

**PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT**

**SUPPLEMENTAL RESPONSES TO COMMENTS**

# 469 Stevenson Street Project

San Francisco Planning  
 Case No. **2017-014833ENV**  
 State Clearinghouse No. 2019100093

<i>Partially Recirculated Draft EIR Publication Date:</i>	November 2, 2022	<p><i>Written comments should be sent to:</i></p> <p><b>Jenny Delumo</b>          49 South Van Ness Ave, Suite 1400          San Francisco, CA 94103          or <a href="mailto:CPC.469Stevenson@sfgov.org">CPC.469Stevenson@sfgov.org</a></p>
<i>Partially Recirculated Draft EIR Public Hearing Date:</i>	December 8, 2022	
<i>Partially Recirculated Draft EIR Public Comment Period:</i>	November 2, 2022– December 19, 2022	
<i>Supplemental Responses to Comments Publication Date:</i>	April 5, 2023	
<i>Final EIR Certification Hearing Date:</i>	April 20, 2023	



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## MEMORANDUM

*Date:* April 5, 2023  
*Case No:* 2017-014833ENV  
*Project Title:* 469 Stevenson Street  
*To:* Members of the Planning Commission and Interested Parties  
*From:* Lisa Gibson, Environmental Review Officer  
*Re:* Attached Supplemental Responses to Comments on the Partially Recirculated Draft Environmental Impact Report for the 469 Stevenson Street Project

Attached for your review please find a copy of the supplemental responses to comments document for the partially recirculated draft Environmental Impact Report (recirculated draft EIR) for the above-referenced project. **This document, along with the recirculated draft EIR, the previously circulated draft EIR, and the previous responses to comments document, will be before the planning commission for final EIR certification on April 20, 2023.** The planning commission will receive public testimony on the final EIR certification at the April 20, 2023 hearing. Please note that the public review period for the recirculated draft EIR ended on December 19, 2022. Comments received after the close of the public review period or at the final EIR certification hearing, will not be responded to in writing. The agenda for the April 20, 2023 planning commission hearing showing the start time and order of items at the hearing will become available at <https://sfplanning.org/hearings-cpc-grid>, by close of business Friday, April 14.

The planning commission does not conduct a hearing to receive comments on the responses to comments on the recirculated draft EIR, and no such hearing is required by the California Environmental Quality Act. Interested parties, however, may write to commission members or to the president of the commission at [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) (preferred) or to the attention of the Commission Secretary at 49 South Van Ness Avenue, Suite 1400 and express an opinion on the supplemental responses to comments document, or the commission's decision to certify the final EIR for this project.

This document, along with the previously circulated draft EIR (including the previously circulated initial study appended to that document) published on March 11, 2020, comments and responses received on the previously circulated draft EIR published on May 26, 2021, and the recirculated draft EIR published on November 2, 2022, constitute the final EIR. All of these documents may be downloaded from: <https://sfplanning.org/environmental-review-documents>. If you have any questions concerning this responses to comments document or the environmental review process, please contact Jenny Delumo, senior environmental planner, at [CPC.469Stevenson@sfgov.org](mailto:CPC.469Stevenson@sfgov.org) or 628.652.7568.

Thank you for your interest in this project and your consideration of this matter.

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# CONTENTS

Page

<b>Chapter 1 Introduction to the Supplemental Responses to Comments</b> .....	<b>1-1</b>
1.A Purpose of this Supplemental Responses to Comments Document.....	1-1
1.B Environmental Review Process .....	1-2
1.C Document Organization.....	1-5
<b>Chapter 2 List of Persons Commenting</b> .....	<b>2-1</b>
2.A Public Agencies and Commissions, Organizations, and Individuals Commenting on the Recirculated Draft EIR.....	2-1
<b>Chapter 3 Responses to Comments</b> .....	<b>3-1</b>
3.A Introduction.....	3-1
3.B Population and Housing.....	3-2
3.C Cultural Resources.....	3-7
3.D General Comments.....	3-9
<b>Chapter 4 Partially Recirculated Draft EIR Revisions</b> .....	<b>4-1</b>
4.A Introduction.....	4-1
4.B Revisions to Chapter 2, Project Description .....	4-1
4.C Revisions To Chapter 5, Alternatives.....	4-2

## Supplemental RTC Attachments

Supplemental RTC Attachment A: Recirculated Draft EIR Public Hearing Transcript

Supplemental RTC Attachment B: Recirculated Draft EIR Comment Letters and Emails

## Supplemental RTC Tables

Supplemental RTC Table 1-1: Chronology of the Environmental Review Process.....	1-2
Supplemental RTC Table 2-1: Persons Commenting on the Recirculated Draft EIR.....	2-2
Supplemental RTC Table 3-1: Comment Organization .....	3-1

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# Chapter 1

## Introduction to the Supplemental Responses to Comments

### 1.A Purpose of this Supplemental Responses to Comments Document

The purpose of this supplemental responses to comments (supplemental RTC) document is to present comments submitted on the Partially Recirculated Draft Environmental Impact Report (recirculated draft EIR) for the proposed 469 Stevenson Street Project (proposed project), to respond in writing to comments on environmental issues, and to revise the recirculated draft EIR to correct minor errors as necessary. Comments were made in written form during the public comment period from November 2, 2022 through December 19, 2022 and as oral testimony before the San Francisco Planning Commission (planning commission) as part of the public hearing on the recirculated draft EIR held on December 8, 2022. A complete transcript of proceedings from the public hearing on the recirculated draft EIR as well as all written comments are included herein in their entirety and are also included as Supplemental RTC Attachment A (Recirculated Draft EIR Public Hearing Transcript) and Supplemental RTC Attachment B (Recirculated Draft EIR Comment Letter and Emails). A complete list of commenters is provided in Chapter 2.0, List of Persons Commenting.

California Environmental Quality Act (CEQA) Guidelines section 15088 requires the evaluation of all public comments received on the recirculated draft EIR and the identification of comments that raise significant environmental issues and therefore require a good-faith, reasoned analysis in a written response. As further stated in CEQA Guidelines section 15088(c), the level of detail in the response may correspond to the level of detail provided in the comment. Pursuant to the CEQA section 21091(d)(2)(A) and (B) and the CEQA Guidelines, the San Francisco Planning Department (planning department) has considered the comments received on the recirculated draft EIR, evaluated the issues raised, and provided written responses that fully address each substantive physical environmental issue that has been raised. Therefore, this document focuses on responding to comments related to physical environmental issues, in compliance with CEQA. However, for informational purposes, this supplemental RTC document also provides limited responses to general comments on the recirculated draft EIR received during the public review period that are not related to physical environmental issues.

The comments received on the recirculated draft EIR do not identify any new significant environmental impacts, or substantial increases in the severity of previously identified environmental impacts, beyond those analyzed in the recirculated draft EIR. In addition, the comments do not identify feasible project alternatives or mitigation measures that would be considerably different from those analyzed in the recirculated draft EIR and would reduce the significant environmental impacts of the proposed project that the project sponsor has not agreed to study or implement.

The planning department is the lead agency under CEQA and is responsible for administering the environmental review of projects within the City and County of San Francisco. The recirculated draft EIR, supplemental RTC, previously circulated draft EIR, comments received on the previously circulated draft EIR and the responses to

**Chapter 1. Introduction to the Supplemental Responses and Comments**  
**1.B. Environmental Review Process**

those comments (previous RTC), constitute the final EIR for the proposed project, in fulfillment of CEQA requirements and consistent with CEQA Guidelines section 15132. The final EIR has been prepared in compliance with CEQA, the CEQA Guidelines, and chapter 31 of the San Francisco Administrative Code.

The final EIR is an informational document for use by (1) governmental agencies (e.g., the planning department) and the public, aiding in the planning and decision-making process by disclosing the physical environmental effects of the project and identifying possible ways of reducing or avoiding the potentially significant impacts, and (2) the planning commission and other commissions/departments, prior to their decision to approve, disapprove, or modify the project. If the planning commission or other City and County of San Francisco (City) entities approve the proposed project, they would be required to adopt CEQA findings and a mitigation monitoring and reporting program (MMRP or mitigation program) to ensure that the mitigation measures identified in the final EIR are implemented.

**1.B Environmental Review Process**

**Chronology of the Environmental Review Process**

The following is a summary of the key dates in the chronology of the environmental review process for the 469 Stevenson Street project. Additional details about the environmental review process can be found in Chapter 1, Introduction, of the recirculated draft EIR.

**Supplemental RTC Table 1-1: Chronology of the Environmental Review Process**

<b>Key Dates in the Environmental Review Process</b>	<b>Date</b>
Notice of Preparation of the previously circulated draft EIR and availability of the previously circulated initial study published	October 2, 2019
Scoping period for the previously circulated draft EIR	October 3, 2019 through November 1, 2019
Previously circulated draft EIR published	March 11, 2020
Public comment period for the previously circulated draft EIR	March 12, 2020 through May 11, 2020
Public hearing on the previously circulated draft EIR at the planning commission	April 16, 2020
Previous RTC document published	May 26, 2021
Certification hearing for the previous final EIR	July 29, 2021
Appeal hearing on certification of previous final EIR; board of supervisors granted appeal and reversed certification of previous final EIR	October 26, 2021
Board of Supervisors' findings in support of the appeal adopted	December 14, 2021
Partially recirculated draft EIR published	November 2, 2022
Public comment period for the partially recirculated draft EIR	November 2, 2022 through December 19, 2022
Public hearing on the partially recirculated draft EIR	December 8, 2022
Supplemental RTC document published	April 5, 2023

As shown in Supplemental RTC Table 1-1, the planning department initiated the environmental review process for the 469 Stevenson Street project on October 2, 2019 by issuing a notice of preparation of an EIR and availability of an initial study to governmental agencies, organizations, and persons interested in the proposed project, followed by a 30-day public scoping period. On March 11, 2020, the planning department published the previously circulated draft EIR and circulated it to local, state, and federal agencies and to interested organizations and individuals for 61 days. On April 16, 2020, the planning department conducted a public hearing to receive oral comments on the previously circulated draft EIR. On May 26, 2021, the planning department published the previous RTC document that provided written responses to all substantive comments received on the previously circulated draft EIR. On July 29, 2021, the planning commission found the previous final EIR (which consisted of the previously circulated draft EIR and previous RTC) to be adequate, accurate, and objective and certified it in compliance with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

On August 27, 2021, a letter was filed with the Clerk of the Board of Supervisors appealing certification of the previous final EIR. The San Francisco Board of Supervisors (board of supervisors) held a public hearing on October 26, 2021 to consider the appeal of the certification of the previous final EIR. Following the public hearing, the board of supervisors granted the appeal and reversed the certification of the previous final EIR. On December 14, 2021, the board of supervisors adopted findings in support of its decision to grant the appeal of the previous final EIR certification. The board of supervisors directed the planning department to undertake additional analysis, specifically stating the following:

*“MOVED, That this Board of Supervisors finds that the Final EIR contains inadequate analysis and information regarding potential impacts to historic resources; potential geotechnical impacts resulting from construction of the project; potential physical impacts resulting from gentrification and displacement of local residents; and potentially feasible mitigation measures and alternatives to address significant impacts in those impact areas, all of which were either improperly and prematurely scoped out of the EIR and studied only in the Initial Study, or studied in the EIR with insufficient analysis and evidence; and, be it*

*FURTHERMOVED, That based on the above findings this Board finds that the Final EIR does not comply with CEQA, because it is not sufficient as an informational document; and be it*

*FURTHERMOVED, That this Board reverses the EIR Certification by the Planning Commission; and, be it*

*FURTHERMOVED, That this Board finds that as to all other topics studied in the final EIR, that document complies with CEQA; is adequate, accurate and objective; is sufficient as an informational document; its conclusions are correct; and it reflects the independent judgement of the City; and, be it*

*FURTHERMOVED, That this Board remands the Final EIR to the Planning Department to undertake further environmental review of the Project consistent with this Motion, before further consideration of EIR Certification and any Project Approvals.”*

## **Partially Recirculated Draft EIR**

The planning department prepared the recirculated draft EIR in response to the determination by the board of supervisors to grant an appeal of the planning commission’s certification of the previous final EIR and their findings in support of that determination. The recirculated draft EIR was prepared in accordance with CEQA, the

CEQA Guidelines, and San Francisco Administrative Code chapter 31. The recirculated draft EIR was circulated for a 47-day public review and comment period, starting on November 2, 2022 and ending on December 19, 2022.

The planning department distributed paper copies of the notice of public hearing and availability of the recirculated draft EIR through the U.S. Postal Service to relevant state and regional agencies, adjacent properties, residents and property owners within 300 feet of the project site, and other potentially interested parties, including those who commented on the previous final EIR and neighborhood organizations that requested such notice. The planning department also distributed the notice electronically, using email, to recipients who had provided email addresses; published notification of its availability in a newspaper of general circulation in San Francisco; posted the notice on the planning department's website; filed a notice of completion with the State Secretary of Resources via the State Clearinghouse; and posted the Notice of Public Hearing and Availability of the recirculated draft EIR at the County Clerk's office and multiple locations on the project site.

Comments on the recirculated draft EIR were submitted in written form during the public comment period or received as oral testimony at the public hearing on the recirculated draft EIR before the planning commission on December 8, 2022. A court reporter transcribed the oral comments verbatim and provided a written transcript (Supplemental RTC Attachment A).

## **Supplemental Responses to Comments Document**

The comments received during the public review period are the subject of this supplemental RTC document, which addresses all substantive written and oral comments on the recirculated draft EIR. Pursuant to CEQA Guidelines section 15088.5(f)(2), when the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. Because all comments received during the initial circulation period that related to chapters or portions of the previously circulated draft EIR were responded to in the previous RTC, the planning department need only respond to comments received during the recirculation period that relate to the chapters or portions of the previously circulated draft EIR that were revised and recirculated. In other words, the planning department need only respond to comments on new and revised text in the recirculated draft EIR.

Furthermore, CEQA Guidelines section 15204(a) states that the focus of public review should be on "the sufficiency of the [recirculated draft EIR] in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated." In addition, "when responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." As discussed above, CEQA Guidelines section 15088 specifies that the lead agency is required to respond to comments that raise significant environmental issues during the public review period. Therefore, this supplemental RTC document is focused on the sufficiency and adequacy of the recirculated draft EIR with respect to disclosing the significance of the physical environmental impacts of the proposed project evaluated in the recirculated draft EIR.

The planning department distributed this supplemental RTC document to the planning commission as well as other public agencies and commissions; non-governmental organizations, including neighborhood associations; and individuals who commented on the recirculated draft EIR. The planning commission will consider the adequacy of the final EIR, consisting of this supplemental RTC, the recirculated draft EIR, the previously circulated draft EIR (including the previously circulated initial study appended to that document), and the

previous RTC, with respect to complying with the requirements of CEQA, the CEQA Guidelines, and chapter 31 of the San Francisco Administrative Code. If the planning commission finds that the final EIR is adequate, accurate, complete and in compliance with CEQA requirements, it will certify the final EIR and then consider the associated MMRP as well as the requested approvals for the proposed project.

Consistent with CEQA Guidelines section 15097, the MMRP is designed to ensure implementation of the mitigation measures identified in the final EIR and is adopted by decision makers to mitigate or avoid the proposed project's significant environmental effects. CEQA also requires the adoption of findings prior to approval of a project for which an EIR has been certified.

## 1.C Document Organization

This supplemental RTC document consists of the following sections and attachments, as described below:

- **Chapter 1.0, Introduction to the Supplemental Responses to Comments**, discusses the purpose of the supplemental RTC document, background on the environmental review process for the proposed project, and the organization of the supplemental RTC document.
- **Chapter 2.0, List of Persons Commenting**, presents the names of persons who provided comments on the recirculated draft EIR during the public comment period. The list is organized into the following groups: public agencies and commissions, organizations, and individuals.
- **Chapter 3.0, Responses to Comments**, presents substantive comments, excerpted verbatim from a transcript of the planning commission public hearing and written correspondence. The complete transcript as well as the letters and emails with the comments are provided in Supplemental RTC Attachments A and B of this document. The comments and responses in this chapter are organized by topic and, where appropriate, by subtopic, including the same environmental topics addressed in Chapter 3 of the recirculated draft EIR. Preceding each group of comments is an introduction that summarizes the issues raised about a specific topic. Following each comment or group of comments on a topic are the planning department's responses.
- **Chapter 4.0, Partially Recirculated Draft EIR Revisions**, presents text changes to the recirculated draft EIR for the proposed project initiated by planning department staff. The text revisions correct minor errors presented in the recirculated draft EIR. These changes do not result in significant new information with respect to the proposed project, including the level of significance of project impacts or any new significant impacts.
- **Supplemental RTC Attachments A and B** present, respectively, a complete transcript of the planning commission hearing and written correspondence received by the planning department during the public comment period for the recirculated draft EIR, with individual comments bracketed and coded as described in Chapter 2. An additional code points the reader to the topic and subtopic in Chapter 3 where the bracketed comment appears as well as the response that addresses it.

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# Chapter 2

## List of Persons Commenting

### 2.A Public Agencies and Commissions, Organizations, and Individuals Commenting on the Recirculated Draft EIR

Public agencies, commissions, non-governmental organizations, and individuals submitted written comments (letters and emails) on the recirculated draft EIR for the 469 Stevenson Street Project. The City received comments during the 47-day public comment period, starting on November 2, 2022 and ending on December 19, 2022. On December 8, 2022, the planning commission held a public hearing on the recirculated draft EIR and received comments as oral testimony. This chapter lists all public agencies and commissioners, organizations, and individuals who submitted comments on the recirculated draft EIR.

Supplemental RTC Table 2-1 lists the public agencies and commissioners, organizations, and individuals who submitted comments on the recirculated draft EIR. Along with the names of the commenters, the table includes corresponding commenter codes used in Chapter 3, Responses to Comments, to denote each set of comments by category and the date received by the planning department. This supplemental RTC document assigns the comments to three categories:

- Comments from local, state, or federal agencies and commissioners are designated “A-,” followed by an abbreviation for the name of the agency. For example, comments from the planning commission are designated “A-SFPC-.”
- Comments from non-governmental organizations, including neighborhood associations, are designated by “O-” and the acronym of the organization’s or association’s name.
- Comments from individuals are designated “I-,” followed by the individual’s last name.

To differentiate between speakers that are associated with the same organization, a code key includes the individual’s initials along with the abbreviation of the organization’s name. The final number provided at the end of the code key corresponds to the order of the bracketed comments within each written communication or set of transcript comments, resulting in the unique code keys presented in Supplemental RTC Table 2-1. The coded comment excerpts in Chapter 3, Responses to Comments, correspond with the bracketed comments presented in Attachments A and B of this supplemental RTC document.

**Supplemental RTC Table 2-1: Persons Commenting on the Recirculated Draft EIR**

Comment Letter Code	Name and Title of Commenter	Agency/Organization	Comment Format	Comment Date
<b>Public Agencies and Commissions</b>				
A-HUD	Shannan West, Housing Accountability Unit Chief	California Department of Housing and Community Development, Division of Housing Policy Development	Letter	11/23/2022
A-SFPC-Moore	Kathrin Moore, Commissioner	San Francisco Planning Commission	Public Hearing <sup>1</sup>	12/8/2022
<b>Organizations</b>				
O-YIMBY-ST	Sonja Trauss, Executive Director	YIMBY Law	Letter	12/8/2022
O-YIMBY-MT	Milo Trauss	YIMBY Law	Transcript	12/8/2022
O-MMC-CR	Chriselle Raguro	Mid-Market Coalition	Transcript	12/8/2022
O-MMC-RB	Rebecca Browning	Mid-Market Coalition	Transcript	12/8/2022
O-MMC-EM	Eric Marcoux	Mid-Market Coalition	Transcript	12/8/2022
O-SOMA-DW	David Woo	SOMA Pilipinas Cultural Heritage District	Transcript	12/8/2022
O-SFTU-AY	Anastasia Yovanopoulos	San Francisco Tenants Union	Transcript	12/8/2022
<b>Individuals</b>				
I-Pola	Jessica Pola	--	Transcript	12/8/2022

<sup>1</sup> Commissioner Kathrin Moore's comment was provided as part of the Commission Matters portion of the San Francisco Planning Commission public hearing on December 8, 2022 and was not captured in the transcript for the 469 Stevenson Street Project agenda item on December 8, 2022. The comment is included in Supplemental RTC Attachment B, Recirculated Draft EIR Comment Letters and Emails.

# Chapter 3

## Responses to Comments

### 3.A Introduction

This chapter presents quoted excerpts from comments received on the recirculated draft EIR and responses to those comments. For the full text of each comment in the context of the public hearing transcript or comment letter in which it appears, refer to Supplemental RTC Attachments A and B, respectively.

Comments are organized by topic. Within each topic, similar comments are grouped together under subheadings, designated by a topic code and sequential number. For example, the comments in Section 3.B, Population and Housing, coded as “PH,” are organized under headings PH-1 through PH-2. Comments related to cultural resources, presented in Section 3.C, are coded as “CR” and organized under heading CR-1. General Comments, including comments on the merits of the proposed project, are coded “GC” and grouped together at the end of the chapter. The order of the comments, and the responses in this section, are shown below, along with the prefix assigned to each topic.

#### Supplemental RTC Table 3-1: Comment Organization

Section	Topic Code	Topic Code Prefix
3.B	Population and Housing	PH
3.C	Cultural Resources	CR
3.D	General Comments	GC

Each comment is presented verbatim and concludes with the commenter’s name and, if applicable, affiliation; the comment source (i.e., public hearing transcript, letter); the comment date; and the comment code, as described on pg. 2-8 of Chapter 2, List of Persons Commenting.

Following each comment or group of comments, a comprehensive response is provided to address physical environmental issues raised in the comments and clarify or augment information in the recirculated draft EIR, as appropriate. Each response begins with a brief summary of the comments, any substantive environmental issues raised by the comments, and clarifies the text in the recirculated draft EIR, if necessary.

## 3.B Population and Housing

The following comments and corresponding responses in this section relate to the topic of population and housing, as evaluated in recirculated draft EIR Section 3.A, Population and Housing. The comment topics are related to:

- PH-1, Gentrification and Displacement
- PH-2, Consultant Selection

### Comment PH-1: Gentrification and Displacement

This response addresses the following comments, which are quoted below:

- O-YIMBY-ST-2
- O-YIMBY-MT-2
- O-SOMA-DW-1

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“The PRDEIR analysis shows none of the board’s concerns had any merit:

A) The PRDEIR found that the project’s impacts on gentrification and displacement would be less than significant, and in-fact, some of the research cited in this analysis shows the no-project alternative, i.e., disapproving the project, likely has a GREATER negative impact on gentrification and displacement than building the project. However, what is particularly problematic about the entire line of gentrification analysis here is that the only ‘physical effect’ of the project is demolition of a surface parking lot and building of condos and/or apartments, yet this studied “indirect gentrification and displacement” only through increases in market values of nearby properties. This framing blurs the line between physical and socio-economic effects of a project, as now any economic change caused by a project is apparently a CEQA issue, per the logic of the City. The PRDEIR relies on research by the UC Berkeley Urban Displacement Project (UDP), however, this is just one study that shows that new market rate housing in a census block is correlated with a small increase in out-migration; there is no clear evidence of a causal effect by new construction; this statistical association could be due to various issues with a neighborhood unrelated to a local amenity effect caused by a project, but this PRDEIR assumes that the local amenity effect is the cause of out-migration. Further, the UDP study that is relied on to support the city’s assertion that the project ‘could potentially indirectly displace between 10 and 41 households’ found no association between new development and increased out-migration of low-income households in gentrifying areas, or in San Francisco. The other research cited by the City in the 2020 Socioeconomic Report also contradicts the UDP report; the ‘Summary of Report conclusions states:

- Case study research in San Francisco as well as academic and related research suggests that market-rate housing production such as the 469 Stevenson Street Project is not likely to cause an increase in rents in nearby housing units.
- Some research even suggests interim reductions in rents among nearby units. These and other literature findings suggest there is no evidence to support concern that new market-rate development will cause gentrification or displacement.

- Therefore, the 2020 Socioeconomic Report concludes that the evidence indicates that development of the Project is not likely to result in residential displacement and gentrification that will lead to socioeconomic impacts warranting further review under CEQA.

In addition to the 2020 Socioeconomic Report, the analysis conducted by Seifel Consulting also notes findings from another recent study published by Pennington in late 2020:

- Pennington’s research suggests that increasing the supply of market rate housing has beneficial spillover effects for existing residents, reducing rents and displacement pressures while improving neighborhood quality. However, the spillover effects from market rate housing may not reduce gentrification, and they may not continue to reduce displacement in the long term.
- While Pennington’s research indicates that new market rate housing reduces displacement in San Francisco overall, a hyperlocal demand effect exists within a narrow radius of 100m, i.e., within eyeshot of the new construction. Within this narrow band, building renovations and business turnover increase. The upgrade in neighborhood quality attracts higher-income newcomers, so that when incumbents move out, they are more likely to be replaced by wealthier newcomers.
- The study concludes that policymakers who want to slow displacement and gentrification should accelerate both market rate and affordable housing construction.
- Pennington summarizes her findings ‘as emphasizing that building more market-rate housing and building more affordable housing are complementary policy levers. Affordable housing, obviously, is much better targeted at the people who are actually at a high risk of displacement.’

We also note that the Project sponsor has ‘voluntarily’ proposed to donate over \$500,000 to community organizations as well as a small parcel of land for community use, despite the fact that both the original EIR certified by the planning commission, as well as the PRDEIR found that any gentrification impacts would be less than significant, and the project already included required 73 on-site affordable units, and \$8 million affordable housing fee which the PRDEIR notes, ‘would largely address the potential for indirect residential displacement to occur,’ and ‘could potentially support between 27 to 40 units of additional affordable housing units in the surrounding area.’

In summary, the city is correct to identify that any potential indirect physical effects of gentrification and displacement caused by the project are entirely speculative. This project may even cause reductions in local displacement pressures, not increases. And assuming there is any indirect displacement, which, again, is speculative, the location of any physical effects, such as increased traffic or construction, are virtually impossible to determine, and are themselves entirely speculative.” (*Sonja Trauss, Letter, December 8, 2022 [O-YIMBY-ST-2]*)

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“The analysis as staff just explained shows none of the Board’s concerns had any merit. The PRDEIR found that the project impact of gentrification and displacement would be less than significant and in fact, some of the research cited in the analysis shows that no project alternative, i.e., disapproving the project likely has a greater negative impact on gentrification and displacement than building the project. The analysis conducted by Seifel Consulting also notes findings from another recent study published by Pennington, and Pennington’s research suggested increasing the supply of market rate housing has beneficial spillover effects for existing residents reducing rents and displacement pressures while improving neighborhood quality. The study concludes that policymakers who want to slow displacement gentrification should accelerate both market rate and affordable

housing construction. Pennington summarizes her findings that emphasizing that building more market rate housing and building more affordable housing are complimentary policy levers. Affordable housing obviously is much better targeting people who are actually high risk for displacement. But this proposal includes both.” (Milo Trauss, Transcript, December 8, 2022 [O-YIMBY-MT-2])

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“Hello, David Woo, - I’m with SOMA Pilipina. The 469 Stevenson Project will not get us out of our affordable housing crisis. If the city is serious about addressing the lack of equity in planning there must be a concerted effort to collect, study, and analyze data related to race, class, and displacement. The conclusions of the updated environmental impact report for this project that concludes it will not have significant gentrification displacement or cultural displacement impacts is simplistic, contradictory, and shallow. The report itself admits that 10 to 41 households could be displaced as a result of the project. The report and the planning department still operate under the false narrative that building new market rate housing will trickle down and lower prices for everyone. The reality is that market rate units increase rents for working people that already live there, something low income communities and communities of color have known for a very long time with new data coming that concretely shows that such as the Anthony Damiano study out of University of Minnesota. Real estate and housing speculation is never studied by these report consultants or by the planning department. The truth is that housing is used in the private market as a way to make money through evicting people, raising rents, and flipping buildings, buying land and buildings to speculate. Something that never fits into the equation for the city and how to solve the affordability and displacement crisis.” (David Woo, Transcript, December 8, 2022 [O-SOMA-DW-1])

## Response PH-1: Gentrification and Displacement

These comments generally discuss the various studies and research reviewed as part of the *Supplemental Analysis Regarding Potential Displacement Impacts from the Proposed Project at 469 Stevenson Street* (2022 gentrification and displacement report, Appendix J to the recirculated draft EIR), the proposed project’s required and voluntary community benefits, and the conclusions in the recirculated draft EIR regarding the project’s potential gentrification and displacement impacts.

The commenters generally reference the ALH Urban & Regional Economics’ 2020 socioeconomic report, the 2020 Pennington study, and the Urban Displacement Project’s (UDP) research. One comment also generally makes reference to an Anthony Damiano Study out of University of Minnesota, but does not provide a specific research study reference. The commenters appear to express a preference for the conclusions reached in some of the studies that were reviewed as part of the 2022 gentrification and displacement report and other commenters appear to disagree with the report’s analysis.

As discussed in the recirculated draft EIR, the conclusions in the 2022 gentrification and displacement report informed the planning department’s analysis of the project’s potential physical environmental effects related to gentrification and displacement. Socioeconomic effects are not, in themselves, considered physical environmental impacts under CEQA. Rather, pursuant to CEQA Guidelines section 15064, an EIR reviews the effects of a project that are related to a direct or indirect physical change to the environment. A significant effect on the environment, in turn, is one that results in a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A social or economic change related to a physical

change may be considered in determining whether the physical change is significant.<sup>1</sup> However, an economic or social change by itself shall not be considered a significant effect on the environment. Therefore, evidence of social or economic effects that do not contribute to, or are not caused by, physical impacts on the environment is not substantial evidence of a significant effect on the environment.<sup>2</sup>

The analysis provided in the 2022 gentrification and displacement report is based on publications, research, and data from a wide variety of available sources. As discussed in the 2022 gentrification and displacement report, Seifel Consulting conducted supplemental review of more than 50 research studies and reports, including those published by the UDP, California Partnership Corporation, the City of San Francisco, and recent academic research regarding displacement pressures and risks that are occurring in areas within San Francisco, as well as the City's housing needs, and potential strategies to address them, including the provision of affordable housing. The studies and research reviewed as part of the 2022 gentrification and displacement report offer varying conclusions on the effect of new market-rate housing on gentrification and displacement. However, UDP's Policy Brief 1, *New Development for Whom? How New Housing Production Affects Displacement and Replacement in the San Francisco Bay Area*, finds potential gentrification and displacement effects could occur and provides a methodology for measuring those effects.<sup>3,4</sup> Additionally, UDP's Policy Brief 1 reviewed a series of research studies, including Kate Pennington's 2020 study, and research by Anthony Damiano and Christopher Frenier,<sup>5</sup> to analyze how new market-rate housing production affects displacement. The 2022 gentrification and displacement report also directly reviewed Kate Pennington's 2020 study and research by Anthony Damiano and Christopher Frenier (Attachment C, Research Bibliography, to the 2022 gentrification and displacement report).

The recirculated draft EIR analysis is prepared in accordance with section 15151 of the CEQA Guidelines which states "an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." The analysis in the recirculated draft EIR of the potential direct and indirect physical environmental impacts that could result from the proposed project's gentrification and displacement effects relies on the analysis in the 2022 gentrification and displacement report. The report, in turn, was prepared based on an analysis of publications and publicly available research and data from a wide variety of sources and presents the

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<sup>1</sup> Section 15382 of the CEQA Guidelines. <https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-20-definitions/section-15382-significant-effect-on-the-environment>. Accessed October 2022.

<sup>2</sup> Section 15064(f)(6) of the CEQA Guidelines. <https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study/section-15064-determining-the-significance-of-the-environmental-effects-caused-by-a-project>. Accessed October 2022.

<sup>3</sup> UDP's methodology is based on the number of households in the area surrounding the project site, as indicated by US Census block group data.

<sup>4</sup> The 2022 gentrification and displacement report referenced the household and housing unit data from UDP's research (extending from 2000 through 2019) and utilized population, household, and housing unit data from the 2020 US Census and American Community Survey to account for the demographic changes in San Francisco because it is the most reliable recent source of information at the time the analysis was conducted. The US Census 2020 data was collected during the COVID pandemic. Thus, the analysis in the 2022 gentrification and displacement report accounts for, to the extent possible, the effects of the COVID pandemic on population, households, and housing units. The recirculated draft EIR discusses the reports finding on the effects of the COVID pandemic regarding market rate units rents on pg. 3-36. A further decline in population, including a decrease in population among low-income households, would not change the conclusions in the recirculated draft EIR because a substantial population decrease (and associated household decrease) would reduce the demand for housing in the area surrounding the project site, which would likely result in a reduction in rent and home prices that could ease displacement and gentrification pressures.

<sup>5</sup> UDP's Policy Brief 1 references the following paper: Damiano, A., & Frenier, C. (2020). *Build Baby Build?: Housing Submarkets and the Effects of New Construction on Existing Rents*. However, comment O-SOMA-DW-1 does not specify which research by Anthony Damiano the commentor is referring to.

findings of the publications reviewed. The consultant made all reasonable efforts to ascertain that the sources are timely, accurate, and comprehensive of the topic of the report.

While the commenters expressed preferences for the analyses presented in some studies over others, mere disagreement with some of the sources on which the 2022 gentrification and displacement report relied on does not require any further response.

The comments also restate the discussion in the Population and Housing section of the recirculated draft EIR about how the proposed project incorporates both required and voluntary anti-displacement measures, the effect these measures would have on the project’s potential for gentrification and displacement effects, and the resulting physical environmental impacts that could occur from the proposed project and the No Project Alternative. As these comments only restate the analysis in the recirculated draft EIR, they do not pertain to the adequacy, accuracy, or completeness of the analysis of the proposed project’s physical environmental effects provided in the recirculated draft EIR. Therefore, a response is not required under CEQA Guidelines section 15088.

No additional analysis or change to the recirculated draft EIR conclusions in response to comments received on this topic is required.

## Comment PH-2: Consultant Selection

This response addresses the following comments, which are quoted below:

- O-SFTU-AY-1

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“Hello this is Anastasia Yovanopoulos, Member of the San Francisco Tenants Union. I am telling you that someone was selected to do a study and that person was biased.” (*Anastasia Yovanopoulos, Transcript, December 8, 2022 [O-SFTU-AY-1]*)

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## Response PH-2: Consultant Selection

The comment generally suggests the consultant selected to complete the 2022 gentrification and displacement report is biased.

The comment does not provide substantial evidence to show bias in the selection of the consultant, nor does the comment raise specific environmental concerns about the adequacy or accuracy of the recirculated draft EIR’s coverage of physical environmental impacts. Therefore, this comment does not require a response in this supplemental RTC document under CEQA Guidelines section 15088(c).

For any project undergoing environmental review in San Francisco, the planning department requires consultants to adhere to the City’s *Agreement to Protocols to Ensure Objectivity in Environmental Review Documents*. The policies and procedures in this agreement ensure the impartiality and thoroughness of consultant-prepared materials. Consultants must strictly adhere to the planning department’s objectivity protocols, which are intended to eliminate potential conflicts of interest, or appearance of conflicts of interest,

promote objectivity, and to obtain a commitment by the project sponsor and CEQA consultants to abide by these protocols. These formal planning department practices aimed at eliminating the potential for bias on the part of consultants ensure that reports prepared by consultants consider all relevant analyses and findings. Furthermore, the protocols require consultants to remain neutral and provide only objective, unbiased materials, and services to the planning department. The environmental review documents must also be neutral in tone and must not advocate for the project.

The policies and procedures outlined in the City's *Agreement to Protocols to Ensure Objectivity in Environmental Review Documents* is available to review on the planning department's website:  
<https://sfplanning.org/permit/environmental-consultant-pools-guidelines-and-resources>

No additional analysis or change to the recirculated draft EIR conclusions regarding this topic is required.

### 3.C Cultural Resources

The comment and corresponding response in this section relate to the topic of cultural resources, as evaluated in recirculated draft EIR Section 3.B, Cultural Resources.

#### Comment CR-1: Vibration

This response addresses the following comments, which are quoted below:

- O-YIMBY-ST-3

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“B) The PRDEIR found that the Project’s impacts on historical resources would be less than significant after mitigation, and would be less than significant on overall historical resources. The appellants who requested additional study of impacts on historical resources were concerned about context and appearance, which are not valid impacts under CEQA; instead the study makes an attempt to justify additional analysis by now claiming there could be vibration impact to historical resources which can be mitigated. Strangely, this analysis cites the same source for thresholds of significance as the previous environmental review, and does not explain any difference in methodology from the Initial Study, yet now concludes that the threshold would be exceeded without a mitigation plan. Regardless, with a mitigation plan, impacts are less than significant.” (*Sonja Trauss, Letter, December 8, 2022 [O-YIMBY-ST-3]*)

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#### Response CR-1: Vibration

The comment questions the concerns raised by the appellant on the historical resources analysis in the proposed project’s previously circulated draft EIR. The comment also questions the need to implement a new mitigation measure to reduce the project’s potential vibration impacts because the vibration analysis in the recirculated draft EIR and the previously circulated initial study rely on the same thresholds of significance.

Discussion of the project’s potential impacts on historic resources is discussed in section 3.B, Cultural Resources, of the recirculated draft EIR. Pursuant to CEQA Guidelines section 15064.5(b)(2), the cultural resource analysis

**Chapter 3. Partially Recirculated Draft EIR Revisions**  
**3.C. Cultural Resources**

contained in the recirculated draft EIR considers the potential for the proposed project to materially impair the significance of a historic resource by causing direct or indirect changes to the physical characteristics of the resource that convey its historic significance. The planning department determined that the National Register-listed Market Street Theater and Loft historic district, the California Register-eligible Sixth Street Lodginghouse historic district, the article 11 Mint-Mission conservation district, and the California Register-eligible PG&E City Beautiful Substations Discontiguous Thematic historic district, are historic resources for the purposes of CEQA. Therefore, the recirculated draft EIR analyzed the potential for the proposed project to cause a substantial adverse change in the significance of these historic districts and the contributors adjacent to or near the project site, including those historic districts that have associations with the Filipino community in SoMa.

The commenter is correct that the recirculated draft EIR and previously circulated initial study rely on the same thresholds of significance to determine the project's potential vibration impacts. As discussed on pg. 3-56 of the recirculated draft EIR, the *Noise Technical Memorandum* prepared by Stantec Consulting Services Inc. for the previously circulated initial study was updated to account for additional construction equipment identified in the 2022 preliminary geotechnical report, and to accurately reflect the distance the construction equipment would operate from adjacent properties. As such, the recirculated draft EIR (pgs. 3-114 through 3-121) updates the analysis provided in Impact NO-2 of the previously circulated initial study to reflect the results of the updated *Noise Technical Memorandum*. The updated analysis is presented in Impact CR-2 of the recirculated draft EIR because the adjacent buildings that could be affected by vibration caused by construction equipment are all historic properties.

As discussed on pg. 3-116 of the recirculated draft EIR, the vibration construction equipment would operate as close as 1 foot from the nearest vibration-sensitive building. The nearest vibration-sensitive buildings are historic properties located at 35-37 Sixth Street, 39-41 Sixth Street, 43-45 Sixth Street, 47-55 Sixth Street, and the Main Building at the Clearway Energy Thermal Power Station. Based on the updated distance of the construction equipment from these properties, the proposed project could create excessive vibration that exceeds the California Department of Transportation's (Caltrans) vibration damage criteria category for "Historic and Some Old Buildings."

According to Caltrans' Construction Vibration Damage Criteria for "Historic and Some Old Buildings," maximum groundborne vibration levels below 0.25 in/sec peak particle velocity (PPV) are not typically expected to cause vibration-related damage to concrete, masonry, and steel-frame historic buildings and structures such as those adjacent to the project site. The estimated maximum PPV levels in Table 3-17 in the recirculated draft EIR is based on using the most impactful construction equipment operating as close as 1 foot from adjacent historic structures. As shown in Table 3-18 in the recirculated draft EIR, construction equipment could operate close enough to adjacent historic properties to exceed 0.25 in/sec PPV and result in vibration levels that could cause physical damage to adjacent historic resources, resulting in a significant impact. Accordingly, the recirculated draft EIR identified Mitigation Measure M-CR-2: Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction to reduce construction vibration impacts on adjacent historic resources to less than significant.

No additional analysis or change to the recirculated draft EIR conclusions regarding this topic is required.

### 3.D General Comments

The following comments and corresponding responses in this section relate to general comments on the partially recirculated draft EIR. The comment topics include:

- GC-1, General Support for the Project or the Environmental Analysis
- GC-2, Opposition of the Project
- GC-3, HCD Letter

#### Comment GE-1: General Support for the Project or the Environmental Analysis

This response addresses the following comments, which are quoted below:

- O-YIMBY-ST-1
- O-YIMBY-ST-4
- O-YIMBY-ST-6
- A-HCD-1
- O-YIMBY-MT-1
- O-YIMBY-MT-3
- O-MMC-CR-1
- O-MMC-RB-1
- O-MMC-EM-1
- I-Pola-1

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“YIMBY Law submits this letter to comment on the ridiculous farce of a fishing expedition that was the partially recirculated draft environmental impact report for the Stevenson project; an unnecessary, illegal waste of time over the past twelve months.

The Partially Recirculated Draft Environmental Impact Report (PRDEIR) was drafted to focus on three areas that the Board of Supervisors identified during hearings in October and December 2021: specifically, a) vague concerns about the project’s impacts on gentrification and displacement, b) the project’s impacts on historical resources, and c) the project’s impact on geology and soils.” (*Sonja Trauss, Letter, December 8, 2022 [O-YIMBY-ST-1]*)

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“C) The PRDEIR found that the Project’s impacts on geology and soils would have no cumulative impact. This is of course the only appropriate conclusion: the Board of Supervisors’ finding that more study was required in this area was legally flawed, as they were concerned about the impact of the environment on the project, which isn’t a CEQA issue, and there wasn’t any evidence in the record that this project would damage others during an earthquake. There also was zero evidence that the city’s building permit seismic safety peer review was inadequate.

#### Conclusion

The Partially Recirculated Draft Environmental Impact Report is more than adequate to comply with CEQA. In fact, it is not even necessary as the prior EIR was adequate. The PRDEIR addresses all of the concerns raised by the Board of Supervisors, and the Public, none of which have merit as they were either already studied or outside of the scope of CEQA, and this PRDEIR actually goes beyond the scope of CEQA to analyze speculative

indirect impacts of gentrification and displacement, still concluding, conservatively, that this project's physical impact would be less than significant, if there is one at all." (*Sonja Trauss, Letter, December 8, 2022 [O-YIMBY-ST-4]*)

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"The delay of this project at Stevenson is emblematic of the city's pattern and practice of delay. Any continued delay, in the face of a mountain of evidence that shows this project's environmental impact has already been excessively, unnecessarily studied, only furthers our, and the state's concerns that the city is not serious about meeting its obligations to plan and approve an adequate supply of housing. The city should move quickly to approve this project. Yimby Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state." (*Sonja Trauss, Letter, December 8, 2022 [O-YIMBY-ST-6]*)

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"The California Department of Housing and Community Development (HCD) learned that the City and County of San Francisco (City/County) has released the Partially Recirculated Draft Environmental Impact Report (PRDEIR) for public review and comment for the project located at 469 Stevenson Street (Project). The purpose of this letter is to express HCD's support of the Project and to urge the City/County to approve the Project, which is protected by the Housing Accountability Act (HAA) (Gov. Code, § 65589.5). Any further delay or additional conditions on the Project's approval may subject the City to the HAA's provisions regarding bad faith.

## **Background**

On October 26, 2021, the Board of Supervisors (BOS) voted 8-3 to grant an appeal overturning the Planning Commission's certification of the Final Environmental Impact Report (FEIR). In doing so, the BOS cited vague concerns over the FEIR's deficiencies, including seismic concerns, effects on historic resources, and gentrification and displacement of residents. On December 14, 2021, the BOS adopted findings that reversed the FEIR certification and remanded it back to the City/County's planning department to prepare a new partial Draft Environmental Impact Report.

## **Partially Recirculated Draft Environmental Impact Report (PRDEIR) Analysis**

The PRDEIR, released on November 2, 2022, shows that the impacts on the three study areas previously identified by the BOS would be less than significant. More specifically, the PRDEIR reports that:

1. the Project's impacts on gentrification and displacement would be less than significant;
2. the Project's impacts on historical resources (e.g., demolition of a surface parking lot) would be less than significant after mitigation and would be less than significant in its effects on historical resources overall; and
3. the Project would have a less than significant impact on geology and soils and would have no cumulative impact overall.

With this new analysis complete, the Planning Commission and the BOS should move quickly to approve the Project.

### Housing Policy and Practice Review

As you are aware, HCD initiated a Housing Policy and Practice Review of San Francisco aimed at identifying and removing barriers to approval and construction of new housing. As noted in HCD's Letter of Technical Assistance dated February 1, 2022, the BOS's actions regarding the FEIR exemplify a pattern of lengthy processing and entitlement timeframes that exceed the norms for jurisdictions of similar size and complexity. These excessive timeframes act as a constraint on housing development.

### 6th Cycle Housing Element

Additionally, HCD is reviewing the latest draft of the City/County's Housing Element (submitted to HCD on October 17, 2022). In this draft, the City/County identified the Project as a site suitable for residential development in its Housing Element Sites Inventory. As a reminder, these sites must remain viable and useable throughout the planning period. HCD will provide the City/County with a formal review and response to the draft Housing Element no later than December 16, 2022.

### Conclusion

In requesting the PRDEIR, the BOS has delayed the processing of this 495-unit Project by more than 12 months. No discernible benefit has resulted from this delay. HCD reiterates its support of the Project and urges the City/County to approve this project without any further delay or additional conditions. HCD appreciates this opportunity to provide information to assist the City/County in its decision-making. If you have questions or would like to discuss the content of this letter, please contact Kevin Hefner at [Kevin.Hefner@hcd.ca.gov](mailto:Kevin.Hefner@hcd.ca.gov).  
*(Shannan West, Letter, November 23, 2022 [A-HCD-1])*

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"Hello, this is Milo Trauss. I am speaking on behalf of YIMBY Law to comment on the ridiculous farce of a fishing expedition that was a partially recirculated draft environmental impact report for the Stevenson project. An unnecessary illegal waste of time over the past 12 months. The PRDEIR was drafted folks on 3 areas that the board of supervisors identified during hearings in October and December of 2021. Specifically, vague concerns about the project's impacts on gentrification and displacement, the project's impacts on historical resources, and the project impacts on geology and soils." *(Milo Trauss, Transcript, December 8, 2022 [O-YIMBY-MT-1])*

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"It was board of supervisors who denied the proposal. The Planning Commission, this body approved it, so you did the right thing, but for the sake of the record this has been a huge waste of time and circus restudying baseless concerns. Moreover, during – it kicked off an investigation where the state is now looking at our habitual behavior around housing approvals. This just emblematic of using CEQA to indefinitely –" *(Milo Trauss, Transcript, December 8, 2022 [O-YIMBY-MT-3])*

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“Good evening commissioners, my name is Chriselle Raguro and I am a community organizer with the Filipino Community Development Corporation, or FCDC, a nonprofit organization working to advocate for affordable and sustainable housing for low income families in the South of Market. FCDC is a member of Mid-Market Coalition along with other resident groups and resident private organizations. I am here on behalf of the Mid-Market Coalition to support the 469 Stevenson Project. Since 2019 our coalition of residents and community members from SoMa and Tenderloin had worked with a project sponsor Build Inc. As a result of all this work we developed a community benefits agreement. The terms of our CBA are included in the Recirculated EIR. We agree with Recirculated EIR findings that since the project site is a parking lot it will not displace residents, businesses, or community organizations. Instead, we the project and our community benefits agreement will benefit residents, community organization, and communities serving businesses. Our CBA is a result of a community centered profit, it includes affordable housing, community spaces, funding for community programs, funding for public art recognizing the history, culture, and contributions of the Filipina community along with many other benefits into our community. Again, we support the project. Thank you for listening.” (*Chriselle Raguro, Transcript, December 8, 2022 [O-MMC-CR-1]*)

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“Hello, my name is Rebecca Browning and I am also with Mid-Market Coalition as well as an ad hoc committee member of the Tenderloin People’s Congress. I also stand with what Chriselle just said and am in agreement and approve of the 469 Stevenson Project. Thank you for my time. Have a great day.” (*Rebecca Browning, Transcript, December 8, 2022 [O-MMC-RB-1]*)

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“My name is Eric Marcoo [*sic*]. I am the co-chair of Mid-Market Coalition as well as SoMa Neighborhood Residents Council. And with people that are worried about gentrification there’s also some good things that are being provided by this in the community, for community space, for community activities and also for community based businesses and some affordable housing offsite as well as what’s on site. So I am in favor of this project and yield the rest of my time.” (*Eric Marcoux, Transcript, December 8, 2022 [O-MMC-EM-1]*)

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“Good afternoon commissioner this is Jessica Pola your local realtor. I want to say I support the 469 Stevenson Street Project. And I am disappointed that it’s been delayed this long with the denial that happened last year. I hope you guys have agreed to this new EIR report and ask if we can have housing in a parking lot. Thank you very much.” (*Jessica Pola, Transcript, December 8, 2022 [I-Pola-1]*)

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## **Response GC-1: General Support for the Project or the Environmental Analysis**

The comments presented above express general statements of support for the proposed project based on its merits and community benefits, and support for the environmental analysis in the previously circulated draft EIR (including the previously circulated initial study) and the recirculated draft EIR. Some question the need for further environmental review. Additionally, several comments acknowledge and/or restate the findings of the recirculated draft EIR. General comments expressing support for the proposed project or restating the recirculated draft EIR findings do not raise specific environmental concerns regarding the adequacy or accuracy of the recirculated draft EIR’s coverage of physical environmental impacts. However, these comments may be considered and weighed by the decision makers prior to rendering a final decision to approve, modify, or

disapprove the project. This consideration is carried out independent of the environmental review process. Therefore, no further response to these comments is required pursuant to CEQA Guidelines section 15088.

## Comment GC-2: Opposition of the Project

This response addresses the following comments, which are quoted below:

- O-SOMA-DW-2
- O-SFTU-AY-2

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“The 469 Project shows us what not to do. This project should never have gotten this far in planning. It’s truly meant to center racial and social equity. These are expensive luxury units nearly 70 percent are studios and one bedrooms. This project will increase the eviction and displacement pressures in the South of Market. San Francisco has overbuilt luxury housing and underbuilt affordable housing. That’s why there are 60 thousand vacant market rate units and 52 thousand market rate units that have approved but not yet built and at the same time long waiting lists for affordable housing. The city and planning department needed an affordable housing plan as we just discussed in the housing element. Half of the state mandated units, more than half, 4 to 6 thousand must be affordable. It’s time to stop prioritizing market rate housing and start building affordable housing, acquiring at risk units, land banking sites for 100 percent affordable housing, and expanding local funding sources. Thank you.” (*David Woo, Transcript, December 8, 2022 [O-SOMA-DW-2]*)

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“It seems that there will be gentrification and there will be displacement this is the wrong project for this space and this is in the SOMA Filipina District. There will be direct and indirect displacement. There’s no provision, hardly any affordable housing on this site as Mr. Woo stated. It’s mostly luxury units. There should be further study and more input on the gentrification and displacement because this project is a market rate project, and who knows if it will even get built. Thank you.” (*Anastasia Yovanopoulos, Transcript, December 8, 2022 [O-SFTU-AY-2]*)

## Response GC-2: Opposition of the Project

The comments presented above generally express opposition to the proposed project, or opinions related to the merits of the project. One comment generally states there will be direct and indirect displacement, and that there should be further study and more input on gentrification and displacement.

Comments expressing opposition of the proposed project or opinions related to the merits of the project do not raise specific environmental concerns about the adequacy or accuracy of the recirculated draft EIR’s coverage of physical environmental impacts. However, these comments may be considered and weighed by the decision makers prior to rendering a final decision to approve, modify, or disapprove the project. This consideration is carried out independent of the environmental review process. Therefore, no further response to this comment is required pursuant to CEQA Guidelines section 15088.

Please refer to Response PH-1, Gentrification and Displacement, for additional information regarding the project’s potential direct and indirect displacement impacts, and the supplemental gentrification and displacement analysis completed as part of the recirculated draft EIR.

### Comment GC-3: HCD Letter

This response addresses the following comments, which are quoted below:

- A-SFPC-Moore-1
- O-YIMBY-ST-5

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“We were copied on a letter by HCD on the matter of 469 Stevenson and while I am supportive of them obviously looking over our shoulders this particular letter struck me as somewhat inappropriate as it was insinuating to tell us what to do. We are not state employees we are not city employees we are volunteering as commissioners and for that reason I felt that a state agency even raising an implicit threat was not particularly well sitting with me. I want to just put that to record and the letter that was received is part of public record for anybody who wants to read it. Thank you.” *(Commissioner Moore, Public Hearing, December 8, 2022 [A-SFPC-Moore-1])*

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“The California Department of Housing and Community Development has also recently sent you a letter in support of this project. They note, ‘HCD initiated a Housing Policy and Practice Review of San Francisco aimed at identifying and removing barriers to approval and construction of new housing. As noted in HCD’s Letter of Technical Assistance dated February 1, 2022, the BOS’s actions regarding the FEIR exemplify a pattern of lengthy processing and entitlement timeframes that exceed the norms for jurisdictions of similar size and complexity. These excessive timeframes act as a constraint on housing development.’” *(Sonja Trauss, Letter, December 8, 2022 [O-YIMBY-ST-5])*

### Response GC-3: HCD Letter

The comments presented above generally express opinions regarding the intent of the comment letter HCD provided in support of the proposed project. These comments, in and of themselves, do not raise specific environmental concerns about the adequacy or accuracy of the recirculated draft EIR’s coverage of physical environmental impacts. Therefore, these comments do not require a response in this supplemental RTC document under CEQA Guidelines section 15088.

# Chapter 4

## Partially Recirculated Draft EIR Revisions

### 4.A Introduction

The recirculated draft EIR includes a reprint of portions of the previously circulated draft EIR. New text, including staff-initiated text revisions from the previous RTC, is shown in the recirculated draft EIR in double underline and deleted text is shown in ~~striketrough~~. Any text that has not changed from what was presented in the previously circulated draft EIR is presented as clean text.

This chapter of the supplemental RTC shows the text as written in the recirculated draft EIR with staff-initiated text changes as described above. The text revisions correct minor errors presented in the recirculated draft EIR. The revised text does not provide new information that would result in any new significant impact not already identified in the recirculated draft EIR or a substantial increase in the severity of an impact identified in the recirculated draft EIR. Thus, none of the text revisions would require recirculation pursuant to CEQA Guidelines section 15088.5. In the revisions shown below, deleted text is shown in ~~double striketrough~~ and new text is **bold**.<sup>6</sup>

### 4.B Revisions to Chapter 2, Project Description

The recirculated draft EIR incorrectly stated the height of the elevator overrun for the proposed project. The following revision has been made to correct this error:

The project sponsor, BUILD 469 Stevenson Property Owner LLC, is proposing to demolish the existing surface parking lot and construct a new 27-story mixed-use residential building that is approximately 274 feet tall (with an additional 10 16 feet for rooftop mechanical equipment the rooftop mechanical penthouse and 20 22 feet for the elevator overrun that would be used to access the roof deck).

These revisions have also been made in the descriptions of the proposed project and are reflected in Section S.2, Project Synopsis, on pg. s-2; Table ~~S-3~~ S-2, Project Characteristics of the Proposed Project and Project Alternatives, on pg. s-15; Section 2.A, Project Overview, on pg. 2-1; Section 2.E, Project Characteristics, on pg. 2-10; Section 3.C, Geology and Soils, on pg. 3-146; Table ~~6.1-1~~ 5-1, Characteristics of the Proposed Project and Alternatives, on pg. 5-3; and footnote 25 on pg. 2-10 for consistency.

The revision to the height of the elevator overrun does not change the analysis or conclusions presented in the recirculated draft EIR. This is because the shadow modeling conducted for the proposed project<sup>7</sup> included an elevator overrun that is 22 feet taller than the roof line, so the analysis of physical environmental impacts was

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<sup>6</sup> The recirculated draft EIR includes a reprint of portions of the previously circulated draft EIR. New text, including staff-initiated text revisions from the previous RTC, is shown in the recirculated draft EIR in double underline and deleted text is shown in ~~striketrough~~. Any text that has not changed from what was presented in the previously circulated draft EIR is presented as clean text. This chapter of the supplemental RTC shows the text as written in the recirculated draft EIR with staff-initiated text changes as described.

<sup>7</sup> Prevision Design. 2022. *Supplementary Shadow Analysis Memo for the 469 Stevenson Project shadow analysis detailing changes in shadow effects due to a revised project design*. March 16, 2023.

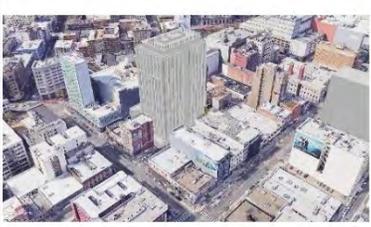
**Chapter 4. Partially Recirculated Draft EIR Revisions**  
**4.C. Revisions To Chapter 5, Alternatives**

accounted for. Therefore, these revisions do not change the analysis or conclusions presented in the recirculated draft EIR, and do not constitute “new information of substantial importance” within the meaning of CEQA Guidelines section 15088.5.

## **4.C Revisions To Chapter 5, Alternatives**

Table ~~6.1-1~~ 5-1, Characteristics of the Proposed Project and Alternatives, in the recirculated draft EIR (pg. 5-3) incorrectly states the residential square footage, total gross square footage (gsf), and on-site vehicular parking/loading square footage for Alternative B (Code Compliant Alternative) and Alternative C (No Residential Parking, Tower Only Alternative). The following staff-initiated text changes have been made to accurately reflect these square footages.

**Table 6.1-1: Table 5-1 Characteristics of the Proposed Project and Alternatives**

Project Component	Proposed Project	Alternative A: No Project Alternative	Alternative B: <u>Reduced Density Code-Compliant</u> Alternative	Alternative C: No Residential Parking, Tower Only Alternative
				
Building Heights	274 feet (with an additional <del>10,16</del> feet for the penthouse and <del>20,22</del> feet for the elevator overrun that would be used to access the roof deck for rooftop mechanical equipment)	--	160 feet (with an additional 10 feet for rooftop mechanical equipment)	284 feet (with an additional 10 feet for rooftop mechanical equipment)
No. of Stories	27 stories 3 below grade levels	--	17 stories 2 below grade level	28 stories 1 below grade level
Total No. Units	495	--	346	467
Studio	192	--	42	0
<del>Junior one-bedroom</del>	<del>33</del>	--	<del>0</del>	<del>0</del>
1 Bedroom	<del>149,116</del>	--	204	349
2 Bedroom	96	--	64	60
3 Bedroom	50	--	36	58
5 Bedroom	8	--	0	0
Square Footage by Use	475,000 sf residential; 4,000 sf commercial retail	28,790 sf surface parking lot	<del>259,110</del> 272,967 sf residential; 6,357 sf commercial retail	<del>343,813</del> 469,181 sf residential; 3,651 sf of commercial retail
Total gross square feet (gsf)	535,000 gsf <sup>1</sup>	28,790 gsf	<del>338,629</del> <del>279,324</del> 341,113 gsf	<del>479,957</del> <del>472,832</del> 479,957 gsf
Open Space	<del>11,000</del> 16,000 sf common residential open space; 14,000 sf private residential open space:	--	16,423 sf common residential open space; 252 sf private residential open space	16,756 sf common residential open space; 5,937 sf of private residential open space

Chapter 4. Partially Recirculated Draft EIR Revisions  
 4.C. Revisions To Chapter 5, Alternatives

Project Component	Proposed Project	Alternative A: No Project Alternative	Alternative B: <del>Reduced Density</del> <u>Code-Compliant</u> Alternative	Alternative C: No Residential Parking, Tower Only Alternative
<b>On-Site Vehicular Parking &amp; Loading</b>	1 off-street loading and 2 service vehicle parking; <del>178</del> 166 residential vehicular parking spaces; <del>3-12</del> car-share spaces; 56,000 sf	176 public vehicular parking spaces; 28,790 sf	2 off-street loading and 2 service vehicle parking; 150 residential vehicular parking spaces; 2 car-share spaces; <del>57,000</del> 61,789 sf	1 off-street loading and 2 service vehicle parking; 2 accessible parking; No car-share parking; <b>7,125 sf</b>
<b>Bicycle Parking</b>	200 class 1 27 class 2	None	192 class 1 23 class 2	193 class 1 25 class 2
<b>Entitlements</b>	Conditional Use Authorization; Individually Requested State Density Bonus	None	Conditional Use Authorization	Conditional Use Authorization; Individually Requested State Density Bonus
<b>Excavation Depth</b>	55 feet below grade; 55,850 cubic yards	None	35 feet; 37,600 cubic yards	10 feet; 10,740 cubic yards

Notes:

<sup>1</sup> All numbers rounded to the nearest thousand or hundred thousand.  
 Common residential open space = solariums, podium terraces/balconies, common areas.

These revisions have also been made to the descriptions of the alternatives in Section 5.B, Alternatives Analysis, on pgs. 5-6 and 5-14; and Table S-2, Characteristics of the Proposed Project and Project Alternatives, on pg. s-15 for consistency.

The revisions to the gross square footages of the alternatives do not change the analysis or conclusions presented in the recirculated draft EIR. Therefore, these revisions do not change the analysis or conclusions presented in the recirculated draft EIR, and do not constitute “new information of substantial importance” within the meaning of CEQA Guidelines section 15088.5.

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# **ATTACHMENTS**

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# **ATTACHMENT A**

## **Recirculated Draft EIR Public Hearing Transcript**

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PLANNING COMMISSION

ITEM 11

DECEMBER 8, 2022

Reported by:

Laurrie Majoulet

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JAN BROWN & ASSOCIATES

WORLDWIDE DEPOSITION & VIDEOGRAPHY SERVICES

701 Battery Street, 3rd Floor, San Francisco, CA 94111

(415) 981-3498 or (800) 522-7096

1 DECEMBER 8, 2022

2 ITEM 11 STARTS:

3

4 >>MODERATOR: WE CAN MOVE ONTO ITEM 11 FOR CASE  
5 2017-014833ENV AT 469 STEVENSON STREET, THIS IS THE DRAFT  
6 ENVIRONMENTAL IMPACT REPORT. WRITTEN COMMENTS ON THE  
7 REVISED CHAPTERS OR PORTIONS INCLUDED IN THE PARTIALLY  
8 RECIRCULATED DRAFT EIR WILL BE ACCEPTED AT  
9 CPC.469STEVENSON@SFGOV.ORG. EMAIL ADDRESS FOR THE  
10 PLANNING DEPARTMENT UNTIL 5:00 P.M. ON DECEMBER 19, 2022.

11 >>COMMISSIONER BRAUN: BEFORE WE START THIS ITEM  
12 I HAVE A DISCLOSURE TO MAKE. THE SUPPLEMENTAL REPORT  
13 OF POTENTIAL GENTRIFICATION AND DISPLACEMENT PACKS FOR  
14 THE DRAFT EIR WAS PREPARED BY SEIFEL CONSULTING. MY  
15 EMPLOYER MY WORK WE DON'T HAVE ANY DIRECT RELATIONSHIP  
16 WITH SEIFEL CONSULTING AT ALL. BUT ON OCCASION I WORK ON  
17 PROJECTS THROUGH MY JOB FOR CITIES IN WHICH SEIFEL  
18 CONSULTING IS ALSO WORKING ON A SEPARATE POSSIBLY  
19 RELATED ANALYSIS THAT REQUIRES POINTS OF CONTACT TO SHARE  
20 INFORMATION OR THE CLIENT MIGHT MERGE OUR WORK AND  
21 FINDINGS TOGETHER INTO SINGLE REPORT. BUT THERE'S  
22 NO FINANCIAL RELATIONSHIP OF ANY KIND BETWEEN MY  
23 EMPLOYER AND SEIFEL CONSULTING AND NONE OF THIS  
24 SHOULD HAVE ANY EFFECT ON MY BEING FAIR AND IMPARTIAL  
25 IN HEARING THIS ITEM.

1 >>JENNY DELUMO: GOOD AFTERNOON, PRESIDENT  
2 TANNER AND MEMBERS OF THE COMMISSION. I AM JENNY DELUMO,  
3 PLANNING DEPARTMENT STAFF AND ENVIRONMENTAL COORDINATOR  
4 FOR THE 469 STEVENSON STREET PROJECT, OR THE PROPOSED  
5 PROJECT. THE PLANNING DEPARTMENT STAFF JOINING ME TODAY  
6 INCLUDE JESSICA RANGE, THE PRINCIPAL PLANNER FOR THE  
7 PROJECT.

8 THE ITEM BEFORE YOU TODAY IS REVIEW AND COMMENT  
9 ON THE PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT  
10 REPORT PREPARED FOR THE PROPOSED PROJECT. HEREAFTER  
11 REFERRED TO AS THE RECIRCULATED DRAFT EIR.

12 NO APPROVAL OF THIS DOCUMENT IS REQUESTED AT THIS  
13 TIME. THE PURPOSE OF TODAY'S HEARING IS TO TAKE PUBLIC  
14 COMMENTS ON THE ADEQUACY, ACCURACY, AND COMPLETENESS  
15 OF THE RECIRCULATED DRAFT EIR, PURSUANT TO THE CALIFORNIA  
16 ENVIRONMENTAL QUALITY ACT OR CEQA, AND SAN FRANCISCO'S  
17 LOCAL PROCEDURES FOR IMPLEMENTING CEQA.

18 STAFF WILL NOT BE ANSWERING QUESTIONS CONCERNING  
19 THIS DRAFT AT TODAY'S HEARING.

20 IN LIGHT OF THE BACKGROUND AND LEVEL OF INTEREST  
21 IN THIS PROJECT, IN ADDITION TO THE TYPICAL INFORMATION  
22 PROVIDED AT A DRAFT EIR HEARING, THE FOLLOWING  
23 PRESENTATION WILL INCLUDE THE HISTORY OF THE  
24 ENVIRONMENTAL REVIEW FOR THE PROJECT, INCLUDING THE  
25 BOARD OF SUPERVISOR'S FINDINGS IN SUPPORT OF THE

1 DECERTIFICATION OF THE PREVIOUS FINAL EIR, AND AN  
2 OVERVIEW OF THE ADDITIONAL AND NEW ANALYSIS PREPARED  
3 FOR THIS RECIRCULATED DRAFT EIR.

4 THE PROJECT SITE IS LOCATED IN THE SOUTH OF MARKET  
5 NEIGHBORHOOD AND HAS FRONTAGE ON BOTH STEVENSON STREET  
6 AND JESSIE STREET, BETWEEN SIXTH AND FIFTH STREETS.

7 THE PROJECT SPONSOR PROPOSES TO DEMOLISH THE  
8 EXISTING SURFACE PARKING LOT AT THE PROJECT SITE AND  
9 CONSTRUCT A NEW 27-STORY MIXED-USE BUILDING. THE  
10 APPROXIMATELY 535,000 GROSS SQUARE FOOT BUILDING  
11 WOULD BE APPROXIMATELY 274 FEET TALL, WITH AN  
12 ADDITIONAL 16 FEET FOR THE ELEVATOR OVERRUN THAT  
13 WOULD BE USED TO ACCESS THE ROOF DECK.

14 THE PROPOSED PROJECT WOULD INCLUDE 495 DWELLING  
15 UNITS, 4,000 SQUARE FEET OF COMMERCIAL RETAIL USE ON THE  
16 GROUND FLOOR, 30,000 SQUARE FEET OF PRIVATE AND COMMON  
17 OPEN SPACE, 178 PARKING SPACES, AND ON-SITE FREIGHT AND  
18 SERVICE VEHICLE LOADING SPACES.

19 THE PROPOSED PROJECT WOULD USE THE INDIVIDUALLY  
20 REQUESTED STATE DENSITY BONUS PROGRAM AND PROVIDE  
21 73 AFFORDABLE HOUSING UNITS ONSITE.

22 THE PROJECT SPONSOR ALSO INTENDS TO SUBMIT AN  
23 APPLICATION WITH THE GOVERNOR'S OFFICE OF PLANNING AND  
24 RESEARCH FOR CERTIFICATION OF THE PROPOSED PROJECT AS AN  
25 ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECT, COMMONLY

1 KNOWN AS SB 7.

2 THE DEPARTMENT PUBLISHED A NOTICE OF PREPARATION  
3 OF AN EIR AND THE INITIAL STUDY FOR THE PROPOSED PROJECT  
4 ON OCTOBER 2, 2019 AND TOOK COMMENTS ON THE SCOPE OF THE  
5 ENVIRONMENTAL ANALYSIS THROUGH NOVEMBER 1ST OF THAT  
6 YEAR.

7 IN 2020, THE DEPARTMENT PUBLISHED THE PREVIOUSLY  
8 CIRCULATED DRAFT EIR AND SOLICITED PUBLIC COMMENTS ON  
9 THAT DOCUMENT.

10 LAST YEAR, THE DEPARTMENT PUBLISHED RESPONSES  
11 TO COMMENTS RECEIVED ON THE PREVIOUSLY CIRCULATED DRAFT  
12 EIR. AND THE PREVIOUSLY CIRCULATED DRAFT EIR AND THE  
13 RESPONSES TO COMMENTS DOCUMENT CONSTITUTE THE PREVIOUS  
14 FINAL EIR, WHICH THE COMMISSION CERTIFIED IN JULY  
15 OF 2021.

16 THE CERTIFICATION WAS APPEALED TO THE BOARD OF  
17 SUPERVISORS, WHO HELD A PUBLIC HEARING TO CONSIDER THE  
18 APPEAL IN OCTOBER 2021. AND AT THAT HEARING, THE BOARD  
19 GRANTED THE APPEAL, OVERTURNING THE CERTIFICATION OF THE  
20 PREVIOUS FINAL EIR. THE BOARD'S FINDINGS SUPPORTING THAT  
21 DECISION WERE PUBLISHED IN DECEMBER OF 2021.

22 AND ON NOVEMBER 2, 2022, THE DEPARTMENT PUBLISHED  
23 THE RECIRCULATED DRAFT EIR, WHICH WAS PREPARED FOLLOWING  
24 THE DIRECTION OF AND TO ADDRESS THE ISSUES RAISED IN THE  
25 BOARDS' FINDINGS.

1 THE BOARD OF SUPERVISORS' FINDINGS DIRECTED THE  
2 DEPARTMENT TO FURTHER STUDY THE PROPOSED PROJECT'S  
3 POTENTIAL IMPACTS IN THREE AREAS: (1) POTENTIAL IMPACTS  
4 TO HISTORIC RESOURCES; (2) POTENTIAL GEOTECHNICAL IMPACTS  
5 RESULTING FROM CONSTRUCTION OF THE PROJECT; AND  
6 (3) POTENTIAL PHYSICAL IMPACTS RESULTING FROM  
7 GENTRIFICATION AND DISPLACEMENT OF LOCAL RESIDENTS. THE  
8 DEPARTMENT ALSO STUDIED POTENTIALLY FEASIBLE MITIGATION  
9 MEASURES AND ALTERNATIVES TO ADDRESS SIGNIFICANT IMPACTS  
10 IN THOSE AREAS.

11 THE BOARD OF SUPERVISORS' FINDINGS STATE THAT  
12 "AS TO ALL OTHER TOPICS STUDIED IN THE FINAL EIR, THAT  
13 DOCUMENT COMPLIES WITH CEQA; IS ADEQUATE, ACCURATE AND  
14 OBJECTIVE; IS SUFFICIENT AS AN INFORMATIONAL DOCUMENT;  
15 ITS CONCLUSIONS ARE CORRECT; AND IT REFLECTS THE  
16 INDEPENDENT JUDGMENT OF THE CITY."

17 RECIRCULATION OF AN EIR IS REQUIRED IF SIGNIFICANT  
18 NEW INFORMATION IS ADDED AFTER PUBLIC NOTICE BUT BEFORE  
19 CERTIFICATION. IN ADDITION, PER THE CEQA GUIDELINES, IF  
20 THE REVISIONS ARE LIMITED TO A FEW CHAPTERS OR PORTIONS  
21 OF THE EIR, THE LEAD AGENCY NEED ONLY RECIRCULATE THE  
22 CHAPTERS OR PORTIONS THAT HAVE BEEN MODIFIED. THEREFORE,  
23 THE DEPARTMENT HAS PREPARED AND PUBLISHED A PARTIALLY  
24 RECIRCULATED DRAFT EIR TO DISCLOSE THE NEW INFORMATION  
25 PRODUCED THROUGH THE ADDITIONAL ANALYSIS CONDUCTED TO

1 ADDRESS THE BOARD'S FINDINGS ON THE PRIOR ANALYSIS OF  
2 POTENTIAL HISTORIC RESOURCES, GEOTECHNICAL, AND  
3 GENTRIFICATION AND DISPLACEMENT IMPACTS.

4 BECAUSE THE BOARD FOUND ALL OTHER TOPICS STUDIED  
5 TO BE COMPLETE AND ADEQUATE, CONSISTENT WITH THE  
6 REQUIREMENTS OF CEQA, THE DEPARTMENT DID NOT UNDERTAKE  
7 NEW ANALYSIS REGARDING OR RECIRCULATE THOSE SECTIONS OF  
8 THE PREVIOUSLY CIRCULATED DRAFT EIR. FOR THIS REASON,  
9 THE RECIRCULATED DRAFT EIR IDENTIFIES WHAT IS NEW TEXT  
10 AND WHAT HAS BEEN CHANGED OR MODIFIED.

11 THE FOLLOWING SLIDES OUTLINE THE ADDITIONAL  
12 ANALYSIS THAT WAS CONDUCTED, AND THE CONCLUSIONS REACHED,  
13 IN THE RECIRCULATED DRAFT EIR.

14 SO THE RECIRCULATED DRAFT EIR PROVIDES A NEW  
15 CONSULTANT-PREPARED HISTORIC RESOURCES EVALUATION TO  
16 SUPPLEMENT THE DEPARTMENT-PREPARED HISTORIC RESOURCES  
17 ANALYSIS PROVIDED IN THE PREVIOUSLY CIRCULATED INITIAL  
18 STUDY. THE DEPARTMENT REQUESTED THAT THE CONSULTANT  
19 ASSESS WHETHER THE PROPOSED PROJECT COULD ADVERSELY  
20 IMPACT THE SIGNIFICANCE OF THE PREVIOUSLY IDENTIFIED  
21 HISTORIC DISTRICTS THAT SURROUND THE SUBJECT PROPERTY.

22 THE CONSULTANT WAS ALSO ASKED TO PROVIDE A  
23 RECOMMENDATION AS TO WHETHER OR NOT THERE ARE HISTORIC  
24 DISTRICTS WITH SIGNIFICANT ASSOCIATIONS WITH THE  
25 FILIPINO COMMUNITY WITHIN THE BOUNDARIES OF THE SOMA

1 PILIPINAS FILIPINO CULTURAL HERITAGE DISTRICT, AND IF  
2 THERE MAY BE INDIVIDUAL HISTORIC DISTRICTS WITHIN A .25  
3 MILE RADIUS OF THE PROJECT SITE THAT ARE ASSOCIATED WITH  
4 THE FILIPINO COMMUNITY.

5 THE NEW CONSULTANT-PREPARED HISTORIC RESOURCES  
6 ANALYSIS FOUND THAT THERE ARE TWO EXISTING HISTORIC  
7 DISTRICTS THAT HAVE AN ADDED LAYER OF SIGNIFICANCE FOR  
8 THEIR ASSOCIATION WITH THE FILIPINO COMMUNITY: THE  
9 CALIFORNIA REGISTER-ELIGIBLE SOUTH PARK HISTORIC  
10 DISTRICT AND THE WESTERN SOMA LIGHT INDUSTRIAL AND  
11 RESIDENTIAL HISTORIC DISTRICT. IN ADDITION, BASED ON  
12 THE CONSULTANT'S RESEARCH AND DISCUSSION WITH  
13 REPRESENTATIVES FROM THE SOMA PILIPINAS FILIPINO  
14 CULTURAL HERITAGE DISTRICT, DEPARTMENT STAFF HAVE  
15 DETERMINED THAT THERE IS SUFFICIENT INFORMATION IN  
16 THE RECORD TO FIND THAT 1010 MISSION STREET, A  
17 CONTRIBUTOR TO THE SIXTH STREET LODGINGHOUSE HISTORIC  
18 DISTRICT, AND 953 MISSION STREET, A CONTRIBUTOR TO  
19 THE MINT-MISSION ARTICLE 11 CONSERVATION DISTRICT,  
20 ARE ALSO INDIVIDUALLY ELIGIBLE FOR LISTING IN THE  
21 CALIFORNIA REGISTER FOR THEIR LONGSTANDING ASSOCIATION  
22 WITH THE FILIPINO COMMUNITY IN SOMA. THE U.S. MINT,  
23 WHICH IS LISTED IN THE NATIONAL REGISTER, IS A NATIONAL  
24 HISTORIC LANDMARK, AND IS AN INDIVIDUAL ARTICLE 10  
25 LANDMARK, AND HAS ALSO BEEN IDENTIFIED FOR ITS

1 IMPORTANCE TO THE SOMA FILIPINO COMMUNITY.

2 THE ANALYSIS FOUND THAT THE PROPOSED PROJECT  
3 WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE  
4 SIGNIFICANCE OF ANY OF THE HISTORIC DISTRICTS OR THE  
5 INDIVIDUAL RESOURCES WITHIN THESE HISTORIC DISTRICTS  
6 THAT ARE ADJACENT TO OR NEAR THE PROJECT SITE; OR IMPACT  
7 THE HISTORIC DISTRICTS AND POTENTIAL INDIVIDUAL RESOURCES  
8 SIGNIFICANT FOR THEIR ASSOCIATION WITH THE SOMA FILIPINO  
9 COMMUNITY. THE DEPARTMENT'S PRESERVATION STAFF REVIEWED  
10 AND CONCURRED WITH THE CONSULTANT'S ANALYSIS.

11 THE DEPARTMENT DIRECTED THE CONSULTANT TO  
12 UPDATE THE PREVIOUS CONSTRUCTION VIBRATION ANALYSIS  
13 TO ACCOUNT FOR THE UPDATES TO CONSTRUCTION EQUIPMENT  
14 SPECIFIED IN THE UPDATED GEOTECHNICAL REPORT. THE  
15 UPDATED CONSTRUCTION VIBRATION ANALYSIS FOUND THAT  
16 DEMOLITION OF THE EXISTING SURFACE PARKING LOT AND  
17 CONSTRUCTION OF THE PROPOSED PROJECT COULD RESULT IN  
18 VIBRATION AT LEVELS THAT COULD CAUSE A SIGNIFICANT  
19 IMPACT TO ADJACENT HISTORIC RESOURCES. HOWEVER, THIS  
20 IMPACT WOULD BE REDUCED TO LESS THAN SIGNIFICANT WITH  
21 IMPLEMENTATION OF A MITIGATION MEASURE THAT WOULD  
22 REDUCE CONSTRUCTION VIBRATION FOR ANY VIBRATORY  
23 EQUIPMENT USED FOR CONSTRUCTION OF THE PROPOSED  
24 PROJECT THROUGH REQUIREMENTS SUCH AS A VIBRATION  
25 MITIGATION PLAN, MONITORING, INSPECTION, AND REPAIR

1 OF ANY DAMAGE. OVERALL, THE RECIRCULATED DRAFT EIR  
2 FOUND THAT ALL PROJECT-LEVEL AND CUMULATIVE IMPACTS  
3 TO HISTORIC RESOURCES WOULD BE LESS THAN SIGNIFICANT  
4 OR LESS-THAN-SIGNIFICANT WITH MITIGATION.

5 THE GEOTECHNICAL CONSULTANT FOR THE PROPOSED  
6 PROJECT CONDUCTED FURTHER GEOTECHNICAL ANALYSIS OF THE  
7 SITE, INCLUDING DRILLING TWO BORINGS TO BEDROCK. THE  
8 RESULTS OF THIS ADDITIONAL ANALYSIS WERE USED TO PREPARE  
9 A NEW PRELIMINARY GEOTECHNICAL REPORT AT THE DIRECTION  
10 OF THE DEPARTMENT. THE SCOPE AND CONTENT OF THE UPDATED  
11 REPORT WAS APPROVED BY DEPARTMENT STAFF AND PEER REVIEWED  
12 BY THE DEPARTMENT OF BUILDING INSPECTION.

13 IN ADDITION, THE GEOTECHNICAL CONSULTANT  
14 PREPARED A MEMO DOCUMENTING THEIR CONCLUSIONS ON THE  
15 GEOTECHNICAL FEASIBILITY OF THE PROPOSED PROJECT.  
16 THIS MEMO IS BASED ON REVIEW OF THE UPDATED  
17 PRELIMINARY GEOTECHNICAL REPORT AND OF THE  
18 PERFORMANCE OF EXISTING BUILDINGS NEAR THE PROJECT  
19 SITE WITH MAT FOUNDATIONS AND FOUNDATION LOADS  
20 SIMILAR TO THE PROPOSED PROJECT AND SUBSURFACE  
21 CONDITIONS SIMILAR TO THOSE FOUND AT THE PROPOSED  
22 PROJECT SITE.

23 AT THE REQUEST OF THE PLANNING DEPARTMENT AND IN  
24 COMPLIANCE WITH BUILDING CODE REQUIREMENTS IN  
25 ADMINISTRATIVE BULLETIN 111, AN INDEPENDENT THIRD-PARTY

1 TECHNICAL EXPERT PEER-REVIEWED THE UPDATED GEOTECHNICAL  
2 REPORT, INCLUDING THE FEASIBLE FOUNDATION TYPES FOR THE  
3 PROPOSED STRUCTURE, AND THE SCOPE OF WORK FOR THE FINAL  
4 GEOTECHNICAL REPORT. THEY ALSO ANALYZED WHETHER THE  
5 GEOTECHNICAL ISSUES THAT OCCURRED AT 301 MISSION STREET,  
6 ALSO KNOWN AS MILLENNIUM TOWER, COULD OCCUR AT THE  
7 PROPOSED PROJECT SITE.

8 THE NEW PRELIMINARY GEOTECHNICAL REPORT AND NEW  
9 GEOTECHNICAL FEASIBILITY MEMORANDUM CONFIRMED THE  
10 CONCLUSION OF THE PRIOR PRELIMINARY GEOTECHNICAL REPORT  
11 PREPARED FOR THE PREVIOUSLY CIRCULATED INITIAL STUDY AND  
12 FOUND THAT A MAT FOUNDATION SUPPORTED ON THE DENSE COLMA  
13 SAND LAYER IS FEASIBLE FOR THE SUPPORT OF THE STRUCTURE  
14 PROPOSED FOR THIS PROJECT. THE DEPARTMENT OF BUILDING  
15 INSPECTION CONCURRED WITH THE ANALYSIS IN THE NEW  
16 PRELIMINARY GEOTECHNICAL REPORT. THE THIRD-PARTY  
17 TECHNICAL REVIEWER ALSO AGREED WITH THE REPORT'S  
18 CONCLUSIONS AND FURTHER FOUND THAT LARGE AND UNACCEPTABLE  
19 SETTLEMENTS, SUCH AS THAT OBSERVED AT 301 MISSION STREET,  
20 WOULD NOT OCCUR AT THE PROJECT SITE, PROVIDED THE  
21 PROPOSED PROJECT IS CONSTRUCTED BASED ON THE  
22 RECOMMENDATIONS IN THE PRELIMINARY GEOTECHNICAL REPORT.

23 AS REQUIRED BY THE BUILDING CODE, FURTHER  
24 GEOTECHNICAL INVESTIGATION WILL OCCUR WHEN THE PROJECT  
25 IS REVIEWED FOR BUILDING PERMITS. IF THAT FURTHER

1 ANALYSIS FINDS A MAT FOUNDATION IS NOT FEASIBLE, THEN  
2 A DEEP FOUNDATION WOULD BE NECESSARY AND IS ALSO  
3 FEASIBLE. HOWEVER, THE THIRD-PARTY TECHNICAL REVIEW  
4 CONCLUDED THAT USE OF DEEP FOUNDATIONS EXTENDING TO  
5 BEDROCK FOR THIS PROJECT WOULD NOT NECESSARILY REDUCE  
6 SETTLEMENT AS COMPARED TO THE USE OF A MAT FOUNDATION  
7 SUPPORTED ON THE DENSE COLMA SAND LAYER.

8 THEREFORE, THE RECIRCULATED DRAFT EIR FOUND THAT  
9 ALL PROJECT-LEVEL AND CUMULATIVE IMPACTS TO GEOLOGY AND  
10 SOILS WOULD BE LESS THAN SIGNIFICANT, AND NO MITIGATION  
11 IS REQUIRED.

12 TO ADDRESS CONCERNS ABOUT THE PROPOSED PROJECT'S  
13 POTENTIAL DISPLACEMENT AND GENTRIFICATION EFFECTS, THE  
14 DEPARTMENT DIRECTED A NEW CONSULTANT TO PEER REVIEW THE  
15 PRIOR DISPLACEMENT ANALYSIS FOR THE PROPOSED PROJECT AND  
16 CONDUCT ADDITIONAL ANALYSIS OF THE POTENTIAL DISPLACEMENT  
17 OF PEOPLE AND CULTURAL ASSETS IN THE VICINITY OF THE  
18 PROJECT SITE. THIS ANALYSIS INCLUDED AN ASSESSMENT OF  
19 THE EXISTING HOUSING, SOCIOECONOMIC, AND NEIGHBORHOOD  
20 CONDITIONS OF THE AREA SURROUNDING THE PROJECT SITE, THE  
21 CHANGES THAT HAVE OCCURRED OVER THE PAST TWO DECADES, AND  
22 WHETHER THE PROPOSED PROJECT COULD RESULT IN RESIDENTIAL  
23 DISPLACEMENT. THAT ADDITIONAL ANALYSIS INCLUDES  
24 REVIEWING RESEARCH PUBLISHED ON THE TOPIC SINCE THE FIRST  
25 SOCIOECONOMIC ANALYSIS, AND AN ANALYSIS OF HOUSING

1 PRODUCTION, PROTECTED UNITS, MARKET RATE UNITS, AND  
2 INCOME AND RACIAL DEMOGRAPHIC CHANGE IN THE CITY AND IN  
3 THE AREA SURROUNDING THE PROJECT SITE. THE ANALYSIS  
4 ALSO IDENTIFIES SOMA PILIPINAS FILIPINO CULTURAL  
5 HERITAGE DISTRICT ASSETS AND EVALUATES THE DEGREE TO  
6 WHICH THOSE ASSETS ARE OR ARE NOT PROTECTED FROM  
7 POTENTIAL CULTURAL DISPLACEMENT THAT COULD RESULT FROM  
8 THE PROPOSED PROJECT.

9 ADDRESSED IN THE POPULATION AND HOUSING SECTION  
10 OF THE RECIRCULATED DRAFT EIR, THE NEW GENTRIFICATION  
11 AND DISPLACEMENT ANALYSIS FINDS THAT THE PROPOSED PROJECT  
12 WOULD NOT RESULT IN THE DIRECT PHYSICAL DISPLACEMENT OF  
13 RESIDENTS OR CULTURAL ASSETS, INCLUDING THOSE ASSOCIATED  
14 WITH THE SOMA PILIPINAS FILIPINO CULTURAL HERITAGE  
15 DISTRICT, AS THE PROJECT SITE IS A PARKING LOT AND DOES  
16 NOT CONTAIN ANY BUILDINGS THAT HOUSE RESIDENTS,  
17 BUSINESSES, OR COMMUNITY ORGANIZATIONS.

18 THE ANALYSIS FINDS THAT THE PROPOSED PROJECT COULD  
19 RESULT IN THE INDIRECT DISPLACEMENT OF BETWEEN 10 AND 41  
20 HOUSEHOLDS AND THAT SOME CULTURAL ASSETS COULD BE MORE  
21 VULNERABLE TO CULTURAL DISPLACEMENT PRESSURES. HOWEVER,  
22 IT IS NOT POSSIBLE TO QUANTIFY OR KNOW WHETHER THE  
23 PROPOSED PROJECT WOULD DISPLACE THOSE CULTURAL ASSETS.  
24 THE ANALYSIS ALSO FOUND THAT THE PROJECT SITE IS IN AN  
25 AREA EXPERIENCING EARLY/ONGOING GENTRIFICATION, AND

1 THE PROPOSED PROJECT MIGHT CONTRIBUTE TO GENTRIFICATION.  
2 HOWEVER, RESEARCH STUDIED BY THE CONSULTANT AND REVIEWED  
3 BY THE DEPARTMENT INDICATES THAT NEW MARKET RATE HOUSING  
4 CONSTRUCTION NEITHER WORSENS NOR EASES THE RATES OF  
5 PEOPLE MOVING OUT OF GENTRIFYING AREAS.

6 BASED ON THE RESEARCH STUDIES ANALYZED, INCLUDING  
7 RESEARCH SPECIFIC TO SAN FRANCISCO, THE ANALYSIS  
8 CONCLUDES THAT THE PROPOSED PROJECT INCLUDES RESIDENTIAL  
9 AND CULTURAL ANTI-DISPLACEMENT STRATEGIES THAT WOULD  
10 LIKELY LESSEN THE POTENTIAL GENTRIFICATION, AND INDIRECT  
11 DISPLACEMENT EFFECTS FROM THE PROPOSED PROJECT IN THE  
12 AREA SURROUNDING THE PROJECT SITE. THESE REQUIRED AND  
13 VOLUNTARY MEASURES INCLUDE ON-SITE AFFORDABLE HOUSING,  
14 MARKET RATE HOUSING, PAYMENT OF APPROXIMATELY \$8 MILLION  
15 IN FEES FOR AFFORDABLE HOUSING, DONATION OF PROPERTY AT  
16 59 SIXTH STREET FOR COMMUNITY BENEFIT USE THAT COULD  
17 INCLUDE AFFORDABLE HOUSING, NEGOTIATION OF A LEASE FOR  
18 AN URBAN REST AND SLEEP CENTER AT THE HELEN HOTEL,  
19 LOCATED AT 166 TURK STREET, AND DESIGNATION OF TWO  
20 GROUND FLOOR SPACES ON THE PROJECT SITE AT BELOW MARKET  
21 RATE RENTS FOR COMMUNITY-SERVING SOMA RETAIL AND  
22 COMMUNITY SPACES.

23 THE RECIRCULATED DRAFT EIR FINDS THAT, DESPITE THE  
24 ANTI-DISPLACEMENT STRATEGIES PROVIDED BY THE PROJECT, IT  
25 CANNOT BE CONCLUDED WITH ABSOLUTE CERTAINTY WHETHER OR

1 NOT THE PROPOSED PROJECT WOULD INDIRECTLY RESULT IN THE  
2 DISPLACEMENT OF BETWEEN 10 AND 41 RESIDENTS AND  
3 INDIVIDUAL CULTURAL ASSETS. IT THEREFORE ANALYZED THE  
4 PHYSICAL ENVIRONMENTAL IMPACTS OF THAT HYPOTHETICAL  
5 INDIRECT DISPLACEMENT. IF INDIRECTLY DISPLACED HOUSEHOLDS  
6 OR CULTURAL ASSETS MOVE TO EXISTING HOUSING UNITS AND  
7 FACILITIES ELSEWHERE IN THE BAY AREA OR BEYOND, THOSE  
8 DISPLACED PEOPLE MAY EXPERIENCE LONGER COMMUTES OR BE  
9 REQUIRED TO DRIVE TO GOODS AND SERVICES MORE OFTEN AND  
10 FURTHER THAN THEY DID AT THEIR PRIOR LOCATION. THE  
11 RECIRCULATED DRAFT EIR FOUND THAT THE VEHICLE MILES  
12 TRAVELLED, GREENHOUSE GAS, AND AIR QUALITY IMPACTS OF  
13 INDIRECT DISPLACEMENT WOULD BE LESS THAN SIGNIFICANT, AND  
14 THAT ALL OTHER PHYSICAL ENVIRONMENTAL IMPACTS OF THE  
15 POTENTIAL INDIRECT DISPLACEMENT WAS ADEQUATELY ADDRESSED  
16 IN THE PREVIOUSLY CIRCULATED DRAFT EIR, INCLUDING THE  
17 PREVIOUSLY CIRCULATED INITIAL STUDY. THEREFORE, THE  
18 PROPOSED PROJECT WOULD NOT RESULT IN PROJECT-LEVEL OR  
19 CUMULATIVE IMPACTS TO POPULATION AND HOUSING, AND NO  
20 MITIGATION IS REQUIRED.

21 THE RECIRCULATED DRAFT EIR FOUND DEMOLITION OF  
22 THE EXISTING SURFACE PARKING LOT AND CONSTRUCTION OF THE  
23 PROPOSED PROJECT COULD RESULT IN A SIGNIFICANT IMPACT  
24 TO ADJACENT HISTORIC RESOURCES, BUT THESE IMPACTS CAN  
25 BE REDUCED TO LESS THAN SIGNIFICANT WITH MITIGATION.

1 NO OTHER SIGNIFICANT IMPACTS WERE IDENTIFIED. BECAUSE  
2 THE RECIRCULATED DRAFT EIR FOUND NO NEW SIGNIFICANT AND  
3 UNAVOIDABLE IMPACTS THAT COULD RESULT FROM THE PROPOSED  
4 PROJECT, THERE WAS NO NEED TO IDENTIFY NEW PROJECT  
5 ALTERNATIVES. AS SUCH, THE ALTERNATIVES IN THE  
6 RECIRCULATED DRAFT EIR ARE THE SAME AS THE ALTERNATIVES  
7 IN THE PREVIOUSLY CIRCULATED DRAFT EIR. HOWEVER, THE  
8 ALTERNATIVES ANALYSIS IN THE RECIRCULATED DRAFT EIR  
9 REFLECTS THE UPDATED AND NEW ANALYSIS PREPARED FOR THE  
10 POPULATION AND HOUSING, HISTORIC RESOURCES, AND GEOLOGY  
11 AND SOILS SECTIONS IN THAT DOCUMENT. NONE OF THE  
12 PROJECT ALTERNATIVES WOULD RESULT IN SIGNIFICANT AND  
13 UNAVOIDABLE IMPACT FOR THESE TOPICS.

14 THE DEPARTMENT REQUESTS THAT REVIEWERS LIMIT THEIR  
15 COMMENTS TO THE REVISED CHAPTERS OR PORTIONS THAT ARE  
16 INCLUDED IN THE RECIRCULATED DRAFT EIR AND NOT SUBMIT  
17 COMMENTS ON PORTIONS OF THE PREVIOUSLY CIRCULATED DRAFT  
18 EIR THAT ARE NOT REVISED IN THE RECIRCULATED DRAFT EIR OR  
19 RE-SUBMIT COMMENTS ALREADY INCLUDED IN THE PREVIOUS  
20 RESPONSES TO COMMENTS DOCUMENT, AS THOSE COMMENTS HAVE  
21 ALREADY BEEN ADDRESSED IN THE PREVIOUS FINAL EIR AND THE  
22 DEPARTMENT WILL NOT RECIRCULATE THOSE RESPONSES.

23 AS DIRECTED BY CHAPTER 31 OF THE CITY'S  
24 ADMINISTRATIVE CODE, ANY FURTHER APPEALS OF THE EIR  
25 SHALL BE LIMITED TO THE PORTIONS OF THE EIR THAT THE

1 COMMISSION HAS REVISED. ANY PARTY WISHING TO APPEAL THE  
2 RECIRCULATED DRAFT EIR MUST HAVE COMMENTED ON THE  
3 DOCUMENT AT OR BEFORE A PUBLIC HEARING HELD ON THE  
4 RECIRCULATED DRAFT EIR OR THE PROJECT. IN ANY APPEAL OF  
5 THE RECIRCULATED DRAFT EIR TO THE BOARD OF SUPERVISORS,  
6 THE BOARD'S REVIEW ON APPEAL SHALL BE LIMITED TO THOSE  
7 PORTIONS OF THE EIR THAT THE COMMISSION HAS REVISED  
8 INCLUDING, WITHOUT LIMITATION, ANY NEW ISSUES THAT  
9 HAVE BEEN ADDRESSED.

10 TODAY THE DEPARTMENT IS SEEKING COMMENTS ON THE  
11 ADEQUACY, ACCURACY, AND COMPLETENESS OF THE INFORMATION  
12 CONTAINED IN THE RECIRCULATED DRAFT EIR. STAFF IS NOT  
13 HERE TO RESPOND TO COMMENTS AT THIS HEARING. COMMENTS  
14 WILL BE TRANSCRIBED AND RESPONDED TO IN WRITING IN A  
15 RESPONSES TO COMMENTS DOCUMENT, WHICH WILL RESPOND TO  
16 ALL RELEVANT VERBAL AND WRITTEN COMMENTS RECEIVED  
17 DURING THE PUBLIC COMMENT PERIOD AND MAKE REVISIONS  
18 TO THE RECIRCULATED DRAFT EIR, AS APPROPRIATE.

19 FOR MEMBERS OF THE PUBLIC WHO WISH TO PROVIDE  
20 VERBAL COMMENTS, PLEASE STATE YOUR NAME FOR THE RECORD  
21 AND SPEAK SLOWLY AND CLEARLY SO THAT THE COURT REPORTER  
22 CAN MAKE AN ACCURATE TRANSCRIPT OF TODAY'S HEARING.  
23 ANYONE WHO WOULD LIKE TO COMMENT ON THE RECIRCULATED  
24 DRAFT EIR IN WRITING MAY EMAIL THOSE COMMENTS OR MAIL  
25 CONTACT INFORMATION ON THIS SLIDE BY 5 PM ON DECEMBER 19,

1 2022.

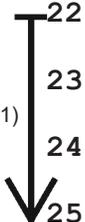
2 YOU MAY ALSO USE THIS SAME CONTACT INFORMATION  
3 TO REQUEST A HARD COPY OF THE RECIRCULATED DRAFT EIR  
4 OR A COPY OF THE WRITTEN RESPONSES TO COMMENTS, OR YOU  
5 MAY CALL 628.652.7568 TO REQUEST A COPY OF EITHER  
6 DOCUMENT. THE PLANNING COMMISSION AGENDA FOR THIS  
7 ITEM STATED THE WRONG EMAIL ADDRESS FOR SUBMITTING  
8 PUBLIC COMMENTS. THE CORRECT EMAIL IS ON THIS SLIDE AND  
9 ON THE CORRECTED AGENDA FOR THIS HEARING.

10 IF ANYONE HAS PROVIDED COMMENTS TO THE WRONG  
11 EMAIL ADDRESS BETWEEN DECEMBER 2 AND DECEMBER 5, PLEASE  
12 SUBMIT THEM TO THE CORRECT EMAIL ADDRESS. THE CORRECT  
13 EMAIL ADDRESS IS ALSO PROVIDED ON THE COVER OF THE  
14 RECIRCULATED DRAFT EIR AND IN ALL OTHER NOTICES FOR  
15 THIS DOCUMENT. THANK YOU.

16 >>MODERATOR: OKAY. IF THAT CONCLUDES STAFF'S  
17 PRESENTATION WE SHOULD OPEN UP PUBLIC COMMENT. THIS IS  
18 YOUR OPPORTUNITY TO SUBMIT YOUR COMMENTS ON THIS DRAFT  
19 EIR. AND CHAMBERS PLEASE COME FORWARD. IF YOU'RE  
20 CALLING IN REMOTELY YOU NEED TO PRESS STAR 3 AND ON WEBEX  
21 YOU NEED TO RAISE YOUR HAND.

22 >>INDIVIDUAL CALLER: HELLO, THIS IS MILO TRAUSS.  
23 I AM SPEAKING ON BEHALF OF YIMBY LAW TO COMMENT ON THE  
24 RIDICULOUS FARCE OF A FISHING EXPEDITION THAT WAS A  
25 PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT

1  
(O-YIMBY-MT-1)



1 cont.  
(O-YIMBY-MT-1)

2  
(O-YIMBY-MT-2)

1 FOR THE STEVENSON PROJECT. AN UNNECESSARY ILLEGAL WASTE  
2 OF TIME OVER THE PAST 12 MONTHS. THE PRDEIR WAS DRAFTED  
3 FOLKS ON 3 AREAS THAT THE BOARD OF SUPERVISORS IDENTIFIED  
4 DURING HEARINGS IN OCTOBER AND DECEMBER OF 2021.  
5 SPECIFICALLY, VAGUE CONCERNS ABOUT THE PROJECTS IMPACTS  
6 ON GENTRIFICATION AND DISPLACEMENT, THE PROJECT'S IMPACTS  
7 ON HISTORICAL RESOURCES AND THE PROJECT IMPACT ON GEOLOGY  
8 AND SOILS. THE ANALYSIS AS STAFF JUST EXPLAINED SHOWS  
9 NONE OF THE BOARD'S CONCERNS HAD ANY MERIT. THE PRDEIR  
10 FOUND THAT THE PROJECT IMPACT OF GENTRIFICATION AND  
11 DISPLACEMENT WOULD BE LESS THAN SIGNIFICANT AND IN FACT,  
12 SOME OF THE RESEARCH CITED IN THE ANALYSIS SHOWS THAT NO  
13 PROJECT ALTERNATIVE, IE DISAPPROVING THE PROJECT LIKELY  
14 HAS A GREATER NEGATIVE IMPACT ON GENTRIFICATION AND  
15 DISPLACEMENT THAN BUILDING THE PROJECT. THE ANALYSIS  
16 CONDUCTED BY SEIFEL CONSULTING ALSO NOTES FINDINGS FROM  
17 ANOTHER RECENT STUDY PUBLISHED BY PENNINGTON, AND  
18 PENNINGTON'S RESEARCH SUGGESTED INCREASING THE SUPPLY OF  
19 MARKET RATE HOUSING HAS BENEFICIAL SPILLOVER EFFECTS FOR  
20 EXISTING RESIDENTS REDUCING RENTS AND DISPLACEMENT  
21 PRESSURES WHILE IMPROVING NEIGHBORHOOD QUALITY.

22 THE STUDY CONCLUDES THAT POLICYMAKERS WHO WANT  
23 TO SLOW DISPLACEMENT GENTRIFICATION SHOULD ACCELERATE  
24 BOTH MARKET RATE AND AFFORDABLE HOUSING CONSTRUCTION.  
25 PENNINGTON SUMMARIZES HER FINDING THAT EMPHASIZING THAT

2 cont.  
(O-YIMBY-MT-2)

3  
(O-YIMBY-MT-3)

4  
(O-MMC-CR-1)

1 BUILDING MORE MARKET RATE HOUSING AND BUILDING MORE  
2 AFFORDABLE HOUSING ARE COMPLIMENTARY POLICY LEVERS.  
3 AFFORDABLE HOUSING OBVIOUSLY IS MUCH BETTER TARGETING  
4 PEOPLE WHO ARE ACTUALLY HIGH RISK FOR DISPLACEMENT. BUT  
5 THIS PROPOSAL INCLUDES BOTH.

6 IT WAS BOARD OF SUPERVISORS WHO DENIED THE  
7 PROPOSAL. THE PLANNING COMMISSION, THIS BODY APPROVED  
8 IT, SO YOU DID THE RIGHT THING, BUT FOR THE SAKE OF THE  
9 RECORD THIS HAS BEEN A HUGE WASTE OF TIME AND CIRCUS  
10 RESTUDYING BASELESS CONCERNS. MOREOVER, DURING -- IT  
11 KICKED OFF AN INVESTIGATION WHERE THE STATE IS NOW  
12 LOOKING AT OUR HABITUAL BEHAVIOR AROUND HOUSING  
13 APPROVALS. THIS IS JUST EMBLEMATIC OF USING CEQA TO  
14 INDEFINITELY --

15 >>MODERATOR: THANK YOU SIR. YOUR TIME IS UP.

16 >>INDIVIDUAL CALLER: GOOD EVENING COMMISSIONERS,  
17 MY NAME IS NAME IS CHRISSELLE RAGURO AND I AM A COMMUNITY  
18 ORGANIZER WITH THE FILIPINO COMMUNITY DEVELOPMENT  
19 CORPORATION, OR FCDC, A NONPROFIT ORGANIZATION WORKING TO  
20 ADVOCATE FOR AFFORDABLE AND SUSTAINABLE HOUSING FOR LOW  
21 INCOME FAMILIES IN THE SOUTH OF MARKET. FCDC IS A MEMBER  
22 OF MID MARKET COALITION ALONG WITH OTHER RESIDENT GROUPS  
23 AND RESIDENT PRIVATE ORGANIZATIONS. I AM HERE ON BEHALF  
24 OF THE MID MARKET COALITION TO SUPPORT THE 469 STEVENSON  
25 PROJECT.

SINCE 2018 OUR COALITION OF RESIDENTS AND

COMMUNITY MEMBERS FROM SOMA AND TENDERLOIN HAD WORKED

WITH A PROJECT SPONSOR BUILD INC. AS A RESULT OF ALL

THIS WORK WE DEVELOPED A COMMUNITY BENEFITS AGREEMENT.

THE TERMS OF OUR CBA ARE INCLUDED IN THE RECIRCULATED

EIR. WE AGREE WITH RECIRCULATED EIR FINDINGS THAT SINCE

THE PROJECT SITE IS A PARKING LOT IT WILL NOT DISPLACE

RESIDENTS, BUSINESSES OR COMMUNITY ORGANIZATIONS.

INSTEAD, WE THE PROJECT AND OUR COMMUNITY BENEFITS

AGREEMENT WILL BENEFIT RESIDENTS, COMMUNITY ORGANIZATION

AND COMMUNITIES SERVING BUSINESSES. OUR CBA IS A RESULT

OF A COMMUNITY CENTERED PROFIT, IT INCLUDES AFFORDABLE

HOUSING, COMMUNITY SPACES, FUNDING FOR COMMUNITY

PROGRAMS, FUNDING FOR PUBLIC ART RECOGNIZING THE HISTORY,

CULTURE AND CONTRIBUTIONS OF THE FILIPINA COMMUNITY ALONG

WITH MANY OTHER BENEFITS IN TO OUR COMMUNITY. AGAIN, WE

SUPPORT THE PROJECT. THANK YOU FOR LISTENING.

>>INDIVIDUAL CALLER: HELLO, MY NAME IS REBECCA

BROWNING AND I AM ALSO WITH MID MARKET COALITION AS WELL

AS AN AD HOC COMMITTEE MEMBER OF THE TENDERLOIN PEOPLES

CONGRESS. I ALSO STAND WITH WHAT CHRISHELLE JUST SAID

AND AM IN AGREEMENT AND APPROVED OF THE 469 STEVENSON

PROJECT. THANK YOU FOR MY TIME. HAVE A GREAT DAY.

>>INDIVIDUAL CALLER: HELLO, DAVID WOO, - I'M WITH

SOMA FILIPINA. THE 469 STEVENSON PROJECT WILL NOT GET US

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4 cont. (O-MMC-CR-1)

5 (O-MMC-RB-1)

6 (O-SOMA-DW-1)



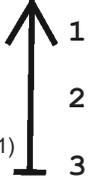
1 OUT OF OUR AFFORDABLE HOUSING CRISIS. IF THE CITY IS  
2 SERIOUS ABOUT ADDRESSING THE LACK OF EQUITY IN PLANNING  
3 THERE MUST BE A CONCERTED EFFORT TO COLLECT, STUDY, AND  
4 ANALYZE DATA RELATED TO RACE, CLASS, AND DISPLACEMENT.  
5 THE CONCLUSIONS OF THE UPDATED ENVIRONMENTAL IMPACT  
6 REPORT FOR THIS PROJECT THAT CONCLUDES IT WILL NOT HAVE  
7 SIGNIFICANT GENTRIFICATION DISPLACEMENT OR CULTURAL  
8 DISPLACEMENT IMPACTS IS SIMPLISTIC, CONTRADICTORY, AND  
9 SHALLOW. THE REPORT ITSELF ADMITS THAT 10 TO 41  
10 HOUSEHOLDS COULD BE DISPLACED AS A RESULT OF THE PROJECT.  
11 THE REPORT AND THE PLANNING DEPARTMENT STILL OPERATE  
12 UNDER THE FALSE NARRATIVE THAT BUILDING NEW MARKET  
13 RATE HOUSING WILL TRICKLE DOWN AND LOWER PRICES FOR  
14 EVERYONE.

15 THE REALITY IS THAT MARKET RATE UNITS INCREASE  
16 RENTS FOR WORKING PEOPLE THAT ALREADY LIVE THERE,  
17 SOMETHING LOW INCOME COMMUNITIES AND COMMUNITIES OF  
18 COLOR HAVE KNOWN FOR A VERY LONG TIME WITH NEW DATA  
19 COMING OUT THAT CONCRETELY SHOWS THAT SUCH AS THE ANTHONY  
20 DAMIANO STUDY OUT OF UNIVERSITY MINNESOTA. REAL ESTATE  
21 AND HOUSING SPECULATION IS NEVER STUDIED BY THESE REPORT  
22 CONSULTANTS OR BY THE PLANNING DEPARTMENT. THE TRUTH IS  
23 THAT HOUSING IS USED IN THE PRIVATE MARKET AS A WAY TO  
24 MAKE MONEY THROUGH EVICTING PEOPLE, RAISING RENTS, AND  
25 FLIPPING BUILDINGS, BUYING LAND AND BUILDINGS TO

6 cont.

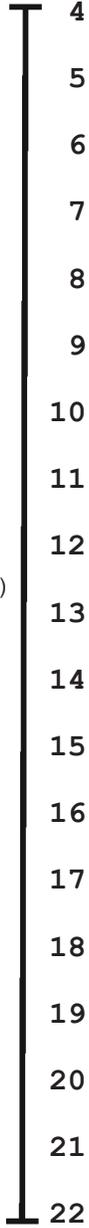
(O-SOMA-DW-1)

6 cont.  
(O-SOMA-DW-1)



1 SPECULATE. SOMETHING THAT NEVER FITS INTO THE EQUATION  
2 FOR THE CITY AND HOW TO SOLVE THE AFFORDABILITY AND  
3 DISPLACEMENT CRISIS.

7  
(O-SOMA-DW-2)



4 THE 469 PROJECT SHOWS US WHAT NOT TO DO. THIS  
5 PROJECT SHOULD NEVER HAVE GOTTEN THIS FAR IN PLANNING.  
6 ITS TRULY MEANT TO CENTER RACIAL AND SOCIAL EQUITY.  
7 THESE ARE EXPENSIVE LUXURY UNITS NEARLY 70 PERCENT ARE  
8 STUDIOS AND ONE BEDROOMS. THIS PROJECT WILL INCREASE  
9 THE EVICTION AND DISPLACEMENT PRESSURES IN THE SOUTH OF  
10 MARKET. SAN FRANCISCO HAS OVERBUILT LUXURY HOUSING AND  
11 UNDERBUILT AFFORDABLE HOUSING. THAT'S WHY THERE ARE  
12 60 THOUSAND VACANT MARKET RATE UNITS AND 52 THOUSAND  
13 MARKET RATE UNITS THAT HAVE APPROVED BUT NOT YET BUILT  
14 AND AT THE SAME TIME LONG WAITING LISTS FOR AFFORDABLE  
15 HOUSING. THE CITY AND PLANNING DEPARTMENT NEEDED AN  
16 AFFORDABLE HOUSING PLAN AS WE JUST DISCUSSED IN THE  
17 HOUSING ELEMENT. HALF OF THE STATE MANDATED UNITS, MORE  
18 THAN HALF, 4 TO 6 THOUSAND MUST BE AFFORDABLE. IT'S TIME  
19 TO STOP PRIORITIZING MARKET RATE HOUSING AND START  
20 BUILDING AFFORDABLE HOUSING, ACQUIRING AT RISK UNITS,  
21 LAND BANKING SITES FOR 100 PERCENT AFFORDABLE HOUSING,  
22 AND EXPANDING LOCAL FUNDING SOURCES. THANK YOU.

8  
(O-MMC-EM-1)



>>INDIVIDUAL CALLER: HELLO?

>>MODERATOR: YES, SIR.

>>INDIVIDUAL CALLER: MY NAME IS ERIC MARCOO. I

1 AM THE CO-CHAIR OF MID MARKET COALITION AS WELL AS SOMA  
 2 NEIGHBORHOOD RESIDENTS COUNCIL. AND WITH PEOPLE THAT ARE  
 3 WORRIED ABOUT GENTRIFICATION THERE'S ALSO SOME GOOD  
 4 THINGS THAT ARE BEING PROVIDED BY THIS IN THE COMMUNITY,  
 5 FOR COMMUNITY SPACE, FOR COMMUNITY ACTIVITIES AND ALSO  
 6 FOR COMMUNITY BASED BUSINESSES AND SOME AFFORDABLE  
 7 HOUSING OFFSITE AS WELL AS WHAT'S ON SITE. SO I AM IN  
 8 FAVOR OF THIS PROJECT AND YIELD THE REST OF MY TIME.

9 >>INDIVIDUAL CALLER: GOOD AFTERNOON COMMISSIONER  
 10 THIS IS JESSICA POLA YOUR LOCAL REALTOR. I WANT TO SAY  
 11 I SUPPORT THE 469 STEVENSON STREET PROJECT. AND I AM  
 12 DISAPPOINTED THAT IT'S BEEN DELAYED THIS LONG WITH THE  
 13 DENIAL THAT HAPPENED LAST YEAR. I HOPE YOU GUYS HAVE  
 14 AGREED TO THIS NEW EEIR REPORT AND ASK IF WE CAN HAVE  
 15 HOUSING IN A PARKING LOT. THANK YOU VERY MUCH.

16 >>INDIVIDUAL CALLER: HELLO THIS IS ANASTASIA  
 17 YOVANOPOULOS, MEMBER OF THE SAN FRANCISCO TENANTS UNION.  
 18 I AM TELLING YOU THAT SOMEONE WAS SELECTED TO DO A STUDY  
 19 AND THAT PERSON WAS BIASED. IT SEEMS THAT THERE WILL BE  
 20 GENTRIFICATION AND THERE WILL BE DISPLACEMENT THIS IS THE  
 21 WRONG PROJECT FOR THIS SPACE AND THIS IS IN THE SOMA  
 22 FILIPINA DISTRICT. THERE WILL BE DIRECT AND INDIRECT  
 23 DISPLACEMENT. THERE'S NO PROVISION, HARDLY ANY  
 24 AFFORDABLE HOUSING ON THIS SITE AS MR. WOO STATED. IT'S  
 25 MOSTLY LUXURY UNITS. THERE SHOULD BE FURTHER STUDY AND

8 cont.  
(O-MMC-EM-1)

9  
I-Pola-1

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(O-SFTU-AY-1)

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(O-SFTU-AY-2)

11 cont.  
(O-SFTU-AY-2)

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MORE INPUT ON THE GENTRIFICATION AND DISPLACEMENT BECAUSE THIS PROJECT IS A MARKET RATE PROJECT, AND WHO KNOWS IF IT WILL EVEN GET BUILT. THANK YOU.

>>MODERATOR: OKAY LAST CALL FOR PUBLIC COMMENT ON THIS MATTER. PLEASE PRESS STAR 3 OR RAISE YOUR HAND IF YOU ARE USING WEBEX. SEEING NO ADDITIONAL REQUESTS TO SPEAK COMMISSIONERS. PUBLIC COMMENT IS CLOSED AND THE DRAFT EIR IS NOW BEFORE YOU FOR YOUR REVIEW AND COMMENT.

>>COMMISSIONER TANNER: THANK YOU. I DON'T HAVE ANY COMMENTS ON THE RECIRCULATED DRAFT EIR OTHER THAN THANK STAFF FOR THEIR DILIGENCE AND THE FOLKS WHO WORK WITH YOU TO PRODUCE THIS AND RECIRCULATE THE DRAFT AND TO THANK THE FOLKS WHO CALLED IN TO PROVIDE THEIR COMMENTS. ARE THERE ANY COMMENTS FROM COMMISSIONERS? ALL RIGHT. THAT WILL DO IT.

>>MODERATOR: VERY GOOD COMMISSIONERS. THAT WILL PLACE THIS UNDER YOUR DISCRETIONARY REVIEW CALENDAR.

FINAL ITEM ON AGENDA TODAY.

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# **ATTACHMENT B**

## **Recirculated Draft EIR Comment Letters and Emails**

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12/08/2022

San Francisco Planning Commission  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

commissions.secretary@sfgov.org;  
CPC.469stevensonstreet@sfgov.org  
Via Email

Re: Item 11, 2017-014833ENV - 469 Stevenson Street – Public Hearing on the Partially Recirculated Draft Environmental Impact Report.

Dear San Francisco Planning Commission,

YIMBY Law submits this letter to comment on the ridiculous farce of a fishing expedition that was the partially recirculated draft environmental impact report for the Stevenson project; an unnecessary, illegal waste of time over the past twelve months.

1

(O-YIMBY-ST-1)

The Partially Recirculated Draft Environmental Impact Report (PRDEIR) was drafted to focus on three areas that the Board of Supervisors identified during hearings in October and December 2021: specifically, a) vague concerns about the project’s impacts on gentrification and displacement, b) the project’s impacts on historical resources, and c) the project’s impact on geology and soils.

The PRDEIR analysis shows none of the board’s concerns had any merit:

2

(O-YIMBY-ST-2)

A) The PRDEIR found that the project’s impacts on gentrification and displacement would be less than significant, and in-fact, some of the research cited in this analysis shows the no-project alternative, ie, disapproving the project, likely has a GREATER negative impact on gentrification and displacement than building the project. However, what is particularly problematic about the entire line of gentrification analysis here is that the only “physical effect” of the project is demolition of a surface parking lot and building of condos and/or apartments, yet this studied “indirect gentrification



and displacement” only through increases in market values of nearby properties. This framing blurs the line between physical and socio-economic effects of a project, as now any economic change caused by a project is apparently a CEQA issue, per the logic of the City. The PRDEIR relies on research by the UC Berkeley Urban Displacement Project (UDP), however, this is just one study that shows that new market rate housing in a census block is correlated with a small increase in out-migration; there is no clear evidence of a causal effect by new construction; this statistical association could be due to various issues with a neighborhood unrelated to a local amenity effect caused by a project, but this PRDEIR assumes that the local amenity effect is the cause of out-migration. Further, the UDP study that is relied on to support the city’s assertion that the project “could potentially indirectly displace between 10 and 41 households” found no association between new development and increased out-migration of low-income households in gentrifying areas, or in San Francisco. The other research cited by the City in the 2020 Socioeconomic Report also contradicts the UDP report; the “Summary of Report conclusions states:

- Case study research in San Francisco as well as academic and related research suggests that market-rate housing production such as the 469 Stevenson Street Project is not likely to cause an increase in rents in nearby housing units.
- Some research even suggests interim reductions in rents among nearby units. These and other literature findings suggest there is no evidence to support concern that new market-rate development will cause gentrification or displacement.
- Therefore, the 2020 Socioeconomic Report concludes that the evidence indicates that development of the Project is not likely to result in residential displacement and gentrification that will lead to socioeconomic impacts warranting further review under CEQA.

In addition to the 2020 Socioeconomic Report, the analysis conducted by Seifel Consulting also notes findings from another recent study published by Pennington in late 2020:

- Pennington’s research suggests that increasing the supply of market rate housing has beneficial spillover effects for existing residents, reducing rents and displacement pressures while improving neighborhood quality. However, the spillover effects from market rate housing may not reduce gentrification, and they may not continue to reduce displacement in the long term.
- While Pennington’s research indicates that new market rate housing reduces displacement in San Francisco overall, a hyperlocal demand

effect exists within a narrow radius of 100m, i.e., within eyeshot of the new construction. Within this narrow band, building renovations and business turnover increase. The upgrade in neighborhood quality attracts higher-income newcomers, so that when incumbents move out, they are more likely to be replaced by wealthier newcomers.

- The study concludes that policymakers who want to slow displacement and gentrification should accelerate both market rate and affordable housing construction.
- Pennington summarizes her findings “as emphasizing that building more market-rate housing and building more affordable housing are complementary policy levers. Affordable housing, obviously, is much better targeted at the people who are actually at a high risk of displacement.

2 cont.  
(O-YIMBY-ST-2)

We also note that the Project sponsor has “voluntarily” proposed to donate over \$500,000 to community organizations as well as a small parcel of land for community use, despite the fact that both the original EIR certified by the planning commission, as well as the PRDEIR found that any gentrification impacts would be less than significant, and the project already included required 73 on-site affordable units, and \$8 million affordable housing fee which the PRDEIR notes, “would largely address the potential for indirect residential displacement to occur,” and “could potentially support between 27 to 40 units of additional affordable housing units in the surrounding area.”

In summary, the city is correct to identify that any potential indirect physical effects of gentrification and displacement caused by the project are entirely speculative. This project may even cause reductions in local displacement pressures, not increases. And assuming there is any indirect displacement, which, again, is speculative, the location of any physical effects, such as increased traffic or construction, are virtually impossible to determine, and are themselves entirely speculative.

3  
(O-YIMBY-ST-3)

B) The PRDEIR found that the Project’s impacts on historical resources would be less than significant after mitigation, and would be less than significant on overall historical resources. The appellants who requested additional study of impacts on historical resources were concerned about context and appearance, which are not valid impacts under CEQA; instead the study makes an attempt to justify additional analysis by now claiming there could be vibration impact to historical resources which can be mitigated. Strangely, this analysis cites the same source for thresholds of significance as the previous environmental review, and does not explain any difference in methodology from the Initial Study, yet now concludes that the threshold would be exceeded without a

3 cont.  
(O-YIMBY-ST-3)

mitigation plan. Regardless, with a mitigation plan, impacts are less than significant.

4  
(O-YIMBY-ST-4)

C) The PRDEIR found that the Project’s impacts on geology and soils would have no cumulative impact. This is of course the only appropriate conclusion: the Board of Supervisors’ finding that more study was required in this area was legally flawed, as they were concerned about the impact of the environment on the project, which isn’t a CEQA issue, and there wasn’t any evidence in the record that this project would damage others during an earthquake. There also was zero evidence that the city’s building permit seismic safety peer review was inadequate.

**Conclusion**

The Partially Recirculated Draft Environmental Impact Report is more than adequate to comply with CEQA. In-fact, it is not even necessary as the prior EIR was adequate. The PRDEIR addresses all of the concerns raised by the Board of Supervisors, and the Public, none of which have merit as they were either already studied or outside of the scope of CEQA, and this PRDEIR actually goes beyond the scope of CEQA to analyze speculative indirect impacts of gentrification and displacement, still concluding, conservatively, that this project’s physical impact would be less than significant, if there is one at all.

5  
(O-YIMBY-ST-5)

The California Department of Housing and Community Development has also recently sent you a letter in support of this project. They note, “HCD initiated a Housing Policy and Practice Review of San Francisco aimed at identifying and removing barriers to approval and construction of new housing. As noted in HCD’s Letter of Technical Assistance dated February 1, 2022, the BOS’s actions regarding the FEIR exemplify a pattern of lengthy processing and entitlement timeframes that exceed the norms for jurisdictions of similar size and complexity. These excessive timeframes act as a constraint on housing development.”

6  
(O-YIMBY-ST-6)

The delay of this project at Stevenson is emblematic of the city’s pattern and practice of delay. Any continued delay, in the face of a mountain of evidence that shows this project’s environmental impact has already been excessively, unnecessarily studied, only furthers our, and the state’s concerns that the city is not serious about meeting its obligations to plan and approve an adequate supply of housing. The city should move quickly to approve this project.

Yimby Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California.

6 cont.  
(O-YIMBY-ST-6)



I am signing this letter both in my capacity as the Executive Director of YIMBY Law,  
and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style.

Sonja Trauss  
Executive Director  
YIMBY Law

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
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November 23, 2022

Kate Conner, LEED AP  
Manager, Priority Projects and Process  
Current Planning Division  
City and County of San Francisco  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear Kate Conner:

**RE: 469 Stevenson – Letter of Support**

The California Department of Housing and Community Development (HCD) learned that the City and County of San Francisco (City/County) has released the Partially Recirculated Draft Environmental Impact Report (PRDEIR) for public review and comment for the project located at 469 Stevenson Street (Project). The purpose of this letter is to express HCD's support of the Project and to urge the City/County to approve the Project, which is protected by the Housing Accountability Act (HAA) (Gov. Code, § 65589.5). Any further delay or additional conditions on the Project's approval may subject the City to the HAA's provisions regarding bad faith.

**Background**

On October 26, 2021, the Board of Supervisors (BOS) voted 8-3 to grant an appeal overturning the Planning Commission's certification of the Final Environmental Impact Report (FEIR). In doing so, the BOS cited vague concerns over the FEIR's deficiencies, including seismic concerns, effects on historic resources, and gentrification and displacement of residents. On December 14, 2021, the BOS adopted findings that reversed the FEIR certification and remanded it back to the City/County's planning department to prepare a new partial Draft Environmental Impact Report.

**Partially Recirculated Draft Environmental Impact Report (PRDEIR) Analysis**

The PRDEIR, released on November 2, 2022, shows that the impacts on the three study areas previously identified by the BOS would be less than significant. More specifically, the PRDEIR reports that:

1. the Project's impacts on gentrification and displacement would be less than significant;

2. the Project's impacts on historical resources (e.g., demolition of a surface parking lot) would be less than significant after mitigation and would be less than significant in its effects on historical resources overall; and
3. the Project would have a less than significant impact on geology and soils and would have no cumulative impact overall.

With this new analysis complete, the Planning Commission and the BOS should move quickly to approve the Project.

### **Housing Policy and Practice Review**

As you are aware, HCD initiated a Housing Policy and Practice Review of San Francisco aimed at identifying and removing barriers to approval and construction of new housing. As noted in HCD's Letter of Technical Assistance dated February 1, 2022, the BOS's actions regarding the FEIR exemplify a pattern of lengthy processing and entitlement timeframes that exceed the norms for jurisdictions of similar size and complexity. These excessive timeframes act as a constraint on housing development.

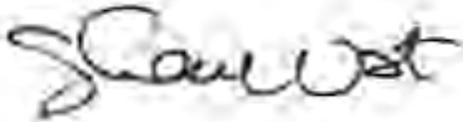
### **6<sup>th</sup> Cycle Housing Element**

Additionally, HCD is reviewing the latest draft of the City/County's Housing Element (submitted to HCD on October 17, 2022). In this draft, the City/County identified the Project as a site suitable for residential development in its Housing Element Sites Inventory. As a reminder, these sites must remain viable and useable throughout the planning period. HCD will provide the City/County with a formal review and response to the draft Housing Element no later than December 16, 2022.

### **Conclusion**

In requesting the PRDEIR, the BOS has delayed the processing of this 495-unit Project by more than 12 months. No discernible benefit has resulted from this delay. HCD reiterates its support of the Project and urges the City/County to approve this project without any further delay or additional conditions. HCD appreciates this opportunity to provide information to assist the City/County in its decision-making. If you have questions or would like to discuss the content of this letter, please contact Kevin Hefner at [Kevin.Hefner@hcd.ca.gov](mailto:Kevin.Hefner@hcd.ca.gov).

Sincerely,



Shannan West  
Housing Accountability Unit Chief

cc: Attorney General of California

1 cont.  
(A-HCD-1)

**Item 6: Commission Comments/Questions**

Commission Vice-President Kathrin Moore:

We were copied on a letter by HCD on the matter of 469 Stevenson and while I am supportive of them obviously looking over our shoulders this particular letter struck me as somewhat inappropriate as it was insinuating to tell us what to do. We are not state employees we are not city employees we are volunteering as commissioners and for that reason I felt that a state agency even raising an implicit threat was not particularly well sitting with me. I want to just put that to record and the letter that was received is part of public record for anybody who wants to read it. Thank you.

1

(A-SFPC-Moore-1)