



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0063

HEARING DATE: APRIL 21, 2010

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: April 21, 2010
Filing Date: October 27, 2009
Case No.: **2008.1398A**
Project Address: **150 Otis Street**
Historic Landmark: No. 248 – Juvenile Court and Detention Home
Zoning: P (Public Use District)
Proposed Zoning: Veterans Commons Special Use District
Height/Bulk: 85-X
Proposed Ht/Bulk: 125-X
Block/Lot: 3513/007
Applicant: Kim Piechota
Chinatown Community Development Center
1515 Vallejo Street, 4th Floor
San Francisco, CA 94109
Staff Contact: Pilar LaValley - (415) 575-9084
pilar.lavalley@sfgov.org
Reviewed By: Tina Tam – (415) 558-6325
tina.tam@sfgov.org

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, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR THE PROPERTY LOCATED ON LOT 001 IN ASSESSOR'S BLOCK 3799, WITHIN A P (PUBLIC) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on October 27, 2009, Kim Piechota of Chinatown Community Development Center on behalf of property owner (hereinafter "Project Sponsor") filed a Certificate of Appropriateness Application (hereinafter "Application") with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness for adaptive use and rehabilitation of the subject building located on lot 001 in Assessor's Block 3799, City Landmark #248.

WHEREAS, on March 31, 2010, a Preliminary Negative Declaration (hereinafter "PND") for the Project was prepared and published for public review. The PND was available for public comment until April 20, 2010.

WHEREAS, on April 21, 2010, the Planning Department reviewed and considered the Final Negative Declaration (hereinafter "FND") and found that the contents of said report and the procedures through which the FND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

WHEREAS, the Planning Department found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Planning Department and approved the FND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

WHEREAS, on April 21, 2010, the Commission conducted a duly noticed public hearing on the current project, Case No. 2008.1398A (hereinafter "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 with conditions the Certificate of Appropriateness, in conformance with the architectural plans dated April 20, 2010 and labeled Exhibit A on file in the docket for Case No. 2008.1398A. The proposed conditions are as follows:

1. The project shall be revised in accordance with any conditions of the NPS tax credit approval. Such revisions shall be reviewed by Planning Department preservation staff and would not, necessarily, require additional review by the Historic Preservation Commission.
2. Existing and proposed section details, with dimensions, and showing all exterior profiles of the location for the proposed new ADA-entrance and existing opening to be infilled, shall be incorporated within the permit sets for review and approval by Planning Department preservation staff.
3. Detailed specifications shall be incorporated within the permit sets and submitted to Planning Department preservation staff for review and approval for all work regarding the infill treatment of the existing ground floor opening.
4. That metal gates be used for security at the entrance, if necessary, and that detailed drawings including an interior elevation and method of attachment of the new feature shall be incorporated within the permit sets and submitted to Planning Department preservation staff for review and approval.
5. Existing and proposed window details, with dimensions, and showing all exterior profiles, shall be incorporated within the permit sets for review and approval by Planning Department preservation staff.

6. Detailed specifications shall be incorporated within the permit sets and submitted to Planning Department preservation staff for review and approval for all work regarding the cleaning and treatment of the existing exterior finish.
7. The Project Sponsor shall develop a permanent installation for the interpretation and education of the public and residents of the unique history of the subject building.

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 the landmark as described in the designation report.

- That the proposal provides an adaptive use (low income housing) that is compatible with the landmark building.
- That the project is seeking historic preservation tax credits.
- That the proposal shall preserve, and shall not damage or destroy those exterior features that characterize the landmark building.
- That the essential form and integrity of the landmark would be unimpaired if the new elevator addition and ADA-entrance were removed at a future date.
- That the proposal, with the proposed conditions, is in conformance the *Secretary of the Interior's Standards for Rehabilitation* and requirements of Article 10.
- The proposed project meets the following *Secretary of the Interior's Standards for Rehabilitation*:

Standard 1.

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

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 3.

Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Standard 5.

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

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 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 subject property, which is a designated City Landmark.

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 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 the landmark building 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 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*.

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 007 in Assessor's Block 3513, City Landmark #248, for proposed work in conformance with the architectural plans dated April 20, 2010 and labeled Exhibit A on file in the docket for Case No. 2008.1398A.

The Historic Preservation Commission has reviewed and considered the Final Negative Declaration ("FND") and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment, and hereby adopts the FND.

APPEAL AND EFFECTIVE DATE OF MOTION: APPEAL: Any aggrieved person may appeal this Motion to the Board of Appeals within fifteen (15) days after the date of this Motion No. 0063. The effective date of this Motion shall be the date of this Motion. For further information, please contact the Board of Appeals in person at 1650 Mission Street, (Room 304) or call 575-6880.

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 April 21, 2010.

Linda D. Avery
Commission Secretary

AYES: Commissioners Buckley, Chase, Damkroger, Hasz, Martinez, Matsuda, and Wolfram

NAYS: None

ABSENT: None

ADOPTED: April 21, 2010