



# SAN FRANCISCO PLANNING DEPARTMENT

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## Historic Preservation Commission Motion No. 0236

HEARING DATE: SEPTEMBER 17, 2014

*Filing Date:* March 21, 2014  
*Case No.:* **2014.0412A**  
*Project Address:* **79 FAIR OAKS STREET**  
*Historic Landmark:* Liberty-Hill Landmark District  
*Zoning:* RH-3 (Residential – House, Three Family) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 3618/090  
*Applicant:* Andy, Rodgers  
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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 090 IN ASSESSOR'S BLOCK 3618, WITHIN THE RH-3 (RESIDENTIAL – HOUSE, THREE FAMILY) ZONING DISTRICT, 40-X HEIGHT AND BULK DISTRICT, AND THE LIBERTY-HILL LANDMARK DISTRICT.**

### PREAMBLE

WHEREAS, on March 21, 2014, Andy Rodgers (Applicant) on behalf of Paul and Irit Seligman (Property Owners) filed an application with the San Francisco Planning Department (Department) for a Certificate of Appropriateness to alter the exterior of the south façade by adding two window openings, construct a rear side addition for interior stairs that would connect the ground and second floors, and enlarge two door and one window opening at the rear façade of the subject property located on Lot 090 in Assessor's Block 3618.

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 September 17, 2014, the Commission conducted a duly noticed public hearing on the current project, Case No. 2014.0412A (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 July 7, 2014 and labeled Exhibit A on file in the docket for Case No. 2014.0412A based on the following findings:

## **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 June 14, 2001.

- That the alteration at the south façade through the addition of two new 7'-6" x 3' window openings along the ground floor approximately 26' and 17' from the rear wall will not affect character-defining features of the subject building, and are compatible with the character-defining features of the Liberty-Hill District.
  - That the construction of an approximately 50 sq. ft. side addition along the north property boundary for new interior stairs that would connect the recently converted first floor with the second floor, the enlargement of an exterior door and window opening at the rear façade of the ground floor, and the enlargement of a door opening at the second floor also at the rear façade are compatible with the character-defining features of the subject building and landmark district in height, scale, materials, and detailing.
  - That the essential form and integrity of the subject building and historic district would be unimpaired if the proposed alterations were removed and replaced at a future date.
  - That the proposal is in conformance with the requirements of Article 10.
  - The proposed project meets all of the relevant Secretary of the Interior's Standards for Rehabilitation.
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 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 79 Fair Oaks Street, a contributing resource to the Liberty-Hill District, 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 and will not impact existing 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 impact or reduce the affordable housing supply, since no affordable housing is present on the project site.*

- 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. No existing on-street parking for the existing two-family residential building will be removed.*

- 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 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.

*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 the 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*, 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 a Certificate of Appropriateness** for the property located at Lot 090 in Assessor's Block 3618 for proposed work in conformance with the architectural plans dated July 7, 2014, labeled Exhibit A on file in the docket for Case No. 2014.0412A.

**APPEAL AND EFFECTIVE DATE OF MOTION:** The Commission's decision on a Certificate of Appropriateness 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).

**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 three (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 September 17, 2014.

Jonas P. Ionin  
Commission Secretary

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

NAYS: None

ABSENT: None

ADOPTED: September 17, 2014