

LEGISLATIVE DIGEST

[Planning Code - Amending Kearny-Market-Mason-Sutter Conservation District and Article 11 Designation of 55 5th Street]

Ordinance amending the Planning Code to amend Appendix E to Article 11, Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 (Downtown Commercial) Districts to expand the boundaries of the Kearny-Market-Mason-Sutter Conservation District and to designate 55-5th Street as a Contributory Building-Category IV; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Under Article 11, Section 1106 (d) of the Planning Code, the Board of Supervisors may, by ordinance, approve, modify and approve, or disapprove designation of a building as significant or contributory or a change of a building's designation. Under Article 11, Section 1107 (e) of the Planning Code, the Board of Supervisors may, by ordinance, approve, modify and approve, or disapprove designation of a Conservation District or a boundary change to a Conservation District. Once a structure has been designated, any construction, alteration, removal or demolition for which a City permit is required necessitates a Permit to Alter from the Historic Preservation Commission ("HPC"). (Planning Code Section 1111; Charter of the City and County of San Francisco, Section 4.135.) Thus, designation of a building or Conservation District affords a high degree of protection to historic and architectural structures of merit in the City.

Amendments to Current Law

This ordinance amends the Planning Code, to do two things:

First, it changes the boundaries of the Kearny-Market-Mason-Sutter Conservation District, to include the following properties:

- 55 5th Street (aka Lankershim Hotel), Assessor's Parcel Block No. 3705, Lot No. 039;
- 67-99 5th Street (aka Hotel Pickwick), Assessor's Parcel Block No. 3705, Lot Nos. 021 and 023; and
- 898 Mission Street, Assessor's Parcel Block No. 3705, Lot No. 054.

Second, it designates 55 5th Street, Assessor's Block No. 3705, Lot No. 039 as contributory to the Kearny-Market-Mason-Sutter Conservation District.

The ordinance finds that the change in boundaries of the Kearny-Market-Mason-Sutter Conservation District is proper, and that Assessor's Block No. 3705, Lot No. 039 meets the grounds for a change of designation pursuant to Section 1106(h)(2), because changes in Conservation District boundaries make a building of Contextual Importance fall outside a Conservation District and therefore no longer eligible for designation as a Contributory building, or, conversely, make a building of Contextual Importance fall within a Conservation District and therefore eligible for designation as a Contributory Building; and pursuant to Section 1106(h)(6), in that the discovery of new factual information makes the building eligible for rating as a Building of Individual Importance and, therefore, eligible to be designated as a Contributory building.

Background Information

The change in designation and the boundary change were initiated by the HPC pursuant to its authority under the Charter to recommend approval, disapproval, or change in designations and conservation district designations under the Planning Code to the Board of Supervisors. The HPC held a hearing on March 21, 2018 to initiate the change in designation of 55 5th Street, Assessor's Block No. 3705, Lot 039, and to change the Kearny-Market-Mason-Sutter Conservation District boundary. On March 21, 2018, after holding a public hearing on the proposed change in designation and conservation district boundary change having considered the Change in Conservation District Boundary and Change in Designation Case Report prepared by Planning Department staff Frances McMillen, the HPC voted to recommend approval of the conservation district boundary change and change in designation of Assessor's Block 3705, Lot 039 to the Board of Supervisors.