

# SAN FRANCISCO HISTORIC PRESERVATION COMMISSION



## Notice of Hearing & Agenda

Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Wednesday, March 20, 2019**  
**12:30 p.m.**  
**Regular Meeting**

Commissioners:

Aaron Hyland, President

Diane Matsuda, Vice President

Kate Black, Ellen Johnck, Richard S.E. Johns,  
Jonathan Pearlman, Andrew Wolfram

Commission Secretary:

Jonas P. Ionin

**Hearing Materials are available at:**

Website: <http://www.sfplanning.org>

Planning Department, 1650 Mission Street, 4<sup>th</sup> Floor, Suite 400

**Commission Hearing Broadcasts:**

Live stream: <http://www.sfgovtv.org>

Disability accommodations available upon request to:  
[commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) or (415) 558-6309 at least 48 hours in advance.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 409; phone (415) 554-7724; fax (415) 554-7854; or e-mail at [sof@sfgov.org](mailto:sof@sfgov.org). Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at [www.sfbos.org/sunshine](http://www.sfbos.org/sunshine).

### **Privacy Policy**

SF Planning is committed to protecting the privacy rights of individuals and security measures are in place to protect personally identifiable information (PII), i.e. social security numbers, driver's license numbers, bank accounts. Members of the public are not required to provide PII to the Commission or Department, as all written submittals and oral communications become part of the public record, which can be made available to the public for review and/or viewable on Department websites. Members of the public submitting materials containing PII are responsible for redacting said sensitive information prior to submittal of documents to Planning.

### **San Francisco Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online <http://www.sfgov.org/ethics>.

### **Accessible Meeting Information**

Commission hearings are held in Room 400 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is open to the public Monday through Friday from 8:00 a.m. to 8:00 p.m. and is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances. A wheelchair lift is available at the Polk Street entrance.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (415) 558-6309, or [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) at least 72 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (415) 558-6309, or [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) at least 48 hours in advance of the hearing.

Allergies: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Commission hearings.

### **SPANISH:**

Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-558-6309. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

### **CHINESE:**

規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-558-6309。請在聽證會舉行之前的至少48個小時提出要求。

### **TAGALOG:**

Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-558-6309. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

**RUSSIAN:** Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-558-6309. Запросы должны делаться минимум за 48 часов до начала слушания.

**ROLL CALL:**

President: Aaron Hyland  
Vice-President: Diane Matsuda  
Commissioners: Kate Black, Ellen Johnck, Richard S.E. Johns, Jonathan Pearlman, Andrew Wolfram

**A. GENERAL PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

**B. DEPARTMENT MATTERS**

1. Director's Announcements
2. Review of Past Events at the Planning Commission, Staff Report and Announcements

**C. COMMISSION MATTERS**

3. President's Report and Announcements
4. Consideration of Adoption:
  - [Draft Minutes for March 6, 2019](#)

Adoption of Commission Minutes – Charter Section 4.104 requires all commissioners to vote yes or no on all matters unless that commissioner is excused by a vote of the Commission. Commissioners may not be automatically excluded from a vote on the minutes because they did not attend the meeting.

5. Commission Comments & Questions
  - Disclosures.
  - Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).

- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Historic Preservation Commission.

#### D. CONSENT CALENDAR

6. [2018-016242COA](#) (J. VIMR: (415) 575-9109)  
1088 SANSOME STREET – located at the east side between Green and Vallejo Streets, Assessor’s Block 0135, Lot 009 (District 3). Request for a **Certificate of Appropriateness** to construct a roof deck along the eastern half of the subject property’s flat roof. The deck would include new flooring, planters, railings, and wooden trellises. No aspects of the proposed work would be visible from surrounding public rights-of-way, barring the top of potential plants within the planters. The subject property is located within a C-2 (Community Business) Zoning District, the Waterfront Special Use District No. 3, the Northeast Waterfront Special Sign District, and 65-X Height and Bulk District. It is contributory to the Northeast Waterfront Landmark District.  
*Preliminary Recommendation: Approve*

#### E. REGULAR CALENDAR

7. [2014.0012E](#) (C. THOMAS: (415) 575-9036)  
BETTER MARKET STREET – The Historic Preservation Commission will discuss the **DRAFT Environmental Impact Report (DEIR)** to frame their written comments on the adequacy of the DEIR, pursuant to the California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code. Project sponsor San Francisco Public Works, in coordination with the San Francisco Municipal Transportation Agency and the Citywide Planning Division, would redesign and provide a program of transportation, streetscape and infrastructure improvements within the project corridor, including changes to the roadway configuration and private vehicle access, traffic signals, surface transit (including Muni-only lanes, stop spacing and service, stop locations, stop characteristics, and a new bi-directional F Market & Wharves historic streetcar (F-Line) track loop (F-loop) on Charles J. Brenham Place and McAllister Street), bicycle facilities, pedestrian facilities, streetscapes, commercial and passenger loading, vehicular parking, and utilities. The proposed project would also partially restore, reconstruct, and realign the Path of Gold (City Landmark No. 200) light standards to accommodate a new overhead contact system to increase transit service along Market Street; remove or alter several streetscape features, including the red brick sidewalk and plazas, granite curbs, street trees, traffic signals and signage along the 2.2-mile corridor of Market Street from Steuart Street to Octavia Boulevard (District 3, District 5, and District 6), including portions of streets that intersect Market Street, four off-corridor intersections, the entirety of Charles J. Brenham Place, and a portion of Valencia Street between Market Street and McCoppin Street.  
*Preliminary Recommendation: Review and Comment*
- 8a. [2016-007303PCA](#) (S. ADINA: (415) 575-8722)  
5 THIRD STREET (HEARST BUILDING) – located on the east side between Market and Stevenson Streets, Assessor’s Block 3707, Lot 057 (District 6). Consideration of **Planning**

**Code Text Amendments** to Planning Code Section 188 – Noncomplying Structures: Enlargements, Alterations and Reconstruction. The Historic Preservation Commission will consider a proposal from the Project Sponsor to adopt an Ordinance that would extend the expiration date of Section 188(g) to allow Terrace Infill on a noncomplying structure designated as a Significant Building under Article 11 of the Code and would amend the text to allow for rooftop infill along the primary building frontage if obscured from view by existing parapet walls.

*Preliminary Recommendation: Adopt a Resolution Recommending Approval to the Planning Commission and Board of Supervisors.*

(Continued from Regular Hearing on December 5, 2018)

- 8b. [2016-007303PTA](#) (R. SALGADO: (415) 575-9101)  
5 THIRD STREET – located at the southeast corner of Market Street and 3rd Street, Assessor’s Block 3707, Lot 057 (District 6). Request for a **Major Permit to Alter** for alterations to the two existing buildings on the lot (5 3rd Street and 17-29 3rd Street) to accommodate a change in primary use from office to a hotel. Modifications would include changes to the historic entrance lobby and upper-floor corridors at 5 3rd Street; the installation of new and modified storefronts at both buildings on the lot; construction of a new raised roof deck on the fourth-floor roof of 17-29 3rd Street, to be accessed from converted window openings at 5 3rd Street; the demolition of select existing rooftop additions on the 13th-floor roof of 5 3rd Street; and the creation of new and modified rooftop additions at 5 3rd Street. The proposed project would result in an approximately 131,550 gross square foot building, with up to 170 hotel rooms, 5,920 square feet of office space, and 11,393 square feet of retail space, including 422 square feet of general retail, and 4,005 square feet of restaurant/bar uses. At a future hearing, the Planning Commission will consider a request for a Conditional Use Authorization, Downtown Exception-309, and Planning Code Amendment for the project. The subject property is located within the Article 11 New Montgomery-Mission-2nd Street Conservation District and is within a C-3-O (Downtown-Office) Zoning District and 120-X Height and Bulk Limit.  
*Preliminary Recommendation: Approve with Conditions*  
(Continued from Regular Hearing on December 5, 2018)
- 9a. [2019-002369LBR](#) (S. CALTAGIRONE: (415) 558-6625)  
1747 BUCHANAN STREET – located at the southwest corner of Sutter and Buchanan streets in the Japantown neighborhood. Assessor’s Block 0685, Lot 001 (District 5). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. Benkyodo Company is a Japanese confectionery facility and shop established in 1906 that has served San Francisco for 113 years. The Legacy Business Registry recognizes longstanding, community-serving businesses that are valuable cultural assets to the City. In addition, the City intends that the Registry be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success. The subject business is located within the Japantown NCD (Neighborhood Commercial) Zoning District and 50-X Height and Bulk District.  
*Preliminary Recommendation: Adopt a Recommendation for Approval*

- 9b. [2019-002396LBR](#) (S. CALTAGIRONE: (415) 558-6625)  
330 ELLIS STREET – located on the north side of Ellis Street between Jones and Taylor streets in the Downtown/Civic Center neighborhood. Assessor’s Block 0324, Lot 027 (District 6). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. The Board of Trustees of the Glide Foundation is a benevolent and religious corporation that provides the local community with programs and services that range from feeding the homeless and providing shelter to hosting Sunday Celebrations that has served San Francisco for 90 years. The Legacy Business Registry recognizes longstanding, community-serving businesses that are valuable cultural assets to the City. In addition, the City intends that the Registry be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success. The subject business is located within a RC-4 (Residential-Commercial, High Density) Zoning District and 80-T-130-T Height and Bulk District.  
*Preliminary Recommendation: Adopt a Recommendation for Approval*
- 9c. [2019-002399LBR](#) (S. CALTAGIRONE: (415) 558-6625)  
5124 GEARY BOULEVARD – located on the north side of Geary Boulevard between 15th and 16th avenues in the Richmond neighborhood. Assessor’s Block 1447, Lot 020A (District 1). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. Picture Machine Tattoo is a tattoo shop that has served San Francisco for 43 years. The Legacy Business Registry recognizes longstanding, community-serving businesses that are valuable cultural assets to the City. In addition, the City intends that the Registry be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success. The subject business is located within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District.  
*Preliminary Recommendation: Adopt a Recommendation for Approval*
- 9d. [2019-002404LBR](#) (S. CALTAGIRONE: (415) 558-6625)  
1101 OCEAN AVENUE – located on the southwest corner of Lee and Ocean avenues in the Ocean View neighborhood. Assessor’s Block 6944, Lot 001 (District 7). Consideration of adoption of a resolution recommending Small Business Commission approval of a Legacy Business Registry application. Randy’s Place is a bar that has served San Francisco for 44 years. The **Legacy Business Registry** recognizes longstanding, community-serving businesses that are valuable cultural assets to the City. In addition, the City intends that the Registry be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success. The subject business is located within the Ocean Avenue NCT (Neighborhood Commercial Transit) Zoning District and 45-X Height and Bulk District.  
*Preliminary Recommendation: Adopt a Recommendation for Approval*
- 9e. [2019-002485LBR](#) (S. CALTAGIRONE: (415) 558-6625)  
1400 JUDAH STREET – located on the northwest corner of Judah Street and 19th Avenue in the Outer Sunset neighborhood. Assessor’s Block 1774, Lot 021 (District 4). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. Wah Mei School is a community-based nonprofit

Chinese-English bilingual school that has served San Francisco for 45 years. The Legacy Business Registry recognizes longstanding, community-serving businesses that are valuable cultural assets to the City. In addition, the City intends that the Registry be a tool for providing educational and promotional assistance to Legacy Businesses to encourage their continued viability and success. The subject business is located within a RH-3 (Residential-House, Three Family) Zoning District and 40-X Height and Bulk District.

*Preliminary Recommendation: Adopt a Recommendation for Approval*

## ADJOURNMENT

## NOTICE OF PUBLIC HEARING REGARDING PROPOSED ARCHITECTURAL REVIEW STANDARDS (APRIL 3, 2019)

**2018 -016401CRV: Accessory Dwelling Unit Architectural Review Standards, Commission Review** for approving Architectural Review Standards for “No Waiver” Accessory Dwelling Units and to delegate to staff review of review of projects for compliance with those standards in properties listed in the California Register of Historic Places, and properties designated individually or as part of districts pursuant to Articles 10 or 11.



**Historic Preservation Officer**

Timothy Frye  
[tim.frye@sfgov.org](mailto:tim.frye@sfgov.org)  
(415) 575-6822

**Hearing Procedures**

The Historic Preservation Commission holds public hearings on the first and third Wednesday, of most months. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: [www.sfplanning.org](http://www.sfplanning.org).

Public Comments: Persons attending a hearing may comment on any scheduled item.

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

For most cases that are considered by the Historic Preservation Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. Presentation by Staff;
2. Presentation by the Project Sponsor's Team (which includes: the sponsor, representative, legal counsel, architect, engineer, expeditor and/or any other advisor) for a period not to exceed ten (10) minutes, at the discretion of the Chair;
3. Public testimony from supporters of the Project not to exceed three (3) minutes, at the discretion of the Chair;
4. Presentation by Organized Opposition recognized by the Commission President through written request prior to the hearing for a period not to exceed ten (10) minutes, at the discretion of the Chair;
5. Public testimony from opponents of the Project not to exceed three (3) minutes, at the discretion of the Chair;
6. Staff follow-up and/or conclusions;
7. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
8. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

**Hearing Materials**

Each item on the Agenda may include the following documents:

- Planning Department Case Executive Summary
- Planning Department Case Report
- Draft Motion or Resolution with Findings and/or Conditions
- Public Correspondence

Materials submitted to the Historic Preservation Commission prior to a scheduled hearing will become part of the public record only when the materials are also provided to the Commission Secretary and/or Project Planner. Correspondence may be emailed directly to the Commission Secretary at: [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org).

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Historic Preservation Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Historic Preservation Commission and made part of the official record.

**Advance Submissions:** To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department reception eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 1650 Mission Street, Suite 400, by 5:00 p.m. and should include fifteen (15) copies.

**Day-of Submissions:** Material related to a calendared item may be distributed at the hearing. Please provide ten (10) copies for distribution.

### **Appeals**

The following is a summary of appeal rights associated with the various actions that may be taken at a Historic Preservation Commission hearing.

<b>Case Type</b>	<b>Case Suffix</b>	<b>Appeal Period*</b>	<b>Appeal Body</b>
Certificate of Appropriateness	COA (A)	30 calendar days	Board of Appeals**
CEQA Determination - EIR	ENV (E)	30 calendar days	Board of Supervisors
Permit to Alter/Demolish	PTA (H)	30 calendar days	Board of Appeals**

*\*\*An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.*

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

### **Challenges**

Pursuant to Government Code Section 65009, if you challenge, in court, the approval of (1) a Certificate of Appropriateness, (2) a Permit to Alter, (3) a Landmark or Historic District designation, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Historic Preservation Commission, at, or prior to, the public hearing.