

# SAN FRANCISCO HISTORIC PRESERVATION COMMISSION



## Notice of Hybrid Hearing & Agenda

This Meeting will be held in:  
Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett-Place  
San Francisco, CA 94102-4689

**Wednesday, October 5, 2022**  
**12:30 p.m.**  
**Regular Meeting**

**Commissioners:**

Diane Matsuda, President  
Ruchira Nageswaran, Vice President  
Kate Black, Chris Foley, Richard S.E. Johns,  
Lydia So, Jason Wright

**Commission Secretary:**

Jonas P. Ionin

**Hearing Materials are available at:**

[Historic Preservation Commission Packet and Correspondence](#)

**Commission Hearing Broadcasts:**

Live stream: <https://www.sfgovtv.org/planning>

Disability and language accommodations available upon request to:  
[commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) or (628) 652-7536 at least 48 hours in advance.

### **Ramaytush Ohlone Acknowledgement**

The Historic Preservation Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

### **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](mailto: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](http://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.

### **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 (628) 652-7589, or [commissions.secretary@fgov.org](mailto:commissions.secretary@fgov.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 (628) 652-7589, or [commissions.secretary@fgov.org](mailto:commissions.secretary@fgov.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 (628) 652-7550. 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(628) 652-7550。請在聽證會舉行之前的至少48個小時提出要求。

**FILIPINO:** 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 (628) 652-7550. 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 (628) 652-7550. Запросы должны делаться минимум за 48 часов до начала слушания.

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed’s 45th Supplement to her February 25, 2020 emergency proclamation, it is possible that some members of the Historic Preservation Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or online at <https://www.sfgovtv.org>. Instructions for providing remote public comment are below.

**Remote Access to Information and Participation**

*In accordance with Governor Newsom’s statewide order for all residents to Shelter-in-place - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.*

*On May 29, 2020, the Historic Preservation Commission was authorized to conduct their hearings remotely. Therefore, the Historic Preservation Commission meeting will be held via videoconferencing and allow for remote public comment. The Commission strongly encourages interested parties to submit their comments in writing, in advance of the hearing to [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org). Visit the SFGovTV website (<https://sfplanning.org/>) to stream the live meetings or watch on a local television station.*

*Below you will find information on how to participate remotely. You may do so by calling in or joining via Webex link.*

	<i>Historic Preservation Commission Remote Participation</i>
<i>Hearing</i>	<i>October 5, 2022</i>
<i>Call-in</i>	<i>+1-415-655-0001</i>
<i>Access Code</i>	<i>2486 094 5682</i>
<i>WebEx Link</i>	<i><a href="https://ccsf.webex.com/ccsf/onstage/g.php?MTID=e8186f3fdff438c4d9047759b7588baeb">https://ccsf.webex.com/ccsf/onstage/g.php?MTID=e8186f3fdff438c4d9047759b7588baeb</a></i>

*This information will also be provided on the Department’s webpage <https://sfplanning.org/> and during the live SFGovTV broadcast.*

*As the COVID-19 emergency progresses, please visit the Planning website regularly to be updated on the current situation as it affects the hearing process and the Historic Preservation Commission.*

**ROLL CALL:**

President: Diane Matsuda  
Vice President: Ruchira Nageswaran  
Commissioners: Kate Black, Chris Foley, Richard S.E. Johns,  
Lydia So, Jason Wright

**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. Department Announcements

**C. COMMISSION MATTERS**

2. Consideration of Adoption:
  - [Draft Minutes for September 21, 2022](#)

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.

3. 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. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

4. 2021-005720PTA (R. SALGADO: (628) 652-7332)  
2 STOCKTON STREET – northeast corner of Market Street and Stockton Street, Assessor's Block 0328, Lot 002 (District 3). Request for a **Permit to Alter** pursuant to Article 11 of the Planning Code, to complete various alterations associated with conversion of the building to a mix of retail and office uses. Exterior work would include construction of a three-story vertical addition on top of the existing four-story structure and replacement of the existing facades of the building. 2 Stockton Street, historically known as the Roos Brothers Building, was constructed in 1907 and remodeled in 1937 and 1995. The property is designated as a Category V (Unrated) building within the Kearny-Market-Mason-Sutter Conservation District under Article 11 of the Planning Code. 2 Stockton Street is located in the C-3-R (Downtown-Retail) Zoning District and the 80-130-F Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).  
*Preliminary Recommendation: Approve with Conditions*  
**(Proposed for Continuance to October 19, 2022)**
  
- 5a. 2022-004208DES (A. WESTHOFF: (628) 652-7314)  
THE CASTRO THEATRE, 429-431 CASTRO STREET – east side of Castro Street between 17th and 18th Streets, Assessor's Block 3582, Lot 085 (District 8). Consideration to Recommend to the Board of Supervisors **Landmark Designation Amendment** of the Castro Theatre (429-431 Castro Street) to include both exterior and interior character defining features, and update the statement of significance to include LGBTQ historical associations, pursuant to Section 1004.2 of the Planning Code. The Castro Theatre Landmark designation amendment was initiated by Supervisor Mandelman and approved by the Board of Supervisors on May 24, 2022 (see BoS File No. 220550). The Castro Theatre is significant as an early work of renowned Bay Area architect Timothy Pflueger, as one of San Francisco's few remaining movie palaces, and for its deep tradition of LGBTQ-themed programming. The subject property falls within the Castro LGBTQ Cultural District, Castro NCD (Neighborhood Commercial) Zoning District, and 65-B Height and Bulk District.  
*Preliminary Recommendation: Recommend Landmark Designation Amendment to the Board of Supervisors*  
**(Proposed for Continuance to December 8, 2022 at a Joint Hearing with Planning Commission)**
  
- 5b. 2022-004208COA (A. WESTHOFF: (628) 652-7314)  
THE CASTRO THEATRE, 429-431 CASTRO STREET – East side of Castro Street between 17th and 18th Streets, Assessor's Block 3582, Lot 085 (District 8). Request for a **Certificate of Appropriateness** pursuant to Planning Code Section 1006 for interior and exterior alterations including: restoration/conservation/repair of interior historic features; removal of ground floor level seats, installation of tiered levels with chair lifts at the ground floor auditorium, installation of four counters, stage alterations, restroom improvements,

construction of a new one-story rear addition, installation of a new HVAC system, rear stair replacement, and installation of a new front security gate. The Castro Theater is currently designated as Landmark No. 100 in Article 10 of the San Francisco Planning Code. The subject property falls within the Castro LGBTQ Cultural District, Castro NCD (Neighborhood Commercial) Zoning District, and 65-B Height and Bulk District.

*Preliminary Recommendation: Approval with Conditions*

**(Proposed for Continuance to December 8, 2022 at a Joint Hearing with Planning Commission)**

## E. REGULAR CALENDAR

6. [2022-004344MLS](#) (G. GUNTHER: (628) 652-7607)  
942-944 FELL STREET – north side between Pierce and Steiner Streets; Lots 017 and 018 in Assessor’s Block 0823 (District 5). Consideration of **Adoption of a Resolution** recommending Board of Supervisors approval of a Mills Act Historical Property Contract. The Mills Act authorizes local governments to enter into contracts with owners of a private qualified historical property who, through the Mills Act Historical Property Contract, assure the rehabilitation, restoration, preservation and maintenance of the property. In return, the property owner enjoys a reduction in property taxes for a given period. Designated as a contributor to the Alamo Square Historic District under Article 10 of the Planning Code, the two-story over garage, two-unit residential building was completed in 1908. The subject property is located within the RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X Height and Bulk District.

*Preliminary Recommendation: Adopt a Recommendation for Approval*

## ADJOURNMENT

### **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, 49 South Van Ness, 14<sup>th</sup> Floor, 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 49 South Van Ness, 14<sup>th</sup> Floor, 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	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.

### **Proposition F**

Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit [sfethics.org](http://sfethics.org).

### **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>.