



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion NO. 0170

HEARING DATE: AUGUST 15, 2012

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Filing Date: July 12, 2012
Case No.: **2012.0884A**
Project Address: **4701 3rd STREET (BAYVIEW OPERA HOUSE)**
Historic Landmark: Landmark No. 08
Zoning: P (Public) Zoning District
40-X/OS Height and Bulk District
Block/Lot: 5311/036
Applicant: Judy Nemzoff, San Francisco Arts Commission
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ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR PROPOSED WORK DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10, TO MEET THE STANDARDS OF ARTICLE 10 AND TO MEET THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 036 IN ASSESSOR'S BLOCK 5311, WITHIN THE P (PUBLIC) ZONING DISTRICT AND 40-X/OS HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on July 12, 2012, Judy Nemzoff of the San Francisco Arts Commission on behalf of City and County of San Francisco (Property Owner) filed an application with the San Francisco Planning Department (Department) for a Certificate of Appropriateness for site work and exterior alterations to the subject property located on Lot 036 in Assessor's Block 5311.

WHEREAS, the Project was determined by the Department to be categorically exempt from environmental review. The Historic Preservation Commission (hereinafter "Commission") has reviewed and concurs with said determination.

WHEREAS, on August 15, 2012, the Commission conducted a duly noticed public hearing on the current project, Case No. 2012.0884A (Project) for its appropriateness.

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, has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby grants a Certificate of Appropriateness with conditions, in conformance with the project information dated May 11, 2012 and labeled Exhibit A on file in the docket for Case No. 2012.0884A based on the following findings:

CONDITIONS OF APPROVAL

To ensure that the proposed work is undertaken in conformance with this Certificate of Appropriateness, staff recommends the following conditions:

1. Prior to approval of the Site Permit, the location of the proposed handicap accessible walkway shall be shifted west to be in better alignment with the outer perimeter columns of the porch addition. In addition, the new handicap accessible walkway shall incorporate a wood top rail to the proposed guardrail. The Project Sponsor shall provide updated plans, elevations and details of the ramp to Planning Department Preservation Staff for review and approval.
2. Prior to approval of the Site Permit, the Project Sponsor shall provide detailed information on the new wood siding on the rear facade for review and approval by Planning Department Preservation Staff. Specifically, the Project Sponsor shall provide a material sample, updated elevations and details of the siding. The new wood siding shall match the historic wood siding in form, detail, and material.

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 10:

The Historical Preservation Commission has determined that the proposed work is compatible with the character of Landmark No. 08 as described in Article 10 of the Planning Code.

- That the exterior alterations would preserve the exterior character-defining elements, and would rehabilitate deteriorated features, including the original entry doors and portions of the wood siding.
- That new exterior features, including the new handicap accessible walkway, concrete stairs, and outdoors stage, do not destroy or damage historic materials, and would be compatible with the church's character-defining features.
- That the essential form and integrity of the landmark and its environment would be unimpaired if the alterations were removed at a future date.
- That the proposal respects the character-defining features of Landmark No. 08.

- The proposed project meets the requirements of Article 10.
- The proposed project meets the *Secretary of the Interior's Standards for Rehabilitation*, including:

Standard 2.

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 9.

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

3. **General Plan Compliance.** The proposed Certificate of Appropriateness 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 Certificate of Appropriateness 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 Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the Landmark No. 08 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 project will not have any impact on any existing neighborhood serving retail uses.

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

The proposed project will strengthen neighborhood character by respecting the character-defining features of Landmark No. 08 in conformance with the Secretary of the Interior's Standards for Rehabilitation.

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

The project will have no impact to housing supply.

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

The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- 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:

The proposed will not have any impact on industrial and service sector jobs.

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

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed work. Any construction or alteration associated with the project will be executed in compliance with all applicable construction and safety measures.

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

The project as proposed is in conformance with Article 10 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 proposed project will not impact the access to sunlight or vistas for parks and open space.

5. For these reasons, the proposal overall, is appropriate for and consistent with the purposes of Article 10, meets the standards of Article 10, and the *Secretary of Interior's Standards for Rehabilitation*, General Plan and Prop M findings of the Planning Code.

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 **GRANTS WITH CONDITIONS a Certificate of Appropriateness** for the property located at Lot 036 in Assessor's Block 5311 for proposed work in conformance with the project information dated May 11, 2012, labeled Exhibit A on file in the docket for Case No. 2012.0884A.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days. 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, such as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135).

Duration of this Certificate of Appropriateness: This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

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 August 15, 2012.

Linda D. Avery
Commission Secretary

AYES: Chase, Hasz, Johns, Matsuda, Wolfram

NAYS: Martinez

ABSENT: Damkroger

ADOPTED: August 15, 2012