



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

**Historic Preservation Commission
Motion No. 0200
Certificate of Appropriateness**

HEARING DATE: JUNE 5, 2013

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Hearing Date: June 5, 2013
Filing Date: January 23, 2013
Case No.: 2013.0080A
Project Address: 218 Union Street
Historic Landmark: Telegraph Hill Landmark District
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 0106 / 038
Applicant: John & Teresa Votruba
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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 038 IN ASSESSOR'S BLOCK 0106, WITHIN AN RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on January 23, 2013, John and Teresa Votruba ("Applicant") filed an application with the San Francisco Planning Department ("Department") for a Certificate of Appropriateness for (1) the installation of a new 42" guard rail setback 4' from the front (south) and east face of the building; (2) new steel post and beam bracing for the existing three chimney flues; and (3) for the construction of a 4' high firewall adjacent the west property line. The subject building is located on Lot 038 in Assessor's Block 0106, within the Telegraph Hill Landmark District.

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 June 5, 2013, the Commission conducted a duly noticed public hearing on the current project, Case No. 2013.0080A ("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, 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 Certificate of Appropriateness, in conformance with the architectural plans dated February 27, 2013 and labeled Exhibit A on file in the docket for Case No. 2013.0080A based on the following findings:

CONDITIONS OF APPROVAL

1. The project shall be returned to the HPC for review and approval if there is any expansion to the scope of work due to other Code requirements, such as an enclosed second means of egress or the addition of visible safety railings.
2. The Project Sponsor shall submit revised plans clearly illustrating the proposed railing set back a minimum of 4' from the south and east face of the building on all plans and elevations prior to the issuance of a building permit.
3. The Project Sponsor shall submit attachment details for the 42" guardrail prior to the issuance of a building permit.
4. The project sponsor shall submit revised plans with the chimneys bracing modified to match the existing boxed bracing system used on the other chimneys found on the subject roof. The revised bracing shall match the existing bracing in design, material and finish and be self-supporting without the need for additional support from the firewall.
5. The proposed firewall shall be eliminated from the proposal unless only in the event that a firewall is required per Building Code and/or Fire Code. The height of the fire wall shall be limited to the minimum dimensions required.

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 Commission has determined that the proposed work is compatible with the exterior character of

Telegraph Hill Historic District as described in the designation report dated August 21, 1986.

- That the proposal respects the character-defining features of the Telegraph Hill Historic District;
- That the proposed work will not result in the removal of any historic fabric;
- That the essential form and integrity of the historic district would be unimpaired if the proposed improvements were removed at a future date; and
- 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 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.

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 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 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 the Telegraph Hill 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 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 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 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.
 - 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 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 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 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.

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 Certificate of Appropriateness** for the property located at Lot 038 in Assessor's Block 0106 for proposed work in conformance with the project information dated February 27, 2013, labeled Exhibit A on file in the docket for Case No. 2013.0080A.

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.

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 June 5, 2013.

Jonas P. Ionin
Acting Commission Secretary

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

NAYS:

ABSENT:

ADOPTED: June 5, 2013