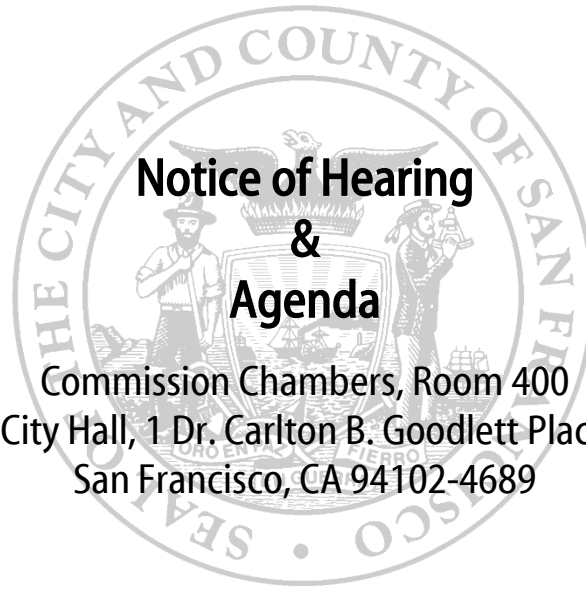


SAN FRANCISCO HISTORIC PRESERVATION COMMISSION



Notice of Hearing & Agenda

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

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

Commissioners:

Aaron Hyland, President
Diane Matsuda, Vice President
Kate Black, Chris Foley, Richard S.E. Johns,
Jonathan Pearlman, Lydia So

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

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

Planning Department, 1650 Mission Street, 4th Floor, Suite 400

Commission Hearing Broadcasts:

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

Disability accommodations available upon request to:
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 sotf@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.

Privacy Policy

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

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, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (415) 558-6309, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing.

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 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 Preservación de Edificios y Lugares Históricos (Historic Preservation Commission). 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: 歷史保護委員會議程。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 para sa Pangangalaga ng Kasaysayan (Historic Preservation Commission Agenda). 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 защите памятников истории. 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, Chris Foley, Richard S.E. Johns, Jonathan Pearlman, Lydia So

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 November 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. REGULAR CALENDAR

- 6a. [2019-021151LBR](#) (S. CALTAGIRONE: (415) 558-6625)
544 CAPP STREET – is located on the west side of Capp Street between 20th and 21st Streets in the Mission neighborhood. Assessor's Block 3610, Lot 036 (District 9). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. Community Music Center is a non-profit organization dedicated to making high quality music accessible to people of all ages, backgrounds and abilities, regardless of financial means that has served San Francisco for 98 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 RTO-M (Residential Transit Oriented – Mission) Zoning District and 40-X Height and Bulk District.
Preliminary Recommendation: Adopt a Recommendation for Approval
- 6b. [2019-021158LBR](#) (S. CALTAGIRONE: (415) 558-6625)
401 6TH STREET – is located on the east side of Grant Avenue between Washington and Jackson Streets in the Chinatown neighborhood. Assessor's Block 3760, Lot 035 (District 6). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. The Endup is an after-hours LGBTQ nightclub that has served San Francisco for 46 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 SALL (Service/Arts/Light Industrial) Zoning District and 30-X Height and Bulk District.
Preliminary Recommendation: Adopt a Recommendation for Approval
- 6c. [2019-021159LBR](#) (S. CALTAGIRONE: (415) 558-6625)
440 POTRERO AVENUE – is located on the west side of Potrero Avenue between Mariposa and 17th Streets in the Mission neighborhood. Assessor's Block 3973, Lot 001 (District 10). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. Horizons Unlimited of San Francisco, Inc. is a non-profit community-based organization that offers culturally and linguistically rooted services for the City's diverse population that has served San Francisco for 49 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

PDR-1-G (Production, Distribution & Repair – General) Zoning District and a 58-X Height and Bulk District.

Preliminary Recommendation: Adopt a Recommendation for Approval

- 6d. [2019-021165LBR](#) (S. CALTAGIRONE: (415) 558-6625)
1800 SUTTER STREET – is located on the northwest corner of Buchanan and Sutter Streets in Japantown. Assessor's Block 0676, Lot 072 (District 5). Consideration of adoption of a resolution recommending Small Business Commission approval of a **Legacy Business Registry** application. Mums – Home of Shabu Shabu is a family-owned Japanese American restaurant that has served San Francisco for 40 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 District) Zoning District and a RM-3 (Residential Mixed Medium Density Zoning District and both 40-X and 50-X Height and Bulk Districts.
Preliminary Recommendation: Adopt a Recommendation for Approval
7. [2013.0689COA](#) (M. GIACOMUCCI: (415) 575-8714)
2 HENRY ADAMS STREET – located on the west side of Henry Adams Street between Division and Alameda Streets, Lot 001 in Assessor's Block 3910 (District 10). Request for a **Certificate of Appropriateness** to construct a one-story utilities enclosure and plaza at the northwest corner of the subject property, and for façade improvements, including repair and restoration of original wood storefronts. The project also entails converting 49,634 square feet of industrial use to office use at the project site. The subject property is Landmark No. 283, the Dunning, Carrigan, & Hayden Building. 2 Henry Adams Street is located in a PDR-1-D (Production, Distribution & Repair-1-Design) Zoning District and 45-X Height and Bulk District.
Preliminary Recommendation: Approve
- 8a. [2008.0586E](#) (E. JONCKHEER: (415) 575-8728)
MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University ("Academy"); 12 of which are Historic Resources under Article 10 and/or Article 11 of the Planning Code. Request for **Adoption of Findings** pursuant to the California Environmental Quality Act (CEQA), and the CEQA guidelines including Findings of Fact, Findings Regarding Significant and Unavoidable Impacts, evaluation of Mitigation Measures and Alternatives, the adoption of a Mitigation, Monitoring and Reporting Program and the adoption of a Statement of Overriding Considerations in connection with approvals for the Academy project to legalize uses and building modifications at 34 properties owned or leased by the Academy within the City and County of San Francisco ("City"), consistent with the proposed Development Agreement and the Term Sheet for Global Resolution between the City and the Academy.
Preliminary Recommendation: Adopt CEQA Findings
(Continued from Regular hearing on November 6, 2019)

- 8b. [2019-012970PCADVA](#) (E. JONCKHEER: (415) 575-8728)
MULTIPLE PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The proposed Project involves 34 properties owned or leased by the Academy of Art University (“Academy”); 12 of which are Historic Resources under Article 10 and/or Article 11 of the Planning Code. Consistent with the Term Sheet and Supplement to the Term Sheet for Global Resolution, the Project requests a resolution recommending that the Board of Supervisors approve an ordinance approving **Planning Code Amendments** and a **Development Agreement** between the City and County of San Francisco and the Stephens Institute (Academy of Art University) and its affiliated entities, as to the Academy’s properties, which agreement provides for various public benefits, including, among others, an “Affordable Housing Payment” of \$37,600,000 and payment of approximately \$8,200,000 to the City’s Small Sites Fund.
Preliminary Recommendation: Adopt a Resolution Recommending Approval
(Continued from Regular hearing on November 6, 2019)
- 8c. [2019-012970PTA](#) (K. WILBORN: (415) 575-9114)
EIGHT (8) ARTICLE 11 PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The Project involves 8 properties owned or leased by the Academy of Art University (“Academy”) which are located within Article 11 Conservation Districts. A list of the properties may be found here: sfplanning.org/AAU-notice. Request for a **master Permit to Alter**, consistent with the proposed Planning Code Amendment and Development Agreement and Term Sheet for Global Resolution between the City and the Academy, and the findings under the California Environmental Quality Act (CEQA), the Project seeks to perform or legalize building modifications and generally abate all Planning Code violations at these 8 properties subject to Article 11 of the Planning Code.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on November 6, 2019)
- 8d. [2019-012970COA](#) (A. WESTHOFF: (415) 575-9120)
FOUR (4) ARTICLE 10 PROPERTIES OWNED OR LEASED BY THE ACADEMY OF ART UNIVERSITY – The Project involves 4 properties owned or leased by the Academy of Art University (“Academy”) which are located within Article 10 Landmark Districts or are individual Article 10 Landmarks. A list of the properties may be found here: sfplanning.org/AAU-notice. Request for a **master Certificate of Appropriateness**, consistent with the proposed Planning Code Amendment and Development Agreement and Term Sheet for Global Resolution between the City and the Academy, and the findings under the California Environmental Quality Act (CEQA), the Project seeks to perform or legalize building modifications and generally abate all Planning Code violations at these 4 properties subject to Article 10 of the Planning Code.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on November 6, 2019)

ADJOURNMENT

Historic Liaison

Jeff Joslin

jeff.joslin@sfgov.org

(415) 575-9117

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.

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.

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.

Case Type	Case Suffix	Appeal Period*	Appeal Body
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.

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.