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June 26, 2006

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Mr. Milford Wayne Donaldson, FAIA
Office of Historic Preservation
Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296-0001

Re: 2151 Van Ness Avenue, San Francisco
(former St. Brigid Church)
Request for Determination that Structure is
Ineligible for the National Register
(and California Register)

Dear Mr. Donaldson:

We represent the Academy of Art University ("Academy") and its affiliated entity, 2151 Van Ness Avenue LLC, that holds title to the property at 2151 Van Ness Avenue in San Francisco, formerly St. Brigid church (the "Property"). In 1995, the Keeper of the National Register determined St. Brigid church to be "eligible" for the National Register of Historic Places. However, a recent, comprehensive review of the 1995 Nomination Report ("1995 Nomination Report") by an experienced architectural historian has identified **substantial errors in the 1995 Nomination Report**, including significant incorrect, speculative, and/or conjectural information, as well as errors in professional judgment with respect to the building's integrity. Therefore, we are requesting that the Office of Historic Preservation again review the nomination analysis, with the corrected information, and initiate the process for determining that the building, in fact, is ineligible for the National Register. In addition, we believe that if the Property is ineligible for the National Register, you should also find it ineligible for the California Register.

1. Background

2151 Van Ness Avenue, the former St. Brigid Church, was completed prior to the 1906 earthquake, and was operated as a Catholic Church. However, beginning in the 1930's, the building was substantially altered, as detailed in the enclosed Revised Nomination Report. In 1994, the building's owner, the Archdiocese of San Francisco, decided to close the church. In reaction to that decision, a self-trained "preservation advocate" prepared the 1995 Nomination Report, and in December, 1995, a determination was issued that the Property was "eligible" for the National Register. We understand that subsequently the Property was found to be eligible for the California Register, based on the National Register determination.

In 2005, the Archdiocese of San Francisco made the final decision not to reopen the church, and the Property was offered for sale. Concerns were raised by former parishioners and others that a new owner might substantially alter the building, perhaps demolish it entirely. An effort was initiated by former parishioners to have the Property listed as a local landmark under San Francisco ordinance. Since San Francisco evaluates properties for landmark status based on the National Register criteria, the City's evaluation of the Property primarily relied on the information in the 1995 Nomination Report, and the Keeper's determination, based on that Report, that the Property was eligible for the National Register.

In October 2005, 2151 Van Ness Avenue LLC, an entity affiliated with the Academy, acquired the Property. The Academy has no intention of demolishing or significantly altering the Property's exterior, and does not contemplate any major changes to the interior, regardless of the Property's landmark or National Register status. The Academy's intent is to use the main sanctuary space as an auditorium for lectures and performances. However, the Academy does not wish to be subject to the administrative costs and constraints of the San Francisco landmark ordinance process, particularly since the nomination is based on an erroneous evaluation of the Property's status under the National Register criteria.

2. Re-Evaluation of the Property's Eligibility for the National Register

At the Academy's request, the 1995 Nomination Report was reviewed by Patrick McGrew, an architectural historian with many years of experience in the application of the National Register criteria. **Mr. McGrew determined that the 1995 Nomination Report contained numerous very serious factual errors, as well as errors in professional judgment.** Mr. McGrew has prepared a Revised Nomination Report, which reaches the conclusion that the Property does not meet the criteria for National Register listing, due primarily to the series of alterations, beginning in the 1930's, that have destroyed the building's integrity (see enclosure).

Eligibility for the National Register is conditioned upon a structure's ability to qualify under at least one of four criteria: Events, Persons, Architecture or Archeology. **Additionally, a building must be shown to retain its architectural Integrity.** In the case of the former St. Brigid church, the 1995 Nomination Report makes a marginal case for qualification for listing at the local level based upon the building's architecture as being representation of the Richardson Romanesque style, although alterations have substantially diminished the building's original character-defining features. Additionally, the 1995 Nomination Report presents its case for the building's integrity by overlooking its 1896 Richardsonian origins, to develop an argument that the 1930's remodel is architecturally significant. Mr. McGrew has concluded that the facts actually support the opposite conclusion, both for architectural significance, and architectural integrity.

A property that previously has been determined eligible for listing on the National Register can be determined ineligible. The Keeper of the Register is empowered to remove a determination of Register eligibility if it can be shown, through additional information, not to

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meet the criteria for listing, or if it can be demonstrated that the building has been found "eligible" due to an error in professional judgment.

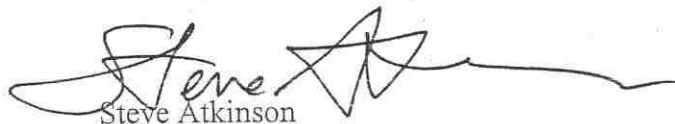
A reorganized and corrected version of the 1995 Nomination Report is enclosed to clarify and correct many of the original report's misinterpretations and errors in professional judgment.

3. Conclusion

We respectfully request that the Historic Preservation Office review the enclosed Revised Nomination Report, and forward it to the Keeper of the National Register so that the erroneous determination that the Property is eligible for the National Register can be corrected. By copy of this letter, we are advising the Keeper of this submission, and of our request that the Historic Preservation Office respond to this request in a timely manner.

Please contact me if you need any further information, and to advise us of the status of your review.

Sincerely,



Steve Atkinson

Enclosure

cc: Keeper of the National Register, NPS
Academy of Art University

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