



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: JUNE 22, 2017  
CONTINUED FROM: JUNE 8, 2017

*Date:* June 15, 2017  
*Case No.:* **2014-001457CUA**  
*Project Address:* **65 Capp Street**  
*Zoning:* RTO (Residential Transit Oriented – Mission) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 3553/041  
*Project Sponsor:* Brett Cline  
65 Capp Street  
San Francisco, CA 94103  
*Staff Contact:* Michael Christensen – (415) 575-8742  
[michael.christensen@sfgov.org](mailto:michael.christensen@sfgov.org)  
*Recommendation:* **Approval with Conditions**

1650 Mission St.  
Suite 400  
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**415.558.6378**

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Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The project sponsor proposes to legalize a small performance theater on the project site. The project also includes interior tenant improvements including one new interior partition wall to separate the theater use and occupancy class from the residential use and occupancy class. The existing theater space measures approximately 1,049 square feet, and the size would not change as part of the project.

### SITE DESCRIPTION AND PRESENT USE

The project is located on the northeast corner of Capp Street and Adair Street, Block 3553, Lot 041. The subject property is located within the Residential Transit Oriented - Mission ("RTO-M") and the 40-X Height and Bulk District. The property is developed with a two-story building containing one residential dwelling unit and a ground floor space which was previously permitted as a live-work space but has been used as an artist studio and performance space since the late 1970s.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is mixed-use in character. The east side of Capp Street is primarily residential in nature with structures ranging from two to four stories in height. The west side of Capp Street is currently developed as a parking lot for the Walgreens Store located at 16<sup>th</sup> Street and Mission Street. That site is currently proposed to be developed with a ten-story mixed use development containing 345 residential dwelling units (Planning Case 2013.1543C).

## ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") under Class 1 and Class 3 Categorical Exemption.

## HEARING NOTIFICATION

| TYPE               | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|--------------------|-----------------|----------------------|--------------------|---------------|
| Classified News Ad | 20 days         | June 2, 2017         | May 31, 2017       | 22 days       |
| Posted Notice      | 20 days         | June 2, 2017         | June 2, 2017       | 20 days       |
| Mailed Notice      | 20 days         | June 2, 2017         | May 19, 2017       | 34 days       |

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

## PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received no comments or inquiries from any person regarding the proposal.

## ISSUES AND OTHER CONSIDERATIONS

- Despite lacking a formal conversion, the use of the site as a live performance space has been in operation for at least twenty years with no record of complaints regarding the use.
- Approval of the project would preserve the small performance venue for future use, preserving a cultural resource for the city and providing a benefit to the local artist community.
- The project would legalize the existing live performance space and the reduction of the existing dwelling unit. The existing dwelling unit has functioned in its current condition and size for at least twenty years.

## REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization, pursuant to Planning Code Sections 209.4, 303, 317 and 710.48, to allow the establishment of an entertainment use and to allow a residential conversion, since the project would reduce the existing residential unit by more than 25% of the original floor area and convert this space to a non-residential use.

## BASIS FOR RECOMMENDATION

- The project would preserve an existing resource for the local artist community and a cultural resource for the city.
- The project supports the policies of the Mission Area Plan to retain the Mission's Role as an important location for production, distribution, and repair activities, including arts activities.

- The Arts Element of the General Plan contains elements which support the continued development and preservation of artists' and arts organizations' spaces.
- The use has operated for at least twenty years with no record of formal complaints.

|                        |                                 |
|------------------------|---------------------------------|
| <b>RECOMMENDATION:</b> | <b>Approval with Conditions</b> |
|------------------------|---------------------------------|

**Attachments:**

Draft Motion

Parcel Map

Sanborn Map

Zoning District Map

Aerial Photographs

Site Photo

Environmental Determination

Project Notice

Project Plans

Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project sponsor submittal                              |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>   |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>  |
| <input type="checkbox"/> Height & Bulk Map                      | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Parcel Map                  | 3-D Renderings (new construction or significant addition)                                  |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Wireless Telecommunications Materials                             |
| <input checked="" type="checkbox"/> Context Photos              | <input type="checkbox"/> Health Dept. review of RF levels                                  |
| <input checked="" type="checkbox"/> Site Photos                 | <input type="checkbox"/> RF Report   |
|   | <input type="checkbox"/> Community Meeting Notice  |
|   | <input type="checkbox"/> Housing Documents   |
|   | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

Exhibits above marked with an "X" are included in this packet

MC  
Planner's Initials

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# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415)           | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)            | <input type="checkbox"/> Other                             |

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## Planning Commission Draft Motion

HEARING DATE: JUNE 22, 2017

*Case No.:* **2014-001457CUA**  
*Project Address:* **65 Capp Street**  
*Zoning:* RTO (Residential Transit Oriented – Mission) Zoning District  
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*Staff Contact:* Michael Christensen – (415) 575-8742  
[michael.christensen@sfgov.org](mailto:michael.christensen@sfgov.org)  
*Recommendation:* **Approval with Conditions**

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.4, 303, 317, and 710.48 OF THE PLANNING CODE TO ALLOW AN ENTERTAINMENT USE (D.B.A. THE LOST CHURCH) AND A RESIDENTIAL MERGER AT 65 CAPP STREET (ASSESSOR'S BLOCK 3553, LOT 041) WITHIN THE RTO-M (RESIDENTIAL TRANSIT ORIENTED – MISSION) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On May 17, 2016 Brett Cline (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 209.4, 303, 317, and 710.48 to allow an Entertainment, Other use (d.b.a. The Lost Church) within the RTO-M (Residential Transit Oriented – Mission) District and a 40-X Height and Bulk District.

On November 18, 2014 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") under Class 1 and Class 3 Categorical Exemptions under CEQA as described in the determination contained in the Planning Department files for this Project;

On June 22, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-001457CUA.

The Planning Commission Secretary is the custodian of records, located in the File for Case No. 2014-001457CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014-001457CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the northeast corner of Capp Street and Adair Street, Block 3553, Lot 041. The subject property is located within the Residential Transit Oriented - Mission ("RTO-M") and the 40-X Height and Bulk District. The property is developed with a two-story building containing one residential dwelling unit and a ground floor space which was previously permitted as a live-work space but has been used as an artist studio and performance space since the late 1970s.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character. The east side of Capp Street is primarily residential in nature with structures ranging from two to four stories in height. The west side of Capp Street is currently developed as a parking lot for the Walgreens Store located at 16<sup>th</sup> Street and Mission Street. That site is currently proposed to be developed with a ten-story mixed use development containing 345 residential dwelling units.
4. **Project Description.** The project sponsor proposes to legalize a small performance theater on the project site. The project also includes interior tenant improvements including one new interior partition wall to separate the theater use and occupancy class from the residential use and occupancy class. The existing theater space measures approximately 1,049 square feet, and the size would not change as part of the project.
5. **Public Comment.** To date, the Department has received no comments or inquiries from any person regarding the proposal.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Use.** Planning Code Section 209.4 states that limited corner commercial uses are permitted in the RTO-M zoning district, pursuant to the ground story controls of the NC-1 District.

Planning Code Section 710.48 states that a Conditional Use Authorization is required to establish an Entertainment, Other Use in the NC-1 Zoning District on the first floor.

*The Project Sponsor is requesting Conditional Use Authorization from the Planning Commission to establish an entertainment use on the first floor of 65 Capp Street.*

- B. **Residential Conversion.** Planning Code Section 317 states that a Conditional Use Authorization is required for any project which proposes the removal of cooking facilities, change of occupancy (as defined and regulated by the Building Code), or change of use (as defined and regulated by the Planning Code), of any Residential Unit or Unauthorized Unit to a Non-Residential or Student Housing use.

*The Project Sponsor is requesting Conditional Use Authorization from the Planning Commission to convert a portion of the original residence to an entertainment use. The original residence would be reduced in size by more than 25% of the original floor area, in order to accommodate the existing entertainment use.*

- C. **Bicycle Parking.** Planning Code Section 155.1 requires a minimum of two Class Two bicycle parking spaces or one Class Two bicycle parking space for each 2,500 square feet of publicly accessible or exhibition space, whichever is greater.

*The proposal includes installation of two Class Two bicycle parking racks within the public right of way adjacent to the project site, as reviewed by SFMTA.*

- D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, this section requires that 60% of the street frontage at ground level be fenestrated with transparent windows and doorways to allow visibility to the inside of the building. This provision only applies to the area where a limited corner commercial use is proposed, per Planning Code Section 231.

*The proposed entertainment use does not comply with the frontage transparency requirements of Planning Code Section 145.1. The project is requesting a Variance from the Zoning Administrator (See Case No. 2014-001457VAR). Alteration of the façade to comply with these requirements may make the site less viable as a performance space as it would make it more difficult to control light and sound within the structure.*

- E. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department.
7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The proposal is to legalize the use of the site as a small performance theater, which has been in existence for at least twenty years with no record of formal complaints. Inclusion of arts activity spaces and entertainment venues within enhances neighborhood vibrancy and vitality, thus making the use a desirable addition to the neighborhood. At 600 square feet in size, the venue is small enough to remain appropriate for a residential area. The site has historically been used for musical and performing arts space.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing one-story building will remain the same. The project will not alter the existing appearance or character of the project vicinity.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking or loading for a 1,049 square-foot arts activity use. In addition, the existing residence is not required to provide off-street parking. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.*

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposed use is unlikely to cause noxious or offensive glare, dust, or odor. The use is limited in size such that noxious noise levels are unlikely, and the use has operated for at least twenty years with no record of formal complaints regarding the use.*

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The proposed use blends into the existing residential fabric of the neighborhood and has operated for at least twenty years with no record of formal complaints regarding the use.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.



*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Zoning District.

*The proposed project is consistent with the stated purposed of RTO-M Zoning District as it provides a limited small-scale neighborhood oriented use which is compatible with the primarily residential fabric of the zoning district.*

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

## **ARTS ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE VI-1:**

SUPPORT THE CONTINUED DEVELOPMENT AND PRESERVATION OF ARTISTS' AND ARTS ORGANIZATIONS' SPACES.

#### **Policy VI-1.1:**

Review, revise and coordinate city permit policies and codes to better meet the needs of the arts.

#### **Policy VI-1.4:**

Preserve existing performing spaces in San Francisco.

#### **Policy VI-1.10:**

Assist artists and arts organizations in attaining ownership or long-term control of arts spaces.

*The proposed project will legalize an existing arts activity space which has existed for at least twenty years without impact to the neighborhood, thus preserving an existing performance space for local artists. The requested variance from the Zoning Administrator would preserve the viability of the site as a performance venue, thus addressing the needs of the arts and artists.*

#### **Policy VI-1.11:**

Identify, recognize, and support existing arts clusters and, wherever possible, encourage the development of clusters of arts facilities and arts related businesses throughout the city.

*The Mission District is specifically identified by this policy as a cluster for arts activities. Legalizing the use of this space as a small performance theater will enhance and support this existing cluster of arts activity.*

## MISSION AREA PLAN

### Objectives and Policies

#### OBJECTIVE 1.7:

RETAIN THE MISSION'S ROLE AS AN IMPORTANT LOCATION FOR PRODUCTION, DISTRIBUTION AND REPAIR (PDR) ACTIVITIES.

*The project will preserve a viable performance space for arts activity uses, which is identified as a PDR use. The project is in keeping with the Mission District's role as a center for PDR and arts uses.*

9. **Planning Code Section 317** establishes additional criteria that the Planning Commission must consider in the review of applications which propose residential conversions:

- A. whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;

*The proposal would not eliminate any housing units. The only unit to be reduced in size as part of the project is owner occupied. The unit would remain a viable housing unit with a total size of 1,031 square feet.*

- B. whether Residential Conversion would provide desirable new Non- Residential Use(s) appropriate for the neighborhood and adjoining district(s);

*The proposal would provide a small performance theater use that is desirable and appropriate for the neighborhood with little chance of impact to adjacent residential units.*

- C. in districts where Residential Uses are not permitted, whether Residential Conversion will bring the building closer into conformance with the Uses permitted in the zoning district;

*The project site is located in a district where residential use is permitted.*

- D. whether conversion of the unit(s) will be detrimental to the City's housing stock;

*The proposal would not eliminate any housing units. The only unit to be reduced in size as part of the project is owner occupied. The unit would remain a viable housing unit with a total size of 1,031 square feet.*

- E. whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected;

*The housing unit to be reduced in size does not have identifiable design, functional, or habitability issues that would be corrected through this project. However, the unit would remain a viable housing unit with a total size of 1,031 square feet.*

- F. whether the Residential Conversion will remove Affordable Housing, or units subject to the Residential Rent Stabilization and Arbitration Ordinance.

*The dwelling unit is not an affordable housing unit as defined in Section 401. As a single-family residence, it is exempt from the Residential Rent Stabilization and Arbitration Ordinance.*

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- G. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The proposal would not impact any existing neighborhood serving retail uses.*

- H. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The existing units in the surrounding neighborhood would not be adversely affected. The residential unit which was reduced in size to create the performance space is owned and occupied by the owners of the performance venue. The reduction in size of this unit does not impact the viability of the unit or the economic diversity of the neighborhood.*

- I. That the City's supply of affordable housing be preserved and enhanced,

*No housing is removed for this Project. Although one residential unit was reduced in size, it remains a viable unit. No affordable housing units exist on the project site and none are impacted as part of the project.*

- J. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The site is well served by transit service, located one block away from the 16<sup>th</sup> Street – Mission BART station. The proposed performance space is small in size and has little chance of impacting parking or transit service. The use has existed at this location without the benefit of a permit for at least 20 years with no formal complaints filed.*

- K. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The project will not displace any service or industry establishment, nor does it involve new commercial office development. Ownership of industrial or service sector businesses will not be affected by this project.*

- L. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- M. That landmarks and historic buildings be preserved.

*A landmark or historic building does not occupy the Project site.*

- N. That our parks and open space and their access to sunlight and vistas be protected from development.

*The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.*

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-001457CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 5, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 22, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 22, 2017

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow the residential conversion of a portion of a residential unit to a non-residential use, and to establish an entertainment use (d.b.a. The Lost Church) located at 65 Capp Street, Assessor's Block 3553 Lot 041, pursuant to Planning Code Section(s) 209.4, 303, 317, and 710.48 within the RTO-M District and a 40-X Height and Bulk District; in general conformance with plans, dated June 5, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2014-001457CUA and subject to conditions of approval reviewed and approved by the Commission on June 22, 2017 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 22, 2017 under Motion No XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## DESIGN

6. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org).*

7. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org).*

## PARKING AND TRAFFIC

8. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than 2 Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*

## OPERATION

9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*



## MONITORING - AFTER ENTITLEMENT

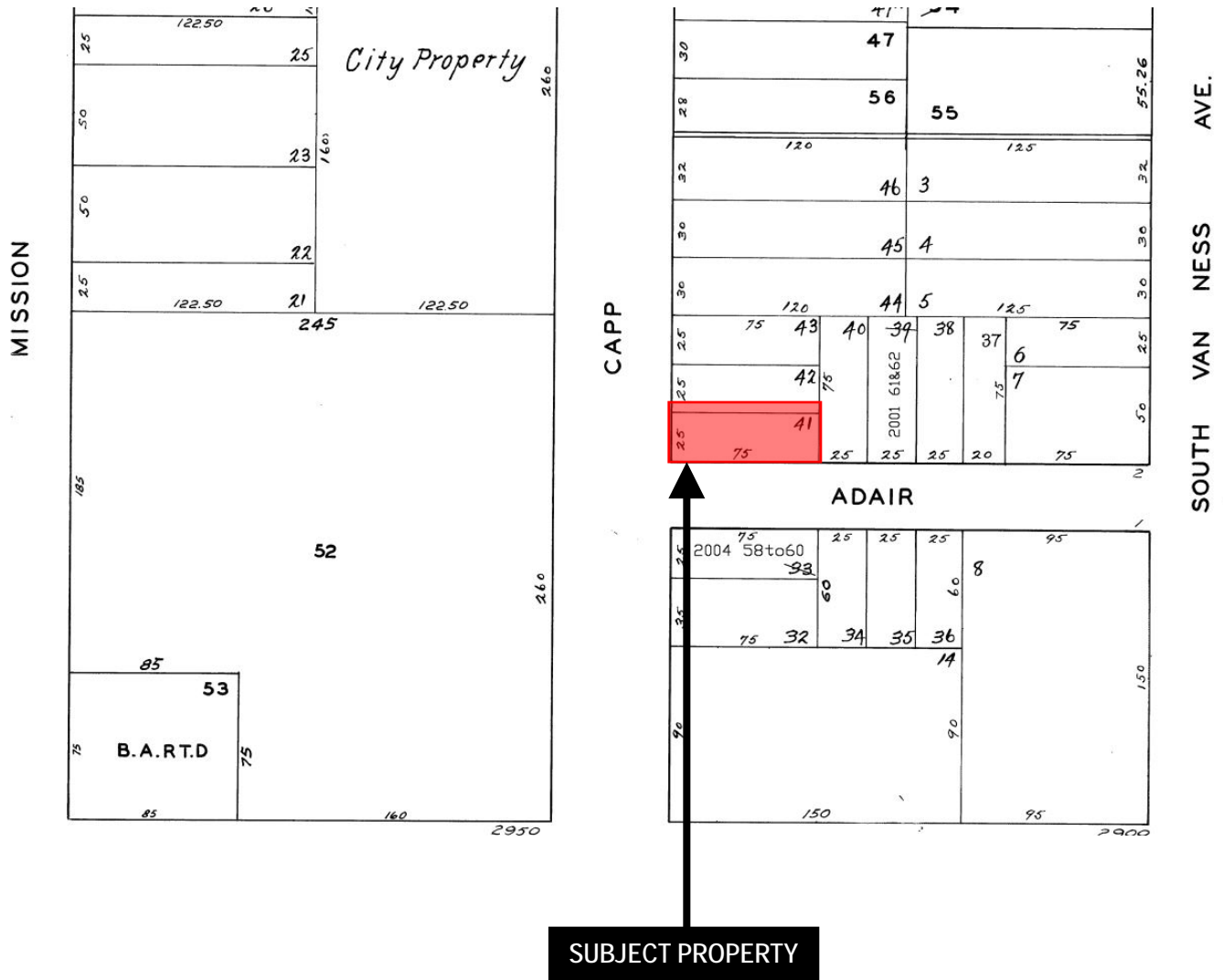
11. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

12. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

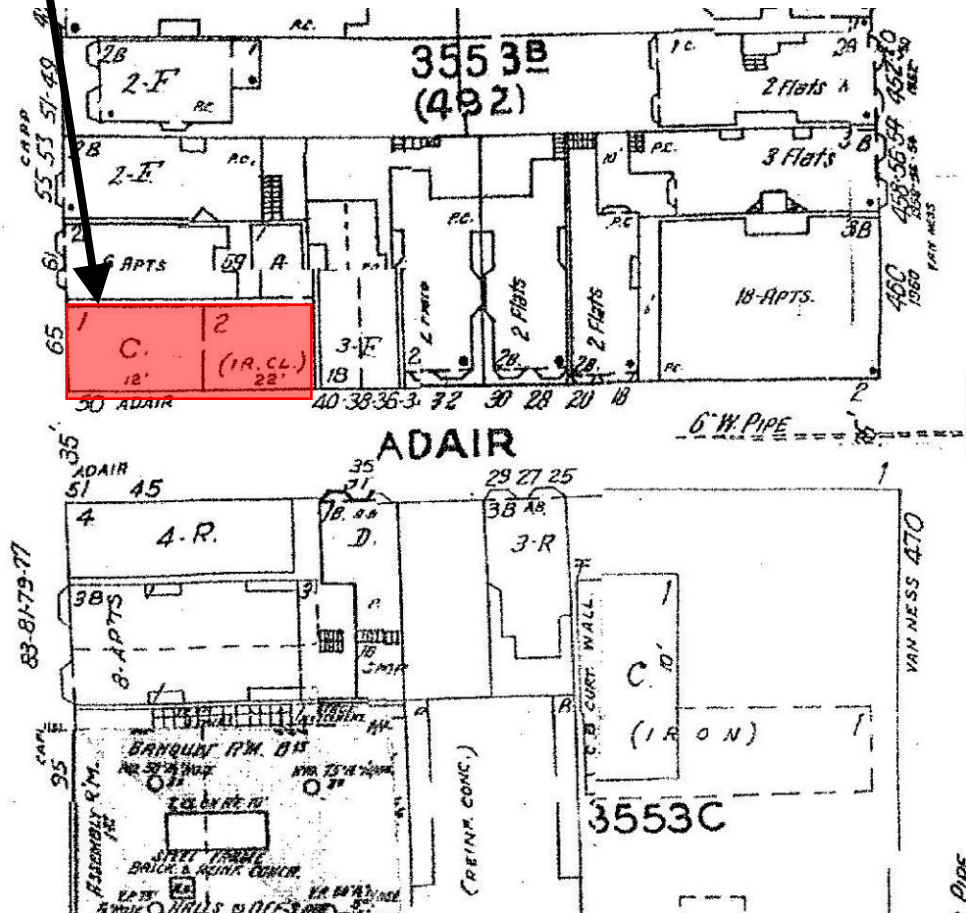
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Parcel Map



Conditional Use Authorization Hearing  
**Case Number 2014-001457CUA/VAR**  
 The Lost Church  
 65 Capp Street

## SUBJECT PROPERTY

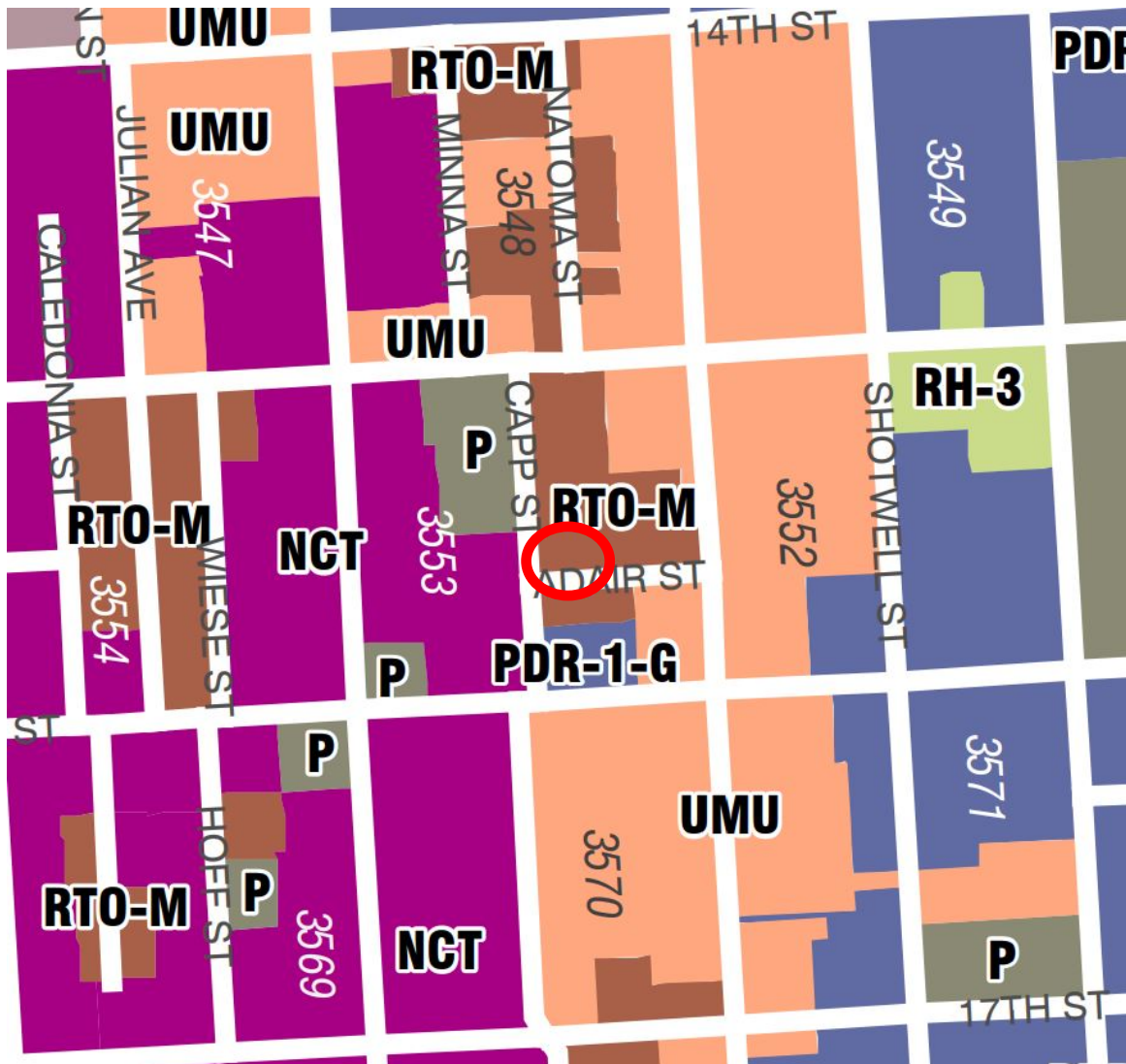


*\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*



Conditional Use Authorization Hearing  
**Case Number 2014-001457CUA/VAR**  
 The Lost Church  
 65 Capp Street

# Zoning Map



Conditional Use Authorization Hearing  
Case Number 2014-001457CUA/VAR  
The Lost Church  
65 Capp Street



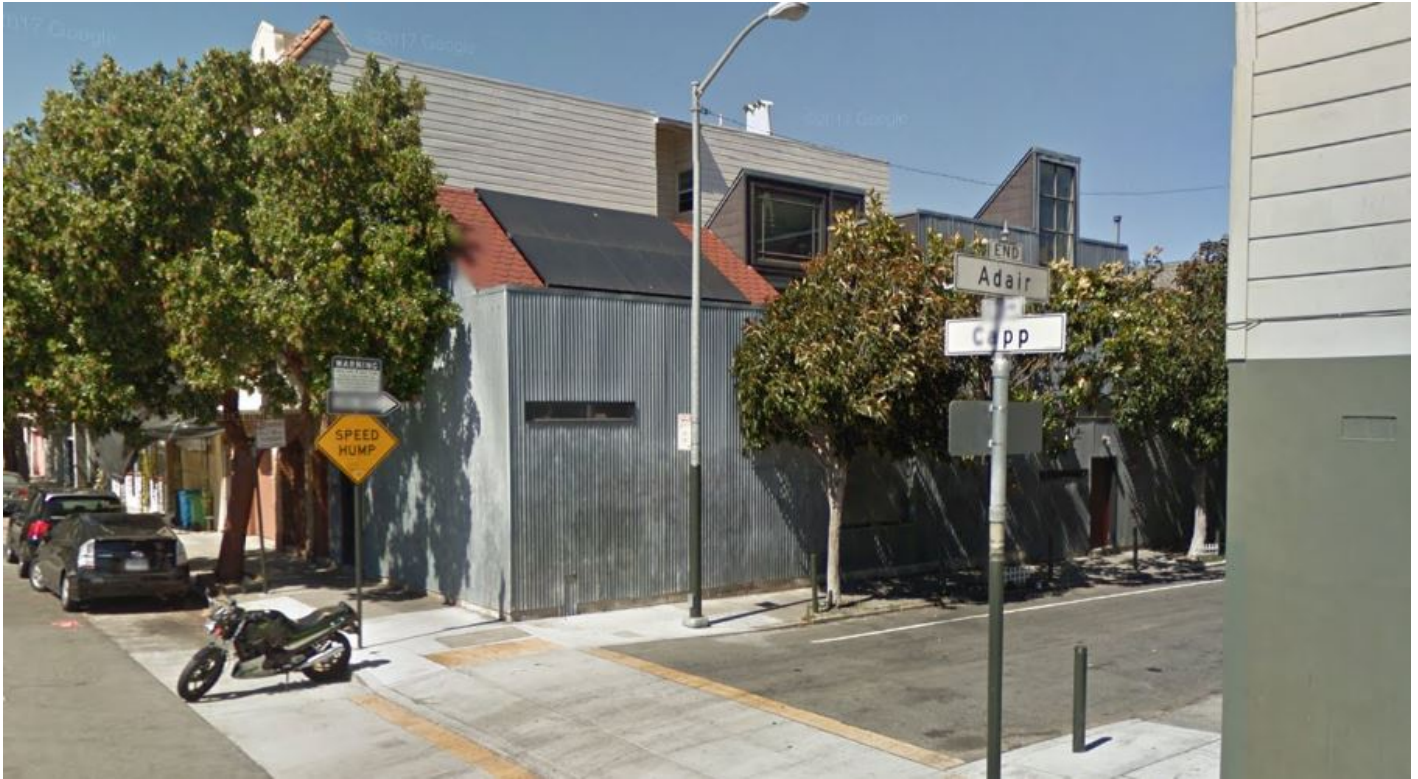
# Aerial Photo



SUBJECT PROPERTY



# Site Photo



Conditional Use Authorization Hearing  
Case Number 2014-001457CUA/VAR  
The Lost Church  
65 Capp Street



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

|  |   |  |   |
|--|---|--|---|
| Project Address  |   | Block/Lot(s)                                 |   |
| 65 Capp St.  |   | 3553/041                                     |   |
| Case No.   | Permit No.  | Plans Dated                                  |   |
| 2014-001457ENV   | 2014.05.09.5424   | 4/1/15                                       |   |
| <input checked="" type="checkbox"/> Addition/<br>Alteration  | <input type="checkbox"/> Demolition<br>(requires HRER if over 45 years old) | <input type="checkbox"/> New<br>Construction | <input type="checkbox"/> Project Modification<br>(GO TO STEP 7) |
| Project description for Planning Department approval.<br>Interior alterations only. Alterations at ground floor will remove non-historic partition wall and install new accessible restroom and sound room. Convert portion of existing theater space to limited restaurant. |   |  |   |

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

|  |  |
|--|--|
| <b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b> |  |
| <input checked="" type="checkbox"/>  | <b>Class 1 – Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.  |
| <input checked="" type="checkbox"/>  | <b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU. |
| <input type="checkbox"/>   | <b>Class __</b>  |

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

|   |   |
|---|---|
| <b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b> |   |
| <input type="checkbox"/>  | <b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?  |
| <input type="checkbox"/>  | <b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)   |
| <input type="checkbox"/>  | <b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i> |

|   |  |
|---|--|
|   | <i>Maier program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maier layer).</i>   |
| <input type="checkbox"/>  | <b>Soil Disturbance/Modification:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)  |
| <input type="checkbox"/>  | <b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)   |
| <input type="checkbox"/>  | <b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)   |
| <input type="checkbox"/>  | <b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i> <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>  |
| <input type="checkbox"/>  | <b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b> |
| <input type="checkbox"/>  | <b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report will likely be required</b>  |
| <input type="checkbox"/>  | <b>Serpentine Rock:</b> Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Serpentine)</i>   |
| <b>*If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</b> |  |
| <input checked="" type="checkbox"/>   | Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.  |
| Comments and Planner Signature (optional): Jean Poling  |  |

### STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

|   |  |
|---|--|
| PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map) |  |
| <input checked="" type="checkbox"/>                                 | <b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>   |
| <input type="checkbox"/>  | <b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>                  |
| <input type="checkbox"/>  | <b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b> |



**STEP 4: PROPOSED WORK CHECKLIST**  
TO BE COMPLETED BY PROJECT PLANNER

|  |  |
|--|--|
| Check all that apply to the project.                                 |  |
| <input type="checkbox"/>   | 1. <b>Change of use and new construction.</b> Tenant improvements not included.  |
| <input type="checkbox"/>   | 2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.  |
| <input type="checkbox"/>   | 3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.   |
| <input type="checkbox"/>   | 4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.  |
| <input type="checkbox"/>   | 5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.   |
| <input type="checkbox"/>   | 6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.   |
| <input type="checkbox"/>   | 7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .  |
| <input type="checkbox"/>   | 8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. |
| <b>Note: Project Planner must check box below before proceeding.</b> |  |
| <input type="checkbox"/>   | Project is not listed. <b>GO TO STEP 5.</b>  |
| <input type="checkbox"/>   | Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>  |
| <input type="checkbox"/>   | Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>   |
| <input type="checkbox"/>   | Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>   |

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW**  
TO BE COMPLETED BY PRESERVATION PLANNER

|                                      |   |
|--------------------------------------|---|
| Check all that apply to the project. |   |
| <input type="checkbox"/>             | 1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.                                |
| <input checked="" type="checkbox"/>  | 2. <b>Interior alterations to publicly accessible spaces.</b>   |
| <input type="checkbox"/>             | 3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.   |
| <input type="checkbox"/>             | 4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.  |
| <input type="checkbox"/>             | 5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.   |
| <input type="checkbox"/>             | 6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.                      |
| <input type="checkbox"/>             | 7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> . |

|  |  |
|--|--|
| <input type="checkbox"/>   | 8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):  |
| <input type="checkbox"/>   | 9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):<br><br>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____                    |
| <input type="checkbox"/>   | 10. <b>Reclassification of property status</b> to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator)<br>a. Per HRER dated: _____ (attach HRER)<br>b. Other (specify): _____ |
| <b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>   |  |
| <input type="checkbox"/>   | <b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>                       |
| <input checked="" type="checkbox"/>  | <b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>                  |
| Comments (optional):   |  |
| Preservation Planner Signature: Pilar LaValley <small>Digitally signed by Pilar LaValley<br/>DN: cn=Pilar LaValley, o=City of San Francisco, ou=City Planning, email=pilar.la@sf.gov, c=US<br/>Date: 2015.04.22 12:45:41 -07'00'</small> |  |

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**  
TO BE COMPLETED BY PROJECT PLANNER

|  |  |   |
|--|--|---|
| <input type="checkbox"/>   | Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):<br><input type="checkbox"/> Step 2 – CEQA Impacts<br><input type="checkbox"/> Step 5 – Advanced Historical Review<br><b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b> |   |
| <input checked="" type="checkbox"/>  | <b>No further environmental review is required. The project is categorically exempt under CEQA.</b>  |   |
|  | <b>Planner Name:</b><br><br><b>Project Approval Action:</b><br><b>Building Permit</b><br>*If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.  | <b>Signature:</b><br><br><b>Jean Poling</b> <small>Digitally signed by Jean Poling<br/>DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Jean Poling, email=jeanie.poling@sfgov.org, c=US<br/>Date: 2015.04.22 12:45:41 -07'00'</small> |
| Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.<br>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. |  |   |

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT****TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

|  |                              |   |
|--|------------------------------|---|
| Project Address (If different than front page) |                              | Block/Lot(s) (If different than front page) |
|  |                              |   |
| Case No.                                       | Previous Building Permit No. | New Building Permit No.                     |
|  |                              |   |
| Plans Dated                                    | Previous Approval Action     | New Approval Action                         |
|  |                              |   |
| Modified Project Description:                  |                              |   |
|  |                              |   |

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

|   |  |
|---|--|
| Compared to the approved project, would the modified project:   |  |
| <input type="checkbox"/>  | Result in expansion of the building envelope, as defined in the Planning Code;   |
| <input type="checkbox"/>  | Result in the change of use that would require public notice under Planning Code Sections 311 or 312;  |
| <input type="checkbox"/>  | Result in demolition as defined under Planning Code Section 317 or 19005(f)?   |
| <input type="checkbox"/>  | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |
| If at least one of the above boxes is checked, further environmental review is required <b>CATEX FORM</b> |  |

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

|  |   |
|--|---|
| <input type="checkbox"/>   | The proposed modification would not result in any of the above changes. |
| If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. |   |
| Planner Name:  | Signature or Stamp:   |
|  |   |



# SAN FRANCISCO PLANNING DEPARTMENT

## PRESERVATION TEAM REVIEW FORM

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

|  |  |                                |          |
|--|--|--------------------------------|----------|
| <b>Preservation Team Meeting Date:</b> |  | <b>Date of Form Completion</b> | 4/8/2015 |
|--|--|--------------------------------|----------|

|                             |                       |                      |
|-----------------------------|-----------------------|----------------------|
| <b>PROJECT INFORMATION:</b> |                       |                      |
| <b>Planner:</b>             | <b>Address:</b>       |                      |
| Pilar LaValley              | 65 Capp Street        |                      |
| <b>Block/Lot:</b>           | <b>Cross Streets:</b> |                      |
| 3553/041                    | Adair Street          |                      |
| <b>CEQA Category:</b>       | <b>Art. 10/11:</b>    | <b>BPA/Case No.:</b> |
| Category C                  |                       | 2014-001457ENV       |

|                                       |                                     |                                       |                                  |   |
|---------------------------------------|-------------------------------------|---------------------------------------|----------------------------------|---|
| <b>PURPOSE OF REVIEW:</b>             |                                     |                                       | <b>PROJECT DESCRIPTION:</b>      |   |
| <input checked="" type="radio"/> CEQA | <input type="radio"/> Article 10/11 | <input type="radio"/> Preliminary/PIC | <input type="radio"/> Alteration | <input type="radio"/> Demo/New Construction |

|                                    |        |
|------------------------------------|--------|
| <b>DATE OF PLANS UNDER REVIEW:</b> | 4/1/15 |
|------------------------------------|--------|

|  |  |
|--|--|
| <b>PROJECT ISSUES:</b>   |  |
| <input checked="" type="checkbox"/>  | Is the subject Property an eligible historic resource? |
| <input type="checkbox"/>   | If so, are the proposed changes a significant impact?  |
| Additional Notes:  |  |
| The proposed project has been revised to eliminate any exterior alterations. The revised scope of work is for interior alterations to ground floor to remove a non-historic interior wall and to add a new accessible restroom and new sound room. |  |

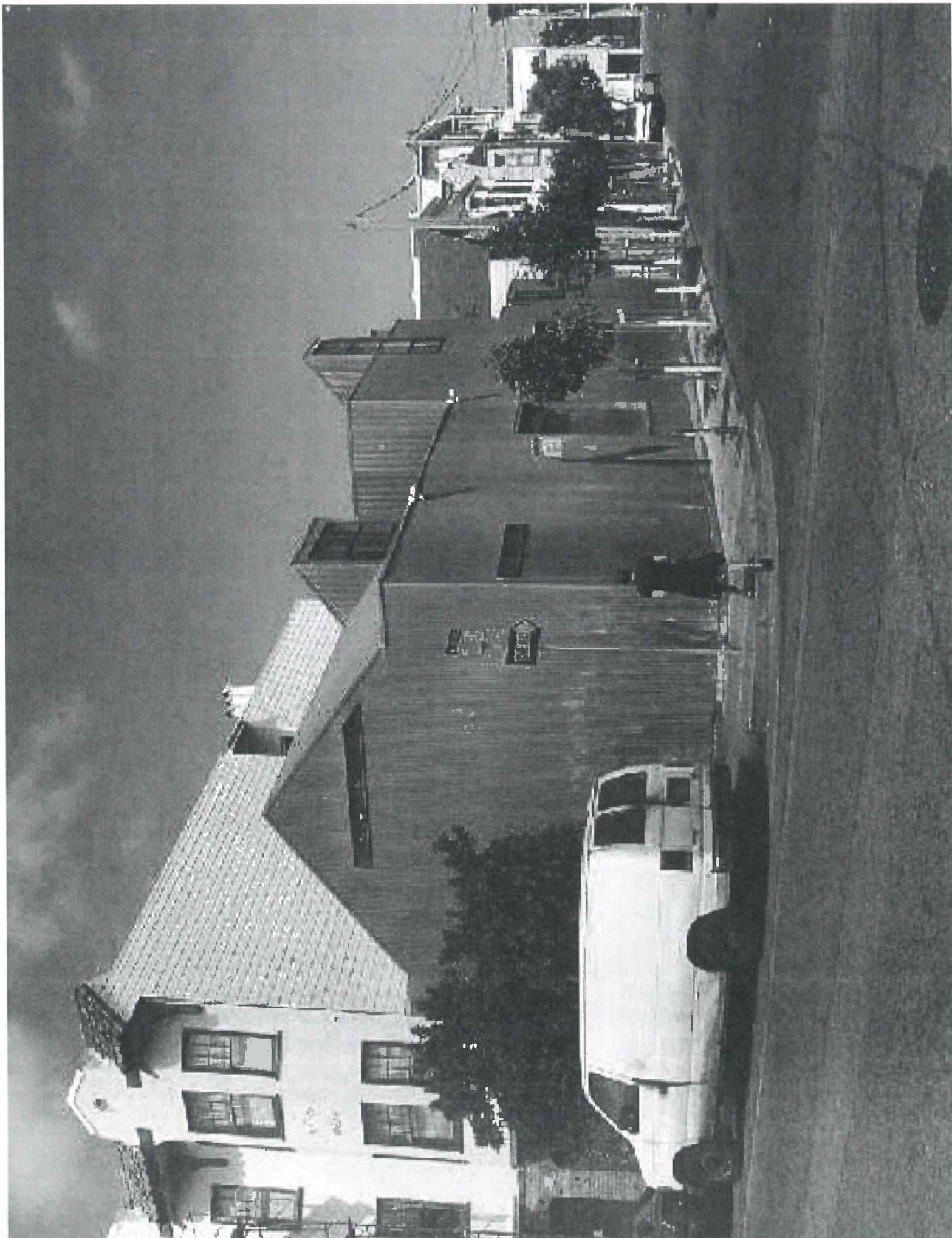
|   |   |   |   |                           |
|---|---|---|---|---------------------------|
| <b>PRESERVATION TEAM REVIEW:</b>  |   |   |   |                           |
| <b>Historic Resource Present</b>  |   | <input checked="" type="radio"/> Yes  | <input type="radio"/> No *                                    | <input type="radio"/> N/A |
| <b>Individual</b>   |   | <b>Historic District/Context</b>  |   |                           |
| Property is individually eligible for inclusion in a California Register under one or more of the following Criteria: |   | Property is in an eligible California Register Historic District/Context under one or more of the following Criteria: |   |                           |
| Criterion 1 - Event:  | <input type="radio"/> Yes <input checked="" type="radio"/> No | Criterion 1 - Event:  | <input type="radio"/> Yes <input checked="" type="radio"/> No |                           |
| Criterion 2 - Persons:  | <input checked="" type="radio"/> Yes <input type="radio"/> No | Criterion 2 - Persons:  | <input type="radio"/> Yes <input checked="" type="radio"/> No |                           |
| Criterion 3 - Architecture:   | <input checked="" type="radio"/> Yes <input type="radio"/> No | Criterion 3 - Architecture:   | <input type="radio"/> Yes <input checked="" type="radio"/> No |                           |
| Criterion 4 - Info. Potential:  | <input type="radio"/> Yes <input checked="" type="radio"/> No | Criterion 4 - Info. Potential:  | <input type="radio"/> Yes <input checked="" type="radio"/> No |                           |
| Period of Significance:   | 1980-1983   | Period of Significance:   |   |                           |
|   |   | <input type="radio"/> Contributor <input type="radio"/> Non-Contributor   |   |                           |

|  |                           |                                     |                                      |
|--|---------------------------|-------------------------------------|--------------------------------------|
| Complies with the Secretary's Standards/Art 10/Art 11: | <input type="radio"/> Yes | <input type="radio"/> No            | <input checked="" type="radio"/> N/A |
| CEQA Material Impairment:                              | <input type="radio"/> Yes | <input checked="" type="radio"/> No |                                      |
| Needs More Information:                                | <input type="radio"/> Yes | <input checked="" type="radio"/> No |                                      |
| Requires Design Revisions:                             | <input type="radio"/> Yes | <input checked="" type="radio"/> No |                                      |
| Defer to Residential Design Team:                      | <input type="radio"/> Yes | <input checked="" type="radio"/> No |                                      |

\* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

|   |
|---|
| <b>PRESERVATION TEAM COMMENTS:</b>  |
| <p>65 Capp Street appears to be individually eligible for listing on the California Register under Criterion 2 (Person) and 3 (Architecture). The building appears significant under Criterion 2 for its association with David Ireland, a prominent Bay Area conceptual artist who purchased the property in 1980 and subsequently remodeled in its entirety as a piece of minimalist architecture. The building also appears eligible under Criterion 3 as it possesses high artistic value as a habitable sculptural installation or "art" house created by Ireland.</p> <p>David Ireland (1930 - 2009) was born in Bellingham, Washington and obtained a degree in industrial design and printmaking from the California College of Arts and Crafts (Oakland – now California College of the Arts) prior to completing a graduate degree at the San Francisco Art Institute. He was one of the West Coast's most important and critically acclaimed practitioners of conceptual and installation art.</p> <p>Originally a simple wood-frame residence, Ireland transformed the building, doing most of the construction work himself, into what he called "light-dominated living/sculptural space (Klausner, pg. 79)." The focus of this alteration was on light, its visual effects, and how it can define a sense of place with "every aspect of the new building, from its exterior and the size and placement of windows to the location of walls and the definition of spatial volumes, considered for its evocation of light (Tsujimoto, pg. 55)." The corrugated galvanized sheet metal cladding was chosen for its low cost and maintenance as well as its visual qualities. Ireland noted these effects, writing that "at sunset, it would take on a peach-colored glow like that of the sky (Klausner, pg. 77)." Further, Ireland carefully located horizontal slit windows to edit how exterior light would enter the house, "directing it so that it illuminates and defines the interior in often dramatic and spectacularly theatrical ways (Tsujimoto, pg. 56)." Additional sculptural qualities of the building include the serpentine bridge across the living room and the steeply angled dormer windows.</p> <p>Character-defining features include: corrugated galvanized sheet metal cladding; size, location, and configuration of windows and large loading dock-type sliding doors; two dormer windows; serpentine bridge over living room.</p> <p>The Way Things Are: The Art of David Ireland, Karen Tsujimoto (Berkeley: University of California, 2003)<br/> Touching Time and Space: A Portrait of David Ireland, Betty Klausner (Milano: Charta, 2003)</p> |

|   |           |
|---|-----------|
| Signature of a Senior Preservation Planner / Preservation Coordinator:              | Date:     |
|  | 4/20/2015 |







# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

## NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, June 22, 2017**  
Time: **Not before 12:00 PM (noon)**  
Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**  
Case Type: **Conditional Use & Variance**  
Hearing Body: **Planning Commission & Zoning Administrator**

| PROPERTY INFORMATION |                          | APPLICATION INFORMATION |  |
|----------------------|--------------------------|-------------------------|--|
| Project Address:     | <b>65 Capp Street</b>    | Case No.:               | <b>2014-001457CUA</b>  |
| Cross Street(s):     | <b>Adair Street</b>      | Building Permit:        | <b>2014.0509.5424</b>  |
| Block /Lot No.:      | <b>3553 / 041</b>        | Applicant:              | <b>Brett Cline</b>   |
| Zoning District(s):  | <b>RTO-M / 40-X</b>      | Telephone:              | <b>(415) 528-9708</b>  |
| Area Plan:           | <b>Mission Area Plan</b> | E-Mail:                 | <a href="mailto:janitor@thelostchurch.org">janitor@thelostchurch.org</a> |

### PROJECT DESCRIPTION

The request is for Conditional Use Authorization to legalize a small performance theater as a limited corner commercial use pursuant to Planning Code Sections 209.4, 303, 317, and 710.48. The project requires a variance from the street frontage transparency requirements of Planning Code Section 145.1.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

### ADDITIONAL INFORMATION

**ARCHITECTURAL PLANS:** If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org> or by request at the Planning Department office located at 1650 Mission Street, 4<sup>th</sup> Floor.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

### FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Michael Christensen** Telephone: **(415) 575-8742** E-Mail: [michael.christensen@sfgov.org](mailto:michael.christensen@sfgov.org)

General Notes:

1. These drawings comprise part of the construction documents for this project and shall be used in conjunction with the complete project manual issued along with the drawings.
2. General notes are an aid to the contractor in understanding the work and should not be construed as being complete in every detail. It is the explicit and specific responsibility of the contractor to visit the site, verify the existing conditions, familiarize himself thoroughly with the scope of work, and report all discrepancies between the drawings and the assumed or actual conditions to the attention of the architect.
3. The contractor shall not scale the drawings: Only figured dimensions are to be used for all aspects of the work. The contractor shall verify and be responsible for all dimensions and conditions on the job, and the architect must be notified for any variations from the dimensions and conditions shown on these drawings. Shop drawings must be submitted to the architect for review before proceeding with fabrication.
4. Unless otherwise noted, elevations are to top of finished floors at interior and to top of finish grades at exterior.
5. Dimensions marked as 'clear' are between faces of finish. Dimensions marked 'o/a' are outside dimensions of assemblies including all layers of finish.
6. The general contractor & all subcontractors shall, at all times, protect the privacy of the owners. all plans & sketches shall be kept confidential & returned to the architect promptly at project completion.
7. The contractor shall be responsible for the means, methods, techniques, and sequences of construction. The contractor shall also be solely responsible for all safety programs and procedures during construction. the contractor must provide adequate shoring and bracing of the incomplete structure during construction, and shall maintain the shoring and bracing until the new permanent structure can provide adequate vertical and lateral support.
8. After demolition, verify all dims. and layout with architect on site before proceeding with new work.

A. Code:

1. Manner, method and materials of construction shall conform to the latest adopted edition of the building code and all other applicable federal, state, and municipal codes and ordinances including those of cal/osh, local planning and zoning, electrical, mechanical, plumbing, etc. whether or not specifically indicated on the drawings and/or specifications.

B. Permit:

1. The building permit shall be provided by the owner. Contractor shall secure and pay for the building permit, other required permits and governmental fees, licenses and inspections necessary for the proper execution and completion of the project.
2. Electrical, plumbing, and mechanical contractors shall be responsible for submitting copies of their drawings to the architect for review prior to submittal to the department of building and safety.
3. Electrical, plumbing and mechanical contractors shall submit plans to the department of building and safety for approval and issuance of permit prior to commencing their work.
4. Contractor shall obtain necessary permits from the state of california, division of industrial safety prior to the issuance of a building or grading permit when trenches or excavations of 5 feet or more in depth into which a person is required to descend are necessitated for construction or demolition of any building or structure. scaffolding or falsework more than 3 stories or 36 feet in height requires a permit from the state of california division of industrial safety prior to issuance of building permit.

C. Energy:

1. All exhaust systems shall be provided with back draft dampers.
2. Caulk around all plumbing and electrical penetrations into the building envelope.
3. Doors and windows between conditioned and outside or unconditioned spaces, such as garage and compartments for central air gas furnaces, shall be fully weather-stripped.
4. Manufactured doors and windows shall be certified and labeled in compliance with the appropriate infiltration standards listed in the energy regulations.
5. Caulk and seal around all window and door frames, between wall sole plate and floor, and between exterior wall panels.
6. Insulate recirculating hot water piping in unheated (non-conditioned) spaces.
7. The building design is based on the energy conservation analysis prepared by title 24 consultant listed on supplied report.

D. Sound Transmission:

1. Electrical outlet boxes in opposite faces of separation, demising, and party wall shall be separated horizontally by 24". The backsides of outlet boxes are to be sealed with 1/8" resilient sealant and backed with a minimum of 2" mineral fiber insulation. TV, telephone, and intercom outlets shall be ul approved , and installed in galvanized electrical (4 x 4) boxes.
2. All rigid hvac ducts, plumbing, appliance vents, and electrical raceways shall be isolated from the building construction by means of resilient sleeve mount approved by the architect. exception: Gas piping need not be sound insulated.
3. Mineral fiber insulation will be installed in joist spaces whenever a plumbing pipe or duct penetrates a floor/ceiling assembly from within a wall. The insulation will be installed to a point 12" beyond the pipe or duct.
4. Metal ventilating and conditioned air ducts shall be lined.
5. Where a light fixture appliance, or other architectural or structural element penetrates a sound, fire-resistive or energy envelope, contractor shall provide the continuity of such envelope without compromising the specified rating of such.

E. Additional requirements

1. Fire blocks shall be provided in the following locations:

1. In concealed spaces, including furred spaces, of stud walls and partitions at the ceiling and floor levels and at 10' intervals both horizontally and vertically.

2. At all intersections between concealed vertical and horizontal spaces, such as occur at soffits, dropped ceilings, and cove ceilings.

3. In concealed spaces at the top and bottom of the run of stair stringers.
2. For all tile work, use a thick-set float on all floors and vertical surfaces exposed to water. vertical surfaces not exposed to water may be thin set on green board.
3. If louvers or grills are used to cover openings for combustion air, the area of the grill must be factored in the calculations of free-air of opening.
4. If combustion air for a vented furnace or water heater is drawn from the room which it is located, there must be a minimum of 50 cubic feet per 1000 btu/hr input rating.

F. Mechanical and electrical requirements:

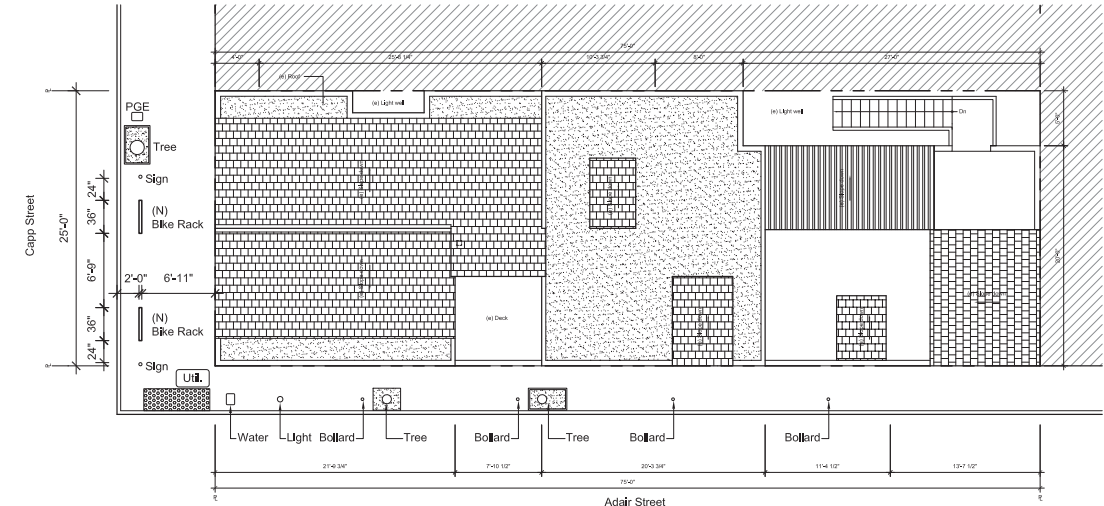
1. All hvac equipment to be installed according to manufacturer listings and per code.

G. Plumbing

1. Water heaters shall be anchored or strapped to resist horizontal displacement due to earthquake motion. Strapping shall be at points within the upper one-third and lower one-third of its vertical dimension. At the lower point, a minimum distance of 4" shall be maintained above the controls with the strapping. The units shall be secured by 1 1/2", 16 gauge straps and 5/16" x 3" lag screws anchored into wall framing.
2. Provide a pressure/temperature relief valve on water heater that drains to the exterior of the building or other approved location.
3. All new toilets to be low flow, 1.6 gallon capacity. Contractor will verify that copper water supply lines are sized to provide acceptable pressure and volume. Provide pressure reducing valve if one does not exist. Connect waste lines to sewer and provide cleanouts and ventilation as required by uniform plumbing code. No pvc piping allowed. All plumbing joints will be cleanly lapped and sealed so that they are water tight and provide for positive water flow.
4. All water heaters, showerheads and faucets to be certified by cec.

H. Contract Documents:

1. The most recent edition of the General Conditions for the Contract for Construction, AIA form A201, shall be part of these specifications.
2. Verify job site conditions, dimensions, and details prior to proceeding with the work. Prior to bidding, examine the building site, compare the drawings with existing conditions, and understand their intent. By the act of submitting a bid, the contractor shall be deemed to have made such examinations and to have accepted such condition, and to have made allowance therefore in preparing his/her figure.
3. If it is found during construction that conditions vary from the drawings, notify the architect before proceeding with the work.
4. Substitutions shall not be made on any equipment, materials, colors, and other items specified except when specifically approved in writing in advance by the architect.
5. Should condition of work or schedule indicate a change of materials or methods, submit written recommendation to the architect in sufficient time in order to avoid delays to the work.
6. Do not scale these drawings. Should additional information be needed, notify the architect in writing within sufficient time in order to avoid delays to the work.
7. The architect shall be the sole interpreter of the contract documents. Should contractor or owner require additional information or clarification of any item, the architect shall be notified in writing.
8. Execution of the contract by the contractor is a representation that the contractor visited the site, became familiar with local conditions under which the work is to be performed, and correlated personal observations with requirements of the contract documents.
9. The intent of the contract documents is to include all items necessary for the proper execution and completion of the work by the contractor. The contract documents are complementary, and what is required by one shall be as binding as if required by all.
10. Organization of the specifications into divisions, sections, and articles, and arrangement of drawings shall not control the contractor in dividing the work among subcontractors or in establishing the extent of work to be performed by any trade.
11. Unless otherwise stated in the contract documents, words which have well-known technical or construction industry meanings are used in the contract documents in accordance with such recognized meanings.
12. Contractor shall submit to architect for review all proposed boring, notching, and drilling of all framing members. Do not commence work until review has been confirmed by architect.



06 VICINITY MAP (INDICATING NEW BIKE RACKS)

1/8"=1'-0"

| Gross Square Footage        | Existing Uses: | (E) To Remain: | Renovated Area*: | Total Proposed: |
|-----------------------------|----------------|----------------|------------------|-----------------|
| B Occupancy*:               | 0 sf           | 0 sf           | 1,049 sf         | 1,049 sf        |
| * w/600sf theater           |                |                |                  |                 |
| R3 Occupancy:               | 2,080 sf       | 1,031 sf       | 0 sf             | 1,031 sf        |
| * Single-Family Residential |                |                |                  |                 |
| Garage:                     | 173 sf         | 173 sf         | 0 sf             | 173 sf          |
| Decks:                      | 216 sf         | 216 sf         | 0 sf             | 216 sf          |
| Total:                      | 2,469 sf       | 1,420 sf       | 1,049 sf         | 2,469 sf        |

NOTE: There is NO proposed change in the building area.

05 Area Calculations

| SYMBOL | DESCRIPTION  |
|--------|--|
|        | EXISTING WALLS TO REMAIN (V.I.F.)  |
|        | NEW FULL HEIGHT WALL, U.O.N. (RE: SCHEDULE)  |
|        | WALL TO BE DEMOLISHED  |
|        | NEW DOOR (RE: SCHEDULE)  |
|        | DETAIL REFERENCE SYMBOL<br>UPPER DIGIT DENOTES DETAIL NUMBER<br>LOWER DIGIT DENOTES SHEET NUMBER |
|        | PARTITION TYPE (RE: SCHEDULE)  |
|        | NEW WINDOW (RE: SCHEDULE)  |
|        | MARK REFERENCE ELEVATION   |
|        | ELEVATION  |
|        | BUILDING SECTION   |
|        | ROOM NUMBER<br>ROOM NAME<br>LOCATION OF INTERIOR ELEVATIONS                                      |
|        | FINISH (RE: FINISH LEGEND)   |

04 ARCHITECTURAL LEGEND

Architect  
Hansell Design  
Bill Hansell  
667 Appleberry Drive  
San Rafael, CA 94903  
Tel: 415-378-9064  
Email:info@hanselldesign.com

03 PROJECT TEAM

Legal Description:  
Block: 3553  
Lot: 041

Project Description:  
Change of Use Permit:

Site Characteristics:  
Lot Area: 1,875 sq ft  
Zoning District: RTO-M  
Building Characteristics:  
Construction Type: V-NR  
Occupancy Type: B ( w/Theater) and R3 (Residence)  
Planning Notes:.  
Height Limit: -  
Rear Yard: -  
Side Yard: -

FAR: -

Applicable Codes:  
2013 California Building Code  
2013 California Electrical Code  
2013 California Energy Code  
2013 California Mechanical Code  
2013 California Plumbing Code  
2013 California Green Building Standards Code

02 PROJECT DATA

A1.00 Title Sheet: Project Data, Legend, & General Notes  
A2.00 Floor Plans: Existing  
A2.01 Floor Plans: New  
A2.02 Roof Plan: Existing and New  
A3.00 Exterior Elevations: Existing and New

01 SHEET INDEX

hanselldesign

667 Appleberry Drive  
San Rafael CA  
94903

voice 415-378-9064  
email info@hanselldesign.com  
www.hanselldesign.com

Consultants

No. Issue Date

Parcel: 3553-041

Change of Use Permit  
65 Capp Street  
San Francisco CA  
94103

Project Data, Gen.  
Notes & Legend

Scale:

Drawn by: BH

Job no.: 1404\_Lost Church

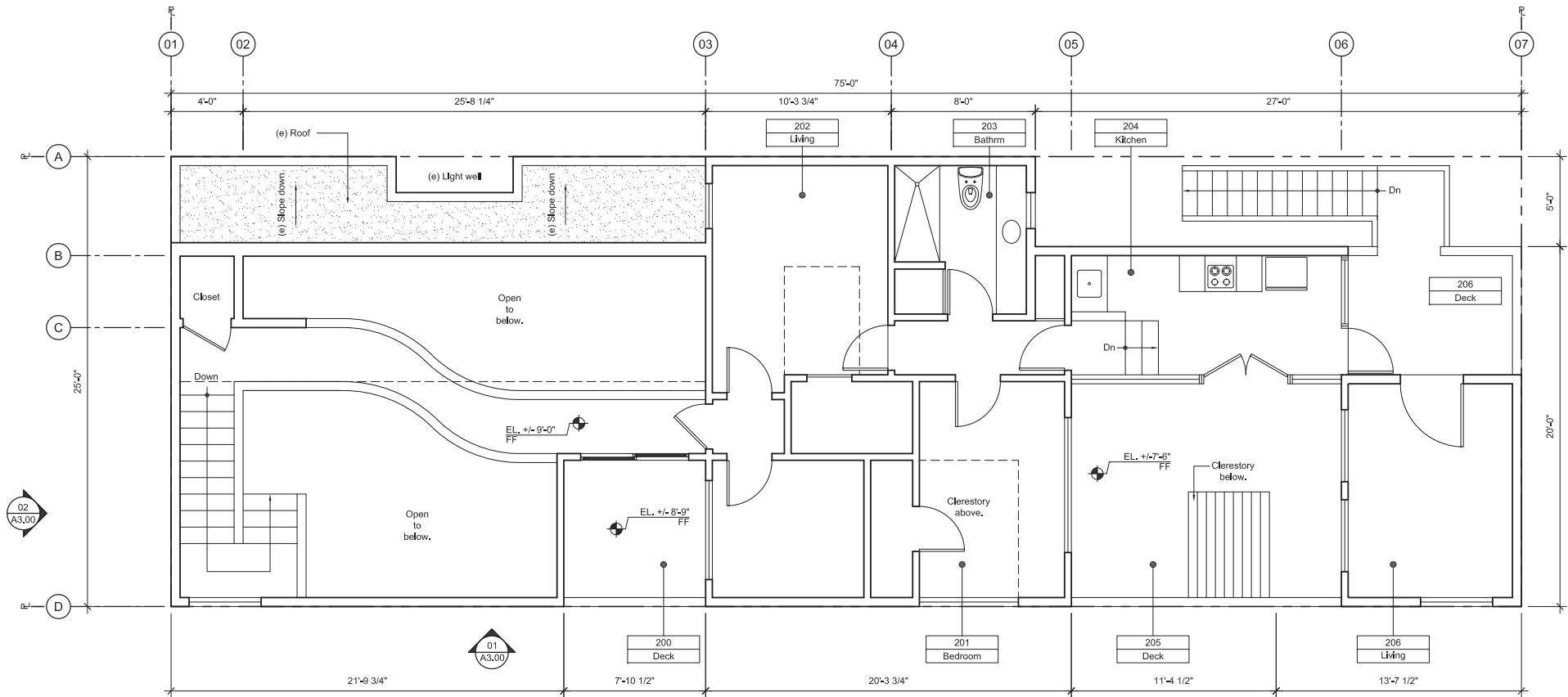
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Sheet No.:

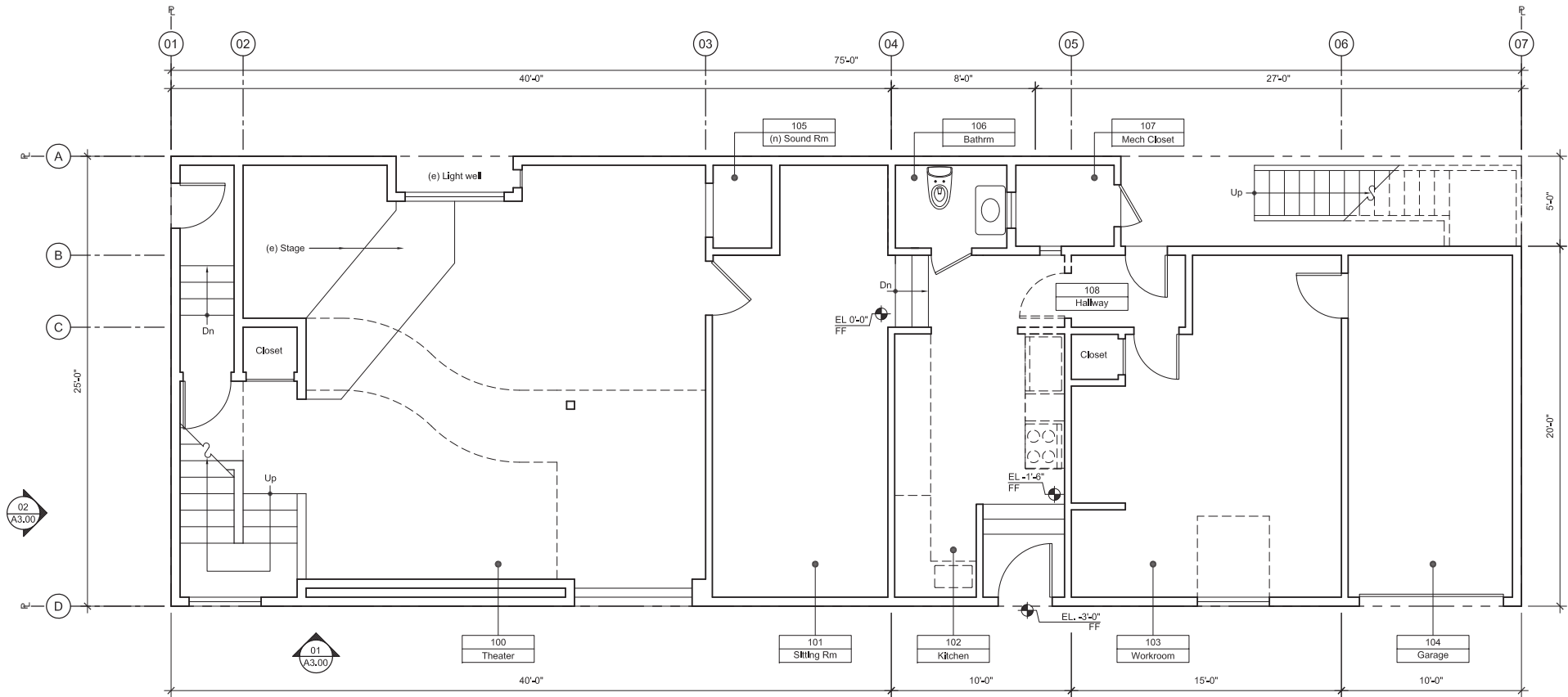
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07 General Notes



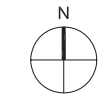


02 Plan: Second Floor - Existing  
1/4"=1'-0"



01 Plan: First Floor - Existing  
1/4"=1'-0"

- Existing walls to remain (V.I.F.)
- New full height wall, U.O.N. (Re: Schedule)
- Wall to be demolished.



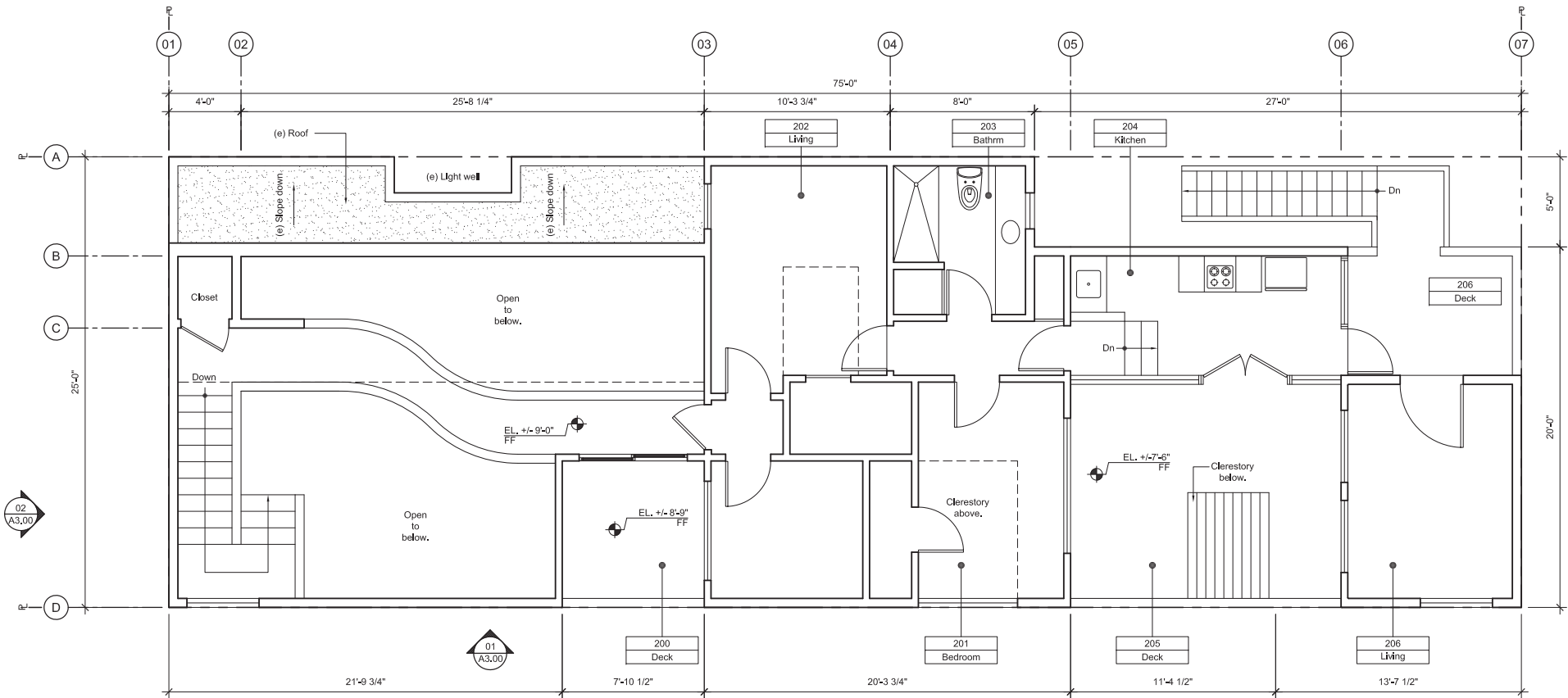
Change of Use Permit  
65 Capp Street  
San Francisco CA  
94103

Plans  
New

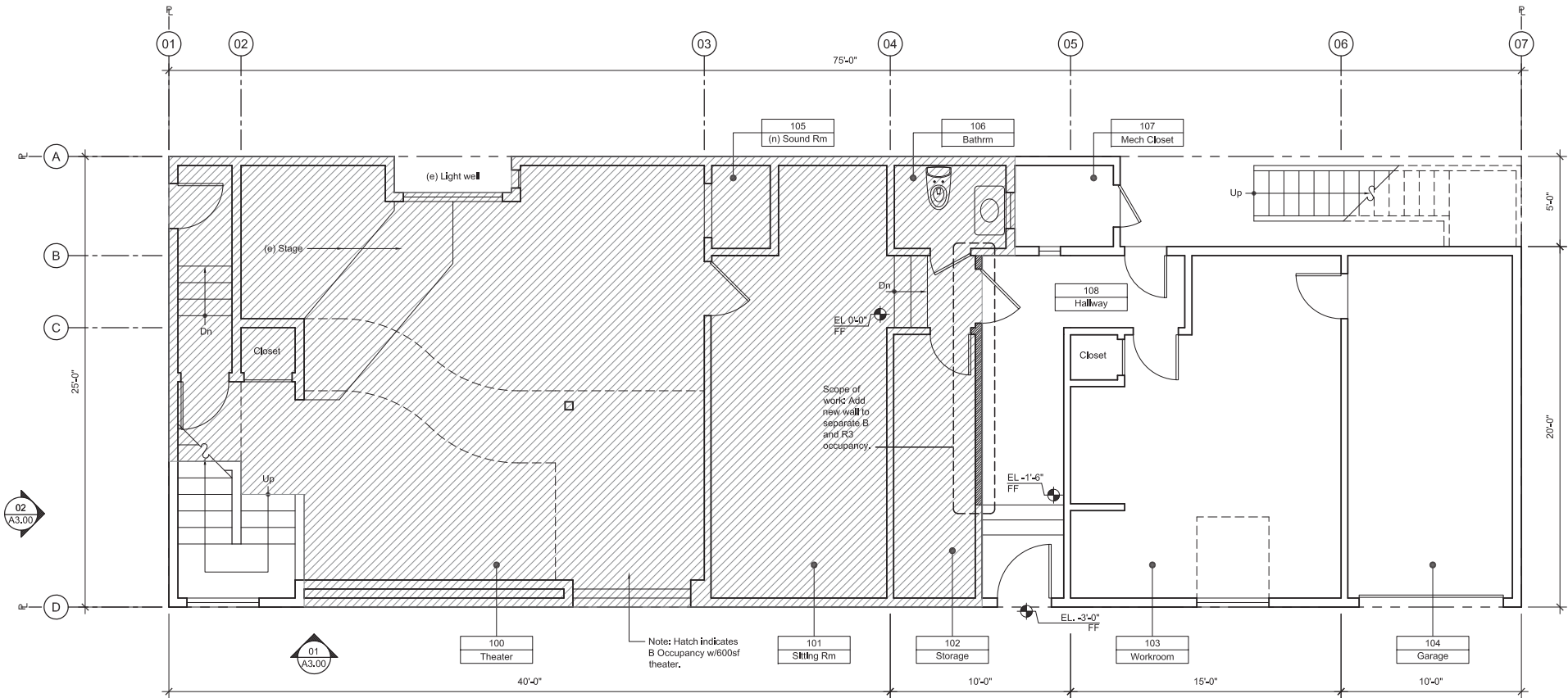
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Drawn by: BH  
Job no.: 1404\_Lost Church  
Date: 11 Nov 2016

Sheet No.:

A2.01

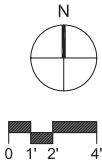


02 Plan: Second Floor - New  
1/4"=1'-0"



01 Plan: First Floor - New  
1/4"=1'-0"

- Existing walls to remain (V.I.F.)
- New full height wall, U.O.N. (Re: Schedule)
- Wall to be demolished.



| No. | Issue | Date |
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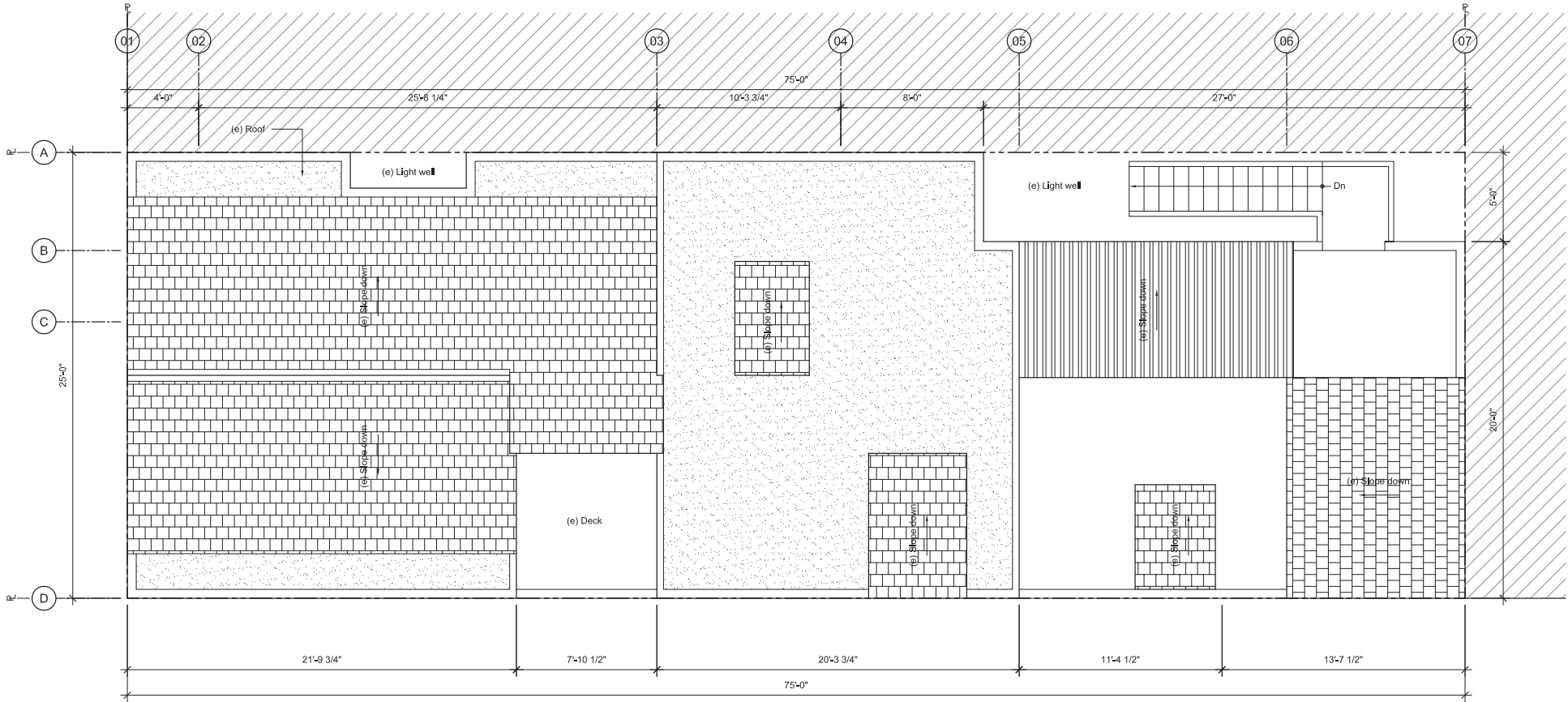
Parcel: 3553-041

Change of Use Permit  
65 Capp Street  
San Francisco CA  
94103

Plan: Roof  
Existing

Scale: 1/4"=1'-0"  
Drawn by: BH  
Job no.: 1404\_Lost Church  
Date: 11 Nov 2016

Sheet No.:  
A2.02



01 Plan: Roof (No changes to this plan. For reference only.)  
1/4"=1'-0"

| No. | Issue | Date |
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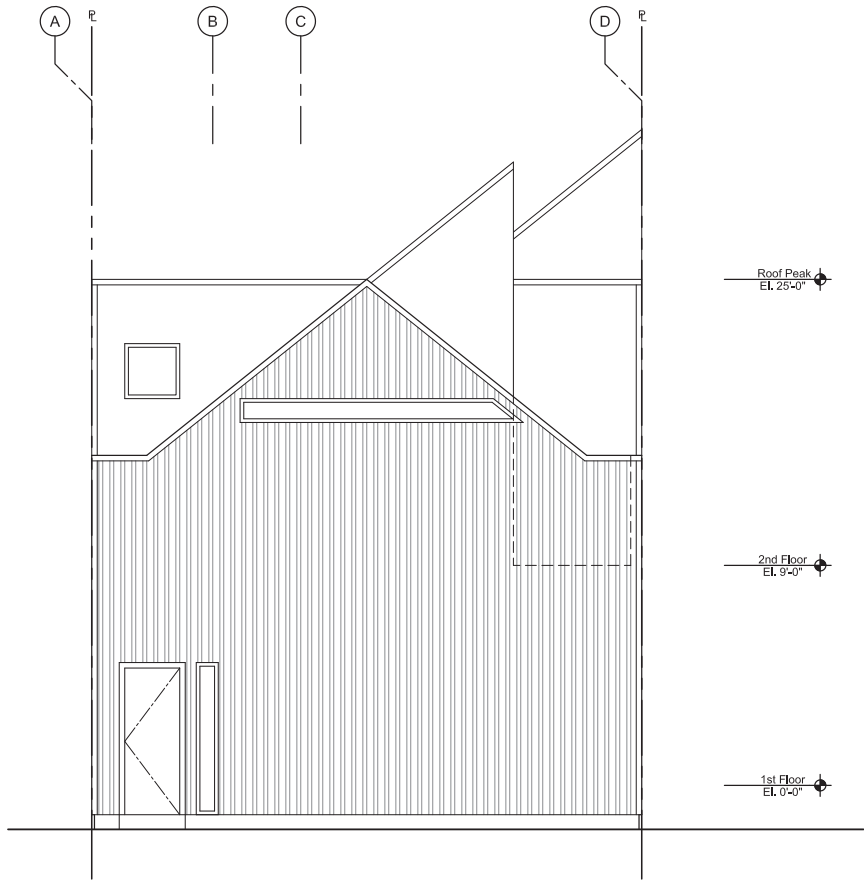
Parcel: 3553-041

Change of Use Permit  
65 Capp Street  
San Francisco CA  
94103

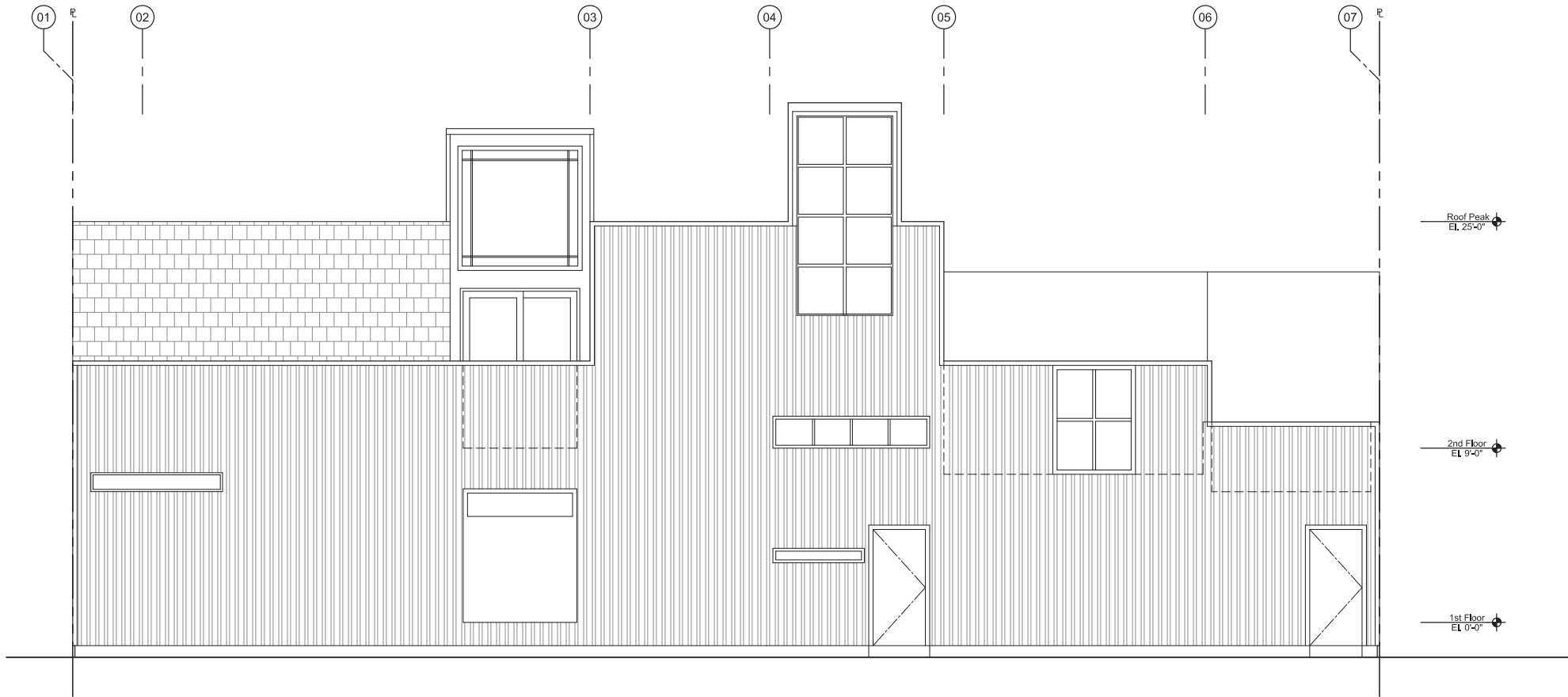
South Elevation  
Exist & New

Scale: 1/4"=1'-0"  
Drawn by: BH  
Job no.: 1404\_Lost Church  
Date: 11 Nov 2016

Sheet No.: A3.00



02 West Elevation: Capp St. (No changes to this elevation - For reference only)



01 South Elevation: Adair St. (No changes to this elevation - For reference only)

