



SAN FRANCISCO PLANNING DEPARTMENT

DATE: September 29, 2010
TO: Historic Preservation Commission
FROM: Timothy Frye, Acting Preservation Coordinator, (415) 575-6822
RE: Minor Permit to Alter for 33 Maiden Lane

At its September hearings the Historic Preservation Commission (HPC) heard information related to the delegation of Minor Permits to Alter to the Planning Department (Department). As part of the proposed delegation, the HPC has requested a 20-day (calendar) Request for Hearing period. The HPC will consider delegation of Minor Permits to Alter at its regularly scheduled hearing on October 6, 2010. If the HPC grants delegation at its October 6, 2010 hearing, the earliest that the Department may approve a Permit to Alter will be the last week in October (if a Request for Hearing is not filed).

There are currently a number of outstanding projects in the Department's queue that require a Permit to Alter. The Project Sponsor of the Permit to Alter for 33 Maiden Lane has requested that the HPC review the project so that they may meet their construction schedule and avoid the 20-day Request for Hearing period. Under the delegation, the Department would review this project administratively and it would be subject to the Request for Hearing notice period. The Department has submitted a draft Minor Permit to Alter Motion for your review and approval.

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SAN FRANCISCO PLANNING DEPARTMENT

DRAFT Permit to Alter MINOR ALTERATION MOTION # XXXXX

Date: September 29, 2010
Case No. 2010.0864H
Permit Application No.: 2010.07.20.0695
Project Address: 33 Maiden Lane
Conservation District: Kearny-Market-Mason-Sutter Conservation District
Category: Category I - Significant
Zoning: C-3-R (Downtown Retail)
80-130-F Height and Bulk District

Block/Lot: 0310/008
Applicant: Tristan Warren
Senior Associate
Zackl de Vito ARCHITECTURE
156 South Park
San Francisco, CA 94107

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ADOPTING FINDINGS FOR A MINOR PERMIT TO ALTER TO A CATEGORY I (SIGNIFICANT) BUILDING, TO REPLACE THE EXISTING NON-HISTORIC STOREFRONT SYSTEM WITH A NEW SYSTEM, SIGNAGE, AND EXTERIOR LIGHTING FOR THE PROPERTY LOCATED ON LOT 008 IN ASSESSOR'S BLOCK 0310. THE SUBJECT BUILDING IS WITHIN A C-3-R (DOWNTOWN RETAIL) ZONING DISTRICT, THE KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT, AND AN 80-130-F HEIGHT AND BULK DISTRICT.

Pursuant to the process and procedures adopted by the Historic Preservation Commission (HPC) and authorized by City Charter Section 4.135, the request for a Permit to Alter at **33 MAIDEN LANE AKA 28-36 GEARY STREET** is determined to be a Minor Alteration to a **CATEGORY I** Building within the **KEARNY-MARKET-MASON-SUTTER CONSERVATION DISTRICT** under the Downtown Plan.

Section 4.135 of the City Charter states that the HPC has (1) the authority to determine if a proposed alteration (Permit to Alter) should be considered a Major or a Minor Alteration, (2) the authority to approve, modify, or disapprove applications for permits to alter or demolish Significant or

Contributory buildings or any building within a Conservation District; and, (3) the authority to delegate this function to the Planning Department (Department) for work determined to be Minor, whose decision is appealable to the HPC.

The Historic Preservation Commission has reviewed the proposed project and grants APPROVAL in conformance with the architectural plans dated July 20, 2010 and labeled Exhibit A on file in the docket for Case No. 2010.0864H and associated with Permit Application No. 2010.07.20.0695

FINDINGS

The proposed scope of work includes **storefront replacement confined to the piers and lintels of the ground-floor commercial space, signage, and exterior lighting** and complies with the following requirements:

- a. The distinguishing historic qualities and character of the building may not be damaged or destroyed.

No historic fabric is proposed to be removed as part of this proposal.

- b. The integrity of distinctive stylistic features or examples of skilled craftsmanship that characterize a building shall be preserved.

The proposal will remove an existing non-historic storefront. All work is confined within the piers and lintels of the ground-floor commercial space and will not impact the integrity of any adjacent distinctive features or examples of skilled craftsmanship.

- c. Distinctive architectural features which are deteriorated shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material shall match the historic material in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features shall be based on historic, physical or pictorial evidence, if available, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

N/A

- d. Contemporary design of alterations is permitted, provided that such alterations do not destroy significant exterior architectural materials and that such design is compatible with the size, scale, color, material and character of the building and its surroundings.

The proposal includes the removal of the existing non-historic storefront system and replacement with a new compatible storefront system. The overall exterior profiles and storefront arrangement meets the Department's Storefront Standards and is determined to be compatible with the character-defining features of the subject building and the Conservation District; a horizontal metal panel will separate the main storefront glazing from the transom area and will match the overall historic proportion, scale, and character of ground-floor storefronts within the district; all glazing shall be clear vision glass; intake louvers will be located above the transom area but will be incorporated into the overall storefront system and will be installed behind an architecturally finished grille to conceal their appearance from the

public right-of-way. The storefront shall have a dark painted or powder coated finish. All new tenant signage shall be permitted under a separate permit application.

- e. All exterior alterations, including signage and awnings, shall be compatible with the character-defining features of the building and/or the Conservation District.

The proposal is found to be compatible with Appendix E of the Planning Code in terms of Massing, Composition, Scale, Materials, Detailing, and Ornamentation.

For these reasons, the above-cited work is consistent with the intent and requirements of Article 11 and will not be detrimental to the subject building and/or the Conservation District.

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 Permit to Alter Application, 2010.0864H** attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: APPEAL: Any aggrieved person may appeal this Motion to the Board of Appeals within fifteen (30) days after the date of this Motion No. XXXX. 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.

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

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 6, 2010

**Permit to Alter – Minor Alteration
Motion No. XXXXX
October 6, 2010**

**Case No. 2010.0864H
Permit Application No. 2010.07.20.0695
33 Maiden Lane**

1. **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 subject building and/or 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 subject building and/or Conservation District in conformance with the requirements set forth in Article 11 and 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 will not affect the City's diverse economic base and will not displace any business sectors due to commercial office development.

- 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 amendments. 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 respects the character-defining features of the subject building and/or Conservation District and is in conformance with the requirements set forth in Article 11 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.

2. For these reasons, the proposal meets the provisions of City Charter Section 4.135 and Article 11 regarding Permits to Alter.

