



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion No. 0197 Permit to Alter MAJOR ALTERATION

HEARING DATE: MAY 15, 2013

Filing Date: October 24, 2012
Case No.: 2008.1084H
Project Address: 706 Mission Street
Conservation District: New Montgomery-Mission-Second Conservation District
Category: Category I (Significant) – Aronson Building
Zoning: C-3-R (Downtown Retail)
400-I Height and Bulk District
Block/Lot: 3706/093
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ADOPTING FINDINGS, INCLUDING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR A PERMIT TO ALTER FOR PROPOSED WORK DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 11, TO MEET THE STANDARDS OF ARTICLE 11 AND TO MEET THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED AT 706 MISSION STREET (ASSESSOR'S BLOCK 3706, LOTS 093, 275, AND PORTIONS OF LOT 277), WITHIN THE C-3-R (DOWNTOWN OFFICE) DISTRICT AND THE 400-I HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on October 24, 2012, Margo Bradish, Cox Castle & Nicholson LLP on behalf of the property owner, 706 Mission Street Co LLC, a Delaware limited liability company ("Applicant") filed an application with the San Francisco Planning Department ("Department") for a Permit to Alter for an interior and exterior rehabilitation, as well as seismic upgrade of the Aronson Building and new related construction of a 47-story, 550'-tall tower with up to 215 residential units and a museum (the future home of The Mexican Museum) adjacent to the Aronson Building and located partially within the new

Montgomery-Mission-Second Street Conservation District. The project would also reconfigure portions of the existing Jessie Square Garage to increase the number of parking spaces from 442 spaces to 470 spaces, add loading and service vehicle spaces, and would allocate up to 215 parking spaces within the garage to serve the proposed residential uses.

On June 27, 2012, the Department published a draft Environmental Impact Report (EIR) for public review. The draft EIR was available for public comment until August 13, 2012. On August 2, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On March 7, 2013, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project. The DEIR, together with the Responses to Comments constitute the Final EIR.

On March 21, 2013, the Planning Commission, by Motion No. 18829, certified the Final EIR, finding that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*) ("CEQA"), 14 California Code of Regulations Sections 15000 *et seq.* ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The certification of the FEIR was appealed to the Board of Supervisors. On May 7, 2013, the Board of Supervisors rejected the appeal and affirmed the certification of the FEIR.

The Planning Department is the custodian of records, located in the File for Case No. 2008.1084E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP"), which material was made available to the public and this Commission for this Commission's review, consideration and action. The mitigation measures described in the Final EIR are set forth in their entirety in the MMRP attached to this Motion as Exhibit 2.

WHEREAS, on May 15, 2013, the Historic Preservation Commission conducted a duly noticed public hearing on the Permit to Alter project, Case No. 2008.1084H ("Project") to consider its compliance with the Secretary of the Interior's Standards and Article 11 of the Planning Code.

WHEREAS, in reviewing the Application, the Historic Preservation 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, including the FEIR, has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Historic Preservation Commission hereby adopts findings under the California Environmental Quality Act, Public Resources Code §§21000 *et seq.* (CEQA), the CEQA Guidelines, 14 Cal. Code. Regs. §§15000 *et seq.*, and Chapter 31 of the San Francisco Administrative Code, including a statement of overriding considerations (attached hereto as Exhibit 1); adopts the MMRP for the proposed project (attached hereto as Exhibit 2); and grants the Permit to Alter, in conformance with the architectural plans labeled Exhibit H on file in the docket for Case No. 2008.1084H and the listed conditions based on the following findings:

CONDITIONS OF APPROVAL

Storefront

- (1) Construction details of the proposed storefront and entrance doors that indicate all exterior profiles and dimensions shall be based on historic photograph documentation and shall be subject to review and approval by Department Preservation Staff prior to the approval of the architectural addendum.
- (2) All storefront finishes shall have a non-metallic powder coated or painted finish. All color and finish samples for storefronts shall be submitted to Department Preservation Staff for review and approval as part of the architectural addendum.

Entryway

- (3) The final design incorporating any historic fabric if discovered and, including shop drawings for the new contemporary arched opening proposed along the Mission Street façade shall be based on photographic or physical evidence and shall be included in the architectural addendum for review and approval by Department Preservation Staff.
- (4) All exterior materials and finish samples shall be reviewed and approved by Department Preservation Staff prior to fabrication and prior to the approval of site permit or architectural addendum.

Canopy

- (5) Final design, including finish and materials to match proposed storefronts, and shop drawings for the attachment details of the canopies at the Third Street entry and north façade shall be reviewed and approved by Department Preservation Staff prior to fabrication and prior to the architectural addendum.
- (6) Attachment details of the proposed canopies indicating that the canopies will be attached in a manner that will avoid damage to the historic fabric shall be submitted for review and approval by Department Preservation Staff prior to approval of the architectural addendum.

Signage

- (7) The sign program for the Aronson Building, including lighting proposed, shall be submitted for review and approval by staff under a new (Minor) Permit to Alter at a later date.

Existing Windows

- (8) The replacement windows for the non-historic windows on the Third and Mission Street elevations shall be wood windows that closely match the configuration, material, and all exterior profiles and dimensions of the historic windows based on historic photographic evidence.

Exterior Repairs

- (9) Documentation indicating the results of a thorough façade inspection shall be submitted for review and approval by Department Preservation Staff. The façade inspection document shall clearly identify the extent of damage and the parts that will be repaired, replaced in kind or those that are damaged beyond repair, requiring replacement with substitute materials.

Colusa Sandstone

- (10) Cleaning of the Colusa sandstone shall be conducted consistent with the masonry cleaning practice outlined in Preservation Brief 1 – Cleaning and Water-Repellent Treatments for Historic Masonry Buildings. The coating or paint type, color, and layering on the Colusa sandstone shall be researched before attempting its removal. Analysis of the nature of any unsound materials or paint to be removed from the sandstone shall be submitted to Department Preservation Staff for review and approval. In addition, initial testing shall be done on a small obscure location on the façade. All existing coatings shall be removed from the sandstone by gentlest means possible. A mock-up of proposed coating shall be conducted prior to selection of a product to ensure that coating shall not alter the natural finish, color or texture of the stone.

Terra Cotta

- (11) 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 brick and conducting mock-ups to ensure no damage will occur as a result of cleaning. In addition, cleaning of the terra cotta shall proceed with the gentlest means, which may require several mock-ups prior to selection of the proper techniques as determined by a qualified preservation architect.

Architectural Cast Iron

- (12) All proposed replacement of missing elements within the architectural features shall be in kind. Only in instances where entire features are missing (e.g. scroll capitals along Third Street) shall be replaced with substitute material after review and approval by Department Preservation Staff.

Exterior Paint

- (13) Prior to application of the exterior paint finish on the cast iron, a paint analysis shall be performed on representative samples after proper cleaning of the existing materials for review and approval by Department Preservation Staff.

Sheet Metal

- (14) Substitute materials shall not be used to repair the existing cornice or replace missing cornice details and instead shall be replaced in-kind.

Substitute Materials

- (15) A mock-up of any replacement material proposed shall be reviewed and approved by Department Preservation Staff prior to installation.
- (16) Specifications and shop drawings for all replacement of the exterior materials on the Aronson Building shall be included in the architectural addendum for review and approval by Department Preservation Staff.
- (17) The replacement material shall closely match the characteristics of the historic material. The shop drawings for any replacement material proposed shall be included in the architectural addendum and are subject to review and approval by Department Preservation Staff to ensure that the replacement features, if applicable, closely match all exterior profiles, dimensions, and detailing

of the historic features as well as match the color, tone, and texture from a representative range of cleaned samples from the building

- (18) Prior to the production of the building features proposed to be replaced with substitute materials and the approval of the architectural addendum, Department Preservation Staff shall review site mock-ups of the replacement materials, including a mock-up of all exterior finish.

New Window Openings

- (19) The frames and finishes of the new windows proposed on the upper floors of the north façade shall match those proposed for the storefronts along the Third and Mission Street facades as well as the storefronts on the north façade.

Rooftop Addition

- (20) Final design, including details and finish material samples of the proposed solarium and glass railing/windscreen on the roof shall be reviewed and approved by Department Preservation Staff.

Tower Height and Massing

- (21) Any reduction of the overall height and massing of the proposed tower adjacent to the Aronson Building shall be reviewed and approved by Department Preservation staff provided that all other conditions of approval outlined in this motion are met.
- (22) The Project Sponsor shall continue to work with Department Preservation staff on the design of the tower base in order to ensure compatibility with the adjacent Aronson Building, the New Montgomery-Mission-Second Street Conservation District and surrounding context. Specifically, the materials, finishes, character and massing of the base of the tower shall be further refined to be of pedestrian scale. This final design of the tower base shall return to the Architectural Review Committee of the Historic Preservation Commission for review and comment to confirm that these issues have been addressed prior to approval of the architectural addendum.

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

- That the proposed additions and alterations respect the character-defining features of the subject building;
- That the architectural character of the subject building will be maintained and those features that affect the building's overall appearance that are removed or repaired shall be done so in-kind;
- All architectural elements and cladding will be repaired where possible in order to retain as much historic fabric

as possible;

- That the proposal calls for retaining sound historic materials and replacing in-kind or with salvaged materials when necessary;
- That the integrity of distinctive stylistic features and examples of skilled craftsmanship that characterize the Aronson Building will be preserved;
- That the new addition on the rooftop will have a contemporary design that is compatible with the size, scale, color, material, and character of the Aronson Building and surroundings, and will not destroy significant features of the building;
- That the new addition on the rooftop will be minimally visible from the public right-of-way as it will be one-story in height over the roof level, setback approximately 23' setback from the Third Street façade and 27' setback from the Mission Street façade, and cover less than 75% of the roof area;
- That the installation of the proposed new elements, such as the rooftop solarium, railings on the rooftop, windows on the north elevation, and storefronts on the two primary elevations, the north (secondary) elevation as well as the proposed adjacent tower, will 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;
- That the proposed work will not cause the removal, alteration, or obstruction of any character-defining features of the Aronson Building. The portions of the wall proposed to be removed for the creation of window openings on the north elevation will not remove more than 30% of the wall area, will not remove any distinctive materials or significantly alter the historic character of the Aronson Building. In addition, all structural, mechanical, electrical, plumbing installations will be designed in a manner which does not affect any character-defining features of the buildings and will occur in areas that are not visible from the street;
- That the proposed alterations and related adjacent construction will be carefully differentiated from the existing historic Aronson Building and will be compatible with the character of the property and district, including the proposed glass railings/windcreens, windows and doors, storefronts, rooftop addition and adjacent tower;
- That any chemical or physical treatments will be undertaken using the gentlest means possible and under the supervision of a historic architect or conservator;
- That Mitigation Measure M-NO-2c: Vibration Monitoring and Management Plan, of the *Mitigation Monitoring and Reporting Program for the 706 Mission Street – Mexican Museum Project Environmental Impact Report* pertaining to the potential for direct physical damage to the Aronson Building resulting from vibration during construction of the proposed project tower will ensure the protection of the Aronson Building.
- That the proposed project meets the following *Secretary of the Interior's Standards for Rehabilitation*:

Standard 1:

A 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.

The project will retain commercial uses, or introduce new uses that will be compatible with the Aronson Building. With the exception of the Aronson Building structural system and window frames at upper floors, there are no character-defining features on the interior. The window frames and the structural system will be retained and the new interior layout and features, including partition walls, stairs and other

major building elements will be designed in a manner that will not obscure the fenestration of the rehabilitated Third and Mission Street facades. Therefore, the proposed alteration of the interior to accommodate the new use will not impact historic fabric or features that characterize the Aronson Building.

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.

The existing Aronson Building will be maintained and protected prior to and during construction to prevent deterioration and/or damage, and ensure preservation of historic fabric. In addition, the proposed exterior alterations to the Aronson Building such as the new windows, storefront systems, and canopy on the north elevation occur on secondary elevations. Furthermore, the proposed one-story solarium addition on the rooftop will be substantially setback from the edges of the Aronson Building (23' from the Third Street façade, 27' from the Mission Street façade and 21' from the north façade) and will be minimally visible from the street. The proposed glass rail/windscreen along the primary facades will not be visible from the streets given its 3' 6" height and 1' 6" setback from the parapet wall. As conditioned, the 10' high portion of the glass railing/windscreen along the north façade will be setback at least 5' from the parapet wall, ensuring minimal visibility from across Third Street. The proposed new tower construction will also be located on a tertiary, previously altered elevation and will not result in the loss of any historic materials or features.

Standard 3:

Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

The introduction of new storefronts and windows on the primary elevations are based on photographic documentation on the primary elevations is compatible with the adjoining historic fabric and are consistent with the original design of the Aronson Building in terms of proportions, profiles and configurations. The new punched windows on the north elevation will be clearly differentiated but compatible with the character of the Aronson Building. As conditioned, the replacement windows on the primary facades will be wood framed single light windows and as such will be compatible with the existing Aronson Building as they are based on physical and photographic documentation.

Standard 4:

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

There are no identified changes to the Aronson Building that have acquired historic significance in their own right. Other existing incompatible and non-historic 1978 additions on the north and west elevations, and storefront infill will be removed as part of the proposed rehabilitation.

Standard 5:

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The proposed project will retain and restore all distinctive materials, features, and finishes as well as construction techniques and examples of craftsmanship. Specifically the proposed project will rehabilitate all of the character-defining features of the Aronson Building, such as the exterior cladding in buff-colored glazed brick, the terra cotta and sandstone ornament, including sandstone entablatures and piers, brick pilasters, capitals, frieze, spandrel panels and window sills, cast iron pilasters between ground-floor storefronts, galvanized sheet metal cornice with paired scrolled brackets and block modillions historic entrance locations on Third and Mission Street facades, as well as the wood flagpole on the roof. The original Aronson Building entrance including the bronze door frame and arched transom frame at the Third Street entrance will be retained, cleaned and rehabilitated. As part of the proposed project, any extant material associated with the Mission Street historic entryway exposed during demolition will be retained, cleaned and rehabilitated. As conditioned, Department Preservation Staff will review and approve the final design, including materials and details for a new compatible contemporary arched opening that will be built at the original location with new metal portal surround, side lights and new glass entry double doors, matching those proposed for the Third Street façade, if no historic entryway is found after demolition.

Standard 6:

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The proposed project will retain and restore all distinctive materials, features, and finishes, as well as construction techniques and examples of craftsmanship that characterize the Aronson Building. The project also proposes to replace elements deteriorated beyond repair or missing elements in kind. If the material is no longer available, it will be replaced using a substitute material that matches the profile and configuration of the original based on physical or photographic documentation and following the practice outlined in Preservation Brief 16 - Use of Substitute Materials on Historic Building Exteriors. As conditioned, site mock-up of any substitute material used will be reviewed and approved by Department Preservation Staff prior to fabrication and prior to the approval of architectural addendum.

Standard 7:

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

The project will comply with Rehabilitation Standard 7, in such that the project will adhere to the recommendations in the HSR and as conditioned, will following 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 brick and conducting mock-ups to ensure no damage will occur as a result of cleaning; cleaning of terra cotta proceed with the gentlest means,

which may require several mock-ups prior to selection of the proper techniques and that the treatment approaches for the various historic materials be determined by a qualified preservation architect.

Standard 8:

Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Mitigation measures are identified in the EIR and incorporated in the Mitigation Monitoring and Reporting Program, which require archaeological monitoring during construction of the adjacent tower to ensure that the project will not result in a significant impact to archaeological resources.

Standard 9:

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. 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.

The proposed additions, exterior alterations and related new construction will not destroy historic materials, features and spatial relationship that characterizes the Aronson Building in that most of the related new construction is proposed on secondary facades. The one-story solarium will be added on the rooftop and will be substantially setback from the primary facades of the Aronson Building (23' from the Third Street façade, 27' from the Mission Street façade and 21' from the north façade) minimizing the perceived mass and visibility of the addition from the public right-of-way. The canopy, new storefront system and new window openings along the north façade are also additions located on secondary elevations and are designed in a manner to be compatible with and not destroy historic materials, features, and spatial relationships that characterize the Aronson Building. In addition, the proposed tower construction will be located on the previously altered west elevation that has no ornamental detail or historic fenestration. The new storefronts on the primary facades will be designed to closely match the historic storefronts in proportion, profiles and configuration based on physical and photographic evidence. As conditioned, the replacement windows on upper floors of the primary facades will consist of wood window frames with profiles, configuration, color and operation that will closely match the historic windows based on physical and photographic evidence to ensure compatibility with the character of the Aronson Building.

All new work will be clearly differentiated from the old yet be compatible with the historic materials, features, size, proportion, and massing. Specifically the proposed storefronts, new canopies, new windows on the north façade, and solarium on the roof top will be clearly differentiated through the use of contemporary detailing and materials. In addition, the adjacent tower will be differentiated in its modern, contemporary design vocabulary, yet be compatible with the Aronson Building and the New Montgomery-Mission-Second Street Conservation District as fully described in the attached memorandum (Exhibit L) prepared by Page & Turnbull and dated May 3, 2013, the proposed tower is compatible with the Conservation District. Specifically, the lower levels of the tower would align with their counterparts in the Aronson Building, creating a relationship between the two structures that would be expressed on the exterior of the proposed tower. Furthermore, the tower is designed consistent with Preservation Brief 14:

"New Exterior Additions to Historic Buildings: Preservation Concerns" which calls for the design of additions to historic resources in dense urban locations to read as an entirely separate building.

Although the proposed height of the tower is much taller than the Aronson Building, the proposed location and articulation of the tower as a related but visually separate building from the Aronson Building maintains a context that is similar to many buildings of varying heights within the district and the immediate vicinity thereby retaining the spatial relationships that characterize the property within the District. The proposed massing and articulation of the tower further differentiate it from the Aronson Building, allowing each to maintain a related but distinct character and physical presence. Furthermore, as conditioned, the proposed tower design will be revised including finishes and materials that are compatible and consistent with the Aronson Building as well as the surrounding District.

Standard 10:

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment will not be impaired.

The proposed new tower construction and alterations to the Aronson Building will not remove significant historic fabric, and have been designed to be unobtrusive to the architectural character of the Aronson Building and District in conformance with Secretary's Standards. While unlikely, if removed in the future, the proposed alterations at the roof, the primary and secondary facades, and the new adjacent tower, would not have an impact on the physical integrity or significance of the Aronson Building or the District in conformance with Standard 10 of the Secretary's Standards.

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 for the future enjoyment and education of San Francisco residents and visitors.

3. 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 any 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 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 reduce the 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 uses.
 - 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 proposal will retain its existing commercial use to contribute to the diverse economic base of downtown.

- 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 improved by the proposed work. The work will eliminate unsafe conditions at the site and 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 unduly impact the access to sunlight or vistas for the parks and open space.

4. For these reasons, the proposal overall, appears to meet the Secretary of the Interior's Standards for Rehabilitation and the provisions of Article 11 of the Planning Code regarding Major Alterations to Category I (Significant) buildings.
5. California Environmental Quality Act Findings. This Commission hereby incorporates by reference as though fully set forth and adopts the CEQA findings attached hereto as Exhibit 1.

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 **ADOPTS the MMRP (attached as Exhibit 2) and GRANTS a Permit to Alter** for the property located at Assessor's Block 3706, Lot 093 for proposed work in conformance with the renderings and architectural plans labeled Exhibit A on file in the docket for Case No. 2008.1084H.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Permit to Alter 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).

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
May 15, 2013.

Jonas P. Ionin

Acting Commission Secretary

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

NAYS:

ABSENT:

ADOPTED: May 15, 2013