

File No. 091309

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

Board Item No. 39

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 12/15/09

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence                        |

#### OTHER

(Use back side if additional space is needed)

Appeal of Determination of Exemption from Environmental  
Review for 2750 Vallejo Street

(Other materials were distributed to each member of the Board upon receipt by the  
Clerk's Office, and available in File No. 091309)

Completed by: Joy Lamug

Date 12/10/09

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

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

November 5, 2009

Angela Calvillo  
Clerk of the Board  
San Francisco Board of Supervisors

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2009 NOV - 6 PM 2:58

BY 

Dear Angela Calvillo:

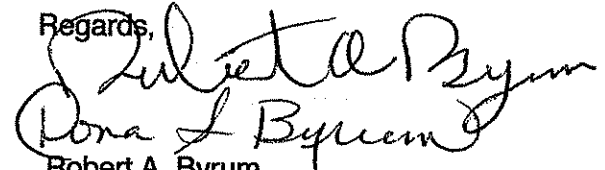
The house at 2750 Vallejo Street was designed by the prominent architect, Charles Peter Weeks, and was completed in 1905. This house is remarkably well preserved -- there have been only two minor structural changes in 104 years. The Planning Department declared this house an historic resource and originally advised the project sponsor that there could be no changes that could be seen from the street. A categorical exemption was issued on May 6, 2009 which will essentially allow the project sponsor to eliminate this historic house through reconstruction.

We represent most of the neighbors of 2750 Vallejo Street and we want to appeal this categorical exemption since it was based on a third and erroneous HRER that was issued on July 2, 2008. The HRER is erroneous since it is based on inaccurate and incomplete information that was given to the Planning Department by the project sponsor. In addition, this HRER conflicts with the two previous HRER's that had been issued.

The San Francisco Preservation Bulletin #16 states on page 10 that "normally, a project will qualify for a categorical exemption if the change or alteration is minor and if the implementation of the alteration will meet the Secretary of the Interior's Standards for rehabilitation of historic structures." This project has many minor and major changes that will create a substantial adverse change in this historic resource. In addition, these changes will not meet the Secretary of the Interior's Standards for preservation, restoration, or rehabilitation of an historic resource.

We have attached the documents that your staff has requested. We look forward to hearing from you on this matter. Thank you.

Regards,



Robert A. Byrum  
Dona S. Byrum



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

DATE: August 31, 2009  
 TO: Interested Parties  
 FROM: Linda D. Avery  
 Planning Commission Secretary  
 RE: Planning Commission Action – No. DRA -- 0096

1650 Mission St.  
 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
 415.558.6378

Fax:  
 415.558.6409

Planning  
 Information:  
 415.558.6377

-- Property Address: 2750 Vallejo Street  
 Building Permit Application No.: 2008.08.14.9201  
 Discretionary Review Case No.: 2009.0231V

On July 23, 2009, the Planning Commission conducted a Discretionary Review hearing to consider the following project:

Building Permit Application No. 2008.08.14.9201 for the subject property at 2750 Vallejo Street, north side between Broderick and Divisadero Streets, Lot 006 in Assessor Block 0954, proposing facade alterations and rear and side horizontal additions to the existing three-story, single-family residence in an RH-1(D) (Residential House, One Family, Detached) District and a 40-X Height and Bulk District.

## ACTION

The Commission determined that no modifications to the project were necessary and they instructed staff to approve the project on file with the Planning Department.

## FINDINGS

The reasons the Commission took the action described above include:

There are no extraordinary or exceptional circumstances in the case. The massing of the additions is appropriately scaled. While the design could benefit from some fine-grained architectural detailing, the alteration to the existing building is considered an improved alternative than the original proposal to demolish the building. The proposal complies with the Planning Code, the General Plan, and conforms to the Residential Design Guidelines.

Speakers at the hearing included:

In support of the project	In support of the DR request
Greg Malin	Bob Byrum
Tuija Catalano	Bradley Weidmier

Jay Turnbull	
Babac Doane	
Daniel Burch	

Ayes: Commissioners Antonini, Borden, Miguel, Moore and Olague.

Nayes: (none)

Absent: Commissioners Lee, Sugaya

Case Planner: Glenn Cabreros (415) 244-9325

You can appeal the Commission's action to the Board of Appeals ~~by appealing the issuance of the permit.~~ Please contact the Board of Appeals at (415) 575-6880 for further information regarding the appeals process.

cc: Linda D. Avery

GC G:\WP51\2009\DR\2009.0231D - 2750 Vallejo\2009.0231D - 2750 Vallejo - DR Action Memo.doc



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On August 14, 2008, the Applicant named below filed Building Permit Application No. 2008.08.14.9201 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Gregory Malin, Troon Pacific, Inc.	Project Address:	2750 Vallejo Street
Address:	2750 Vallejo Street.	Cross Streets:	Broderick / Divisadero Streets
City, State:	San Francisco, CA 94123	Assessor's Block /Lot No.:	0954/006
Telephone:	(415) 504-8100	Zoning Districts:	RH-1(D) /40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

PROJECT SCOPE		
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input checked="" type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input checked="" type="checkbox"/> HORIZ. EXTENSION (SIDE) <input checked="" type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUILDING USE .....	Single-Family Dwelling .....	No Change
FRONT SETBACK .....	8 feet .....	No Change
SIDE SETBACKS .....	None .....	No Change
BUILDING DEPTH .....	54 feet .....	68 feet
REAR YARD .....	76 feet .....	61 feet
HEIGHT OF BUILDING .....	32 feet to midpoint of roof .....	No Change
NUMBER OF STORIES .....	3 (at street) .....	No Change
NUMBER OF DWELLING UNITS .....	1 .....	No Change
NUMBER OF OFF-STREET PARKING SPACES .....	2 tandem .....	2 side-by-side
PROJECT DESCRIPTION		

The proposal is to construct rear and side horizontal additions to the existing single-family residence. Front façade alterations including, but not limited to, window replacements are also proposed. The existing roofline is proposed to be altered with new dormers and a roof deck. See attached plans.

PLANNER'S NAME: Glenn Cabreros  
 PHONE NUMBER: (415) 558-6169  
 EMAIL: glenn.cabreros@sfgov.org

DATE OF THIS NOTICE: 2/11/09  
 EXPIRATION DATE: 3/19/09



**SAN FRANCISCO  
PLANNING DEPARTMENT**

**Certificate of Determination  
EXEMPTION FROM ENVIRONMENTAL REVIEW**

Case No.: 2006.0339E  
 Project Title: 2750 Vallejo Street  
 Zoning: RH-1(D) (Residential House, One-Family (Detached Dwelling)) District  
 40-X Height and Bulk District  
 Block/Lot: Block 0954/Lot 006  
 Lot Size: 5,843 square feet  
 Project Sponsor: Gregory Malin, 415-504-8100, representing The Vallejo, LLC  
 Staff Contact: Jeremy D. Battis - 415-575-9022  
 jeremy.battis@sfgov.org

1650 Mission St.  
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 San Francisco,  
 CA 94103-2479

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Planning  
 Information:  
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**PROJECT DESCRIPTION:**

The proposed project is an enlargement and façade alteration of an existing 30-foot-high, three-story-over-basement, six-bedroom, 5,500-square foot (sq ft) detached single-family dwelling constructed circa 1910. The proposed approximately 2,500-sq ft enlargement to the west side and rear yard of the building would result in an approximately 8,000-sq ft building with seven bedrooms and restored historic features consistent with the building's original design. The existing building's height and roofline would not change. The existing building has two off-street parking spaces, which would not change. The proposed building would also have two off-street parking spaces in an adjacent garage to the west. The front façade alteration would consist of a new bay window and balcony; a modified fenestration pattern, and the replacement of existing wood shingles with stucco. Also visible from the public right of way would be reshaped dormers that would reduce their scale, and an enlargement to the building's western side on the second and third floor levels, set back 20 feet from the parcel's front edge, that would extend the building approximately 8½ feet to the west to within 4 feet of the adjacent property's lot line. The proposed rear expansion would extend the existing building by approximately 15 feet into its rear yard at the basement, ground, 2<sup>nd</sup>, and 3<sup>rd</sup> floor levels. The project site, located in the Pacific Heights neighborhood, is bounded by Vallejo Street to the south, Broderick Street to the west, Green Street to the north, and Divisadero Street to the east.

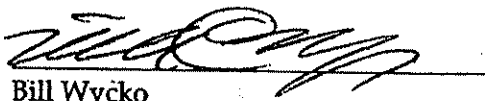
**EXEMPT STATUS:**

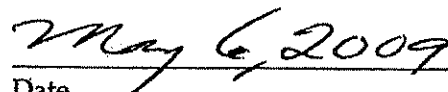
Categorical Exemption, Class 1 [State CEQA Guidelines, Section 15301(e)(1)]

**REMARKS:**

**DETERMINATION:**

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
 Bill Wycko  
 Environmental Review Officer

  
 Date

cc: Joel Yodowitz, Project Sponsor  
 G. Cabrerros & B. Bollinger, Planning Department  
 Michela Alioto-Pier, Supervisor, District 2

Exemption/Exclusion File  
 Bulletin Board/M.D.F.  
 Historic Distribution List

## REMARKS (continued):

In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department first determined that the subject building, a single-family detached home in the First Bay Tradition style, constructed circa 1910, is a contributor to a potential Pacific Heights historic district. The subject building is therefore a presumed historic resource under the Planning Department's CEQA Review Procedures. The Planning Department then considered whether the proposed project would result in a substantial adverse change to a historic resource, including the subject building and the surrounding potential district.

Based in part on information presented within a Historic Resource Evaluation submittal,<sup>1</sup> the Department determined that all proposed building modifications would comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary of the Interior's Standards) and would not result in a substantial adverse change to the historic resource.<sup>2</sup> As described in greater detail in the attached Historic Resource Evaluation Response (HRER) memorandum, the Department's preservation technical specialist verified that modifications to the front façade would maintain or partially restore the historic character of the property. The enlargements at the rear and west of the building would be compatible with the building's historic character because proposed additional volume at the west elevation would be minimally visible due to a substantial setback and any increased height would approximate the existing roofline. Further, all proposed additions would be distinguished from original material and could be removed at some future date without damage to the historic features of the building. In conclusion, the HRER memorandum found that the proposed project would not materially impair the character-defining features of the building and found that the proposed project would not have a significant adverse impact on the surrounding potential historic district.

For the reasons described above, the proposed project would be consistent with the Secretary of the Interior's Standards and would not result in a significant adverse impact to a historic resource. Because the proposed project has been found to meet the Secretary of the Interior's Standards, it would not cause a substantial adverse change to a historic resource under CEQA and may therefore be found to be exempt from environmental review if other criteria are satisfied. As described below, the project meets the criteria for exemption from environmental review under Class 1.

## CONCLUSION

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption from environmental review for the repair, maintenance, or minor alteration of public or private structures, including an addition of up to 50 percent of existing floor area or 2,500 sq ft, whichever is less. The proposed project would add approximately 2,500 sq ft of area, resulting in an 8,000-sq ft single-family residence. Therefore, the proposed project is exempt from environmental review under Class 1.

<sup>1</sup>2750 Vallejo Street Revised Memorandum of Significance & Integrity by Page & Turnbull, October 10, 2006. This document is available for public review by appointment as part of Case File No. 2006.0339E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>2</sup>Historic Resource Evaluation Response (HRER) memorandum for 2750 Vallejo Street, San Francisco, CA, from Shelley Perdue, Preservation Technical Specialist, to Jeremy Battis, Major Environmental Analysis. July 2, 2008 (attached).

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. As described above, the proposed project would not have a significant effect on a historic resource, a surrounding historic district, or other buildings in the vicinity. There are no other unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.





# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Historic Resource Evaluation Response

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

*MEA Planner:* Jeremy Battis  
*Project Address:* 2750 Vallejo Street  
*Block/Lot:* 0954/006  
*Case No.:* 2006.0339E  
*Date of Review:* July 2, 2008  
*Planning Dept. Reviewer:* Shelley Perdue  
(415) 558-6625 | shelley.perdue@sfgov.org

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Information:  
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PROPOSED PROJECT  Demolition  Alteration

### PROJECT DESCRIPTION

The proposed project includes construction of a horizontal addition to be located in the rear yard and a portion of the west side yard; construction of roof dormers at the west and east slopes of the gabled roof; re-introduction of a one-story bay element and half-timbering at the front façade based upon historic building evidence; re-cladding of the front façade with stucco; modification of window openings at the front façade and installation of wood-framed, multi-light windows. See plans for details.

### PRE-EXISTING HISTORIC RATING / SURVEY

The subject property is not included on any historic surveys, and is not included on the National or the California Registers.

### HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

The immediate surroundings of the subject property include a number of large single-family detached homes constructed in the late 19<sup>th</sup> and early part of the 20<sup>th</sup>-century.

1. **California Register Criteria of Significance:** Note, a building may be an historical resource if it meets any of the California Register criteria listed below. If more information is needed to make such a determination please specify what information is needed. (This determination for California Register Eligibility is made based on existing data and research provided to the Planning Department by the above named preparer / consultant and other parties. Key pages of report and a photograph of the subject building are attached.)

- Event: or  Yes  No  Unable to determine
- Persons: or  Yes  No  Unable to determine
- Architecture: or  Yes  No  Unable to determine
- Information Potential:  Further investigation recommended.
- District or Context:  Yes, may contribute to a potential district or significant context

**If Yes; Period of significance:**

Notes: The project sponsor has submitted a second revised analysis dated October 10, 2006 by Page & Turnbull and Planning Staff has accompanied the project sponsor on a site visit to the subject property with Page & Turnbull. The subject property is located in an area with a high concentration of AS structures as well as *Here Today* buildings constructed in the late 19<sup>th</sup>-century and early 20<sup>th</sup>-century, including over sixty (60) rated buildings on the immediately adjacent blocks.

Pacific Heights was incorporated into San Francisco in 1850 as part of the Western Addition annexation. Up until the 1870s Pacific Heights was comprised mainly of grazing land, windswept dunes, dairy farms, and a few vacation homes of the wealthy. Beginning in the 1870s, the neighborhood's proximity to the downtown and the extension of graded streets and cable cars, as well as the dramatic bay views, made this area one of the most prestigious enclaves in San Francisco. By 1900 the area was well known as the City's most fashionable neighborhood. This notoriety attracted many of the City's best architects and the City's most affluent residents. Due to rapidly increasing land values many of the earliest homes in the area were quickly demolished to make way for substantial apartment blocks and even more extravagant homes than the original Victorians. The Stock Market Crash of 1929 halted almost all development in the neighborhood.

The subject property is a modest example of the First Bay Tradition style. Staff concurs with the Page & Turnbull evaluation in its statement, "Although without the eclecticism or whimsy of the more distinctive works of the period, the deep gable roof and frankly expressed materiality place it clearly within the movement." Based on water records, 2750 Vallejo appears to have been constructed between 1908 and 1911; however, the subject property first appears on the 1899, updated to 1905, Sanborn Map. It is one of only three properties on the block at that time, making it one of the earliest developments in this immediate area. By 1915, Sanborn Maps show roughly a dozen residences on the block and a number of vacant lots.

Staff believes that the subject property is a contributor to a potential Pacific Heights historic district because it was constructed during the identified period of significance and represents the early wave of residential development in this area. The Page & Turnbull report suggests that the property cannot be considered a contributor to a potential historic district based on a loss of integrity of original design and feeling. Planning Department staff believes that the subject property retains and communicates its architectural integrity and would contribute to the overall historic and architectural characteristics in a proposed district. Changes made to the subject property have not resulted in a loss of significance to qualify the subject property as a contributor to what is a clearly identified potential historic district.

2. **Integrity** is the ability of a property to convey its significance. To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register criteria, but it also must have integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The subject property has retained or lacks integrity from the period of significance noted above:

Location:     Retains     Lacks  
Association:  Retains     Lacks

Setting:     Retains     Lacks  
Feeling:     Retains     Lacks

Design:  Retains  Lacks  
Workmanship:  Retains  Lacks

Materials:  Retains  Lacks

Notes: The exterior of the subject property has been subjected to a number of changes over time. The submitted report indicates permits for alteration were issued in 1929 to construct the garage at the western edge of the property; in 1950 to replace a window, and repair – or possibly install – masonry veneer at the ground level; in 1980 to clad the front portion of the structure in cedar shingles (likely replacement in-kind), and in 1983 to replace additional windows at the sides and rear of the property. Despite these changes, most of the windows appear to be in their original configuration. The Page & Turnbull report states that most of the windows date from periods later than the date of construction. While this may be the case, almost all those visible from the public rights-of-way are wood multi-pane true divided-light windows. Although they appear to be original to the date of construction, if they are not, they are at least compatible with the style of architecture and were likely replaced in kind.

The Page & Turnbull report states that in 1939 a permit was issued to 'Extend fire walls above deck on either side of building from just above the present roof deck.' This permit likely caused the unusual roof forms flanking the main elevation. Staff concurs with the report that this change in the subject property is significant, but does not compromise the integrity of the structure to a level that would render it ineligible as a contributor to a potential district. It is important to note that in regards to integrity there is a lower threshold for a property to be eligible as a contributor in a historic district than for individual designation. During the site visit it was determined that the subject property yields a large amount of physical evidence about the original design and materials that support its inclusion as a contributor to the potential district. The historic materials and design of the side elevations of the subject property are largely intact, the historic wood shingle roofing material is visible under the composite roof shingles, and the front elevation and basement level reveal clues to the original configuration of the missing bay at the ground level on the main façade. Consequently, staff believes that there enough physical evidence to support the restoration or rehabilitation of said property.

3. Determination Whether the property is an "historical resource" for purposes of CEQA

No Resource Present ( Go to 6. below )

Historical Resource Present ( Continue to 4. )

4. If the property appears to be an historical resource, whether the proposed project is consistent with the Secretary of Interior's Standards or if any proposed modifications would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).

The project appears to meet the Secretary of the Interior's Standards. ( Go to 6. below )

Optional:  See attached explanation of how the project meets standards.

The project is NOT consistent with the Secretary of the Interior's Standards and is a significant impact as proposed. ( Continue to 5. if the project is an alteration )

*1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The proposed single-family dwelling use is in keeping with the building's historic use.

*2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The proposal will not cause the removal or alteration of any significant architectural materials, features, spaces, or spatial relationships of the primary or secondary facades. The historic character of the property will be maintained and partially restored through the reintroduction of a bay element at the first floor level, the recreation of stucco and half-timbered cladding, the modification of the window pattern, and the reduction of the "wing" additions flanking the second and attic floors. While past alterations to the façade will require that the bay element is constructed in a different location and slightly different footprint than the original bay, the addition of this element will restore some of the original character of the façade. Also, the proposed stucco cladding and half-timbering details are inferred from building evidence found at the front portions of the side walls and stucco remnants around the historic window frames. The proposed pattern of timbering and stucco will be based on this historic evidence and will restore the historic materials and texture of the façade. Also, the proposed fenestration pattern and windows at the front façade will maintain the symmetrical balance of the façade while creating more proportionate window opening sizes to mitigate the impact of the past insensitive "wing" additions. Finally, the proposal involves creating a 1 foot recess at the "wing" portion of the existing front façade which has been built up over time to subsume the historic roofline. This reveal will allow the original roofline and building form to be read more clearly at the façade.

*5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The distinctive elements that characterize the property, such as the sweeping front gabled roofline, will not be removed.

*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 project will not significantly alter the characteristic massing or scale of the building. Regarding the proposed rear yard addition, the added volume will be minimally visible from the public rights-of-way due to the significant setback at the west elevations and compatible height of the addition, ensuring that the characteristic scale and massing of the building as viewed from the street are not disrupted. Also, the fenestration and detailing of the addition will be contemporary in nature and will be clearly differentiated from the historic portions of the building. Regarding the proposed dormers, these features will be sufficiently set back from the front and side walls and will be appropriately proportionate to the historic roof form.

10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

All proposed additions may be removed in the future without any damage to the form and integrity of the historic building.

---

5. Character-defining features of the building to be retained or respected in order to avoid a significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable to mitigate the project's adverse effects.

---

6. Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.

Yes     No     Unable to determine

Notes: The immediate context is mixed and does not display a high level of visual continuity. It does not appear that the proposal will have a significant adverse impact on any eligible off-site historic resources.

#### PRESERVATION COORDINATOR REVIEW

Signature: \_\_\_\_\_

Mark Luellen, Preservation Coordinator

Date: 07-02-08

*Sophie Middlebrook*

acting coordinator

cc: Sonya Banks, Recording Secretary, Landmarks Preservation Advisory Board  
Vimaliza Byrd / Historic Resource Impact Review File

TF: G:\DOCUMENTS\Cases\CEQA\EIR\2750 Vallejo\2006.0339E Vallejo\_revised3 .doc



DENNIS J. HERRERA  
City Attorney

COB  
Joy  
ELAINE C. WARREN  
Deputy City Attorney

DIRECT DIAL: (415) 554-4614  
E-MAIL: Elaine.Warren@sfgov.org

## MEMORANDUM

TO: Angela Calvillo  
Clerk of the Board of Supervisors

FROM: Elaine C. Warren *scw*  
Deputy City Attorney

DATE: November 10, 2009

RE: Appeal of Determination of Exemption from Environmental Review for 2750  
Vallejo Street.

RECEIVED  
CITY ATTORNEY'S OFFICE  
2009 NOV 10 PM 3:15  
*RC*

You have asked for our advice on the timeliness of an appeal to the Board of Supervisors by Robert A. Byrum and Dona S. Byrum ("Appellants"), received by the Clerk's Office on November 6, 2009, of the Planning Department's determination that a project at 2750 Vallejo Street is exempt from environmental review under the California Environmental Quality Act ("CEQA"). The proposal would alter the façade and construct rear and side horizontal additions to an existing three-story, single-family residence in an RH-1(D) District and a 40-X Height and Bulk District.

The Appellant provided a copy of the exemption determination issued by the Planning Department on May 6, 2009. Appellant also provided a memorandum from the Planning Commission Secretary indicating that the Planning Commission conducted a Discretionary Review hearing on July 23, 2009, to consider the building permit application for the project and instructed staff to approve the project on file with the Planning Department. We are informed that the building permit is undergoing further review at the Department of Building Inspection.

Given the above information, it is our view that the appeal is timely. Therefore, the appeal should be calendared before the Board of Supervisors. We recommend that you so advise the Appellant.

Please let us know if we may be of further assistance.

cc: Rick Caldeira, Deputy Director, Clerk of the Board  
Cheryl Adams, Deputy City Attorney  
Kate Stacy, Deputy City Attorney  
Elaine Forbes, Chief Administrative Officer, Planning Department  
Larry Badiner, Zoning Administrator, Planning Department  
Bill Wycko, Environmental Review Officer, Planning Department  
AnMarie Rodgers, Planning Department  
Tara Sullivan-Lenane, Planning Department  
Jeremy Battis, Planning Department  
Glenn Cabrerros, Planning Department  
Victor Pacheco, Board of Appeals



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## APPEAL OF CATEGORICAL EXEMPTION 2750 Vallejo Street

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**DATE:** December 8, 2009

**TO:** President David Chiu, and Members of the Board of Supervisors

**FROM:** Bill Wycko, Environmental Review Officer – (415) 558-9048  
Jeremy Battis, Case Planner – Planning Department (415) 575-9022

**RE:** File No. 09-1309, Planning Department Case No. 2006.0339E  
Appeal of Categorical Exemption for 2750 Vallejo Street

**HEARING DATE:** December 15, 2009

**ATTACHMENTS:** A – Certificate of Exemption from Environmental Review  
B – Appeal Letter  
C – Survey of Sutton & Weeks Buildings

**PROJECT SPONSOR:** Gregory Malin, Troon Pacific, Inc.

**APPELLANT:** Robert and Dona Byrum

### INTRODUCTION:

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the issuance of a categorical exemption certificate under the California Environmental Quality Act ("CEQA Determination") for the proposed project at 2750 Vallejo Street (the "Project") by the Planning Department (the "Department") on May 6, 2009. This response addresses the appeal ("Appeal Letter") to the Board filed on November 6, 2009 by letter from Robert and Dona Byrum (the "Appellant"). The Appeal Letter referenced the CEQA Determination issued for Case File No. 2006.0339E, in which the Department determined that the project was exempt from environmental review under Title 14 California Code of Regulations ("CEQA Guidelines"), Section 15301(e)(1) ("Class 1"). The CEQA Determination and the Appeal Letter are attached to this memorandum as Attachment A and Attachment B, respectively.

The decision before the Board is whether to uphold the Department's decision to issue a categorical exemption and deny the appeal, or to overturn the Department's decision to issue a categorical exemption and return the project to the Department staff for additional environmental review.

### SITE DESCRIPTION & PRESENT USE:

The project site is located at 2750 Vallejo Street, Lot 006 in Assessor's Block 0954, on the north side of Vallejo street between Broderick and Divisadero Streets in a RH-1(D) (Residential, House, One-Family,

Detached) District and a 40-X Height and Bulk District. The subject building is an approximately 32-foot tall, three-story (at the street), single-family residence constructed circa 1905.

**PROJECT DESCRIPTION:**

The proposed project includes construction of a horizontal addition to be located in the rear yard and a portion of the west side yard; construction of roof dormers at the west and east slopes of the gabled roof; reintroduction of half-timbering at the front façade based upon historic building evidence; re-cladding of the front façade with stucco; modification of window openings at the front façade and installation of wood-framed, multi-light windows.

**CEQA GUIDELINES:**

Section 21084 of the California Public Resources Code requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and, therefore, are exempt from further environmental review under CEQA. In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333, do not have a significant impact on the environment, and therefore are categorically exempt from the requirement for the preparation of further environmental review. As detailed below, Department staff concludes that this project qualifies for a categorical exemption under Class 1.

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption from environmental review for the repair, maintenance, or minor alteration of public or private structures, including an addition of up to 50 percent of existing floor area or 2,500 square feet (sq ft), whichever is less.

As described in Attachment A, the project involves an approximately 2,500-sq ft enlargement to the existing 5,500-sq ft single-family building to the west and rear, and a historic restoration to the building's front façade. The project meets the criterion listed above, and is therefore categorically exempt from the provisions of CEQA under Class 1.

**PROJECT DESCRIPTION:**

The proposed project includes construction of a horizontal addition to be located in the rear yard and a portion of the west side yard; construction of roof dormers at the west and east slopes of the gabled roof; and half-timbering at the front façade based upon historic building evidence; re-cladding of the front façade with stucco; modification of window openings at the front façade and installation of wood-framed, multi-light windows.

**SITE DESCRIPTION & PRESENT USE:**

The project site is located at 2750 Vallejo Street, Lot 006 within Assessor's Block 0954, on the north side of the Vallejo Street between Broderick and Divisadero Streets in a RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District. The subject lot contains approximately 5,844 square feet measuring 42.5 feet wide by 137.5 feet deep. The subject building is an approximately 32-foot high, three-story (at the street), single-family residence constructed circa 1905.



#### APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:

The concerns raised in the Appeal Letter are cited below, followed by the Department's responses. In determining the significance of environmental effects caused by a project, CEQA State Guidelines Section 15064(f) states that the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA State Guidelines Section 15064(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

The Appellant's concerns in the November 5, 2009 Appeal Letter may be summarized as follows:

**Issue #1:** "The house at 2750 Vallejo Street was designed by the prominent architect, Charles Peter Weeks, and was completed in 1905."

**Response #1:** The Department concurs that the subject property was designed by the architectural firm of Sutton & Weeks in 1905. Charles Peter Weeks was born in 1870 in Copley Ohio. He was educated at the University of Akron and the Ecole des Beaux-Arts (1892-95) He worked in Cleveland and New York before moving to Berkeley in 1901 to work in the office of John Galen Howard as head designer. In 1903 Weeks partnered with Albert Sutton, with whom he worked until 1910. The residence at 2750 Vallejo Street is listed as one of the four buildings designed by the firm of Sutton & Weeks in 1905.<sup>1</sup>

Although the Department and the project sponsor's historic preservation consultant, Page & Turnbull, Inc., agree that Charles Peter Weeks could be considered a master architect, the Department does not believe that the building should be considered an individually significant historic resource for its association with Weeks. This is because the building does not appear to be an exceptional or illustrative example of his work.

The California Register of Historical Places has four criteria that may qualify a potential historic resource for inclusion on the register. Generally, a register-eligible property would satisfy one more of the criteria described below:

- Criterion 1: Associated with *events* that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- Criterion 2: Associated with the lives of *persons* important to local, California or national history.
- Criterion 3: Embodies the distinctive characteristics of a type, period, region or method of construction or is an example of *architecture* that represents the work of a master or possesses high artistic values.
- Criterion 4: Has yielded, or has the potential to yield, *information* important to the prehistory or history of the local area, California or the nation.

In order to qualify as a resource under Criterion 3, the property should express a particular phase in the development of the master's career, an aspect of his or her work, or a particular idea or theme in his or her craft. In other words, a building is not automatically considered to be the work of a master simply because of its association with a master architect.

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<sup>1</sup> Parry, David. *McGuire Real Estate*. "Architects' Profiles, Pacific Heights Architects #20 – Charles Peter Weeks." [<http://www.classicsfproperties.com/Architecture/CharlesPeterWeeks.htm>] Advanced Access, 1999-2009.

The Department has reviewed many of the residential buildings designed by the firm of Sutton & Weeks between 1904 and 1907 in order to better understand the relative significance of the subject building within the architect's body of work. The review reveals the subject building to be something of an anomaly among the buildings designed by the firm in this period, which were done primarily in the Period Revival styles. By comparison, 2750 Vallejo Street lacks much of the texture and classical ornamentation typical of the firm's other work, which may be attributable to apparent alterations at the building's front façade. The 2750 Vallejo building is also now clad in wood shingles, while most of the buildings designed by the firm during that period were clad in brick or stucco.

While 2750 Vallejo Street does not qualify as an individual resource under the California Register, the Department did find it to be a historic resource as a contributing structure to a potential historic district in the neighborhood. As such, when reviewing the proposed project, the Department treated the existing building as a historic resource under CEQA.

**Issue #2:** "The house is remarkably well preserved – there have been only two minor structural changes in 104 years."

**Response #2:** The Department has found that that the subject building's front facade does not retain the full historic integrity of its original design. This determination is based on a review of both the archival record and evidence found within the building structure.

The historic preservation consultant, Page & Turnbull, found that the building's foundation was originally laid for a three-sided bay at the front of the building, which no longer exists. Page & Turnbull also found evidence of plaster and half-timbering at the side elevations and plaster traces elsewhere on the building, indicating that the building was not originally clad in shingles at the front façade. A survey of the window types at the building found that most do not date to the original construction and that the window openings at the front façade appear to have been altered. In addition, the brick construction and trim details at the front of the building do not appear to date from 1905.

In 1939 a permit was issued to "Extend fire walls above deck on either side of building from just above the present roof deck." This permit likely led to the unusual roof forms flanking the main elevation.<sup>2</sup> Lastly, a longtime resident of the neighborhood recalls that the building was significantly altered around 1950, near the time that the brick paving on Vallejo Street was removed.<sup>3</sup>

Each of the three Historic Resource Evaluation Response (HRER) memoranda issued by the Department for various iterations of the project notes that the building's historic integrity has been compromised by these changes.

The Department has been consistent in its conclusion that the 2750 Vallejo building is a historic resource, not for its individual architectural merit, but because of the contribution the building makes to a potential historic district. Furthermore, the Department has maintained that changes to the subject property have not resulted in a sufficient loss of integrity to disqualify the 2750 Vallejo building as a contributor to a potential historic district. It is important to note that when assessing integrity, there is a lower threshold for a property to be eligible as a contributor in a historic district than to qualify for individual designation.

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<sup>2</sup> Page & Turnbull, Inc. Revised Memorandum of Significance & Integrity, 2750 Vallejo Street. October 10, 2006.

<sup>3</sup> Email correspondence from Peter O'Hara to Gregory Malin regarding "SF City Planning Commission." July 20, 2009.

**Issue #3:** "The Planning Department declared this house an historic resource and originally advised the project sponsor that there could be no changes that could be seen from the street. A categorical exemption issued on May 6, 2009 essentially allows the project sponsor to eliminate this historic house through reconstruction."

**Response #3:** In the HRER memo issued in 2006, the Department found that the "massing, proportions, fenestration, and the roofline of the subject property are its most prominent features. A proposal for interior alterations, including excavation for a basement, and to expand the existing envelope at the rear of the property may meet the *Secretary of the Interior's Standards*." The memo goes on to cite Standard 2, which states that "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 current project was reviewed according to these same criteria and the Department found that it would not cause a significant adverse impact to the historic character of the subject property or the surrounding potential historic district.

**Issue #4:** The categorical exemption is based on a third and erroneous HRER issued on July 2, 2008. It is based on inaccurate and incomplete information that was given to the Planning Department by the project sponsor.

**Response #4:** The Appellant does not specify in the Appeal Letter how the HRER is inaccurate or deficient, nor does the Appellant offer new information that would alter the conclusions reached in the Department's HRER.

**Issue #5:** The latest HRER memo conflicts with the two previous HRERs.

**Response #5:** Three HRER memos were issued by the Department regarding the proposed project at 2750 Vallejo Street, Case No. 2006.0339E. Each memo was issued in response to new information or changes to the proposal and considers the information and analysis presented in prior Departmental documents.

There are no conflicts with regard to the reasoning or determinations of the Department's three HRER memos for the project. Below is a brief timeline to lend context to the determinations within these documents:

- On May 29, 2006, the Department issued a HRER memo determining that the project proposed at the time would have a significant adverse impact to the identified potential historic district by demolishing a contributory building.
- On October 26, 2006, the Department issued a second HRER memo including further analysis of the historical significance and integrity of the property based on a new report by Page & Turnbull dated October 10, 2006. The Department again found that the project would have a significant adverse impact to the identified potential historic district by demolishing a contributory building.
- In 2007-2008 the proposed project was revised to retain the existing three-story, single-family building and construct a horizontal addition at the side and rear of the building.
- On July 2, 2008, the Department issued a HRER memo finding that the revised project would retain the historic resource and would have no significant adverse impact to the identified potential historic district or to the subject property.
- On May 6, 2009, the Department issued a Certificate of Determination of Exemption from Environmental Review for the project.

In sum, the Department evaluated three separate projects for 2750 Vallejo Street and in two iterations found that it would have a significant adverse impact on the historic resource. The last revision to the project was found to have been designed in a manner that would not have a significant adverse impact to the historic resource. As such, the Department issued a Class 1 Certificate of Exemption.

**Issue #6:** "The project has many minor and major changes that will create a substantial adverse change in this historic resource. In addition, these changes will not meet the *Secretary of the Interior's Standards* for preservation, restoration, or rehabilitation of an historic resource."

**Response #6:** The Appellant has not described in sufficient detail why the project would create a substantial adverse change in the historic resource. The Department has previously described within the HRER memo dated July 2, 2008 the reasons that the project meets the *Secretary of the Interior's Standards for Rehabilitation*. The analysis is provided below:

*Standard 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The proposed single-family dwelling use is in keeping with the building's historic use.

*Standard 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The proposal will not cause the removal or alteration of any significant architectural materials, features, spaces, or spatial relationships of the primary or secondary façades. The historic character of the property will be maintained and partially restored through the reintroduction of stucco and half-timbered cladding, the modification of the window pattern, and the reduction of the "wing" additions flanking the second and attic floors. Also, the proposed stucco cladding and half-timbering details are inferred from building evidence found at the front portions of the side walls and stucco remnants around the historic window frames. The proposed pattern of timbering and stucco will be based on this historic evidence and will restore the historic materials and texture of the façade. Also, the proposed fenestration pattern and windows at the front façade will maintain the symmetrical balance of the façade while creating more proportionate window opening sizes to lessen the impact of the past insensitive "wing" additions. Finally, the proposed project would create a one-foot recess at the "wing" portion of the existing front façade which has been built up over time to subsume the historic roofline. This modification would allow the original roofline and building form to be read more clearly at the façade.

*Standard 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The distinctive elements that characterize the property, such as the sweeping front gabled roofline, will not be removed.

*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 project will not significantly alter the characteristic massing or scale of the building. Regarding the proposed rear yard addition, the added volume will be minimally visible from the public rights-of-way due to the significant setback at the west elevations and compatible height of the addition, ensuring that the characteristic scale and massing of the building as viewed from the street are not disrupted. Also, the fenestration and detailing of the addition will be contemporary in nature and will be clearly differentiated from the historic portions of the building. Regarding the proposed dormers, these features will be sufficiently set back from the front and side walls and will be appropriately proportionate to the historic roof form.

*Standard 10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

All proposed additions may be removed in the future without any damage to the form and integrity of the historic building.

## CONCLUSION

For the reasons stated above and in the May 6, 2009 Certificate of Determination, the CEQA Determination complies with the requirements of CEQA and the project is appropriately exempt from environmental review pursuant to the cited exemption. The Department therefore recommends that the Board uphold the Determination of Exemption from Environmental Review and deny the appeal of the CEQA Determination.



**CERTIFICATE OF DETERMINATION OF EXEMPTION FROM ENVIRONMENTAL REVIEW** **ATTACHMENT A**

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**SAN FRANCISCO  
PLANNING DEPARTMENT**

**Certificate of Determination  
EXEMPTION FROM ENVIRONMENTAL REVIEW**

Case No.: 2006.0339E  
 Project Title: 2750 Vallejo Street  
 Zoning: RH-1(D) (Residential House, One-Family (Detached Dwelling)) District  
 40-X Height and Bulk District  
 Block/Lot: Block 0954/Lot 006  
 Lot Size: 5,843 square feet  
 Project Sponsor: Gregory Malin, 415-504-8100, representing The Vallejo, LLC  
 Staff Contact: Jeremy D. Battis - 415-575-9022  
 jeremy.battis@sfgov.org

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 San Francisco,  
 CA 94103-2479

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**PROJECT DESCRIPTION:**

The proposed project is an enlargement and façade alteration of an existing 30-foot-high, three-story-over-basement, six-bedroom, 5,500-square foot (sq ft) detached single-family dwelling constructed circa 1910. The proposed approximately 2,500-sq ft enlargement to the west side and rear yard of the building would result in an approximately 8,000-sq ft building with seven bedrooms and restored historic features consistent with the building's original design. The existing building's height and roofline would not change. The existing building has two off-street parking spaces, which would not change. The proposed building would also have two off-street parking spaces in an adjacent garage to the west. The front façade alteration would consist of a new bay window and balcony, a modified fenestration pattern, and the replacement of existing wood shingles with stucco. Also visible from the public right of way would be reshaped dormers that would reduce their scale, and an enlargement to the building's western side on the second and third floor levels, set back 20 feet from the parcel's front edge, that would extend the building approximately 8½ feet to the west to within 4 feet of the adjacent property's lot line. The proposed rear expansion would extend the existing building by approximately 15 feet into its rear yard at the basement, ground, 2<sup>nd</sup>, and 3<sup>rd</sup> floor levels. The project site, located in the Pacific Heights neighborhood, is bounded by Vallejo Street to the south, Broderick Street to the west, Green Street to the north, and Divisadero Street to the east.

**EXEMPT STATUS:**

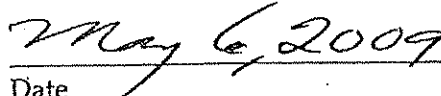
Categorical Exemption, Class 1 [State CEQA Guidelines, Section 15301(e)(1)]

**REMARKS:**

**DETERMINATION:**

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
 Bill Wycko  
 Environmental Review Officer

  
 Date

cc: Joel Yodowitz, Project Sponsor  
 G. Cabrerros & B. Bollinger, Planning Department  
 Michela Alioto-Pier, Supervisor, District 2

Exemption/Exclusion File  
 Bulletin Board/M.D.F.  
 Historic Distribution List

## REMARKS (continued):

In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department first determined that the subject building, a single-family detached home in the First Bay Tradition style, constructed circa 1910, is a contributor to a potential Pacific Heights historic district. The subject building is therefore a presumed historic resource under the Planning Department's CEQA Review Procedures. The Planning Department then considered whether the proposed project would result in a substantial adverse change to a historic resource, including the subject building and the surrounding potential district.

Based in part on information presented within a Historic Resource Evaluation submittal,<sup>1</sup> the Department determined that all proposed building modifications would comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary of the Interior's Standards) and would not result in a substantial adverse change to the historic resource.<sup>2</sup> As described in greater detail in the attached Historic Resource Evaluation Response (HRER) memorandum, the Department's preservation technical specialist verified that modifications to the front façade would maintain or partially restore the historic character of the property. The enlargements at the rear and west of the building would be compatible with the building's historic character because proposed additional volume at the west elevation would be minimally visible due to a substantial setback and any increased height would approximate the existing roofline. Further, all proposed additions would be distinguished from original material and could be removed at some future date without damage to the historic features of the building. In conclusion, the HRER memorandum found that the proposed project would not materially impair the character-defining features of the building and found that the proposed project would not have a significant adverse impact on the surrounding potential historic district.

For the reasons described above, the proposed project would be consistent with the Secretary of the Interior's Standards and would not result in a significant adverse impact to a historic resource. Because the proposed project has been found to meet the Secretary of the Interior's Standards, it would not cause a substantial adverse change to a historic resource under CEQA and may therefore be found to be exempt from environmental review if other criteria are satisfied. As described below, the project meets the criteria for exemption from environmental review under Class 1.

## CONCLUSION

CEQA State Guidelines Section 15301(e)(1), or Class 1, provides an exemption from environmental review for the repair, maintenance, or minor alteration of public or private structures, including an addition of up to 50 percent of existing floor area or 2,500 sq ft, whichever is less. The proposed project would add approximately 2,500 sq ft of area, resulting in an 8,000-sq ft single-family residence. Therefore, the proposed project is exempt from environmental review under Class 1.

<sup>1</sup>2750 Vallejo Street Revised Memorandum of Significance & Integrity by Page & Turnbull, October 10, 2006. This document is available for public review by appointment as part of Case File No. 2006.0339E at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>2</sup>Historic Resource Evaluation Response (HRER) memorandum for 2750 Vallejo Street, San Francisco, CA, from Shelley Perdue, Preservation Technical Specialist, to Jeremy Battis, Major Environmental Analysis, July 2, 2008 (attached).

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. As described above, the proposed project would not have a significant effect on a historic resource, a surrounding historic district, or other buildings in the vicinity. There are no other unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.





# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## Historic Resource Evaluation Response

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

**MEA Planner:** Jeremy Battis  
**Project Address:** 2750 Vallejo Street  
**Block/Lot:** 0954/006  
**Case No.:** 2006.0339E  
**Date of Review:** July 2, 2008  
**Planning Dept. Reviewer:** Shelley Perdue  
(415) 558-6625 | shelly.perdue@sfgov.org

**Reception:**  
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**PROPOSED PROJECT**       Demolition       Alteration

### PROJECT DESCRIPTION

The proposed project includes construction of a horizontal addition to be located in the rear yard and a portion of the west side yard; construction of roof dormers at the west and east slopes of the gabled roof; re-introduction of a one-story bay element and half-timbering at the front façade based upon historic building evidence; re-cladding of the front façade with stucco; modification of window openings at the front façade and installation of wood-framed, multi-light windows. See plans for details.

### PRE-EXISTING HISTORIC RATING / SURVEY

The subject property is not included on any historic surveys, and is not included on the National or the California Registers.

### HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

The immediate surroundings of the subject property include a number of large single-family detached homes constructed in the late 19<sup>th</sup> and early part of the 20<sup>th</sup>-century.

1. **California Register Criteria of Significance:** Note, a building may be an historical resource if it meets any of the California Register criteria listed below. If more information is needed to make such a determination please specify what information is needed. (This determination for California Register Eligibility is made based on existing data and research provided to the Planning Department by the above named preparer / consultant and other parties. Key pages of report and a photograph of the subject building are attached.)

- Event: or       Yes       No       Unable to determine
- Persons: or       Yes       No       Unable to determine
- Architecture: or       Yes       No       Unable to determine
- Information Potential:       Further investigation recommended.
- District or Context:       Yes, may contribute to a potential district or significant context

**If Yes; Period of significance:**

Notes: The project sponsor has submitted a second revised analysis dated October 10, 2006 by Page & Turnbull and Planning Staff has accompanied the project sponsor on a site visit to the subject property with Page & Turnbull. The subject property is located in an area with a high concentration of AS structures as well as *Here Today* buildings constructed in the late 19<sup>th</sup>-century and early 20<sup>th</sup>-century, including over sixty (60) rated buildings on the immediately adjacent blocks.

Pacific Heights was incorporated into San Francisco in 1850 as part of the Western Addition annexation. Up until the 1870s Pacific Heights was comprised mainly of grazing land, windswept dunes, dairy farms, and a few vacation homes of the wealthy. Beginning in the 1870s, the neighborhood's proximity to the downtown and the extension of graded streets and cable cars, as well as the dramatic bay views, made this area one of the most prestigious enclaves in San Francisco. By 1900 the area was well known as the City's most fashionable neighborhood. This notoriety attracted many of the City's best architects and the City's most affluent residents. Due to rapidly increasing land values many of the earliest homes in the area were quickly demolished to make way for substantial apartment blocks and even more extravagant homes than the original Victorians. The Stock Market Crash of 1929 halted almost all development in the neighborhood.

The subject property is a modest example of the First Bay Tradition style. Staff concurs with the Page & Turnbull evaluation in its statement, "Although without the eclecticism or whimsy of the more distinctive works of the period, the deep gable roof and frankly expressed materiality place it clearly within the movement." Based on water records, 2750 Vallejo appears to have been constructed between 1908 and 1911; however, the subject property first appears on the 1899, updated to 1905, Sanborn Map. It is one of only three properties on the block at that time, making it one of the earliest developments in this immediate area. By 1915, Sanborn Maps show roughly a dozen residences on the block and a number of vacant lots.

Staff believes that the subject property is a contributor to a potential Pacific Heights historic district because it was constructed during the identified period of significance and represents the early wave of residential development in this area. The Page & Turnbull report suggests that the property cannot be considered a contributor to a potential historic district based on a loss of integrity of original design and feeling. Planning Department staff believes that the subject property retains and communicates its architectural integrity and would contribute to the overall historic and architectural characteristics in a proposed district. Changes made to the subject property have not resulted in a loss of significance to qualify the subject property as a contributor to what is a clearly identified potential historic district.

2. **Integrity** is the ability of a property to convey its significance. To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register criteria, but it also must have integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The subject property has retained or lacks integrity from the period of significance noted above:

Location:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks

Design:  Retains  Lacks  
Workmanship:  Retains  Lacks

Materials:  Retains  Lacks

Notes: The exterior of the subject property has been subjected to a number of changes over time. The submitted report indicates permits for alteration were issued in 1929 to construct the garage at the western edge of the property; in 1950 to replace a window, and repair – or possibly install – masonry veneer at the ground level; in 1980 to clad the front portion of the structure in cedar shingles (likely replacement in-kind), and in 1983 to replace additional windows at the sides and rear of the property. Despite these changes, most of the windows appear to be in their original configuration. The Page & Turnbull report states that most of the windows date from periods later than the date of construction. While this may be the case, almost all those visible from the public rights-of-way are wood multi-pane true divided-light windows. Although they appear to be original to the date of construction, if they are not, they are at least compatible with the style of architecture and were likely replaced in kind.

The Page & Turnbull report states that in 1939 a permit was issued to 'Extend fire walls above deck on either side of building from just above the present roof deck.' This permit likely caused the unusual roof forms flanking the main elevation. Staff concurs with the report that this change in the subject property is significant, but does not compromise the integrity of the structure to a level that would render it ineligible as a contributor to a potential district. It is important to note that in regards to integrity there is a lower threshold for a property to be eligible as a contributor in a historic district than for individual designation. During the site visit it was determined that the subject property yields a large amount of physical evidence about the original design and materials that support its inclusion as a contributor to the potential district. The historic materials and design of the side elevations of the subject property are largely intact, the historic wood shingle roofing material is visible under the composite roof shingles, and the front elevation and basement level reveal clues to the original configuration of the missing bay at the ground level on the main façade. Consequently, staff believes that there enough physical evidence to support the restoration or rehabilitation of said property.

3. Determination Whether the property is an "historical resource" for purposes of CEQA

No Resource Present ( Go to 6. below )

Historical Resource Present ( Continue to 4. )

4. If the property appears to be an historical resource, whether the proposed project is consistent with the Secretary of Interior's Standards or if any proposed modifications would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).

The project appears to meet the Secretary of the Interior's Standards. ( Go to 6. below )  
Optional:  See attached explanation of how the project meets standards.

The project is NOT consistent with the Secretary of the Interior's Standards and is a significant impact as proposed. ( Continue to 5. if the project is an alteration )

*1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The proposed single-family dwelling use is in keeping with the building's historic use.

*2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The proposal will not cause the removal or alteration of any significant architectural materials, features, spaces, or spatial relationships of the primary or secondary facades. The historic character of the property will be maintained and partially restored through the reintroduction of a bay element at the first floor level, the recreation of stucco and half-timbered cladding, the modification of the window pattern, and the reduction of the "wing" additions flanking the second and attic floors. While past alterations to the façade will require that the bay element is constructed in a different location and slightly different footprint than the original bay, the addition of this element will restore some of the original character of the façade. Also, the proposed stucco cladding and half-timbering details are inferred from building evidence found at the front portions of the side walls and stucco remnants around the historic window frames. The proposed pattern of timbering and stucco will be based on this historic evidence and will restore the historic materials and texture of the façade. Also, the proposed fenestration pattern and windows at the front façade will maintain the symmetrical balance of the façade while creating more proportionate window opening sizes to mitigate the impact of the past insensitive "wing" additions. Finally, the proposal involves creating a 1 foot recess at the "wing" portion of the existing front façade which has been built up over time to subsume the historic roofline. This reveal will allow the original roofline and building form to be read more clearly at the façade.

*5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The distinctive elements that characterize the property, such as the sweeping front gabled roofline, will not be removed.

*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 project will not significantly alter the characteristic massing or scale of the building. Regarding the proposed rear yard addition, the added volume will be minimally visible from the public rights-of-way due to the significant setback at the west elevations and compatible height of the addition, ensuring that the characteristic scale and massing of the building as viewed from the street are not disrupted. Also, the fenestration and detailing of the addition will be contemporary in nature and will be clearly differentiated from the historic portions of the building. Regarding the proposed dormers, these features will be sufficiently set back from the front and side walls and will be appropriately proportionate to the historic roof form.



10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

All proposed additions may be removed in the future without any damage to the form and integrity of the historic building.

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5. Character-defining features of the building to be retained or respected in order to avoid a significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable to mitigate the project's adverse effects.

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6. Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.

Yes     No     Unable to determine

Notes: The immediate context is mixed and does not display a high level of visual continuity. It does not appear that the proposal will have a significant adverse impact on any eligible off-site historic resources.

#### PRESERVATION COORDINATOR REVIEW

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Signature: *Mark Luellen* Date: 07-07-08  
Mark Luellen, Preservation Coordinator *Sophie Middlebrook*  
acting coordinator

cc: Sonya Banks, Recording Secretary, Landmarks Preservation Advisory Board  
Vernaliza Byrd / Historic Resource Impact Review File

TF: G:\DOCUMENTS\Cases\CEQA\EIR\2750 Vallejo\2006.0339E Vallejo\_revised3 .doc



**ATTACHMENT B  
APPEAL LETTER**



November 5, 2009

Angela Calvillo  
Clerk of the Board  
San Francisco Board of Supervisors

BY 

2009 NOV -6 PM 2:58

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

Dear Angela Calvillo:

The house at 2750 Vallejo Street was designed by the prominent architect, Charles Peter Weeks, and was completed in 1905. This house is remarkably well preserved – there have been only two minor structural changes in 104 years. The Planning Department declared this house an historic resource and originally advised the project sponsor that there could be no changes that could be seen from the street. A categorical exemption was issued on May 6, 2009 which will essentially allow the project sponsor to eliminate this historic house through reconstruction.

We represent most of the neighbors of 2750 Vallejo Street and we want to appeal this categorical exemption since it was based on a third and erroneous HRER that was issued on July 2, 2008. The HRER is erroneous since it is based on inaccurate and incomplete information that was given to the Planning Department by the project sponsor. In addition, this HRER conflicts with the two previous HRER's that had been issued.

The San Francisco Preservation Bulletin #16 states on page 10 that "normally, a project will qualify for a categorical exemption if the change or alteration is minor and if the implementation of the alteration will meet the Secretary of the Interior's Standards for rehabilitation of historic structures." This project has many minor and major changes that will create a substantial adverse change in this historic resource. In addition, these changes will not meet the Secretary of the Interior's Standards for preservation, restoration, or rehabilitation of an historic resource.

We have attached the documents that your staff has requested. We look forward to hearing from you on this matter. Thank you.

Regards,



Robert A. Byrum  
Dona S. Byrum



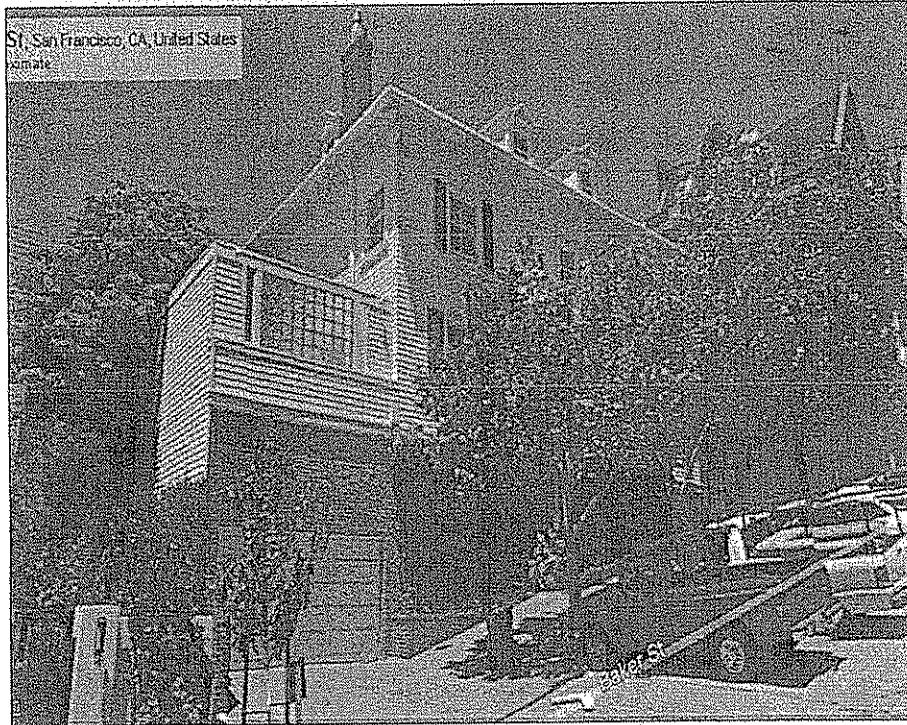
**ATTACHMENT C**  
**SURVEY OF SUTTON & WEEKS BUILDINGS**

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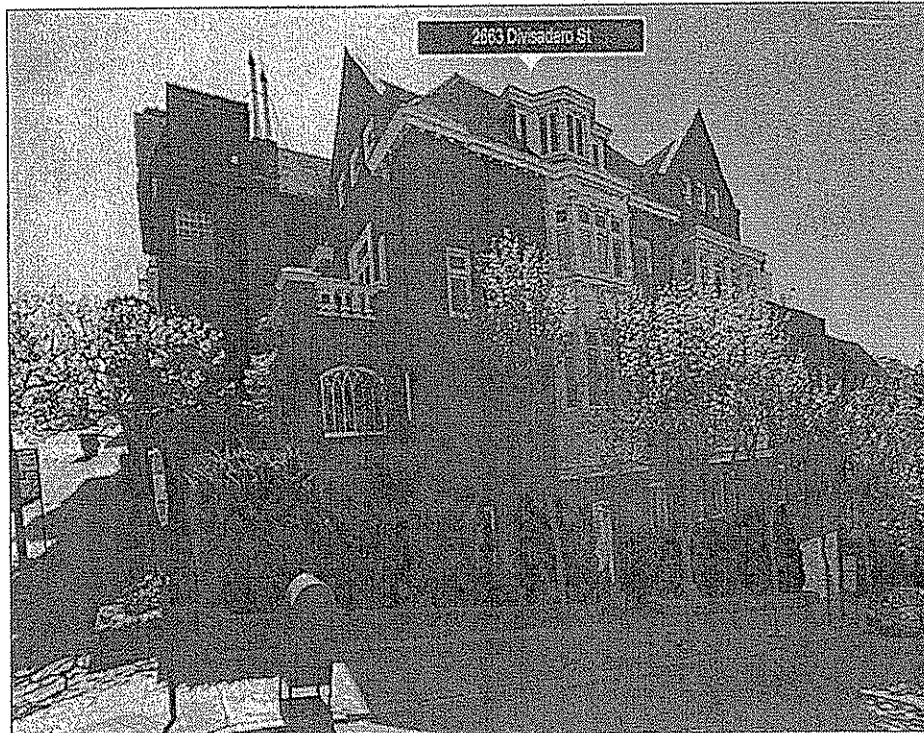
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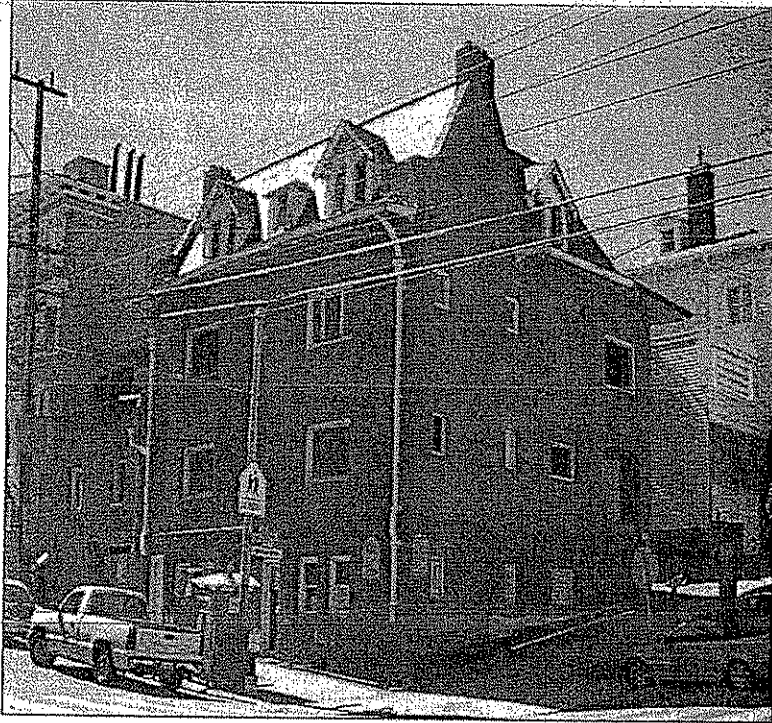


2221 Baker Street (1904)

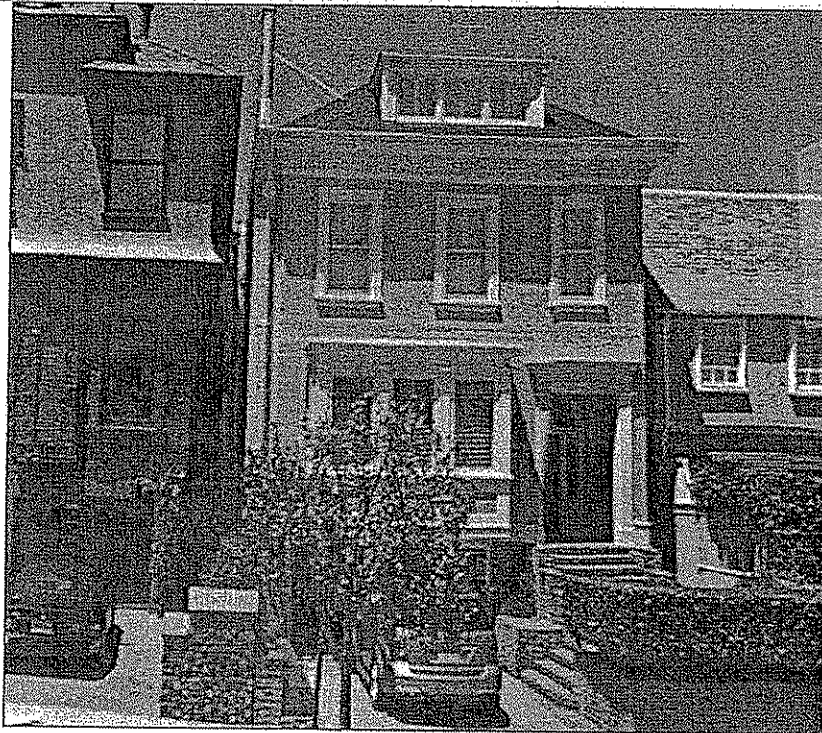


2663 Divisadero (1904)

Sutton & Weeks Buildings  
Case Number 2006.0339E  
2750 Vallejo Street



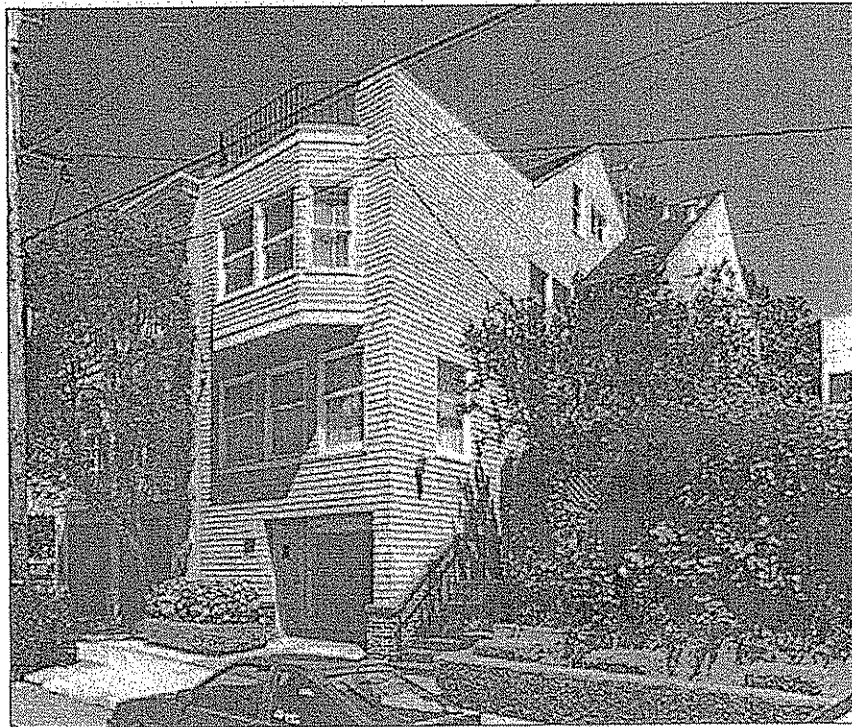
2201 Baker Street (1905)



2562 Green Street (1905)



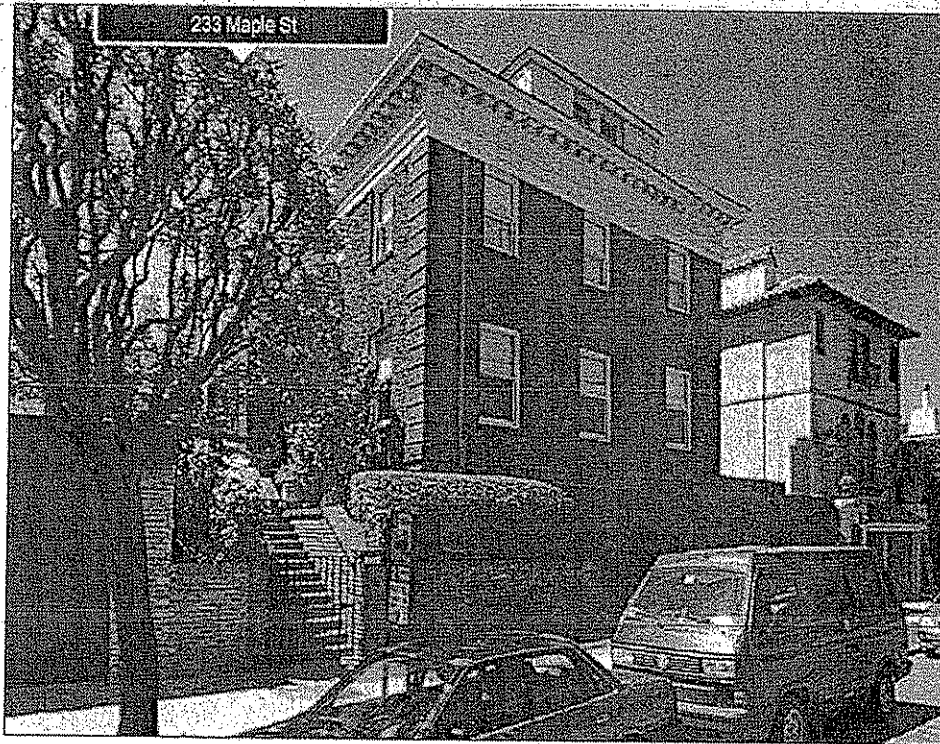
2670 Green Street (1905)



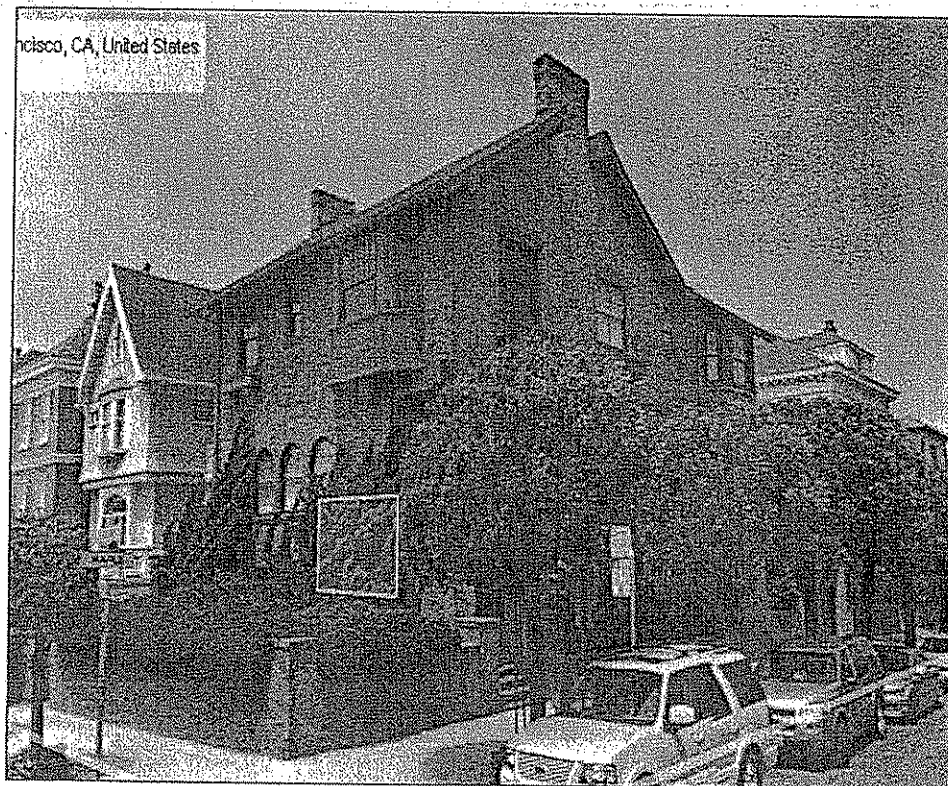
230 Cherry Street (1905)

Sutton & Weeks Buildings  
Case Number 2006.0339E  
2750 Vallejo Street

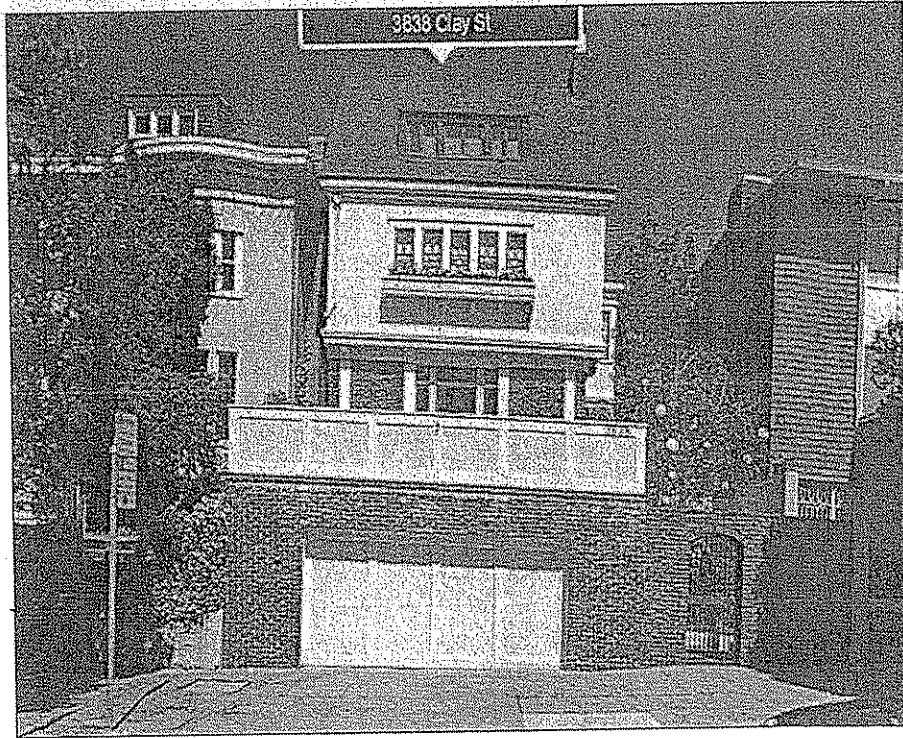




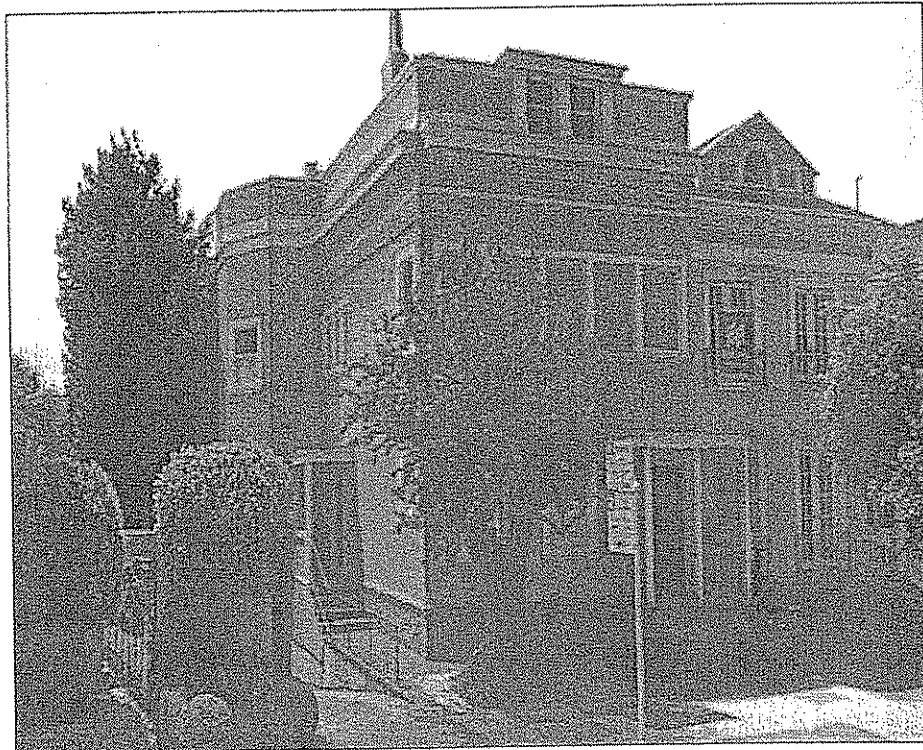
230 Maple Street (1905)



3800 Clay (1905)

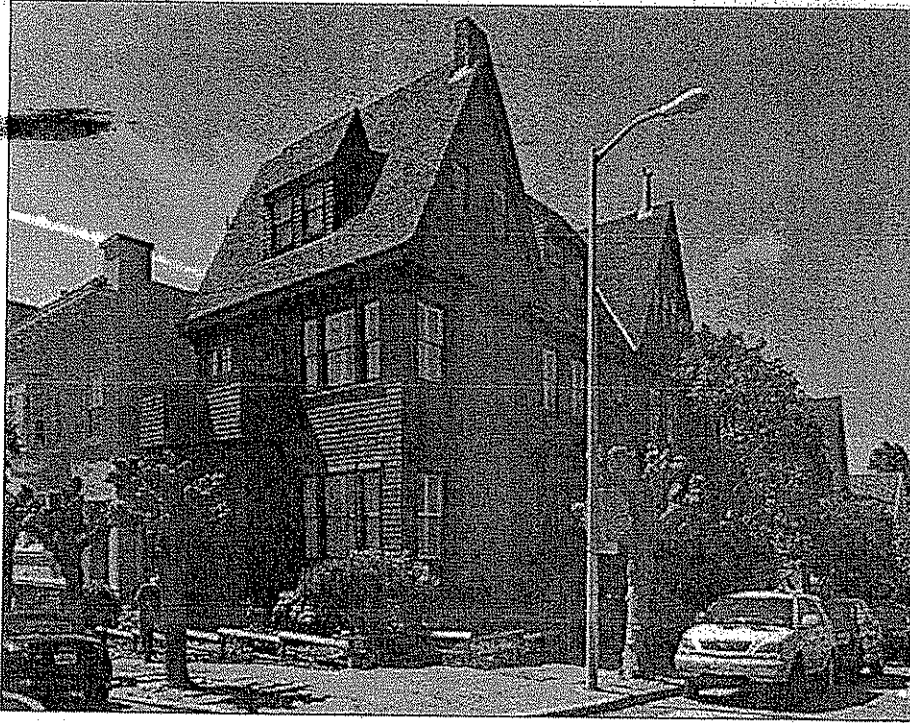


3838 Clay Street (1905)



3817 Jackson Street (1905)

Sutton & Weeks Buildings  
Case Number 2006.0339E  
2750 Vallejo Street



3901-05 Clay Street (1907)