



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0162 Permit to Alter MAJOR ALTERATION

HEARING DATE: JUNE 20, 2012

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Hearing Date: June 20, 2012
Filing Date: March 14, 2012
Case No.: **2012.0136H**
Project Address: **220 Geary Street (aka. 333 Post Street)**
Category: Category I (Significant)
Conservation District: Kearny-Market-Mason-Sutter
Zoning: P (Public)
OS (Open Space) Height and Bulk District
Block/Lot: 0308/001
Applicant: John Funghi
SFMTA
821 Howard Street
San Francisco, CA 94107
Staff Contact: Gretchen Hilyard - (415) 575-9109
gretchen.hilyard@sfgov.org
Reviewed By: Tim Frye - (415) 558-6625
tim.frye@sfgov.org

ADOPTING FINDINGS FOR A PERMIT TO ALTER FOR MAJOR ALTERATIONS TO A CATEGORY I (SIGNIFICANT) PROPERTY, INCLUDING CONSTRUCTION OF A NEW TRANSIT STATION ENTRANCE AT THE CORNER OF GEARY AND STOCKTON STREETS, FOR THE PROPERTY LOCATED ON LOT 001 IN ASSESSOR'S BLOCK 0308. THE SUBJECT PROPERTY IS WITHIN THE KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT, A P (PUBLIC) ZONING DISTRICT AND AN OS (OPEN SPACE) HEIGHT AND BULK DISTRICT AND MAKING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

WHEREAS, on March 14, 2012, John Funghi of the San Francisco Municipal Transportation Agency ("SFMTA" or "Applicant") filed an application with the San Francisco Planning Department ("Department") for a Permit to Alter for exterior rehabilitation, including construction of a new transit station entrance at the intersection of Stockton and Geary Streets at the southeast corner of Union Square as part of the Central Subway project. The station entrance will consist of a weather protected room containing a staircase, escalator, two elevators, and space for pedestrian circulation, covered by a roof

terrace. The subject property is located on Lot 001 in Assessor's block 0308, a Category I (Significant) property historically known as Union Square and within the Article 11 Kearny-Market-Mason-Sutter Conservation District (KMMS District).

WHEREAS, the proposed project was analyzed under the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("SEIS/SEIR"), which was certified by the Planning Commission on August 7, 2008. The Planning Department has determined that the proposed work is within the scope of the project analyzed in the SEIS/SEIR and that no further environmental review is required. The SEIS/SEIR and its supporting documents are available for this Commission's and the public's review at the office's of the Planning Department at 1650 Mission Street in file No. 1996.281E.

WHEREAS, on August 19, 2008, the SFMTA Board of Directors by Resolution No. 08-150 approved the Central Subway/Third Street Light Rail Phase 2 project, which included the scope of work referred to here as the "proposed project", and in so doing adopted findings under the California Environmental Quality Act ("CEQA") including a Statement of Overriding Considerations ("CEQA Findings") and adopted a Mitigation Monitoring and Reporting Program ("MMRP"). SFMTA Board of Directors Resolution No 08-150, along with the CEQA Findings, is attached as Exhibit B and the MMRP is attached as Exhibit C and are hereby incorporated by reference as though fully set forth herein.

WHEREAS, on June 20, 2012, the Commission conducted a duly noticed public hearing on the current project, Case No. 2012.0136H ("Project"), for the Permit to Alter.

WHEREAS, in reviewing the application, the Commission has had available for its review and consideration case reports, plans, and other materials pertaining to the Project contained in the Department's case files, including the SEIS/SEIR, and has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby grants the Permit to Alter, **APPROVED**, and in conformance with the architectural submittal dated February 15, 2012 and labeled Exhibit A on file in the docket for Case No. 2012.0136H.

FINDINGS

Having reviewed all the materials identified in the recitals above and having heard oral testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and also constitute findings of the Commission.
2. Findings pursuant to Article 11:

The Historical Preservation Commission has determined that the proposed work is compatible with the exterior character-defining features of the subject property and meets the requirements of Article 11 of the Planning Code:

- That the proposal respects the character-defining features of the subject property and the KMMS District;
- That all architectural elements, including reconfiguration of the terrace stairs at the southeast corner of the square, will be done in such a manner to retain as much existing fabric as possible;
- That the new station entrance will be inserted in such a manner that does not impair the essential form and integrity of the subject property and the surrounding KMMS District.
- That the integrity of distinctive stylistic features and examples of skilled craftsmanship that characterize the KMMS District shall be preserved; and,
- That all new materials shall be compatible with the existing materials in composition, design, color, texture and other visual qualities.

For these reasons, the proposal overall, is appropriate for and consistent with the purposes of Article 11, meets the standards of Article 1111.6 of the Planning Code and complies with the *Secretary of the Interior's Standards for Rehabilitation*.

3. **General Plan Compliance.** The proposed Permit to Alter is, on balance, consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT CONCERNS THE PHYSICAL CHARACTER AND ORDER OF THE CITY, AND THE RELATIONSHIP BETWEEN PEOPLE AND THEIR ENVIRONMENT.

GOALS

The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

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.

The goal of a Permit to Alter is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for a Permit to Alter and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the subject property for the future enjoyment and education of San Francisco residents and visitors.

4. The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The construction of the Central Subway will have impacts to neighborhood retailers adjacent to and in the vicinity of the station; however, these disturbances will cease once construction is completed. Construction of the Central Subway and the opening of the Union Square station will bring additional visitors and consumers to neighborhood serving retail, with a spin-off effect increasing employment in the area.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

Construction of the station would not affect housing.

- C) The City's supply of affordable housing will be preserved and enhanced:

Construction of the station would not affect housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

By providing an exclusive right-of-way that does not have to compete with traffic on congested surface streets, the reliability of transit service would be improved and travel times would be reduced for

transit riders. Temporary disruption to traffic and Muni service is likely to occur during construction activities but will cease once completed.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

As an improvement in the Union Square plaza, the Central Subway station would not have a direct impact on the displacement of industrial and service sectors.

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Union Square station is not located on any active faults and therefore rupture resulting from displacement along a fault is not likely to occur. The subway station would be designed to current seismic standards to withstand a major earthquake (magnitude~7) on the San Andreas Fault.

- G) That landmark and historic buildings will be preserved:

The implementation of the Central Subway project would result in a change to Union Square, however, the design has been adjusted to create a minimum visual and actual impact upon the historic resource. The proposed project is in conformance with Article 11 of the Planning Code and the Secretary of the Interior's Standards for Rehabilitation.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The new station would not impact or shadow Union Square.

5. For these reasons, the proposal overall, appears to meet the *Secretary of the Interior's Standards* and the provisions of Article 11 of the Planning Code regarding Major Alterations to Category I (Significant) buildings.
6. Environmental Findings. The proposed project was analyzed under the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("SEIS/SEIR"), which was certified by the Planning Commission on August 7, 2008. The Historic Preservation Commission has reviewed the SEIS/SEIR and finds that the proposed work is within the scope of the project analyzed in the SEIS/SEIR and that no further environmental review is required. Specifically, the Commission finds that there have been no substantial changes to the proposed project or to the circumstances surrounding the proposed project that would require major revisions to the SEIS/SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Commission finds that there is no new information of substantial importance that was not known and could not have been known at the time the SEIS/SEIR was certified showing that the project will have any significant effects not discussed in

the SEIS/SEIR or that any significant effects discussed in the SEIS/SEIR would be substantially more severe. The Commission finds that no mitigation measures or alternatives either considerably different from those analyzed in the SEIS/SEIR or previously found not to be feasible would be feasible and would substantially reduce one or more significant effects of the project but the Applicant declines to adopt them. The Commission finds that no subsequent or supplemental environmental review, including an addendum, is required.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **ADOPTS as its own the CEQA Findings attached as Exhibit B, ADOPTS the MMRP attached as Exhibit C, and GRANTS a Permit to Alter** for the property located at Lot 001 in Assessor's Block 0308 for proposed work in conformance with the architectural submittal dated February 15, 2012 and labeled Exhibit A on file in the docket for Case No. 2012.0136H.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Permit to Alter shall be final unless appealed within thirty (30) days after the date of this Motion No. 0162. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals in person at 1650 Mission Street, (Room 304) or call (415) 575-6880.

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on June 20, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Hasz, Johns, Matsuda, Wolfram, Damkroger, Chase

NAYS: Commissioner Martinez

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Hearing Date: June 20, 2012

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ABSENT: None

ADOPTED: June 20, 2012