



# SAN FRANCISCO PLANNING DEPARTMENT

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## Historic Preservation Commission Motion No. 0065

HEARING DATE: MAY 19, 2010

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*Hearing Date:* May 19, 2010  
*Filing Date:* March 4, 2010  
*Case No.:* **2010.0143A**  
*Project Address:* **837-849 22<sup>nd</sup> Street**  
*Historic Landmark:* Dogpatch Historic District  
*Zoning:* NCT-3 (Moderate-Scale Neighborhood Commercial Transit)  
45-X Height and Bulk District  
*Block/Lot:* 4171/015  
*Applicant:* Rich Porter  
Sagan-Piechota Architecture  
315 Linden Street  
San Francisco, CA 94102  
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*Reviewed By:* Tim Frye – (415) 575-6822  
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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 015 IN ASSESSOR'S BLOCK 4171, WITHIN AN NCT-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT AND A 45-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

WHEREAS, on March 4, 2010, Rich Porter of Sagan-Piechota Architecture on behalf of the property owner (Project Sponsor) filed an application with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness to alter the ground floor of the subject property located on Lot 015 in Assessor's Block 7171. The work includes removal of non-historic features (security bars), removal and reinstallation of existing horizontal wood siding over new weatherproofing, and installation of new man-door at front façade and several new windows and large sliding door on side elevation. The ground floor is proposed to be used as a café/restaurant and retail space(s).

WHEREAS, the Project was determined by the Department to be categorically exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. The Historic Preservation Commission (hereinafter "Commission") has reviewed and concurs with said determination.

WHEREAS, on May 19, 2010, the Commission conducted a duly noticed public hearing on the current project, Case No. 2010.0143A ("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 May 6, 2010 and labeled Exhibit A on file in the docket for Case No. 2010.0143A based on the following findings. The proposed conditions are as follows:

1. That existing wood siding be removed carefully to avoid damage and that each piece be numbered and keyed to the original location for reinstallation.
2. That removed wood siding is stored on-site in a secure manner and protected from weather-damage.
3. That should the extent of deterioration to the wood siding be greater than currently assumed, the Project Sponsor shall contact the Planning Department Preservation Technical Specialist prior to proceeding with the project.

## **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 Dogpatch Historic District as described in Appendix L of Article 10 of the Planning Code.

- That proposed work shall preserve, and shall not damage or destroy those exterior features that characterize the property.
- That proposed work, including new openings on side elevation, new signs, and removal and reinstallation of existing siding, is compatible with the subject building and historic district in terms of materials, design, and detailing.
- That the essential form and integrity of the historic property and its environment would be unimpaired if the proposed alterations were removed at a future date.
- That the proposal respects character-defining features within the Dogpatch Historic District.
- 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 shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*

**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 5.**

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

**Standard 6.**

*Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

**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 character-defining features of the subject property, which is a contributing resource in the Dogpatch Historic District.*

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 proposed project will rehabilitate the vacant ground floor of the existing building for use as a café/restaurant and /retail space(s), thereby enhancing the number of neighborhood-serving retail uses and providing opportunities for additional resident employment and ownership.*

- 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 contributing resource and Dogpatch Historic District in conformance with the Secretary of the Interior's Standards.*

- 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 improved by the proposed work. The work will eliminate unsafe conditions at the site and all construction will be executed in compliance with all applicable construction and safety measures.*

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

*The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the Interior's Standards.*

- 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 the 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 015 in Assessor's Block 4171 for proposed work in conformance with the architectural plans dated May 6, 2010 and labeled Exhibit A on file in the docket for Case No. 2010.0143A.

**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. 0065. 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 May 19, 2010.

Linda D. Avery  
Commission Secretary

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

NAYS: None

ABSENT: Commissioners Buckley and Chase

ADOPTED: May 19, 2010