


# SAN FRANCISCO HISTORIC PRESERVATION COMMISSION

## Notice of 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, November 8, 2023**  
**11:00 a.m.**  
**Special Meeting**

### **Commissioners**

Diane Matsuda, President  
Ruchira Nageswaran, Vice-President  
Amy Campbell, Chris Foley,  
Robert Vergara, Jason Wright

### **Commission Secretary**

Jonas P. Ionin

**Hearing Materials Are Available At**  
[Historic Preservation Commission Packet and Correspondence](#)

**Commission Hearing Broadcasts**  
Live stream: <https://sfgovtv.org/planning>

Disability and language accommodations available upon request to  
[commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) or (628) 652-7589 at least 48 hours in advance.

## RAMAYTUSH OHLONE ACKNOWLEDGEMENT

The 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 or the San Francisco Library.

## 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

**LOCATION:** 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 (628) 652-7589, 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 (628) 652-7589, 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.

**ESPAÑOL:** 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 (628) 652-7589. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

**中文:** 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 (628) 652-7589。請在聽證會舉行之前的至少 48 個小時提出要求。

**FILIPINO:** 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 (628) 652-7589. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

**РУССКИЙ:** Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру (628) 652-7589. Запросы должны делаться минимум за 48 часов до начала слушания.

## INSTRUCTIONS FOR REMOTE PUBLIC COMMENT

### PHONE

Phone number: +1 (415) 655-0001

Access Code: **2662 392 6058##**

Note: the Access Code will change for each hearing.

1. Call phone number, enter Access Code, then press ## (pound, pound)
2. When you hear "You are muted" Stop and listen
3. Wait for Public Comment to be announced (by Item Number or for General Public Comment)
4. To comment, press \* 3 (star 3) to "raise your hand"
5. Once you raise your hand, you will hear the prompt: "You have raised your hand to ask a question. Please wait to speak until the host calls on you"
6. Wait for you turn to speak
7. When you hear "you're unmuted" – that is your indication to begin speaking

#### IF YOU NO LONGER WANT TO COMMENT

- Press \* 3 (star 3) to lower your hand

### ONLINE

[Link to WebEx](#)

Password: **HPC2023**

Note: the link will change for each hearing.

1. Click on above hyperlink "Link to WebEx"
2. Enter your First and Last name, plus email address
3. Enter Password and click OK
4. Stop and listen
5. Wait for Public Comment to be announced (by Item Number or for General Public Comment)
6. To comment click on "raise hand" icon
7. You will hear a beep and see the prompt "the host has unmuted you" – that is your indication to begin speaking

#### IF YOU NO LONGER WANT TO COMMENT

- Click "raise hand" icon again

### PROVIDE YOUR PUBLIC COMMENT

- The Commission Secretary will indicate how much time you have to provide your comments – you will be alerted when you have 30 seconds remaining.
- Once your public comment time have ended, you will be moved out of the speaker line and back to listening as a participant (unless you disconnect).
- Participants who wish to speak on other items on the Agenda, or for other comment periods, may stay on the meeting line and listen for the Commission / Hearing Secretary's next prompt.

## ROLL CALL

President: Diane Matsuda  
Vice-President: Ruchira Nageswaran  
Commissioners: Amy Campbell, Chris Foley, Robert Vergara, Jason Wright

## A. SPECIAL CALENDAR

1. [2023-008250PCAMAP](#) (V. FLORES: (628) 652-7525)  
**NON-PROFIT ARTS EDUCATION SPECIAL USE DISTRICT [BF 230294] – Planning Code and Zoning Map Amendments** – Ordinance, sponsored by Supervisor Peskin, to amend the Planning Code to create the Non-Profit Arts Education Special Use District (Assessor’s Parcel Block No. 49, Lot No. 1, generally bounded by Francisco Street, Jones Street, Chestnut Street, and Leavenworth Street, and numbered as 800 Chestnut Street); amending the Zoning Map to show the Non-Profit Arts Education Special Use District; affirming the Planning Department’s determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.  
*Preliminary Recommendation: Adopt a Recommendation for Approval*  
(Postponed From Regular Hearing On November 1, 2023)

## ADJOURNMENT

## HEARING PROCEDURES

The Historic Preservation Commission holds public hearings regularly, 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 [sfplanning.org](http://sfplanning.org).

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

- ❖ When speaking before the Commission, please note the time. 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 (CU's, PUD's, 309's, etc.) 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, with 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 closed 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 eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 49 South Van Ness Ave, 14th Floor, by 5:00 p.m. and should include fifteen (15) hardcopies.

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.

*Table 1- Case types and number of days in which to appeal.*

| Case Type                      | Case Suffix | Appeal Period    | Appeal Body          |
|--------------------------------|-------------|------------------|----------------------|
| 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, 1) the adoption or amendment of a general plan; 2) the adoption or amendment of a zoning ordinance; 3) the adoption or amendment of any regulation attached to a specific plan; 4) the adoption, amendment or modification of a development agreement; or 5) the approval of a variance, conditional-use authorization, or any permit; 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 Commission, at, or prior to, the public hearing.

## CEQA APPEAL RIGHTS UNDER CHAPTER 31 OF THE SAN FRANCISCO ADMINISTRATIVE CODE

If the Commission’s action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department’s Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and [can be obtained online](#). Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

## 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. The [San Francisco Ethics Commission](#) has more information about this restriction.

## 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, by phone (415) 252-3100 or fax (415) 252-3112.