



THE CITY OF SAN DIEGO

# Historical Resources Board

DATE ISSUED: April 12, 2007 REPORT NO. HRB-07-026

ATTENTION: Historical Resources Board  
Agenda of April 26, 2007

SUBJECT: **ITEM #14 – Proposed Project at 777 Beech Street,  
adjacent to the El Cortez Hotel, HRB Site #269**

APPLICANT: JSD1, LLC, owner c/o Peter Janopaul

LOCATION: 777 Beech Street, Centre City Community, Council District 2

DESCRIPTION: Determine whether or not the proposed construction at 777 Beech Street meets the U.S. Secretary of Interior's Standards for Rehabilitation with respect to the adjacent historically-designated El Cortez.

## STAFF RECOMMENDATION

Find that the proposed 777 Beach Street project is not consistent with the U.S. Secretary of the Interior's Standards for Rehabilitation with respect to the adjacent, historically designated El Cortez building, located at 702 Ash Street. The specific Standards for Rehabilitation that apply to the proposed new structure are Standards 2, 9 and 10.

## BACKGROUND

The El Cortez Hotel (now condominiums) at 702 Ash Street was designated as City of San Diego Historic Site No. 269 on July 25, 1990. A copy of the relevant Resolution, No. R-99072513, is included as Attachment 1. The El Cortez is also a National Register historic site.



### Planning Department

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When the El Cortez Hotel was originally constructed in 1927, the parcel where 777 Beech is proposed was not a part of the hotel or its grounds and was occupied by several large houses. These houses were later demolished, and the Caribbean Wing of the El Cortez was constructed in their place in 1954. The Caribbean wing was in the approximate location of the proposed development and was 8 to 9 stories tall. When the El Cortez was historically designated by the City of San Diego in 1990, the hotel, along with the Caribbean Wing, occupied the full-block site. However, the Caribbean Wing was not included in the historic designation as it was not within the 1927 period of significance. Peter Janopaul, one of the two partners that acquired the vacant El Cortez and performed a certified rehabilitation in 1997, subsequently demolished the non-historic Caribbean Wing structure in 1999. When the conversion of the El Cortez hotel to condominiums occurred in 2004, a separate lot was created where the Caribbean Wing once stood. It was acknowledged that the designation of the El Cortez included only the exterior of the hotel itself and not the non-historic Caribbean Wing, and therefore the demolition and the creation of the separate lot was permitted. It is on this site, adjacent to the El Cortez, that the 777 Beech Street project is proposed.

## ANALYSIS

The project, which is located on a sloping lot, proposes to construct a contemporary stepped 17 to 18 story, 108-unit structure. The glass contemporary structure will have commercial/retail uses at the street level, individual balconies at the units, and roof-top terraces at the 5th, 9th, 13th and 17th floors. In addition, it will have three below-grade levels of parking for approximately 158 automobiles, 50 more than the code-required one space per unit.

The proposed project has a similar but slightly larger footprint than the Caribbean Wing, but is otherwise dissimilar in height, bulk and scale to this demolished wing. The height of the proposed 777 Beech project does not exceed the height of the El Cortez, stopping short by approximately one floor (180 feet vs. 214 feet). The El Cortez structure is sited at a 45-degree angle on the site, and the new structure is parallel to Beech Street, with 40+ feet separating the historic structure from the proposed structure. Due to the proposed height of the project, 777 Beech would directly block views of the rear of the El Cortez. In particular it would block the iconic “postcard” view of the El Cortez from the Cabrillo Bridge in Balboa Park. Included as Attachment 2 to this staff report is a design packet from the applicant that describes the proposed project.

The applicant brought the currently proposed project to the Design Assistance Subcommittee (DAS) of the Historical Resources Board (HRB) on March 14, 2007. (A different 6-8 story proposal was reviewed by the DAS on April 5 and May 3, 2006.) At the March 14, 2007 DAS meeting, a consensus of the DAS stated that the proposed project did not meet the Secretary of the Interior’s Standards for Rehabilitation based on Standards 2, 9 and 10. Staff has included a copy of the March 14, 2007 Meeting Notes as Attachment 3. Staff believes that the proposed new 777 Beech structure is not designed as a “background”, complementary structure and is clearly not secondary to the primary historic resource, the El Cortez. In addition, the proposed new structure significantly impacts views of the El Cortez. The DAS and HRB staff have therefore determined that the proposed project is not consistent with the U.S. Secretary of the Interior’s Standards for Rehabilitation as follows:

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.”*

Not Applicable. No changes will be made to the El Cortez itself.

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 portion of this standard which applies to the project is the spatial relationship of the El Cortez to other buildings which have been located adjacent to the building (i.e. the original houses and the Caribbean Wing). The new construction will no longer maintain the spatial relationship to/from the historic structure due to the height of the proposed new project, which has little size, scale, proportion or massing relationship to the elements that previously existed on the project site (houses and the Caribbean Wing). It should be noted that, when designated in 1990, the proposed project site was a portion of a single whole-block site. Later, in 1999, the proposed project site was split off from this full block site.

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.”*

Not Applicable. No changes will be made to the El Cortez itself.

4. *“Changes to a property that have acquired historic significance in their own right will be retained and preserved.”*

Not Applicable. No changes will be made to the El Cortez itself.

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

Not Applicable. No changes will be made to the El Cortez itself.

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.”*

Not Applicable. No changes will be made to the El Cortez itself.

7. *“Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.”*

Not Applicable. No changes will be made to the El Cortez itself.

8. *“Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.”*

The property is not a designated archaeological site. Any required monitoring and/or mitigation which would be required of any site within the downtown area will be determined by CCDC.

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 critical issue regarding this Standard is the fact that the bulk, scale and massing of the proposed structure at 777 Beech Street are not designed to minimize visual impacts to the El Cortez structure. This issue is related to public views of the El Cortez, as well as the size, scale, proportion and massing dominance of the proposed new structure which competes with these elements of the El Cortez, and fails to protect the integrity of the historic property and its environment.

The 777 Beech Street property will not impact any historic fabric at the El Cortez structure. However, the proposed project does not respect historic spatial relationships. The site for the proposed new structure was historically occupied by large scale (up to 4 stories) homes during its 1927 period of significance and later, the 6-8 story Caribbean Wing that was constructed in 1954.

The new construction is differentiated from the El Cortez structure as a contemporary structure, but does not employ any details or materials which relate to the character of the El Cortez, precluding complementary compatibility. Such elements could include the use of masonry and a similar fenestration rhythm.

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.”*

Although located on a newly-created adjacent parcel and detached from the historic El Cortez, the proposed new project will be located on the original full-block site that is identified in the City of San Diego and National Register designation. The construction of the new proposed project has no physical impact to the historic fabric of the El Cortez and the 777 Beech Street property could be removed without impact to the essential form and integrity of the historic property and its environment. However, the economics of the construction of any proposed mid-rise structure in this location would impact the possibility of its removal in the foreseeable future.

## CONCLUSION

Therefore, staff recommends that the Board find that the proposed 777 Beach Street project is not consistent with the U.S. Secretary of the Interior's Standards for Rehabilitation with respect to the adjacent, historically designated El Cortez building.



Michael Tudury  
Architect/Senior Planner



Cathy Winterrowd  
Senior Planner/Program Coordinator

MT/cw

- Attachments:
1. City of San Diego Designation Resolution
  2. Applicant's design drawing packet (under separate cover)
  3. Meeting Notes from March 14, 2007 DAS Special Meeting

RESOLUTION NUMBER R - 90072513

ADOPTED ON JULY 25, 1990

WHEREAS, the Historical Site Board for the City of San Diego held a noticed public hearing on July 25, 1990 to consider the historical site designation of the El Cortez Hotel located at 702 Ash Street (APN 534-013-10); and

WHEREAS, in arriving at their decision, the Historical Site Board considered the historical/architectural report, the staff report and recommendation, all other materials submitted prior to and at the public hearing, inspected the subject property and heard public testimony presented at the hearing; and

WHEREAS, the Planning Department report recommended that the site be designated as Site No. 269 in the Register of Historic Landmarks by the Historical Site Board; and

WHEREAS, the Historical Site Board based its designation of the El Cortez Hotel on its long time status as the City's "landmark hotel"; its association with many local and nationally significant personages (including Richard T. Robinson, Jr., the original owner, and Mr. Handlery in the 1950s); its being the focus of many significant local events and its significance as a local work of prominent Los Angeles architects, Walker and Eisen.

NOW, THEREFORE,

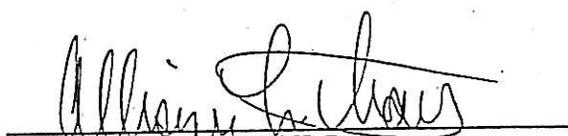
BE IT RESOLVED, by the Historical Site Board for the City of San Diego, that in light of the foregoing, it hereby approves the historical site designation of the above described property, the area specifically designated being the exterior of the building, as Site No. 269. Grade 1.

BY:

  
KATHRYN C. WILLETTS  
Chair, Historical Site Board

APPROVED AS TO FORM AND  
LEGALITY: JOHN W. WITT,  
CITY ATTORNEY

BY:

  
ALLISYN L. THOMAS  
Deputy City Attorney

**Note: These Meeting Notes were revised March 28, 2007 to correct several names of the public participants and to correctly state the representation of the SOHO Preservation Action Committee (not the SOHO Board) on page 6.**

## **DESIGN ASSISTANCE SUBCOMMITTEE SPECIAL MEETING**

March 14, 2007, 3:00 pm – 4:30  
12<sup>th</sup> Floor Conference Room B  
City Administration Building  
202 C Street, San Diego, CA

### **MEETING NOTES**

1. **ATTENDANCE**

Boardmembers: David Marshall (Chair), Laura Burnett, Otto Emme and John Eisenhart  
Staff: Marianne Greene, City Attorney's Office; Michael Tudury, HRB; Brad Richter, CCDC  
Guests: 777 Beech Street Proposed Project: Mike Zucchet, JPBSD; Ricardo Rabines, Taal Safdie and Scott Maas, Safdie Rabines Architects; Jennifer Tierney, Gemini Group  
Public: Ray wooding, Vernon Miller, Dali Robinson, Debbie Bruins, Rita Collier, Anne Porter, Kathy Casey, Amy Roth

2. Public Comment regarding matters not on the agenda:

None

3. 777 Beech Street Proposed Project:

The proposed project is located on a newly-created 20,000 sq. ft. parcel on the south side of Beech Street between 7<sup>th</sup> and 8<sup>th</sup> Avenues (adjacent to and on the same city block as the City and National Register historically-designated El Cortez Hotel)

Rita Collier passed out copies of historic photos, identified by date in a cover index.

HRB staff provided the following to DAS members and representatives of the public and the owner: A copy of the Secretary of the Interior's Standards for Rehabilitation (the Standards); e-mails from the public regarding the project; and historic postcards showing the context of the El Cortez Hotel that were provided by Chair David Marshall from his personal collection.

Brad Richter, CCDC Senior Planner, discussed the permit process that the proposed project has undergone since a project on this site was last reviewed by the DAS in April/May of 2006. In September and November the proposed project was reviewed by CCDC committees who directed other options. The project that was proposed to the

DAS has been changed in order to address comments from the Real Estate Committee of the Centre City Development Corporation (CCDC) Board and the Centre City Advisory Committee. The Real Estate Committee recommended the exploration of alternative designs for the project and has directed the applicant to pursue a project consisting of an 18 story, 180 foot tall structure exhibiting contemporary architecture.

On behalf of owner Peter Janopaul, Mike Zucchet noted the conflicting directions given to the owner/developer regarding the proposed project by various reviewing entities and stated that the CCDC is the permitting authority. Mr. Zucchet pointed out that existing views of the historic resource are currently obstructed by existing mid- and high-rise construction nearby, and that the zoning and known proposed plans for adjacent sites would further block long-distance views as well. Mr. Zucchet responded to a DAS question regarding the potential of joint use, stating that the owner was in negotiations with the Home-Owners Association (HOA) regarding joint use of the pool and parking. He stated that the number of condominium units in the current proposal was 108 units, 10% of which is proposed to be on-site affordable units. Also in response to a DAS question, Mr. Zucchet indicated that the parking entry was located as previously proposed, at the corner of 8<sup>th</sup> Avenue. The three-level garage would provide parking for approximately one space per bedroom, not just the one space per unit required in the code. This would allow for an additional 50+- spaces beyond that required and some of these spaces may be available to owners of units at the El Cortez.

Architects Taal Safdie and Ricardo Rabines then gave a powerpoint presentation that included both street-level and aerial /"fly-over" views of the proposed project. They also provided 11"x17" paper copies of the powerpoint. They discussed the proposed revised project, as well as the new structure's relationship to the historically-designated El Cortez Hotel. The proposed project is now approximately one story less in height overall than the El Cortez Hotel structure (not including the El Cortez sign). The distance between the tower of the El Cortez Hotel and the new tower is approximately 40 feet at the lower tier, expanding to approximately 100 feet in separation at the uppermost level. Mr. Rabines pointed out that they studied the view diagonals both to and from the El Cortez and designed the proposed new tower to address these views. He also stated that the new design is intended to be relatively transparent with respect to the previous design, and is animated by a series of five step-backs at the tower. The tower grows from two smaller (5 and 8 stories) structures located on the corners of the site that will have public-use terraces. They noted that the new structure will have an intermediate step-back and terrace 4-7 floors above the lower levels and a public terrace two levels from the top of the structure that is proposed to be used for a "Sky Bar" that faces the downtown skyline and the El Cortez. This new public venue was proposed to recall the original Sky Room terrace restaurant at the El Cortez Hotel that was eliminated when the historic resource was converted to condominiums.

Mr. Zucchet noted that the proposed project was not "maxing out" the zoning limitations. The allowable Floor Area Ratio (FAR) is 10 with affordable housing incentives that increase that to 13.5, while the proposed project is 7.7 FAR. The maximum allowable building height allowed is 350 feet, while the proposed project is 180 feet in height. He stated that the design of the proposed project was consistent with the Standards in that it is: Clearly new and compatible; is placed to the rear of the El

Cortez, adjacent to a non-character-defining elevation; that it preserves existing views of the El Cortez; and it allows for expansion of the El Cortez Don Room terrace (the Don Room operator, Peter Block is not part of the HOA.); and that it provides for a function eliminated during the conversion of the El Cortez, a new “Sky Room”-like public vantage point.

In Board Comment, the Design Assistance Subcommittee addresses the issue of consistency of the proposed new project with the Secretary of the Interior’s Standards regarding its relationship to the adjacent historically-designated El Cortez Hotel. The DAS recommendation will be presented to the HRB at their next available meeting so that the full HRB can address the issue of consistency with the Standards.

Although other Standards were referenced, the primary Standards that were addressed with respect to proposed project were Standards 9 and 10 of the Secretary of the Interior’s Standard for Rehabilitation.

*Standard 9: New additions, exterior alterations or related new construction will not destroy historic materials, features and special relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, 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 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.*

Public Comment: Public comment was taken after the developer’s representative and architects presentation, and before DAS Board comment.

Amy Roth, a Cortez Hill resident, stated that high-rise development has occurred in the blocks surrounding the El Cortez, and that it is not appropriate to allow similar development on the same block as the El Cortez. She stated that the El Cortez block represents the “core” of Cortez Hill. She noted that, when originally designated, the El Cortez was on a single parcel that encompassed the entire block. She also made reference to what she felt was a similar project that was reviewed by the New York City Landmarks Committee, and that the proposed project in that case was not allowed.

Kathy Casey, a long-time resident of Cortez Hill and a five-year resident of the El Cortez, passed out historic pictures of parcel 2. She mused that the developer needs to also consider the opinions of the persons on Cortez Hill, as evidenced by the 400+- e-mails and the 100+- letters sent by them. She stated that she did not want additional commercial development in the area as there was limited parking and automobile circulation in the area was congested. She noted that the entire block of the El Cortez Hotel is on the National Register and that the developer should not pursue new construction on parcel 2. She also stated that there was little open space on Cortez Hill and that this development would remove the open space that exists there now.

Anne Porter, a resident of the El Cortez, indicated that her opposition to the project was not about “her view”, that it was about protecting views of a historic resource

that was important to the heart of the city. She stated that the transparency of the proposed new structure was not “invisible”, as no building could be. She indicated that she was committed to the concept of vertical living downtown, but not in the “tenement-like density” that she felt existed in the proposed new structure.

Rita Collier, a resident of Cortez Hill, stated that the proposed project significantly compromises views to the historic El Cortez structure, and that the El Cortez was beautiful on all sides, not just from the front. She pointed out that the El Cortez sign was designed to be viewed from both front and back and that the development would block the view of the El Cortez at the rear, including the iconic view from the Cabrillo Bridge in Balboa Park that should be preserved. She noted that she felt that the proposed project did not meet the following Standards: #1, due to its impact to the site; #4, due to the current non-inclusion in the designation of elements that have acquired significance in their own right, the 60-year-old pool and palm trees; #9, due to the proposed project lack of compatibility in massing size and scale; and #10, due to the lack of dialogue between the new structure and the adjacent historic resource. She stated that in lieu of dialogue, the new structure shouts “I’ve replaced you” to the El Cortez. She also noted that the scale model of the development that also indicates massing in the areas surrounding the El Cortez block (not shown at this meeting) is not accurate as it shows potential maximum build-out on parcels that have been recently developed - not to the maximum - and that are likely not to be demolished in the life of these new structures.

Barry Bruins, a resident of the El Cortez, handed out existing condition street-level photographs for DAS review. These photos were of Beech Street at 7<sup>th</sup> Ave. and at 8<sup>th</sup> Ave. He stated that the new architect had designed a pretty building, but that it was inappropriate to be in this location as it would impact both near and long-distance public views of the El Cortez. He said that this was needed to protect the El Cortez on behalf of the City of San Diego. He reiterated that Cortez Hill was a cul-de-sac neighborhood. He stated that the previously-existing 8-story building (the Caribbean Wing) was a mistake, not a precedent, and that the existing 60 year-old swimming pool should be historic. Mr. Marshall noted that the pool was not within the identified period of significance of the El Cortez. Mr. Bruins stated that there is currently a focus group for this project and that the group needs to incorporate neighborhood input.

#### Board Comment:

Chair David Marshall reiterated his previous disclosures that his architecture firm provided services for Mr. Janopaul more than two years ago on a private residence, but that there is no current professional relationship. For that reason, he did not feel any need to recuse himself.

John Eisenhart noted that although he was at SOHO’s Preservation Action meeting on this project, he did not participate in the vote. For that reason, he did not recuse himself.

David Marshall stated that this additional DAS review is appropriate due to the new design, architecture and massing.

Laura Burnett asked CCDC staff Brad Richter if additional park space was needed in the CCDC area per the community plan. Mr. Richter responded that there was a deficit in CCDC as there is all over town. He noted that there is a proposed “Tweet Street” park (there will be birdhouses in the park) that is located north of Date St. and east of 10<sup>th</sup>

Avenue. In addition, the main neighborhood park is proposed to be a full block park between Ash and Beech Streets, and 3<sup>rd</sup> and 4<sup>th</sup> Avenue that is anticipated to be constructed within the next five years.

Ms. Burnett expressed her appreciation of the community involvement and stated that she would prefer park land in lieu of a building in this location. She felt that the removal of the previous 8-story building in this location was a positive thing. She stated that the new proposal was better than the previous proposal and that the structure complements the existing adjacent El Cortez historic structure. She felt that the design was proceeding in a good direction. She especially liked the transparency of the street edge and its pedestrian character. She indicated that she feels that a park on this site would be better, but that the proposal met Standard #9. She stated that during the 1927 period of significance, there was housing (town houses) on the site, and that for this reason, proposed housing on the site met Standard #1. She felt that the proposed new structure was clearly new and was respectful of the adjacent historic resource.

Otto Emme stated that he disagrees with Ms. Burnett. He stated that the proposed project does not meet Standard #9 regarding massing, scale and environment. He indicated that the proposed project dominates the adjacent historic resource. He said that the proposed structure was a good-looking building, but does not belong in this location as it impacts immediate and long distance views of the El Cortez. He stated that, with respect to Standards #9 and #10, the proposal does not complement the historic resource. He stated that he cannot support the proposed project as it does not meet the Standards.

John Eisenhart asked if the new swimming pool was designed yet. Mr. Zucchet stated that it is not designed at this time. Mr. Eisenhart suggested that the new pool should reflect the existing pool layout. Mr. Eisenhart stated that the originally-proposed 7-story structure was respectful of the El Cortez, where this new design does not meet Standard #9 with respect to massing and scale. He stated that the lower portion was appropriate, but that the top portion was not consistent with the Standards as it competes with the El Cortez and was visually incompatible. He also stated that the re-creation of the Sky Room was not appropriate, and that this historic element should not be replicated. He said that he could not support this proposal, and that the new proposal should be limited to 8 stories in height.

Otto Emme agreed that the proposed new structure should be limited to 8 stories, and that the new development should be subservient to the El Cortez.

John Eisenhart noted that the new structure, as viewed from the north-west and north-east (especially from afar) need to be appropriate in scale and mass so that the “layered wedding cake” profile of the El Cortez – the character-defining feature – is not impacted. He indicated that as viewed from the 7<sup>th</sup> and Ash corner, the structure should be only 6-8 stories. He noted that the view from this corner was the principal character-defining vantage point at the El Cortez and that any additions (the proposed new structure) should be minimally visible/mostly hidden from this site viewpoint. He stated that the stepped-back building could possibly be taller if they were less noticeable as viewed from this vantage point.

Chair David Marshall stated that the new proposed structure was handsome and well-designed, and that it addresses the street level well. However, he felt that anything taller than the wings of the El Cortez competes with and dominates the historic resource. He felt that the proposed new structure seemed to be mocking the El Cortez by mirroring

the same stepped massing and was the wrong approach to a structure on this site. He stated that the proposed new structure destroys public views from the north, in particular the iconic view from the Cabrillo Bridge in Balboa Park which was a signature view in a postcard book that he shared with the DAS. He noted the prominence of the El Cortez in the city skyline and how this would be overshadowed. He pointed out that the proposed new structure was only 40 feet away from the El Cortez at its closest point, which is very close. Mr. Marshall stated that the HRB/DAS can't control development in the surrounding blocks, but due to the historic designation of the entire El Cortez block, the Board can weigh in on the issue of whether or not the new development meets the Standards on this block. He stated that the new design clearly did not meet Standard #9 with respect to materials, features, scale, proportion and massing. There had been no attempt to relate the new building to the El Cortez, the way the previous 8-story design had achieved to the DAS's satisfaction. Mr. Marshall summarized by saying that the consensus of the DAS was that the new structure should not exceed 8 stories in height (9 as the building steps down the street) in order to be consistent with the Standards. He stated that he felt that the issue of consistency with Standard #10 was the lesser issue.

Laura Burnett agreed that the views of the El Cortez from Cabrillo Bridge and the waterfront are important public views within the city.

John Eisenhart stated that he felt that the clearly new materials of the new proposal were better than the previous proposal that had materials that were similar to those used in an older structure. He stated that the issue was the need for the proposed new structure to be complementary in massing and scale to the El Cortez. He said that the spatial relationship was the primary issue

In response to a question from Michael Zucchet regarding the proposal for a new "Sky Room" bar and terrace, both Otto Emme and John Eisenhart stated that the would be perceived as mocking its loss at the historic resource. Mr. Marshall disagreed, stating that a new Sky Room bar and terrace could be a great public amenity and benefit, but that it should not occur at the proposed building height. Ms. Burnett concurred with Mr. Marshall.

#### Other Comment:

Architect Ricardo Rabines stated that the issue of compatibility of the proposed new structure with the El Cortez was subjective.

At the request of Chair David Marshall, Mr. Zucchet summarized the action taken by the SOHO Preservation Action Committee (PAC), stating that the SOHO PAC felt that the new proposal should be at least one story shorter, and that they were split on whether or not the proposed new structure would meet Standard #9.

In response to Mr. Zucchet's question regarding changes in density on Cortez Hill, Brad Richter stated the allowable housing density there had not changed since 1992.

Mr. Zucchet stated that although it was not certain that this project could be placed on the full HRB agenda for April 26, 2007, the applicant would like it to be heard in April if possible.

#### 4. Adjourned at 4:30

The next DAS Meeting is April 4, 2007 at 3:00 p.m.