys Street, as well as direct links to the Planning Department's timely filing determination, and an informational letter from the Clerk of the Board.

[Appeal Letter - December 7, 2018](#)

[Planning Department Memo - December 12, 2018](#)

[Clerk of the Board Letter - December 14, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 181200](#)

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org



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BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 14, 2018

Sarah M. K. Hoffman
Zacks, Freedman & Patterson, PC
235 Montgomery Street, Suite 400
San Francisco, CA 94104

**Subject: File No. 181200 - Appeal of CEQA Categorical Exemption
Determination - 11 Gladys Street Project**

Dear Ms. Hoffman:

The Office of the Clerk of the Board is in receipt of a memorandum dated December 12, 2018, from the Planning Department regarding their determination on the timely filing of appeal of the Categorical Exemption Determination issued by the Planning Department under CEQA for the proposed project at 11 Gladys Street.

The Planning Department has determined that the appeal was filed in a timely manner (copy attached).

Pursuant to Administrative Code, Section 31.16, a hearing date has been scheduled for **Tuesday, January 15, 2019, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

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

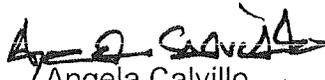
11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

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

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

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554 7712, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7702.

Very truly yours,



Angela Calvillo
Clerk of the Board

- c: Jon Givner, Deputy City Attorney.
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Corey Teague, Zoning Administrator, Planning Department
Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devyani Jain, Deputy Environmental Review Officer, Planning Department
Joy Navarette, Environmental Planning, Planning Department
Laura Lynch, Environmental Planning, Planning Department
AnMarie Rodgers, Director of Citywide Planning, Planning Department
Dan Sider, Director of Executive Programs, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Michael Christensen, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals
Gary Cantara, Legal Assistant, Board of Appeals
Alec Longaway, Staff Contact, Board of Appeals



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: December 12, 2018
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer
RE: CEQA Appeal Timeliness Determination – 11 Gladys Street,
 Planning Department Case No. 2015-004717ENV

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

On December 7, 2018, Sarah M. K. Hoffman of the Law Offices of Zacks, Freedman & Patterson, on behalf of David Donofrio, filed an appeal with the Office of the Clerk of the Board of Supervisors of the categorical exemption determination for the 11 Gladys Street project. As explained below, the appeal is timely.

Date of Approval Action	30 Days after Approval Action/ Appeal Deadline	First Business Day after Appeal Deadline	Date of Appeal Filing	Timely?
November 8, 2018	Saturday, December 8, 2018	Monday, December 10, 2018	December 7, 2018	Yes

Approval Action: On September 26, 2017, the planning department issued a CEQA categorical exemption determination for the 11 Gladys Street project, proposing to add a 660-square-foot third story addition to an existing single-family dwelling. The categorical exemption determination identified the approval action for the project as the issuance of a building permit or, the discretionary review hearing before the planning commission if discretionary review is requested. On November 8, 2018, the planning commission held a discretionary review hearing and approved the project at 11 Gladys Street (date of the approval action).

Appeal Deadline: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the date of the approval action. Thirty days after the approval action is December 8, 2018, which is a Saturday. The next date when the Office of the Clerk of the Board of Supervisors was open was Monday, December 10, 2018 (appeal deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the exemption determination on Friday, December 7, 2018, prior to the appeal deadline. Therefore, the appeal is considered timely.

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, December 10, 2018 9:47 AM
To: BOS Legislation, (BOS); Rahaim, John (CPC)
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Sider, Dan (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Christensen, Michael (CPC); Ionin, Jonas (CPC); Rosenberg, Julie (BOA); Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS-Supervisors; BOS-Legislative Aides; BOS Legislation, (BOS)
Subject: Appeal of CEQA Categorical Exemption Determination - 11 Gladys Street - Timeliness Determination Request
Attachments: Appeal Ltr 120718.pdf; COB Ltr 121018.pdf
Categories: 181200

Good morning, Director Rahaim:

The Office of the Clerk of the Board is in receipt of an appeal of the CEQA Categorical Exemption Determination for the proposed project at 11 Gladys Street. The appeal was filed by Sarah M. K. Hoffman of Zacks, Freedman & Patterson, PC, on behalf of David Donofrio, on December 7, 2018.

Please find the attached letter of appeal and timely filing determination request letter from the Clerk of the Board.

Kindly review for timely filing determination.

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org

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City Hall
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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

December 10, 2018

To: John Rahaim
Planning Director

From: *ACG* Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Determination of Categorical Exemption from Environmental Review - 11 Gladys Street

An appeal of the CEQA Determination of Categorical Exemption from Environmental Review for the proposed project at 11 Gladys Street was filed with the Office of the Clerk of the Board on December 7, 2018, by Sarah M. K. Hoffman of Zacks, Freedman & Patterson, PC, on behalf of David Donofrio.

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

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7702.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Corey Teague, Zoning Administrator, Planning Department
Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devyani Jain, Deputy Environmental Review Officer, Planning Department
Joy Navarette, Environmental Planning, Planning Department
Laura Lynch, Environmental Planning, Planning Department
AnMarie Rodgers, Director of Citywide Planning, Planning Department
Dan Sider, Director of Executive Programs, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Michael Christensen, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

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

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

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

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Appeal of Determination of Exemption From Environmental Review - 11 Gladys Street

The text is listed:

Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on September 26, 2017, for the proposed project at 11 Gladys Street, to add a 660 square foot third story addition to an existing single-family unit. (District 9) (Appellant: Sarah M. K. Hoffman of Zacks, Freedman & Patterson, PC, on behalf of David Donofrio) (Filed December 7, 2018)

Signature of Sponsoring Supervisor:

[Handwritten Signature]

For Clerk's Use Only

File No. 181200