

File No. 100765

Committee Item No. \_\_\_\_\_

Board Item No. 41

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: NA

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: June 15, 2010

**Cmte Board**

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Ethics Form 126
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

**OTHER**

(Use back side if additional space is needed)

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<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Victor Young

Date June 10, 2010

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.



1 [Urging Support for the Enforcement of the Preservation and Restoration of Sacred Heart  
2 Church.]  
3

4 Resolution urging the Department of Building Inspection to diligently monitor the  
5 status and the condition of the Historic Sacred Heart Church, documenting the  
6 understanding between the Megan Furth Academy and its neighbors, seeking re-  
7 installation of the exterior stained glass windows and requesting the City Attorney to  
8 open an investigation for the purpose of enforcing possible violation of the Building  
9 and Planning codes.  
10

11  
12 WHEREAS, San Francisco's unique architectural and historic character increase the  
13 quality of life for all its residents, and help to make it a prime tourist destination; and,

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

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

22 WHEREAS, Sacred Heart Church is still loved for its architectural aspects and rich  
23 history of service to a broad range of San Franciscans reflecting changing times and the  
24 diversity of The City having served the Western Addition community and San Francisco since  
25 1896;and,

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

5 WHEREAS, The interior artscape of Sacred Heart is as fine as any grand cathedral  
6 anywhere being embellished with rare frescoes, Carrera marble altars, delicate ceiling murals,  
7 and the exquisite Fritz-Mayer rose windows; and,

8 WHEREAS, Sacred Heart Church was sold to Megan Furth Academy in 2005 with the  
9 understanding that Megan Furth Academy would preserve, at a minimum, the exterior of the  
10 church thereby maintaining the character of the neighborhood, and,

11 WHEREAS, The National Register of Historic Places Commission of the Office of  
12 Historic Preservation met on January 29th, 2010 to discuss the local level of significance of  
13 Sacred Heart Church, and,

14 WHEREAS, On April 5th, 2010, the Office of Historic Preservation of the California  
15 Department of Parks and Recreation notified Kelley & VerPlanck Historical Resources  
16 Consulting, LLC that Sacred Heart Church had been inducted into the National Register of  
17 Historical Places (National Register) on March 23, 2010, a copy of said April 5th 2010 letter is  
18 on file with the Clerk of the Board of Supervisors in File No. 100765, which is hereby declared to  
19 be a part of this resolution as if set forth fully herein; and,

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

23 WHEREAS, A project that may cause substantial adverse changes in the significance  
24 of a registered property may require compliance with local ordinances or the California  
25 Environmental Quality Act, under which "substantial adverse changes" include demolition,

1 destruction, relocation, or alteration such that the significance of an historical resource would  
2 be impaired; and

3 WHEREAS, On May 26, 2010, The City was notified that the north Rose window of the  
4 church was missing and open to the elements; and,

5 WHEREAS, Further investigation of the site revealed that an apparent architectural  
6 salvage operation was underway; and,

7 WHEREAS, According to the Secretary of the Interior's "Standards for the Treatment  
8 of Historic Properties", the subject of Preservation Statute 2 notes that "the historic character  
9 of a property will be retained and preserved" and Preservation Statute 4 notes that "changes  
10 to a property that have acquired historical significance in their own right will be retained and  
11 preserved"; and,

12 WHEREAS, Simple visual inspection as well as eyewitness accounts indicate that  
13 Sacred Heart Church has seen alterations to both its façade and interior the last two weeks in  
14 apparent violation of both the spirit of the 2005 understanding as well as standards for  
15 treatment of registered historic resources; and,

16 WHEREAS, The architectural salvage operation was in apparent violation of relevant  
17 building and planning codes, the Department of Building Inspection (DBI) issued Notice of  
18 Violation June 2, 2010, following up with Stop-work order on June 3, 2010; documentary  
19 evidence of said DBI actions is on file with the Clerk of the Board of Supervisors in  
20 File No. <sup>100765</sup>, which is hereby declared to be a part of this resolution as if set forth fully  
21 herein; and

22 WHEREAS, It appears that the architectural salvage operation was completed over the  
23 weekend of June 5-6, 2010 in violation of DBI express orders; now, therefore be it  
24  
25

1 RESOLVED, That the Board of Supervisors of the City and County decries the  
2 behavior of those responsible for demolishing parts of an historically significant building; and,  
3 be it further

4 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
5 hereby declares its unqualified support for preserving the character of the neighborhood  
6 anchored by Sacred Heart Church and lauds the work of the Save our Sacred Heart  
7 organization for its tenacious preservation efforts; and, be it further

8 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
9 strongly urges the parties responsible for removal of the stained glass windows of Sacred  
10 Heart be returned to their original, historic place in the façade of the church; and, be it further

11 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
12 hereby requests that the City Attorney open an investigation into the matter of the apparent  
13 architectural salvage of Sacred Heart Church and pursue all remedies available in equity and  
14 at law to, if possible, compel the restoration of the stained glass windows and deter further  
15 non-compliance with relevant city and State law pertaining to historical structures; and, be it  
16 further

17 RESOLVED, That the Clerk of the Board of Supervisors send a copy of this Resolution  
18 to the Department of Building Inspection, the San Francisco City Attorney, the owner of  
19 record of the Sacred Heart Church located at 554 Fillmore St., and to the President of the  
20 Save our Sacred Heart organization.

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

O. BOX 942896  
ACRAMENTO, CA 94296-0001  
(916) 653-6624 Fax: (916) 653-9824  
calshpo@ohp.parks.ca.gov



April 5, 2010

Shannon Ferguson  
Kelley & VerPlanck Historical Resources  
Consulting, LLC  
2912 Diamond Street, #330  
San Francisco, California 94131

RE: Sacred Heart Church Listing on the  
National Register of Historic Places

Dear Ms. Ferguson:

I am pleased to notify you that on March 23, 2010, the above-named property was placed on the National Register of Historic Places (National Register). As a result of being placed on the National Register, this property has also been listed in the California Register of Historical Resources, pursuant to Section 4851(a)(2) of the Public Resources Code.

Placement on the National Register affords a property the honor of inclusion in the nation's official list of cultural resources worthy of preservation and provides a degree of protection from adverse affects resulting from federally funded or licensed projects. Registration provides a number of incentives for preservation of historic properties, including special building codes to facilitate the restoration of historic structures, and certain tax advantages.

There are no restrictions placed upon a private property owner with regard to normal use, maintenance, or sale of a property listed in the National Register. However, a project that may cause substantial adverse changes in the significance of a registered property may require compliance with local ordinances or the California Environmental Quality Act. In addition, registered properties damaged due to a natural disaster may be subject to the provisions of Section 5028 of the Public Resources Code regarding demolition or significant alterations, if imminent threat to life safety does not exist.

If you have any questions or require further information, please contact the Registration Unit at (916) 653-6624.

Sincerely,

A handwritten signature in black ink that reads "Milford Wayne Donaldson". The signature is written in a cursive style and is positioned above the typed name.

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

Enclosure: National Register Notification of Listing



City and County of San Francisco  
 Department of Building Inspection  
 1660 Mission Street  
 San Francisco, CA 94103

**COMPLAINT DATA SHEET**

**COMPLAINT NUMBER : 201049987**

**OWNER/AGENT:** MEGAN FURTH ACADEMY  
 MEGAN FURTH ACADEMY  
 2445 PINE ST  
 SAN FRANCISCO CA

**DATE FILED:** 02-JUN-10

**LOCATION:** 554 FILLMORE ST

**BLOCK:** 0828 **LOT:** 022

**SITE:**

94115

**RATING:** **OCCUPANCY CODE**

**OWNER'S PHONE --**

**RECEIVED BY:** Christina Wang **DIVISION:** BID

**CONTACT NAME**

**COMPLAINT SOURCE:** TELEPHONE

**CONTACT PHONE --**

**COMPLAINANT:** anonymous

**ASSIGNED TO DIVISION:** BID

SAN FRANCISCO

**COMPLAINANT'S PHONE --**

**DESCRIPTION:** Work w/out permit.  
**INSTRUCTIONS:**

**INSPECTOR INFORMATION**

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
BID	DUFFY	1100		

**REFERRAL INFORMATION**

DATE	REFERRED BY	TO	COMMENT
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**COMPLAINT STATUS AND COMMENTS**

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
02-JUN-10	CASE OPENED	BID	D DUFFY	CASE RECEIVED	
02-JUN-10	CONST WORK NO PERMIT	BID	D DUFFY	FIRST NOV SENT	

**COMPLAINT ACTION BY DIVISION**

DIVISION	DATE	DESCRIPTION	ACTION COMMENT
----------	------	-------------	----------------

NOV (HIS)    NOV (BID)

02-JUN-10





**NOTICE OF VIOLATION**  
of the San Francisco Municipal Codes Regarding Unsafe,  
Substandard or Noncomplying Structure or Land or Occupancy

**DEPARTMENT OF BUILDING INSPECTION**  
City and County of San Francisco  
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 201049987

DATE: 02-JUN-10

ADDRESS: 554 FILLMORE ST

OCCUPANCY/USE: 0

BLOCK: 0828 LOT: 022

If checked, this information is based upon site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: MEGAN FURTH ACADEMY  
MAILING MEGAN FURTH ACADEMY  
ADDRESS 2445 PINE ST  
SAN FRANCISCO CA

PHONE #: --

94115

PERSON CONTACTED @ SITE:

PHONE #: --

**VIOLATION DESCRIPTION:**

VIOLATION DESCRIPTION:	CODE/SECTION#
<input checked="" type="checkbox"/> WORK WITHOUT PERMIT	106.1.1
<input type="checkbox"/> ADDITIONAL WORK PERMIT REQUIRED	106.4.7
<input type="checkbox"/> EXPIRED OR <input type="checkbox"/> CANCELLED PERMIT PA#:	106.4.4
<input type="checkbox"/> UNSAFE BUILDING <input type="checkbox"/> SEE ATTACHMENTS	102.1

Removal of finishes (altar, pews, organ, statues & other finishes, 2 stained glass windows) prior to application of building permit to renovate vacant church to other use. SFBC Section 103A

**CORRECTIVE ACTION:**

STOP ALL WORK SFBC 104.2.4

415-558-6120

- FILE BUILDING PERMIT WITHIN DAYS       (WITH PLANS) A copy of This Notice Must Accompany the Permit Application
- OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.
- CORRECT VIOLATIONS WITHIN DAYS.       NO PERMIT REQUIRED
- YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.

❖ FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN.  
SEE ATTACHMENT FOR ADDITIONAL WARNINGS.

Discontinue all work until building permit is obtained for soft demolition.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

- 9x FEE (WORK W/O PERMIT AFTER 9/1/60)     2x FEE (WORK EXCEEDING SCOPE OF PERMIT)
- OTHER:       REINSPECTION FEE \$       NO PENALTY  
(WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT

VALUE OF WORK PERFORMED W/O PERMITS \$

**BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION**

CONTACT INSPECTOR: Donal J Duffy

PHONE # 415-558-6120

DIVISION: CES

DISTRICT :

By:(Inspectors's Signature) \_\_\_\_\_

6/4

**CITY & COUNTY OF SAN FRANCISCO  
DEPARTMENT OF BUILDING INSPECTION**

ADDRESS: 554 FILLMORE ST

**STOP  
WORK**

All work on this property shall cease immediately by order of the Director, Department of Building Inspection [S.F.B.C. Sec. 104.2.4].

Any person who disobeys this order shall be liable for a civil penalty, not to exceed \$500 for each day such violation is committed, or by imprisonment not exceeding 6 months, or by both such fine and imprisonment [S.F.B.C. Sec. 103].

It is unlawful to interfere with the posting of this notice or to tear down or mutilate this notice [S.F.B.C. Sec. 103].

Violations of this order should be reported to: Department of Building Inspection, 1660 Mission Street, Third Floor, 558-6096.

Frank Y. Chiu, Director

Date: 6/3/10 Time: 3:20 PM

By: Donal Duffy  
Building Inspector

DONAL DUFFY  
Inspector - Print Name

Inspector Phone No. 558-6120

**DO NOT REMOVE  
THIS SIGN**