



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0043

HEARING DATE: JANUARY 6, 2010

Hearing Date: January 6, 2010
Filing Date: September 25, 2009
Case No.: **2009.0903A**
Project Address: **4701 3rd Street (aka 1601 Newcomb Avenue)**
Bayview Opera House
Zoning: P (Public)
40-X Height and Bulk District
Block/Lot: 5311/036
Historic Landmark: No. 8: Bayview Opera House or South San Francisco Opera House
Applicant: Rommel Taylor
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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 A P (PUBLIC) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on September 25, 2009, Rommel Taylor on behalf of Department of Public Works-Bureau of Architecture and the San Francisco Arts Commission ("Project Sponsor") filed a Certificate of Appropriateness Application (hereinafter "Application") with the City and County of San Francisco Planning Department ("Department") for a Certificate of Appropriateness for the removal of non-original concrete stairs at front entrance and construction of new concrete ramp and stair, adding secondary entrance at front door, replacing roll-up door on porch addition with paired doors, adding two ADA-accessible restrooms and new interior wall under the existing balcony in the main auditorium space, and installing metal columns under the existing balcony for seismic strengthening, at the subject building located on lot 036 in Assessor's Block 5311, City Landmark #8.

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 January 6, 2010, the Commission conducted a duly noticed public hearing on the current project, Case No. 2009.0903A ("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 January 6, 2010 and labeled Exhibit A on file in the docket for Case No. 2009.0903A. The proposal as designed is subject to the following conditions:

1. That detailed Building Permit plan submittals shall be submitted to preservation staff for review and approval.
2. That Building Permit submittals made to preservation staff for review and approval shall note that new ramp and stair construction will not affix to the existing building, shall provide flashing and weather protection details, and shall include notes identifying existing features to be protected during construction.
3. That Building Permit submittals made to preservation staff for review and approval shall include details and section drawings for the proposed secondary entrance system at front entrance.
4. That the Project Sponsor shall work with preservation staff regarding possible inclusion of returns for the lower risers of the new stair.
5. Material samples for replacement flooring material shall be submitted to preservation staff for review and approval.

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 dated December 8, 1968.

- That the new ramp and stairs at front entrance are compatible with the landmark building in terms of material, design, and detailing.
- That the essential form and integrity of the historic property and its environment would be unimpaired if the proposed new features were removed at a future date.
- That the proposal, as modified by proposed conditions, respects character-defining features of the landmark building.
- 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 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 City Landmark #8, Bayview Opera House, 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 proposed project is for the rehabilitation of a building used for public performances, exhibitions, and meeting space. 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 Bayview Opera House 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 unaffected by the proposed work. Any construction or alteration associated 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 with the conditions to (1) provide detailed Building Permit plan submittals shall be submitted to preservation staff for review and approval, (2) that said submittals shall note that new ramp and stair construction will not affix to the existing building, shall provide flashing and weather protection details, and shall include notes identifying existing features to be protected during construction, (3) that said submittals shall include details and section drawings for the proposed secondary entrance system at front entrance, (4) that the

Project Sponsor will work with preservation staff regarding possible inclusion of returns for the lower risers of the new stair, and (5) that material samples for replacement flooring material shall be submitted to preservation staff for review and approval, 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 Certificate of Appropriateness No. 2009.0903A** attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Certificate of Appropriateness to the Board of Supervisors within thirty (30) days after the date of this Motion No. 0043. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on January 6, 2010.

Linda D. Avery
Commission Secretary

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

NAYS: None

ABSENT: Commissioners Chase and Damkroger

ADOPTED: January 6, 2010

EXHIBIT A

Certificate of Appropriateness

Case No: 2009.0903A

Assessor's Block: Lot: 5311/036

Address of Property: 4701 3rd Street (aka 1601 Newcomb Avenue)

Date Application Filed: September 25, 2009

Historic Landmark: No. 8: Bayview Opera House or South San Francisco Opera House

Description of Work Proposed:

The proposed project is to removal of non-original concrete stairs at front entrance and construction of new concrete ramp and stair, adding secondary entrance at front door, replacing roll-up door on porch addition with paired doors, adding two ADA-accessible restrooms and new interior wall under the existing balcony in the main auditorium space, and installing metal columns under the existing balcony for seismic strengthening.

Final Action by the Historic Preservation Commission on January 6, 2010:

The Commission has reviewed the proposed work and has determined that the work would not have a significant impact upon and would not be potentially detrimental to the landmark building. A motion to APPROVE WITH CONDITIONS the work was passed 5-0 by the Historic Preservation Commission in conformance with the drawings stamped Exhibit A, on file in the docket for **Case No. 2009.0903A**. The proposal as designed is subject to the following conditions:

1. That detailed Building Permit plan submittals shall be submitted to preservation staff for review and approval.
2. That Building Permit submittals made to preservation staff for review and approval shall note that new ramp and stair construction will not affix to the existing building, shall provide flashing and weather protection details, and shall include notes identifying existing features to be protected during construction.
3. That Building Permit submittals made to preservation staff for review and approval shall include details and section drawings for the proposed secondary entrance system at front entrance.
4. That the Project Sponsor shall work with preservation staff regarding possible inclusion of returns for the lower risers of the new stair.

5. Material samples for replacement flooring material shall be submitted to preservation staff for review and approval.

Findings of the Historic Preservation Commission:

- That the new ramp and stairs at front entrance are compatible with the landmark building in terms of material, design, and detailing.
- That the essential form and integrity of the historic property and its environment would be unimpaired if the proposed new features were removed at a future date.
- That the proposal, as modified by proposed conditions, respects character-defining features of the landmark building.
- 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.

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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.

For these reasons, the proposal, with the conditions as described above, 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*.

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.

APPEAL: Any aggrieved person may appeal the action on this Certificate of Appropriateness to the Board of Supervisors. Contact the contact the Board of Supervisors at (415) 554-5184 for instructions on filing an appeal.

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.