

1 [Support for the Preservation and Restoration of Sacred Heart Church]
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3 **Resolution pronouncing the support of the City of San Francisco for the preservation**
4 **and restoration all historic features recently removed and sold from Sacred Heart**
5 **Church, urging the Department of Building Inspection to investigate and publically**
6 **report on violations of the Building and Planning Codes due to the removal of these**
7 **historic features, and requesting the City Attorney to investigate, publically report on,**
8 **and take legal action to remedy such violations of the Building and Planning Codes**
9 **and all violations of other laws, including historic preservation laws.**
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12 WHEREAS, San Francisco's unique architectural and historic character significantly
13 improves the quality of life for all its residents, and strongly contributes to San Francisco
14 being a prime tourist destination; and

15 WHEREAS, Sacred Heart Church has stood sentinel over the Western Addition
16 neighborhood for 108 years and is a landmark silhouette in the city's landscape having been
17 designed by famed architect Thomas J. Welsh who blended Lombard and Classical Revival
18 Styles and is his last standing ecclesiastical work in San Francisco; and

19 WHEREAS, Sacred Heart Church was built by the Irish and became the largest Irish
20 parish west of Chicago and subsequently served all immigrant groups including Italians,
21 Latinos, African-Americans, and Filipino-Americans during both prosperous and difficult
22 times; and

23 WHEREAS, Sacred Heart Church is still loved for its architectural aspects and rich
24 history of service to a broad range of San Franciscans reflecting changing times and the
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1 diversity of The City having served the Western Addition community and San Francisco since
2 1896; and

3 WHEREAS, Sacred Heart Church, where generations of San Franciscans gathered as
4 a community and celebrated the passages of their lives, is seasoned with the very spirit of
5 San Francisco and serves as a living reminder of the enduring nature of San Franciscans
6 having survived the 1906 earthquake; and

7 WHEREAS, The interior artscape of Sacred Heart is as fine as any grand cathedral
8 anywhere, being embellished with rare frescoes, three Attilio Morretti Carrara marble altars,
9 delicate ceiling murals, and the exquisite Fritz-Mayer exterior rose windows; and

10 WHEREAS, Sacred Heart Church was sold to Megan Furth Academy in 2005 with the
11 understanding that Megan Furth Academy would respect and preserve the character of
12 Sacred Heart Church to benefit the citizens of San Francisco, while reusing the church for the
13 Megan Furth Academy; and

14 WHEREAS, The National Register of Historic Places Commission of the State Office
15 of Historic Preservation met on January 29th, 2010 to discuss the historic significance of
16 Sacred Heart Church; and

17 WHEREAS, In March 2010, the State Office of Historic Preservation found Sacred
18 Heart Church eligible for listing on the National Register of Historical Places (National
19 Register); and

20 WHEREAS, Sacred Heart Church would be listed on the National Register but for the
21 objection of the owner of the church, the Megan Furth Academy; and

22 WHEREAS, Listing on the National Register affords a property the honor of inclusion
23 in the nation's official list of cultural resources worthy of preservation and provides a degree
24 of protection from adverse effects from federally funded or licensed projects; and

1 WHEREAS, A project that may cause substantial adverse changes in the significance
2 of a property eligible for listing on the National Register requires compliance with local
3 ordinances and the California Environmental Quality Act, under which "substantial adverse
4 changes" include demolition, destruction, relocation, or alteration such that the significance of
5 an historical resource would be impaired; and

6 WHEREAS, In late May and June 2010, the Megan Furth Academy, without permits,
7 and without notice to or consultation with any City agency or the community, removed the
8 exterior north and south rose windows, the three Attilio Moretti Carrara marble altars, the
9 Hook & Hastings pipe organ, wall sconces, transoms, the oak entry doors to the church, and
10 pews from the church; and

11 WHEREAS, It appears that the Megan Furth Academy removed these historic features
12 of the church on or about June 5-6, 2010 in violation of express DBI stop work orders; and

13 WHEREAS, The Megan Furth Academy apparently then sold and delivered these
14 historic features of Sacred Heart church to private buyers, whose identities and locations are
15 at present unknown to the City; and

16 WHEREAS, According to the Secretary of the Interior's "Standards for the Treatment
17 of Historic Properties," the subject of Preservation Standard 2 notes that "the historic
18 character of a property will be retained and preserved" and Preservation Standard 4 notes
19 that "changes to a property that have acquired historical significance in their own right will be
20 retained and preserved;" and

21 WHEREAS, The removal of these historic features of the church is in violation of both
22 the spirit of the 2005 understanding as well as these standards for the preservation of historic
23 resources; and

24 WHEREAS, The removal of these historic features from the church was in apparent
25 violation of relevant building and planning codes, the Department of Building Inspection (DBI)

1 issued Notice of Violation June 2, 2010, following up with Stop-work order on June 3, 2010,
2 documentary evidence of said DBI actions is on file with the Clerk of the Board of Supervisors
3 in File No.100765 which is hereby declared to be a part of this resolution as if set forth fully
4 herein; and

5 WHEREAS, It appears that the architectural salvage operation was completed over the
6 weekend of June 5-6, 2010 in violation of DBI express orders; now, therefore, be it

7 RESOLVED, That the Board of Supervisors of the City and County decries this
8 removal, sale, and transfer of historic features of Sacred Heart Church; and, be it further

9 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
10 hereby declares it unqualified support for for the preservation and restoration of Sacred Heart
11 Church and lauds the work of the Save Our Sacred Heart organization for its tenacious
12 preservation efforts; and, be it further

13 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
14 strongly urges the parties responsible for recent removal, sale, and transfer of historic
15 features from Sacred Heart Church to take all necessary steps to ensure the return and
16 restoration of these features to their rightful, historic place in the church; and, be it further

17 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
18 hereby requests that the Department of Building Inspection investigate and publically report
19 on violations of the Building and Planning Codes due to the removal of these historic features
20 from the church; and, be it further

21 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
22 hereby requests that the City Attorney investigate and publically report on the status of
23 enforcement of such violations of the Building and Planning Codes and, further, to the extent
24 the City may have standing, pursue litigation against all responsible parties to compel the
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1 restoration of these historic features of the church and to enforce compliance with all city,
2 State, and Federal laws protecting historic structures; and, be it further

3 RESOLVED, That the Clerk of the Board of Supervisors send a copy of this Resolution
4 to the Department of Building Inspection, the San Francisco City Attorney, the owner of
5 record of the Sacred Heart Church located at 554 Fillmore St., and to the President of the
6 Save Our Sacred Heart organization.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100765

Date Passed: November 16, 2010

Resolution pronouncing the support of the City of San Francisco for the preservation and restoration all historic features recently removed and sold from Sacred Heart Church, urging the Department of Building Inspection to investigate and publically report on violations of the Building and Planning Codes due to the removal of these historic features, and requesting the City Attorney to investigate, publically report on, and take legal action to remedy such violations of the Building and Planning Codes and all violations of other laws, including historic preservation laws.

June 15, 2010 Board of Supervisors - REFERRED

November 08, 2010 Land Use and Economic Development Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

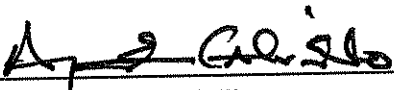
November 08, 2010 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED

November 16, 2010 Board of Supervisors - ADOPTED

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar and Mirkarimi
Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd and Maxwell


File No. 100765

I hereby certify that the foregoing Resolution was ADOPTED on 11/16/2010 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Date: November 18, 2010

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Angela Calvillo
Clerk of the Board

File No.
100765