



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

**Historic Preservation Commission
Motion No. 0195
Permit to Alter
MAJOR ALTERATION**

HEARING DATE: APRIL 17, 2013

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Hearing Date: April 17, 2013
Filing Date: February 14, 2013
Case No.: **2013.0167H**
Project Address: **135 Powell Street**
Category: Category II (Significant)
Zoning: C-3-R (Downtown-Retail)
80-130-F Height and Bulk District
Block/Lot: 0326/003
Applicant: Tom Lewis
Tom Lewis Restoration & Consulting, INC.
768 Brannan Street
San Francisco, CA 94103
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ADOPTING FINDINGS FOR A PERMIT TO ALTER FOR MAJOR ALTERATIONS DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 11, TO MEET THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE CATEGORY II (SIGNIFICANT) PROPERTY LOCATED ON LOT 003 IN ASSESSOR'S BLOCK 0326. THE SUBJECT PROPERTY IS WITHIN A C-3-R (COMMERCIAL-RETAIL) ZONING DISTRICT AND AN 80-130-F HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on February 14, 2013, Tom Lewis of Restoration & Consulting INC. ("Applicant") filed an application with the San Francisco Planning Department ("Department") for a Permit to Alter for an exterior restoration. The subject building is located on Lot 003 in Assessor's Block 0326, a Category II (Significant) building historically known as the Emerson Building and locally designated under Article 11, Appendix B of the Planning Code. Specifically, the proposal is to replace the top course of

damaged terra cotta at the cornice line and just below the parapet wall (at horizontal geisons) with glass fiber reinforced concrete (GFRC) that would match in color, texture, and profile. The structural steel supporting the subject terra cotta will also be replaced due to corrosive damage.

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 April 17, 2013, the Commission conducted a duly noticed public hearing on Permit to Alter application No. 2013.0167H ("Project").

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, and has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby **APPROVES WITH CONDITIONS** the Permit to Alter, in conformance with the architectural plans dated February 25, 2013 and labeled Exhibit A on file in the docket for Case No. 2013.0167H based on the following findings:

CONDITIONS OF APPROVAL

1. The Project Sponsor shall submit a maintenance plan outlining how the match between the two materials will be maintained through time and the frequency of GFRC coating application requirement for review and approval by Department Preservation Staff prior to issuance of a building permit.
2. Cleaning of the terra cotta shall be conducted consistent with the masonry cleaning practice outlined in Preservation Brief 1 – Cleaning and Water-Repellent Treatments for Historic Masonry Buildings, which include but are not limited to, exercising extreme care in the cleaning of terra cotta to ensure no damage will occur as a result of cleaning and which may require several mock-ups prior to selection of the proper techniques.
3. The Project Sponsor shall submit revised plans with details that accurately match the profiles of the existing terra cotta units and replacement GFRC units prior to issuance of a building permit.

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 Commission has determined that the proposed work is compatible with the exterior character-defining features of the subject property and meets the requirements of Article 11 of the Planning Code:

- That the proposal will address public safety issues due to the damaged terra cotta becoming a falling hazard on the public right-of-way;
- That the new GFRC replacement units will match the existing historic terra cotta in design, color, texture and finish;
- That new GFRC replacement units will be installed only at the top course of the cornice where the existing terra cotta is beyond repair;
- That the proposal respects the character-defining features of the subject building;
- That the architectural character of the subject building will be maintained and that replacement elements will not affect the building's overall appearance;
- 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, finish and other visual qualities and shall be based on accurate duplication of features.
- That the proposed project meets the following *Secretary of the Interior's Standards for Rehabilitation*:

Standard 1: 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 4: Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Standard 5: Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will 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 7: Chemical or physical treatments, if possible, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials and features that characterize the building. 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

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 for Rehabilitation*.

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 subject property 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 will not have an 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 building 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 not affect the City's affordable 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. It will provide sufficient off-street parking for the proposed units.

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 is located on Market Street and will not have a direct impact on the displacement of industrial and service sectors.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

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 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 project will not impact the access to sunlight or vistas for the parks and open space.

5. For these reasons, the proposal overall, appears to meet the *Secretary of the Interior's Standards* and the provisions of Article 11 of the Planning Code regarding Major Alterations to Category II (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 a Permit to Alter** for the property located at Lot 003 in Assessor's Block 0326 for proposed work in conformance with the architectural submittal dated February 25, 2013 and labeled Exhibit A on file in the docket for Case No.

2013.0167H.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Permit to Alter shall be final unless appealed within thirty (30) days after the date of this Motion No. 0195. 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). For further information, please contact the Board of Appeals in person at 1650 Mission Street, (Room 304) or call (415) 575-6880.

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 17, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Hasz, Hyland, Johnck, Johns, Matsuda, Pearlman, Wolfram

NAYS: None

ABSENT: None

ADOPTED: April 17, 2013