Certificate of Appropriateness Case Report
HEARING DATE: FEBRUARY 1, 2017

Filing Date: August 10, 2016
Case No.: 2016-010387COA
Project Address: 151 Liberty Street
Landmark District: Liberty-Hill
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 3607 / 036A
Applicant: John Duffy, John Duffy Architect
5234 Crystal Aire Drive
Mariposa, CA  95338
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Reviewed By: Tim Frye – (415) 575-6822
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PROPERTY DESCRIPTION

151 Liberty Street is a four-story, two-unit residence designed in a Craftsman architectural style located on a rectangular lot (measuring approximately 25 feet by 114 feet) on the south side of Liberty Street between Dolores and Guerrero Streets. Constructed in 1913, the building features wood-frame construction, wood-sash windows, a gable roof, and is setback from the street edge on top of a steeply graded lot. It is located in a RH-3 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District.

The Liberty-Hill Historic District is significant as an intact representation of nineteenth century middle class housing and developmental practices. It is one of the earliest residential "suburbs" to be developed in San Francisco, with major development starting in the 1860s and continuing until the turn of the century. The District's houses range in size from the small "workingman's cottages" on Lexington and San Carlos Streets, with their uniform facades and setbacks, to the individually built houses found, for example, on Liberty and Fair Oaks Streets, with varying architectural facades and setbacks.

ISSUES AND OTHER CONSIDERATIONS

On December 4, 2013, The Historic Preservation Commission adopted Motion Number 0219 (Case No. 2012.1523A) to grant a Certificate of Appropriateness for the project sponsor of 151 Liberty Street to allow the construction of a new garage, new entry stair, minor façade alterations to incorporate a secondary entrance for a new second unit, and a horizontal and vertical rear addition with a roof deck at the subject property. The proposed scope of work entailed the preservation of the primary façade, including retention of the historic windows and decorative brackets, and recladding the exterior with smooth finish stucco. The Conditions of Approval adopted in the Certificate of Appropriateness included (1) providing
material samples for all finishes, including stucco and wood handrails at the front stair; (2) providing a window schedule and associated conditions assessment of the existing historic windows; and (3) restoration of the wood trellis at the front of the property, including a conditions assessment and dimensions of all construction elements.

On December 11, 2013, the project sponsor submitted Building Permit Application No. 2013.12.11.3850 reflecting the scope of work approved under Motion No. 0219; however, no conditions assessment was provided in the window schedule. A request for discretionary review of the application was filed on February 27, 2014, to review the rear massing and roof deck, and the item was heard before the Planning Commission on July 10, 2014. Discretionary Review was not taken and on April 3, 2015, Planning Staff approved the building permit application.

On March 24, 2016, a complaint was filed with the Planning Department citing exterior alterations beyond the approved scope of the Certificate of Appropriateness (Case No. 2016-003865ENF). On March 30th, 2016, a Suspension request was issued to the Department of Building Inspection requesting that all work be put on hold until a corrective permit is issued. On April 24th, 2016, Planning Staff conducted a site visit and confirmed that the façade of the building had been demolished and reconstructed to accommodate the steel moment frame required for the new garage entry. Further, the historic windows had been removed and discarded. On June 16, 2016, Planning Staff issued a Notice of Enforcement outlining the requirements to bring the project into compliance, including the submittal of a new Certificate of Appropriateness and a corresponding Building Permit Application noting the scope of removal and corrective measures.

PROJECT DESCRIPTION

Due to the removal of the framing and cladding of the primary façade of the property, the completed unpermitted work constitutes a demolition per Section 1005(f) of Article 10 of the Planning Code.

The project proposes to restore the primary façade in accordance with the Secretary of the Interior’s Standards for Rehabilitation. Restorative work includes:

- Repair and reinstall all historic wood brackets, including eave brackets;
- Repair and reinstall eight original rafter tails, manufacture six new rafter tails to match existing;
- Restore half-timber details at gable;
- Restore historic gable by replacing central fixed window with small oculus window to match dimensions of historic vent;
- All windows on the primary façade will be custom-built, double-hung wood sash windows with true divided lites.
COMPLIANCE WITH THE PLANNING CODE PROVISIONS

The proposed project is in compliance with all other provisions of the Planning Code. Section 317 Demolition Calculations were provided and the completed work does not qualify as a de facto demolition of the residence. Proposed work requires a Building Permit from the Department of Building Inspection (DBI).

APPLICABLE PRESERVATION STANDARDS

ARTICLE 10
Pursuant to Section 1006.2 of the Planning Code, unless exempt from the Certificate of Appropriateness requirements or delegated to Planning Department Preservation staff through the Administrative Certificate Appropriateness process, the Historic Preservation Commission is required to review any applications for the construction, alteration, removal, or demolition of any designated Landmark for which a City permit is required. Section 1006.6 states that in evaluating a request for a Certificate of Appropriateness for an individual landmark or a contributing building within a landmark district, the Historic Preservation Commission must find that the proposed work is in compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, as well as the designating Ordinance and any applicable guidelines, local interpretations, bulletins, related appendices, or other policies.

ARTICLE 10 – Appendix F – The Liberty-Hill Landmark District
In reviewing an application for a Certificate of Appropriateness, the Historic Preservation Commission must consider whether the proposed work will be compatible with the character of the Liberty-Hill Landmark District as described in Appendix F of Article 10 of the Planning Code and the character-defining features specifically outlined in the designating ordinance.

THE SECRETARY OF THE INTERIOR’S STANDARDS
Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):

Standard 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The proposed project would maintain the subject property’s current and historic use as a residence.

Therefore, the proposed project complies with Rehabilitation Standard 1.

Standard 2. 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 proposed project would reconstruct and restore the historic character of the subject property, as defined by its character-defining features, including, but not limited to, its overall mass and form, double-hung wood-sash windows, wood rafter tails, and wood trellis, as well as, other elements identified in the designating ordinance for the landmark based on archival evidence including historic photos and documentation prior to the removal of the facade. The historic gable will be retained and the non-historic window would be removed and replaced with an oculus window to match the historic vent. The new stair and handrails on the primary facade are in keeping with the design originally approved by the Commission.

Therefore, the proposed project complies with Rehabilitation Standard 2.

Standard 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

The proposed project does not include the addition of conjectural elements or architectural features from other buildings. All restorative work would refer to historic photographs of the property and documentation completed prior to the removal of the façade. This new work will not create a false sense of historical development and would be compatible with the surrounding district.

Therefore, the proposed project complies with Rehabilitation Standard 3.

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

All remaining distinctive materials, features, finishes, construction techniques or examples of craftsmanship will be preserved and reinstalled. Nearly all character-defining finishes at the primary façade have previously been removed. All restorative work will match the lost historic features in design, material and finish.

Therefore, the proposed project complies with Rehabilitation Standard 5.

Standard 6: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacements of a distinctive feature, the new feature will match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The previously approved project called for the repair of the existing windows on the primary façade and the reconstruction of the existing wood trellis in-kind, due to extensive wood deterioration. Due to the removal of the historic windows, all new windows will be custom built to match the historic windows in size, material and operation based on photographic evidence of the building’s design.

Therefore, the proposed project complies with Rehabilitation Standard 6.
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 is to correct all work completed without the benefit of permits or Preservation staff review, primarily addressing the full reconstruction and restoration of the historic primary façade. All materials, features, and spatial relationships that characterize the property will be carefully restored with the guidance of a preservation architect.

Prior approvals included wholesale replacement of stucco cladding, addition of a new garage, a new residential entryway, and reconstruction of the entry stairs at the front façade. Other work included a rear horizontal and vertical addition that was reviewed and approved by the HPC under Motion No. 0219. No new additions or exterior alterations are proposed.

Therefore, the proposed project complies with Rehabilitation Standard 9.

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

The proposed scope of work is not additive in nature, but would restore the historic character of the building. The proposed scope of work does not entail additions that were not previously reviewed and approved by the Historic Preservation Commission.

Therefore, the proposed project complies with Rehabilitation Standard 10.

PUBLIC/NEIGHBORHOOD INPUT

The Department has received one phone call and subsequent email from an adjacent neighbor regarding the project. Their comments suggest that Commission require that the rear addition incorporate wood-framed mullioned windows at the rear and side facades to match the front façade of the property and that wood siding be required as a historically appropriate, high-quality material on secondary facades. This opinion was reiterated by a second neighbor within the Landmark District by email. Further, it was suggested that the roof deck, which features a hot tub, wet bar and grill be removed to maintain privacy of the adjacent properties. No additional public comment has been received to date.

STAFF ANAYLSIS

Included as an exhibit are architectural drawings of the existing building and the proposed project. Based on the requirements of Article 10 and the Secretary of Interior’s Standards, staff has determined that the proposed work is compatible with the character-defining features of the subject building and with the Liberty-Hill Landmark District. Due to the extensive removal of historic materials at the primary façade, the proposed scope of reconstructive work would restore the historic character of the existing building, including distinctive materials, architectural elements, and spaces that characterize the property.
Although the subject property is designed in a Craftsman architectural style, 151-153 Liberty Street is designated as a contributor to the Liberty-Hill Historic District, which is generally known for the strong collection of Victorian-era and Edwardian-era architectural resources. 151-153 Liberty Street does share common characteristics of the surrounding district, which include a raised first floor entrance, front-facing gables, and wood construction and detailing. The new materials specified for the façade will be in alignment with the property’s and district’s character-defining features, which include stucco and half-timber siding and wood-sash double-hung windows with true divided lites and ogee lugs. No new decorative or conjectural elements are proposed in the design of the restoration.

Department staff finds that proposed work will be in conformance with the Standards and requirements of Article 10, as the proposed work shall restore the special character or special historical, architectural, or aesthetic interest or value of the landmark and its site.

ENVIRONMENTAL REVIEW STATUS

The Planning Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Sections 15301 (Class One - Minor Alteration of Existing Structure) because the project involves restoration based upon documented evidence of the building’s historic condition that meets the Secretary of the Interior Standards for Rehabilitation of a Historic Property.

PLANNING DEPARTMENT RECOMMENDATION

Planning Department staff recommends APPROVAL WITH CONDITIONS of the proposed project as it appears to meet the Secretary of the Interior Standards for Rehabilitation. Staff supports the project with the following conditions:

- As part of the Site Permit, the Project Sponsor shall provide material samples, including the examples of the materials for the proposed stair tread and rise, and handrails to ensure compatibility with the surrounding landmark district. These material samples shall demonstrate the range of color, texture and finish for the identified materials. Generally, the materials should feature a matte or painted finish, and be consistent with the building’s overall historic character.

- As part of the Site Permit, the Project Sponsor shall provide a detailed window schedule detailing the dimensions of the proposed new windows and providing elevations and sections.

- The project sponsor shall complete a site visit with Department preservation enforcement staff prior to occupancy in order to verify compliance with the approved project description and conditions of approval.
ATTACHMENTS

Draft Motion
Public Correspondence
Parcel and 1998 Sanborn Maps
Photographs
Plans

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ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR PROPOSED WORK DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10, TO MEET THE STANDARDS OF ARTICLE 10 AND TO MEET THE SECRETARY OF INTERIOR’S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 036A IN ASSESSOR’S BLOCK 3607, WITHIN AN RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on August 16, 2016, Lerner + Associates Architects filed an application on behalf of John Duffy of Building Design Group, (Project Sponsor) with the San Francisco Planning Department (hereinafter “Department”) for a Certificate of Appropriateness to correct violation number 2016-003856ENF, pertaining to exterior alterations beyond the previously approved scope of work (Case no. 2012.1523A, HPC Motion No. 0219) at the two-unit residence located on the subject property on lot 036A in Assessor’s Block 3607. The proposed scope of work includes restoration of the historic façade in conformance with the Secretary of the Interior’s Standards. Due to the extent of removal of the framing and cladding of the primary façade of the property, the completed unpermitted work qualifies as a demolition per Section 1005(f) of Article 10 of the Planning Code.

WHEREAS, the Project was determined by the Department to be categorically exempt from environmental review. The Historic Preservation Commission (hereinafter “Commission”) has reviewed and concurs with said determination.
WHEREAS, on February 1, 2017, the Commission conducted a duly noticed public hearing on the current project, Case No. 2016-010387COA (“Project”) for its appropriateness.

WHEREAS, in reviewing the Application, the Commission has had available for its review and consideration case reports, plans, and other materials pertaining to the Project contained in the Department’s case files, has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby grants the Certificate of Appropriateness, in conformance with the architectural plans received on December 21, 2016 and labeled Exhibit A on file in the docket for Case No. 2016-010387COA based on the following findings:

CONDITIONS OF APPROVAL

- As part of the Site Permit, the Project Sponsor shall provide material samples, including the examples of the materials for the proposed stair tread and rise, and handrails to ensure compatibility with the surrounding landmark district. These material samples shall demonstrate the range of color, texture and finish for the identified materials. Generally, the materials should feature a matte or painted finish, and be consistent with the building’s overall historic character.
- As part of the Site Permit, the Project Sponsor shall provide a detailed window schedule detailing the dimensions of the proposed new windows and providing elevations and sections.
- The project sponsor shall complete a site visit with Department preservation staff prior to occupancy in order to verify compliance with the approved project description and conditions of approval.

FINDINGS

Having reviewed all the materials identified in the recitals above and having heard oral testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and also constitute findings of the Commission.

2. Findings pursuant to Article 10:

   The Historical Preservation Commission has determined that the proposed work is compatible with the character of the landmark as described in the designation report.

   - The proposed project will retain the residential use in conformance with prior approvals.
   - The proposed project will not add any conjectural historical features or features that add a false sense of historical development. The façade restoration will be based entirely on documentary evidence including historic photographs and documentation completed prior to removal.
The project will restore distinctive materials and finishes from the period of significance, including the double-hung wood sash windows, wood brackets and rafter tails, and replacing central fixed window in the gable with a small oculus window to match dimensions of historic vent.

The proposed project meets the following Secretary of the Interior’s Standards for Rehabilitation:

**Standard 1.**
A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

**Standard 2.**
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.

**Standard 3.**
Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

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

**Standard 6.**
Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

**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.

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

3. **General Plan Compliance.** The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:
I. URBAN DESIGN ELEMENT
THE URBAN DESIGN ELEMENT CONCERNS THE PHYSICAL CHARACTER AND ORDER OF THE CITY, AND THE RELATIONSHIP BETWEEN PEOPLE AND THEIR ENVIRONMENT.

GOALS
The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3
Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4
Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5
Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7
Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco’s visual form and character.

The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of 151 Liberty Street and the Liberty-Hill Historic District for the future enjoyment and education of San Francisco residents and visitors.
4. The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed project is for the restoration of a residential property and will not have any impact on neighborhood serving retail uses.

B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed project will strengthen neighborhood character by restoring the character-defining features of the landmark in conformance with the Secretary of the Interior’s Standards.

C) The City’s supply of affordable housing will be preserved and enhanced:

The project will not reduce the affordable housing supply as the new second, previously approved unit will be completed following the approval of this project.

D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking. It will provide sufficient off-street parking for the proposed units.

E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed will not have any impact on industrial and service sector jobs.

F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is improved by the proposed work. The work will eliminate unsafe conditions at the site and all construction will be executed in compliance with all applicable construction and safety measures.

G) That landmark and historic buildings will be preserved:

The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the
Interior’s Standards.

H) Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed project will not impact the access to sunlight or vistas for the parks and open space.

5. For these reasons, the proposal overall, is appropriate for and consistent with the purposes of Article 10, meets the standards of Article 10, and the Secretary of Interior’s Standards for Rehabilitation, General Plan and Prop M findings of the Planning Code.
DEcision

that based upon the record, the submissions by the applicant, the staff of the department and other interested parties, the oral testimony presented to this commission at the public hearings, and all other written materials submitted by all parties, the commission hereby grants a certificate of appropriateness for the property located at lot 036a in assessor’s block 3607 for proposed work in conformance with the renderings and architectural sketches dated july 28th and labeled exhibit a on file in the docket for case no. 2016-010387coa.

appeal and effective date of motion: the commission’s decision on a certificate of appropriateness shall be final unless appealed within thirty (30) days. any appeal shall be made to the board of appeals, unless the proposed project requires board of supervisors approval or is appealed to the board of supervisors as a conditional use, in which case any appeal shall be made to the board of supervisors (see charter section 4.135).

duration of this certificate of appropriateness: this certificate of appropriateness is issued pursuant to article 10 of the planning code and is valid for a period of three (3) years from the effective date of approval by the historic preservation commission. the authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this motion, a site permit or building permit for the project has not been secured by project sponsor.

this is not a permit to commence any work or change of occupancy unless no building permit is required. permits from the department of building inspection (and any other appropriate agencies) must be secured before work is started or occupancy is changed.

i hereby certify that the historical preservation commission adopted the foregoing motion on february 1, 2017.

jonas p. ionin
acting commission secretary

ayes: x

nays: x

absent: x

adopted: february 1, 2017
Public Correspondence
Hello Alexandria,

As I mentioned on the phone it would be great if two things could happen:

1. I suggest they put wood framed, mullioned windows in the back to match the front facade of the home and put lap board wood siding like there originally was all around the home (there is still wood siding on the remaining west facing wall)

2. I also request they drop the roof deck they added into the plans at the last moment of the planning process. My family and I shudder at the thought of a party deck with kitchen and hot tub within feet of my bedroom window.

Best,

Jonathan
Ms. Kirby - This is just a short note from another owner in the Liberty Hill Landmark District supporting your proposal to hold the owner at 151-153 Liberty to strict compliance with the standards in the district. The requirement to maintain facades is one of the relatively few protections in the district and is essential to maintaining the integrity of the district. Any financial impact on the owner would appear to be minor given the fact that the structure has only been shelled, with no windows or facade yet installed. To the extent available, the planning department should also consider additional sanctions against the architect, who should have been familiar with these requirements and ensured compliance with them. By way of comparison, Mr. Zuckerberg's rebuild on 21st Street very carefully complied with the facade replacement requirement, demonstrating it's simplicity, reasonableness and feasibility. Although apparently not the subject of the current proceeding, there would also appear to be no special circumstances warranting any variance from the district standards. - Alan Waltner
Certificate of Appropriateness Hearing
Case Number 2016-010387COA
151 Liberty Street
Block 3607 Lot 036A
Sanborn Map*

*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.
Certificate of Appropriateness Hearing
Case Number 2016-010387COA
151 Liberty Street
Block 3607 Lot 036A
Site Photo

Current Conditions

Certificate of Appropriateness Hearing
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151 Liberty Street
Block 3607 Lot 036A