

1 [Planning Code - Landmark Designation - 447 Battery Street (aka Jones-Thierbach Coffee
2 Company Building)]

3 **Ordinance amending the Planning Code to designate 447 Battery Street (aka Jones-**
4 **Thierbach Coffee Company Building), Assessor's Parcel Block No. 0206, Lot No. 002,**
5 **as a Landmark consistent with the standards set forth in Article 10 of the Planning**
6 **Code; affirming the Planning Department's determination under the California**
7 **Environmental Quality Act; and making public necessity, convenience, and welfare**
8 **findings under Planning Code, Section 302, and findings of consistency with the**
9 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

18 Section 1. Findings.

19 (a) CEQA and Land Use Findings.

20 (1) The Planning Department has determined that the Planning Code
21 amendment proposed in this ordinance is subject to a Categorical Exemption from the
22 California Environmental Quality Act (California Public Resources Code Sections 21000 et
23 seq., hereinafter "CEQA") pursuant to Section 15308 of California Code of Regulations, Title
24 14, Sections 15000 et seq., the Guidelines for implementation of the statute for actions by
25 regulatory agencies for protection of the environment (in this case, landmark designation).
Said determination is on file with the Clerk of the Board of Supervisors in File No. 211021 and
is incorporated herein by reference. The Board of Supervisors affirms this determination.

1 (2) Pursuant to Planning Code Section 302, the Board of Supervisors finds that
2 the proposed landmark designation of 447 Battery Street (aka Jones-Thierbach Coffee
3 Company Building), Assessor's Parcel Block No. 0206, Lot No. 002, will serve the public
4 necessity, convenience, and welfare for the reasons set forth in Historic Preservation
5 Commission Resolution No. 1196, recommending approval of the proposed designation.

6 (3) The Board of Supervisors finds that the proposed landmark designation of
7 447 Battery Street is consistent with the General Plan and with Planning Code Section
8 101.1(b) for the reasons set forth in Historic Preservation Commission Resolution No. 1196.

9 (b) General Findings.

10 (1) On January 12, 2021, the Board of Supervisors adopted Resolution No.
11 009-21, initiating landmark designation of 447 Battery Street as a San Francisco Landmark
12 pursuant to Section 1004.1 of the Planning Code. On January 22, 2021, the Mayor approved
13 the resolution. Said resolution is on file with the Clerk of the Board of Supervisors in File No.
14 201298.

15 (2) Pursuant to Charter Section 4.135, the Historic Preservation Commission
16 has authority "to recommend approval, disapproval, or modification of landmark designations
17 and historic district designations under the Planning Code to the Board of Supervisors."

18 (3) The Landmark Designation Fact Sheet was prepared by Planning
19 Department Preservation staff. All preparers meet the Secretary of the Interior's Professional
20 Qualification Standards for historic preservation program staff, as set forth in Code of Federal
21 Regulations Title 36, Part 61, Appendix A. The report was reviewed for accuracy and
22 conformance with the purposes and standards of Article 10 of the Planning Code.

23 (4) The Historic Preservation Commission, at its regular meeting of August 4,
24 2021, reviewed Planning Department staff's analysis of the historical significance of 447
25 Battery Street set forth in the Landmark Designation Fact Sheet dated July 28, 2021.

1 (5) On August 4, 2021, after holding a public hearing on the proposed
2 designation and having considered the specialized analyses prepared by Planning
3 Department staff and the Landmark Designation Fact Sheet, the Historic Preservation
4 Commission recommended designation of 447 Battery Street as a landmark with
5 modifications to Planning staff's recommendation, consistent with the standards set forth in
6 Section 1004 of the Planning Code, by Resolution No. 1196. Said resolution is on file with the
7 Clerk of the Board in File No. 211021.

8 (6) The Board of Supervisors hereby finds that 447 Battery Street has a special
9 character and special historical, architectural, and aesthetic interest and value, and that its
10 designation as a Landmark will further the purposes of and conform to the standards set forth
11 in Article 10 of the Planning Code. In doing so, the Board hereby incorporates by reference
12 the findings of the Landmark Designation Fact Sheet.

13
14 Section 2. Designation.

15 Pursuant to Section 1004 of the Planning Code, 447 Battery Street (aka Jones-
16 Thierbach Coffee Company Building), Assessor's Block No. 0206, Lot No. 002, is hereby
17 designated as a San Francisco Landmark consistent with the standards set forth in Section
18 1004. Appendix A to Article 10 of the Planning Code is hereby amended to include this
19 property.

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21 Section 3. Required Data.

22 (a) The description, location, and boundary of the Landmark site consists of the City
23 parcel located at 447 Battery Street, Assessor's Block No. 0206, Lot No. 002, in San
24 Francisco's Financial District neighborhood.

1 (b) The characteristics of the Landmark that justify its designation are described and
2 shown in the Landmark Designation Fact Sheet and other supporting materials contained in
3 Planning Department Record Docket No. 2021-002874DES. In brief, 447 Battery Street is
4 eligible for local designation as it is associated with events that have made a historically
5 significant contribution to the broad patterns of San Francisco history and it embodies the
6 distinctive characteristics of a type, period, or method of construction. Specifically, designation
7 of 447 Battery Street is proper given its association with the San Francisco coffee industry
8 and with reconstruction of downtown San Francisco following the 1906 earthquake and fires.

9 (c) The particular features that should be preserved, or replaced in-kind as determined
10 necessary, are those generally shown in photographs and described in the Landmark
11 Designation Fact Sheet, which can be found in Planning Department Record Docket No.
12 2021-002874DES, and which are incorporated in this designation by reference as though fully
13 set forth herein, except for the property's three-story height and roughly rectangular footprint.
14 Specifically, all those physical features of the exterior of 447 Battery Street should be
15 preserved or replaced in-kind, including:

16 (1) Exterior walls constructed of brick masonry;

17 (2) Openings for storefronts and a building entry on Battery Street;

18 (3) Regular, evenly spaced rhythm of window openings on the first (Merchant
19 Street only), second and third stories; positioning of the westernmost two bays on
20 Merchant Street slightly closer together;

21 (4) Slightly projecting brick sill and a segmental arch head at window openings;

22 and

23 (5) Brick cornice consisting of, from bottom to top, a projecting bandcourse, a
24 flat frieze, several courses of corbeling, and projecting coping.

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1 Section 4. Effective Date.

2 This ordinance shall become effective 30 days after enactment. Enactment occurs
3 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
4 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
5 Mayor’s veto of the ordinance.

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8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

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10 By: /s/ Victoria Wong

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11 VICTORIA WONG
12 Deputy City Attorney

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