



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0086

Hearing Date: November 3, 2010
Filing Date: October 25, 2010
Case No.: **2010.0964H**
Project Address: **211 Sutter Street**
Conservation District: Kearny-Market-Mason-Sutter Conservation District
Category: Category I – Sherman Clay & Company Building
Zoning: C-3-O (Downtown Office)
80-130-F Height and Bulk District
Block/Lot: 0293/ 001
Applicant: Tom Lewis
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ADOPTING FINDINGS FOR A PERMIT TO ALTER FOR MAJOR ALTERATIONS TO A CATEGORY I (SIGNIFICANT) BUILDING, INCLUDING TERRA COTTA REPLACEMENT AT THE 8TH, 9TH, AND 10TH-FLOORS FOR THE PROPERTY LOCATED ON LOT 001 IN ASSESSOR'S BLOCK 0293. THE SUBJECT BUILDING IS WITHIN A C-3-O (DOWNTOWN OFFICE) ZONING DISTRICT, THE KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT, AND AN 80-130-F HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on June 11, 2010, TOM LEWIS (Project Sponsor) filed with the City and County of San Francisco Planning Department (Department) Permit to Alter Application No. 2010.0448H to replace terra cotta at the 8th, 9th, and 10th floors on the Kearny Street elevation where the units are failing or access to the structural system behind is required for the building, at 211 Sutter Street, a Category I Building within the Kearny-Market-Mason-Sutter Conservation District.

WHEREAS, on July 7, 2010, the Historic Preservation Commission (Commission) conducted a duly noticed public hearing at a regularly scheduled meeting and approved with conditions the project proposed in Certificate of Appropriateness Application No. 2010.0448H through Motion No. 0072.

WHEREAS, on October 25, 2010, TOM LEWIS (Project Sponsor) filed an application with the San Francisco Planning Department (Department) for a Permit to Alter to replace terra cotta at the 8th, 9th, and 10th floors on the Sutter Street elevation where the units are failing or access to the structural system

behind is required for the building, at the subject building located on Lot 001 in Assessor's Block 0293, a Category I Building within the Kearny-Market-Mason-Sutter Conservation District.

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

WHEREAS, on November 3, 2010, the Commission conducted a duly noticed public hearing on the current project, Case No. 2010.0964H (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, 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, WITH CONDITIONS, and in conformance with the architectural plans dated October 19, 2010 and labeled Exhibit A on file in the docket for Case No. 2010.0964H based on the following condition(s):

Conditions:

1. As part of the building permit, existing elevations, details, and sections along with the proposed shop drawings showing all exterior profiles and dimensions will be forwarded for review and approval by Planning Department Preservation Staff prior to production of the replacement units and the approval of the permit application by the Planning Department.
2. Glaze samples shall be matched from historic terra cotta units that are cleaned using the gentlest means possible and shall include an accurate range of the shade and tone of the building.
3. A mock-up of the glaze samples shall be reviewed by Preservation Planning Staff at the job site prior to review by the Historic Preservation Commission.
4. The results of the site mock-up and all glaze samples shall be presented at a future hearing to the Historic Preservation Commission for review and approval prior to the production of the replacement units and the approval of the permit application by the Planning Department.
5. A sample of each individual feature of the cornice will be retained and archived on-site to be used in the future to match finishes and/or molding details.

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 character of the Kearny-Market-Mason-Sutter Conservation District as described in Appendix E of Article 11 of the Planning Code:

- That the proposal respects the character-defining features of the subject building and within Kearny-Market-Mason-Sutter Conservation District;
- That the architectural character of the subject building will be maintained and those features that affect the building's overall appearance that are removed or repaired shall be done so in-kind.
- All architectural elements and cladding repaired where possible in order to retain as much historic fabric as possible.
- That the integrity of distinctive stylistic features and examples of skilled craftsmanship that characterize the building shall be preserved; and
- That all new materials shall match the historic material in composition, design, color, texture and other visual qualities and shall be based on accurate duplication of features.

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*.

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 KMMS Conservation District for the future enjoyment and education of San Francisco residents and visitors.

1. 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 is not neighborhood-serving; however, its continued use maintains and strengthens the surrounding retail uses, many of them are locally-owned, by bringing visitors to 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:

The proposed project will strengthen neighborhood character by respecting the character-defining features of the KMMS Conservation 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 proposed project will have no adverse effect on the City's supply of affordable housing.

- 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 project would allow the existing establishment to resume its original operations which will allow the hotel to retain and expand their current hotel staff.

- 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 project. Any construction or alteration associated would be executed in compliance with all applicable construction and safety measures.

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

The proposed project in conformance with Appendix E of Article 11 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 Permit to Alter will not impact the City's parks and open space.

4. For these reasons, the proposal overall, meets the provisions of Article 11 of the Planning Code regarding Major Alterations to Category I (Significant) buildings.

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 Permit to Alter Application 2010.0964H** attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Permit to Alter 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 as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135).

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 November 3, 2010.

Linda D. Avery
Commission Secretary

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

NAYS: None

ABSENT: Commissioner Buckley

ADOPTED: November 3, 2010