

1 [Ordinance to Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark  
2 Under Planning Code Article 10.]

3 **Ordinance Conditionally Designating 938-942 Market, the Garfield Building, As**  
4 **Landmark No. 244 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning**  
5 **Code.**

6 Note: Additions are *single-underline italics Times New Roman*;  
7 deletions are ~~*strikethrough italics Times New Roman*~~.  
8 Board amendment additions are double underlined.  
9 Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. Findings

12 The Board of Supervisors hereby finds that 938-942 Market, the Garfield Building, Lot 5  
13 in Assessor’s Block 341, including its proposed penthouse addition, once constructed,  
14 contingent on the complete removal of its non-historic storefronts and the rehabilitation of its  
15 historic façade as identified in Planning Commission Resolution No. 16806, the Garfield  
16 Landmark Designation Report and the “Rehabilitation Program for the Garfield Building” as  
17 attached to the Draft Mills Act Contract for the Garfield Building before the Planning  
18 Commission at its meeting of June 3, 2004, (which documents are on file with the Clerk of the  
19 Board of Supervisors under File No. \_\_\_\_\_ and which are incorporated herein and made  
20 part hereof as though fully set forth,) will have a special character and special historical,  
21 architectural and aesthetic interest and value, and that the building’s designation as a  
22 Landmark will further the purposes of, and conform to the standards set forth in Article 10 of  
23 the City Planning Code.

24 (a) Designation: The Garfield Building is hereby conditionally designated as Landmark  
25 No. 244. This conditional designation has been approved by Resolution No. 577 of the

1 Landmarks Preservation Advisory Board and Resolution No. 16806 of the Planning  
2 Commission, which Resolutions are on file with the Clerk of the Board of Supervisors under  
3 File No. \_\_\_\_\_ and which Resolutions are incorporated herein and made part hereof as  
4 though fully set forth. The conditional designation of the Garfield Building shall become a final  
5 landmark designation at such time as the Planning Director, in consultation with the  
6 Landmarks Preservation Advisory Board, issues a written determination that 938-942 Market  
7 has been rehabilitated substantially in accordance with the terms set forth in Planning  
8 Commission Resolution No. 16806, the Garfield Landmark Designation Report, and the  
9 "Rehabilitation Program for the Garfield Building" as attached to the Draft Mills Act Contract  
10 for the Garfield Building before the Planning Commission at its meeting of June 3, 2004. In  
11 the event that 938-942 Market Street is not determined to be rehabilitated substantially in  
12 accordance with the terms set forth in those documents the final landmark designation shall  
13 not take effect.

14 (b) Priority Policy Findings

15 (1) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this  
16 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
17 Planning Commission Resolution No. 16806 recommending approval of this Planning Code  
18 Amendment, and incorporates such reasons by this reference thereto. A copy of said  
19 resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

20 (2) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this  
21 ordinance is consistent with the Priority Policies of Section 101.1(b) of the Planning Code and  
22 with the General Plan and hereby adopts the findings of the Planning Commission, as set  
23 forth in Planning Commission Resolution No. 16806, and incorporates said findings by this  
24 reference thereto.

25 (c) Required Data:

1 (1) The conditional Landmark site is located on Lot 5 in Assessor's Block 341 and is  
2 bounded by Market Street to the south, Mason Street to the west, and Eddy Street to the  
3 north. The Garfield Building is L-shaped in plan and has street frontages on both Market and  
4 Mason Streets.

5 (2) The characteristics of the conditional Landmark which, when rehabilitated, will  
6 justify its final designation as a landmark, are described in the Landmark Designation Report  
7 adopted by the Landmarks Preservation Advisory Board on May 5, 2004, Planning  
8 Commission Resolution No. 16806, and other supporting materials contained in Planning  
9 Department Docket No. 2003.0584L. In brief, the National Register characteristics of the  
10 conditional landmark which, once rehabilitated, will justify its final designation as a landmark  
11 are as follows:

12 Its association with its original owner Elise Abigail Drexler, one of the first active  
13 woman landowners/developers in San Francisco who managed extensive real estate holdings  
14 for over fifty years and was an astute businesswoman listed in *Who's Who Among the*  
15 *Women of California* in 1922 (National Register Criterion B); its value as an excellent example  
16 of retail building constructed in the aftermath of the 1906 earthquake and fire and now part of  
17 the Kearny/Market/Mason/Sutter Conservation District, its exhibition of characteristics of retail  
18 in this District, including typical height, scale, massing, color, detailing and retail base; its  
19 status as a surviving example of the body of post-earthquake work designed by architects  
20 James and Merritt Reid, one of San Francisco's most prominent architecture firms of the late  
21 nineteenth and early twentieth centuries; its uniquely shaped floor plate and its street  
22 presence on both the east and north sides of the historic Mechanic's Savings Bank Building  
23 which lend it additional importance as a significant building in the Kearny/Market/Mason/Sutter  
24 Conservation District (National Register Criterion C).

1 (3) The particular exterior features that should be preserved, or replaced in-kind as  
2 determined necessary, are those described in the Garfield Landmark Designation Report,  
3 which can be found in the case docket 2003.0587L, and which is incorporated in this  
4 designation ordinance as though fully set forth. In brief, the description of the particular  
5 features that should be preserved, once the Garfield Building has been rehabilitated, are as  
6 follows:

7 (a) Brick masonry and terra cotta exterior façades facing Market and Mason Streets;

8 (b) The building's height, scale, color, windows, cladding, trim materials and detailing;

9 (c) Those features called out in the "Maintenance Program for the Garfield Building"  
10 as attached to the Draft Mills Act Contract for the Garfield Building before the Planning  
11 Commission at its meeting of June 3, 2004, (which document is on file with the Clerk of the  
12 Board of Supervisors under File No. \_\_\_\_\_).

13  
14 Section 2. The property shall be subject to further controls and procedures, pursuant  
15 to this Board of Supervisor's Ordinance and Planning Code Article 10.

16  
17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA, City Attorney

RECOMMENDED:  
PLANNING COMMISSION

19 By: \_\_\_\_\_  
20 Sarah Ellen Owsowitz  
21 Deputy City Attorney

By: \_\_\_\_\_  
22 Gerald G. Green  
23 Director of Planning