SAN FRANCISCO
PLANNING DEPARTMENT

Planning Commission Resolution No. 18632

HEARING DATE: MAY 24, 2012

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Date:	May 17, 2012
Case No.:	**2007.0558MTZU**
Project Address:	**Transit Center District Plan** **Boundary Change and Change of Name for the New Montgomery-Second Street Conservation District – Amending Appendix F of Article 11 and Section 1103.1**
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RECOMMENDING TO THE HISTORIC PRESERVATION COMMISSION THE ADOPTION OF AMENDMENTS TO PLANNING CODE ARTICLE 11 AND VARIOUS APPENDICES RELATED TO A BOUNDARY CHANGE TO EXPAND THE NEW MONTGOMERY-SECOND STREET CONSERVATION DISTRICT TO INCLUDE AN ADDITIONAL TWENTY-SIX (26) PROPERTIES, AND CHANGE OF NAME TO THE NEW MONTGOMERY-MISSION-SECOND STREET CONSERVATION DISTRICT, AS PART OF THE TRANSIT CENTER DISTRIC PLAN, AND MAKING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, Section 4.105 of the City and County of San Francisco Charter mandates that the Planning Commission shall periodically recommend amendments to the Planning Code to the Board of Supervisors; and the San Francisco Planning Department is proposing to amend the Planning Code to implement the Transit Center District Plan and to bring Planning Code regulations governing this area into consistency with the Transit Center District Plan ("the Plan").

The Historic Preservation Commission, at a duly noticed public hearing on May 2, 2012, initiated the proposed Boundary Change and change of name of the Conservation District and related Planning Code amendments to Article 11, including various appendices, which are integrated into the Transit Center District Plan Planning Code amendments pending before this Commission.

The Planning Commission, at a duly noticed public hearing on May 3, 2012 and in accordance with Planning Code Section 302(b), initiated the Planning Code related to the Plan. The Plan enhances and augments the Downtown Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes policy recommendations, including enlarging the New Montgomery-Second Street Conservation District.

The Department published the Draft Environmental Impact Report on September 28, 2011. The Planning Commission certified the Final Environmental Impact Report on the Transit Center District Plan and adoption of CEQA findings at a hearing on May 24, 2012 prior to considering action on related General Plan, Planning Code, and Zoning Map Amendments and other Plan items.

The Planning Commission, at a duly noticed public hearing on May 24, 2012, recommended adoption of the Plan, which incorporates the proposed boundary change, to the Board of Supervisors.

The Planning Commission, at a duly noticed public hearing on May 24, 2012, further recommends adoption the amendments to Article 11, including various appendices, based on the following:

1. The proposed boundary change will not require specific amendment of the General Plan and will promote the following relevant objectives and policies:

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2: CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4: Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5: Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7: Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

POLICY 4: Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

The proposed boundary change would preserve notable landmarks and areas of historic, architectural or aesthetic value by recognizing their cultural and historical value and providing mechanisms for review of proposed alterations as well as incentives for property owners to maintain and preserve their buildings. Designating significant historic resources as Significant and Contributing buildings will further continuity with the past because the buildings will be preserved for the benefit of future generations. Designation will require that the Planning Department and the Historic Preservation Commission review proposed work that may have an impact on character-defining features. Both entities will utilize the Secretary of Interior's Standards for the Treatment of Historic Properties in their review to ensure that only appropriate, compatible alterations are made.

DOWNTOWN PLAN

The Downtown Plan grows out of an awareness of the public concern in recent years over the degree of change occurring downtown – and of the often conflicting civic objectives between fostering a vital economy and the retaining the urban patterns and structures which collectively form the physical essence of San Francisco. The Plan foresees a downtown known the world over as a center of ideas, services and trade, and as a place for stimulating experiences. In essence, downtown San Francisco should encompass a compact mix of activities, historical values, and distinctive architecture and urban forms that engender a special excitement reflective of a world city.

Objectives and Policies

OBJECTIVE 1: MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

OBJECTIVE 12: CONSERVE RESOURCES THAT PROVIDE CONTINUITY WITH SAN FRANCISCO'S PAST.

Policy 12.1: Preserve notable landmarks and areas of historic, architectural, or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 12.2: Use care in remodeling significant older buildings to enhance rather than weaken their original character.

The proposed boundary change is consistent with the objectives and policies of the Downtown Plan as it would increase the number of notable landmarks and expand areas of historic, architectural or aesthetic value by expanding the size of the New Montgomery-Second Street Conservation District. Designation will require that the Planning Department and the Historic Preservation Commission review proposed work that may have an impact on character-defining features. Both entities will utilize the Secretary of Interior's Standards for the Treatment of Historic Properties in their review to ensure that only appropriate, compatible alterations are made.

TRANSIT CENTER DISTRICT PLAN

The historic preservation objectives and policies of the Transit Center District Plan build upon the preservation principles of the Downtown Plan. They are intended to provide for the identification, retention, reuse, and sustainability of the area's historic properties. As the area continues to change and develop, historic features and properties that define it should not be lost or their significance diminished through demolition or inappropriate alterations. As increased densities will provide a contrast to the traditional lower-scale, masonry, pre-war buildings, new construction with the historic core of the Transit Center District should respect and relate to its historic context. The District Plan regulations sound treatment of historic resources according to the Secretary of the Interior's Standards; in encourages the rehabilitation of historic resources for new compatible uses, and it allows for incentives for qualifying historic properties.

Historic Preservation Objectives

OBJECTIVE 5.1: PROTECT, PRESERVE, AND REUSE HISTORIC PROPERTIES THAT HAVE BEEN IDENTIFIED AND EVALUATED WITHIN THE TRANSIT CENTER PLAN AREA.

OBJECTIVE 5.2: PROVIDE PRESERVATION INCENTIVES, GUIDANCE, AND LEADERSHIP WITHIN THE TRANSIT CENTER DISTRICT PLAN AREA.

OBJECTIVE 5.3: FOSTER PUBLIC AWARENESS AND APPRECIATION OF HISTORIC AND CULTRUAL RESOURCES WITHIN THE TRANSIT CENTER PLAN AREA.

OBJECTIVE 5.4: PROMOTE WELL DESIGNED, CONTEMPORARY INFILL DEVELOPMENT WITHIN THE HISTORIC CORE OF THE TRANSIT CENTER PLAN AREA.

The proposed boundary change is consistent with the objectives and policies of the Transit Center District Plan as it would increase the number of notable landmarks and expand areas of historic, architectural or aesthetic value by expanding the size of the New Montgomery-Second Street Conservation District. Designation will require that the Planning Department and the Historic Preservation Commission review proposed work that may have an impact on character-defining features. Both entities will utilize the Secretary of Interior's Standards for the Treatment of Historic Properties in their review to ensure that only appropriate, compatible alterations are made.

2. The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

    a. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

    The proposed boundary change will not impact neighborhood-serving retail uses or ownership/employment opportunities in such businesses. Many of the buildings proposed for inclusion in the enlarged Conservation District have a history of mixed-use, generally with commercial or retail at the ground floor. Retention of historic fabric that contributes to this mixed-use character, and related uses, would be encouraged within the Conservation District.

    b. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

    The proposed boundary change will encourage conservation and protection of neighborhood character as all proposed alterations to exterior features of Significant or Contributory buildings or any buildings within a Conservation District shall be subject to review and approval by the Historic Preservation Commission, or as delegated to Planning Department staff by HPC Motion No. 0122, in accordance with Sections 1111 through 1111.6 of the Planning Code and Section 4.135 of the City Charter. Enlargement of the Conservation District will encourage retention of existing buildings by providing a preservation incentive in the form of eligibility for Transfer of Development Rights (TDRs).

    c. That the City's supply of affordable housing be preserved and enhanced;

    The proposed boundary change will not negatively impact the City's supply of affordable housing. The proposed amendments to Article 11 will not affect affordable housing supply and are consistent with the policies and objectives related to housing outlined in the Transit Center District Plan and Downtown Plan.

    d. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

    The proposed Boundary Change and expansion of the New Montgomery-Mission-Second Street Conservation District will not impede transit service or overburden our streets or neighborhood parking.

e. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed designations would not impact the diversity of economic activity.

f. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed boundary change would not modify any physical parameters of the Planning Code or other Codes. It is furthermore not anticipated that the proposed designations would result in any building activity and therefore would have no affect on the City's preparedness for an earthquake.

g. That the landmarks and historic buildings be preserved;

Initiating the proposed boundary change and designation of buildings under Article 11 will further continuity with the past because the character-defining features of buildings within the district will be preserved for the benefit of future generations. Designation will require that the Planning Department and the Historic Preservation Commission review any proposed work that may have an impact on character-defining features of buildings within the district. Both entities will utilize the Secretary of Interior's Standards for the Treatment of Historic Properties in their review to ensure that only appropriate, compatible alterations are made. The proposed designations will not have a significant impact on any of the other elements of the General Plan.

h. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed boundary change would not impact or facilitate any development which could have any impact on our parks and open space or their access to sunlight and vistas.

3. The Transit Center District Plan is exemplary transit-oriented development that promotes the Sustainable Communities Strategies and related transportation, affordable housing, job creation, environmental protection, and climate change goals. The proposed Boundary Change does not appear to be in conflict with the Sustainable Communities Strategy for the Bay Area, which is an a regional blueprint for transportation, housing and land use that is focused on reducing driving and associated greenhouse gas emissions. The boundary change proposal is consistent with policies regarding transit-oriented growth and sustainability outlined in the General Plan, Downtown Plan, and Transit Center District Plan.

Prior to considering relevant amendments to the General Plan, Planning Code, Zoning Maps and other actions related to implementing the Transit Center District Plan, the Planning Commission adopted Motion No. 18628 certifying the Final Environmental Impact Report for the Transit Center District Plan in accordance with the California Environmental Quality Act (CEQA). The Planning Commission also adopted Motion No. 18629 adopting CEQA Findings related to the Transit Center District Plan.

The Commission adopts and incorporates by reference the CEQA Findings in Commission Motion No. 18629;

NOW, THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Historic Preservation Commission and Board ADOPT the proposed Boundary Change and related amendments to Article 11 as such action appears to be consistent with the General Plan and Priority Policies of Section 101.1 and will not conflict with regional housing or environmental sustainability policies.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 24, 2012.

Linda D. Avery

Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Moore, Sugaya, and Wu

NOES: None

ABSENT: Commissioner Miguel

ADOPTED: May 24, 2012