



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: FEBRUARY 12, 2015

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: February 2, 2015
Case No.: **2014-001042DRP**
Project Address: **26 HODGES ALLEY**
Permit Application: 2013.03.21.2735
Zoning: RH-3 (Residential House, Three-Family) District
Telegraph Hill North Beach Residential Special Use District
40-X Height and Bulk District
Block/Lot: 0134/012
Project Sponsor: Heidi Liebes
Liebes Architects
450 Sansome Street, Suite 1200
San Francisco, CA 94111
Staff Contact: Kate Conner – (415) 575-6914
kate.conner@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The project is to construct a side addition to the northern property line at the first and second floors which encroaches into the rear yard setback. The rear yard requirement is 28'-4" and the existing building is non-conforming as it maintains a 9" rear yard. The proposed third floor addition complies with the rear yard requirement. The proposed 3'-0" deep side addition encloses an existing stairway and extends approximately 5'-6" beyond the adjacent neighbor to the north and spans approximately 16'-0" but does not increase the overall building depth.

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

SITE DESCRIPTION AND PRESENT USE

The project is located on the east side of Hodges Alley, north of the intersection with Vallejo Street, Block 0134, Lot 012. The subject property is located within the RH-3 (Residential House, Three Family) District, the Telegraph Hill North Beach Residential Special Use District, and the 40-X Height and Bulk District. The subject property is 17 feet wide and approximately 63 feet deep and is located on a laterally sloping lot which slopes down to the south toward Vallejo Street. The property is developed with a single-family two-story dwelling which is non-conforming and provides a 0'-9" rear yard.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The immediate area surrounding the project site is residential in use and residentially zoned. Properties across Hodges Alley to the west are zoned RH-3 and developed with 3-5 unit buildings. Properties on the

same side of Hodges Alley are typically single family residences whereas properties directly east of the subject property are zoned RM-1 (Residential Mixed, Low Density) District and are developed with two-family to five-family residences. The zoning changes to a C-2 (Community Business) District at the approximately 100 feet east of the subject property. Telegraph Hill and Pioneer Park are located approximately four blocks northwest of the subject property. The subject property is located within the Telegraph Hill North Beach Residential Special Use District. The DR Requestor's property is located at 358-360 Vallejo Street and contains two buildings, each containing a two family residence; thereby providing a total of four units.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	September 26, 2014- October 26, 2014	October 27, 2014	February 12, 2015	108 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	February 2, 2015	February 2, 2015	10 days
Mailed Notice	10 days	February 2, 2015	February 2, 2015	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	1	1	
Other neighbors on the block or directly across the street	2	3	
Neighborhood groups			

The neighborhood concerns, aside from those of the DR Requestor, included concerns regarding the effect of the proposed addition on private views, the adverse effects caused by proposed construction, the scale of the proposal and the harmful effects the proposal may have on neighboring properties' access to light.

DR REQUESTOR

Melody Mar, P.O Box 471762, San Francisco, CA 94147. The DR Requestor's home is the adjacent home to the east of the subject property fronting on Vallejo Street (358-360 Vallejo Street).

2014-001042DRP

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated October 27, 2014.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated January 28, 2015.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM (RDT) REVIEW

The RDT determined that the third floor addition is appropriate in terms of its massing and architectural style, given the mixed heights and character of the block, as well as the narrow width of the street. The addition will be minimally visible and compatible with the block's mixed context. In addition, The RDT found that the proposed rear in-fill addition along the northern property line is not significantly, if at all, visible from the DR requestor's windows, and is mostly located against the northern neighbor's blind wall. The addition is shallower in depth than the existing building, and therefore has minimal, if no effect on the DR Requestor's property.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

RECOMMENDATION:	Do not take DR and approve project as proposed
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Site Photograph

Section 311 Notice

DR Application and Attachment to Application Requesting DR

Response to DR Application dated January 28, 2015

Letter of Support from Lulu Ezekiel at 30 Hodges Alley

Letter of Support from Oren Rubinstein at 1142 Montgomery and 33 Hodges Alley

Public Comment

Letter from Lisa Lim representing Shirley Lim at 27-31 Hodges Alley dated October 23, 2014

Email from Ian Prager at 1120A Montgomery Street dated October 26, 2014

Email from Bob Gisiger at 1120 Montgomery Street dated October 1, 2014

Email from Alston Lew at 20 Hodges Alley dated October 23, 2014

Emails regarding Soil Stabilization

Email from Joy Navarrete (Planning Department) dated January 28, 2015 and previous email from Melody Mar dated January 26, 2015

Email from Thomas Le (Department of Building Inspection) dated December 31, 2014

DR Requestor Submittal to the RDT

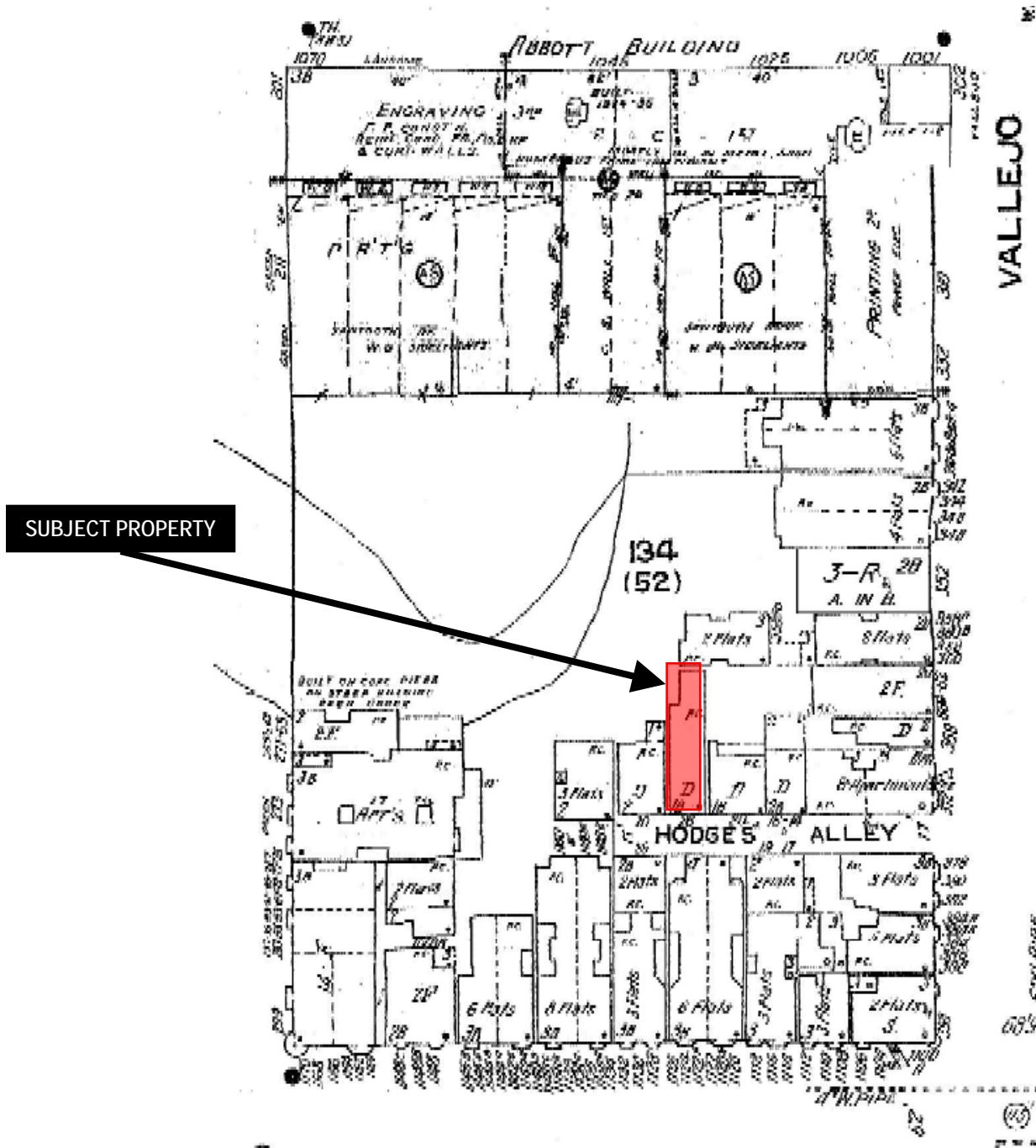
Reduced Plans

5



**SAN FRANCISCO
PLANNING DEPARTMENT**

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

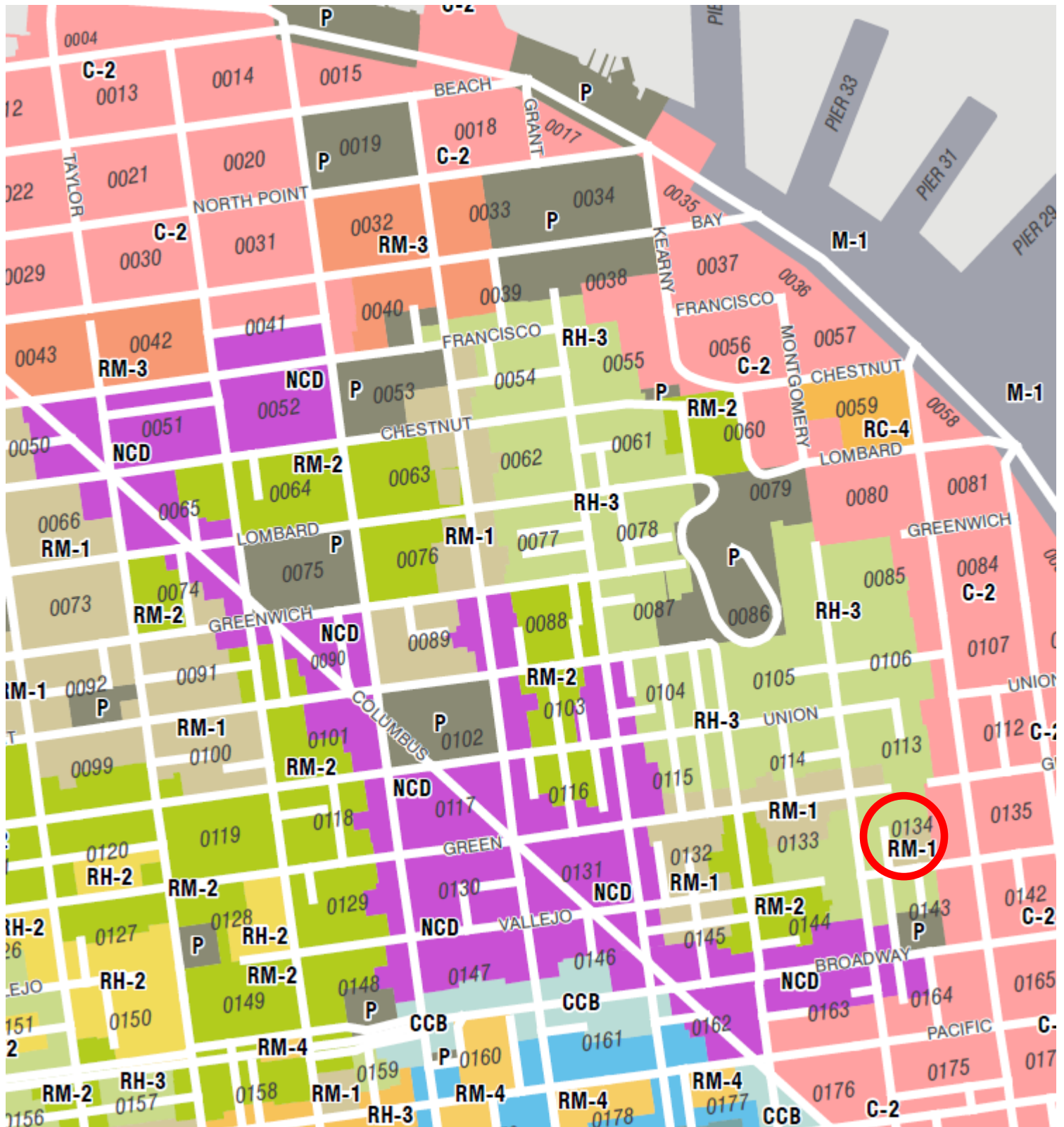


Discretionary Review Hearing
Case Number 2014-001042DRP
26 Hodges Alley

Aerial Photo



Zoning Map



Discretionary Review Hearing
Case Number 2014-001042DRP
26 Hodges Alley

Site Photo



Discretionary Review Hearing
Case Number 2014-001042DRP
26 Hodges Alley



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311/312)

On **August 1, 2013**, the Applicant named below filed Building Permit Application No. **2013.08.01.9085** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	26 Hodges Alley	Applicant:	Heidi Liebes, Liebes Architects
Cross Street(s):	Vallejo Street	Address:	2 Shaw Alley, 4th Floor
Block/Lot No.:	0134/012	City, State:	San Francisco, CA 94105
Zoning District(s):	RH-3 / 40-X, Telegraph Hill-North Beach Residential SUD	Telephone:	(415) 812-5124

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

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

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input type="checkbox"/> Rear Addition	<input checked="" type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Residential	Residential
Front Setback	None	No Change
Side Setbacks	None	No Change
Building Depth	61'-11"	No Change
Rear Yard	1 foot	No Change
Building Height	20'-8"	30'-8"
Number of Stories	2	3
Number of Dwelling Units	1	1
Number of Parking Spaces	1	1

PROJECT DESCRIPTION

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

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

For more information, please contact Planning Department staff:

Planner: Christine Lamorena
Telephone: (415) 575-9085
E-mail: christine.lamorena@sfgov.org
中文詢問請電: (415) 575-9010

Notice Date:
Expiration Date:

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

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

OCT 27 2014

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC**APPLICATION FOR
Discretionary Review**

1. Owner/Applicant Information

DR APPLICANT'S NAME: Mar Family Trust		
DR APPLICANT'S ADDRESS: P.O. Box 471762	ZIP CODE: 94147	TELEPHONE: (415)292-3656

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Daivd and Katherine de Wilde		
ADDRESS: 2650 Green Street	ZIP CODE: 94123	TELEPHONE: (415) 307-3119

CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Stephen M. Williams		
ADDRESS: 1934 Divisadero Street	ZIP CODE: 94115	TELEPHONE: (415) 292-3656
E-MAIL ADDRESS: smw@stevewilliamsllaw.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 26 Hodges Alley	ZIP CODE: 94133
CROSS STREETS: Vallejo/Montgomery/Green	

ASSESSORS BLOCK/LOT: 134 /012	LOT DIMENSIONS: 17' X 62' 11"	LOT AREA (SQ FT): 1,067	ZONING DISTRICT: RH-3	HEIGHT/BULK DISTRICT: 40-X
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3. Project Description

Please check all that apply

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

Additions to Building: Rear ☒ Front ☐ Height ☒ Side Yard ☒
Single Family Home

Present or Previous Use: _____

Proposed Use: same _____

Building Permit Application No. 2013.08.01.9085

Date Filed: August 1, 2013

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

Applicant and many other neighbors have discussed the proposed project with the Project Sponsor and the representative (architect) for the Sponsor but they are unwilling to make any substantive changes.

Discretionary Review Request

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

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

We are asking the Commission to take discretionary review in this instance because we believe that the design, mass and height of the proposed replacement structure is inconsistent with the City's Residential Design Guidelines as well as the Planning Department's policy on "San Francisco's Alleys" contained in the Department's "Citywide Action Plan for Housing" (CAP). The Commission is urged to take Discretionary Review because this is an exceptional and extraordinary circumstance in a tiny alley and a extremely substandard lot.

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

ALL the neighbors oppose this new floor addition to the building. Negative impacts include loss of light, air, privacy and a sense of proportionality in the alley. It is inappropriate to build this new floor structure in an historic neighborhood and to not set it back as required by the RDG's. Shadow and over whelming sense of new height on the alley are negative impacts on the entire neighborhood. The building will stick out like a sore thumb because it will be taller than its up-hill neighbor, without a setback, violates the "stepping" down pattern

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

The size of this addition must be reduced and the traditional set-back at the façade should be maintained to have some compatibility with the neighborhood. The residents of the neighborhood are offended by this design and height of the new addition in an unbroken block face of two story 100+ year old wood framed structures. The expansion to the rear is also too large and impacts the light to all adjacent structures. The rear extension of the project must be further reduced to be compatible with the neighboring buildings.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____

Date: _____

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

Stephen M. Williams

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

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

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

NOTES:

☐ Required Material.

☒ Optional Material.

☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

ATTACHMENT TO APPLICATION REQUESTING DISCRETIONARY REVIEW

PROPERTY ADDRESS: 26 Hodges Alley
ASSESSOR'S PARCEL NO: Block134, Lot 012
ZONING DISTRICT RH-3/40-X
APPLICATION NO: 2013.08.01.9085

ACTIONS PRIOR TO DISCRETIONARY REVIEW REQUEST

When this project was first reviewed, the Dept. rejected it as out of scale and not compatible with the Alley. The developers were asked to reduce the size of the new floor expansion by adding a front setback. The developers refused to change the project, instead, they simply lobbied for and received approval of the exact same project proposed. The developers have not presented the project to the Telegraph Hill Dwellers (THD), the local neighborhood association and have ignored neighbors' suggestions and proposals to reduce the size of the addition and its impacts.

B. DISCRETIONARY REVIEW REQUEST**1. Reasons for Requesting Discretionary Review**

The project requires variances and does not comply with the Planning Code, the resulting new building, creates an overwhelming vertical presence on a narrow 17-foot wide alley, goes deeper into the rear yard than its neighbors and would permanently and negatively impact the prevailing scale of the built environment on Hodges Alley, affecting the livability of the nearby residences. Because of the new floor addition, the project will require new structural improvements to the building (such as sheer wall etc) but the demolition is not shown on the plans.

This is further an exceptional and extraordinary circumstance in that the design, materials and massing of the proposed new structure are completely out of character with the architecture of the historic North Beach/Telegraph Hill neighborhood, and clearly inconsistent with the City's Residential Design Guidelines. The subject building is on a block face with a STEEP slope and all of the small, wood frame buildings on the block face (including both adjacent buildings) make a stepped down pattern on the hillside. The proposal disrupts and destroys that pattern and is not set back as required by the Residential Design Guidelines. The new rear addition also goes further into the rear yard than both adjacent buildings and is not averaged as required by the RDG's

The Commission should at a minimum, require the proposed project to be modified to comply with the RGD's: 1) Require the new floor addition be set back for at least 15' as recommended by the RDT and the Guidelines; 2) Reduce the mass at the rear of the building by matching or averaging between the adjacent buildings.

2. Adverse Effects on the Neighborhood

Hodges Alley is a special place that should be protected.

Hodges Alley is a narrow alley only 17-feet wide, with a clear context of two -three-story buildings of the age and design of the historic buildings in North Beach/Telegraph Hill. This block face in particular has a clear setback and roof pattern on Hodges Alley that dramatically steps up as the street ascends from south to north. Although there are some larger structures in the area, and across the Alley (which front on Montgomery Street) they do not predominate and there are NONE on the block face. The prevalent style of the alley, consistent with the surrounding area that was reconstructed immediately following the Earthquake and Fire, is Classical Revival. Materials are generally wood siding with wooden windows and cornices. Hodges Alley is located within the boundaries of the current North Beach Survey.

Because of the current heights and building pattern on this block face of Hodges Alley, sun and sky are now available to residents and visitors on what is now a charming and pleasant place for pedestrians.

The project as proposed would have the following adverse effects:

A. The height and scale of the proposed project would negatively impact the prevailing scale of the built environment on Hodges Alley

The reasons for Requesting Discretionary Review of this project are Hodges Alley is narrow at 17-feet wide, with a clear context of two-three-story buildings with a clearly defined stepped roof pattern that rises dramatically as the street ascends from south to north. Although there are other three- four-story structures in the area, they do not predominate and there is none on the block face. The proposed project ignores the setback requirement for the front and, the height and scale of the proposed project would negatively impact the prevailing scale of the built environment on this block face of Hodges Alley. Given the strong level of opposition against the third floor addition (without a setback) by the neighborhood, the Department should not be able to support the proposal.”

B. The height and scale of the proposed project is inconsistent with the Planning Department’s Guidelines for “San Francisco’s Alleys” contained in the Citywide Action Plan for Housing.

The Department’s Residential Design Checklist and the comments from the Residential Design Team for the project dated December 10, 2013, fail to discuss the guidelines for development on narrow streets and alleys that the Department should have used these in reviewing the project. The Guidelines for San Francisco’s Alleys state in pertinent part:

“San Francisco’s historic pattern of development, and the city’s development controls, demonstrate that streetwall height should be related to street width. This is important both to create an appropriate scale that defines the street without overwhelming it, and to ensure that sun and sky is available to people on the street. This relationship carries over to alleys: if buildings are too high, an alley can become a dark chasm, and a pleasant sense of refuge can turn into a perception of a dangerous place. Because alleys are narrower than streets, appropriate heights along alleys are lower than on streets.”

The proposed new building is clearly inconsistent with these guidelines. Not only does the proposed 30+-foot high structure tower over both adjacent neighbors (including the up-hill neighbor) but the lack of a setback (10-15 feet) further enlarges the massing of the proposed building and the feeling of inappropriate height on the alley. Given the location of the property at mid-alley, we feel that this project represents an inappropriate and unreasonable development.

The narrowness of this alley determines a certain intimacy and this new floor addition to a historic building intrudes in a major way to the unique neighborhood quality of life.

Light and air issues are major concerns for the neighboring buildings on both sides of the proposed structure, as well as for the scale and feeling of this narrow alley. The interesting variation in building lines, which currently allows sunlight to penetrate this narrow alley would be negatively impacted, adding shadows and darkness.

C. The design features and materials of the proposed project are incompatible with neighborhood character/in conflict with the Residential Design Guidelines.

The prevalent style of the alley, consistent with the surrounding North Beach neighborhood, is in the Classical Revival style constructed in the years immediately following the Earthquake and Fire. Although there are other three-four-story structures in the area, they do not predominate. Materials are generally wood siding or stucco, with wooden windows and Classical Revival cornices. The angled roof and other modern additions are completely out of place.

In addition to the height and mass of the proposed new building, the proposed design, window pattern, and materials would be incompatible with this block and would contrast sharply with the overall character of the neighborhood.

- **The Set-backs are Insufficient**

The front and rear setbacks are a fraction of what is usually recommended by the Dept. At least 10 feet and usually 15 feet is required when a new building has a naked and exposed story above its neighbors as this building does.

- **Rear Addition is Inappropriate:**

The Residential Design Team bluntly confirm that the “Rear addition at 2nd floor should extend no further than the adjacent building to the north.” Accordingly, the Project as proposed does not comply with the Residential Design Guidelines and the General Plan.

Why did the Planning Department not require this revision before it approved the project?

3. Suggested Changes to the Proposed Project

The neighbors would not object to a reasonable development. This current plan is not reasonable for the above-stated reasons.

- (1) **First and foremost, add the required setback in the front.** The addition of an appropriate front setback as required by the RDG’s would open up the property to

allow more light to be cast on the alley, and also would allow more light into the two adjacent properties. This is the only way to achieve greater compatibility with the neighboring structures on Hodges Alley and with the scale of this densely developed portion of Telegraph Hill.

- (2) **Reduce the rear addition.** The rear yard extension should be reduced as stated by the Residential Design Team. No portion of the new addition should extend past the building to the north. The building already provides the smallest rear yard on the block and the proposal inappropriately increases the encroachment and impacts neighboring buildings.
- (3) **Change the design to make it more compatible with the neighborhood.** Eliminate the large expanses of glass and require a stronger solid to void design approach that features less transparency. Require the use of materials and fenestration pattern that are compatible with the predominant character of the surrounding neighborhood and will not be a hazard to birds. Eliminate the modern sloped roof.


Mar Family Trust
358 Vallejo Street
San Francisco, CA 94133

October 27, 2014

To Whom It May Concern:

This will confirm that we have retained the Law Office of STEPHEN M. WILLIAMS to represent our interests in a Discretionary Review matter before the Planning Commission concerning the proposed project at 26 Hodges Alley, San Francisco, CA.

Sincerely,



Melody Mar, on behalf of the Mar Family Trust

REUBEN, JUNIUS & ROSE, LLP

January 28, 2015

By Email

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 26 Hodges Alley
Brief in Opposition to Discretionary Review Request
Planning Case Number: 2013.0783E
Hearing Date: February 12, 2015
Our File No.: 8561.01

Dear President Fong:

Our office represents David and Katherine deWilde (“deWildes”), owners of the property located at 26 Hodges Alley (the “Property”). Hodges Alley is off Vallejo Street between Montgomery Street and Sansome Street in Telegraph Hill. The deWildes propose to add a master bedroom addition to the Property in order to make it a functional single-family home (the “Project”). The Project also proposes to perform stabilization work to the slope at the rear of the Property.

The deWildes have been sensitive to the neighborhood in crafting the Project, proposing a small addition that is compatible with Hodges Alley and the neighborhood. They have also worked closely with their uphill neighbor at 30 Hodges Alley, Lulu Ezekiel, who is entirely supportive of the Project. (See support letter attached as **Exhibit A.**) The deWildes have agreed to install a skylight at 30 Hodges to offset any decrease in light caused by the addition. In addition to Ezekiel, the owners of 33 Hodges Alley, located next to Ezekiel, are supportive of the Project. (See support letter attached as **Exhibit B.**)

The property of the DR Requestor at 358 Vallejo, because it is significantly downslope and on the other side of the building from the addition, will not be negatively impacted by the Project. In fact, the DR Requestor will benefit by the Project because the addition will remove weight from the slope at the rear of the Property, and the deWildes have proposed to conduct work to further stabilize the slope as part of the Project.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben¹ | David Silverman | Thomas Tunny | Jay F. Drake | John Kevin
Lindsay M. Petrone | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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A. Property and Project Overview

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

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

1. Third Floor Addition

The Project proposes a modest one-story vertical addition that would add an approximately 417-square-foot master bedroom and bathroom to the front of the third floor level. The addition would maintain the existing roof deck at the rear of the third floor (currently roof) level and add an additional deck area to connect the existing deck with the new master bedroom. The proposed three-story home would be approximately 31 feet high at the center of the sloped roofline, well below the maximum 40-foot height permitted by the Property's zoning. In addition, the third floor addition would be set back five feet eight inches from the front Property line.

On the ground floor, the Project proposes to retain parking for a single vehicle, add a functional bedroom, and renovate the existing ground floor deck, including removing a concrete stemwall underneath the deck in order to decrease the load on the rear slope. On the second floor, the Project proposes to expand the existing combined kitchen and living room area within the existing footprint to add a larger kitchen, dining area and living room, making the space more functional for family living. This expansion of living area requires the removal of one of the bedrooms from the second floor, making the addition of the third floor master bedroom and bathroom necessary.

The Project would also enclose an existing stairway from the second floor to the current roof level/proposed master bedroom level. The deWildes filed a Variance application to enclose the existing exterior stairway. In order to mitigate any impacts on the light to 30 Hodges from the Project, which the enclosed stairway abuts, the deWildes have agreed to install a skylight at 30 Hodges. As explained above, the owner of 30 Hodges fully supports the Project. The variance to enclose the stairway was approved by the Zoning Administrator on December 4, 2014.

The Project will not cause significant additional shadow on Hodges Alley. The architect completed a Shadow Study comparing the shadows created on the alley without the new addition to shadows at the same time of year and day with the addition. The shadow effect with the new addition was minimal in comparison to the existing condition. Therefore, the Project is consistent with the City's design policies as related to development on alleys.

2. Slope Work

As part of the Project, the deWildes propose to conduct work to stabilize the slope at the rear of the Property. Although the Application for Discretionary Review focuses exclusively on the design of the addition, the DR Requestor's primary concern previously has been with stabilization of the rear slope. The deWildes have assembled a team that includes Geotechnical Engineer, Frank Rollo ("Rollo") and Geologist, Lou Gilpin ("Gilpin"), who both have extensive experience in San Francisco, and Brent Harris, a Specialty Contractor with expertise in Telegraph Hill projects. The slope team has made every effort to work with the DR Requestor regarding the slope work, including meeting with her Geotechnical Engineer, John Wallace, and incorporating Mr. Wallace's suggestions into the plans for the slope work. The team continues to work to provide a solution that meets the City's requirements and addresses the concerns of neighbors.

The Project as a whole is highly beneficial to both the DR Requestor's property at 358 Vallejo and all surrounding downslope neighbors. Through the slope work on 26 Hodges, the Project actually addresses a deficit on 358 Vallejo, which has failed to construct a retaining wall. The addition will decrease weight on the rear slope by removing a concrete stemwall that currently supports the ground floor deck, and cantilevering the lower deck so that there is no weight on the rock face. In addition, if the Project, including addition, is approved, the deWildes have agreed to perform slope stabilization work not only to their Property, but also to that of 30 Hodges Alley, which will result in a significant benefit to all surrounding properties, particularly the DR Requestor's property at 358 Vallejo Street.

B. Neighborhood Outreach

Throughout the entitlement process, the deWildes have strived to design a project that provides a livable, modern single family home, while also fulfilling the aesthetic and design considerations

of the neighborhood and Planning Department. As part of the process, the deWildes and their team have conducted a series of meetings with neighbors. David deWilde met with the DR Requestor on December 12, 2012, very early in the Project planning process. Architect Heidi Liebes met with the surrounding neighbors at the Property on February 11, 2013 to describe the Project and address concerns. She met with them again on March 13, 2013 to answer additional questions. On March 6, 2013, the Project was presented at a meeting of the Telegraph Hill Dwellers Association, which expressed no concern with the Project – and in fact asked why such a small project was presented at the meeting. David deWilde, Architect Heidi Liebes, and Contractor Day Hilborn met with the DR Requestor on August 8, 2014, and again on September 22, 2014, along with other neighbors, to address concerns regarding the Project. In addition, there has been extensive email communication between the team and neighbors in order to answer questions and address concerns.

The deWildes and their team, including Rollo and Gilpin, have made every effort to address the DR Requestor's concerns regarding the slope work, including meeting multiple times with her Geotechnical Engineer, John Wallace, and agreeing to modify the proposed slope work solution as requested by Mr. Wallace. The team continues to work to satisfy the DR Requestor's concerns regarding the slope work. On December 28, 2014, David deWilde offered to meet with the DR Requestor in person to address her concerns about the slope work, but she has not taken him up on that offer. Denying the DR and permitting the Project to proceed will allow the deWildes to move ahead with slope stabilization – which is what the DR Requestor has said is her primary goal.

C. Consistency with Residential Design Guidelines

The Project is consistent with, and fulfills the goals of, the Residential Design Guidelines, as follows:

1. Building Scale and Form

Design the height and depth of the building to be compatible with the existing building scale at the Street (RDG, Page 24). A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area (RDG, Page 23).

The City's Residential Design Team reviewed the project and found it compatible with the Residential Design Guidelines as follows:

- “The RDT finds the third floor addition to be appropriate in terms of its massing and architecture given the mixed heights and character of the block, as well as the narrow width of the street. The addition will be minimally visible and compatible with the block's mixed character. (RDG pg. 23-25)”

- “The proposed rear side in-fill addition is not significantly, if at all, visible from the DR requestor’s windows, and is mostly located against the northern neighbor’s blind wall. The addition is shallower in depth than the existing building, and therefore has minimal, if no effect on the DR Requestor’s property. (RDG, pg. 16-17, 25-26)”
- “The project does not contain or create any exceptional or extraordinary circumstances; as such, the DR shall be processed as an Abbreviated DR.”

As found by the Residential Design Team, the Project is compatible with the height and depth of the surrounding buildings. 1120 Montgomery, across Hodges Alley, at four stories is much taller than 26 Hodges, even with the addition. While 20 Hodges Alley and 30 Hodges Alley are two stories, these buildings are significantly below the height permitted by zoning, and it is anticipated that over time all of the houses will be modernized to support functional single-family living, as the Project proposes for 26 Hodges.

In addition, the steep slope of Hodges Alley minimizes the impact of the addition on the upslope 30 Hodges Alley. To further mitigate any impact on light to 30 Hodges, the deWildes have agreed to install a skylight at 30 Hodges. 20 Hodges Alley, on the other side of the Property, has no property line windows that would be impacted by the Project. Moreover, the Project seeks to minimize the impact on Hodges Alley by setting back the third floor addition 5 ft. 8 inches from the front Property line. Because the addition is at the front of the Property, and because the Property is steeply sloped, the Project has no impact on the property of DR Requestor at 358 Vallejo.

2. Site Design

Respect the topography of the site and the surrounding area...This can be achieved by designing the building so it follows the topography in a manner similar to surrounding buildings (RDG, Page 11).

The existing buildings on Hodges Alley are of varied height, including a mix of two-story, three-story and four-story buildings. 26 Hodges Alley, after the Project, will be compatible with this mix of property heights.

3. Neighborhood Character

Design buildings to be responsive to the overall neighborhood context, in order to preserve the existing visual character (RDG, Page 7).

The Project is consistent with the character of the neighborhood, which contains both single-family and multi-family buildings of heights between two-stories and four-stories. There is no

unifying architectural character of the block face, other than living space above garage at ground level (with which the Project is consistent). This gives the designer “greater opportunity and responsibility to help define, unify, and contribute positively to the existing visual context.” (Residential Design Guidelines, p. 10.) The Project will provide a high quality building sensitive to the context of the area by not adding excessive bulk to the street face, thereby contributing positively to the visual context of the neighborhood.

D. Conclusion

The deWildes propose a Project that will enhance the neighborhood and increase the number of family-sized housing units in the City by making the existing building a functional single-family home and stabilizing the rear slope. The Project is consistent with the existing neighborhood character and has no negative impacts associated with the Residential Design Guidelines. It also furthers the orderly development of this steeply-sloped area and benefits the entire neighborhood by decreasing the weight of the house adjacent to the slope and further stabilizing the slope behind both 26 Hodges and 30 Hodges. Any improvements will be supported on the existing foundations or new foundations set back significantly from the top of the slope.

The deWildes have made good faith efforts to work with the neighbors to create a project that assuages their concerns. The Project has the support of the Planning Department, which has expressly recognized that the Project is consistent with the neighborhood character. The DR Requestor identifies no issues with the Project rising to the threshold of the “exceptional and extraordinary circumstances” required to approve the DR Request.

Therefore, we respectfully request the Planning Commission deny the discretionary review request and to allow the Project to move forward. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Jody Knight

Attachments:
Exhibits

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REUBEN, JUNIUS & ROSE, LLP

President Rodney Fong
San Francisco Planning Commission
January 28, 2015
Page 7

cc: Cindy Wu, Commission Vice-President
Michael Antonini, Commissioner
Christine Johnson, Commissioner
Rich Hillis, Commissioner
Christine D. Johnson, Commissioner
Kathrin Moore, Commissioner
Dennis Richards, Commissioner
Jonas Ionin, Commission Secretary
John Rahaim, Planning Director
Scott Sanchez, Zoning Administrator
Kate Conner, Project Planner
David deWilde, Project Sponsor
Stephen M. Williams, DR Agent

(All with Attachments)

EXHIBIT LIST

Exhibit A.....	30 Hodges Alley Support Letter
Exhibit B.....	33 Hodges Alley Support Letter

EXHIBIT A

January 28, 2015

Kate Conner
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 26 Hodges Alley Discretionary Review
Hearing date: February 12, 2015

Dear Ms. Conner:

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

I have reviewed the plans for the Project and believe that it will enhance Hodges Alley and the neighborhood as a whole. I therefore support the Project without reservation.

Sincerely,

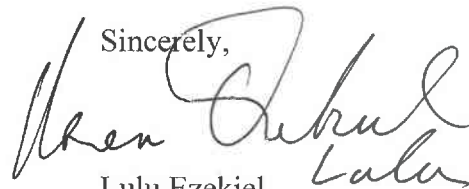

Lulu Ezekiel

EXHIBIT B

January 28, 2015

Kate Conner
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 26 Hodges Alley Discretionary Review
Hearing date: February 12, 2015

Dear Ms. Conner:

I represent the owners of 33 Hodges Alley and 1142 Montgomery Street. I am writing to express the owner's support for the proposed Project at 26 Hodges Alley.

We have reviewed the plans for the Project and believe that it will enhance Hodges Alley and the neighborhood as a whole. We believe the Project benefits our neighborhood and therefore support the Project without reservation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Oren Rubinstein', with a stylized, flowing script.

Oren Rubinstein
1142 Montgomery Street LLC

LISA LIM
1354 15TH AVENUE
SAN FRANCISCO, CA 94122

VIA REGULAR MAIL AND EMAIL TO kate.conner@sfgov.org

October 23, 2014

Kate Conner
Housing Implementation Specialist
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Concerns Regarding 26 Hodges Alley
Permit Application No. 2013.08.01.9085

Dear Ms. Conner:

We have received the Notice of Building Permit Application pursuant to Section 311/312 and want to express our concerns regarding the proposed project at 26 Hodges Alley. I write to represent my mother, Shirley Lim, who owns the neighboring property at 29-31 Hodges Alley in San Francisco.

We have expressed our concerns at the various public meetings facilitated by Heidi Liebes of Liebes Architects, representing the owners of 26 Hodges Alley. My sister, Monica Lim, has sent Ms. Liebes several messages via email which have not garnered specific answers to our questions. I have also testified against the project at the Variance Hearing held on September 24, 2014 and Monica Lim provided her objections to the variance request in writing to both you and Scott Sanchez to be included in the files.

At this time, we request that you help us address the following concerns regarding the proposed development:

Shallow Setback for Third Floor Addition:

Hodges Alley is narrow alley which is only 17 feet wide. As such, neighboring buildings are situated in close proximity. Yet according to the permit application, the owner of 26 Hodges Alley seeks to add a third story and has provided a nominal setback of 5 feet 8 inches. We have asked the architect several times how this setback was determined and have not received any adequate response from Heidi Liebes. Can you explain how this setback was determined to be

the appropriate setback for the additional third story for a building situated on such a narrow alley?

In addition, at the Variance Hearing on September 24, 2014, another neighbor, Richard Woon, testified that when he first learned of the proposed development at 26 Hodges Alley, he went to the Planning Department to inquire about the standard front setback for buildings similarly situated and was informed that the setback requirement for a building on Hodges Alley would be much greater than the currently proposed 5 feet 8 inches. Can you let us know what the standard setback requirement is for a third floor addition for a project located in a narrow alley, and why this requirement is not being adhered to in this situation? Why would a different standard be applied to this project?

Story Pole-Study Request for Third Floor Addition:

At the neighborhood meeting on September 22, 2014, Ms. Liebes provided two renderings illustrating the effect of the third story addition on the light onto Hodges Alley, but the renderings did not indicate the approximate season used, making it difficult to determine if they accurately reflected the full impact of the third floor on the light, air and privacy for those residing in the alley. Therefore we request that the Planning Department require the owners to erect poles for a Story Pole Study on the current second story to show exactly how the proposed third story addition will restrict light and air in the narrow alley. The Story Pole Study for this location will give us all more accurate information about the appropriate setback and a more realistic picture of the affect of the additional third story on air and light in the narrow alley.

Ceiling Heights for Proposed Third Story:

In addition we request specific information regarding the ceiling height for the third story. At the September 22, 2014 neighborhood meeting when asked about the proposed ceiling height on the third floor of the building, Ms. Liebes stated that the ceiling height could range from 9 feet to 10 feet 6 inches and would ultimately depend on the requirements from the engineers. When pressed, her answers varied and she stated that the ceiling height was not yet determined.

Since the ceiling height will affect the height of the additional third story, we request specific information about the proposed ceiling height and ask that the design be limited to the standard 7 feet 6 inch ceilings to minimize the impact of the additional height to the building on the alley. The fact that the owners seek higher than average ceilings increased the size and bulk of the third story addition which increases its impact on light into the already narrow alley. Please help us compel the architect to reduce the height of the third floor addition.

Requested Side Set Back for Third Floor Addition:

The third story addition fills the entire width of the existing building and causes the new construction to cast a wide shadow onto the alley. We request that the owners scale back the size of the third story addition by providing a setback allowance on both the north and south sides of the building to help reduce the scale of their proposed large master bedroom, bath and deck proposed for that floor. We believe the current proposed size of the third floor addition is an unreasonable burden on all who use the alley. The narrow alley width should be taken into

consideration by the Planning Department in their review of this proposed project. Unlike an average size street which can accommodate two lanes of traffic and includes two wide sidewalks, the distance between the buildings facing each other on the alley is only 17 feet. Allowing the construction of the proposed third floor as currently proposed would virtually block all light into the existing units across the alley and severely diminish the light and air between buildings. Instead of maintaining the alley as a pleasant space, it will become a dark and dense lane.

While we recognize that the owner seeks to maximize the space in his building, that interest must be balanced with the interests of all neighbors who live in the alley to preserve the already limited light and air and privacy afforded in this urban environment.

We hope that you can help us address these concerns with some real answers. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Lim', with a long horizontal flourish extending to the right.

Lisa Lim
Representing 29-31 Hodges Alley, San Francisco

From: [Ian Prager](#)
To: [Conner, Kate \(CPC\)](#)
Cc: matcabart@hotmail.com
Subject: Building Application #2013.08.01.9085 (26 Hodges Alley, SF, CA 94133)
Date: Sunday, October 26, 2014 10:34:49 AM

Ms. Conner,

I respectfully submit this written response to the proposed building application to 26 Hodges Alley (Application #2013.08.01.9085) and my concerns with the architectural plans of this application. I live in the bottom floor apartment of the building directly behind 26 Hodges Alley, the mailing address of which is 1120A Montgomery Street. Much of the premium I pay on for my apartment is directly associated with my beautiful and mostly unobstructed view of the bay and bay bridge.

I have three primary concerns with Application #2013.08.01.9085:

1. The third story addition will completely remove my views.
2. The third story addition will drastically reduce the amount of natural light in my living room, dining room and kitchen (all of which reside in the back of my apartment).
3. The amount of construction will surely require the use of Hodges Alley and my garage (directly across from 26 Hodges Alley) will become largely unavailable. I park both my car and motorcycle in that garage and, being a one lane alley, I will not be able to access the garage if there are any cars/trucks using that alley for access to 26 Hodges.

Overall, I'm primarily concerned with the 10 foot vertical addition to 26 Hodges. I do not mind the other aspects of the application; I'm sure I can work something out with the residents to ensure access to my garage when I need it. That said, I am **very concerned** about losing my view and natural light. Along with the great location, I rented this apartment and agreed to pay the rent premium for these aspects. Losing those two aspects would drastically reduce the value of this apartment and make it no longer reasonable to live here at that price. As such, I would be forced to move to another apartment. With the current [and what I consider unreasonable] increase in rent prices in this area (and San Francisco in general), my concern is heightened as I am not sure I will be able to find a comparable apartment in San Francisco that I can afford. I view the 10 foot (3rd story) vertical addition to 26 Hodges Alley as a deal-breaker.

Unfortunately, I was unable to be my own advocate at the in-person meeting scheduled on Wednesday, September 24th due to the Jewish holiday of Rosh Hashanah, (which started that evening), as I left town early that morning to spend the holiday with my family. As such, I hope you will consider this email and perhaps be my advocate against the proposed 10 foot vertical addition to 26 Hodges Alley. I would certainly attend another scheduled meeting that does not conflict with my religious observance. Alternatively, I would be happy to visit your office to speak in person.

With the amount of money and excess in this city, it would be an amazing victory for those residents that are not as financially successful and want to live in San Francisco but cannot afford to own at the market values that the

houses/condominiums sell for in this [and most of the] neighborhood(s) in one of the best cities in the world.

I hope you will consider my concerns and request above. If possible, please confirm that you've received this email and do not hesitate to contact me at this email address, or on my cell at 415.378.3585 if you would like any additional details or commentary. .

Respectfully,

Ian Prager
(San Francisco native currently living in)
1120A Montgomery Street
San Francisco, CA 94133
415.378.3585

From: [Bob Gisiger](#)
To: [Conner, Kate \(CPC\)](#)
Subject: Building Permit 201203212735
Date: Wednesday, October 01, 2014 6:21:35 PM

Ms. Conner,

I wanted to reach out to you to express some concerns I have about the proposed building project at 26 Hodges Alley.

I am a 4+ year resident of 1120 Montgomery St., a 6-unit building directly across the alley from 26 Hodges Alley. One of the key features of our building is the view from all 6 of the units in the building featuring the Bay Bridge. It was the clincher that made me decide to choose this residence. Every day we enjoy spectacular views of the Bay Bridge from our kitchen and sunroom.

In particular since I am on the first floor, the proposed vertical addition at 26 Hodges Alley would completely block over 50% of our view. This would be a huge disappointment for all of us in the building, but especially the two units on the ground floor and 2 units on the first floor (1120, 1120A, 1122 and 1124).

All of the other houses on Hodges Alley are almost the same height as 26, which allows most the residents of our block of Montgomery to have clear views of the Bay due to the slope of the hill.

I see no reason why 26 needs to have an additional 10' of a 3rd floor added to a single family home that already has 2 bed, 2 bath and nearly 1400 square feet. The plans show they will have 2 decks, while ruining our only view.

Attached is a photo from the window of our apartment showing the view. 26 Hodges Alley is the left of the two buildings in the foreground of the picture, brown front and green sides. They already have an outdoor patio on their roof, which is probably one of the nicest outdoor decks in the whole city. If they extend their building as proposed, 50% of the view would be completely blocked. Not only would we be disappointed, I'm sure this change would lower the value of the 4 units in our building in the future.

In addition, my wife and I work from home nearly every day and would no doubt be disturbed by the construction noise. This would disrupt our ability to do our jobs.

I wish I would've been able to attend the meeting on 9/24 to express these concerns, but I had work meetings all day.

Looking forward to hearing back from you.

Thanks,

Bob Gisiger
703.244.5158

From: [Alston Lew](#)
To: [Conner, Kate \(CPC\)](#)
Cc: [Raymond Lew](#); melomm@aol.com; [Richard T. Woon](#); [Monica Lim](#); [Lisa Lim](#)
Subject: DR Process RE: Concerns 26 Hodges Aly - Urgent questions with deadline
Date: Thursday, October 23, 2014 10:07:26 AM

Dear Ms. Conner:

I left you a voicemail earlier this morning concerning the development project at 26 Hodges Aly. I believe you have been in communication with my neighbor Lisa Lim. In addition to the light and air concerns Lisa has previously expressed, my family, which owns 20 Hodges (directly downhill and next door to 26 Hodges) is concerned about the whether there is sufficient existing foundational support for that property should the project move forward and building commences. I sent an email recently to the applicant's attorney and architect seeking clarification on why their report lacked such information and whether they were in possession of such information.

I received the following response:

Alston, thank you for your email. Structural and foundation drawings for the Project will be started after we receive planning approval. We can certainly send you the structural drawings once we have them. We are also happy to answer any questions by your geotechnical engineer in light of our geotechnical analysis of the slope work to be completed. Please let me know if I can answer any other questions.

REUBEN JUNIUS & ROSE LLP

Jody Knight

One Bush Street, Suite 600

San Francisco, CA 94104

Tel: [415-567-9000](tel:415-567-9000)

jknight@reubenlaw.com

www.reubenlaw.com

I have since sent a further inquiry to Ms. Knight requesting further clarification on what planning approval she is referring to. If we are still at the planning stages, then I am confused as to why we are under a deadline to file a DR by next Monday. A variance hearing took place towards the end of September with the variance granted. A week later, we received 30 days notice that a DR needed to be filed. If we do not file for a DR, will there be a subsequent opportunity to file a DR? I am surprised that the Planning Commission granted the developer's request when a simple analysis addressing existing structural integrity was not even contained in the applicant's geotechnical report.

I would also request one further point of clarification, if the due date for an application

From: [Navarrete, Joy \(CPC\)](#)
To: melomm@aol.com; [Jones, Sarah \(CPC\)](#)
Cc: [Espiritu, Christopher \(CPC\)](#); [Conner, Kate \(CPC\)](#)
Subject: RE: 26 Hodges Alley, slope instability
Date: Wednesday, January 28, 2015 3:31:48 PM
Attachments: [2013.0783E.pdf](#)

Hi Melody-

You are correct in that two geotechnical reports were provided to Environmental Planning so that would could describe what type of foundation is recommended by the geotechnical engineer and whether the proposed project construction is feasible. The Categorical Exemption (attached) disclosed the existing (before-project implementation) rockfall issues and summarizes what is recommended as part of the project in the geotechnical reports. As Sarah Jones stated, it is ultimately DBI who reviews the geotechnical reports to ensure that the security and stability of adjoining properties and the subject property is maintained during and following project construction. Potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code by DBI.

It is my understanding that a building permit (201303212735) has not yet been issued by DBI for this project. Stabilization of the hillside is proposed as part of this project building permit. You should contact Building Plan Review Services in DBI 415-558-6133 to check on the status of this permit.

From the Categorical Exemption issued September 18, 2014:

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

A Supplemental Geotechnical Analysis was performed and revised recommendations for rock-slope stabilization were recommended. Due to the unique features of the eastern slope at the rear of the site, the previous recommendation to construct a concrete wall to stabilize the slope was deemed infeasible. The Supplemental Geotechnical Investigation therefore recommended that the best solution for reducing rockfall hazards at the project site would be to include the installation of a steel wire mesh net that would contain loose rock from impacting the residence at 358 Vallejo Street, and the installation of concrete encased steel rock bolts that would reinforce the rock slope. The netting would be supported by vertical rock bolts drilled into the slope at the top and bottom.

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

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

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the DBI permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties and the subject property is maintained

during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.”

Let me know if you have further questions.

Thanks,
Joy

Joy Navarrete, Senior Environmental Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
P. 415-575-9040 F. 415-558-6409
www.sfpplanning.org

From: melomm@aol.com [mailto:melomm@aol.com]
Sent: Wednesday, January 28, 2015 12:37 PM
To: Jones, Sarah (CPC)
Cc: Espiritu, Christopher (CPC); Navarrete, Joy (CPC); Conner, Kate (CPC)
Subject: Re: 26 Hodges Alley, slope instability

Sarah,

Thank you for your reply. The geological reports I referred to was provided to the Environmental Planning Division of the Planning Department, not the building department. Yes, I have contacted Joy Navarrete and am waiting for a response. The variance requested is along the border of 26 Hodges and 30 Hodges, and the unstable slope in that property line area should have been discussed in the reports submitted to the Environmental Planning Division. Joy and Chris should ask 26 Hodges Alley for the additional information I raised in my earlier email. Kate Conner visited the site last year, and saw the unstable slope along 26 Hodges and 30 Hodges property line area.

Melody

On Jan 27, 2015, at 1:21 PM, "Jones, Sarah (CPC)" <sarah.b.jones@sfgov.org> wrote:

Dear Melody-

From the information you provided, this appears to be a matter that is the responsibility of the Department of Building Inspection. The Environmental Planning Division of the Planning Department does not review the geotechnical reports filed with DBI for building permits. If you have further questions please contact Joy Navarrete (cc:ed on this email), who supervised Chris's work on the exemption.

-Sarah

Sarah Bernstein Jones

**Environmental Review Officer
Director of Environmental Planning**

Planning Department | City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9034 | Fax: 415-558-6409
Email: sarah.b.jones@sfgov.org
Web: www.sfplanning.org

From: melomm@aol.com [<mailto:melomm@aol.com>]

Sent: Tuesday, January 27, 2015 12:57 PM

To: Jones, Sarah (CPC)

Subject: Fwd: 26 Hodges Alley, slope instability

Sarah,

I am forwarding the attached email sent to Chris Espiritu yesterday. He is away till January 29. Can you assist me with this matter?

Melody

Begin forwarded message:

From: melomm@aol.com

Date: January 26, 2015 at 3:24:32 PM PST

To: Christopher Espiritu <Christopher.Espiritu@sfgov.org>, Kate Conner <Kate.Conner@sfgov.org>

Subject: 26 Hodges Alley, slope instability

Chris & Kate,

I have been asked to write to you on the soil instability issue.

Attached are two Notices of Violation issued to 26 Hodges Alley following the large rockslide on December 12, 2014. As you may recall, I alerted both of you to this situation on December 15.

The first Notice of Violation indicates, "Rock Slide from the back of 26 Hodges hit neighbor's home at 358 Vallejo". The second Notice of Violation describes the amount of rock up against the wall of my house, which is damaged.

The last two submitted engineer's reports DID NOT ADDRESS the soil stability issue along the 26 Hodges Alley and 30 Hodges Alley property line area, which is Unstable.

Chris, this is NOT a modification of an existing plan. This is a NEW AREA of soil instability that was never addressed in the original or second report. Please follow up with 26 Hodges Alley:

1) Do they have a new report on how they will stabilize the unstable slope between 26 Hodges and 30 Hodges Alley in the rear, AND, 2) Do they have a third or new report on how they will stabilize the slope between 26 Hodges Alley and Vallejo Street in light of the

large rockslide referenced on the attached Notices of Violations?

Chris & Kate, this case cannot move until the above issues are addressed.

Melody

<image001.jpg>

<image002.jpg>



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

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

EXEMPT STATUS:

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

REMARKS:

See next page.

DETERMINATION:

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


Sarah B. Jones
Environmental Review Officer

September 18, 2014
Date

cc: Heidi Liebes, Project Sponsor
Kate Conner, Current Planner

Jonathan Lammers, Preservation Planner
Historic Preservation Distribution List

Supervisor Chiu, District 3 (via Clerk of the Board)
Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

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

Project Approvals

The proposed project would require the following approvals:

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

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

REMARKS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Supplemental Geotechnical Investigation⁴ identified this strategy as the most feasible since the process will essentially stitch the rock together to prevent pieces of rock from becoming dislodged. Finally, a closely spaced steel mesh net will be attached to the slope to contain pieces of rock that may become dislodged in the future. The selected approach stabilizes loose rock by scaling the rock face and applying mesh. Stability of the existing rock slope is increased by pinning potential wedge-type rock failures with the vertical rock bolts.

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

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

EXEMPT STATUS:

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

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

CONCLUSION:

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

From: [Le, Thomas \(DBI\)](#)
To: melomm@aol.com
Cc: [Tom, Ronald \(DBI\)](#); [Conner, Kate \(CPC\)](#); [Sweeney, Edward \(DBI\)](#)
Subject: RE: 26 Hodges Alley, Slope Stabilize Peer Review
Date: Wednesday, December 31, 2014 3:42:34 PM

Melody,

This PA# 2013-0321-2735/S is still at DCP (Dept of City Planning), not approved & routed to DBI yet. At this time, DBI does not & cannot initiate any "Slope Protection Act" requirement.

Please be noticed that this PA must be first approved by DCP & routed to DBI for Building Code check. DBI Plan-checker will address the "Slope Protection Act" requirements when he/she reviews the construction documents.

Base on the review of the submitted Geologist Report, Geotechnical Report, and Structural Design, DBI will determine if the SAC (Structural Advisory Committee) Review or Peer Review is required; then procedure will start from there.

Hope this helps & addresses your concern.

Thomas Le, PE
Supervisor, Plan Review Team 1
Plan Review Service Division - DBI
Phone: (415) 558 6140
Email: Thomas.le@sfgov.org

-----Original Message-----

From: melomm@aol.com [<mailto:melomm@aol.com>]
Sent: Tuesday, December 30, 2014 1:27 PM
To: Le, Thomas (DBI)
Cc: Tom, Ronald (DBI); Conner, Kate (CPC)
Subject: 26 Hodges Alley, Slope Stabilize Peer Review

Tom,

I left a voicemail and am checking in to see how the peer review for 26 Hodges Alley's slope stabilization plan is going? Have you set a date for the peer review yet? I have attached the two Five Day Notices of Violations issued for the rockslide which crashed onto my house over two weeks ago for your reference.

Melody

DR Requestor Submittal for the RDT
Meeting held January 7, 2015

Dear Residential Design Team:

I live in the house in the rear at 358 Vallejo Street. I would like the RDT to consider the following

1. Reinstate the RDT's original decision, which is attached, "that the rear horizontal addition at the 2nd floor should extend no further than the adjacent building to the north." The RDT relied on several images the architect provided to reverse their original decision and approve the additional 5'6" x 3' extension beyond the northern neighbor's wall. Attached is one of these images. Unfortunately, all the architect's submitted images to the RDT for reconsideration were misleading, as these images all left my adjacent downhill house out of the image. I have included several drawings, which include my downhill adjacent house.

From my drawings, and the google Earth photo, it is clear that infilling beyond the northern neighbor's wall would result in a reduction in my lightwell's access to sunlight. My house is in a special site in the rear and derives its light from the rear yards of its neighbors. In this case, the rear yards are the Open Short Rails and Glass windows and doors of the neighbors' decks and the small 3' setback on the ground floor deck. Also note that my two windows on one wall of the lightwell DIRECTLY face the infill area, so the sunlight is direct, not insignificant. See attached drawings.

While this addition would not increase the overall building depth, this specific addition WILL impact the downhill neighbor's access to sunlight because currently light streams through the rear decks, which are Open Short Rails, and Glass window and doors. There is NO solid High Wall between 26 and 30 Hodges Alley, which is how light streams to my lightwell. And, note that 30 Hodges is setback from 26 Hodges, and there is open space setback on 30 Hodges Alley's ground floor.

This light is not insignificant as my lightwell has difficulty receiving adequate light due to existing extraordinary and exceptional site circumstances: 1) my house is adjacent to a 20 feet (+-) slope, and portions of this slope is within 1 feet of my house and lightwell. 2) on top of the slope are neighbor's 3 floors, with no rear yard, and 3) a dense tree. I also wish to clarify that my house is two stories, which is indicated on page 5 of the 26 Hodges Alley Engineering Geologic Report, which is attached.

Houses on top of hillsides are not uncommon in San Francisco, but a house adjacent to a slope and with a portion within 1 feet of the slope is extraordinary and exceptional. Due to these existing circumstances, infilling beyond the northern neighbor's wall and even

slight changes in deck rail design, etc. has a great impact on my lightwell and backyard, no matter how small or far away, because we are counting on every little opening for a ray of light to come through.

Last year, the project sponsors requested permission to go beyond the northern neighbor's wall by two feet in order to enclose a moment frame. If the RDT would like to permit this, that is fine.

2. Slope Stabilize Plan and New Concrete Slab on Ground Floor Deck

The rear of 26 Hodges Alley is on a crumbling cliff, and slope stabilization is required for this project. The first two slope plans have not worked; so, a third slope plan, incorporating the use of shotcrete walls is being contemplated. Currently, sunlight streams through to my lightwell and backyard from the open deck rails, glass windows, the 3' setback on the ground floor deck, and through the slope setbacks. The slope stabilization plan contemplated will be a shotcrete retaining wall. As the slope is a source of air, light, privacy, to my lightwells and backyard, I am requesting that the RDT make a comment that the slope stabilization work not reduce the downhill neighbor's air and light, that the slope not "overgrow." According to engineers, more rock could be scaled to accommodate the shotcreted wall, resulting in no loss of air, light, privacy to the downhill neighbor.

I spoke with both Maya and Tina at the PIC in December and both agree that a RDT comment on this to protect my air and light is appropriate. My house is on a special site, see attached RDG "Special Building Locations, Rear Yard Cottages." According to Chris Espiritu, the environmental planner for this case, any structural work required as part of the project cannot impact air, light, and privacy.

The plans indicate a new concrete slab extending further out than the existing concrete patio slab on the ground floor deck. With a shotcreted wall, there is no need to extend the concrete patio slab. Any extension of the concrete patio slab violates the existing ground floor deck setback. See attached plan of Existing North-Facing Elevation and Proposed North Facing Elevation.

3. Project should provide matching lightwells

Currently, my lightwell faces a cliff and the neighbor's deck. The proposal is to stabilize the slope adjacent to the lightwell and extend a concrete patio in the ground floor. In order to provide a matching lightwell, the concrete patio cannot be extended beyond the existing 3' ground floor deck setback and the slope, which will be a shotcreted wall,

will need to have more scaling to remove sufficient rock to accommodate the shotcreted wall, preventing the loss of air and light.

At this time, I am unable to provide the RDT with photos due to a large rockslide which occurred 3 weeks ago. Attached are the NOV notices which indicate a "Rockslide from the back of 26 Hodges hit neighbor's home at 358 Vallejo." If photos of the site are requested, I will not be able to access the site and take photos ^{until} the rockslide situation is resolved.

Thank you for taking the time to review this.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Mar", with a long horizontal flourish extending to the right.

Melody Mar

Residential Design Guidelines

Special Building Locations

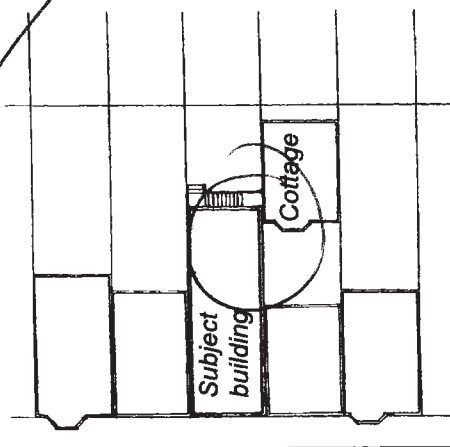
Special attention is necessary to ensure that the building's facades enhance the public realm. Blank walls or fences along public spaces can make these spaces feel isolated. Instead, these building facades must be fenestrated, articulated, ornamented and finished with a level of detail compatible to a front facade. Provide exterior lighting that is energy efficient and is shielded to avoid excess glare.

Rear Yard Cottages

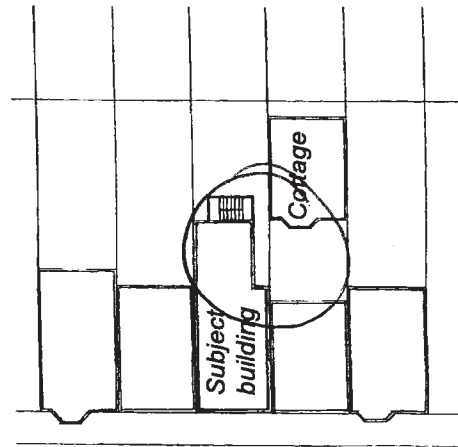
GUIDELINE: Articulate the building to minimize impacts on light to adjacent cottages.

Buildings located in rear yards are non-complying structures under the Planning Code and may themselves have an impact on the rear yard open space. However, when a proposed project is adjacent to a lot that has a cottage used as a dwelling unit at the rear of the lot, modifications to the building's design may be necessary to reduce light impacts to that cottage specifically. Consider the following modifications; other measures may also be appropriate depending on the circumstances of a particular project:

- Provide side setbacks at the rear of the building.
- Minimize rear projections such as decks and stairs.



This illustration shows a new building permitted under the Planning Code. The building's design has not been modified to minimize light impacts to the adjacent cottage, and further restricts the mid-block open space.



This illustration shows a new building that provides a side setback to reduce the impact on light to the cottage.

Permits, Complaints and Boiler PTO Inquiry

/w EPDw UKL TE3I

EBE5C146

/w EWAgKqoce/C

COMPLAINT DATA SHEET

**Complaint
Number:**

201413221

Owner/Agent: OWNER DATA
SUPPRESSED

Date Filed:

* 12/12/2014 *

Owner's
Phone: --

Location:

* 26 HODGES AL *

Contact

Block:

0134

Name:

Contact

Lot:

012

Phone: --

Complainant: COMPLAINANT
DATA
SUPPRESSED

Site:

Rating:
Occupancy
Code:

Received By:

JingJing Lu

Complainant's
Phone:

Division:

BID

Complaint
Source: TELEPHONE

Assigned to
Division: BID

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

Instructions:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	POWER	6270	15	

REFFERAL INFORMATION

COMPLAINT STATUS AND COMMENTS

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

26 Hodges Alley ↓



30 Hodges Alley

Two windows on
this wall directly
face the proposed
infill area north.

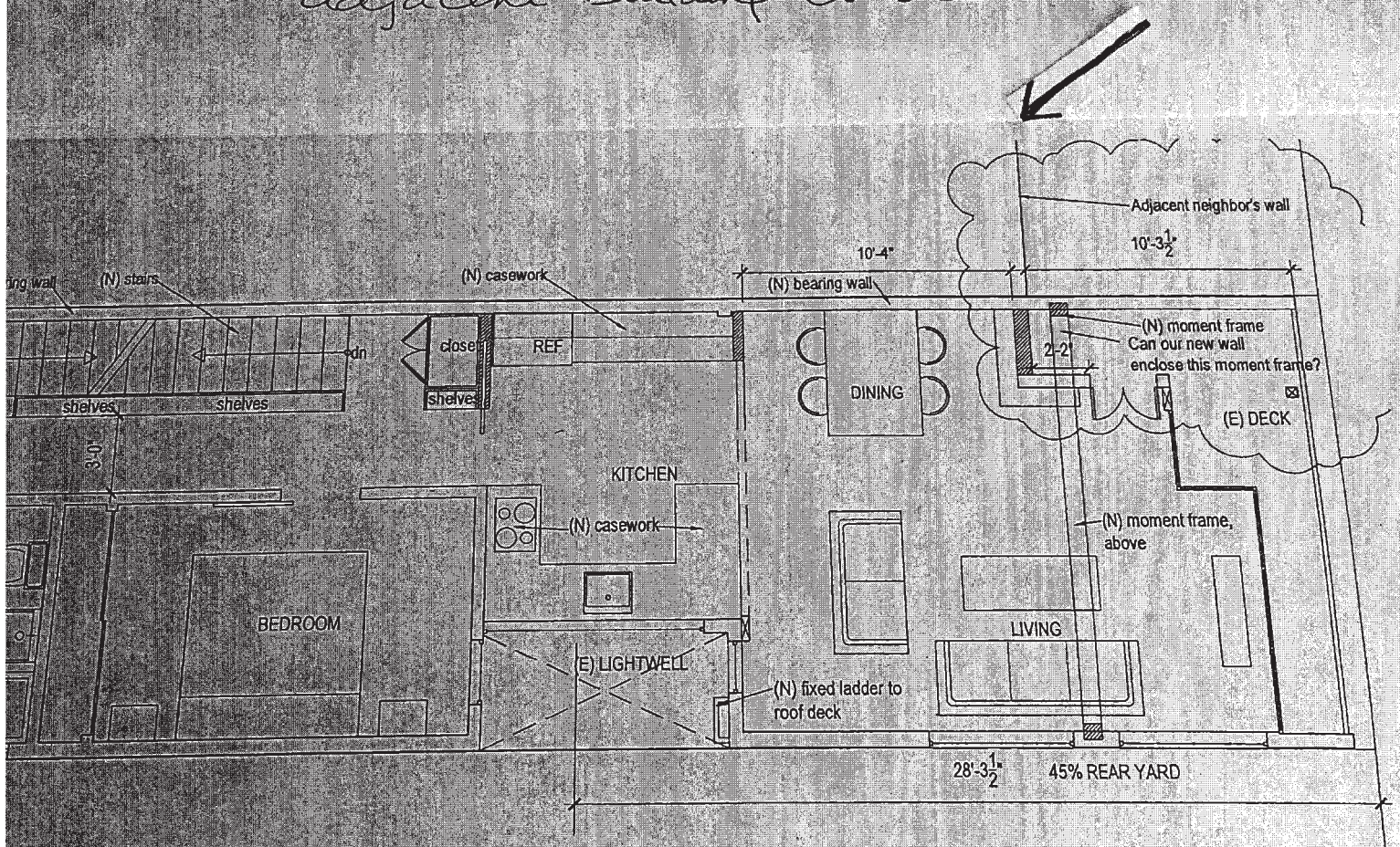


358 ↑ Valley St.
Lightwell



Re: 26 Hodges Alley Project

Photo: Architect's Revised Plans to Comply with RDT's original decision that the "Rear addition at 2nd floor should extend no further than the adjacent building to the north."



2.3.14

26 HODGES

SPOKE TO GC

ENCLOSE MOMENT FRAME OK

NO RDT REVIEW REQ

Residential Design Guidelines

Special Building Locations

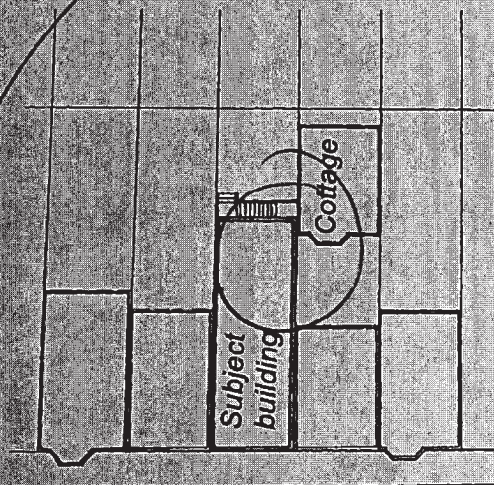
Special attention is necessary to ensure that the building's facades enhance the public realm. Blank walls or fences along public spaces can make these spaces feel isolated. Instead, these building facades must be fenestrated, articulated, ornamented and finished with a level of detail compatible to a front facade. Provide exterior lighting that is energy efficient and is shielded to avoid excess glare.

Rear Yard Cottages

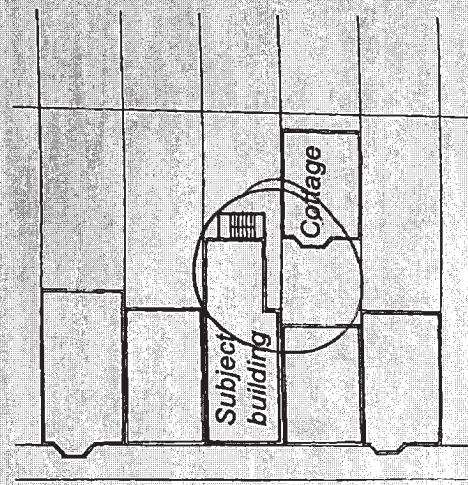
GUIDELINE: Articulate the building to minimize impacts on light to adjacent cottages.

Buildings located in rear yards are non-complying structures under the Planning Code and may themselves have an impact on the rear yard open space. However, when a proposed project is adjacent to a lot that has a cottage used as a dwelling unit at the rear of the lot, modifications to the building's design may be necessary to reduce light impacts to that cottage specifically. Consider the following modifications; other measures may also be appropriate depending on the circumstances of a particular project:

- Provide side setbacks at the rear of the building.
- Minimize rear projections such as decks and stairs.



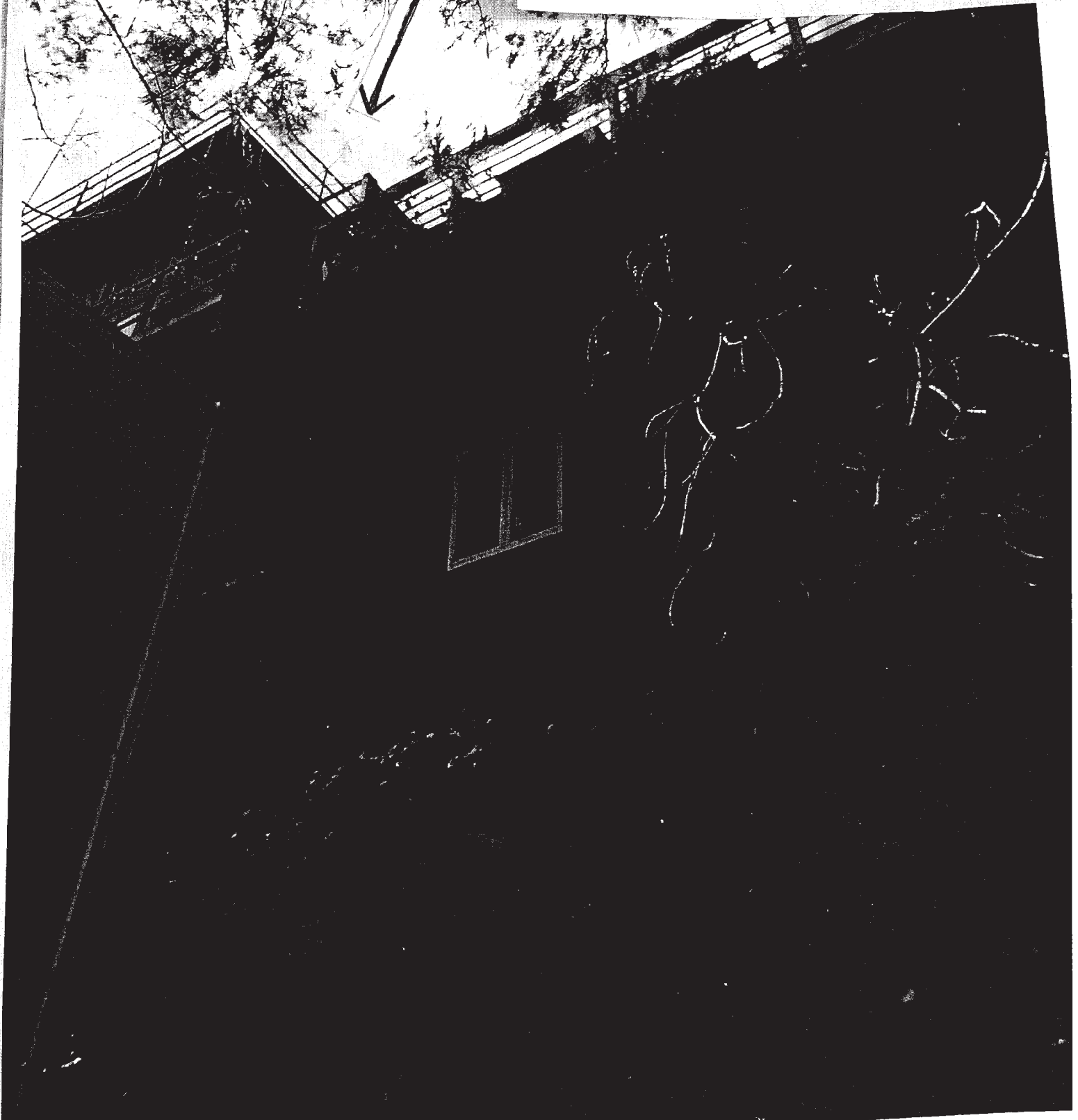
This illustration shows a new building permitted under the Planning Code. The building's design has not been modified to minimize light impacts to the adjacent cottage, and further restricts the mid-block open space.



This illustration shows a new building that provides a side setback to reduce the impact on light to the cottage.

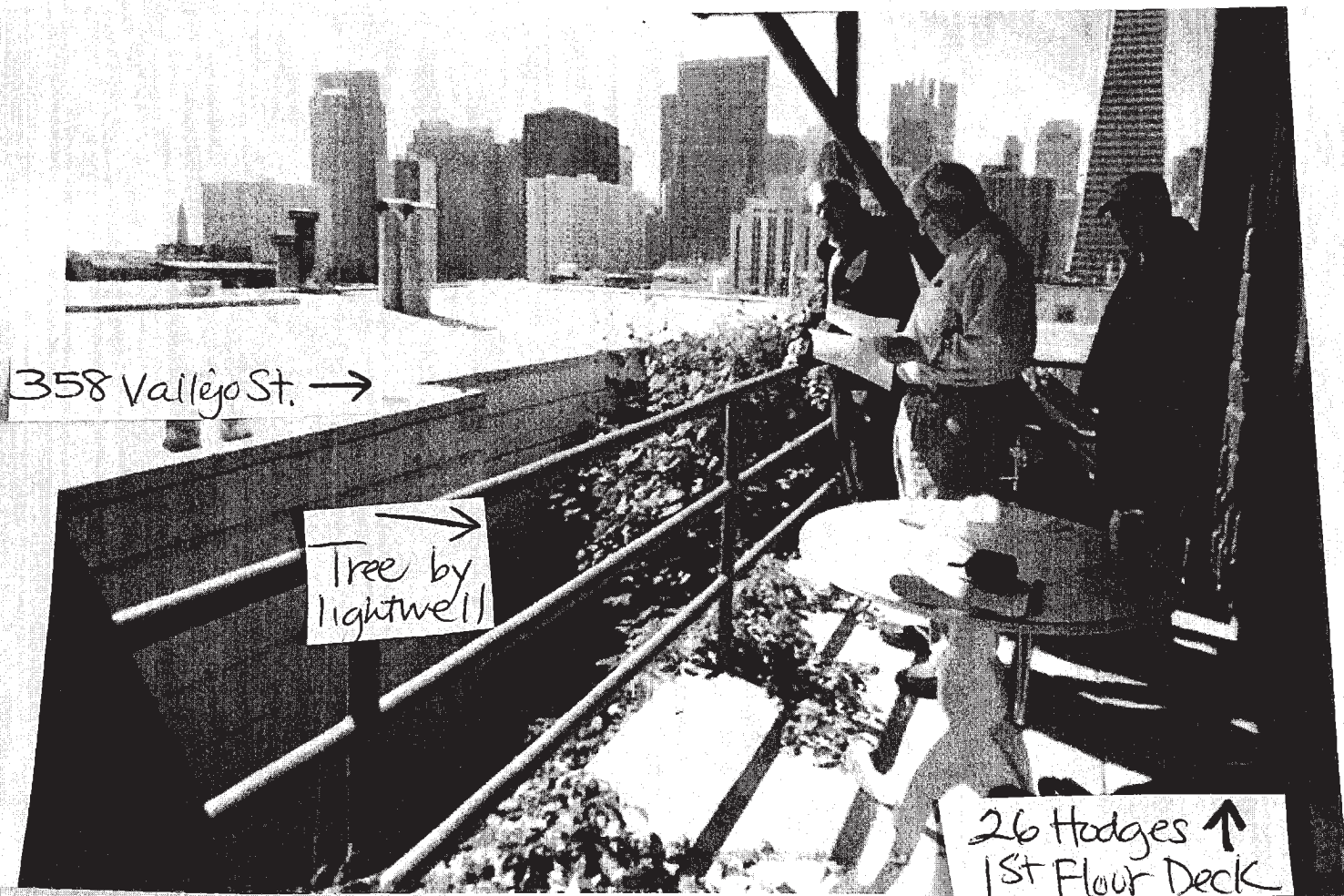
Re: 26 Hodges Alley Project

Note the storyboard,
Light streams through this
area, and this area's
light is reflected back to
my lightwell windows,



Re: 26 Hodges Alley Project

Photo: View of 358 Vallejo Street's
Lightwell, seen from
26 Hodges Alley's First Floor Deck



Re: 26 Hodges Alley Project

Photo of 358 Vallejo Street: 2 lightwells, windows

Window

faces the area
between my rear wall
and 26 Hodges Alley's decks

Tree

Dense, bushy tree
on the cliff

Decks of

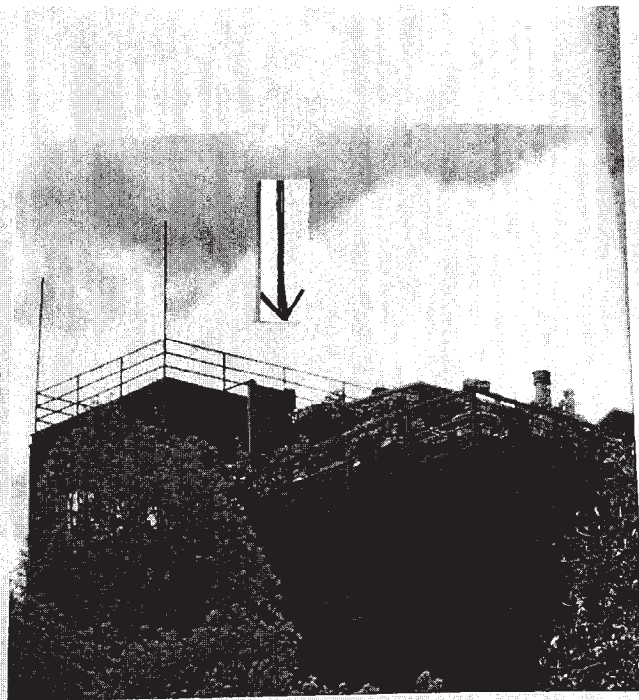
26 Hodges Alley,
3 levels of decks



more windows

CLIFF

26 Hodges →



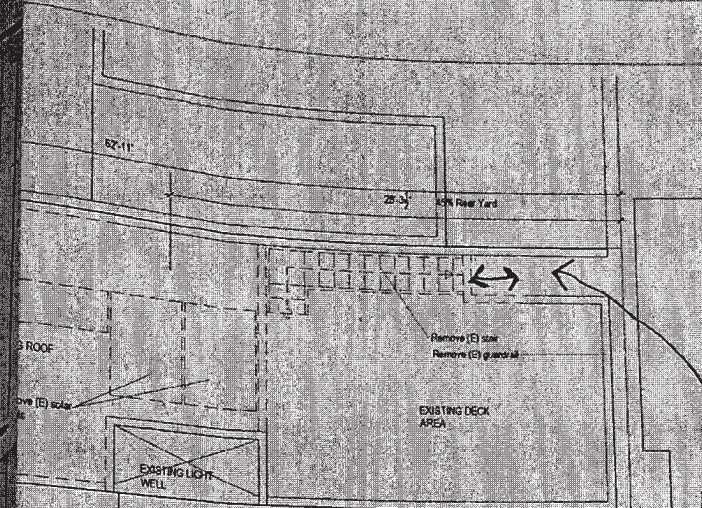
← 30 Hodges

Re: 26 Hodges Alley Project

Photo: 26 & 30 Hodges Alley

Note the storyboard on the photo.

Clearly, going further than the neighbor's wall by 5'6" will impact the northern neighbor's decks and windows on the first and second floors.

[illegible]

Deck to the property line is not 1'. Is few inches or zero inches

EXISTING GROUND FLOOR PLAN

EXIST



SAN FRANCISCO PLANNING DEPARTMENT

RESIDENTIAL DESIGN TEAM REVIEW

DATE: April 3, 2014

RDТ MEETING DATE: April 3, 2014

PROJECT INFORMATION:

Planner:	Kate Corner
Address:	26 Hodges Alley
Cross Streets:	Vallejo Street
Block/Lot:	0134/012
Zoning/Height Districts:	RH-3, 40-X
BPA/Case No.	2013.03.21.2735
Project Status	<input checked="" type="checkbox"/> Initial Review <input checked="" type="checkbox"/> Post NOPDR <input type="checkbox"/> DR Filed
Amount of Time Req.	<input checked="" type="checkbox"/> 15 minutes <input type="checkbox"/> 30 minutes (required for new const.)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.8377

PROJECT DESCRIPTION:

Addition of third story to a single family dwelling and side horizontal addition at the first and second stories. Since the previous RDT meeting, the sponsor has requested that the RDT review the second story horizontal addition. The Third story has been pulled back from the front property line 5'-8" after working with preservation.

RDT Comments from January:

Rear addition at 2nd floor should extend no further than the adjacent building to the north.

(RDG pg. 16)

There is no consistent pattern of building heights along Hodges alley. Setback of 3rd story vertical addition at front okay as proposed. (RDG pg. 23 & 24)

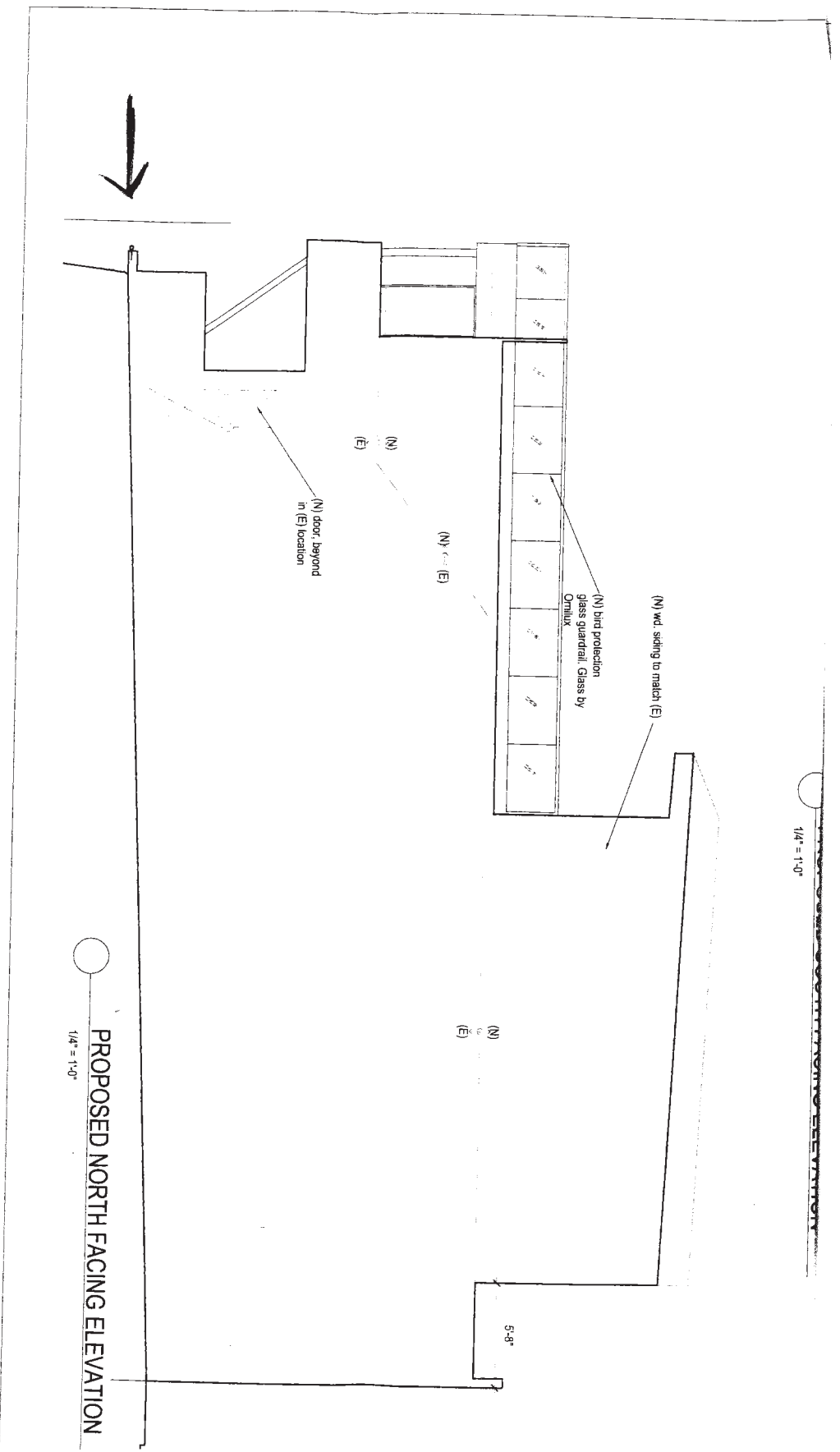
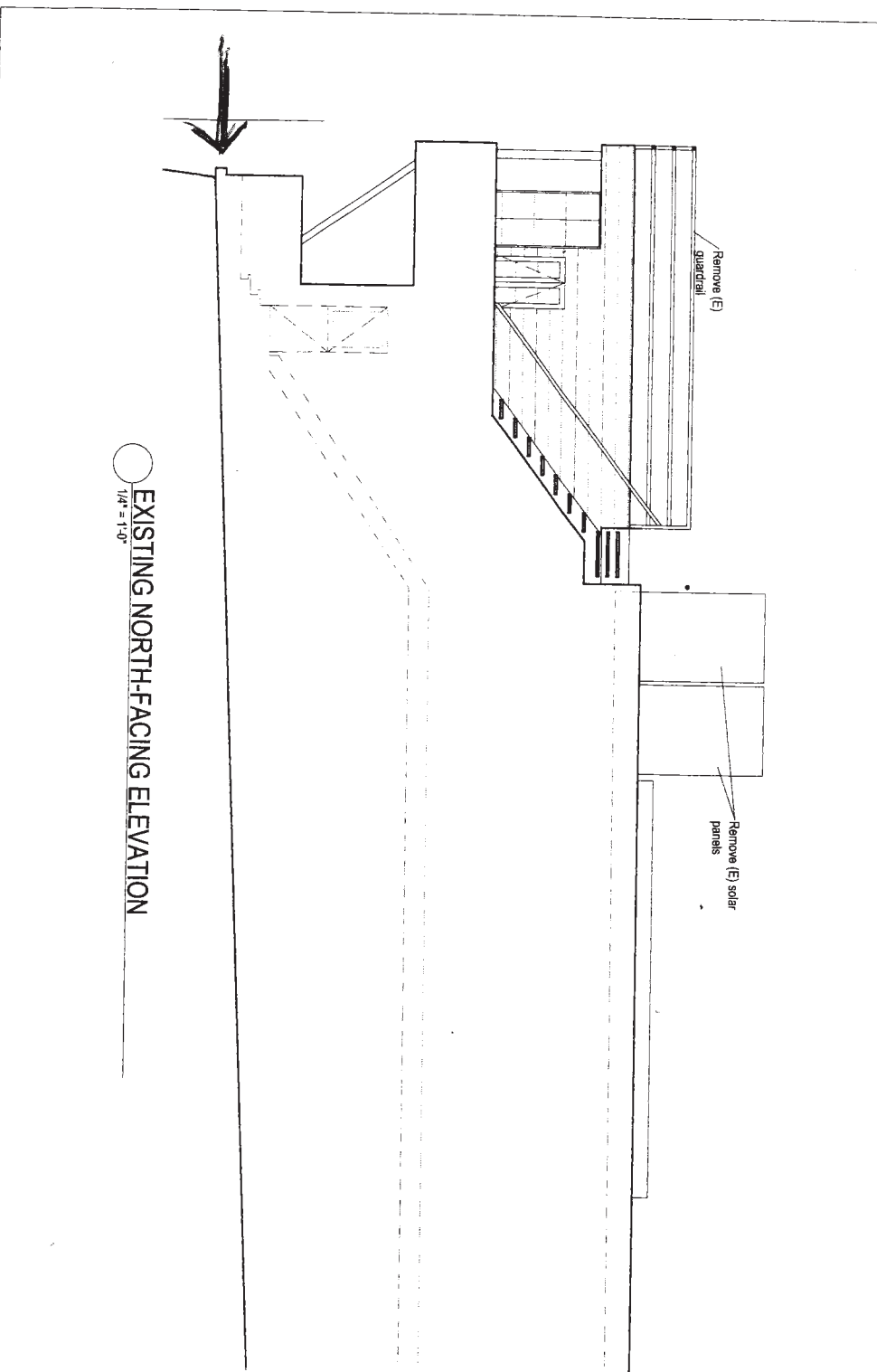
PROJECT CONCERNS (NOTE: IF A DR HAS BEEN FILED, LIST EACH DR CONCERN FOR REVIEW AND COMMENT):

The second story horizontal addition extends approximately 5'-6" beyond the adjacent neighbor but requires a variance. The project sponsor would like RDT to reconsider having them pull it back.

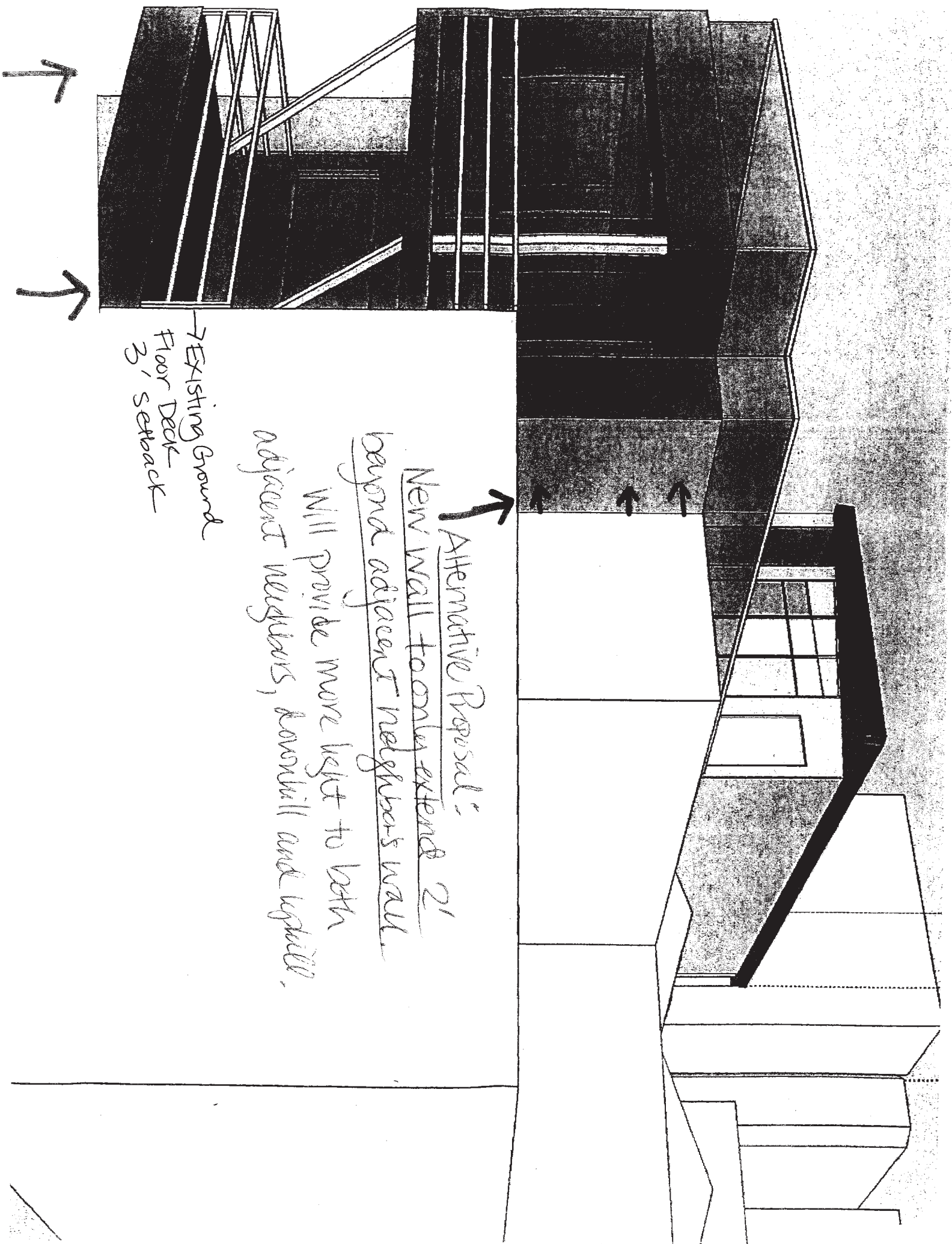
RDT COMMENTS:

Based on the additional information provided, RDT supports the north side setback infill at the second floor as it projects minimally (+/- 6'-0") beyond the neighbor's rear wall at that level. (RDG, pg. 16)

The vertical addition should be setback to comply with the direction provided by the Department's historic preservation planner, in order to ensure that the addition is appropriate for the building. (RDG, pg. 49-51)



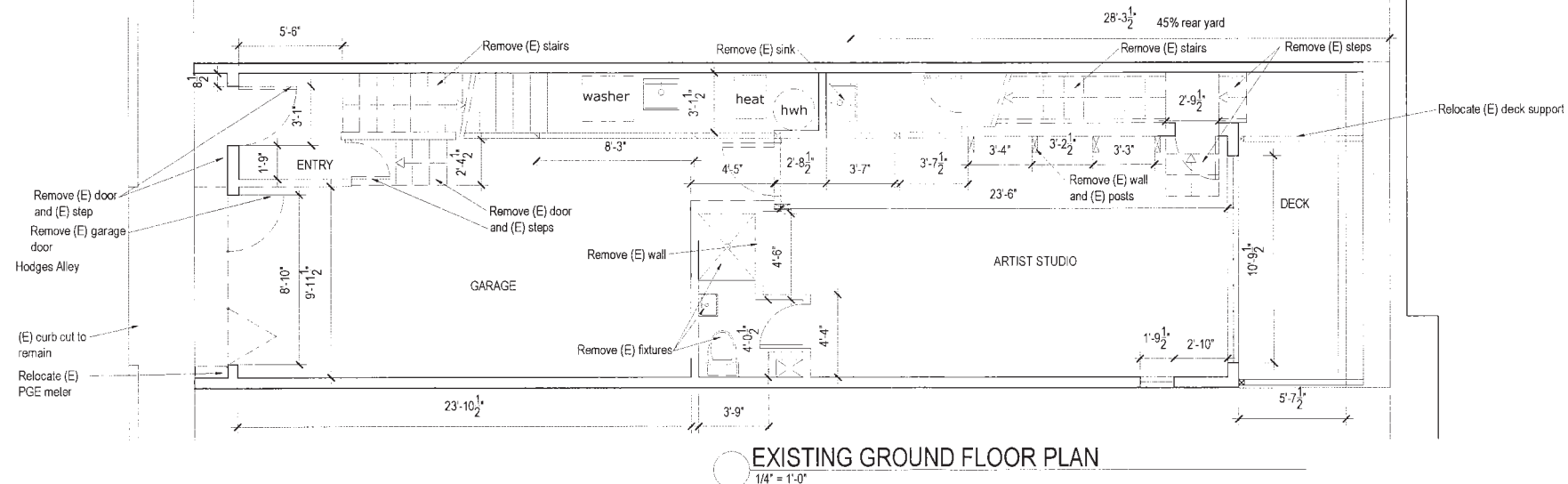
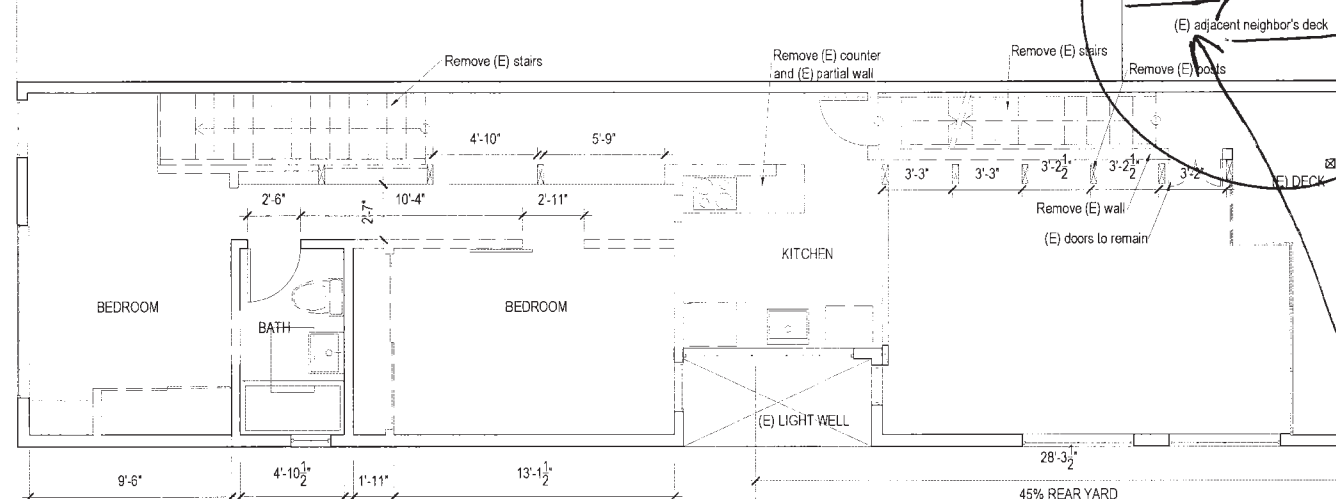
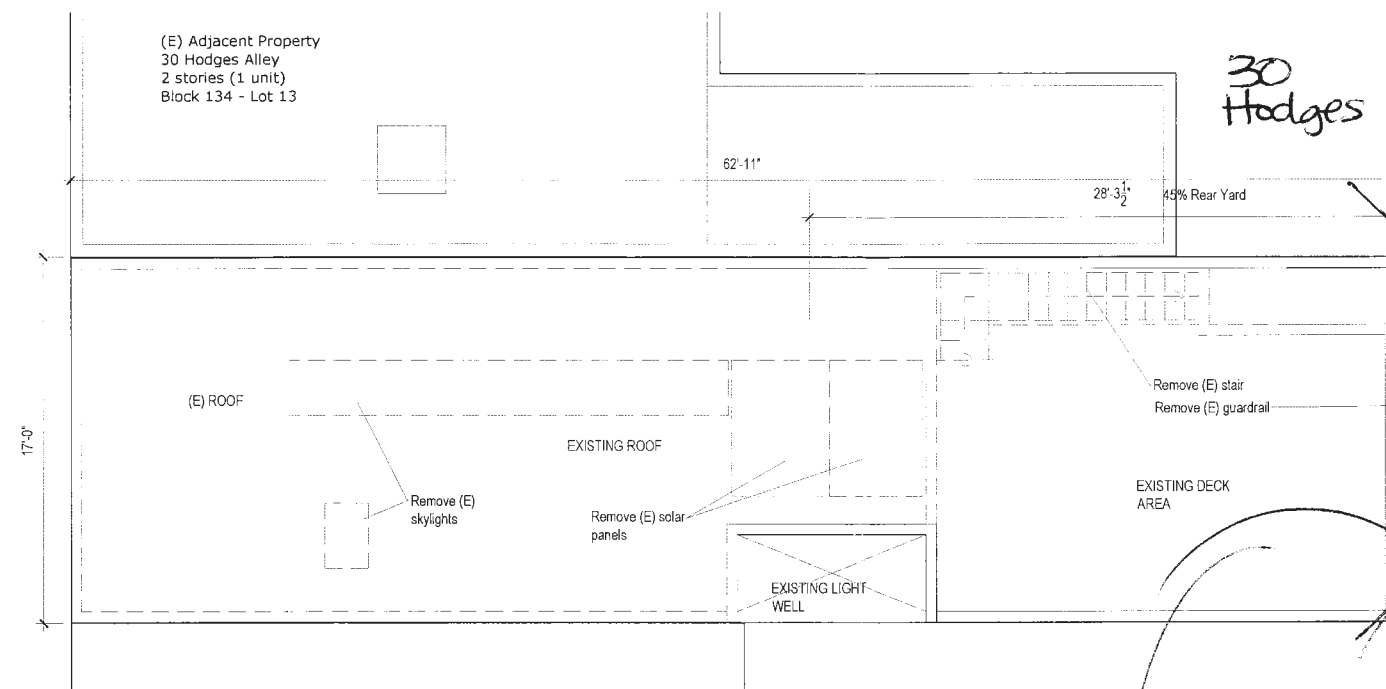
Concrete slab on
 ground floor patio
 should not be
 extended further out,
 keep the concrete
 slab as in
 "Existing North Facing Elevation."



→ Existing Ground
Floor Deck
3' setback

Alternative Proposal:
New wall to only extend 2'
beyond adjacent neighbor's wall.
Will provide more light to both
adjacent neighbors, downhill and uphill.

My adjacent downhill
house is missing in
All the Renderings.



Open deck rails for both 26 & 30 Hodges. No Solid High Wall between 26 and 30 Hodges.

Infill 5'-6" beyond northern neighbor's wall.

358 Valley St. Lightwell 2 windows face 26 Hodges deck

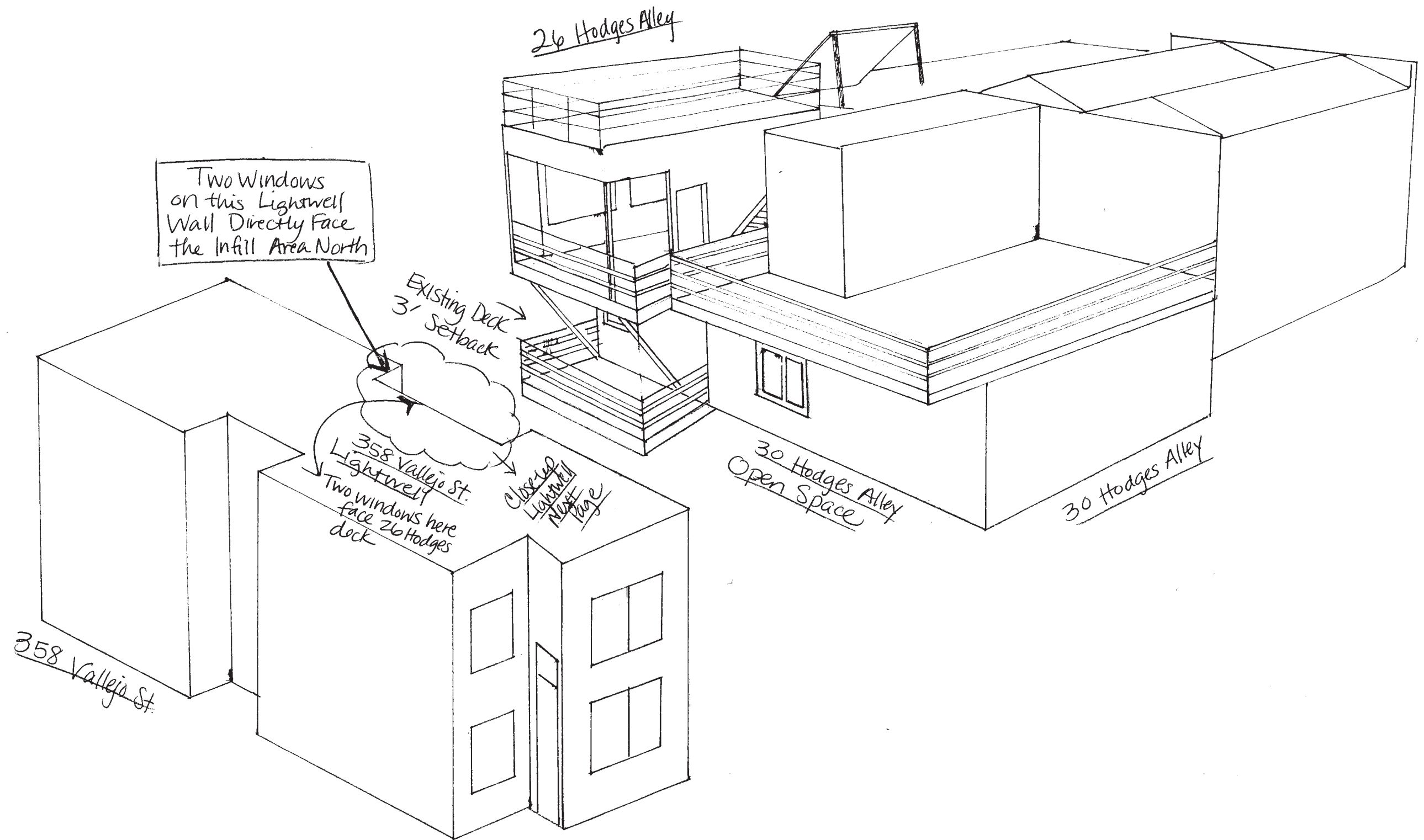
2 windows on this wall directly face the Proposed Infill North.

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING

EXISTING PLANS

A 1.0
DATE April 3, 2014
SCALE

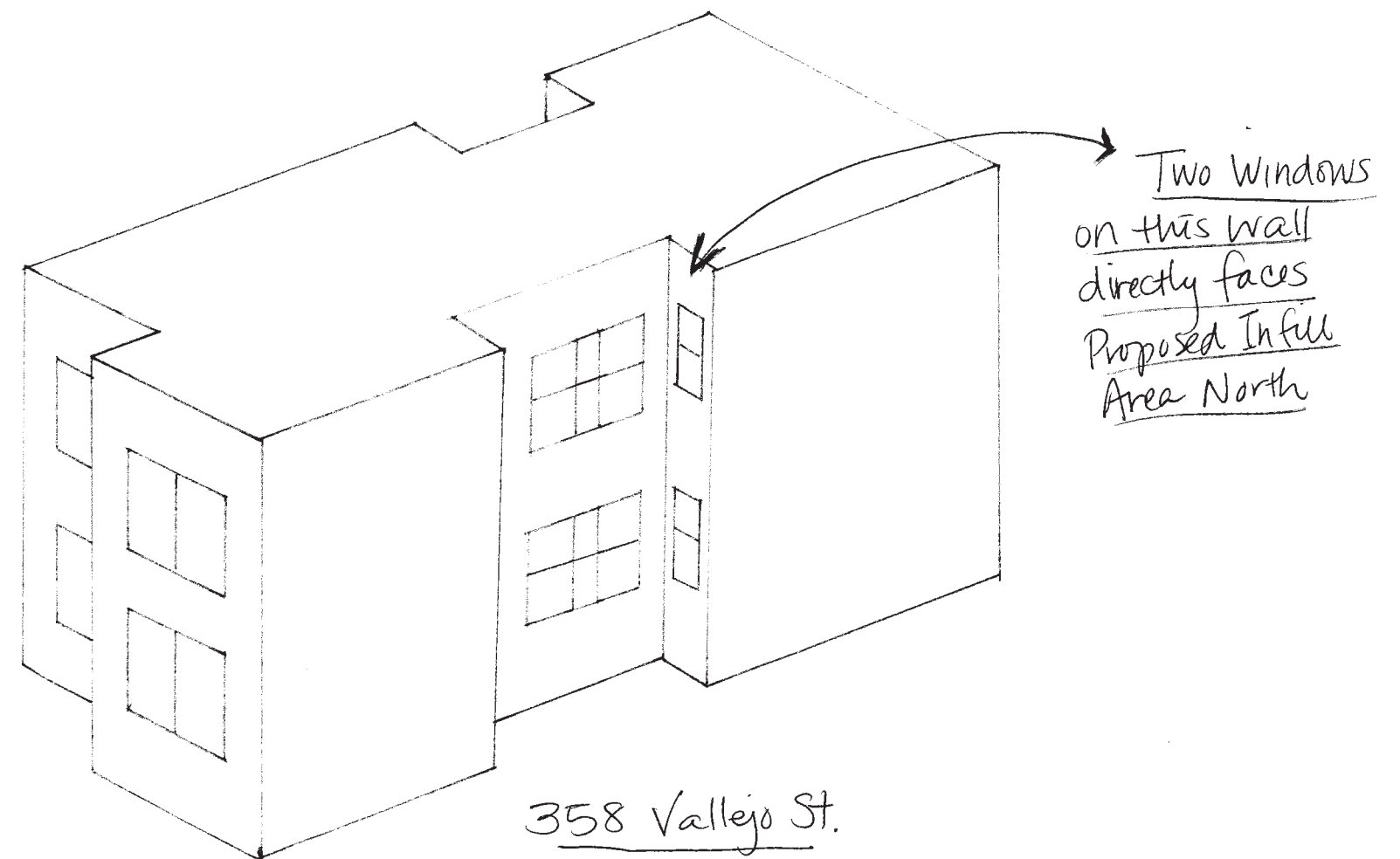


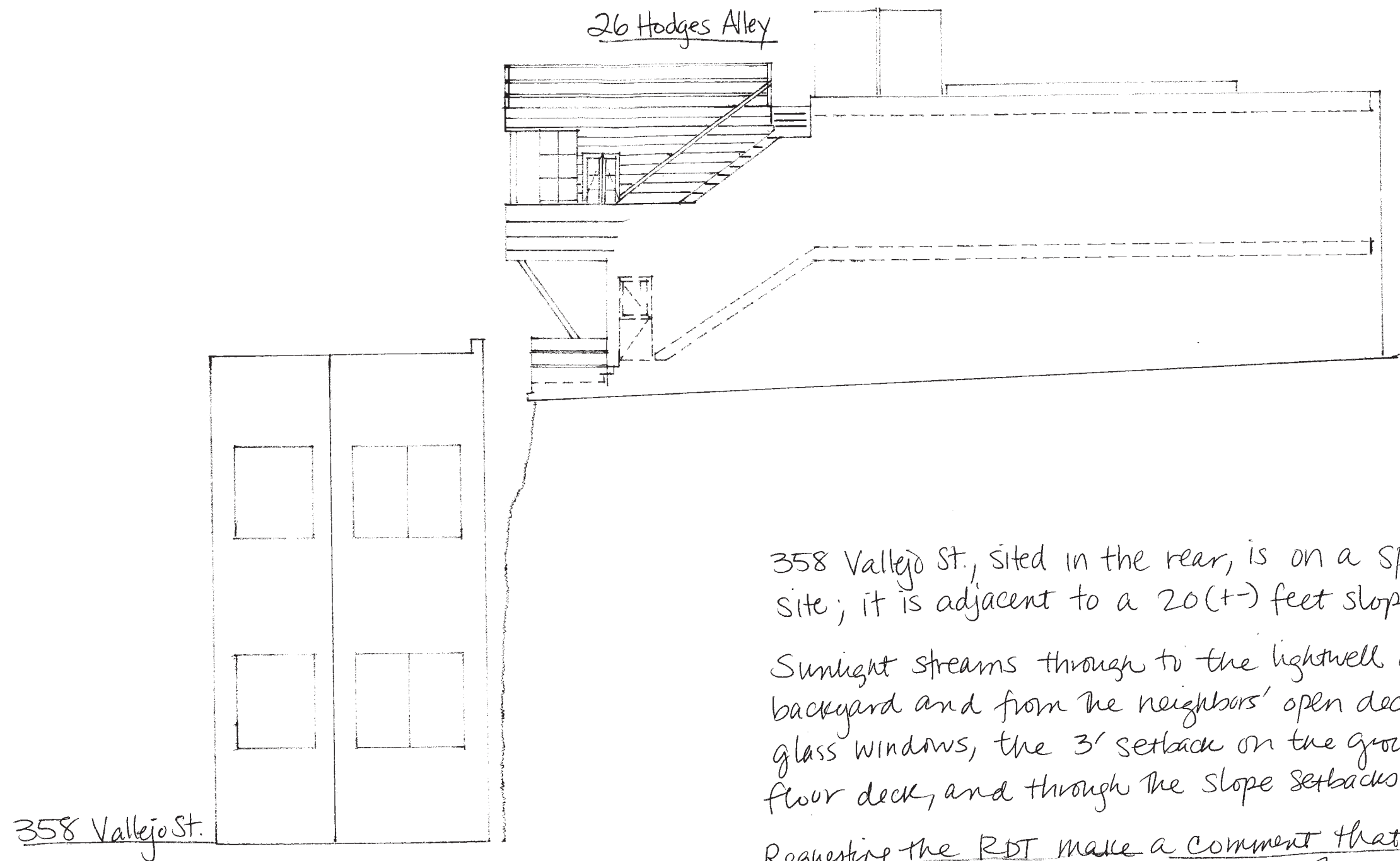
Note: 26 Hodges Alley and 358 Vallejo Street are intentionally drawn further apart in order to show the Open Short Rail design of the Hodges Alley neighbors' decks and that there is No solid high wall between 26 and 30 Hodges Alley.

Infilling beyond the northern neighbor's wall would result in a reduction in the downhill neighbor's access to sunlight. Due to site circumstances, the cliff, etc., the downhill neighbor's lightwell derives its light from the Open Short Rails and Glass windows & doors of the uphill neighbors' decks and the small 3' setback on the ground floor deck. Also, note that two windows on one wall of the lightwell Directly face the proposed infill area. The sunlight is direct, not insignificant.

Close-up of 358 Vallejo St's Lightwell Windows

- Lightwell Adjacent to 26 Hodges Alley
- Two Windows on one wall directly faces the proposed infill area north
- Two windows on the other wall face 26 Hodges Alley deck.





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

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

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

Reduced Plans for 26 Hodges Alley

PLANNING

EXISTING SITE PLAN

A 1.1

DATE April 3, 2014

SCALE

1134-1138 Montgomery St.
3 stories
Block 134 - Lot 21

1140 Montgomery St.
3 stories
Block 134 - Lot 22

1128-1132
Montgomery
St.
3 stories (5
unit)
Block 134 -
Lot 20

(E) 3rd floor
roof

29 - 31
Hodges Alley
3 stories
Block 134 -
Lot 20

(E) 2nd floor
roof

(E) 2nd floor
deck

(E) Rear Yard

Adjacent Property
30 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 13

28'-3.5"

45% rear yard

(E) 2nd floor
flat roof

(E) 2nd floor skylight

(E) 2nd floor
flat wood
deck

(E) curb cut

Subject Property
26 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 12

(E) 1st floor
flat roof

(E) 3rd floor
roof

1120 Montgomery St.
4 stories (6 unit)
Block 134 - Lot 19

82'-11"

Adjacent Property
20 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 11

(E) Rear Yard

(E) Rear Yard

(E) 2nd floor
flat roof

17 - 19 Hodges Alley
2 stories
Block 134 - Lot 015

14 - 16 Hodges Alley
3 stories
Block 134 - Lot 10

(E) Central
Yard

(E) 2nd floor
flat roof

(E) 2nd floor
flat roof

378 - 382 Vallejo St.
4 stories
Block 134 - Lot 014

372 Vallejo St.
4 stories
Block 134 - Lot 009

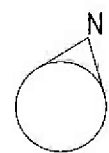
Adjacent Property
362-366 Vallejo St.
2 stories
Block 134 - Lot 7

Adjacent Property
358-360 Vallejo St.
2 stories (4 units)
Block 134 - Lot 6

VALLEJO

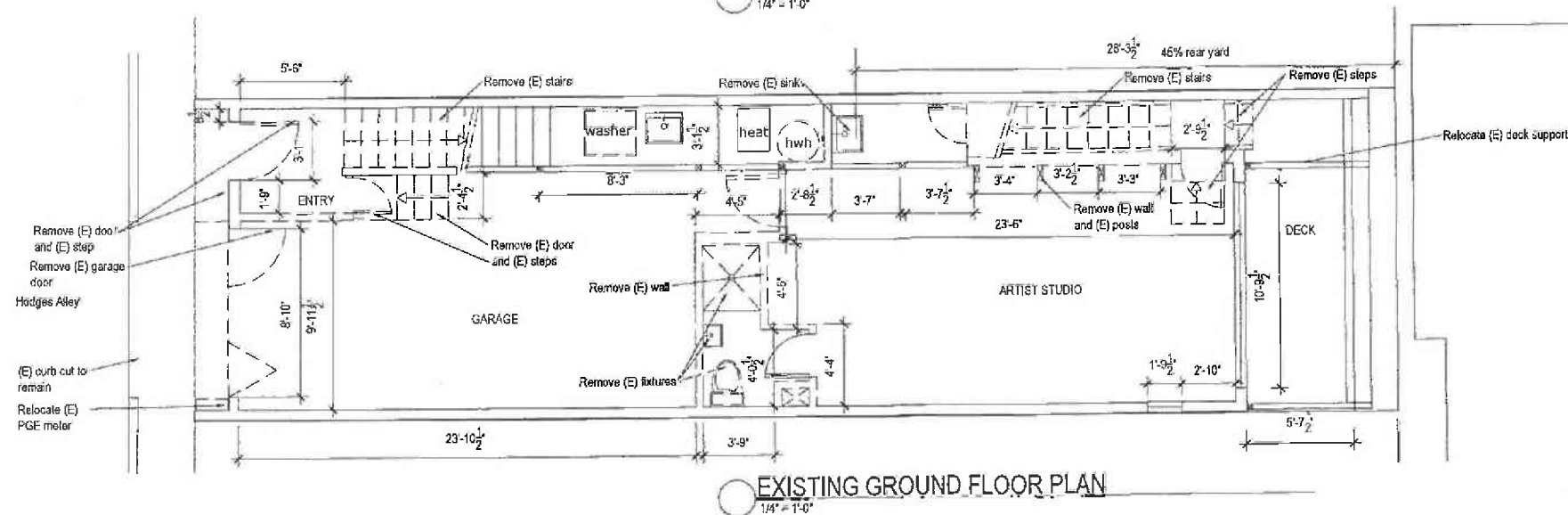
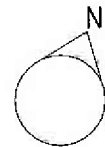
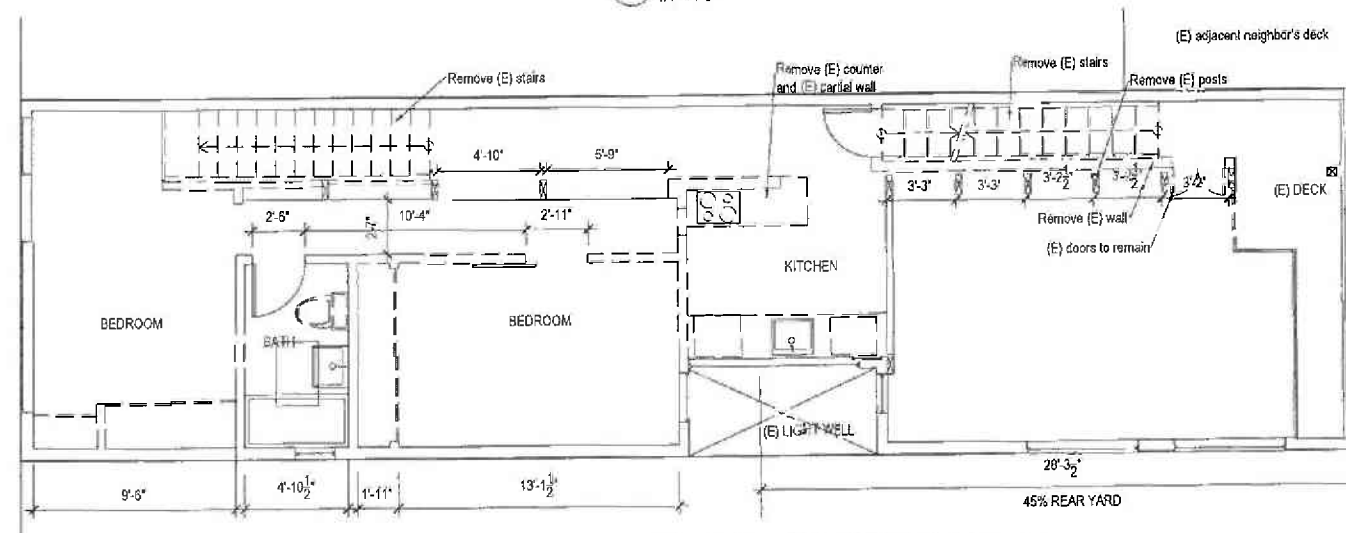
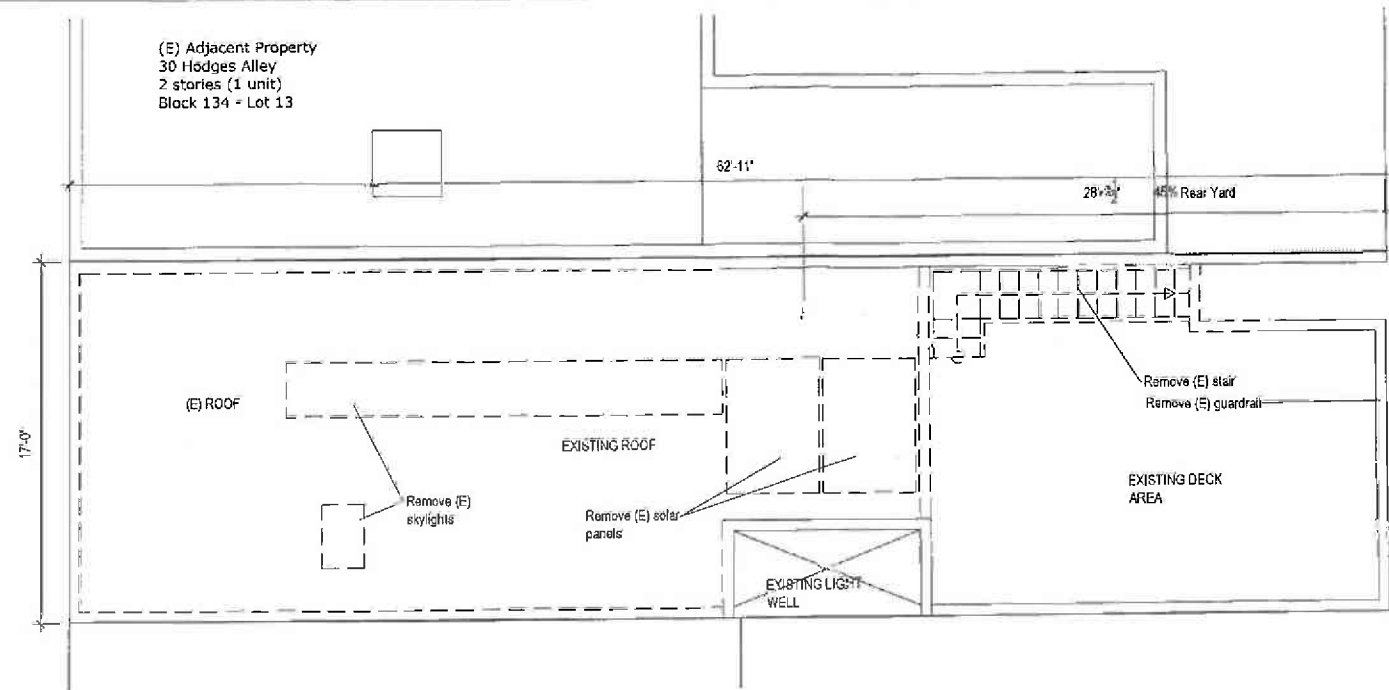
HODGES ALLEY

MONTGOMERY



EXISTING SITE PLAN

1/8" = 1'-0"



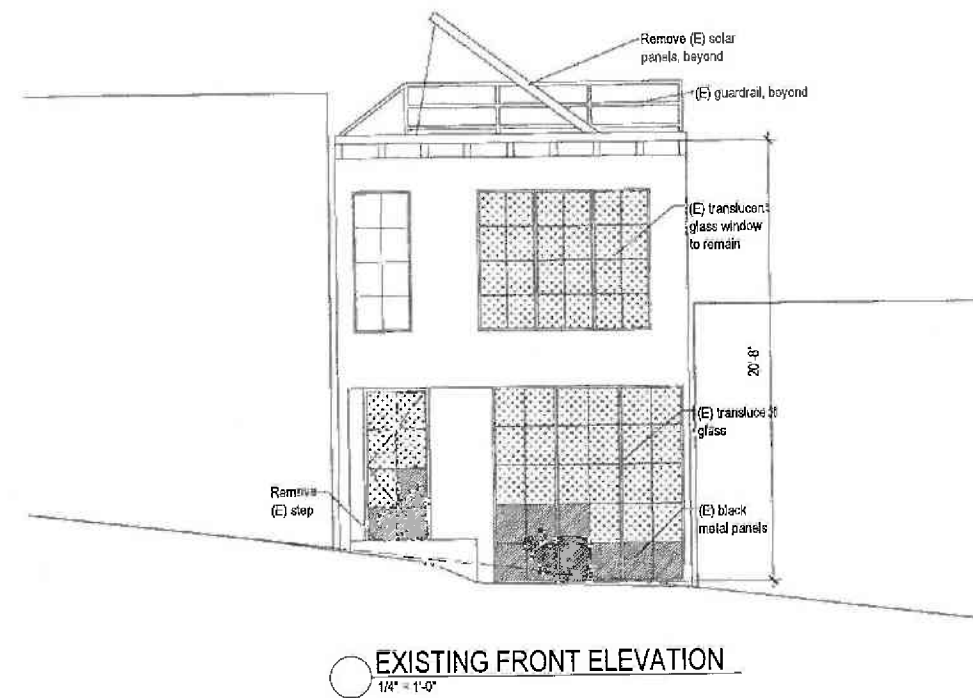
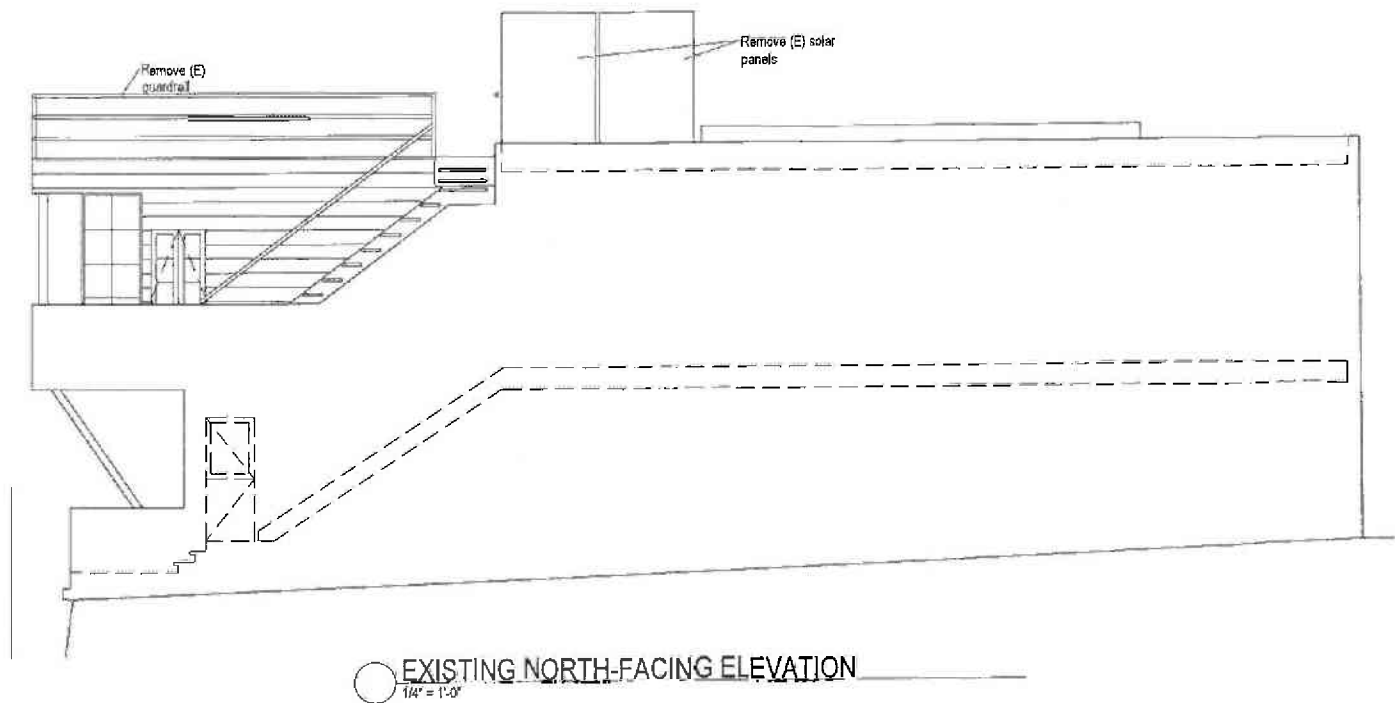
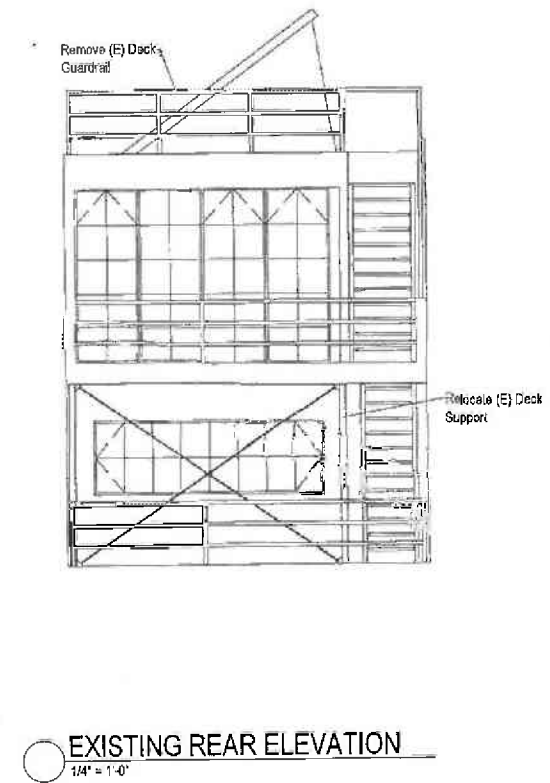
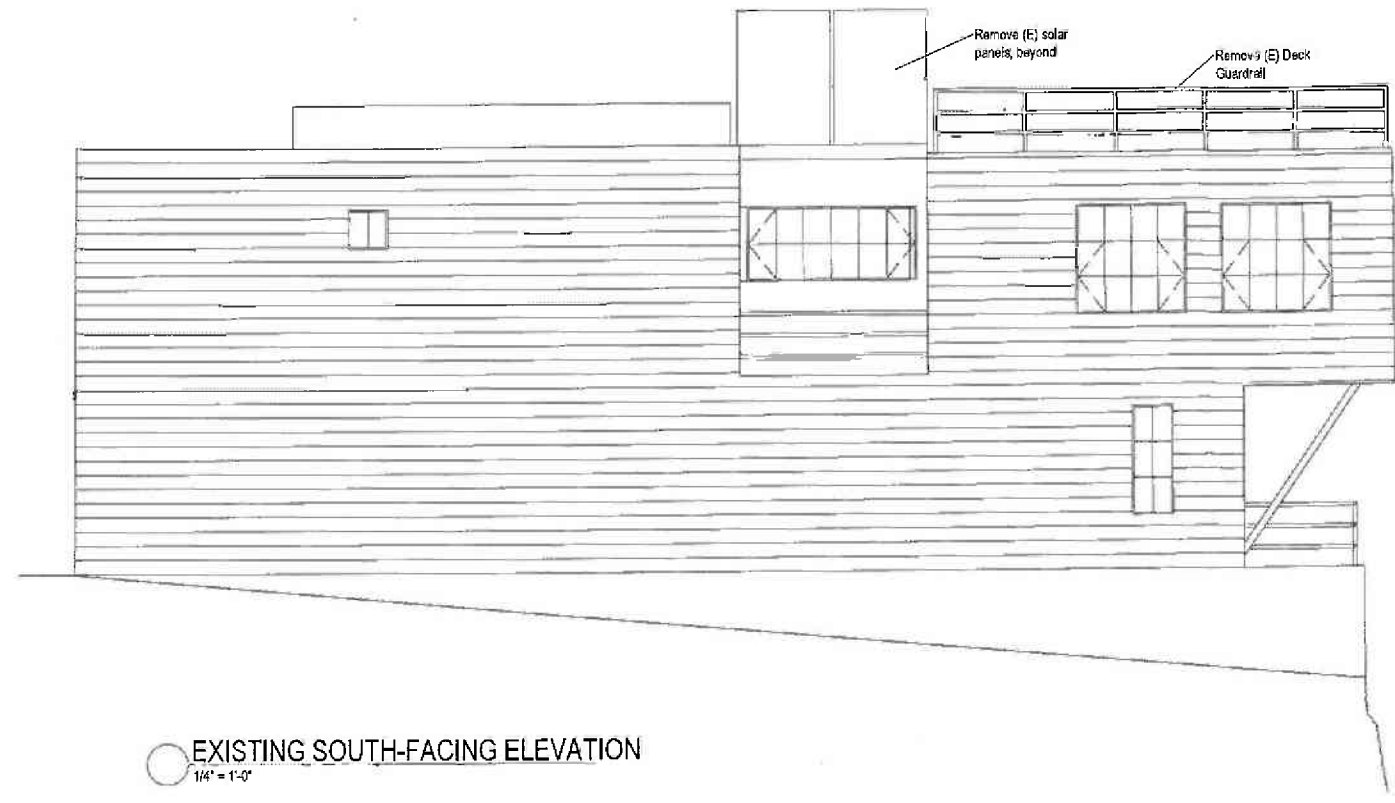
PLANNING

EXISTING PLANS

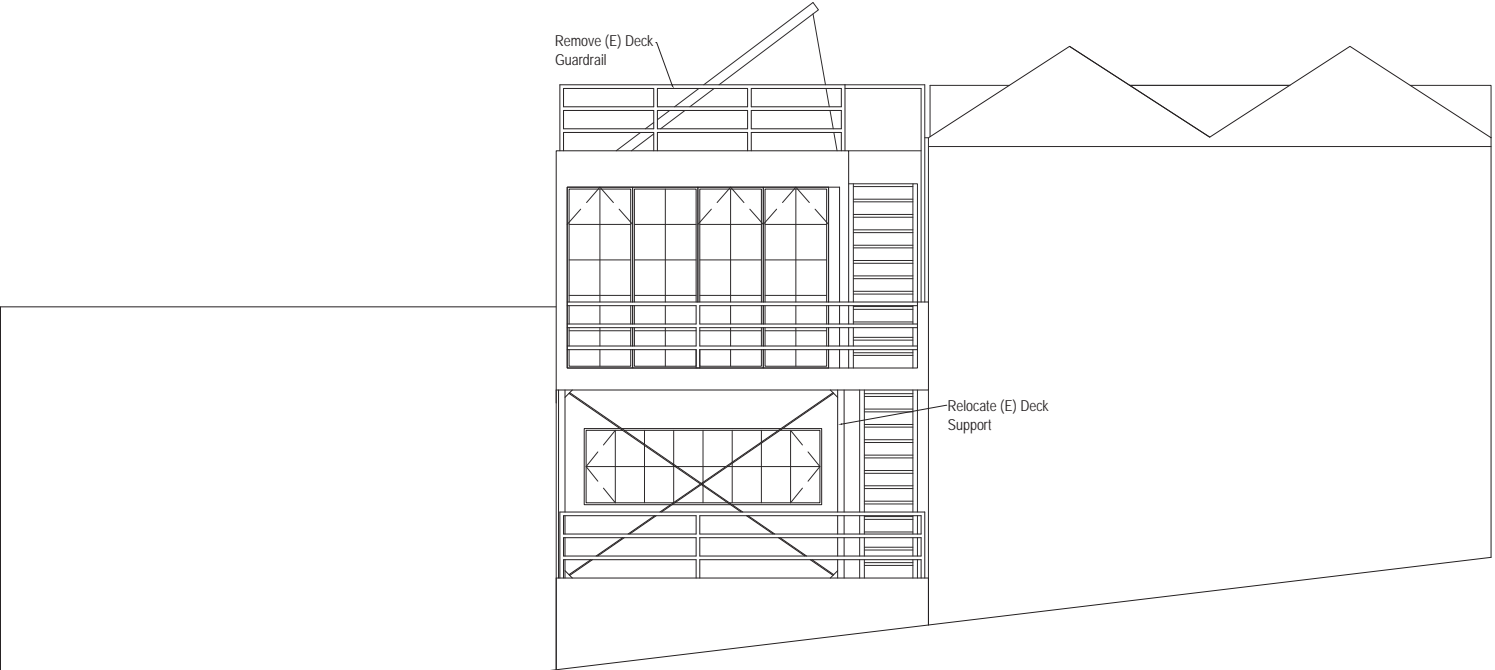
A 1.0

DATE: 2/23/2014

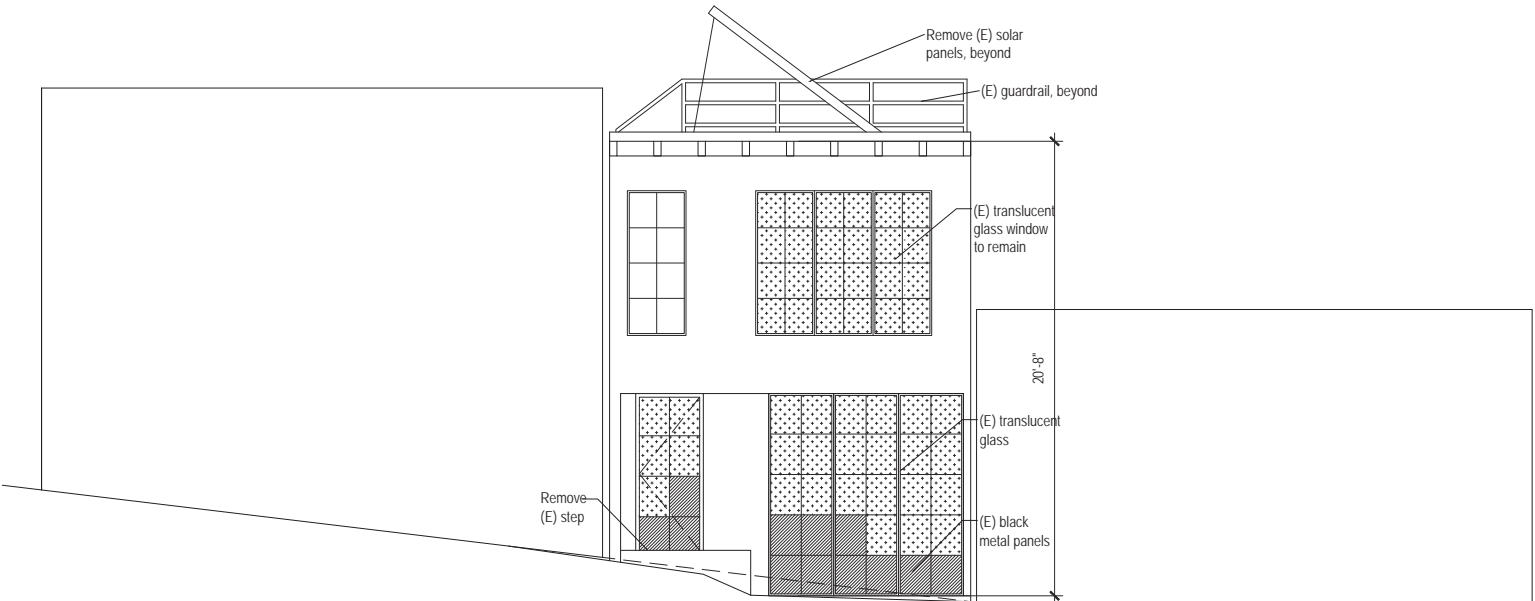
SCALE:



26 HODGES ALLEY
SAN FRANCISCO, CA 94133



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



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

MONTGOMERY

HODGES ALLEY

VALLEJO

PROPOSED SITE PLAN

1/8" = 1'-0"

26 HODGES ALLEY
SAN FRANCISCO, CA 94133

PLANNING

PROPOSED SITE PLAN

A 2.1

DATE April 2, 2014

SCALE

1134-1138 Montgomery St.
3 stories
Block 134 - Lot 21

1140 Montgomery St.
3 stories
Block 134 - Lot 22

1128-1132
Montgomery
St.
3 stories (5
unit)
Block 134 -
Lot 20

29 - 31
Hodges Alley
3 stories
Block 134 -
Lot 20

1120 Montgomery St.
4 stories (6 unit)
Block 134 - Lot 19

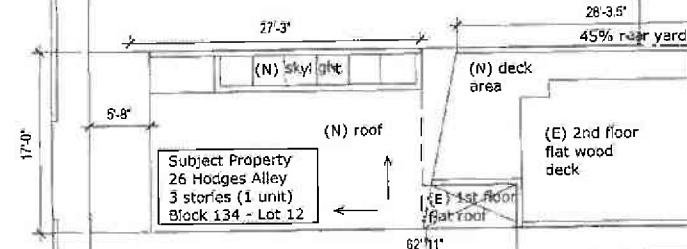
17 - 19 Hodges Alley
2 stories
Block 134 - Lot 015

378 - 382 Vallejo St.
4 stories
Block 134 - Lot 014

Adjacent Property
30 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 13

(E) 2nd floor
deck

(E) Rear Yard



Adjacent Property
20 Hodges Alley
2 stories (1 unit)
Block 134 - Lot 11

(E) Rear Yard

(E) Rear Yard

(E) 2nd floor
flat roof

14 - 16 Hodges Alley
3 stories
Block 134 - Lot 10

(E) Central
Yard

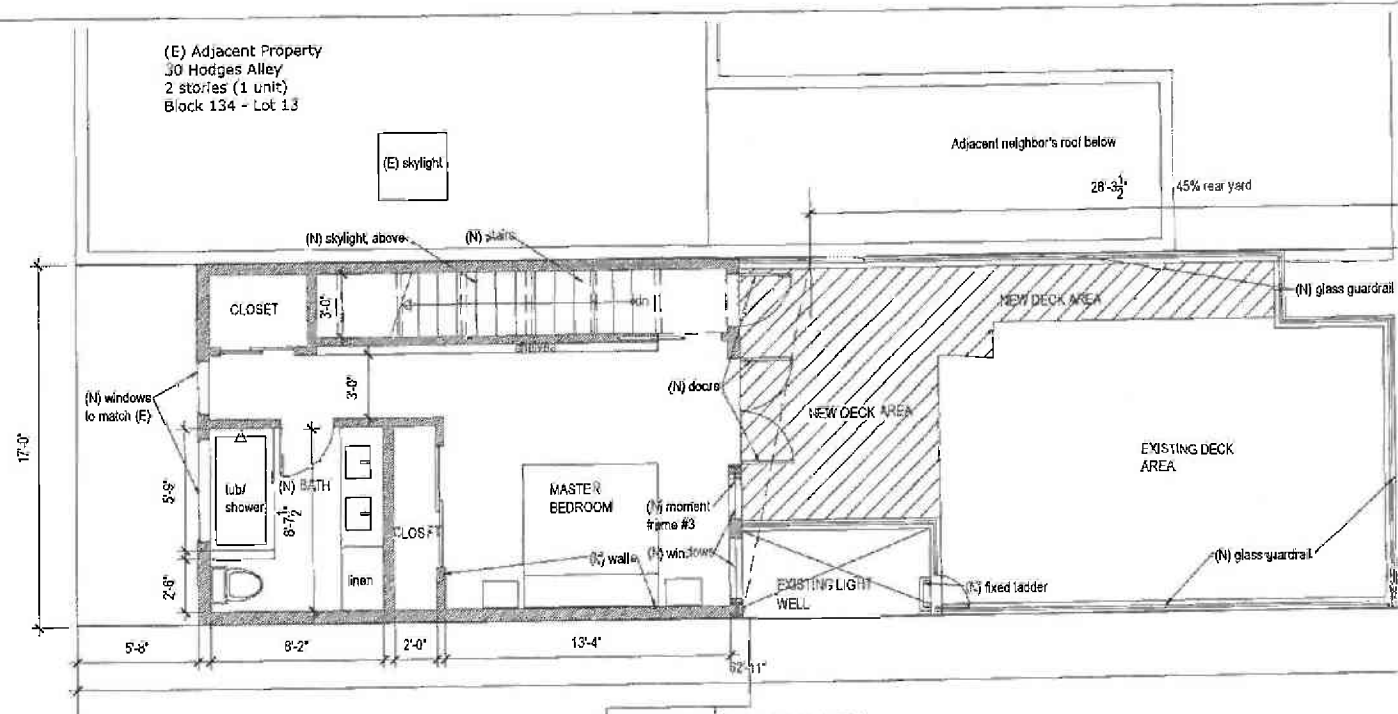
(E) 2nd floor
flat roof

(E) 2nd floor
flat roof

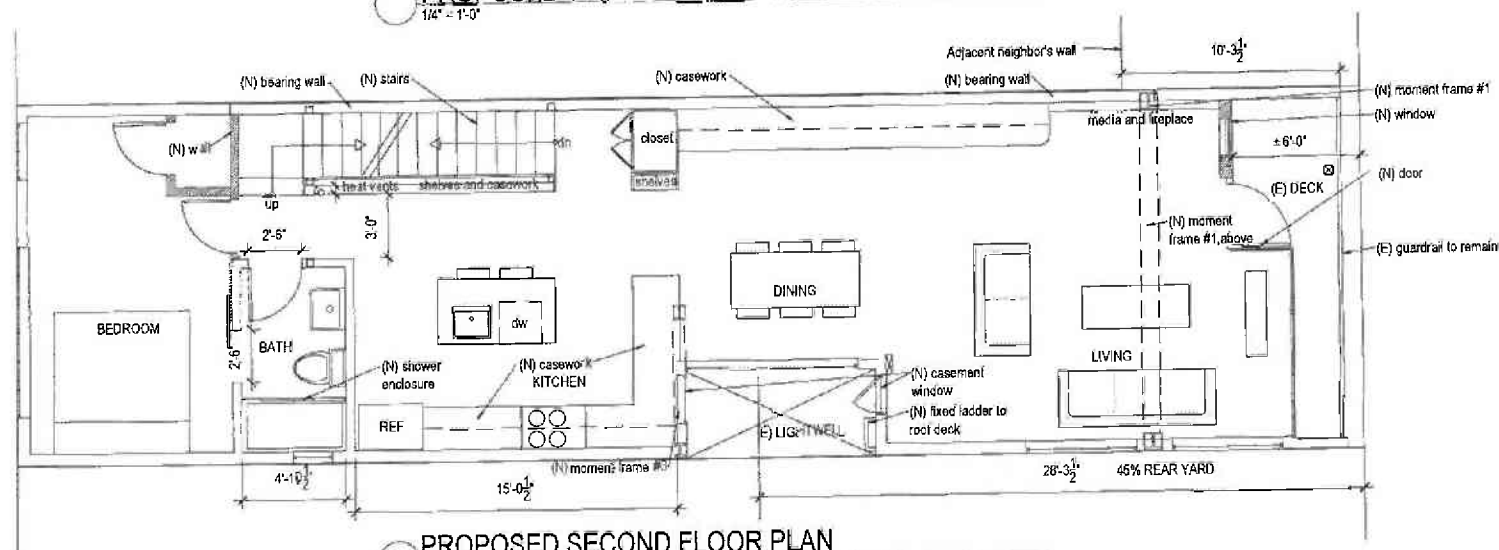
372 Vallejo St.
4 stories
Block 134 - Lot 009

Adjacent Property
362-366 Vallejo St.
2 stories
Block 134 - Lot 7

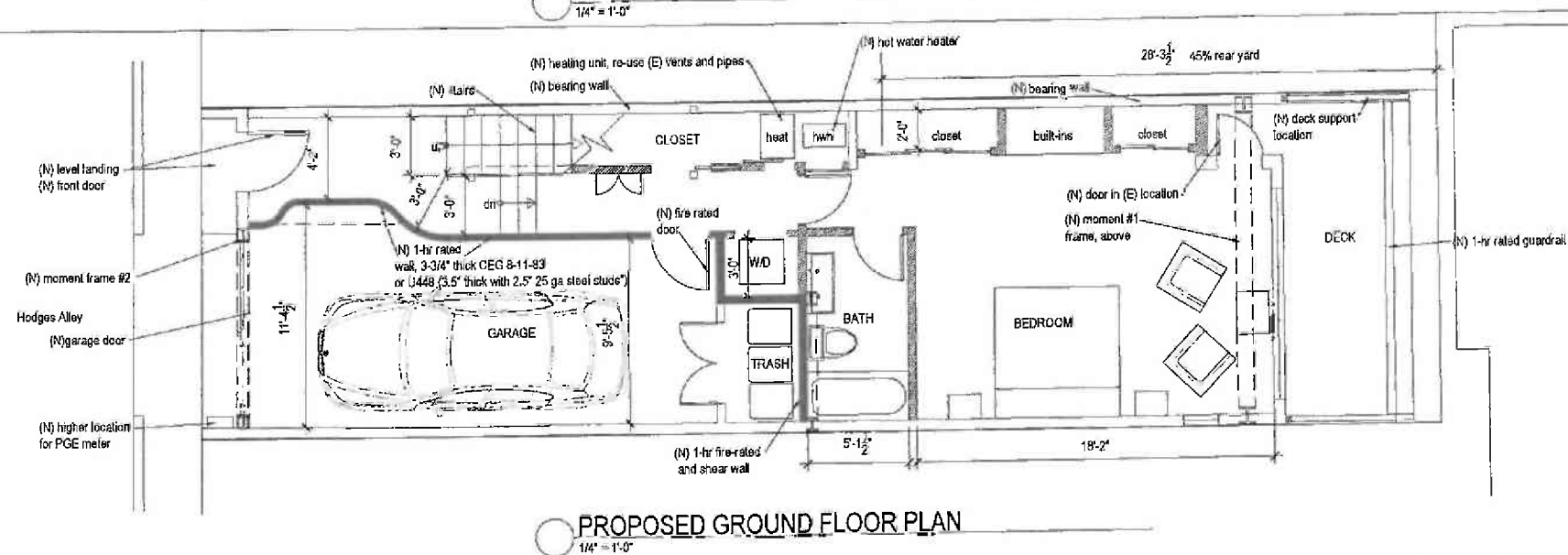
Adjacent Property
358-360 Vallejo St.
2 stories (4 units)
Block 134 - Lot 6



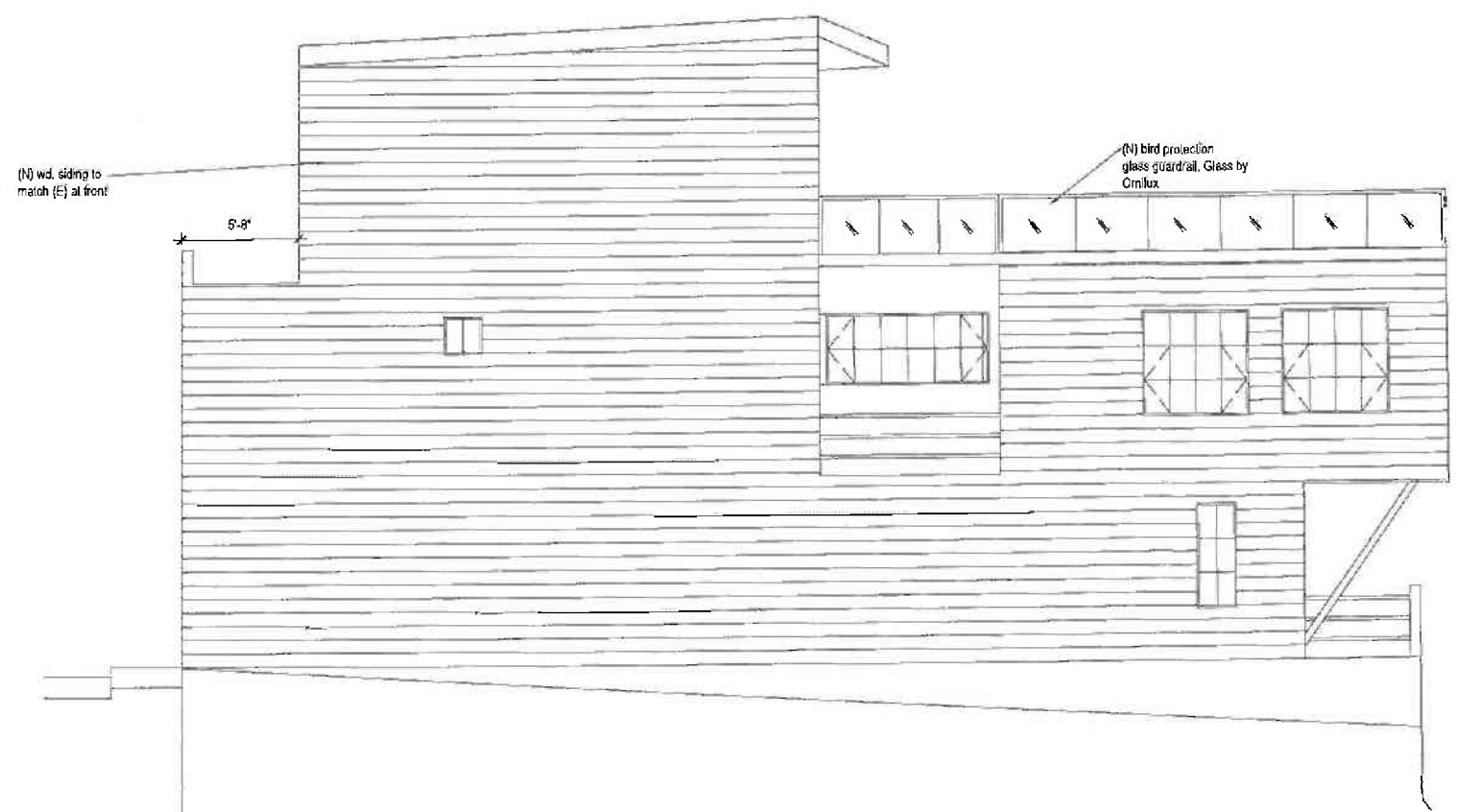
PROPOSED THIRD FLOOR PLAN
1/4" = 1'-0"



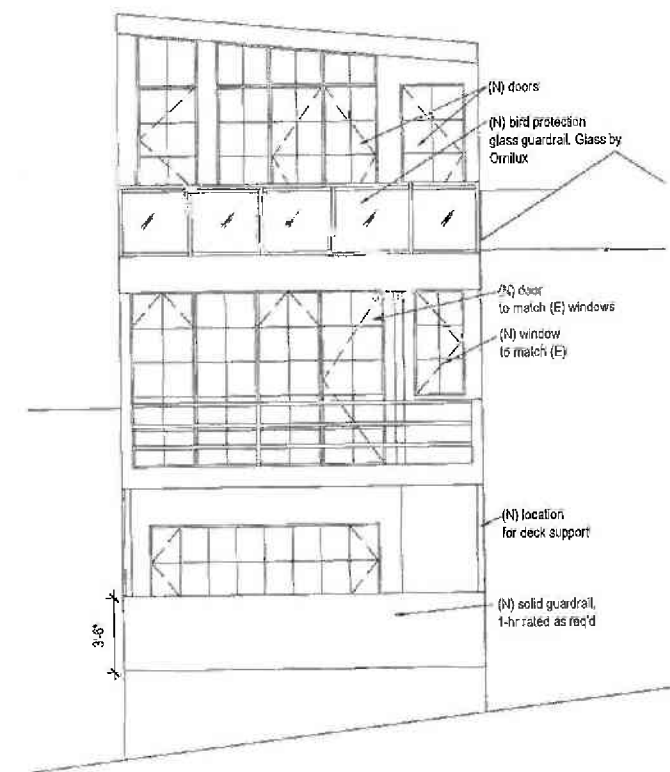
PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"



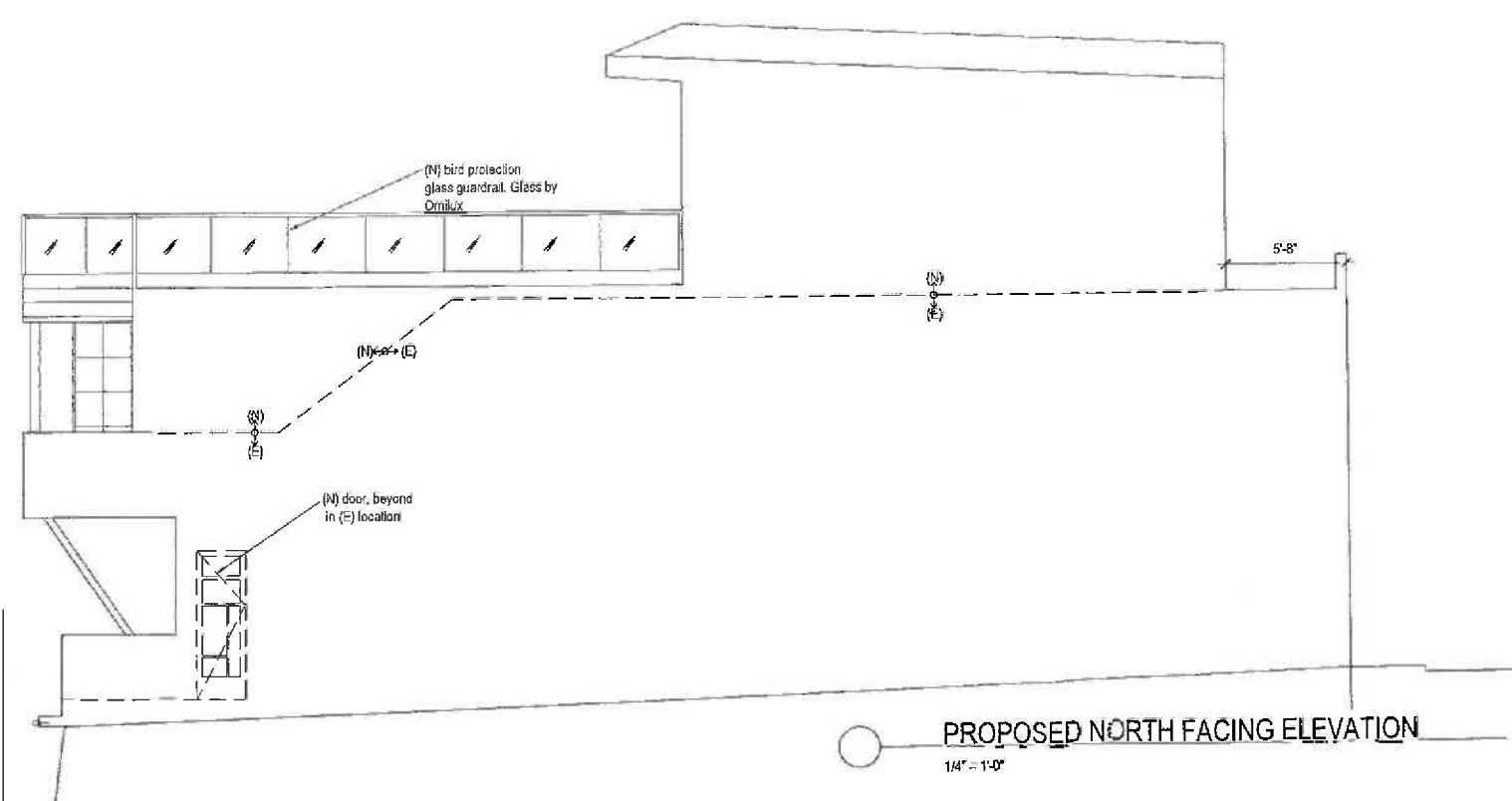
PROPOSED GROUND FLOOR PLAN
1/4" = 1'-0"



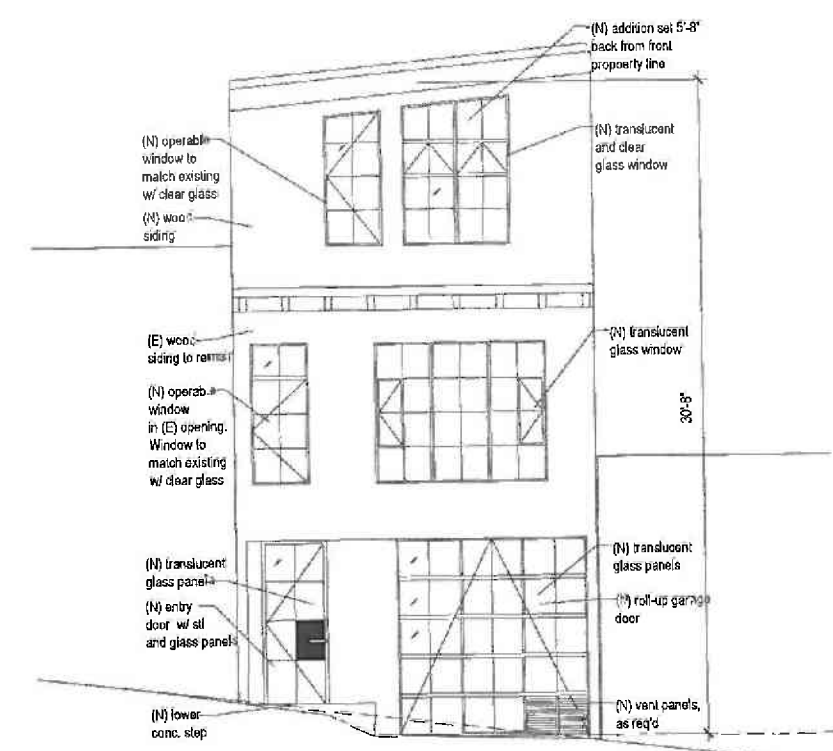
PROPOSED SOUTH FACING ELEVATION
1/4" = 1'-0"



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

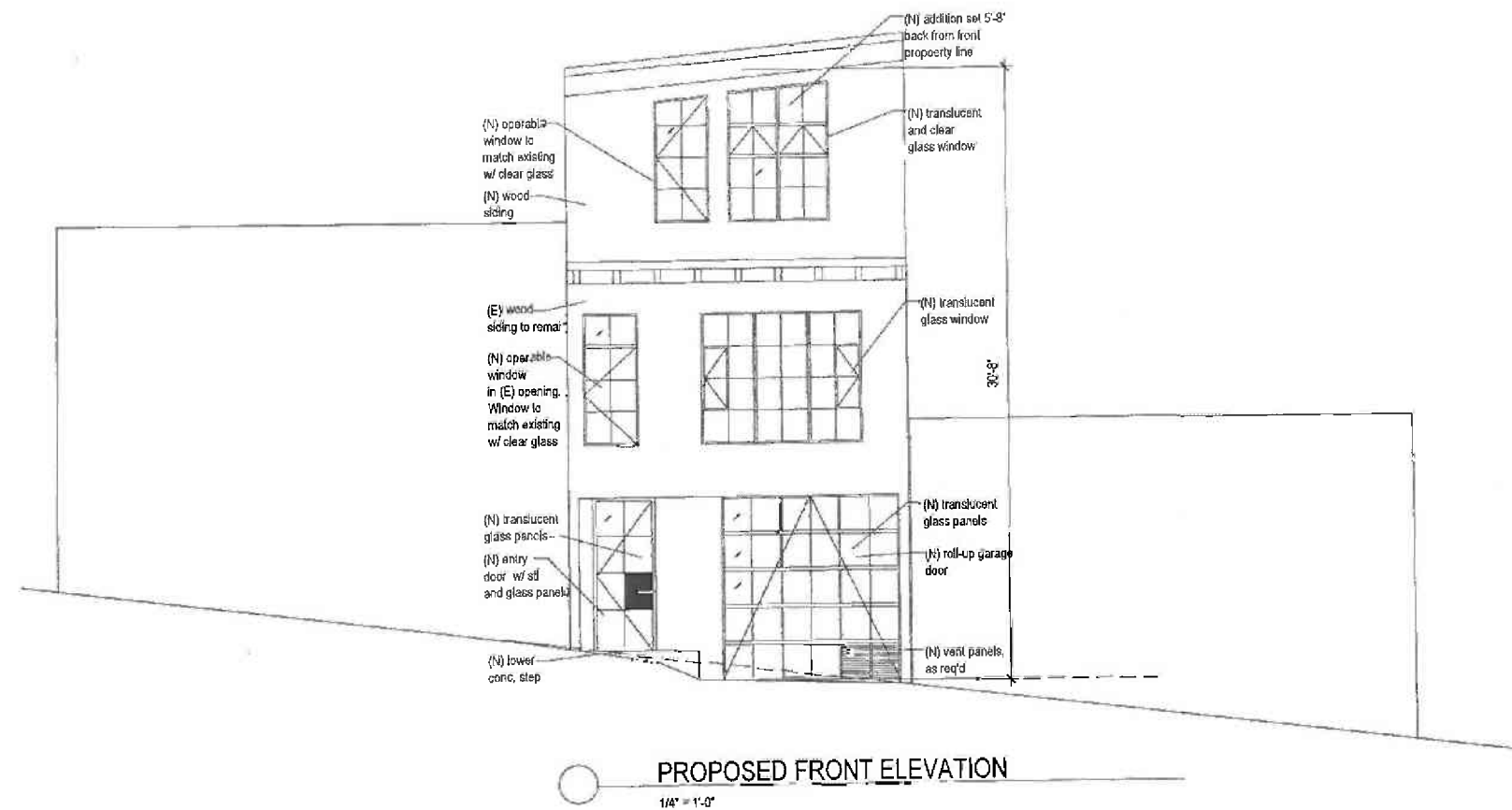
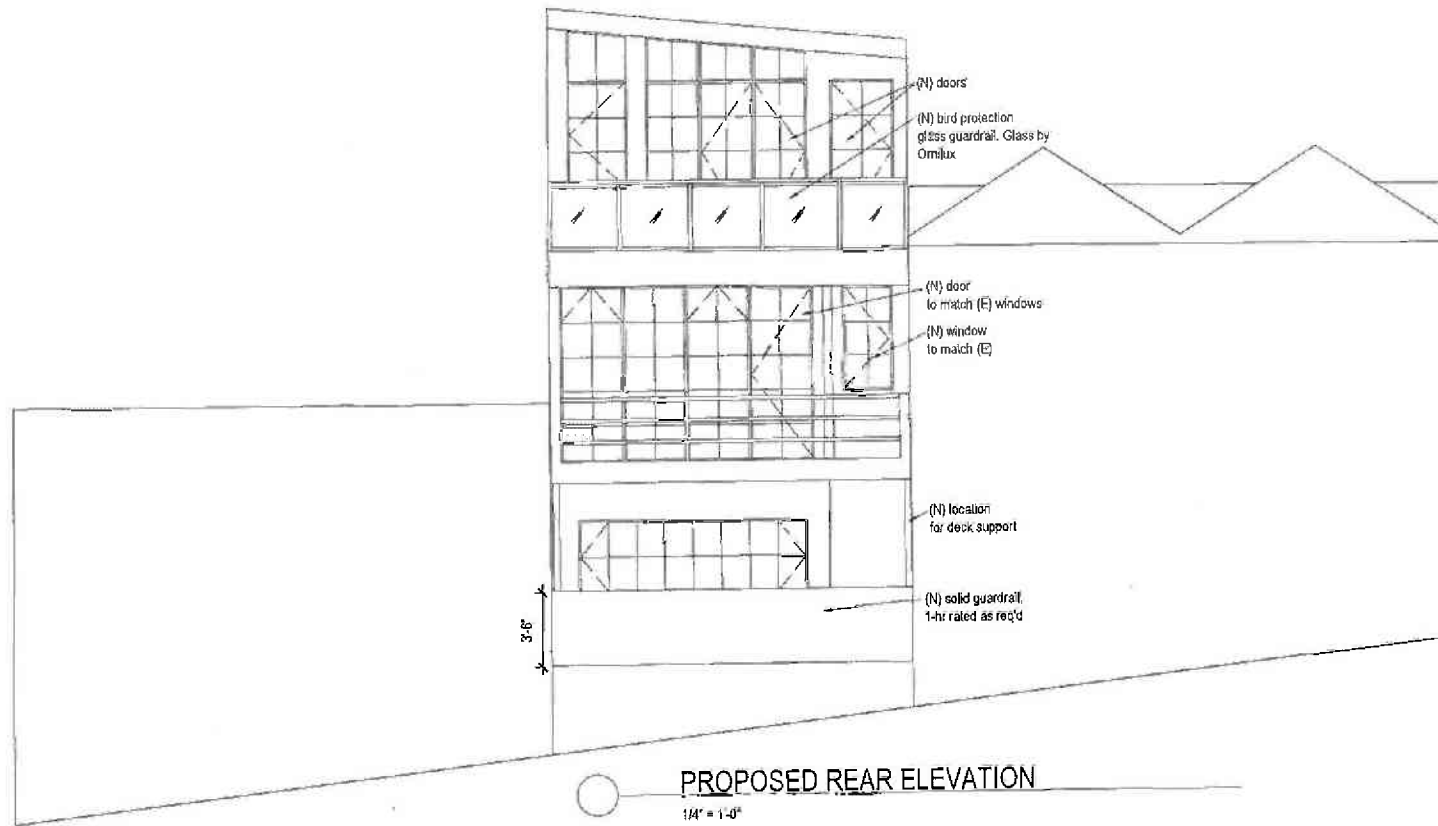


PROPOSED NORTH FACING ELEVATION
1/4" = 1'-0"



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

26 HODGES ALLEY
SAN FRANCISCO, CA 94133



26 HODGES ALLEY
SAN FRANCISCO, CA 94133

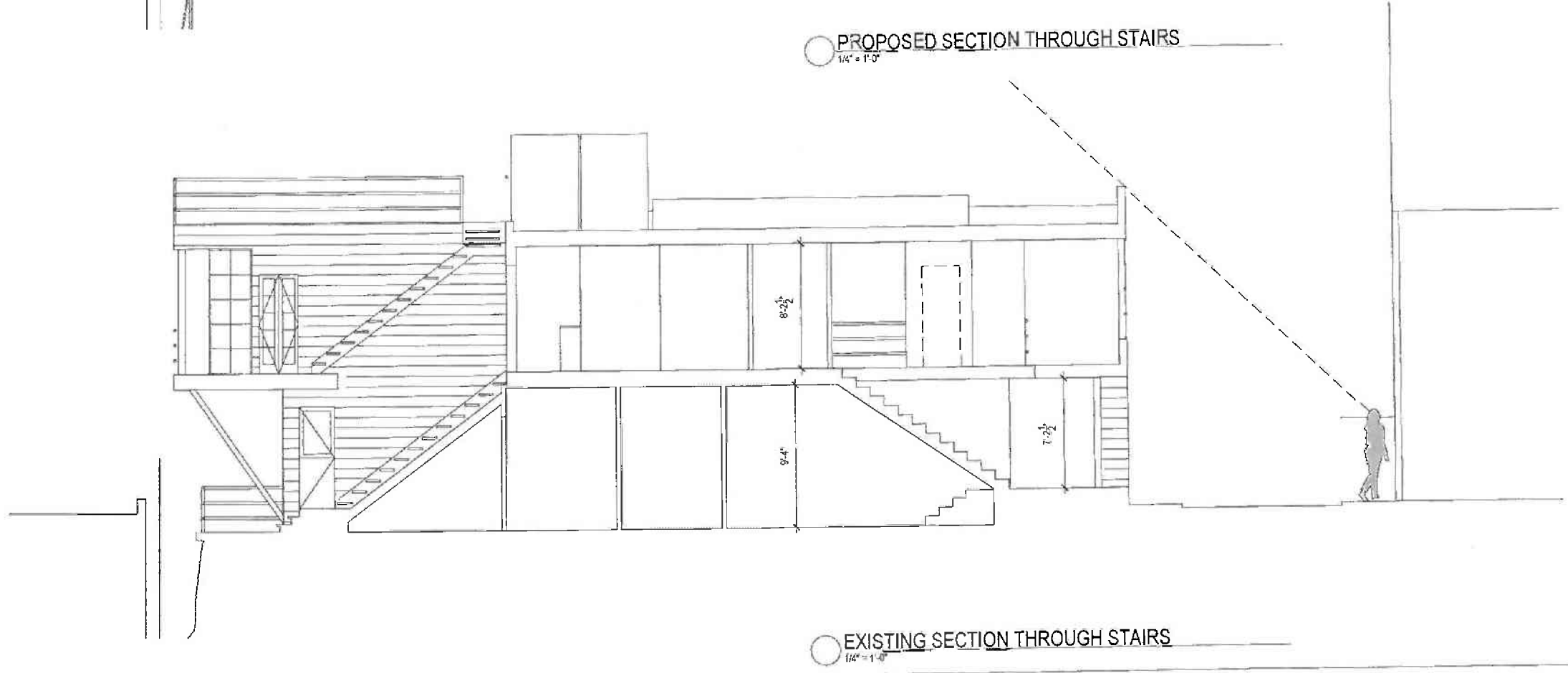
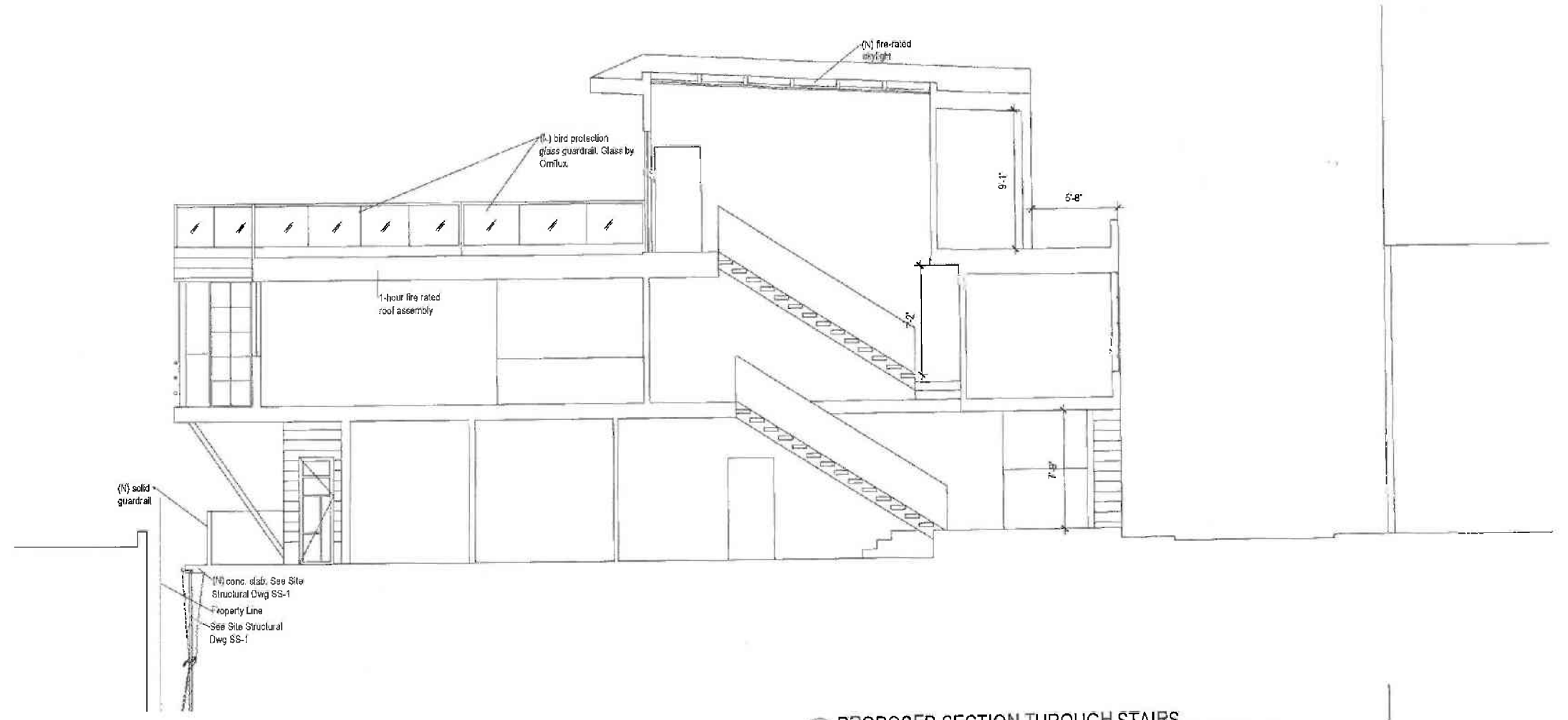
PLANNING

PROPOSED EXT. ELEVATIONS

A4.1

DATE May 23, 2014

SCALE

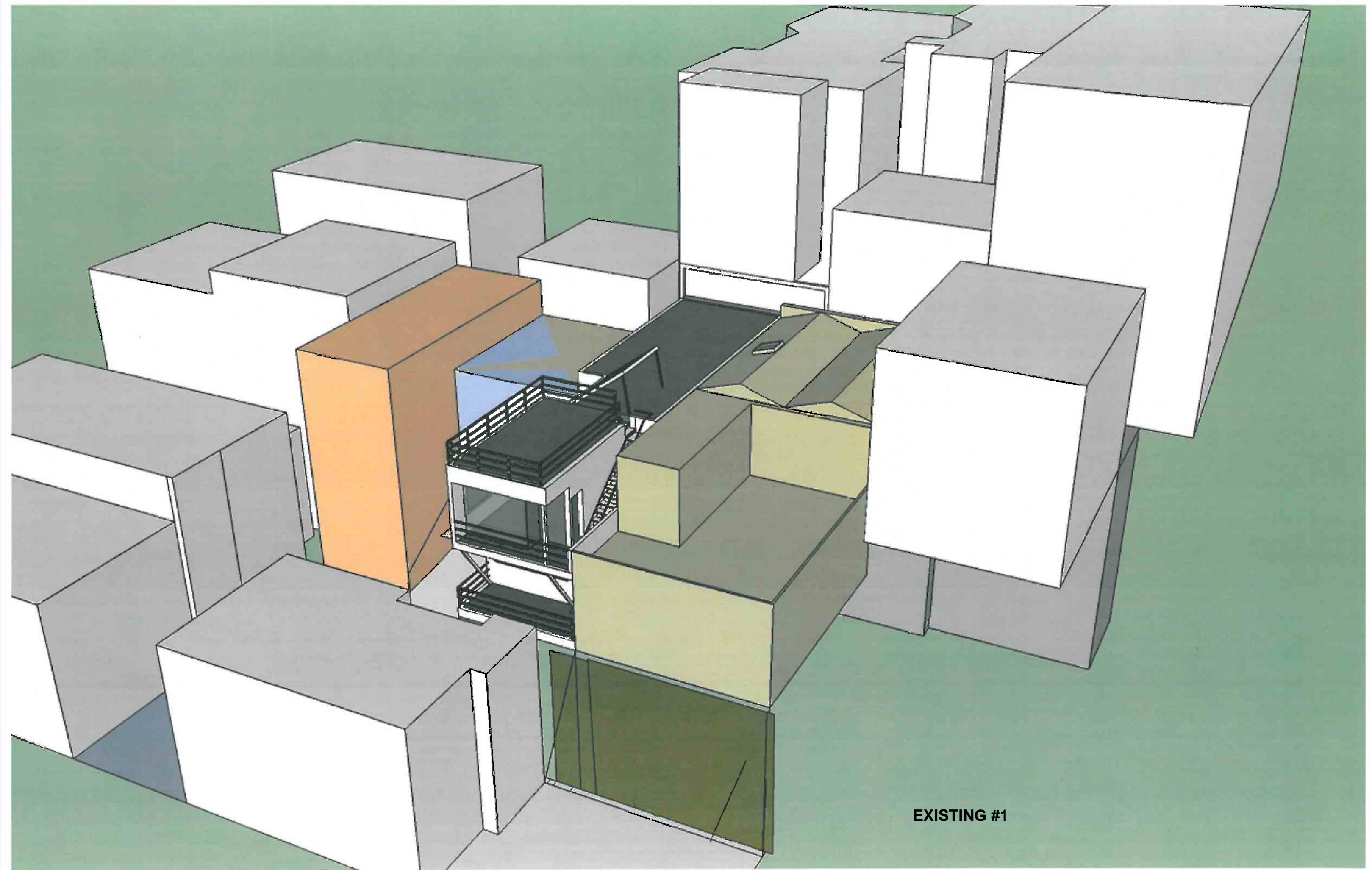


PLANNING

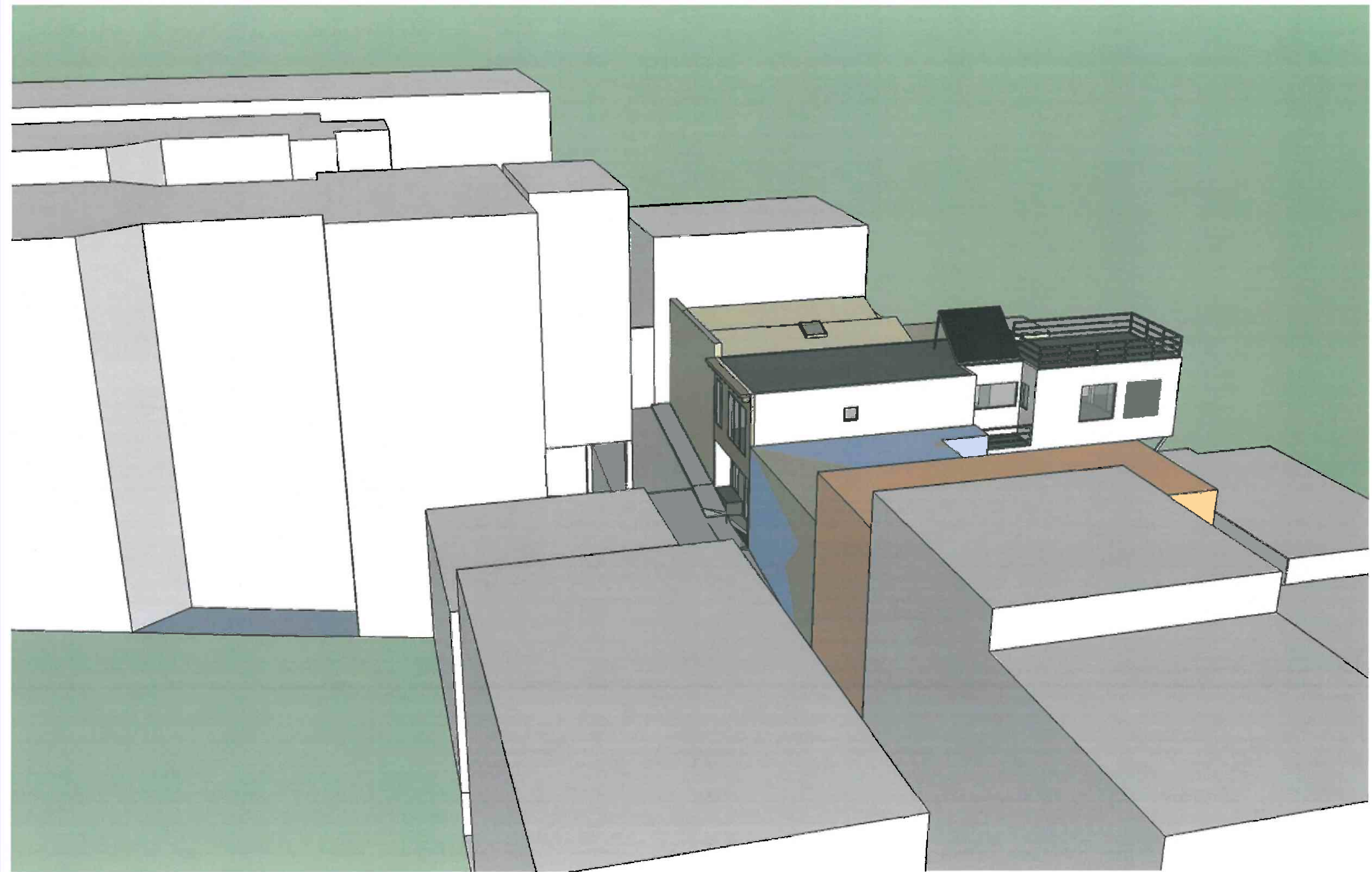
PROPOSED PLANS

A 3.0

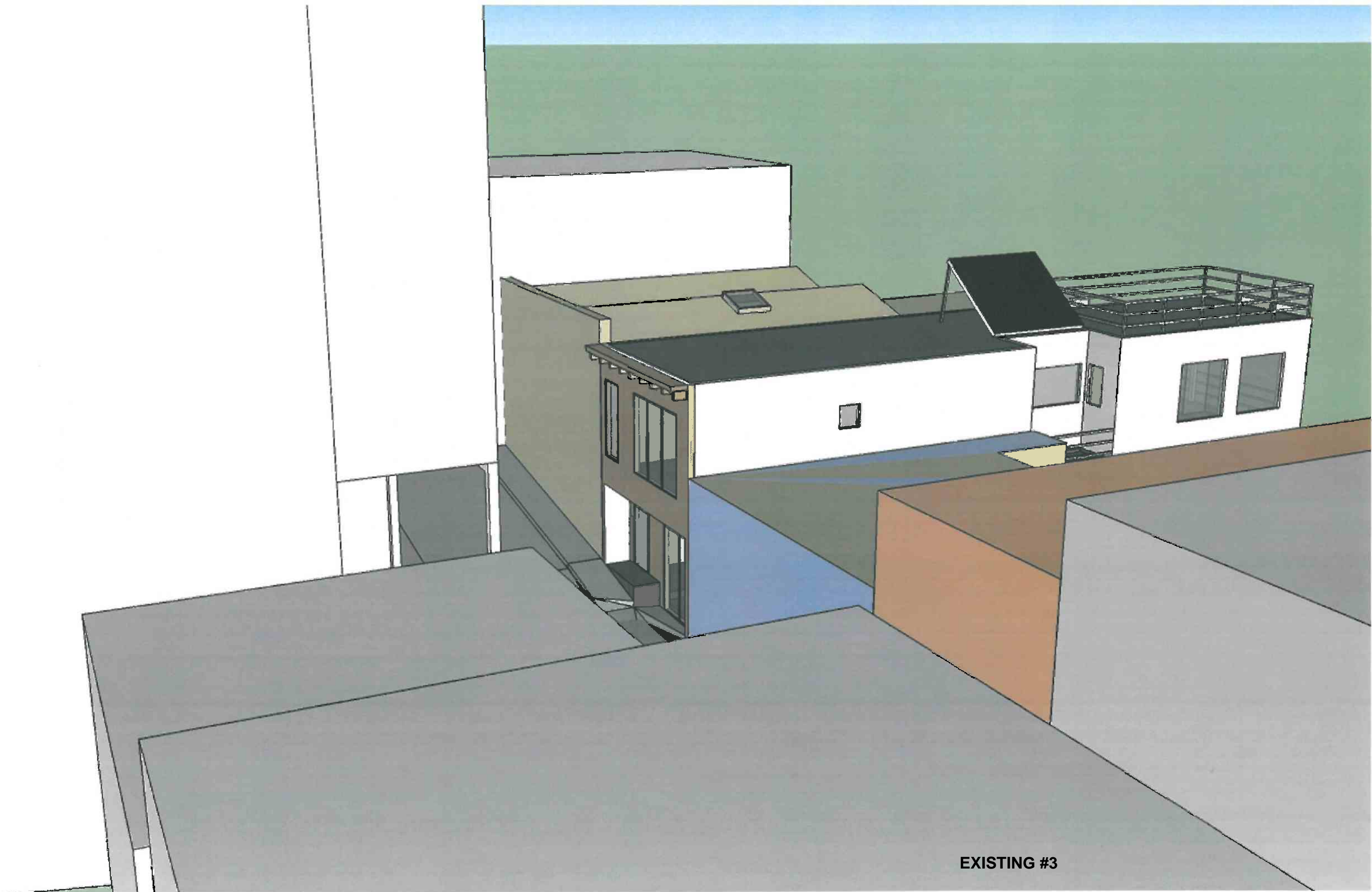
DATE: June 13, 2014
SCALE:



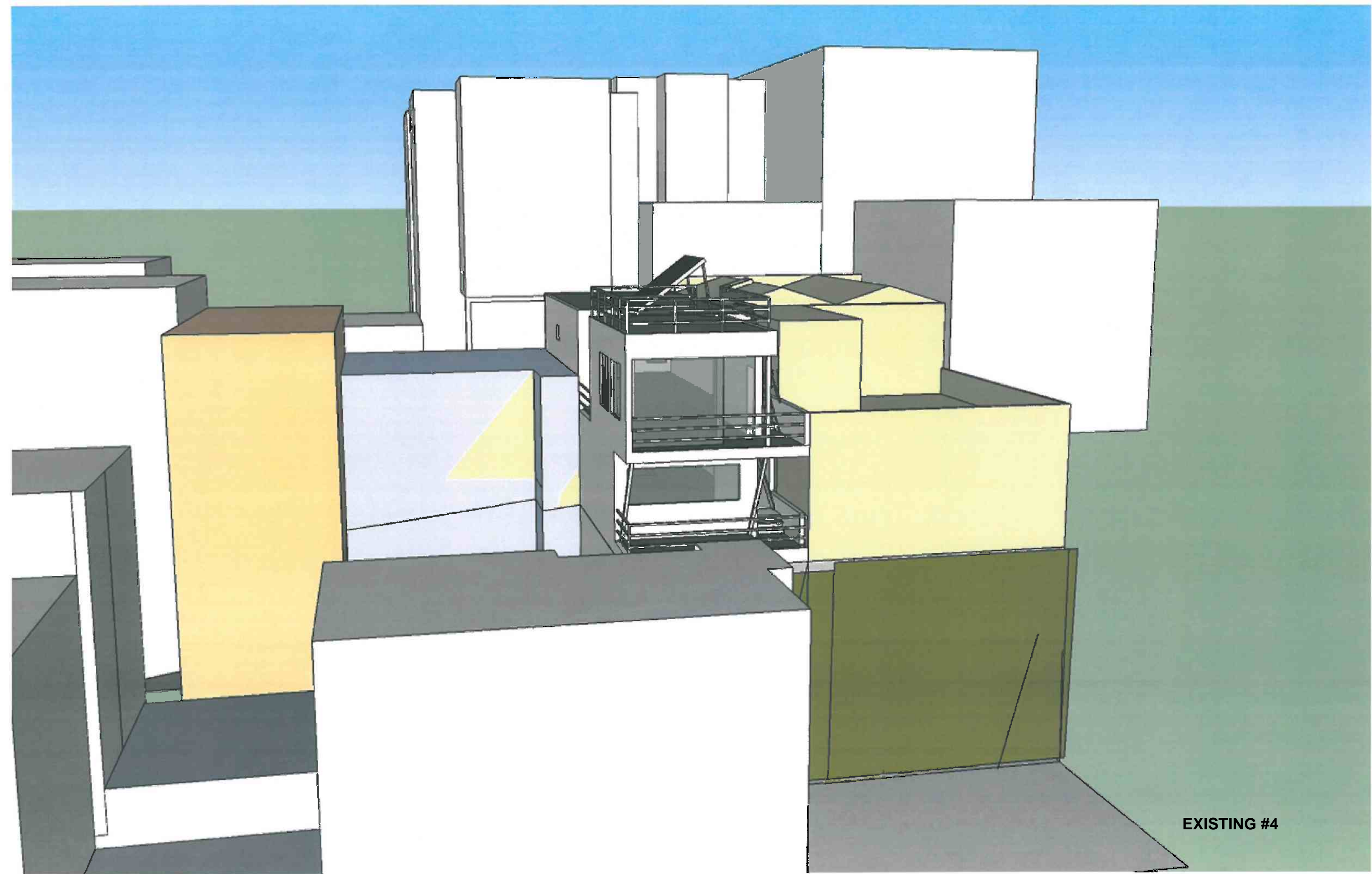
EXISTING #1



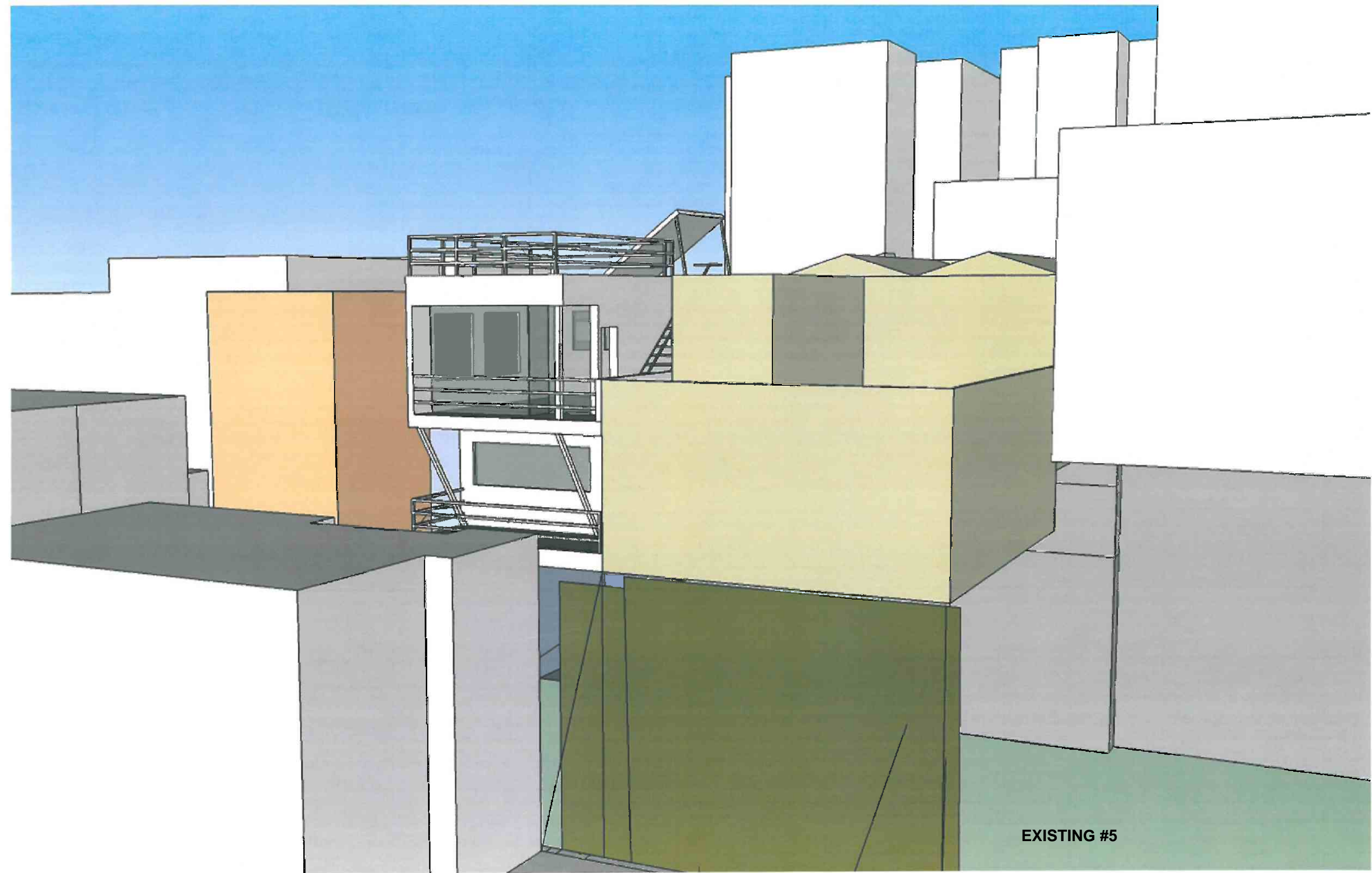
EXISTING #2



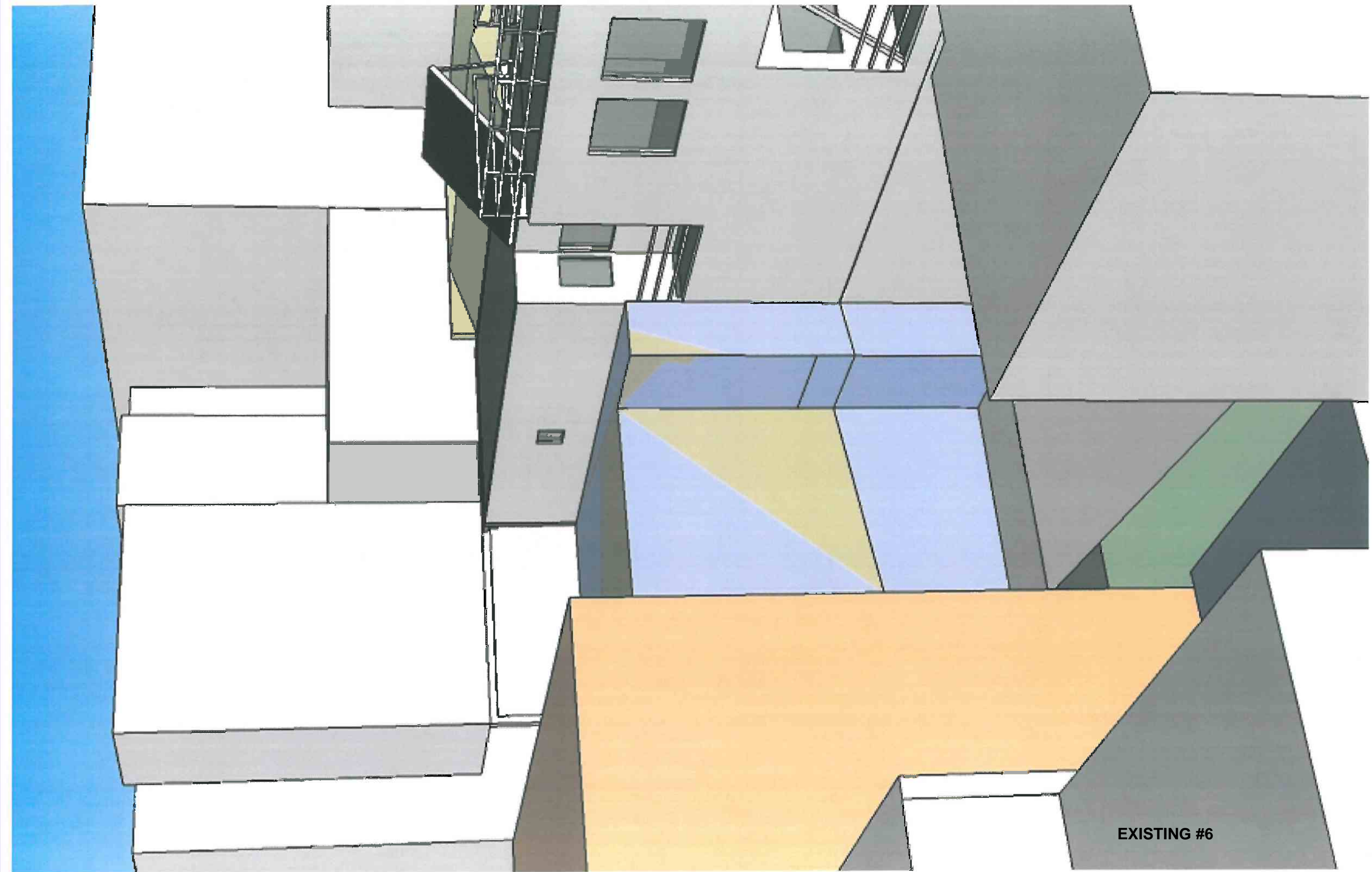
EXISTING #3



EXISTING #4



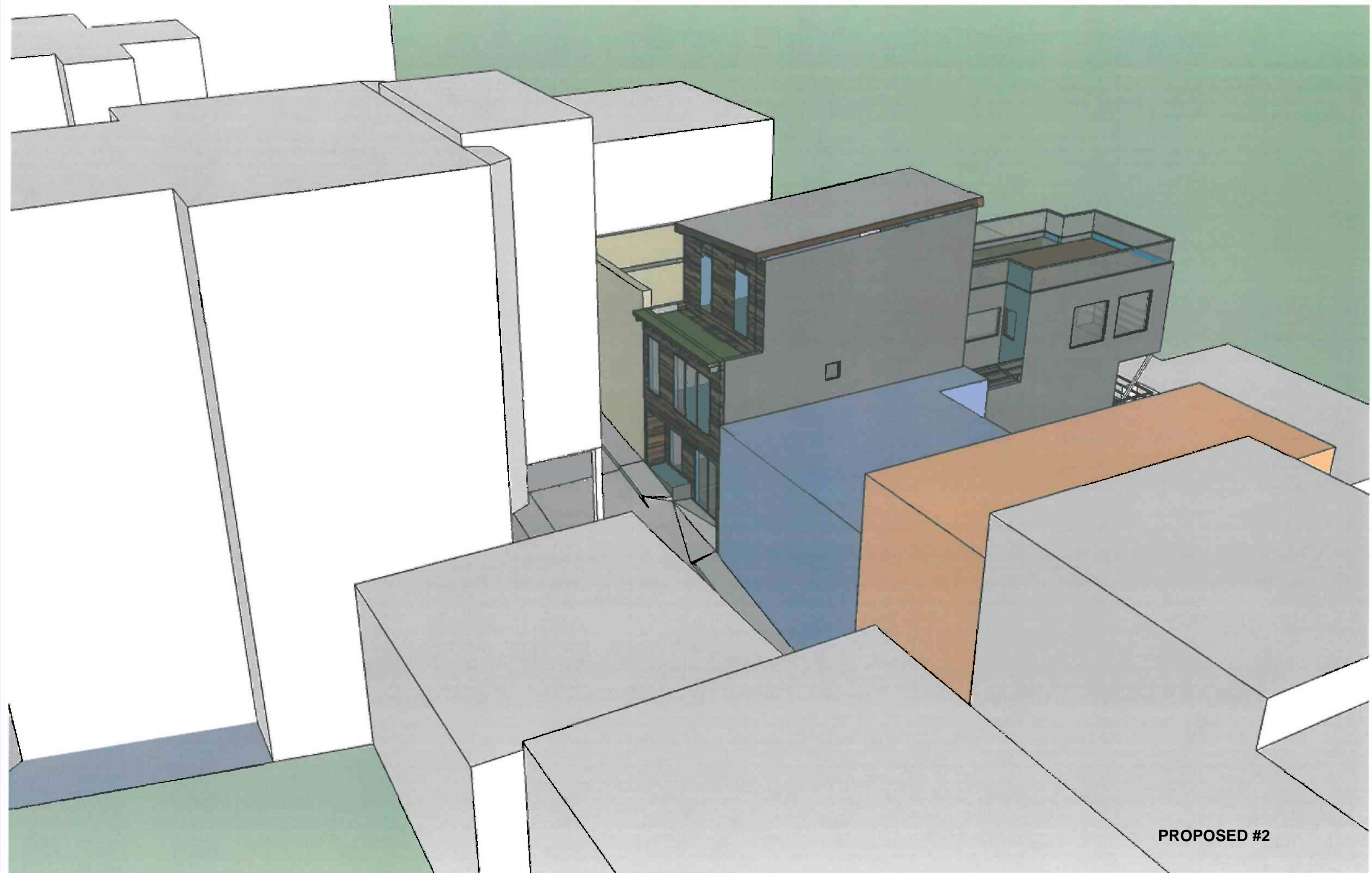
EXISTING #5



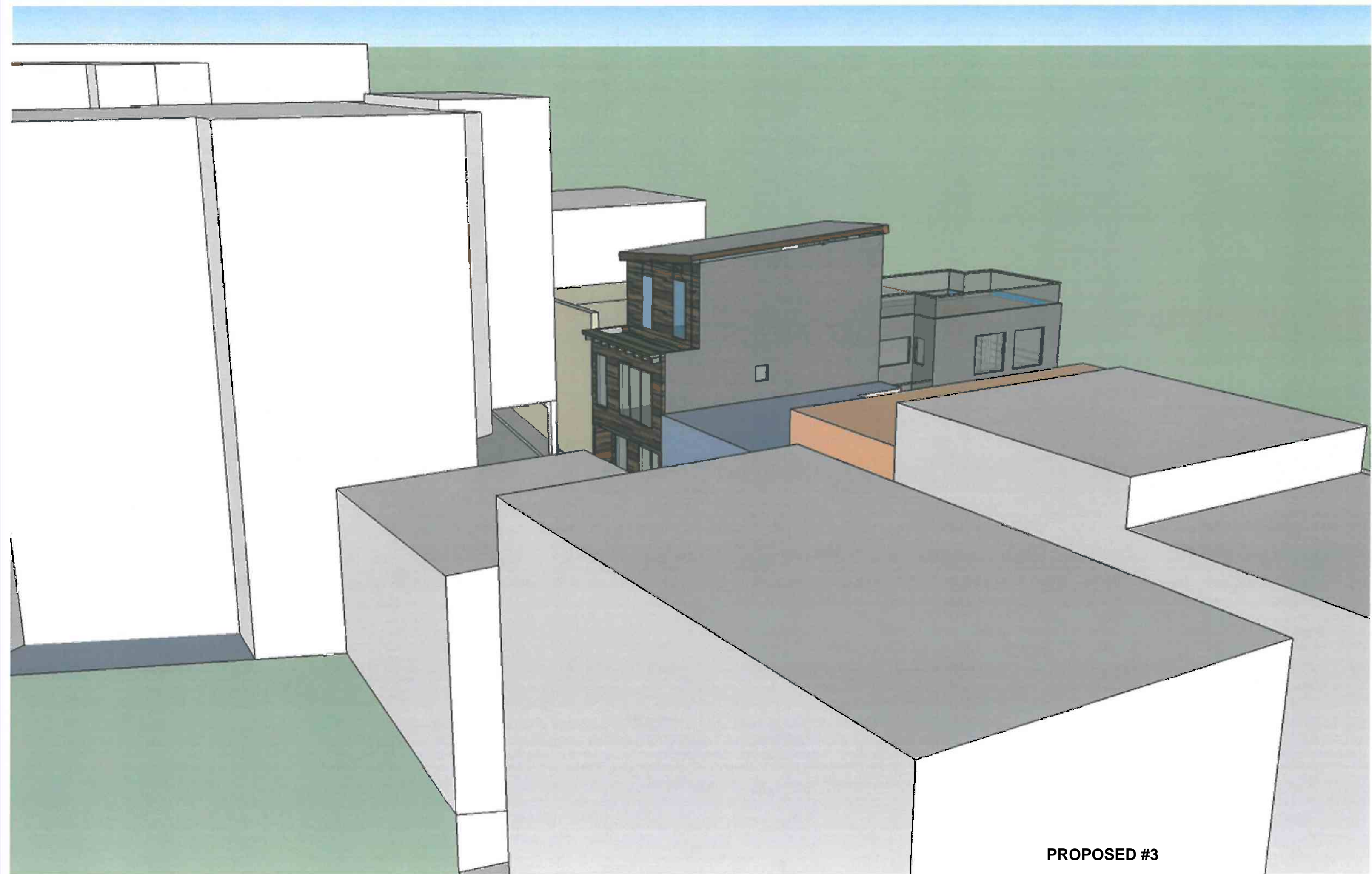
EXISTING #6



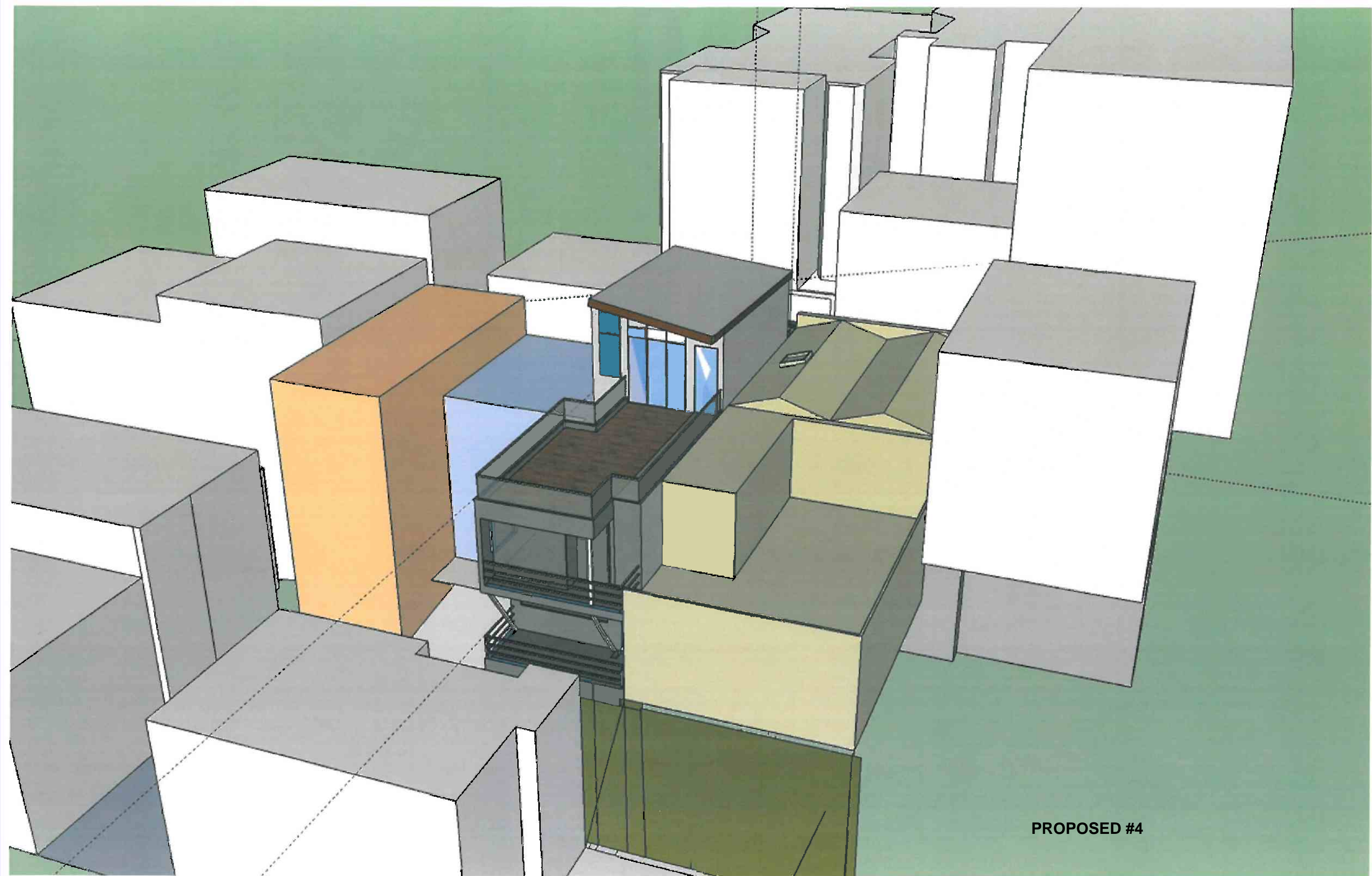
PROPOSED #1



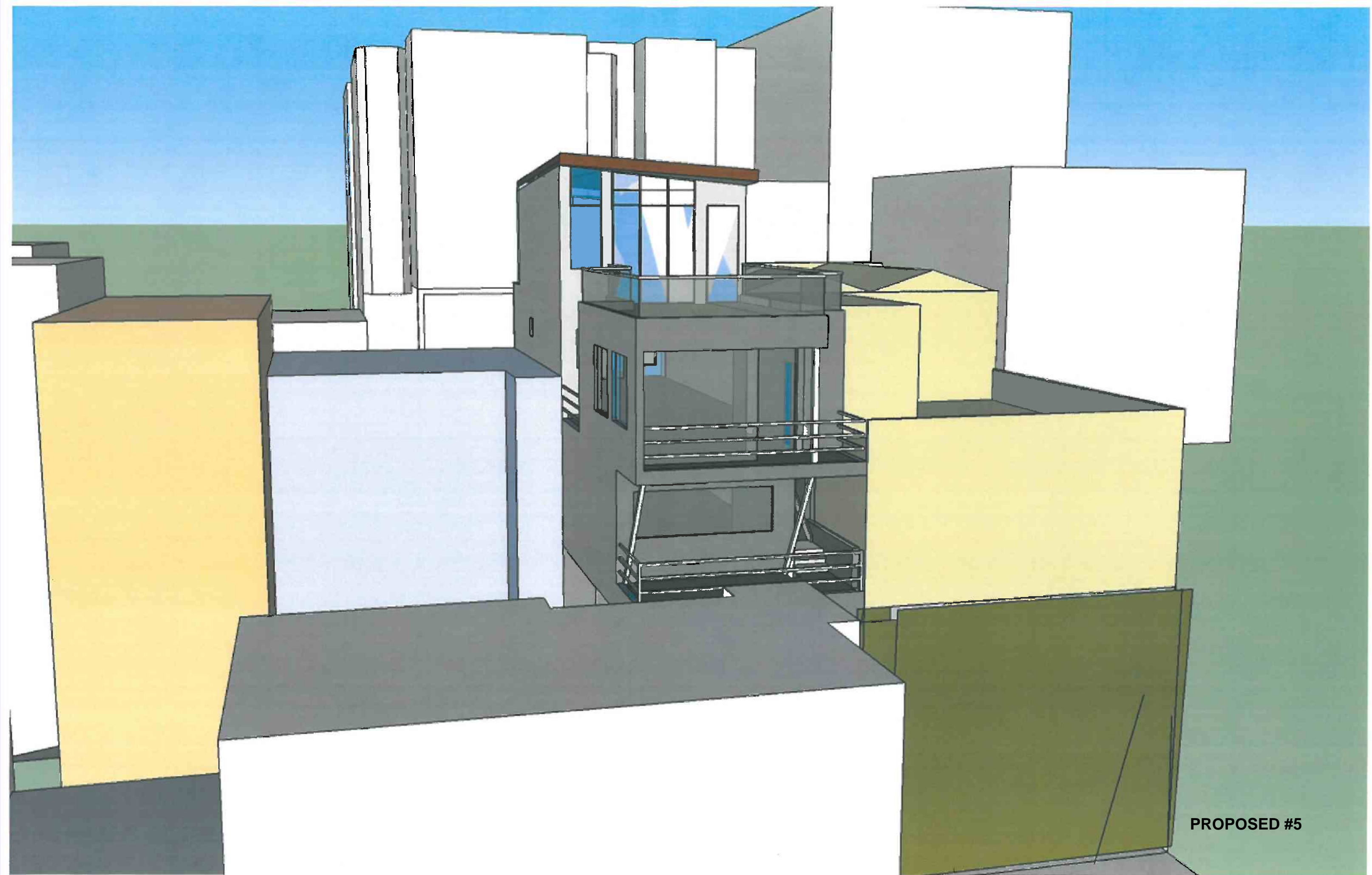
PROPOSED #2



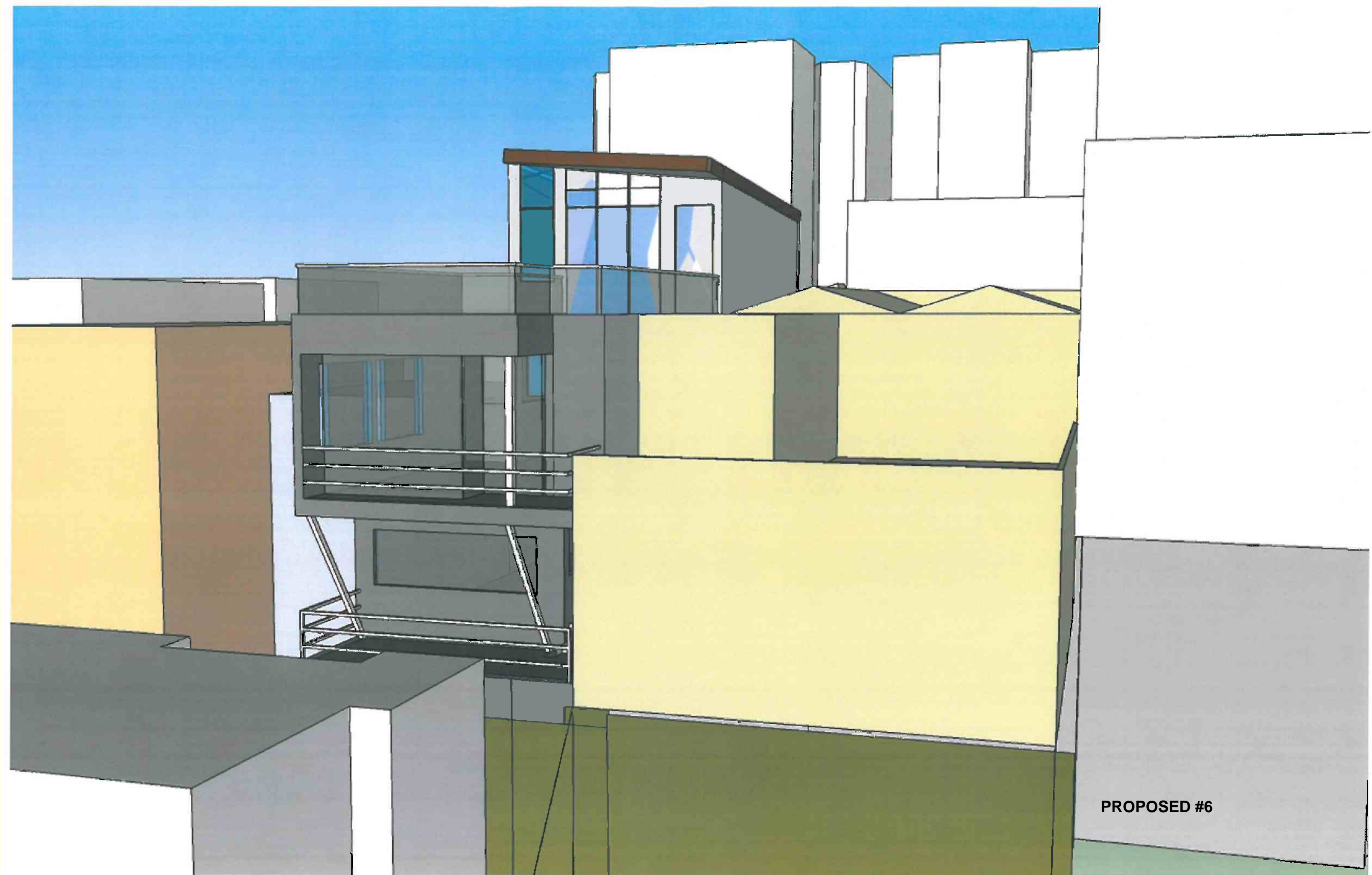
PROPOSED #3



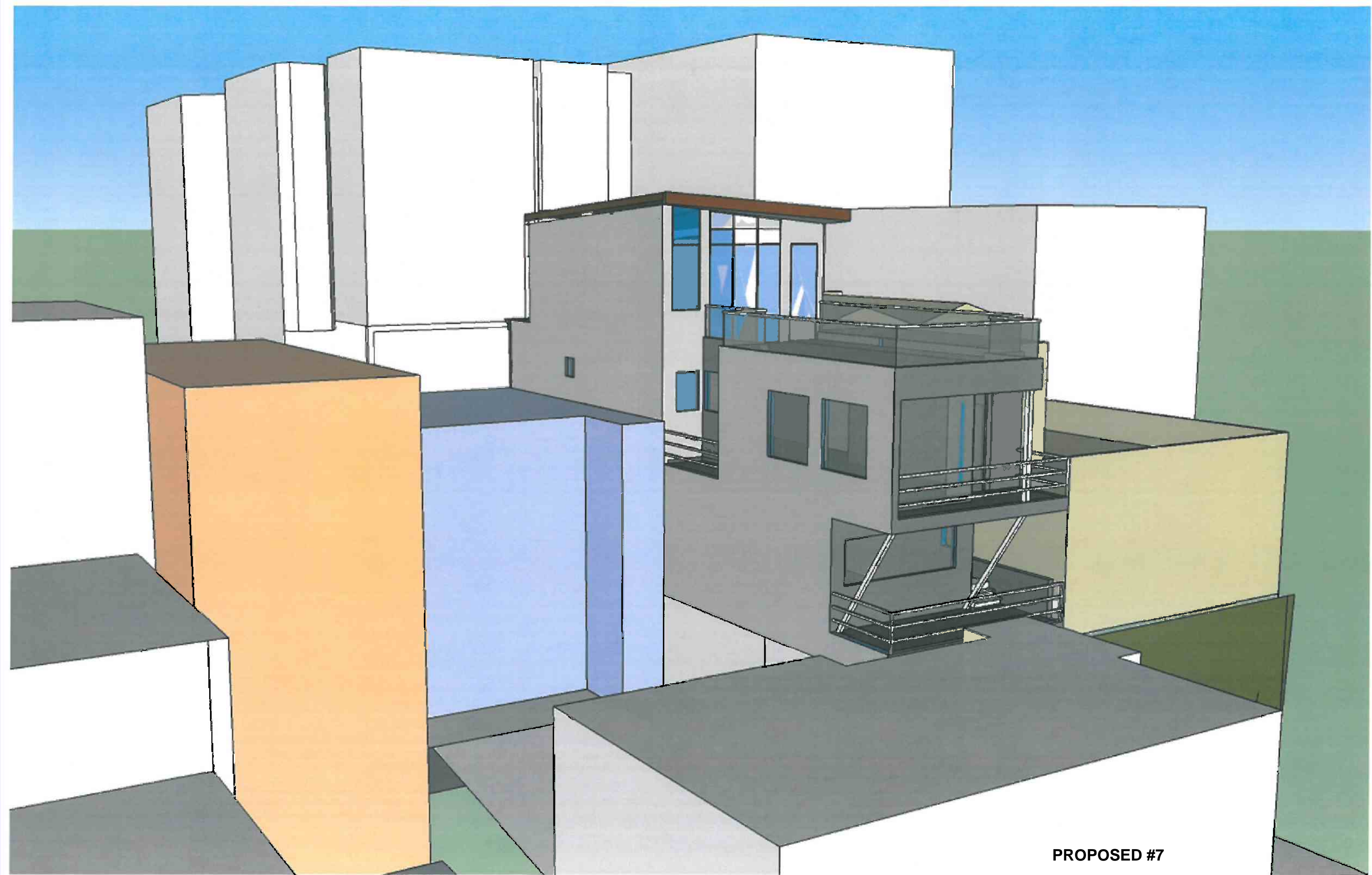
PROPOSED #4



PROPOSED #5



PROPOSED #6



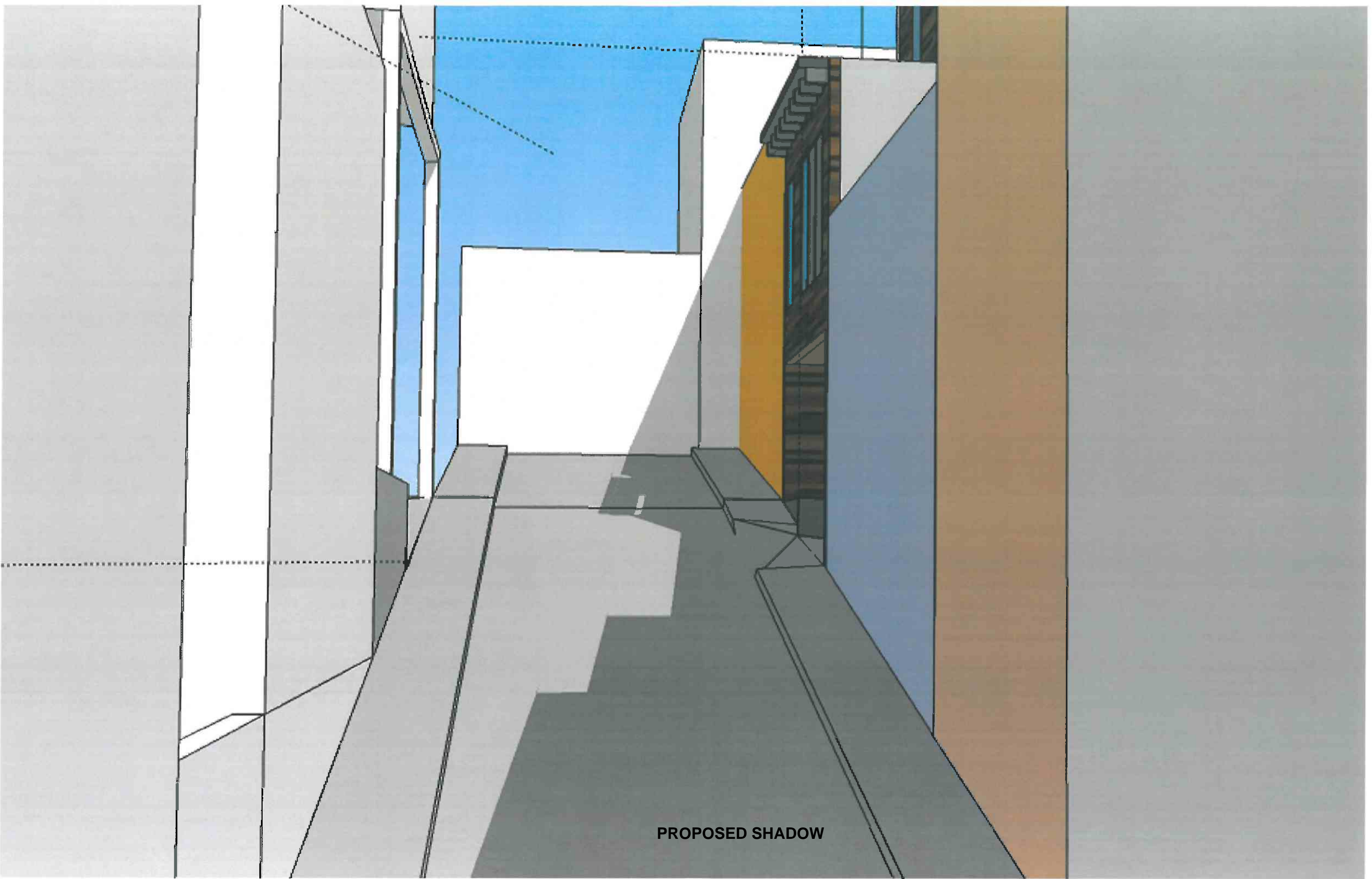
PROPOSED #7

10 Hodges Alley
San Francisco, California

Street View - Mar 2011

Hodges Alley

EXISTING SHADOW



PROPOSED SHADOW