



3400 Laguna Street Project

San Francisco Planning

Case No. **2022-009819ENV**

State Clearinghouse No. 2024050241

Draft EIR Publication Date: **August 28, 2024**

Draft EIR Public Hearing Date: **September 26, 2024**

Draft EIR Public Comment Period: **August 28, 2024–October 15, 2024**

Responses to Comments Publication Date: **April 3, 2025**

Final EIR Certification Hearing Date: **April 17, 2025**



**San Francisco
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MEMORANDUM

Date: April 3, 2025
Case No.: **2022-009819ENV**
Project Title: **3400 Laguna Street**
To: Members of the Planning Commission and Interested Parties
From: Lisa Gibson, Environmental Review Officer
Re: Attached Responses to Comments on Draft Environmental Impact Report for the 3400 Laguna Street Project (Planning Department File No. 2022-009819ENV)

Attached for your review please find a copy of the responses to comments document for the draft environmental impact report (EIR) for the above-referenced project. This document, along with the Draft EIR, will be before the planning commission for Final EIR certification on April 17, 2025. The planning commission will receive public testimony on the Final EIR certification at the April 17, 2025 hearing. Please note that the public review period for the Draft EIR ended on October 15, 2024. 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 17, 2025 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 11, 2025.

The planning commission does not conduct a hearing to receive comments on the responses to comments document, and no such hearing is required by the California Environmental Quality Act. Interested parties, however, may always write to commission members or to the president of the commission through email at commissions.secretary@sfgov.org (preferred) or through mail at attention Commission Secretary, 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103, to express an opinion on the responses to comments document, or the commissions' decision to certify the Final EIR for this project.

This document, along with the Draft EIR, constitutes the Final EIR. The Draft EIR may be downloaded from <https://sfplanning.org/environmental-review-documents>. If you have any questions concerning the responses to comments document or the environmental review process, please contact Megan Calpin, EIR coordinator, at CPC.3400LagunaEIR@sfgov.org or 628.652.7508.

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

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DRAFT EIR

RESPONSES TO COMMENTS

3400 Laguna Street Project

San Francisco Planning

Case No. **2022-009819ENV**

State Clearinghouse No. 2024050241

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TABLE OF CONTENTS

Chapter 1	Introduction.....	1-1
1.A	Purpose of the Responses to Comments Document.....	1-1
1.B	Environmental Review Process.....	1-1
1.B.1	Notice of Preparation.....	1-1
1.B.2	Draft EIR.....	1-2
1.B.3	Responses to Comments Document and Final EIR.....	1-2
1.C	Document Organization.....	1-3
Chapter 2	Revisions to Project Description.....	2-1
2.A	Summary of Revisions to the Proposed Project.....	2-2
2.B	Revisions to Chapter 2, Environmental Analysis of the Revisions to the Proposed Project.....	2-8
Chapter 3	List of Persons Commenting.....	3-1
3.A	Public Agencies and Commissions, Individuals, and Organizations Commenting on the Draft EIR.....	3-1
Chapter 4	Comments and Responses.....	4-1
4.A	Introduction.....	4-1
4.B	Historic Resources (Built Cultural Resources).....	4-2
4.B.1	Comment CR-1: Impacts to Julia Morgan Building.....	4-2
4.B.2	Comment CR-2: Eligibility of Gardner Dailey Building and Warren Perry Building.....	4-14
4.B.3	Comment CR-3: Landmark Designation Status.....	4-16
4.C	Air Quality.....	4-18
4.C.1	Comment AQ-1: Project Emissions and Related Cancer Risk.....	4-18
4.D	Alternatives.....	4-25
4.D.1	Comment ALT-1: Rehabilitation Alternative.....	4-25
4.E	Other CEQA Considerations.....	4-31
4.E.1	Comment OC-1: Concurrent Release of Initial Study and Draft EIR.....	4-31
4.E.2	Comment OC-2: Aesthetics.....	4-34
4.E.3	Comment OC-3: Cumulative Impacts.....	4-39
4.F	Transportation and Circulation.....	4-40
4.F.1	Comment TR-1: Street Safety.....	4-40
4.F.2	Comment TR-2: Traffic and Parking.....	4-45
4.G	Noise and Vibration.....	4-48
4.G.1	Comment NO-1: Noise and Vibration Impacts.....	4-49
4.H	Biological Resources.....	4-54
4.H.1	Comment BIO-1: Biological Resources.....	4-54
4.I	Hazardous Materials.....	4-55

Table of Contents

	4.I.1	Comment HZ-1: Hazardous Materials	4-55
4.J		General Comments (Non-CEQA)	4-56
	4.J.1	Comment GC-1: Document Clarity and Presentation	4-57
	4.J.2	Comment GC-2: Project Need and Justification	4-57
	4.J.3	Comment GC-3: Site Orientation.....	4-64
	4.J.4	Comment GC-4: General Comments	4-68
Chapter 5		Draft EIR Revisions.....	5-1
	5.A	Revisions to Chapter S, Summary.....	5-1
	5.B	Revisions to Chapter 3.B, Historic Resources.....	5-4
	5.C	Revisions to Chapter 3.C, Air Quality	5-8
	5.D	Revisions to Chapter 5, Alternatives	5-11
	5.E	Revisions to Initial Study Section C, Compatibility with Existing Zoning and Plans	5-12
	5.F	Revisions to Initial Study Section E.6, Transportation	5-12
	5.G	Revisions to Initial Study Section E.8, Air Quality	5-13
	5.H	Revisions to Initial Study Section E.16, Geology and Soils.....	5-13
	5.I	Revisions to Initial Study Section E.17, Hydrology and Water Quality	5-13
	5.J	Revisions to Initial Study Section E.18, Hazards and Hazardous Materials.....	5-14
	5.K	Revisions to Figures.....	5-14
	5.L	Revisions to Appendices	5-14

APPENDICES

APPENDIX A: BRACKETED DRAFT EIR PUBLIC HEARING TRANSCRIPT

APPENDIX B: BRACKETED DRAFT EIR COMMENTS LETTERS AND EMAILS

APPENDIX C: REVISED TRIP GENERATION, FREIGHT LOADING, AND PASSENGER LOADING MEMO

RTC TABLES

RTC Table 2-1	Proposed Project Details	2-6
RTC Table 3-1	Persons Commenting on the Draft EIR.....	3-1
RTC Table 4-1	Comment Organization.....	4-1

CHAPTER 1 INTRODUCTION

1.A Purpose of the Responses to Comments Document

The purpose of this responses to comments (RTC) document is to present comments received on the draft environmental impact report (EIR) for the proposed 3400 Laguna Street Project (proposed project), to respond in writing to comments on environmental issues, and to revise the draft EIR as necessary to provide additional clarity. Pursuant to the California Environmental Quality Act (CEQA) section 21091(d)(2)(A) and (B), the San Francisco Planning Department (planning department) considered the comments received on the draft EIR, evaluated the issues raised, and is providing written responses that address each environmental issue that was raised by commenters. In accordance with CEQA, the responses to comments focus on addressing physical environmental effects associated with the proposed project. Such effects include physical impacts or changes attributable to the proposed project.

None of the comments received provide new information that warrants recirculation of the draft EIR. The comments do not identify new significant impacts or a substantial increase in the severity of previously identified significant impacts. Furthermore, they do not identify or result in feasible project alternatives or mitigation measures that are considerably different from those analyzed in the draft EIR and/or that the project sponsor did not agree to implement.

The draft EIR, together with this RTC document, constitutes the final EIR for the proposed project in fulfillment of CEQA requirements and consistent with CEQA Guidelines section 15132. The final EIR was prepared in compliance with CEQA, including the CEQA Guidelines and San Francisco Administrative Code chapter 31. It is an informational document for use by the City and County of San Francisco (City and County, respectively) and the public to aid 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 before the City decides to approve, disapprove, or modify the proposed project. If the City approves the proposed project, the City would be required to adopt CEQA findings and a mitigation monitoring and reporting program (MMRP) to ensure that mitigation measures identified in the final EIR are implemented.

1.B Environmental Review Process

1.B.1 Notice of Preparation

The planning department, as the lead agency responsible for administering the environmental review of projects within the City and County of San Francisco under CEQA, published a notice of preparation (NOP) of an EIR on November 1, 2023 (included as Appendix A in the draft EIR), to inform agencies and the general public that the draft EIR would be prepared based on the criteria of CEQA Guidelines sections 15064 (Determining Significant Effects) and 15065 (Mandatory Findings of Significance). A notice of availability (NOA) of the NOP and the NOP were sent to governmental agencies, organizations, and persons who may have an interest in the proposed project.

Due to procedural errors, an NOA of the NOP and the NOP were reissued for an additional 30-day public review period from May 8, 2024, to June 7, 2024.¹ The reissued NOA of the NOP and the NOP are also included in Appendix A in the draft EIR. Comments received during the November 1 through December 1, 2023, public review period remained valid and were considered equally in the draft EIR.

1.B.2 Draft EIR

The planning department prepared the draft EIR for the proposed project in accordance with CEQA, the CEQA Guidelines, and San Francisco Administrative Code chapter 31. The draft EIR was published on August 28, 2024. An initial study analyzing numerous CEQA topics is incorporated in the draft EIR and included as Appendix B to the draft EIR. The draft EIR was circulated for a 45-day public review and comment period, which began on August 28, 2024, and ended on October 15, 2024.

The planning department distributed paper copies of the notice of public hearing and availability of the draft EIR to relevant state and regional agencies, organizations, and persons interested in the proposed project, including those listed on the planning department's standard distribution lists. 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; and posted the NOA of the draft EIR at the County Clerk's office and on the project site. Paper copies of the draft EIR were provided for public review at the San Francisco Permit Center, 49 South Van Ness Avenue, 2nd Floor, San Francisco, CA 94103. Electronic copies of the draft EIR were made available for review or download on the planning department's "Environmental Review Documents" webpage:

<https://sfplanning.org/environmental-review-documents>

During the draft EIR public review period, the planning department received written comments from two agencies, one organization, and 22 individuals.

During the public review period, the San Francisco Planning Commission (planning commission) conducted a public hearing to receive oral comments on the draft EIR on September 26, 2024. A court reporter attended the public hearing remotely to transcribe the oral comments verbatim and provide a written transcript, which is included as Appendix A of this RTC document. Appendix B of this RTC document includes copies of the bracketed comment letters and emails submitted to the planning department on the draft EIR and at the public hearing.

1.B.3 Responses to Comments Document and Final EIR

The comments received during the public review period are the subject of this RTC document, which addresses all relevant written and oral comments on the draft EIR. Under CEQA Guidelines section 15201, members of the public may comment on any aspect of the project. Furthermore, CEQA Guidelines section 15204(a) states that the focus of public review should be on "the sufficiency of the [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

¹ The two procedural errors in the November 2023 publication were failing to submit such documents to the Office of Planning and Research State Clearinghouse, and failure to provide notice in a newspaper of general circulation, pursuant to California Public Resources Code section 21080.4(a), CEQA Guidelines section 15082, and Chapter 31.11 of the San Francisco Administrative Code.

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 RTC document is focused on the sufficiency and adequacy of the draft EIR with respect to disclosing the significance of the physical environmental impacts of the proposed project evaluated in the draft EIR.

The planning department distributed this RTC document for review to the planning commission as well as to persons and organizations who commented on the draft EIR. The planning commission will consider the adequacy of the final EIR, consisting of the draft EIR and the RTC document, with respect to complying with the requirements of CEQA, the CEQA Guidelines, and San Francisco Administrative Code chapter 31. 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 and CEQA Findings 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 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 was certified. Because the draft EIR did not identify significant adverse impacts that cannot be mitigated to a less-than-significant level, the planning commission does not need to adopt findings that project alternatives are infeasible or make a statement of overriding considerations for significant and unavoidable impacts should they approve the proposed project (CEQA Guidelines section 15093(b)). The project sponsor is required to implement the MMRP as a condition of project approval.

1.C Document Organization

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

- **Chapter 1, Introduction**, discusses the purpose of the RTC document, the environmental review process for the EIR, and the organization of the RTC document.
- **Chapter 2, Revisions to Project Description**, presents text changes to the project description that were made by the planning department to update, correct, or clarify the text of the project description. These changes do not constitute significant new information with respect to the proposed project, including the level of significance of project impacts or any new significant impacts. Therefore, recirculation of the draft EIR, pursuant to CEQA Guidelines section 15088.5, is not required.
- **Chapter 3, List of Persons Commenting**, presents the names of persons who provided comments on the draft EIR during the public comment period. The list is organized into the following groups: public agencies and commissions, organizations, and individuals.
- **Chapter 4, Comments and Responses**, presents relevant comments, excerpted verbatim from a transcript of the hybrid planning commission public hearing and written correspondence. The complete transcript, as well as the letters and emails with the comments, are provided in appendices A and B, respectively, of this RTC document. The comments and responses in this

section are organized by topic and, where appropriate, by subtopic, including the same environmental topics addressed in Chapter 3 of the draft EIR and section E of the initial study. Following each comment or group of comments on a topic are the planning department's responses. The responses generally clarify the text in the draft EIR. In some instances, the responses may result in revisions or additions to the draft EIR. Text changes are shown as indented text, with deleted material shown as ~~striketrough text~~ and new text double underlined.

- **Chapter 5, Draft EIR Revisions**, presents staff-initiated text changes to the draft EIR that were made by the planning department to update, correct, or clarify the text of the draft EIR. These changes do not constitute significant new information with respect to the proposed project, including the level of significance of project impacts or any new significant impacts. Therefore, recirculation of the draft EIR, pursuant to CEQA Guidelines section 15088.5, is not required.
- **Appendices**
 - Appendix A: Bracketed Draft EIR Public Hearing Transcript
 - Appendix B: Bracketed Draft EIR Comment Letters and Emails
 - Appendix C: Revised Trip Generation, Freight Loading, and Passenger Loading Memo

CHAPTER 2 REVISIONS TO PROJECT DESCRIPTION

This chapter presents changes to the project description as presented in the draft environmental impact report (EIR). The minor changes to the proposed project description are presented in section 2.A, below. The changes were initiated by the project sponsor, agency comments on the draft EIR, and planning staff. Staff-initiated changes to clarify information presented in the draft EIR are highlighted with an asterisk (*) in the margin to distinguish them from text changes in responses to comments. As such, this chapter summarizes these revisions, describes updates to the text of the draft EIR (deletions are shown in ~~striketrough~~; new text is double-underlined), and describes the environmental impacts of the revisions, if any. Draft EIR text revisions are presented in this chapter only where they were made specifically in EIR Chapter 2. Changes to the remaining chapters of the draft EIR, the initial study, and supporting appendices are provided in Chapter 5 of this Responses to Comments (RTC) document.

California Environmental Quality Act (CEQA) Guidelines section 15088.5 requires that an EIR be recirculated when “significant new information” is added to the EIR after publication of the draft EIR but before certification. The CEQA Guidelines state that information is “significant” if “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project proponents have declined to implement.” Section 15088.5 further defines “significant new information” that triggers a requirement for recirculation as including, for example, identification of a new significant impact; a substantial increase in the severity of an impact (unless mitigation is adopted to reduce the impact to a less-than-significant level); or a new feasible alternative or mitigation measure that would lessen the environmental impacts of the proposed project, but that the project sponsor is unwilling to adopt. CEQA Guidelines section 15088.5(b) states that recirculation is not required if “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”

The revisions here and in Chapter 5 do not provide new information that would result in any new significant impacts that were not already identified in the draft EIR, nor would these changes increase the severity of any of the proposed project’s impacts as identified in the draft EIR. Implementation of the mitigation measures identified in the draft EIR would still be required to reduce or avoid significant environmental impacts. Thus, none of the text revisions would require recirculation pursuant to CEQA Guidelines section 15088.5. The draft EIR and this RTC document together constitute the final EIR for the 3400 Laguna Street Project.

This chapter is organized into two sections as follows:

- Section 2.A, Summary of Revisions to the Proposed Project
- Section 2.B, Environmental Analysis of the Revisions to the Proposed Project

The information presented in sections 2.A and 2.B provides the supporting analysis that indicates the following overall conclusions for the proposed project changes:

1. No new significant effects or substantially more severe significant effects would result beyond those identified in the draft EIR.
2. No new mitigation measures are identified that would be required to mitigate new or more severe significant impacts.
3. With implementation of the mitigation measures identified in the EIR, no substantial increase in the severity of an environmental impact would result.
4. No additional alternatives from those presented and analyzed in the draft EIR are needed to satisfy CEQA requirements for environmental review of the revised project.

2.A Summary of Revisions to the Proposed Project

Since publication of the draft EIR, the project sponsor has made refinements to the proposed on-street parking and loading plan in coordination with the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and the Public Works Disability Access Coordinator. Also, the project site was listed as landmark 320 pursuant to article 10 of the San Francisco Planning Code, effective January 19, 2025.¹ Minor revisions to project description figures are provided in RTC section 5.K, Revisions to Figures, p. 5-13, in response to comments about visual clarity and to provide an updated proposed project site plan (draft EIR Figure 2-3).

- * The paragraph in draft EIR section 2.C.4, Existing Historic Status, p. 2-6, was revised to incorporate the updated San Francisco article 10 landmark status of the project site, which changed following the publication of the draft EIR:

The project site is not listed in the National Register of Historic Places or the California Register of Historical Resources, ~~nor is it a local San Francisco article 10 landmark~~; however, the site is eligible for listing in the California Register of Historical Resources (refer to Appendix B, Initial Study, Section E.3, Cultural Resources for additional information). The planning department received an article 10 Historic Landmark Designation application for ~~the Julia Morgan Building~~ on the project site on March 22, 2024, ~~and on~~ May 15, 2024, the Historic Preservation Commission recommended adding the property to the department's landmark designation work program.⁶ On August 21, 2024, the Historic Preservation Commission recommended initiation of the Landmark Designation per article 10 (planning code section 1006).⁷ On October 16, 2024, the Historic Preservation Commission recommended designation of the project site as a landmark under article 10 of the Planning Code.^{7a} Ordinance 302-24, *Planning Code - Landmark Designation - Ladies' Protection and Relief Society (3400 Laguna Street)*, was heard by the San Francisco Board of Supervisors Land Use and Transportation Committee on December 9, 2024; then a first reading at the full board on December 10, 2024, and was finally passed on December 17, 2024. Mayor London Breed signed the ordinance into law on December 19, 2024.^{7b} The amendment to article 10 of the planning code went into effect on January 10, 2025, and the project site is listed as landmark 320 in appendix A to article 10 of the planning code.^{7c}

¹ San Francisco Planning Code, Appendix A to Article 10 – List of Designated Landmarks, available at: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-70469, accessed January 30, 2025.

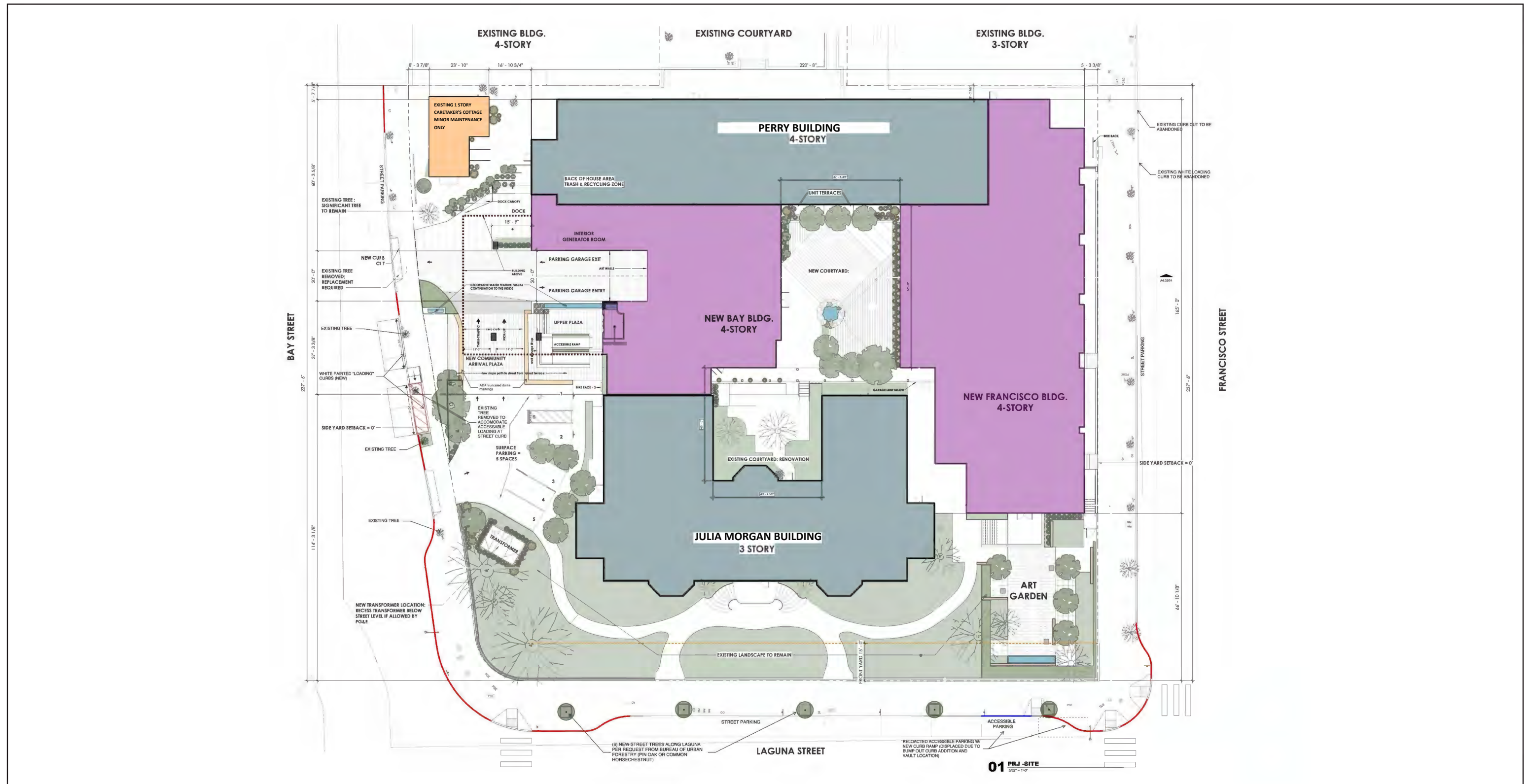


FIGURE 2-3

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- * Footnote 7a has been added to the draft EIR, p. 2-6, as follows:

San Francisco Historic Planning Commission, Landmark Resolution Recommendation, Resolution No. 1425, available at: <https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=94cd09bf00b85e4124757a708c9df26d7194d92d889f79b0bd6a564195cc8df4&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>, accessed February 6, 2025.

- * Footnote 7b has been added to the draft EIR, p. 2-6, as follows:

San Francisco Board of Supervisors, Ordinance No. 302-24, Board File No. 241103, Planning Code – Landmark Designation – Ladies’ Protection and Relief Society (3400 Laguna Street), available at: <https://sfbos.org/sites/default/files/o0302-24.pdf>, accessed February 6, 2025.

- * Footnote 7c has been added to the draft EIR, p. 2-6, as follows:

San Francisco Planning Code, Appendix to Article 10 – List of Designated Landmarks, available at: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-28058, accessed February 6, 2025.

- * Since publication of the draft EIR, the project sponsor made refinements to the proposed project’s on-street parking and loading configuration following consultation with the SFMTA Color Curb Program and the Public Works Disability Access Coordinator. The on-street parking and loading were revised to align with the proposed color curb plan developed in coordination with SFMTA and Public Works. These revisions are reflected below. Revised project description figures are provided in RTC Chapter 5, section 5.K, Revisions to Figures, p. 5-13.
- * Table 2-1 on page 2-7 of the draft EIR was updated to incorporate the changes to the proposed project site plan’s on-street parking:

RTC Table 2-1 **Proposed Project Details**

Project Component	Existing	Proposed	Net Change
Number of Building(s)	5	5	0
Maximum Building Stories¹	4	4	0
Maximum Building Height (feet)¹	41	41	0
Building Gross Square Feet	83,200	141,580	+58,380
Residential Care Suites	86	109	+23
Useable Open Space (gross square feet)	26,410	30,280	+3,870
Off-Street Parking Spaces	17	36	+19
Off-Street Loading Spaces	2	1	-1
On-Street Parking Spaces²	28	20 ¹⁹	-8 ⁻⁹
Off-Street Car Share Space	0	1	+1
On-Street Commercial Loading Spaces	0	0	0
On-Street Passenger Loading Spaces	3	2	-1

Source: HKS Inc. and Kimley-Horn, Project Plans (January 10, 2024, and March 14, 2025).

Notes: All gross square footage numbers are rounded to the nearest multiple of 10.

- ¹ Reflects the maximum building height (without rooftop appurtenances) and number of stories; existing buildings vary across the site. The existing Perry Building is 40.5 feet tall (rounded to 41 feet tall) and no changes to this building's height are proposed. The new Bay and Francisco building heights would not exceed 40 feet (not including allowable rooftop appurtenances up to 16 feet above 40 feet).
- ² Reduction in parking due to bulb-outs required by Planning Code section 138.1, Streetscape and Pedestrian Improvements, and in consultation with San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and Public Works Disability Access Coordinator. In addition, one on-street parking space on Bay Street would be removed for the project's new driveway; however, one on-street parking space would be added on Francisco Street because the proposed project would eliminate the existing 22-foot passenger loading space and the existing curb cut.

In Chapter 2, Project Description, Figures 2-4 through 2-10 were updated to respond to Commissioner Kathrin Moore's comments at the September 26, 2024, Planning Commission hearing on the draft EIR. All revised figures are presented in Chapter 5, section 5.K.

- * The fourth sentence of the second paragraph of draft EIR section 2.D.4, Proposed Circulation, Parking, and Loading, p. 2-20, was revised to clarify the correct description of on-street parking spaces removed from Bay Street as a result of the proposed color curb program:

The new driveway and porte cochère would necessitate the removal of 17 existing off-street surface parking spaces and approximately 15 feet of on-street parking along Bay Street, ~~for a total loss of one on-street parking space on Bay Street to accommodate the new curb cut.~~

- * The first sentence of the final paragraph of draft EIR section 2.D.4, Proposed Circulation, Parking, and Loading, p. 2-21, was revised to clarify the correct description of on-street parking spaces removed from Bay Street as a result of the proposed color curb program:

In total, the project would remove ~~eight~~nine on-street parking spaces and would add 19 off-street parking spaces.

- * The third sentence of the first paragraph under draft EIR section 2.D.6, Project Construction, p. 2-24, was updated to reflect an error:

The proposed project would require the excavation of ~~9,060~~9,600 cubic yards of soil to a maximum depth of 15 feet below ground level.

This change does not affect the draft EIR's analysis of the proposed project's impacts because the correct figure of 9,600 cubic yards was used in all of the technical analyses.

- * In draft EIR section 2.D.7, Project Approvals, p. 2-25, footnote 12 was removed. The Certificate of Appropriateness is a required approval due to the project site's article 10 landmark status, effective January 19, 2025:

1. Actions by the Historic Preservation Commission

- a. Approval of a Certificate of Appropriateness for Article 10 Landmarked Historic Resources (planning code section 1006)¹²

~~12 Approval of a Certificate of Appropriateness would be required if, at the time of permit application, the project site is designated as an article 10 landmark (planning code section 1006) or while designation proceedings are pending for a specified period after resolution has been passed initiating designation or confirming nomination of designation (planning code section 1014).~~

In draft EIR section 2.D.7, Project Approvals, p. 2-26, the requirement for the review and approval of water budget calculations under the Non-potable Water Ordinance is deleted because it is not required per the San Francisco Public Utilities Commission (SFPUC) comments dated October 8, 2024:

- d. San Francisco Public Utilities Commission (SFPUC)

- 1) Review and approval of stormwater design features, including a stormwater control plan, in accordance with the City's 2016 Stormwater Management Requirements and Design Guidelines
 - 2) Review and approval of an erosion and sediment control plan, pursuant to the Construction Site Runoff Ordinance
 - ~~3) Review and approval of water budget calculations for on-site water use per requirements of the Non-potable Water Ordinance~~
 - 4) Review and approval of a Batch Wastewater Discharge Permit prior to any dewatering activities

- 5) Review and approval of the proposed project's landscape and irrigation plans per the Water Efficient Irrigation Ordinance and the SFPUC Rules and Regulations Regarding Water Service to Customers
- 6) Review and approval of the project site's surrounding photometrics per the SFPUC Streetlight Standards and Requirements

2.B Revisions to Chapter 2, Environmental Analysis of the Revisions to the Proposed Project

The minor modifications described in section 2.A, above, primarily include changes to on-street parking and loading, updating the article 10 landmark status of the project site, and minor textual edits to provide consistent and accurately described information throughout the final EIR. New figures are provided to reflect the updated on-street parking and loading plan as well as to respond to comments regarding visual clarity of the figures provided in the draft EIR.

The revisions do not represent substantial changes from the proposed project analyzed in the draft EIR, nor would they result in any changes to the site layout, proposed size of the addition to institutional uses, or construction assumptions. Due to the nature of project description changes, it was determined that these changes would not affect the impact analysis of environmental impacts discussed in the draft EIR. Therefore, these modifications would not result in changes to the assumptions, analysis, or conclusions described in the draft EIR assessment of environmental impacts of the proposed project, as presented in draft EIR Chapter 3, Environmental Setting and Impacts, and draft EIR Appendix B, Initial Study, with respect to any resource topics.

The changes to the on-street parking configuration and the loss of one additional on-street parking space, as recommended by the SFMTA and Public Works, would not result in a loading deficit for the project site. As described in the initial study, section E.6, Transportation, Impact TR-6, the proposed project would not result in a freight or passenger loading deficit. The changes to the project would not change the significance finding.

Additionally, the updated article 10 historic landmark status of the project site, which went into effect on January 19, 2025, does not change the less-than-significant impact findings described in the draft EIR, Chapter 3.B, Historic Resources. The specifications of the landmarking align with the planning department's Historic Resource Review, on which the analysis and conclusions in the draft EIR are based.

Other textual edits do not reflect changes that would alter any analysis or conclusions previously determined in the draft EIR and initial study. Therefore, the less-than-significant and less-than-significant-with-mitigation impacts remain unchanged.

CHAPTER 3 LIST OF PERSONS COMMENTING

3.A Public Agencies and Commissions, Individuals, and Organizations Commenting on the Draft EIR

This responses to comments (RTC) document includes responses to all comments received on the draft Environmental Impact Report (EIR), including written comments submitted by letter or email, as well as oral comments presented at the public hearing held on September 26, 2024. This section lists all public agencies/commissions, individuals, and organizations that submitted comments on the draft EIR. **RTC Table 3-1** lists the names of the commenters, along with the corresponding commenter codes used in Chapter 4, Comments and Responses, to denote each set of comments received by category and the date they were received by the planning department. Oral comments given at the planning commission hearing are included in Appendix A, Bracketed Draft EIR Hearing Transcript. All written comments submitted on the draft EIR are included in Appendix B, Bracketed Draft EIR Comment Letters and Emails.

- Comments from public agencies and commissions are designated by “A-” and the agency's name or acronym.
- Comments from individuals are designated by “I-” and the commenter's last name.
- Comments from organizations are designated by “O-” and the organization’s name or acronym.

RTC Table 3-1 Persons Commenting on the Draft EIR

Comment Letter Code	Name and Title of Commenter	Agency/ Organization	Comment Format	Comment Date
PUBLIC AGENCIES AND COMMISSIONS				
A-CPC-Moore	Vice President Kathrin Moore	Planning Commission	Transcript	September 26, 2024
A-SFPUC	Fan Lau	SFPUC	Email	October 8, 2024
INDIVIDUALS				
I-AlbukerkL	Larry Albukerk		Email	October 15, 2024
I-AlbukerkT-1	Tania Albukerk		Transcript	September 26, 2024
I-AlbukerkT-2	Tania Albukerk		Email	August 28, 2024
I-Armour	Theo Armour		Email	October 15, 2024
I-Beresford	Maese Beresford		Letter	October 5, 2024
I-Chandler	Christy Chandler		Email	October 15, 2024

RTC Table 3-1 Persons Commenting on the Draft EIR

Comment Letter Code	Name and Title of Commenter	Agency/ Organization	Comment Format	Comment Date
I-Draper	Bart Draper		Email	October 15, 2024
I-Dunford	David Dunford		Email	October 15, 2024
I-Eichler	Todd Eichler		Email	October 15, 2024
I-Fitzgerald	Maurice Fitzgerald		Email	October 13, 2024
I-Fontanello	Gloria Fontanello		Email	October 15, 2024
I-Goldstein	Brenda Goldstein		Email	October 14, 2024
I-Grohne	Margaret Grohne		Email	October 15, 2024
I-Hebel	Mike Hebel		Email	October 11, 2024
I-Herrmann	Mark Herrmann		Email	October 15, 2024
I-Iparraguirre	John Iparraguirre		Email	October 15, 2024
I-Lester	David Lester		Email	October 15, 2024
I-Parsons	John Parsons		Email	October 15, 2024
I-Peckham	Terry Peckman		Email	October 9, 2024
I-Polidore	Todd Polidore		Email	October 12, 2024
I-Stilwell	Mia Stilwell		Email	October 15, 2024
I-WilliamsJ	Jillian Williams		Email	October 14, 2024
I-WilliamsK	Kathleen Williams		Email	October 10, 2024
ORGANIZATION				
O-HOA	1435 Bay Street Homeowners Association	1435 Bay Street Homeowners Association	Email	October 14, 2024

CHAPTER 4 COMMENTS AND RESPONSES

4.A Introduction

This chapter presents the comments received on the draft environmental impact report (EIR), including the initial study, and responses to those comments. The comments and responses are organized by subject and are generally in the same order as presented in the draft EIR and initial study. The order of the comments and responses in this chapter is shown in **RTC Table 4-1**, along with the corresponding section number, the prefix to the topic code, and the page numbers of this chapter on which the comments and responses begin.

RTC Table 4-1 Comment Organization

Section	Topic	Topic Code	Page No.
4.B	Historic Resources (Built Cultural Resources)	CR	4-2
4.C	Air Quality	AQ	4-16
4.D	Alternatives	AL	4-22
4.E	Other CEQA Considerations	OC	4-27
4.F	Transportation and Circulation	TR	4-34
4.G	Noise and Vibration	NO	4-42
4.H	Biological Resources	BI	4-47
4.I	Hazardous Materials	HZ	4-48
4.J	General Comments (non-CEQA)	GC	4-51

Within each topic, similar comments are grouped together under subheadings, designated by a topic code and sequential number. For example, the comments in section 4.B, Historic Resources, coded as “CR,” are organized under subheading CR-1.

Under each subheading, the applicable comments are listed by comment code, as described in Chapter 3, List of Persons Commenting. Each comment is then presented verbatim and concludes with the commenter’s name and, if applicable, title and affiliation; the comment source (i.e., public hearing transcript, letter, email); and the comment date. Following each comment or group of comments, a comprehensive response is provided to address environmental issues raised in the comments and clarify or augment information in the draft EIR, as appropriate. Response numbers correspond to the topic code; for example, the response to comment CR-1 is presented under response CR-1. The responses may clarify the draft EIR text or revise or add text to the final EIR.

New or revised text, including text changes initiated by planning department staff, is double underlined; deleted material is shown in ~~striketrough~~ (also see Chapter 5, Draft EIR Revisions). The use of ellipses (...) in the reproduction of comments is to indicate that a part of the comment has been omitted, to allow for separating comments by topic.

4.B Historic Resources (Built Cultural Resources)

The comments and corresponding responses in this section cover the subjects included in draft EIR section 3.B, Historic Architectural Resources. The comment topics relate to:

- **CR-1:** Impacts to Julia Morgan Building
- **CR-2:** Eligibility of Gardner Dailey Building and Warren Perry Building
- **CR-3:** Landmark Designation Status and Timing of CEQA Review

4.B.1 Comment CR-1: Impacts to Julia Morgan Building

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

- I-WilliamsJ-4
- I-Beresford-2
- I-Peckham-1
- I-Hebel-1
- I-Polidore-1
- I-Goldstein-1
- I-Draper-1
- I-AlbukerkL-1
- O-HOA-7
- I-AlbukerkT-2.6 & I-Iparraguirre-6
- I-AlbukerkT-1.4
- I-Armour-1
- I-Herrmann-1
- I-Stilwell-2
- I-Parsons-1
- I-Lester-1
- I-Chandler-3
- I-Eichler-2

“Cultural Resources: The proposed project's considerable impact on the Julia Morgan-designed building, once the primary site for the San Francisco Ladies' Protection and Relief Society, is disconcerting. Visual and structural consequences from the construction of towering buildings surrounding it, coupled with deep excavation work, pose a tangible threat to the preservation of this invaluable cultural resource.”

(Jillian Williams, Email, 10/14/2024 [I-WilliamsJ-4, CR-1])

“When my late husband and I bought our home, the location almost adjoining the Heritage’s beautiful central building, a historic mansion designed by the renowned architect, Julia Morgan, was a selling point, as well as the “breathing room” that its lawns, trees and open space provides on our block. The Heritage’s plans would result in the mansion nearly disappearing from public view as it will be enclosed on three sides by buildings that are 40 feet or higher, and much of the existing setbacks and landscaping will be destroyed to make space for these new towers.

The information and architectural drawings made public are very limited and inadequate to justify SF Planning’s conclusion that the historical resources at the Heritage will be protected. It is not sufficient to not alter the appearance of the mansion, which seems to be where SF Planning is drawing the line. The Heritage’s plan will encapsulate the mansion, the central courtyard will disappear from the view, and the roofline of the mansion will only be visible from its façade. It should matter to SF Planning and under CEQA that the beautiful mansion will disappear from public view on three sides. This type of encroachment violates the principles of historic preservation.”

(Masae Beresford, Letter, 10/5/2024 [I-Beresford-2, CR-1])

“Historical Preservation Concerns

The site of the proposed project, particularly the Julia Morgan Building, is an important part of our community's history and architectural legacy. Designed by the pioneering architect Julia Morgan, this building is not only a valuable cultural resource but also a testament to a key period in the development of San Francisco. The demolition of adjacent structures and the extensive new construction planned as part of this project could significantly compromise the integrity of the Julia Morgan Building and other historical assets on the site.

Despite assurances of preservation efforts, the scale and nature of the proposed construction raise concerns about the long-term sustainability of these historical structures. Construction activities, including noise, vibrations, and heavy machinery operation, pose risks to the stability of these aging buildings. Moreover, the proposed renovations and new constructions may alter the visual and historical character of the area, detracting from its architectural significance.

I respectfully urge the city to consider alternative approaches, such as the Rehabilitation Alternative detailed in the EIR. This option would allow for necessary updates and improvements to the facility without resorting to the demolition of historically significant buildings. By focusing on modernizing existing structures, this alternative strikes a balance between upgrading the care facilities and preserving our cultural heritage. It would maintain the integrity of the Julia Morgan Building while still improving the functionality and infrastructure of the site. ...

Given these concerns, I encourage the city to explore less invasive construction approaches or consider a scaled-back project scope. A reduction in the scale of construction would mitigate many of these issues, preserving the neighborhood’s quality of life while still allowing for necessary improvements to the care facility. Alternatively, the Rehabilitation Alternative discussed in the EIR could offer a viable path forward that reduces the intensity of construction impacts, limits environmental disruptions, and retains the site’s cultural and architectural integrity.”

(Terry Peckham, Email, 10/9/2024 [I-Peckham-1, CR-1/ALT-1])

“JULIA MORGAN BUILDING

The San Francisco Historical Preservation Committee (HPC) is currently considering a nomination to protect the Property (Julia Morgan building and surroundings) with historical landmark status. This process has yet to be completed – a second designation vote (HPC) and consideration by the SF Board

of Supervisors has yet to occur. This property is historically significant for its association with the Ladies' Protection and Relief Society, San Francisco's second oldest charitable organization and the first established by and for women. The main building, constructed in 1925 by renowned architect Julia Morgan, is also architecturally significant as an excellent, rare, and well-preserved example of a commercial building designed in the Jacobethan Revival style by an architect of merit. This building, while not currently on the California Register of Historical Resources, is eligible for such listing.

The Project Sponsor (SF Ladies' Protection and Relief Society, aka Heritage at the Marina) has proposed a radical and unprecedented change in the orientation of its entire parcel of land. For 99 years, the property orientation has been clear, consistent and, most importantly, relied upon for numerous decisions by the Planning Department. The front of the historical Morgan building would be turned by 90 degrees so that its front would leave Laguna Street and relocate on Bay Street. This would be done to accommodate the construction of a four-story building on Francisco Street which would magically become the rear of the property. In all prior applications to the Planning Department, Octavia Street has been properly designated, by the Project Sponsor, as the rear of the property.

To allow the Project Sponsor to treat Francisco Street as the rear of the property will mean that the Bay Street building becomes the front/main building which will substantially diminish the importance, role, and visibility of the historically significant cultural resource, soon to be landmarked, Julia Morgan building. Construction near or involving this precious building may irreversibly damage its historical integrity.

The Julia Morgan building, one of her notable architectural works in San Francisco, mandates special consideration under CEQA. All alternatives must be considered that avoid damage to this historic structure. The Project's scale and design will detract from the original aesthetic of the building, the stone cottage, and surrounding gardens."

(Mike Hebel, Email, 10/11/2024 [I-Hebel-1, CR-1/GC-3])

"Historical and Cultural Resources

The Julia Morgan building holds significant historical value, and I'm concerned that the new construction would diminish its presence. It's not just a building—it's a piece of the neighborhood's identity.

CEQA Guidelines Section 15064.5 emphasizes the protection of historical resources, and this project, as currently proposed, risks undermining the historical integrity of the site by changing its orientation and reducing the prominence of the Morgan Mansion."

(Todd Polidore, Email, 10/12/2024 [I-Polidore-1, CR-1/GC-3])

"Preservation of Historical Integrity

The Julia Morgan Building is not just another structure; it is a historical asset and an architectural treasure that has been part of our community since 1925. Designed by one of the most prominent female architects in history, this building represents a rare example of Morgan's craftsmanship in the

city. Over the years, it has become a cornerstone of the Marina's architectural identity. The proposed plan, which includes extensive demolition and new construction, threatens to overshadow and compromise the integrity of this important landmark.

While the Draft EIR acknowledges the building's historical value, I am not convinced that the mitigation measures are sufficient to preserve its architectural integrity. Large-scale demolition and new construction, especially in such close proximity to the Julia Morgan Building, risk altering its character-defining features. Despite efforts to incorporate the existing building into the new design, there is a real possibility that the visual and historical harmony of the site will be lost.

As a long-term resident, I am particularly supportive of the Rehabilitation Alternative outlined in the EIR. This approach would allow for much-needed updates and modernization of the facilities while preserving the historical features that make the Julia Morgan Building so valuable. By focusing on renovation rather than replacement, the Rehabilitation Alternative respects the community's history and maintains the integrity of this irreplaceable asset.”

(Brenda Goldstein, Email, 10/14/2024 [I-Goldstein-1, CR-1/ALT-1])

“The rehabilitation alternative renovates and updates the existing buildings rather than demolishing and constructing new structures. This will minimize disruption of the surrounding community and still allow for necessary upgrades. Maintaining the existing structures, particularly the Julia Morgan Building, the rehabilitation alternative would honor the site's architectural heritage....

The Julia Morgan Building and other historical structures on the site are invaluable parts of San Francisco's cultural heritage. Preserving these buildings not only honors the past but also maintains the character of the Marina neighborhood. Large-scale construction fundamentally alters the aesthetic and historical significance of the site, despite the mitigation efforts outlined in the EIR.

The rehabilitation alternative offers a way to modernize and improve the facility while ensuring that the character-defining features of these historical structures remain intact. This option aligns with best practices for historic preservation, emphasizing careful restoration over replacement and enabling the community to retain a meaningful connection to its architectural heritage.

The proposed demolition of the Perry Building Connector and the Health Center, and the construction of two new buildings, would result in devastating changes to the historical character of the site. These alterations would diminish the historical value of the existing structures but also potentially lead to irreversible damage during construction. I emphatically believe that a renovation-focused approach is the only suitable alternative, as it addresses the need for modernization without compromising the historical integrity of the site.”

(Bart Draper, Email, 10/15/2024 [I- Draper-1, CR-1/ALT-1])

“Demolishing parts of this site and adding massive modern structures will **irreversibly alter the historic character** of the neighborhood. The proposed new buildings will overshadow the historical features that define this community and reduce the visibility of the **Julia Morgan building**, increase

shadows, block light and look awful. As further evidence of this, the Julia Morgan building is currently in front of the Historic Preservation Commission which has unanimously agreed to support its inclusion as a City Landmark. It would make sense for this process to play out before coming to any conclusions about this EIR and to reverse the request by the Heritage to not include aesthetics as part of this EIR. Further, the owners of the building cannot have both the benefit of it being Institutional and Residential, The Heritage has always maintained that this is an Institutional building and has reaped the rewards such as not having to provide affordable housing.

(Larry Albuquerk, Email, 10/15/2024 [I-AlbuquerkL-1, CR-1/CR-3])

“We believe that the proposed project may cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

1. The massing of the new building along Laguna Street creates a significant impact to that street, reducing the public’s view as they approach Moscone Park from the east. The decreased massing of the current Heritage Facilities (stepping down in density along Francisco Street as it meets Laguna Street) provides an important transition from the dense built environment along Laguna Street toward Moscone Park. This decrease in density provides a transition between the built environment to the open public park.
2. The new building element above the Community Entry Plaza significantly impacts an existing public view corridor from Moscone Park to the northeast toward Fort Mason. Both heavily used public parklands provide substantial relief for the public in the second most densely populated city in the United States.
3. One of the new buildings creates new massing along Bay Street, which creates a prominent covered Porte Cochere at the new Community Entry Plaza. This new element creates new massing and uses out of character for the neighborhood. The covered Porte Cochere is a hotel-scaled element wholly out of character with the residential neighborhood. No building north of Lombard Street and west of Van Ness Avenue has anything like this commercial-scaled vehicular drop-off element. ...

Cultural Resources:

- a. The proposed project will cause a substantial adverse change in the significance of a historical resource.
- b. The new additions behind the Julia Morgan Building along Bay and Francisco Streets create a monolithic, rectangular mass which is detrimental to the current public views of the landmarked Julia Morgan Building. The current building, as viewed from Moscone Park, is visually isolated, enhancing its contribution as a historic resource, especially as viewed by the public. There are few (if any) historical resources in San Francisco which can be so clearly viewed by the public from a park in San Francisco.”

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-7, CR-1])

“4. The Project Sponsor’s Attempt to Change the Orientation of its Property by 90 Degrees Would Turn the Historical-Resource Morgan Mansion into an Ancillary Building and Violates a Century of Reliance by SF Planning With Regard to Permit Decisions for the Property.”

The Heritage is making a radical and unprecedented demand to SF Planning, which is to change the orientation of its entire parcel of land to treat Francisco Street as its rear and get a variance from rear yard setbacks to build to the property line. Do not let them do this! For 100 years, the property orientation has been clear, consistent and, most importantly, relied upon for numerous decisions by the Planning Department, including only allowing the construction of the Perry Building in 1957 because it was at the rear of the property and requiring that the Health Care Center be limited to “one story only” and that it be set back from the property line.⁷

Footnote 7: SF City Planning Commission Resolution No. 5512 (dated April 5, 1962) “The proposed facilities shall be constructed and installed in substantial conformity to the preliminary plans labeled “Proposed Infirmary Addition – The Heritage San Francisco Ladies’ Protection and Relief Society 3400 Laguna Street, San Francisco, Cal.” Filed with said application, *providing for a one-story building only.*” (emphasis added)

To allow this radical shift would be to diminish the Morgan Mansion. By default, the proposed new Bay Street Building would become the “front” of the Property. The Mansion would be relegated to being an ancillary building and this diminishment of a Historical Resource isn’t permissible under CEQA or under the historical landmark laws and regulations.

The property is oriented so that the Mansion’s front is Laguna Street, and its rear is Octavia Street, with Bay Street at the north and Francisco Street at the south. In the draft EIR as well as the historical landmark designation recently approved by the HPC, there are dozens of references to the “front” and “front lawn,” which always means the grassy area in front of the Mansion’s front door abutting Laguna Street. This language is even in the Heritage’s own project objectives – which include maintaining “the original landscape features of the front lawn on the project site.” In extensive permit applications for a new garden-level addition to be built behind the Mansion and *extending toward Octavia Street* that the Heritage sought between 2016-2020, the Heritage asked for variance to the **rear yard setback requirement per Section 134**. This is another example demonstrating that the Heritage has always agreed that the rear of its property is Octavia Street. In fact, even in its application for a conditional use permit seeking permission to treat Francisco as the rear, the Heritage continues to admit that Laguna Street is its front.⁸

Footnote 8: “The Project will preserve and restore the Morgan building, an existing historic structure. New structures proposed as part of the Project will respect the character of the historic Morgan building and are consistent with the existing scale and pattern of development in the neighborhood. Proposed structures, therefore, complement and do not overwhelm nearby existing buildings, including the historic building located on the Project site. The Project also preserves the Residential Care Facility’s *existing pedestrian-oriented building frontage along Laguna Street.*” See Conditional Use Permit application (emphasis added)

The Heritage is pretending that its entire property has suddenly, magically shifted 90 degrees so that Bay Street has become its front and Francisco Street has become the rear. This is a blatant

attempt to manipulate the Planning Department. Will the Heritage come back in another 5 years and propose another fictional shift so that Laguna is the rear and then try to in-fill yet more of the property? To allow the Heritage to treat Francisco as the “rear” of its property will mean that the Bay Street Building becomes the front/main building and will substantially diminish the importance, role and visibility of the Historically Significant, soon to be Landmarked Morgan Mansion.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.6 & I-Iparraguirre-6, CR-1/GC-3])

“Third, they are making a radical and unprecedented demand that you change the orientation of their parcel street, Francisco Street, as their rear and to get a variance from rearyard setbacks to build to the property line. Don't let them do that. Not only would it materially impair the historic Morgan mansion by basically making it an ancillary side building, which would be in violation of the historic preservation rules, but it would also violate history. For a hundred years, the property --”

(Tania Albuquerk, Transcript, 9/26/2024 [I-AlbuquerkT-1.4, CR-1/GC-3])

“I am a resident of Heritage on the Marina at 3400 Laguna. My intention here is to bring attention and to record the existence of elements of high architectural quality in the project that are not mentioned in the draft EIR.

Feature Not Identified: Unencumbered, undecorated reinforced concrete structure evident in the main lobby

Unlike most main lobbies of buildings in 1925, the main lobby of the Morgan building is without any decoration. All we see are plain columns and beams. This is evidence that the building is made of reinforced concrete. You are entering a building that is designed to be earthquake resistant—a hallmark of Julia Morgan's architecture. This is a feature that should be identified and preserved.

Character-Defining Features: Front Lawn of the Julia Morgan Building

Structures in San Francisco with extensive front gardens are rare. The Julia Morgan Building has a front garden that is a significant feature of the building. The fence extends runs along three different streets: Bay, Laguna and Francisco, perhaps over six hundred feet in length. Of premises in the northern half of San Francisco, perhaps only the Flood Mansion (Pacific Union Clubhouse) has a larger or more significant garden area.

Adjacent Historic Architectural Resources

The draft EIR omits several significant historic resources that are adjacent or near to the project site that have much similarity to the Julia Morgan Building—unlike most of the other Art Deco buildings in the Marina District...

One of the remarkable aspects of the Julia Morgan building is the quality, consistency and quantity of particular decorative items. Representations of roses, similar to a Tudor Rose or Luther Rose, are repeated several dozen times in at least twelve different expressions. Trefoils and berries, while not as

numerous, may also be observed in a variety of locations. The quality and repetition of these decorative details are hallmarks of great architecture.

Certainly, the project as a whole was quite significant for Julia Morgan. The commission she received the year she worked in the project, 1924, was the third largest that year out of forty-five projects list in her accounts.”

(Theo Armour, Email, 10/15/2024 [I-Armour-1, CR-1])

“Historical Preservation: The Julia Morgan building is not just a structure; it represents a significant piece of the City's history and preserves a masterpiece built by perhaps the most important woman architect, who happens to be local, Julia Morgan. The Historical Preservation Committee has already supported its nomination as a City Landmark, and the Heritage supports its nomination, so this must be taken into account when considering to base the EIR on aesthetics. This building is too important to waive aesthetics as a criteria. Further, it is an institutional building so this rule to drop aesthetics should not apply and it should be in the Planning Departments best judgement to consider aesthetics of this one of kind building that is about to become a City Landmark.”

(Mark Herrmann, Email, 10/15/2024 [I-Herrmann-1, CR-1/OC-2])

“To me, the Julia Morgan building is much more than a structure; it embodies a vital part of our city's history and showcases the brilliance of one of the most significant women architects, Julia Morgan. The Historical Preservation Committee has already supported its nomination as a City Landmark, there was no opposition, in fact there was only shock from the HPC that it was not already a City, State or National Landmark. Landmark status should absolutely be taken into account when evaluating the EIR based on aesthetics. Waiving aesthetic considerations for such an important building is simply unacceptable. The planning department should prioritize its unique aesthetic value and significance as it moves towards City Landmark status.”

(Mia Stilwell, Email, 10/15/2024 [I-Stilwell-2, CR-1/OC-2])

“As a longtime resident of the Marina, I do not understand why the City is willing to encase the Julia Morgan building in huge monolithic structures. Isn't one of the main purposes of the Environmental Review to protect historic and cultural sites? I also learned recently the building is a City Landmark. Shouldn't the Planning Department pay particular attention to these important beautiful buildings? SF Planning has the power to protect for generations, please use this power.”

(John Parsons, Email, 10/15/2024 [I-Parsons-1, CR-1])

“1. Preservation of the Historic Julia Morgan Building

The Julia Morgan building holds significant historical value to our community, not only as a work of the pioneering architect Julia Morgan but also as part of the cultural fabric of San Francisco's

architectural heritage. This building demands space, respect, and a surrounding environment that complements rather than overshadows its presence. While the proposed project outlines efforts to renovate the Morgan and Perry buildings, the addition of two new buildings the Bay and Francisco Buildings threatens to overwhelm this important structure.

According to the project summary (EIR, Section 2.0), these new buildings will stand up to 40 feet tall and be integrated with the Morgan building. This proximity risks visually diminishing the historical structure and detracting from its architectural significance. The Julia Morgan building, with its distinctive features, deserves more thoughtful planning that preserves its character and the surrounding context. Any construction or redevelopment should prioritize maintaining the visual and cultural integrity of this important landmark, avoiding the risk of it being lost amidst new developments.

In Section 3.8 of the EIR, it is acknowledged that the project may result in adverse impacts to historic resources. Although mitigation measures such as the Construction Monitoring Program are proposed, these seem insufficient in ensuring the original character and ambiance of the Julia Morgan structure. The best way to preserve this building's significance is by scaling back the expansion and creating a respectful buffer zone around it.”

(David Lester, Email, 10/15/2024 [I-Lester-1, CR-1])

“Diminishment of a Cultural Heritage. At the heart of the Heritage is an iconic Julia Morgan mansion as well as the original landscaping on all sides of it. I am not surprised that it is moving quickly through San Francisco’s historical preservation process and is widely expected to be granted the landmark status that it deserves. But this protection will become meaningless if the proposed construction of nearly 60,000 square feet consisting of two modern four-story building is permitted. The mansion will be hidden from view – except the front façade on Laguna Street – and it will be much smaller than and become ancillary to the three buildings that will surround it. Ms. Morgan was careful and precise about how she sited the building and designed the surrounding landscape. All her remaining original work should be preserved. I am particularly incensed by the Heritage’s plans to drastically alter the mansion by creating a brand-new front entrance for the property on Bay Street. Please prevent this from happening. The Heritage wants to do this so it can treat Francisco Street as the “rear” part of its lot and put a new building to its property line. The historical record is very clear that the rear of the Heritage’s lot faces Octavia Street. It is only because it was at the rear that the Perry Building was allowed to be built in 1957. To allow the Heritage to keep changing its orientation to max out construction on its lot is to undermine the entire concept underpinning the planning code. To say nothing of the fact that Ms. Morgan was deliberate in designing the front of the property; it is iconic, and the Heritage’s plans will turn it into an insignificant side door, which epitomizes that type of diminishment of a cultural heritage that SF Planning needs to prevent.”

(Christy Chandler, Email, 10/15/2024 [I-Chandler-3, CR-1/GC-3])

“Finally, **Aesthetics** should absolutely be part of the Environment concerns. This Julia Morgan property is too beautiful and important to bury behind massive walls. The building defines the

neighborhood as it sits at the intersection of a federal and City park. Asking to make the front of the building on Bay so they can build their giant buildings does not make sense--they already built one building on the back of the property, don't let them build another because if they do it sets a precedent and then all properties in the City should have the same right to overbuild."

(Todd Eichler, Email, 10/15/2024 [I-Eichler-2, CR-1/OC-2])

RESPONSE CR-1 IMPACTS TO JULIA MORGAN BUILDING

The comments generally relay the fact that the Julia Morgan building is historic; one commenter in particular provides additional details about the architectural details of the site and surrounding properties. Commenters express concern regarding potential impacts to the Julia Morgan Building that may be caused by the project's implementation and construction activity on the project site. Commenters express concern about how the proposed project and the construction activities would impact the building's eligibility for listing in the California Register of Historical Resources (California Register).

Historic Resource Eligibility: The California Environmental Quality Act (CEQA) requires a lead agency to determine if a proposed project would have a significant effect on historic resources or unique archeological resources. The first step in this process is to determine if the project site contains any historic resources. To determine if there were any historic resources present at the 3400 Laguna Street project site, a qualified historical consultant first prepared a Historic Resource Evaluation (HRE) that determined the project site contained historic resources. The findings of this HRE were confirmed by the planning department in the Historic Resource Review (HRR), which found the site contained two individually eligible historic resources, the Julia Morgan Building and the Caretaker's Cottage; that both historic resources retained integrity; and that both were eligible for listing in the California Register under criteria 1 and 3.

Additionally, draft EIR Chapter 3.B, section 3.B.4, Environmental Setting, p. 3.B-21, has been updated to reflect information provided by one commenter regarding the Moscone Recreation Center, which is adjacent to the project site, and the building has been added to the list of adjacent historic resources. While this information is useful in providing additional context about the surrounding properties, it does not change the conclusions of the EIR regarding historic resources impacts.

Commenters express concern that the analysis only looks at physical impacts to the Julia Morgan Building and that the proposed project will block the historic building from public view, including from the public park across the street.

Determining the Significance of Impacts to Historic Resources: Once a historic resource, or resources, are identified on the project site, the lead agency must then determine whether or not the proposed project will cause a substantial adverse change in the significance of a historic resource pursuant to CEQA Guidelines section 15064.5(b). Furthermore, CEQA Guidelines section 15064.5(b)(1) defines a substantial adverse change as, "the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." Lastly, CEQA Guidelines section 15064.5(b)(2)(a) states that the significance of a historic resource is impaired when a project, "Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its including in, or eligibility for, inclusion in the California Register of

Historical Resources.” The planning department then evaluated the proposed project’s potential to cause a substantial adverse change in the significance of the historic resources pursuant to CEQA Guidelines section 15064.5. The department evaluated whether or not the proposed project would cause material impairment to the identified historic resources on the site, including its setting, which is discussed more below. The findings of the evaluation are presented in Chapter 3.B, Historic Resources, and are available in full in the HRR provided in draft EIR Appendix C (pp. 8-13).

The analysis found that the proposed project would integrate new additions and alterations without compromising the historic integrity of the Julia Morgan Building or its most significant features, including the front lawn and the Julia Morgan Building’s symmetrical and hierarchical relationship to the site. New construction would be limited to areas already altered, such as the Perry Building and Health Center footprints, which do not contain character-defining features. The Bay and Francisco buildings would introduce taller structures, but their placement, setbacks, and design would ensure minimal disruption to the historic setting and maintain the Julia Morgan Building’s prominence. Key preservation efforts would include retaining the Julia Morgan Building’s U-shaped plan, removing non-historic elements, and using a glass hyphen to connect new construction without impacting the building’s defining features. The proposed Francisco Building would be further set back from the western property line than the existing Health Center Building and would therefore allow greater visibility of the southern façade of the Julia Morgan Building. While the new buildings would add height and mass, their design would ensure that the Julia Morgan Building remains the focal point of the site, thus retaining the structure’s historic significance. New construction, such as the Bay and Francisco buildings, would be taller and more visible than the buildings they would replace but would be strategically placed to preserve the Julia Morgan Building’s primary façade, front lawn, and character-defining features. Rehabilitation efforts would enhance the Julia Morgan Building by removing non-historic elements and repairing its historic features.

Therefore, the analysis of potential impacts to historic resources evaluated not only the physical alterations to the Julia Morgan Building itself but also the potential for alterations to the surrounding site to impact the resource. The draft EIR on p. 3.B-32 concludes that despite the new additions to the site, the Julia Morgan Building’s prominence along Laguna Street would be maintained, and the setting of the building would be preserved by directing new additions away from the front lawn, which contributes so much to the building’s historic setting. Overall, the changes would not compromise the ability of the historic resources to convey their significance, and they would maintain their eligibility for listing in the California Register. Therefore, planning department staff determined that the proposed project would not cause a substantial adverse change in the significance of a historic resource.

As stated in section 3.B.5 of the draft EIR, the planning department concluded that while the proposed project would introduce changes to the site, it would not materially impair the historic significance of the Julia Morgan Building because it would retain its eligibility for the California Register under criterion 1 for association with the San Francisco Ladies’ Protection and Relief Society and under criterion 3 for architectural merit. Additionally, while some comments included additional details regarding character-defining features, said details do not result in changes to the findings of the draft EIR and are not further discussed.

Construction Impacts to Historic Resources: Commenters also expressed concern regarding potential impacts to historic resources during construction. As outlined in section E.7, Noise, of the initial study, there is potential for project construction activities to inadvertently damage or destroy character-defining features of the identified historic resources onsite from the use of vibration-generating equipment or due to accidents. As such, this impact would be considered significant and mitigation measures would be necessary to reduce this significant impact to less-than-significant levels. Section E.7, Noise, of the initial study evaluates the potential for construction equipment to generate vibration levels that could cause building damage. The analysis finds that there is potential for the proposed project to damage onsite historic resources and result in a significant impact and therefore requires implementation of Mitigation Measure M-NO-1. As outlined in Mitigation Measure NO-1 in initial study section E.7, Noise, the proposed project would be required to submit a project-specific Vibration Management and Monitoring Plan for the duration of project construction. The project sponsor is responsible for implementing measures to prevent or minimize construction-related vibration that may affect nearby buildings and structures, ensuring any damage is documented and repaired. The plan must be submitted to the Environmental Review Officer (ERO) for review and approval prior to the issuance of a Pre-Construction Environmental Compliance Letter.¹ Key components of the plan include setting maximum vibration thresholds for affected buildings, identifying vibration-generating equipment, proposing alternative construction techniques if vibration limits are exceeded, and establishing buffer zones to mitigate potential damage. Regular vibration monitoring, inspections by qualified professionals, and protocols for addressing any damage are also integral to the plan. In the event of vibration exceedances, corrective actions, including halting construction and using alternative techniques, must be implemented. Upon completion of construction, a final Vibration Monitoring Results Report, summarizing monitoring data, any damage, and corrective actions, will be submitted to the ERO for review and approval.

In addition, to address the potential for accidental damage unrelated to vibration from construction equipment, Mitigation Measure M-CR-1 has been identified, in draft EIR section 3.B, Historic Resources. The mitigation measure would require implementation of construction best management practices and a monitoring program during construction that would be approved and reviewed by the ERO. As shown in Mitigation Measure M-CR-1, Best Practices and Construction Monitoring Program for Historic Resources, the proposed project would be required to submit a list of measures to planning department preservation staff for approval prior to the start of construction. These measures are designed to prevent accidental damage to historic resources and may include equipment staging to avoid direct impact, maintaining buffer zones between heavy equipment and historic structures, and covering roofs of adjacent buildings to protect against falling debris. If required by planning department preservation staff, a qualified preservation professional will be engaged to implement a monitoring program, ensuring best practices are followed. Any damage to the historic resource will be repaired to match its pre-construction condition in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, in consultation with the qualified professional and planning department preservation staff.

The language of Mitigation Measure CR-1 has also been updated to reflect one commenter's information about the brickwork and original drawings related to the Julia Morgan Building.

¹ A Pre-Construction Environmental Compliance Letter is a letter issued by the planning department once a project sponsor has complied with all pre-construction environmental compliance (mitigation measure) steps. This letter then allows project sponsors to submit their application for a building permit.

Mitigation Measure CR-1 has been amended to require that the qualified preservation consultant also consult any available drawings to determine a best course of action when drafting the monitoring plan.

Therefore, as stated on p.3.B-32 of draft EIR section 3.B.5, Impacts and Mitigation Measures, implementation of Mitigation Measures M-NO-1 and M-CR-1 would ensure that construction impacts caused by the proposed project would be less than significant with mitigation.

4.B.2 Comment CR-2: Eligibility of Gardner Dailey Building and Warren Perry Building

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

- A-CPC-Moore-2

“What is puzzling to me is that there is a short shrift to fully justify why a Gardner Dailey building, built in the fifties, and the Warren Perry Building that are being demolished are not worth considering, particularly by age, they are a part of what should be considered as a historic building. The fact that they are background buildings seemed to be, to me, more in respect to Julia Morgan's significant building than anything that attracts on the quality of architecture that particularly Mr. Dailey -- or Gardner Dailey has been producing his entire career as a master architect.”

*(Kathrin Moore, Vice President, San Francisco Planning Commission,
Public Hearing, 9/26/2024 [A-CPC-Moore-2, CR-2])*

RESPONSE CR-2 - ELIGIBILITY OF GARDNER DAILEY BUILDING AND WARREN PERRY BUILDING

The commenter questions why the Gardner Dailey and Perry buildings (referred to in the draft EIR as the Health Center and the Perry Building, respectively) are not considered historic resources under CEQA. As outlined in the draft EIR, section 4.B, Historic Resources, the structures were evaluated for eligibility following the same criteria as for the Julia Morgan Building and the Caretaker's Cottage, which were found to be eligible historic structures. As explained in more detail in draft EIR section 3.B.4, pp. 13–15, and in the HRR, the planning department concluded that the additions and alterations to the site made after 1957 have not taken on significance and do not contribute to the significance of 3400 Laguna Street. The additions and alterations constructed after 1957 that do not contribute to the site's significance include the Perry Building, the Perry Building Connector, the Health Center, the central courtyard, and the rear courtyard.

According to the HRE, the architectural significance of 3400 Laguna Street does not extend to the 1957 Warren C. Perry addition or the 1963 Gardner A. Dailey addition. Perry was not identified as an architect of merit for the City, despite his important role at the University of California and his status as a fellow of the American Institute of Architects (AIA). His design for the 1957 addition to 3400 Laguna Street is simple and utilitarian in design, and was completed after his retirement in 1954. Overall, the design of Perry's addition does not embody the distinctive characteristics of a type, period, region, or method of construction, or possess high artistic values. Gardner A. Dailey, on the other hand, is considered an architect of merit in San Francisco, but his 1963 addition is also a simple and utilitarian design, completed in the last few years of his career. Moreover, the two later additions to the 1963 addition, completed in 1986, further dilute any architectural significance that the 1963 addition might have held. The 1963 addition, despite its design by a locally prominent architect, does

not embody the distinctive characteristics of a type, period, region, or method of construction, or possess high artistic values.

Appendix C.1, 3400 Laguna Historic Resources Evaluation to the Draft EIR, pp. 56–63, includes a biography of Gardner Dailey and William Perry. In response to the comment, the text on draft EIR Section 3.B.4. p.13–15 was revised to expand upon the careers and work of Gardner Dailey and Warren Perry, and this text is copied below to provide context to the commenter:

“Gardner A. Dailey (1895-1967) was born in St. Paul, Minnesota and moved to California in 1915 to work for Donald McLaren’s landscape architecture firm. He attended the University of California, Berkeley; Stanford University; and Heald’s Engineering College, San Francisco, where he studied botany, economics, engineering, and architecture. In 1926, he established his own architectural offices in San Francisco. During the early years of his practice, Dailey focused on residential design in eclectic Spanish and Neoclassical styles, exhibiting traditional revival influences in his work. Then in the 1930s, Dailey began to explore modern design. The Lowe House (1936) in Woodside, California, was one of Gardner Dailey’s most famous pre-war houses, published widely from 1936–1942. This house conveyed the “Early California” aesthetic favored by Dailey and his rival William Wurster at this time, derived from adobe ranch houses and spare timber-framed, rural vernacular structures built by Anglo farmers and miners. Wurster and Dailey, along with a small group of Bay Area architects and landscape architects, came to define the second period of Bay Area regionalism of the 1930s and 1940s, known as the Second Bay Region Tradition. In addition to residential design, Dailey’s firm was commissioned by organizations, including the Matson Shipping Company, Stanford University, University of California at Berkeley, and the San Francisco Recreation and Parks Department. He designed the Brazil Pavilion for the Golden Gate International Exposition on Treasure Island and was included in the seminal New York Museum of Modern Art’s 1944 show “Built in USA”, as well as the San Francisco Museum of Art (now the San Francisco Museum of Modern Art) show “Domestic Architecture in the San Francisco Bay Region” in 1949.

While Gardner Dailey is considered an architect of merit in San Francisco, his 1963 addition on the project site is of simple and utilitarian design and was completed in the last few years of his career. Moreover, the two later additions to the 1963 addition, completed in 1986, further dilute any architectural significance that the 1963 addition might have held. The 1963 addition, despite its design by a locally prominent architect, does not embody the distinctive characteristics of a type, period, region, or method of construction, or possess high artistic values; as such, it was not found to be individually eligible for listing.² This information supports the findings of the draft EIR, and no changes are necessary.

Warren Charles Perry was born May 12, 1884 in Santa Barbara, California, but grew up in Berkeley, where his family had moved when he was three years old. He graduated from Berkeley High in 1903 and began undergraduate studies in Civil Engineering at the University of California at Berkeley. Perry took classes with John Galen Howard and during the summers of 1906 and 1907 worked in Howard’s San Francisco office. Perry traveled to Paris in the fall of 1907 to study at the renowned École des Beaux-Arts, and returned to the Bay Area in 1911. He

² Page and Turnbull. 2023. 3400 Laguna Street Historic Resource Evaluation, Part 1 – Revised, Prepared for the San Francisco Planning Department. February 16.

joined the faculty of the Department of Architecture at Berkeley that year, and began to work on residential and commercial projects in Howard's San Francisco architecture firm.

Perry succeeded Howard as Chairman of the School of Architecture in 1927 and two years later was appointed Dean of the School, a position he held until 1950. Perry designed, alongside George Kelham, the George C. Edwards Track Stadium, which opened in 1932. In 1913 Perry was licensed and established his own practice. Perry's teaching responsibilities did not allow a great deal of time for private practice, but he did complete some residential projects in San Francisco—including 2530 Vallejo, a blend of the classical and shingle styles, for his family, as well as 3140 Pacific (1926) and 3150 Pacific (1932), and a remodeled Victorian at 3028 Clay. Some other prominent houses in the city designed by Perry are the Italian Renaissance-style corner house at 2585 Pacific (1924), 570 El Camino del Mar in Sea Cliff (1930), and 165 Terrace Drive in St. Francis Wood, designed in 1936.

Perry was a member of the State Board of Architectural Examiners for 13 years from 1931 to 1943, and served as president for two of them, 1934-35. He also served as vice president of the San Francisco Chapter of the American Institute of Architects (AIA) for two years, 1936-1937, and then as its president in 1938. Perry was recognized for his contributions to architectural education and the profession by being made a Fellow of the AIA, the highest honor that institution bestows, in 1947. Perry retired in 1954, making the design for the addition to the Ladies' Relief and Protection Society at 3400 Laguna Street one of his final projects. Perry died in San Francisco in 1980 at the age of 95."

4.B.3 Comment CR-3: Landmark Designation Status

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

- I-AlbukerkT-2.1 & I-Iparraguirre-1
- I-Grohne-1
- I-AlbukerkL-1

"1. It is premature to issue a draft EIR and Initial Study while the Historical Landmark Designation Process is Ongoing and Incomplete.

As noted throughout the Draft EIR and Initial Study, since March 2024, the SF Historical Preservation Committee (HPC) has been considering a nomination to protect the Property with historical landmark status. At its meeting on August 20, 2024, the HPC voted unanimously in favor of such designation, and it will be voted on again in October, after which the nomination will be considered by the Board of Supervisors. It was premature and presumptuous to move forward with the Draft EIR and Initial Study while the landmark process is underway. Throughout both documents, Department staff make numerous assumptions about the scope, details and requirements of a landmark designation that is still under debate, and then use such assumptions as the basis for recommendations to be adopted by SF Planning in approval of the construction at the Property.

The preparation of the Draft EIR and Initial Study should be paused while the landmark designation is being considered by the HPC and Board of Supervisors and only begun after the detailed contours any such designation have been determined.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.1 & I-Iparraguirre-1, CR-3/GC-1])

“1. The Draft EIR assumes that parts of 3400 Laguna Street will receive historic landmark status (i.e., the Julia Morgan Mansion, its front lawn and the Caretaker Cottage) and then make several recommendations for protecting these portions of the property. However, this entire discussion is premature. The Historic Preservation Committee (HPC) is still considering the nomination, and the Board of Supervisors (Board) hasn't even had a hearing. The draft EIR and Initial Study should have been paused while this process is underway so that any EIR doesn't rely on assumptions about future protection but on the actual contours of the HPC's and Board's decision.”

(Margaret Grohne, Email, 10/15/2024 [I-Grohne-1, CR-3])

“Demolishing parts of this site and adding massive modern structures will **irreversibly alter the historic character** of the neighborhood. The proposed new buildings will overshadow the historical features that define this community and reduce the visibility of the **Julia Morgan building**, increase shadows, block light and look awful. As further evidence of this, the Julia Morgan building is currently in front of the Historic Preservation Commission which has unanimously agreed to support its inclusion as a City Landmark. It would make sense for this process to play out before coming to any conclusions about this EIR and to reverse the request by the Heritage to not include aesthetics as part of this EIR. Further, the owners of the building cannot have both the benefit of it being Institutional and Residential, The Heritage has always maintained that this is an Institutional building and has reaped the rewards such as not having to provide affordable housing.

(Larry Albuquerk, Email, 10/15/2024 [I-AlbuquerkL-1, CR-1/CR-3])

RESPONSE CR-3 - LANDMARK DESIGNATION STATUS

The commenters question the decision to issue a draft EIR and initial study while the historical landmark designation process was ongoing. The status of the Historic Landmark Designation application at the time of draft EIR publication is described on p. 3.B-23 of the draft EIR. As of the publication of this RTC document, the article 10 landmark ordinance no. 302-24 was signed by Mayor London Breed on December 19, 2024, formally adopting Board of Supervisors File No. 241103.³ The designation went into effect on January 19, 2025.⁴

The preparation and circulation of the draft EIR and initial study under CEQA are not contingent upon the completion of the local historical landmark designation process. CEQA requires that the analysis

³ San Francisco Board of Supervisors, Planning Code - Landmark Designation - Ladies' Protection and Relief Society (3400 Laguna Street), December 19, 2024, available at: <https://sfgov.legistar.com/View.ashx?M=F&ID=13639661&GUID=585996F8-2BD3-48A4-B233-CC75DD89E657>, accessed on January 2, 2025.

⁴ San Francisco Planning Code, Appendix A to Article 10, List of Designated Landmarks, available at: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-28058, accessed February 13, 2025.

of potential environmental impacts, including those on historical resources, be based on the existing information and conditions at the time of the analysis. The property at 3400 Laguna Street was determined to contain historical resources eligible for listing in the California Register, which meets the CEQA threshold for analysis of impacts to historic resources.

While the San Francisco Historic Preservation Commission (HPC) voted in favor of landmark designation, this does not preclude or invalidate the CEQA analysis. The draft EIR and initial study do not assume or rely on the outcome of the landmark designation process. The planning department's CEQA analysis concluded that the project, while introducing changes to the site, would not materially impair the significance of the historic resources, the Julia Morgan Building or the Caretaker's Cottage. These findings are based on the assessment of the project's design, placement of new construction, preservation of character-defining features, and rehabilitation efforts.

Furthermore, CEQA mandates that environmental review be completed in a timely manner to inform decision making, even if parallel processes such as landmark designation are underway. Any additional requirements or conditions that may arise from a future landmark designation would be addressed separately from the CEQA process and incorporated into the project's regulatory framework as necessary. See CEQA Guidelines sections 15004(a) and 15004(b)(2) and Public Resources Code section 21061.

Since the close of the comment period for the proposed project, the landmarking ordinance for the 3400 Laguna Street project site was adopted. This designation officially recognizes the building as an article 10 landmark. However, this new designation does not alter the analysis or findings of the draft EIR, as the Julia Morgan Building and the Caretaker's Cottage were identified as historic resources in the draft EIR. The landmarking status reaffirms the buildings' historical significance, but the conclusions drawn in the draft EIR remain unchanged, as the buildings' eligibility and status as historic resources were already considered in the impact assessment.

4.C Air Quality

The comments and corresponding responses in this section cover the subjects included in draft EIR section 3.C, Air Quality. The comment topics relate to:

- **AQ-1:** Project Emissions and Related Cancer Risk

4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk

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

- I-AlbukerkL-2
- I-AlbukerkT-2.8 & I-Iparraguirre-8
- I-Beresford-1
- I-Chandler-2
- I-Draper-2
- I-Dunford-1
- I-Grohne-3
- I-Hebel-2
- I-Lester-4

- I-Polidore-2
- I-Stilwell-1
- I-WilliamsK-1
- O-HOA-2

“Further, I am extremely concerned about the health impact this project will have on the local neighbors. The below table shows that as a nearby resident I am statistically significant (much more likely) to get cancer because of this project, so are my wife and my kids. The on-site residents and workers are all protected but I am NOT. I read the mitigation plan and I think we all know that this is a fantasy at best - asking the construction firm to only use modern equipment, abide by the manufacturer manuals, no idling etc... how does the City audit and enforce these mitigation requests? The other part of the health concern is the noise. Again, mitigation for the residents, workers etc .. but not the neighbors. In fact, it's anticipated to be so bad that the Heritage will move residents and give them headphones, yet we just have to suffer? These are two points that will eventually be litigated by the neighbors so please listen to us now and do not just give the Heritage what they want.”

Table 3.C-8 Existing Plus Project Lifetime Cancer Risk at Maximally Exposed Individual Receptors

	On-site Residential Receptor	Off-site Residential Receptor	Off-site Childcare Receptor	Off-site School Receptor	On-site Worker Receptor	Off-site Worker Receptor
Receptor coordinates (UTM X, UTM Y)	550120, 4184080	550140, 4184080	550240, 4184160	549760, 4183980	550120, 4184080	550240, 4184160
Proposed project cancer risk (per 1 million)	1.37	26.31	8.44	0.14	0.69	0.05
Existing lifetime excess cancer risk (2020)1 (per 1 million)	108.16	107.64	133.99	95.39	108.16	133.99
Existing + proposed project cancer risk (per 1 million)	109.53	133.95	142.43	95.53	108.85	134.04
Existing cancer risk meets APEZ criteria?	Yes	Yes	Yes	No	Yes	Yes
Significance threshold for project contribution (per 1 million)	7.0	7.0	7.0	10.02	7.0	7.0
Threshold exceeded?	No	Yes	Yes	No	No	No

Source: LSA 2024; see Appendix D.2, 3400 Laguna Street Air Quality and Health Risk Assessment Results.

¹ Background cancer risk at receptor from the 2020 Citywide HRA database.

² The excess cancer risk of 30 significance threshold only applies to receptors that do not meet the excess cancer risk APEZ criteria under existing conditions but would meet the excess cancer risk APEZ criteria as a result of the proposed project.

UTM = Universal Transverse Mercator

UTM X = eastward-measured distance

UTM Y = northward-measured distance

(Larry

Albukerk,

Email, 10/15/2024 [I-AlbukerkL-2, AQ-1])

“6. The Draft EIR States that the Air Pollution Created by this Project Will Increase Residential Cancer Rates by Nearly 400% Over the City’s Threshold “Acceptable” level of 7 People in 1 million Getting Cancer Because of this Project

The Project is in an area that is already designated an Air Pollutant Exposure Zone – meaning our air quality is compromised. In the homes surrounding the Heritage, there are many elderly residents as

well as children, who are the most at risk from air pollution. The Draft EIR states that air pollution will be created by the proposed project. It includes numerous requirements to protect residents of the Heritage and the workers, but NOTHING for the neighborhood. In fact, in Table 3-C8 of the Draft EIR, it plainly states that the Heritage project will increase my family's risk, and the risk of all of my neighbors, of getting cancer by nearly 400% over an already shameful standard of 7 in 1 million people getting cancer – so now my risk is 26.31 in a million if they proceed, which this is very statistically significant!¹⁰ Why does the City or the Heritage get to knowingly add to my cancer risk, my children's cancer risk, my husband's cancer risk? It is not acceptable to risk our health for the Heritage's greed.

Don't trade my family's health for the Heritage's wealth."

Footnote 10: "As shown in Table 3.C-8 and Table 3.C-9, the maximum cancer risk from construction of the proposed project would be approximately 26.31 in one million at the maximally exposed individual off-site residential receptor, which would exceed the cancer risk threshold of 7 in one million."

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.8 & I-Iparraguirre-8, AQ-1])

"I have lived 200 feet from the project sponsor, Heritage on the Marina ("**Heritage**"), located at 3400 Laguna Street, for over 30 years. I am a retired widow. My home is my sanctuary. It is not fair that my peace and enjoyment of my home should be shattered by the Heritage's greed, which is indeed what will happen if this massive project is approved. The noise, construction traffic and pollution will be my constant companion for a minimum of 30 months (according to the Draft EIR) but likely longer given that almost all large construction projects take longer than estimated. I am worried about the impact on my health and wellbeing, especially from the noise, dust and potential release of toxins into the air from the excavation that the project would entail.

The Draft EIR states that air pollution will be created by the proposed project. It includes numerous requirements to protect residents of the Heritage. However, I suffer from health issues and serious allergies. I am of the same age as residents of the Heritage. The Draft EIR claims that its mitigation measures are sufficient to mitigate the significant impacts of this project. What is my recourse if you are wrong? My health will suffer if the proposed projects proceeds and the Draft EIR's requirements do not protect me.

The size and scope of this project is too large. It is in an area that is already designated an Air Pollutant Exposure Zone - meaning our air quality is compromised. Furthermore, in my building and the other homes surrounding the Heritage, there are many elderly residents as well as children, who are the most at risk from air pollution. Table 3-C8 of the Draft EIR says plainly that the Heritage will be increasing my risk of cancer by nearly 400% if they are allowed to proceed! And, why is the Heritage risking my health? Only one reason - it is greedy. It wants to build very expensive, very large luxury apartments. Don't trade my health for the Heritage's wealth."

(Masae Beresford, Letter, 10/5/2024 [I- Beresford-1, AQ-1])

“1) 400% increase in cancer—a personal invasion of health for nearby citizens/neighbors. Unacceptable!

2) The size of this project and effects on the neighborhood families’ quality of life with the construction timeline of 29 months (and, for anyone who has had construction done on one’s own property—there are *always* delays!)”

a. Air Pollution – Air quality, environmental concerns.”

(Kathleen Williams, Email, 10/12/2024 [I- WilliamsK-1, AQ-1])

“1. Air Quality: Construction dust and emissions will certainly lead to deterioration in air quality. Elderly residents in the nearby residential care facility, along with local neighbors, would face negative health impacts, particularly those with respiratory issues. Air quality mitigation measures are insufficient alternative construction methods are needed to reduce pollution. **The draft EIR states that air pollution created by and directly due to this project will increase residential cancer rates by nearly 400% over the CCSF threshold “acceptable” level of 7 people in 1 million contracting cancers.** This project is in an Air Pollutant Exposure Zone which makes the surrounding population more vulnerable to health risks especially respiratory illnesses, cardiovascular disease, and premature death, particularly in children and the elderly.”

(Mike Hebel, Email, 10/11/2024 [I- Hebel-2, AQ-1])

“Air Quality and Health Risks

Living in a neighborhood designated as an Air Pollutant Exposure Zone, I’m worried about the potential increase in cancer risk from the project's construction. The EIR states that the risk could rise by nearly 400%, which is alarming, especially as I consider starting a family.

The health of my household, along with other residents, is a priority. CEQA mandates protecting public health, but the EIR does not sufficiently address the impacts on the most vulnerable members of our community—children and the elderly.”

(Todd Polidore, Email, 10/12/2024 [I- Polidore-2, AQ-1])

Air Quality:

a. The proposed project may violate air quality standards or contribute substantially to an existing or projected air quality violation.

b. The proposed project may create objectionable odors affecting a substantial number of people.

c. The project includes the addition of an emergency power generator and loading dock adjacent to the residential building at 1435 Bay Street. The generator will produce petrochemical exhaust when in

use, which may be frequent, as the facility is a 24-hour healthcare provider. In addition, Marina Middle School is 0.2 miles to the west, less than one-quarter of a mile away.”

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-2, AQ-1])

“As a mother and resident of this community, I feel compelled to voice my concerns regarding the proposed changes to the Julia Morgan building. My main concern is protecting the Julia Morgan building, its gardens and surroundings. But I also worry about the health impacts highlighted by the EIR, particularly for the nearby residents, created by the pollution and noise. I am not an expert but the tables in the EIR frankly scare me and the proposed mitigation plan seems completely implausible particularly since the heritage will move many of its residents.”

(Mia Stilwell, Email, 10/15/2024 [I-Stilwell-1, NO-1/AQ-1])

“The EIR highlights that construction activities under the proposed project could lead to increased air pollution while mitigation measures are suggested, the overall scale of the construction will lead to significant degradation of air quality the 29-month construction. Will result in prolonged emissions that adversely affect the immediate neighborhood and vulnerable residents, including elderly at the care facility

The rehabilitation alternative would reduce the extent of demolition and construction minimizing the generation of pollutants this alternative would still allow for necessary improvements but with fewer adverse effects on air quality it is critical to prioritize the health of residents and the surrounding community especially in a densely populated urban area.”

(Bart Draper, Email, 10/15/2024 [I- Draper-2, AQ-1/ALT 1])

“3. The potential impact on the health of neighbors of the Heritage are not taken seriously enough in the Draft EIR. The air and noise pollution that this project will generate are dangerous and there is no justification for allowing this to happen. The Draft EIR states this Project will cause the estimated cancer rates among neighboring residents of the Heritage to increase by nearly 400% (from 7 per 1,000,000 to 26.31 per 1,000,000). Similarly, it states the existing noise levels in the neighborhood are already at maximum acceptable levels, and that this project will cause the noise levels to far exceed these levels. There are mitigation measures recommended to protect people who live and work at the Heritage but almost nothing to protect the neighborhood. Please don't let the Heritage damage my health so that it can increase its wealth.”

(Margaret Grohne, Email, 10/15/2024 [I-Grohne-3, NO-1/AQ-1])

“As a parent of young children in the neighborhood, I am very concerned about the **air quality impacts** outlined in the EIR for the 3400 Laguna Street Project. The report shows that construction will expose nearby residents, including sensitive receptors like children, to **substantial pollutant**

considerations. Even with Mitigation Measure in place, the project still poses a **significant risk** to air quality, increasing cancer risk by nearly 400% (Table 3.C-8). This is not to mention the extreme noise levels that the EIR is projecting. Lining up trucks on Francisco St. seems like a horrible idea and an undue imposition on local residents.

Given these alarming statistics, I urge the Planning Department to prioritize the health of Marina families by exploring safer alternatives or scaling back the project.”

(David Dunford, Email, 10/15/2024 [I- Dunford-1, AQ-1])

“Air Quality Concerns. The Draft EIR makes clear that the air pollution that will be created by the various phases of this project -- demolition, excavation, and construction – will significantly increase the potential risk of cancer in the neighborhood. Given the age of the Heritage’s existing buildings, this project will cause toxins like asbestos and heavy metals/lead to become airborne. The Draft EIR states that the risk of cancer in the neighborhood will increase by **four times**. And it doesn’t address increases in respiratory diseases, such as asthma and bronchitis, that will result from airborne dust and debris. As noted in the Draft EIR, the Marina neighborhood in which the Heritage is located already has compromised air quality and is considered an Air Pollution Exposure Zone. It is also the home to many elderly people as well as families with children; both populations at much higher risk of health problems from the air pollution and toxic substances that will be released into the neighborhood. We don’t deserve to be exposed to the risks to our health and well-being for any reason, and certainly not to satisfy the Heritage’s greed.”

(Christy Chandler, Email, 10/15/2024 [I-Chandler-2, AQ-1])

“Enhance air quality mitigation measures by providing real-time monitoring and requiring contractors to use the cleanest available technology.”

(David Lester, Email, 10/15/2024 [I-Lester-4, AQ-1/ALT-1])

RESPONSE AQ-1 - PROJECT EMISSIONS AND RELATED CANCER RISK

Commenters expressed concern regarding the proposed project’s estimated construction emissions, especially as they relate to health risk impact. As outlined in draft EIR, section 3.C, Air Quality, the analysis evaluated the potential for the proposed project’s construction activities to:

- Result in a cumulatively considerable net increase in non-attainment criteria air pollutants;
- Expose sensitive receptors to substantial pollutant concentrations; and
- Result in a considerable contribution to cumulative impacts related to exposing sensitive receptors to substantial pollutant concentrations.

The analysis shows that with commonly required mitigation measures, particularly the use of California Air Resources Board-certified (CARB) Tier 4 off-road construction equipment, the proposed

project's health risks from air pollution would be within safe limits as established by all applicable thresholds.

As shown, in Chapter 3.C, Air Quality, of the draft EIR (p. 3.C-33), Table 3.C-8, the maximum cancer risk from construction of the proposed project without mitigation would be approximately 26.31 in 1 million at the maximally exposed individual off-site residential receptor, which would exceed the cancer risk threshold of 7 in 1 million. The results of the analysis indicate that the maximum particulate matter less than 2.5 microns in diameter (PM_{2.5}) concentration at the maximally exposed individual would be 0.13 micrograms per cubic meter (µg/m³) at an onsite residential receptor, which would not exceed the significance threshold of 0.30 µg/m³. In addition, the maximum non-cancer chronic health index (HI) would be 0.06 at the maximally exposed individual, also well below the significance threshold of 1.0. However, since the maximum cancer risk from the proposed project would exceed the cancer risk threshold, the proposed project would result in emissions of toxic air contaminants (TACs) that would expose sensitive receptors to substantial pollutant concentrations. This impact would be significant; therefore Mitigation Measure M-AQ-4 is required.

As shown in Table 3-C.9, with mitigation applied, the risk of cancer for the most exposed person offsite would be 5.49 in 1 million, which is below the significance threshold of 7 in 1 million. The mitigation measure requires that all off-road construction equipment with engines of 25 horsepower or more meet CARB Tier 4 final emissions standards. Diesel engines must not idle for more than 2 minutes, except under specific conditions, and signs in multiple languages must remind operators of this limit. Workers must be trained in proper maintenance and tuning of equipment. In addition, before construction begins, the contractor must submit a detailed plan for review, outlining the equipment to be used, its compliance with emissions standards, and estimated timelines. The plan must be incorporated into construction contracts, available for public inspection onsite, and summarized on visible signage. The mitigation measure also includes a monitoring and reporting mechanism where the contractor must provide semi-annual reports during construction and a final report at project completion, documenting compliance with the plan and summarizing construction activities.

The planning department monitors mitigation compliance through coordination with the Department of Building Inspection and requires project sponsors to obtain a Pre-Construction Environmental Compliance Letter before receiving their site and demolition permits.

As outlined on p. 3.C-37 of draft EIR section 3.C, Air Quality, the highest concentration of PM_{2.5} for onsite workers would be 0.03 µg/m³, which is well below the limit of 0.30 µg/m³. With Mitigation Measure M-AQ-4 in place, the project would not release enough harmful pollutants to significantly affect onsite residents or workers, or offsite residents and other sensitive receptors.

One organization expressed concern about the emergency generator's operational emissions adjacent to residential buildings. As noted in the draft EIR, Chapter 2, Project Description, the existing emergency backup diesel power generator, located adjacent to the Bay Street frontage just west of the Caretaker's Cottage, is above grade and would be replaced by a new Tier 4 emissions emergency backup diesel generator inside the new Bay Building. The existing generator is a Tier 1 engine from 1998⁵; replacing it with a Tier 4 piece of equipment would result in a 97.5 percent decrease in

⁵ City and County of San Francisco. Megan Calpin, Senior Environmental Planner. February 17, 2025. Personal communication regarding emergency generator.

particulate matter emissions.⁶ The planning department estimates that emergency generators operate for up to 50 hours per year, to account for potential emergency use, testing, and maintenance of backup generator-related emissions.⁷ Therefore, the installation of the new Tier 4 emergency generator, as a replacement for the existing Tier 1 emergency generator, would reduce TAC emissions compared to the existing condition, and any emissions from the generator would be less than significant.

4.D Alternatives

The comments and corresponding responses in this section cover the subjects included the draft EIR, Chapter 5, Alternatives. The comment topics relate to:

- **ALT-1:** Rehabilitation Alternative

4.D.1 Comment ALT-1: Rehabilitation Alternative

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

- I-Draper-1
- I-Draper-2
- I-Draper-3
- I-Peckham-1
- I-Goldstein-1
- I-Goldstein-6
- I-Hebel-7
- I-Lester-4
- I-AlbukerkT-2.3 & I-Iparraguirre-3
- I-AlbukerkT-2.5 & I-Iparraguirre-5
- I-AlbukerkT-1.2
- I-WilliamsK-4

“The rehabilitation alternative renovates and updates the existing buildings rather than demolishing and constructing new structures. This will minimize disruption of the surrounding community and still allow for necessary upgrades. Maintaining the existing structures, particularly the Julia Morgan Building, the rehabilitation alternative would honor the site’s architectural heritage.”

...The Julia Morgan Building and other historical structures on the site are invaluable parts of San Francisco's cultural heritage. Preserving these buildings not only honors the past but also maintains the character of the Marina neighborhood. Large-scale construction fundamentally alters the aesthetic and historical significance of the site, despite the mitigation efforts outlined in the EIR.

⁶ California Air Resources Board, Table 1. Off Road Compression - Ignition Diesel Engine Standards (NMHC + Nox/CO/PM in g/bhp hr.), available at: https://ww2.arb.ca.gov/sites/default/files/2020-03/Tier_Color_Chart_Off_Road_Diesel_Stds_R.pdf, accessed February 18, 2025.

⁷ San Francisco Planning, “Air Quality and Greenhouse Gas Guidelines,” February 2025. Available at: <https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=93af2e83a6fbd4bdc0f723a4e8944a88e47913849571b13e940a9b21971f2f83&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>, accessed February 13, 2025.

The rehabilitation alternative offers a way to modernize and improve the facility while ensuring that the character-defining features of these historical structures remain intact. This option aligns with best practices for historic preservation, emphasizing careful restoration over replacement and enabling the community to retain a meaningful connection to its architectural heritage. ...

The proposed demolition of the Perry Building Connector and the Health Center, and the construction of two new buildings, would result in devastating changes to the historical character of the site. These alterations would diminish the historical value of the existing structures but also potentially lead to irreversible damage during construction. I emphatically believe that a renovation-focused approach is the only suitable alternatives, as it addresses the need for modernization without compromising the historical integrity of the site.”

(Bart Draper, Email, 10/15/2024 [I- Draper-1, CR-1/ALT-1])

“The EIR highlights that construction activities under the proposed project could lead to increased air pollution while mitigation measures are suggested, the overall scale of the construction will lead to significant degradation of air quality the 29-month construction. Will result in prolonged emissions that adversely affect the immediate neighborhood and vulnerable residents, including elderly at the care facility

The rehabilitation alternative would reduce the extent of demolition and construction minimizing the generation of pollutants this alternative would still allow for necessary improvements but with fewer adverse effects on air quality it is critical to prioritize the health of residents and the surrounding community especially in a densely populated urban area.”

(Bart Draper, Email, 10/15/2024 [I- Draper-2, AQ-1/ALT 1])

“The proposed project would create significant noise and vibration over an extended period. According to the EIR, these disruptions could lead to both immediate and long-term impacts on the surrounding environment. Construction vibrations could damage existing historical structures, including the Julia Morgan Building, and continuous noise could lead to adverse health effects for the elderly residents of the care facility.

The rehabilitation alternative would greatly reduce the duration and intensity of construction-related noise and vibrations. By focusing on renovating existing structures, this approach minimizes the need for heavy machinery and extensive ground disturbance, protecting both the structural integrity of historical buildings and the well-being of residents.”

(Bart Draper, Email, 10/15/2024 [I-Draper-3, NO-1/ALT-1])

“Historical Preservation Concerns

The site of the proposed project, particularly the Julia Morgan Building, is an important part of our community's history and architectural legacy. Designed by the pioneering architect Julia Morgan, this building is not only a valuable cultural resource but also a testament to a key period in the development of San Francisco. The demolition of adjacent structures and the extensive new construction planned as part of this project could significantly compromise the integrity of the Julia Morgan Building and other historical assets on the site.

Despite assurances of preservation efforts, the scale and nature of the proposed construction raise concerns about the long-term sustainability of these historical structures. Construction activities, including noise, vibrations, and heavy machinery operation, pose risks to the stability of these aging buildings. Moreover, the proposed renovations and new constructions may alter the visual and historical character of the area, detracting from its architectural significance.

I respectfully urge the city to consider alternative approaches, such as the Rehabilitation Alternative detailed in the EIR. This option would allow for necessary updates and improvements to the facility without resorting to the demolition of historically significant buildings. By focusing on modernizing existing structures, this alternative strikes a balance between upgrading the care facilities and preserving our cultural heritage. It would maintain the integrity of the Julia Morgan Building while still improving the functionality and infrastructure of the site....

Given these concerns, I encourage the city to explore less invasive construction approaches or consider a scaled-back project scope. A reduction in the scale of construction would mitigate many of these issues, preserving the neighborhood's quality of life while still allowing for necessary improvements to the care facility. Alternatively, the Rehabilitation Alternative discussed in the EIR could offer a viable path forward that reduces the intensity of construction impacts, limits environmental disruptions, and retains the site's cultural and architectural integrity.”

(Terry Peckham, Email, 10/9/2024 [I- Peckham-1, CR-1/ALT-1])

“Preservation of Historical Integrity

The Julia Morgan Building is not just another structure; it is a historical asset and an architectural treasure that has been part of our community since 1925. Designed by one of the most prominent female architects in history, this building represents a rare example of Morgan's craftsmanship in the city. Over the years, it has become a cornerstone of the Marina's architectural identity. The proposed plan, which includes extensive demolition and new construction, threatens to overshadow and compromise the integrity of this important landmark.

While the Draft EIR acknowledges the building's historical value, I am not convinced that the mitigation measures are sufficient to preserve its architectural integrity. Large-scale demolition and new construction, especially in such close proximity to the Julia Morgan Building, risk altering its character-defining features. Despite efforts to incorporate the existing building into the new design, there is a real possibility that the visual and historical harmony of the site will be lost.

As a long-term resident, I am particularly supportive of the Rehabilitation Alternative outlined in the EIR. This approach would allow for much-needed updates and modernization of the facilities while

preserving the historical features that make the Julia Morgan Building so valuable. By focusing on renovation rather than replacement, the Rehabilitation Alternative respects the community's history and maintains the integrity of this irreplaceable asset.”

(Brenda Goldstein, Email, 10/14/2024 [I- Goldstein-1, CR-1/ALT-1])

“Advocating for the Rehabilitation Alternative

I strongly urge the city to adopt the Rehabilitation Alternative, which aligns more closely with the community's needs and respects the site's historical significance. Renovating the existing buildings, rather than opting for large-scale demolition and new construction, provides a compromise that can modernize the care facility while preserving the neighborhood's character. This approach would minimize disruptions during construction, reduce the environmental impact, and maintain the architectural cohesion that residents have come to cherish. Moreover, the Rehabilitation Alternative would demonstrate a commitment to sustainable development practices. By reusing and renovating existing structures, the project can achieve its goals without the extensive environmental costs associated with demolition and new construction. It is a solution that reflects a respect for history, architecture, and community values.”

(Brenda Goldstein, Email, 10/14/2024 [I- Goldstein-6, ALT-1])

“REHABILITATION ALTERNATIVE

The draft EIR examined 3 alternatives. I am advocating for adoption of the Rehabilitation Alternative. Instead of demolishing buildings, this alternative focuses on rehabilitating existing structures with less intensive construction. And in so doing, provides the least harmful potential impact on historic buildings and grounds, air quality, construction noise, and traffic flow.”

(Mike Hebel, Email, 10/11/2024 [I- Hebel-7, ALT-1])

“3. Alternative Proposals and Recommendations

The EIR (Chapter 5) explores alternative approaches, including the “Reduced Construction Alternative” and the “Rehabilitation Alternative.” These options should be given greater consideration, as they strike a more appropriate balance between meeting development goals and preserving the historical and environmental integrity of the area. Specifically, the Rehabilitation Alternative, which limits new construction and focuses on upgrading existing structures, appears to be a more sensitive approach.

I recommend the following changes to the proposed project:

- 1. Scale down the size and footprint of the Bay and Francisco buildings to prevent them from overwhelming the Julia Morgan building.**
- 2. Increase setbacks around the Julia Morgan building to preserve its visual prominence and historical context.**

3. Enhance air quality mitigation measures by providing real-time monitoring and requiring contractors to use the cleanest available technology.

4. Reduce construction hours to minimize noise and vibration impacts on residents and nearby buildings.”

(David Lester, Email, 10/15/2024 [I-Lester-4, AQ-1/ALT-1])

“Turning to the substance of the draft EIR and Initial Study, I agree with the draft EIR’s conclusion that no project is the most environmentally conscientious choice and, as an alternative, renovation of existing buildings without new construction is the next best choice. I fully support either option. However, the substance of the draft EIR makes clear that the Department is moving toward approving the proposed project in full and will do so based on finding, under CEQA, that ‘social, economic, or other benefits outweigh the unavoidable impacts of the project.’ I strongly object to this result for a multitude of reasons.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.3 & I-Iparraguirre-3, ALT-1])

“d. The Draft EIR states that under the Rehabilitation Alternative only four new units could be added to the Property. There is no data or any other basis for this assertion, and it is not supportable. The now-shuttered one-story Health Care Center alone housed 32 beds when it was a licensed skilled nursing facility;⁶ even if those beds were in double-occupancy rooms, this means that there is room for additional 14 units in the existing Heath Care Center. Similarly, the Draft EIR’s exploration of other aspects of the Rehabilitation Alternative or a Reduced Construction Alternative is so limited and unimaginative that they appear designed to deliver the Project Sponsor the result that it wants. There is no discussion or consideration, for example, of building smaller on Francisco or Bay, or swapping some of the planned common space in the Bay Building for more residential units, or for reimaging space utilization within the Morgan Mansion.

Footnote 6: See <https://npiprofile.com/npi/1396964722>

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.5 & I-Iparraguirre-5, ALT-1])

“Turning to the substance of the draft EIR, I agree with the Department's conclusion in it, that no project is the most environmentally conscientious choice and has alternative renovations of existing buildings. Any justification for ignoring those two superior options is based on economic arguments that the Heritage is asserting without any basis.

In particular, there's absolutely no data, economic or financial information of any kind in the EIR or supporting documentation that support Heritage's claims for an economic need for this gigantic project. For this reason alone, the Draft EIR fails the sufficiently credible test for agency findings set

forth in the California Supreme Court case Laurel Heights Improvement Association and shouldn't be relied upon by SF Planning.”

(Tania Albuquerk, Transcript, 9/26/2024 [I-AlbuquerkT-1.2, ALT-1/GC-2])

“This project, if allowed to continue will interfere with life and livelihood of the neighborhood and extending areas. I respectfully request that the project is either not allowed or limited to internal construction/renovation of the existing buildings. Preservation of the existing buildings, with the goal of updating the infrastructure will better preserve the historical integrity of the site and avoid many of the concerns outlined above and less tension and stress for the residents! The alternative of updating is an environmentally superior alternative! The community interests must be better balanced with this developer’s goals!”

(Kathleen Williams, Email, 10/12/2024 [I-WilliamsK-4, ALT-1])

RESPONSE ALT-1 - REHABILITATION ALTERNATIVE

Commenters expressed support for the rehabilitation alternative and encouraged decision makers to approve said alternative. Under CEQA, an EIR is required to identify and evaluate project alternatives that could feasibly attain most of the basic objectives of the proposed project while avoiding or substantially reducing its significant environmental impacts. These alternatives must include a “No Project” alternative, and the EIR must assess their potential environmental impacts relative to the proposed project. See CEQA Guidelines section 15126.6.

As outlined in the draft EIR, section 5.D, Alternatives, the Rehabilitation Alternative would construct four additional care suites and would include improvements to existing structures, including renovating the Julia Morgan Building and Perry Building and rehabilitating the Julia Morgan Building’s façade in line with the Secretary of the Interior’s Standards for Rehabilitation. This alternative would partially meet the objective of increasing care suites and making operational improvements but would add substantially fewer suites compared to the proposed project. It would also partially address the modernization of the residential care facility by upgrading existing features but would retain the outdated Perry Building Connector and Health Center buildings. The alternative would fully achieve the objective of preserving the historic Julia Morgan Building and Caretaker’s Cottage but would fail to meet the goal of minimizing on-street parking and loading demand because it would not alter the existing parking and loading configuration.

The Rehabilitation Alternative would avoid or reduce many of the impacts associated with the proposed project that required mitigation measures to be reduced to a less-than-significant level. It would eliminate the need for mitigation measures related to historic resources and minimize potential impacts to below-ground resources. Unlike the proposed project, it would not require the use of vibration-generating construction equipment, thus reducing associated construction vibration impacts. None of the mitigation measures identified in the initial study for the proposed project would be necessary under the Rehabilitation Alternative. As a result, all significant or potentially significant impacts identified in the initial study would be avoided or reduced, leading to either less-than-significant or no impacts, thereby minimizing overall impacts compared to the proposed project.

The lead agency is required to analyze a reasonable range of alternatives in an EIR, including a “No Project” alternative, and assess their potential environmental impacts relative to the proposed project.

While the commenters stated a preference for the Rehabilitation Alternative, the City is not required to make findings regarding that alternative if it decides to approve the proposed project, given that the proposed project would cause no significant impacts with the mitigation measures identified in the EIR. See Public Resources Code section 21081; CEQA Guidelines sections 15091(a) and 15092.

4.E Other CEQA Considerations

The comments and corresponding responses in this section cover the general comments regarding procedural questions and required CEQA thresholds of significance:

- **OC-1:** Concurrent Release of Initial Study and Draft EIR
- **OC-2:** Aesthetics
- **OC-3:** Cumulative Impacts

4.E.1 Comment OC-1: Concurrent Release of Initial Study and Draft EIR

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

- I-Goldstein-2
- I-AlbukerkT-2.2 & I-Iparraguirre-2
- I-AlbukerkT-1.1
- I-Chandler-1

“Impact on the Community

The proposed project’s scale is unprecedented for this area of the Marina and brings with it several concerns that could have long-lasting effects on the community. Over the 29-month construction period, residents will have to endure significant disruptions, including noise, dust, and reduced accessibility. While the project aims to improve facilities for elderly care, it does so at the expense of the well-being and quality of life for current residents in the vicinity.”

(Brenda Goldstein, Email, 10/14/2024 [I- Goldstein-2, OC-1])

“2. It violates SF Administrative Code to Concurrently Issue a Draft EIR and an Initial Study.

Under CEQA and the SF Administrative Code implementing CEQA, the Department is not required to undertake an Initial Study.¹ However, the Code is clear that if an Initial Study is undertaken – as is the case with the Property – than the Initial Study should be the starting point for preparation of a Draft EIR.² Section 31.10(f) explicitly states that it is only **after** “the analysis and conclusions in the initial study” that “the Environmental Review Officer shall determine whether there is substantial evidence to support a “fair argument” that the project may have a significant effect on the environment and an environmental impact report is required.” Similarly, the California Code of Regulations makes clear that the Initial Study must **precede** a draft EIR: “The EIR process starts with the decision to prepare an

EIR. This decision will be made either during preliminary review under Section 15060 or ***at the conclusion of an initial study*** after applying the standards described in Section 15064.” In addition, it appears that SF Planning did share and discuss the Initial Study with the Heritage, and that the Heritage’s team of expensive consultants influenced SF Planning’s work, which seems to violate principles of public disclosure and access.

In this instance, both the Draft EIR and the Initial Study were released together on August 28 and the public was directed to make comments on both at the same time. The Department jumped the gun on preparing this Draft EIR and in so doing violated the SF Administrative Code and deprived the public of its rights to fully participate in a timely and informed manner in the EIR process.

Footnote 1: SF Administrative Code: SEC. 31.09. DETERMINATION OF NEED FOR EVALUATION. “Upon receiving an environmental evaluation application for a project; upon referral of a project by the board, commission or department that is to carry out or approve the project; or through such other process for rendering an exemption determination as the Environmental Review Officer shall authorize, the Environmental Review Officer shall determine whether such project is exempt from environmental review. For all projects that are not exempt from CEQA, prior to the City's decision as to whether to carry out or approve the project, the Environmental Review Officer shall conduct an initial study to establish whether a negative declaration or an environmental impact report is required. In the event it is clear at the outset that an environmental impact report is required, the Environmental Review Officer may make an immediate determination and dispense with the initial study.” See also Cal. Code Regs. Tit. 14 Sec. 15060(d) – Preliminary Review.

Footnote 2: SF Administrative Code. Section 31.10 Initial Evaluation of Projects): “ (f) In accordance with CEQA, Public Resources Code Sections 21080(c) and 21080(d), based on the analysis and conclusions in the initial study, the Environmental Review Officer shall determine whether there is substantial evidence to support a "fair argument" that the project may have a significant effect on the environment and an environmental impact report is required, or whether a project could not have a significant effect on the environment and a negative declaration is required.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.2 & I-Iparraguirre-2, OC-1])

“First, I want to object to the timing of the issuance of the EIR on two grounds:

One is, I think it should have been paused while the Landmark Designation is being considered. This is just logical. It includes extensive commentary on suggestions regarding how to protect historic resources, but it was prepared based only on its own assumptions about what will actually be protected once the landmark process is complete.

Second, the initial studies should have been completed and released before the draft EIR, not at the same time. That really jeopardizes the public's ability to comment in any effective way on the draft EIR.

I understand that initial study's not required under CEQA, but in this case, when it is done, the CEQA rules and the code under which it's adopted assumes that it will be the starting point for a draft EIR. It doesn't say anything about releasing them both at the same time and jeopardizing the public's ability to comment.”

(Tania Albukerk, Transcript, 9/26/2024 [I-AlbukerkT-1.1, CR-3/OC-1])

“Insufficient Evidence and Reasoning in the Draft EIR. The Draft EIR is premature and incomplete in several ways. It was issued while there is an ongoing landmark application for the property, and it makes numerous recommendations based on Planner’s assumption about what will happen with this application and what will be protected or not. It was made public concurrently with the Initial Study whereas the Initial Study should have been completed and released for comments before the Draft EIR. It is also clear that SF Planning shared the Initial Study with the Heritage while keeping it from the public. It relies on the Heritage’s assertion that this project to add units is “necessary for its financial health” without including even one piece of evidence to validate that assertion, and with SF Planning’s knowledge that the Heritage has been systematically reducing its units for over a decade, that the Heritage is already one of the most expensive senior living facility in the city. It unilaterally determined that “aesthetics” would not be addressed in the Draft EIR because it deems the Heritage to be eligible for an exemption for “residential projects” even though in its past filings with SF Planning the Heritage maintains it is “non-residential” or “institutional,” primarily it appears to avoid having to provide any affordable housing.

The two issues addressed at length in the Draft EIR are air quality and the protection of historic resources. Setting aside my strong belief that the Draft EIR is wrong in determining that other issues such as noise, shadows, ground shaking and stability, traffic, and parking – weren’t significant under CEQA, I will address the two issues – air quality and historic resources -in the Draft EIR and which I believe on their own warrant not approving this project.”

(Christy Chandler, Email, 10/15/2024 [I-Chandler-1, OC-1/GC-2])

RESPONSE OC-1 - CONCURRENT RELEASE OF INITIAL STUDY AND DRAFT EIR

The commenter expressed opposition to the concurrent release of the draft EIR and initial study on August 28, 2024. Nothing in CEQA precludes the concurrent publication of an EIR and an initial study. CEQA Guidelines section 15063(c) allows a lead agency to prepare an initial study or other similar scoping mechanism to determine the appropriate level of environmental review for a project. If the initial study identifies potentially significant environmental impacts, the lead agency proceeds to prepare an EIR. The concurrent release of the initial study alongside the EIR is often done for transparency and to provide a comprehensive understanding of the project’s potential environmental impacts. The initial study helps inform the scope of the EIR by identifying areas requiring detailed analysis, and its inclusion alongside the EIR ensures stakeholders have access to the full context of the environmental review. This approach complies with CEQA’s goals of disclosure, informed decision making, and public participation, allowing for a thorough evaluation of the project’s environmental effects.

In addition, Article III of the San Francisco Administrative Code does not preclude the concurrent publication of a draft EIR and an initial study.⁸ Section 31.09, Determination of Need for Evaluation, states that:

“For all projects that are not exempt from CEQA, prior to the City's decision as to whether to carry out or approve the project, the Environmental Review Officer shall conduct an initial study to establish whether a negative declaration or an environmental impact report is required. In the event it is clear at the outset that an environmental impact report is required, the Environmental Review Officer may make an immediate determination and dispense with the initial study.”

To summarize, this provision allows the environmental review officer flexibility in tailoring the CEQA process to the specific circumstances of a project, ensuring efficiency while meeting environmental review requirements.

4.E.2 Comment OC-2: Aesthetics

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

- I-Eichler-2
- I-Herrmann-1
- I-Hebel-5
- I-Dunford-2
- I-Polidore-7
- I-Goldstein-5
- I-AlbukerkL-4
- O-HOA-6
- I-Stilwell-1 & -3
- I-Grohne-2
- I-AlbukerkT-2.7 & I-Iparraguirre-7

“Finally, **Aesthetics** should absolutely be part of the Environment concerns. This Julia Morgan property is too beautiful and important to bury behind massive walls. The building defines the neighborhood as it sits at the intersection of a federal and City park. Asking to make the front of the building on Bay so they can build their giant buildings does not make sense--they already built one building on the back of the property, don't let them build another because if they do it sets a precedent and then all properties in the City should have the same right to overbuild.”

(Todd Eichler, Email, 10/15/2024 [I-Eichler-2, CR-1/OC-2])

“**Historical Preservation:** The Julia Morgan building is not just a structure; it represents a significant piece of the City's history and preserves a masterpiece built by perhaps the most important woman architect, who happens to be local, Julia Morgan. The Historical Preservation Committee has already

⁸ San Francisco Administrative Code, Chapter 31: California Environmental Quality Act Procedures and Fees, Article III: Evaluations, available at: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-15217, accessed March 11, 2025.

supported its nomination as a City Landmark, and the Heritage supports its nomination, so this must be taken into account when considering to base the EIR on aesthetics. This building is too important to waive aesthetics as a criteria. Further, it is an institutional building so this rule to drop aesthetics should not apply and it should be in the Planning Departments best judgement to consider aesthetics of this one of kind building that is about to become a City Landmark.”

(Mark Herrmann, Email, 10/15/2024 [I-Herrmann-1, CR-1/OC-2])

“Aesthetics and Neighborhood Character: The Marina District is known for its distinctive architecture and aesthetic character. Introducing two new buildings, each 40 feet tall, will certainly alter the neighborhood’s visual harmony. Limiting the height and scope of the new construction is needed to preserve the neighborhood’s architectural integrity. Proposition M (SF Planning Code section 101.1) prioritizes the protection of neighborhood character, including preserving historic and landmark buildings. The proposed 40-foot-high buildings will erode the neighborhood’s unique aesthetic and cultural character.”

(Mike Hebel, Email, 10/11/2024 [I-Hebel-5, OC-2])

“I also do not understand why the City would **not** consider the aesthetics of the Julia Morgan Building as part of the EIR. Given its historic nature this is a very important part of the consideration and seems purposeful to drop this requirement despite CEQA requiring Historic preservation zones to be taken into account.”

(David Dunford, Email, 10/15/2024 [I-Dunford-2, OC-2])

“Aesthetic Impacts

Lastly, while I understand the decision to remove aesthetics from the EIR scope, the visual integrity of our neighborhood is important to me. I chose to live here because of its charm, and any new development should enhance, not detract from, the historic beauty of the Marina.”

(Todd Polidore, Email, 10/12/2024 [I-Polidore-7, OC-2])

“Aesthetic Impact: The Marina neighborhood is known for its cohesive architectural style and low-rise buildings that promote a sense of openness. The proposed new structures, despite being limited to a height of 40 feet, could still disrupt the visual appeal of the area. The scale and massing of the new buildings may overshadow the existing Julia Morgan Building, thereby diminishing its historical presence and aesthetic contribution to the neighborhood.”

(Brenda Goldstein, Email, 10/14/2024 [I-Goldstein-5, OC-2])

“Please at the very minimum bring back the standard of aesthetics to this EIR process to protect the Julia Morgan building, do not let the Heritage ‘reorient’ the property, resolve the health dangers and justify why we need this project.”

(Larry Albukerk, Email, 10/15/2024 [I-AlbukerkL-4, OC-2])

“S.2 Summary of Impacts and Mitigation Measures

We strongly disagree with the statement that “the initial study (Appendix B) determined that the proposed project would have no impact on...aesthetics”:

1. The proposed project will have a substantial adverse effect on a scenic vista.
2. The proposed project will substantially degrade the existing visual character or quality of the site and its surroundings.
3. The proposed project may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

...

4.D Areas of Known Controversy and Issues to be Resolved

We agree with the analysis that potential areas of controversy and issues to be resolved for the proposed project include:

1. The light required for the new main entry, new parking garage entry, and expanded loading dock will create new sources of light and glare.

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-6, OC-2])

“To me, the Julia Morgan building is much more than a structure; it embodies a vital part of our city's history and showcases the brilliance of one of the most significant women architects, Julia Morgan. The Historical Preservation Committee has already supported its nomination as a City Landmark, there was no opposition, in fact there was only shock from the HPC that it was not already a City, State or National Landmark. Landmark status should absolutely be taken into account when evaluating the EIR based on aesthetics. Waiving aesthetic considerations for such an important building is simply unacceptable. The planning department should prioritize its unique aesthetic value and significance as it moves towards City Landmark status.”

(Mia Stilwell, Email, 10/15/2024 [I-Stilwell-2, CR-1/OC-2])

“2. The Draft EIR dropped consideration of aesthetics because it determined the Heritage was eligible for an exemption for certain residential properties. However, in all its past permit filings with SF Planning and SF Building, the Heritage consistently takes the position it is “nonresidential” or that it is “institutional.” It uses this status to justify not providing any affordable housing. Not only is it unfair to

allow the Heritage to pick and choose whether it is “residential” or “nonresidential,” depending on what it wants from the city, but it is also clear that aesthetics is a fundamental issue with respect to this project. As I wrote in my prior letter, the Julia Morgan mansion stands as an invaluable testament to our cultural heritage, embodying the architectural brilliance and historical significance of its time, and it is imperative to safeguard our cultural heritage for future generations and ensure that its integrity remains intact. The project does not meet this standard. If the project as proposed is permitted by SF Planning, the mansion will be completely enclosed on three sides by nearly 60,000 square feet of new construction consisting of two 4 story plus modern buildings. They will physically and visually tower over the mansion, making it seem a subordinate structure, and their construction will eliminate the existing landscaping and openness that now characterize this parcel of land. I also understand that the conditional use authorization under which the existing Health Care Center was allowed explicitly limited it to a height of one story, and the Heritage is ignoring this restriction when it proposes to replace the Health Care Center with a four-story building spanning almost its entire frontage on Francisco Street. Finally, the Heritage is proposing significant alterations to the mansion when it suggests abandoning its front entrance on Laguna Street and building a new one on Bay Street. The Heritage wants to do this to reorient the property from its existing east west axis (Laguna Street to Octavia Street) to a north south axis (Bay Street to Francisco Street) to treat Francisco Street as the “rear” of the property. All of these issues relate to aesthetics (as well as protection of historic resources) and should have been fully evaluated under CEQA.”

(Margaret Grohne, Email, 10/15/2024 [I-Grohne-2, OC-2/GC-3])

5. SF Planning Should Not Have Dropped Consideration of Aesthetics from the Draft EIR

SF Planning decided that “aesthetics” would be dropped from the EIR process between its initial notice in November 2023 and its re-issued notice in May 2024. According to the May 2024 Notice: “Aesthetics was previously anticipated as a topic to be analyzed for full analysis in the EIR. Since the November 1, 2023, publication of the NOP, the Planning Department has determined the project meets the requirements of CEQA guidelines Section 21099 and therefore aesthetic impacts are not to be considered a significant impact of the project; this topic will be briefly discussed in the initial study that will be included as part of the EIR.” However, there are three problems with this determination: (1) no public notice was given of this very significant unilateral decision. This is particularly shocking considering 35 of the 37 letters written to SF Planning after the issuance of the November Notice of Preparation discussed concerns about aesthetics – and I would note – all 35 opposed this project as currently conceived; (2) the Section 21099 requirement includes that the project be residential, mixed-use residential or an employment center and the Heritage, as project sponsor, has always taken the position is that this is NOT residential but is “institutional”; and (3) even if 21099 did apply, it doesn’t mean that aesthetics should not be considered under other relevant statutes and regulations, specifically with respect to historical landmarks, as this Project involves.⁹

The Draft EIR notes that the SF Planning Code classifies that Heritage as “institutional use,” which should mean that the Section 21099 requirements are not met. Then, SF Planning staff glosses over this by saying CEQA would also consider it residential. Why doesn’t SF Planning have to abide by SF Planning Code?

Aesthetics were incorrectly excluded from consideration in the Draft EIR and the Draft EIR should be revised to include this critical criterion.

Footnote 9: Visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact as defined in the City's CEQA Threshold Guide shall not be considered an impact for infill projects within TPAs) pursuant to CEQA. However, this law did not limit the ability of the City to regulate, or study aesthetic related impacts pursuant to other land use regulations found in the city's Municipal Code) or the City's General Plan, including specific plans. For example, SF Planning staff would still need to address a project's shade and shadow impacts if it is expressly required by Historical Landmark regulations. Also, the limitation of aesthetic impacts pursuant to Section 21099 of the PRC does not include impacts to historic or cultural resources. Impacts to historic or cultural resources need to be evaluated pursuant to CEQA regardless of project location.

(Tania Albukerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbukerkT-2.7 & I-Iparraguirre-7, OC-2])

RESPONSE OC-2 - AESTHETICS

The commenters expressed a preference that the aesthetics impact threshold be reintroduced as part of the environmental evaluation for the proposed project. Excluding aesthetic impacts from the environmental analysis of infill projects within transit priority areas is mandated by state law under CEQA section 21099(d) and is not at the discretion of the City of San Francisco. CEQA section 21099(d) states: "Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." This establishes a state mandate, pursuant to CEQA streamlining provisions, to exclude the evaluation of certain types of projects in certain locations from unnecessary environmental review.

As outlined in initial study section E.1, under CEQA section 21099(d), aesthetic and parking impacts are not considered significant environmental impacts for residential, mixed-use, or employment center projects on infill sites within transit priority areas. The proposed project qualifies under these criteria because it:

1. Increases residential care units, qualifying as a "residential project" within the meaning of section 21099(d);
2. Meets the definition of an employment center with a floor area ratio (FAR) of 2.08 in a commercially zoned area; and
3. Is on an infill site within an urban area and located within 0.5 mile of a major transit stop.

As a result, aesthetic and parking impacts of the project are not significant under CEQA. However, an analysis of potential changes to aesthetic resources has been provided in this section of the initial study, for informational purposes.

4.E.3 Comment OC-3: Cumulative Impacts

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

- I-Polidore-6

“Cumulative Impacts

My concern is not just about this project in isolation but about its cumulative environmental impact on the Marina. The combined effects of noise, traffic, air pollution, and the disruption to the neighborhood's historical identity need a more thorough review, as required by CEQA.”

(Todd Polidore, Email, 10/12/2024 [I- Polidore-6, OC-3])

RESPONSE OC-3 - CUMULATIVE IMPACTS

The comment relates to cumulative projects identified in the draft EIR, which are considered in the draft EIR's analysis of cumulative impacts. The commenter expressed concerns over preserving neighborhood character due to cumulative impacts of noise, traffic, and air pollution.

As noted in draft EIR Chapter 3, section 3.A.5, Cumulative Analysis, an EIR shall discuss cumulative impacts of a project when the project's incremental effect is “cumulatively considerable” (i.e., the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current, and probable future projects causing related impacts, including those outside the control of the agency, if necessary).

Draft EIR section 3.B, Historic Resources, identified one project within the cumulative study area as the Marina Improvement and Remediation Project. Since the historic buildings at 3400 Laguna Street have a historic relationship with the Marina Improvement and Remediation Project, the proposed project at 3400 Laguna Street does not have the potential to combine with the Marina Improvement and Remediation Project to negatively affect historic resources. As a site containing two individually eligible historic resources, the proposed project's potential impact to historic resources is limited to those on the site and immediately adjacent to it. The planning department determined that the proposed project would not combine with cumulative projects to result in a significant impact on any identified historic resources in the vicinity.

As discussed in section E.6, Transportation and Circulation, of the initial study, the project site meets the vehicle miles traveled (VMT) screening criteria under 2050 cumulative conditions according to the San Francisco Transportation Information Map. Therefore, cumulative impacts with respect to VMT would not be significant. As also discussed in Section E.6, the project's low trip generation and physical features would preclude any cumulatively considerable contribution to hazard, emergency access, or public transit impacts.

As discussed in section E.7, Noise, of the initial study, due to the distance between the proposed project and the nearest cumulative project (the Marina Improvement and Remediation Project, which is approximately 830 feet from the project site) in addition to attenuation of noise provided by intervening structures, and because all construction activities are regulated by the noise ordinance, construction noise from the proposed project would not combine with that of the Marina Improvement and Remediation Project to result in a significant cumulative construction noise impact. Additionally, because the proposed project would generate a small number of net new vehicle trips

(approximately 302 daily vehicle trips), it would not combine with potential vehicle trips generated by the Marina Improvement and Remediation Project to result in a significant cumulative traffic noise impact. With respect to stationary noise sources, because the proposed project's stationary noise sources would not generate substantial noise increases and all stationary noise sources are regulated by the noise ordinance, cumulative stationary source noise impacts would also be less than significant.

Regional air pollution is, by its nature, largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts. The project-level thresholds for criteria air pollutants are based on levels below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. As such, no separate cumulative criteria air pollutant analysis is required. As discussed in section E.8, Air Quality, of the initial study, operational criteria air pollutant impacts were determined to be less than significant, and no mitigation measures are required.

4.F Transportation and Circulation

The comments and corresponding responses in this section cover the subjects included in the initial study, section E.6, Transportation and Circulation. The comment topics relate to:

- **TR-1:** Street Safety & Pedestrian Hazards
- **TR-2:** Traffic & Parking

4.F.1 Comment TR-1: Street Safety

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

- I-WilliamsJ-1
- I-Polidore-4
- I-Fitzgerald-1
- A-CPC-Moore-4
- O-HOA-8
- I-Parsons-3
- I-Fontanello-1

“Transportation: The chosen site, positioned at the intersection of Bay and Laguna, is already grappling with existing traffic and parking challenges. Several essential Muni lines (43, 28, 30) servicing the area would undoubtedly face disruptions. Notably, the crosswalk at the southwest corner (Francisco and Laguna) poses an increased risk to pedestrians with amplified traffic.”

(Jillian Williams, Email, 10/14/2024 [I- WilliamsJ-1, TR-1/TR-2])

“Transportation and Traffic

With over 300 additional vehicle trips expected per day, the project could significantly affect traffic flow and pedestrian safety. I regularly walk through the neighborhood, and I worry about how this will impact both families and individuals who rely on walking and cycling.”

(Todd Polidore, Email, 10/12/2024 [I- Polidore-4, TR-1])

“Vehicle Traffic

Bay Street between Laguna Street and Octavia Street is somewhat unique in that it substantially narrows as you proceed from Laguna to Octavia. At Laguna, Bay Street is 80 feet wide. It narrows to 50 feet by mid-block. This is relevant for several reasons. First, as commuters head downtown from Marin County to avoid congested Lombard Street they take Marina Boulevard. They proceed down Marina Boulevard and turn right on Laguna where there are two lanes in each direction. After proceeding up Laguna two blocks, the commuters in the far right lane proceed straight or turn left onto Bay Street where, due to the 80-foot width of Bay Street, they swing a wide turn. In so doing, they cannot be seen from most of the South side of Bay Street until they reappear 3 to 4 seconds later as they approach the middle of the block. After whipping around the turn, the vehicles, often high-performance cars, tend to speed past my home to catch the green light at Octavia. I can estimate speeds of 45 to 50 miles per hour for some of these vehicles.

Next are vehicles approaching Bay Street traveling northbound on Laguna. They turn right and remain out of sight until they reach the middle of the block. Next, vehicles travelling down Bay Street from Fillmore Street enter the intersection, again obscured until the middle of the block. Backing our car out of our garage to take our two young children to school every morning is never a safe endeavor. We have become adept at timing our exit, often waiting several minutes for a break in the traffic. Traffic is quite intense between 7:30 and 9:30 in the morning but is nonetheless always present.

Introducing an even greater number of vehicles entering and exiting a driveway at Heritage would further obscure traffic proceeding eastbound. This would substantially increase the danger to all residences on our block. What's more, those entering and exiting this new driveway would place themselves in danger since vehicles rapidly turning left onto Bay Street have little or no time to react to a vehicle exiting the new contemplated entrance. Major traffic collisions are a near certainty. This is true also for vehicles turning right onto Bay Street and those proceeding eastbound from Fillmore Street. A new and busy entrance to the Heritage should not be considered without taking these dangerous conditions into consideration. It is my genuine belief that the expansion of a new entrance or driveway on Bay Street will put in jeopardy the safety, and perhaps lives of those who utilize this busy roadway. People in vehicles will be hurt, perhaps gravely, and might even die if this expansion occurs.”

Pedestrian Danger

In addition to dangers to people in vehicles, the south side of Bay Street between Laguna and Octavia is extensively used by pedestrians, including women with strollers, children on scooters, Heritage's own residents, and the thousands of people who access The Great Meadow at Fort Mason at Octavia and Bay Street. Because it's entrance location, many hundreds of people walk past our house every

day to access Fort Mason. In addition, children and adults use the sidewalk to access Moscone Field, the Safeway at the Marina, and the countless events that occur in the area on weekends.¹ My wife and I often discuss that pulling into our driveway is akin to playing a video game where there is always somebody walking past our garage entrance just as we are attempting to enter. This often leaves us to be stranded in the middle of the roadway as we wait for an opening. (Always dangerous, but more so with a setting sun blinding drivers approaching from behind.) While we enter and exit our garage relatively infrequently, perhaps two or three times a day, a far more heavily used driveway entrance for Heritage will substantially increase the danger to these pedestrians. Every child on a bike or scooter will be in danger. When we back out of our garage, it is astounding how many people merely continue to walk behind as we are backing up. Fortunately, our vehicles have cameras allowing us to see these people and rapidly stop. Oftentimes these pedestrians appear distracted by children in their strollers, are looking at their phones or walking a dog (or all three). Over the years, even our relatively infrequent use of our garage has placed many careless pedestrians in substantial danger. The new driveway contemplated by Heritage will increase this danger 100-fold.

Footnote 1: I write this letter as the Blue Angels perform overhead. It is but one of the many busy events that bring people onto the sidewalk at the 1400 block of Bay Street.

Conclusion

My family and I have great fondness for Heritage, its residents, and its mission. But the contemplated new entrance is misguided. Any thinking person who observes the traffic and pedestrian use of this busy and already dangerous block would have to agree that Heritage should not consider using the Bay Street side of its property as a new entrance point, nor should it be allowed by San Francisco Planning. It is simply too dangerous. We are happy to meet with you to further discuss this important matter and we truly appreciate your consideration.”

(Maurice Fitzgerald, Email, 10/13/2024 [I- Fitzgerald-1, TR-1])

“The only thing I know is that I believe that taking access to the parking garage from Bay Street, which is a little bit difficult to discern in the plan, creates an additional danger to an already significantly complicated and underserved intersection at the corner of Bay and Laguna, where bike lanes are continuously in conflict with cars at rather high-speed turning, including some, but not fully comprehensible, through lane that continues down Bay beyond Laguna Street.

I believe that's also -- I think Director Hillis knew that while having worked at Fort Mason. It's an extremely dangerous intersection. And I also don't believe that an entrance to parking off Bay Street, other than a right turn in, right turn out, is at all feasible given that the curvature of the road is already dangerous enough as it is.”

(Kathrin Moore, Vice President, San Francisco Planning Commission, Public Hearing, 9/26/2024 [A-CPC-Moore-4, TR-1])

“S.7 Areas of Known Controversy and Issues to Be Resolved: Impacts on traffic congestion and parking

There are multiple significant impacts caused by the change in entries to the project, traffic impacts, and uses prohibited by law along Bay, Laguna, and Francisco Streets:

1. The proposed project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, pedestrian and bicycle paths, and mass transit.
2. The proposed project may conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
3. The proposed project will substantially increase hazards due to a design feature (main entry drive too close to a very busy signaled intersection).
4. The proposed project includes a new commercial drop-off and loading dock along Bay Street. The City of San Francisco prohibits commercial vehicles weighing more than 3 tons from operating on Bay Street between Laguna Street and Franklin Street. (see attachment).

a. This ordinance effectively prohibits any vehicle heavier than a passenger car or light truck from driving on Bay Street. The applicant is in daily violation of this ordinance, as exhibited by the attached photographs.

b. The same restriction exists on Francisco Street between Laguna and Franklin (more information can be found at www.sfmta.com/commercial-vehicles). Consequently, the proposed Community Entry Plaza cannot be accessed from Bay Street, and therefore is not possible.

5. In addition, the proposed project includes the addition of a second curb cut along Bay Street. Bay Street is a significant thoroughfare, with heavy traffic particularly during commute hours, as it is a major route for traffic coming from and going to the Golden Gate Bridge. The existing curb cut closer to Laguna Street, now used infrequently for surface parking, would be used as the primary vehicular entry to the Heritage property. This increased traffic will be entering the new vehicular entry very close to the corner of Laguna Street, causing a congested traffic situation near an extremely busy signaled intersection at the corner of Laguna and Bay.

6. The new underground parking garage, loading dock, and Community Entry Plaza will significantly increase traffic, creating a substantial impact. The intersection of Bay and Laguna streets includes a Muni bus line, major east-west dedicated bicycle route, and busy pedestrian pathways. Adding this traffic activity to an often very congested Bay Street (with no new left turn lanes from the westbound lanes of Bay Street) will exacerbate already challenging conditions.”

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-8, TR-1])

“I am also concerned about the traffic and transportation impacts of the 3400 Laguna Street Project. According to the EIR, the project will generate over 300 additional vehicle trips per day, exacerbating already congested streets and potentially creating hazardous conditions for the pedestrians that use the parks across the street including the little children's playground, baseball fields, basketball courts, tennis courts and, of course, Fort Mason. These are all tricky crosswalks without a traffic light or stop sign to get to Moscone Park and a double crossing with an island in the middle of Bay to get to Ft. Mason from Laguna - very bad for older folks and kids.”

(John Parsons, Email, 10/15/2024 [I-Parsons-3, TR-1])

“Your observations at the San Francisco Planning Commission meeting on 9/26/24 regarding the Heritage Expansion Plan, 3400 Laguna Street were very accurate.

Your comments concerning Bay Street & Laguna Street Intersection being very dangerous are extremely valid. In addition, the residents along Bay Street witness daily speeding of automobiles and illegal trucks driving 40 to 50 mph when in fact the speed limit on Bay Street is 25mph.”

(Gloria Fontanello, Email, 10/15/2024 [I-Fontanello-1, TR-1])

RESPONSE TR-1

Commenters expressed concern about pedestrian and vehicular safety in the project area. Concern was expressed about how the proposed driveway on Bay Street would impact vehicular and pedestrian visibility in the project area. Currently, Bay Street experiences traffic interruptions about nine times weekly for food deliveries and twice weekly for trash pickups, as delivery trucks maneuver into the project's loading areas. Delivery trucks up to 30 feet temporarily block the sidewalk at the curb cut while backing into the loading dock but do not obstruct the sidewalk once parked. Larger trucks, such as 40-foot vehicles, block the sidewalk both while maneuvering and while parked at the dock.

Under the proposed project, loading access would be reconfigured to improve safety and reduce traffic conflicts. Delivery trucks up to 30 feet would back into the proposed service area via the new 20-foot-wide driveway on Bay Street, temporarily blocking the sidewalk and driveway during maneuvering but not while parked, thus improving visibility and access. Larger 40-foot trucks would back directly into the loading dock from the street, temporarily blocking the sidewalk during maneuvering but not while parked, consistent with current practice. All trucks would exit the site by turning eastbound onto Bay Street, with the new driveway positioned farther from the Bay Street and Laguna Street intersection, reducing traffic conflicts from the current condition. The new curb cut would serve both the loading dock and the basement parking garage, resulting in safer and less obstructive loading operations compared to existing conditions. With project implementation, truck deliveries would not block pedestrian facilities during loading, as they would be parked in the proposed docking area.

In addition, the proposed project would provide at least one off-street passenger loading space in the form of an approximately 20-foot-long, double lane, off-street covered porte cochère, which would provide American with Disabilities Act (ADA) access to the site.

One commenter expressed concern about the enforcement of a City ordinance restricting commercial vehicles on Bay Street, citing section 1183 of the police code. The City repealed section 1183 in 2015. Weight limits for heavy vehicles on certain streets, including on Bay Street from Laguna Street to Columbus Avenue, are now governed by section 501 of the transportation code. Section 501(d)(2) exempts from weight limits “any commercial vehicle coming from an unrestricted Street have ingress and egress by direct route to and from the Restricted Streets set forth above, when necessary for the purpose of making pickups of refuse, pickups or deliveries of passengers, goods, wares and merchandise from or to any building or structure located on such restricted Street, or for the purpose of delivering materials or equipment to be used in the actual and bona fide repairs, alteration, remodeling or construction of such Street, or for any building or structure upon such restricted Street for which a building permit has previously been obtained.”

One commenter also requested more information regarding the entrance to the proposed parking garage. The proposed project includes a new basement-level parking garage beneath the Bay and Francisco buildings and the interior courtyard, which would provide 31 off-street parking spaces. Access to the garage would be via a new two-directional, 20-foot-wide driveway on Bay Street, designed to accommodate right-only turns in and out of the driveway for all vehicles. Although one lane may be partially obstructed when a 40-foot truck is parked in the loading dock, vehicle ingress and egress to the garage would remain unaffected. The garage would replace 17 existing surface parking spaces, consolidating parking into a more efficient underground structure while improving access and functionality for residents and staff.

4.F.2 Comment TR-2: Traffic and Parking

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

- I-Hebel-4
- I-Goldstein-3
- I-Peckham-2
- I-Polidore-5
- I-WilliamsJ-1
- A-CPC-Moore-3
- I-Lester-3

“3. Traffic and Parking: The construction phase will exacerbate parking and traffic issues, particularly the removal of street parking and the creation of a new driveway. Long term traffic problems created by this Project are not sufficiently addressed especially the traffic impact on adjoining local streets.”

(Mike Hebel, Email, 10/11/2024 [I- Hebel-4, TR-2])

“Traffic and Parking: The increase in construction-related vehicles will likely exacerbate existing traffic issues, particularly along Laguna and Bay Streets. Additionally, the reduction in on-street parking spaces will inconvenience residents and visitors alike. With parking already being a challenge in the area, losing eight on-street spaces, as indicated in the EIR, would only make matters worse.”

(Brenda Goldstein, Email, 10/14/2024 [I- Goldstein-3, TR-2])

“Impact on the Community

The proposed project’s construction will undoubtedly have far-reaching effects on the Marina neighborhood. As outlined in the Draft EIR, the construction period is expected to last nearly 29 months, leading to prolonged disruptions for residents and visitors. This timeline raises concerns about the quality of life for those living in the area, particularly for elderly residents in the care facility and nearby residential units.

The Marina neighborhood is known for its quiet, community-oriented atmosphere. Introducing a large-scale construction project in this setting will likely lead to increased traffic congestion, noise pollution, and reduced parking availability, all of which would disrupt the daily lives of local residents. Furthermore, the project will involve significant excavation and heavy machinery operations, which may generate vibrations that could harm both historical buildings and newer constructions.

For over two years, residents will have to contend with constant noise, dust, and general disruptions to their routines, potentially affecting property values and overall neighborhood livability. Such prolonged exposure to construction activities can also have negative impacts on the health and well-being of community members, especially those who are elderly or have underlying health conditions.”

(Terry Peckham, Email, 10/9/2024 [I- Peckham-2, NO-1/TR-2])

“The loss of on-street parking and increased construction vehicle presence would only worsen the current traffic issues. The Draft EIR doesn’t seem to fully account for these challenges, and I hope more attention is given to this aspect of the project.”

(Todd Polidore, Email, 10/12/2024 [I- Polidore-5, TR-2])

“Transportation: The chosen site, positioned at the intersection of Bay and Laguna, is already grappling with existing traffic and parking challenges. Several essential Muni lines (43, 28, 30) servicing the area would undoubtedly face disruptions. Notably, the crosswalk at the southwest corner (Francisco and Laguna) poses an increased risk to pedestrians with amplified traffic.”

(Jillian Williams, Email, 10/14/2024 [I- WilliamsJ-1, TR-1/TR-2])

“Lastly, I have a question about the increase in parking. When one moves into a retirement home, one doesn't park, most likely drive a car anymore.”

*(Kathrin Moore, Vice President, San Francisco Planning Commission,
Public Hearing, 9/26/2024 [A-CPC-Moore-3, TR-2/GC-2])*

“Moreover, the project will reduce on street parking spaces and alter traffic patterns during construction. As outlined in the EIR (Table S 1), the project will result in a net loss of on street parking

spaces, from 28 to 20. The reduction in passenger loading zones will further inconvenience residents and visitors, particularly those relying on public or shared transportation.”

(David Lester, Email, 10/15/2024 [I-Lester-3, TR-2])

RESPONSE TR-2

Commenters inquired about the removal of on-street parking and stated it would further exacerbate parking shortages in the project area, while one commenter questioned the need for increased off-street parking at the project site. As outlined in the initial study, section E.6, and as discussed under “Aesthetics and Parking” in section E.1, the project would satisfy the eligibility criteria for a transit-oriented infill project under CEQA section 21099(d)(1). Thus, the amount of parking shall not be considered in determining if a project has the potential for environmental effects.

However, this response is provided for informational purposes. As outlined in Chapter 2, Project Description, of the draft EIR, the proposed project would reconfigure parking and access onsite, resulting in changes to the current layout. A new basement-level garage under the Bay and Francisco buildings and interior courtyard would provide 31 off-street parking spaces (including 1 car-share space) and 18 bicycle parking spaces. Access to the garage would be via a new two-directional, 20-foot-wide driveway on Bay Street, east of the existing entrance, with right-only vehicle turns allowed.

Key changes include:

- Removal of the 17 existing off-street surface parking spaces and approximately 15 feet of on-street parking on Bay Street, resulting in the loss of one on-street parking space
- Addition of one on-street parking space on Francisco Street, replacing the 22-foot passenger loading zone and associated curb cut
- Removal of eight on-street parking spaces to accommodate bulb-outs at intersections as required by planning code section 138.1
- Removal of one off-street freight loading space to accommodate the new driveway and garage entrance
- Removal of the on-street passenger loading zone along Laguna Street and return of two standard-vehicle on-street parking spaces.⁹
- Removal of nine on-street parking spaces along Bay Street and installation of two passenger loading zones.
- Addition of 12 bicycle parking spaces in the public right-of-way (3 on Bay Street and 9 on Francisco Street)

⁹ Since publication of the draft EIR, the project sponsor has made refinements to the proposed on-street parking and loading plan in coordination with the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and the Public Works Disability Access Coordinator. Therefore, the changes shown here are not reflected in the draft EIR but are reflected in the chapters of this responses to comments document.

Overall, the project would result in a net increase of 20 off-street parking spaces but a net reduction of 9 on-street parking spaces due to the City's bulb-out requirement, which itself is a pedestrian safety measure, as well as proposed loading spaces adjacent to the proposed accessible entrance. The project would also reconfigure on- and off-street passenger loading and improve bicycle parking infrastructure.

Commenters expressed concern about construction vehicle traffic generation creating additional parking and transportation challenges during the 29-month construction period of the proposed project.

As discussed in initial study section E.6, the proposed project is subject to the San Francisco Regulations for Working in San Francisco Streets (blue book). The blue book is prepared and regularly updated by the San Francisco Municipal Transportation Agency (SFMTA), under the authority derived from the San Francisco Transportation Code. It serves as a guide for contractors working in San Francisco streets. The blue book establishes rules and guidance so that construction work can be done safely and with the least possible interference with pedestrian, bicycle, transit, and vehicular traffic. Additionally, the majority of staging would occur on the project site. Street or sidewalk closures would be coordinated with the SFMTA. Furthermore, construction vehicles would not disrupt bus service, as vehicle trips would be primarily via Bay Street, whereas bus routes servicing the vicinity run along Laguna Street (43-Masonic); Lombard Street (28-19th Avenue); and Chestnut Street (30-Stockton). Therefore, the proposed project would not result in a substantial delay to public transit.

The SF Guidelines include a screening criterion for development projects to determine if a proposed project would result in a substantial parking deficit that could result in secondary environmental effects.¹⁰ Development projects located within the department's map-based screening area for the VMT analysis would not create a substantial vehicle parking deficit and therefore would not result in secondary effects. The map-based screening area refers to those areas of the City where existing VMT per capita is at least 15 percent below the regional average VMT per capita.¹¹ The project site is located within the map-based screening area; therefore, topic E.6(g) is not applicable to the proposed project and was not discussed further in the initial study.

4.G Noise and Vibration

The comments and corresponding responses in this section cover the subjects included in the initial study, section E.7, Noise. The comment topics relate to:

- **NO-1:** Construction Noise and Vibration

4.G.1 Comment NO-1: Noise and Vibration Impacts

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

¹⁰ San Francisco Planning Department, Transportation Impact Analysis Guidelines, October 2019, Appendix O, Vehicular Parking, p.0-4, available at https://default.sfplanning.org/publications_reports/TIA_Guidelines.pdf, accessed May 7, 2024.

¹¹ These areas are mapped in the San Francisco Transportation Information Map, available at <https://sfplanninggis.org/TIM/>, accessed May 1, 2024.

- I-WilliamsJ-3
- I-Hebel-3
- I-Goldstein-4
- I-Draper-3
- I-AlbukerkT-2.9 & I-Iparraguirre-9
- I-Peckham-2
- I-WilliamsK-2
- I-Polidore-3
- O-HOA-1
- I-Stilwell-1
- I-Grohne-3
- I-Parsons-2
- I-Lester-2

“Noise Pollution + Recreation: With a projected timeline of 6+ years, the proposed project threatens severe disruptions to the surrounding neighborhoods, particularly impacting vital recreational spaces like Moscone Park and Fort Mason. These areas, integral for sports leagues, weekly Farmer's Markets, and social gatherings, stand to bear the brunt of prolonged noise and pollution. Additionally, considering the growing trend of remote work, the project's impact on community members' mental health and economic contributions is a matter of significant concern.”

(Jillian Williams, Email, 10/14/2024 [I-WilliamsJ-3, NO-1])

“2. Noise and Vibration: With a 29 months’ prolonged construction, noise and vibration will significantly disrupt daily life in this neighborhood. The Project Sponsor clearly understands this the noise created by its proposed project will be unlivable, so it proposes renting out hotel rooms for the Heritage’s residents, providing noise cancellation headphones and arranging for day-time relocation. But nothing, yes nothing is proposed for the Heritage’s neighbors, many of whom are at home during the day including children and seniors.”

(Mike Hebel, Email, 10/11/2024 [I- Hebel-3, NO-1])

“Noise and Vibrations: Continuous construction noise for more than two years will significantly impact the residents' daily lives, particularly for the elderly community members who are more vulnerable to disruptions. Moreover, the vibrations from construction equipment could potentially damage the Julia Morgan Building and other nearby structures. Although mitigation measures are proposed, they may not be enough to safeguard the historical fabric of the area or ensure the safety and comfort of those living and working nearby.”

(Brenda Goldstein, Email, 10/14/2024 [I- Goldstein-4, NO-1])

“The proposed project would create significant noise and vibration over an extended period. According to the EIR, these disruptions could lead to both immediate and long-term impacts on the surrounding environment. Construction vibrations could damage existing historical structures,

including the Julia Morgan Building, and continuous noise could lead to adverse health effects for the elderly residents of the care facility.

The rehabilitation alternative would greatly reduce the duration and intensity of construction-related noise and vibrations. By focusing on renovating existing structures, this approach minimizes the need for heavy machinery and extensive ground disturbance, protecting both the structural integrity of historical buildings and the well-being of residents.”

(Bart Draper, Email, 10/15/2024 [I-Draper-3, NO-1/ALT-1])

“7. Noise Levels Will Rise Well Above Thresholds Considered Acceptable

According to the Draft EIR, the noise level on Francisco Street and other others [sic] adjoining the Project are already at the maximum level considered ‘conditionally acceptable for residential use’ at 65 dBA Ldn. Construction that is inherently very loud – demolition, excavation, foundation work, etc. - is expected for a minimum of 5 months and will cause noise levels to soar past this level. A change in noise level of 10 dBA Ldn. is perceived by the human ear as a doubling of the sound level. Construction is projected to exceed this increase. The Project Sponsor understands that this noise will be unlivable, so they propose renting out hotel rooms for the Heritage’s residents, providing noise cancellation headphones and arranging for day-time relocation. But, NOTHING is proposed for all of the Heritage’s neighbors, many of whom are home during the day. The Draft EIR concludes that this noise will be ‘less than significant’ but its own data and descriptions make clear that the noise will be unbearable.

The unacceptable level of noise in the neighborhood is yet another reason why it is inappropriate to allow this massive construction project in the middle of a residential neighborhood.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email 10/15/2024 [I-AlbuquerkT-2.9 & I-Iparraguirre-9, NO-1])

“Impact on the Community

The proposed project’s construction will undoubtedly have far-reaching effects on the Marina neighborhood. As outlined in the Draft EIR, the construction period is expected to last nearly 29 months, leading to prolonged disruptions for residents and visitors. This timeline raises concerns about the quality of life for those living in the area, particularly for elderly residents in the care facility and nearby residential units.

The Marina neighborhood is known for its quiet, community-oriented atmosphere. Introducing a large-scale construction project in this setting will likely lead to increased traffic congestion, noise pollution, and reduced parking availability, all of which would disrupt the daily lives of local residents. Furthermore, the project will involve significant excavation and heavy machinery operations, which may generate vibrations that could harm both historical buildings and newer constructions.

For over two years, residents will have to contend with constant noise, dust, and general disruptions to their routines, potentially affecting property values and overall neighborhood livability. Such

prolonged exposure to construction activities can also have negative impacts on the health and well-being of community members, especially those who are elderly or have underlying health conditions.”

(Terry Peckham, Email, 10/9/2024 [I- Peckham-2, NO-1/TR-2])

“b. Noise and Vibration that could affect nearby homes and occupants

c. Traffic and Parking congestion

d. Lack of sleep by residents, leading to health problems, anxiety and irritability due to workers’ daily demolition or construction tasks

3) Employment concerns by those who work from home (particularly noise)

4) Effect on current elderly residents—29 months is a cherished and extremely valuable amount of time for our senior citizens

6) Construction Duration—an unbearable amount of time and inconvenience”

(Kathleen Williams, Email, 10/12/2024 [I- WilliamsK-2, NO-1])

“Noise and Vibration

I’m also concerned about the potential noise during construction. The projected noise levels are expected to exceed acceptable residential thresholds. As someone who works from home and enjoys the tranquility of this neighborhood, I believe that the impact on our daily lives will be significant. CEQA requires proper noise mitigation, and I feel that the current plans don’t do enough to address how this construction will affect those of us living nearby.”

(Todd Polidore, Email, 10/12/2024 [I- Polidore-3, NO-1])

“Initial Study Section E.7, Noise

We strongly disagree with the analysis that ‘the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.’

1. The proposed project may cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

2. The proposed project may cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

3. The proposed project will cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

4. The proposed project will cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

5. The project significantly increases noise along Bay Street, due to increased traffic (drop off at Community Plaza and new underground parking garage), the addition of a new loading dock immediately adjacent to 1435 Bay Street, and noise generated by the new generator.”

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-1, NO-1])

“As a mother and resident of this community, I feel compelled to voice my concerns regarding the proposed changes to the Julia Morgan building. My main concern is protecting the Julia Morgan building, its gardens and surroundings. But I also worry about the health impacts highlighted by the EIR, particularly for the nearby residents, created by the pollution and noise. I am not an expert but the tables in the EIR frankly scare me and the proposed mitigation plan seems completely implausible particularly since the Heritage will move many of its residents.”

(Mia Stilwell, Email, 10/15/2024 [I-Stilwell-1, NO-1/AQ-1])

“3. The potential impact on the health of neighbors of the Heritage are not taken seriously enough in the Draft EIR. The air and noise pollution that this project will generate are dangerous and there is no justification for allowing this to happen. The Draft EIR states this Project will cause the estimated cancer rates among neighboring residents of the Heritage to increase by nearly 400% (from 7 per 1,000,000 to 26.31 per 1,000,000). Similarly, it states the existing noise levels in the neighborhood are already at maximum acceptable levels, and that this project will cause the noise levels to far exceed these levels. There are mitigation measures recommended to protect people who live and work at the Heritage but almost nothing to protect the neighborhood. Please don’t let the Heritage damage my health so that it can increase its wealth.”

(Margaret Grohne, Email, 10/15/2024 [I-Grohne-3, NO-1/AQ-1])

“I am more immediately concerned about the projected noise and vibration levels during construction. The EIR admits that the noise levels on San Francisco Street already reach the maximum conditionally acceptable level for residential use, and construction is expected to far exceed this (Impact NO-1, Table S-3). This will disrupt the daily lives of residents, especially families with small children or the elderly who spend much of their time at home.”

(John Parsons, 10/15/2024 [I-Parsons-2, NO-1])

“2. Construction Impacts and Community Disruption

The extended construction timeline and the scale of the proposed project will inevitably disrupt the local community. Construction activities such as demolition, excavation, and heavy vehicle traffic will generate noise, dust, and vibrations. According to Section 3.B.22 of the EIR, there is a risk of vibration related damage to nearby structures, including the Julia Morgan building. The mitigation plan for vibration monitoring is welcome but must be robustly enforced.

The quality of life of residents near the construction site must be given higher priority. Noise pollution from machinery and construction activities, even within acceptable regulatory limits, can affect mental health and wellbeing over time. I urge the Planning Department to impose stricter time limits on construction activities, enforce noise control measures, and ensure transparent communication with the community throughout the project’s duration.”

(David Lester, Email, 10/15/2024 [I-Lester-2, NO-1])

RESPONSE NO-1 - NOISE AND VIBRATION IMPACTS

Commenters expressed concern about noise and vibration associated with the length of construction and due to the proximity of sensitive resources to the proposed area of disturbance.

Construction Noise. As outlined in initial study section E.7, Noise, construction noise in the City is regulated by the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 A-weighted decibels (dBA) at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, hoe rams, impact wrenches) must have manufacturer-recommended and City-approved mufflers for both intake and exhaust. Section 2908 of the noise ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m. if noise would exceed the ambient noise level by 5 dBA at the project property line unless a special permit is authorized by the Director of the Department of Public Works or the Director of Building Inspection.

The proposed project would be required to comply with regulations set forth in the noise ordinance. The proposed project would not use pile drivers or conduct construction work at night. Noise levels from equipment would not exceed 80 dBA at 100 feet from the source. Temporary increases in noise, particularly during demolition and grading (lasting about 5 weeks), could exceed ambient levels by 10 dBA or more but would not persist. The project would meet the criteria for less-than-significant noise impacts, including limited use of noisy equipment and shorter durations for high-noise activities. Overall, impacts would be temporary, would be regulated, and would not require mitigation. Project construction would take approximately 29 months and is currently anticipated to occur between January 2027 and June 2029. Of the 29-month construction duration, the demolition, site preparation and grading, and foundation and shoring work would occur for approximately 5 months. One commenter raised concern for the noise sensitivity of recreational uses at Fort Mason or at Moscone Park. People using recreational spaces are not considered sensitive receptors under CEQA as park users generally occupy recreational spaces for short amounts of time and infrequently. Another commenter expressed concern about sleep disruption; however, the project does not propose night construction.

Construction Vibration. As outlined in initial study section E.7, Noise, the proposed project would not use impact pile driving or caisson drilling, and construction equipment would not generate vibration

levels exceeding the damage threshold of 0.25 inch per second of peak particle velocity (in/sec PPV) at offsite residences, which are at least 12 feet away from where any vibratory construction equipment would operate. However, onsite buildings, such as the Caretaker's Cottage and the Perry Building, could be exposed to vibrations exceeding the threshold due to equipment operating within 5 feet of these structures. To address this impact, Mitigation Measure M-NO-1, which includes protection and vibration monitoring of adjacent buildings during construction, would be required to reduce potential impacts. Mitigation Measure M-NO-1 would require a pre-construction assessment of potentially affected buildings, establishment of vibration limits based on building conditions, vibration monitoring during construction, and repair of any vibration-related damage. With the implementation of this measure, the risk of structural damage to onsite buildings from construction vibrations would be reduced to a less-than-significant level.

4.H Biological Resources

The comments and corresponding responses in this section cover the subjects included in the initial study, section E.15, Biological Resources:

- **BIO-1:** Biological Resources

4.H.1 Comment BIO-1: Biological Resources

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

- O-HOA-4

"Initial Study Section E.15, Biological Resources

We agree with the analysis that the proposed project could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites:

1. The proposed project may have a substantial adverse effect on a sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
2. The proposed project may conflict with local policies or ordinances protecting biological resources, such as tree preservation policies or ordinances. The proposed project includes removal of mature trees, which currently provide a buffer between the built environment and the Fort Mason parkland, and may host sensitive natural communities or habitat."

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-4, BIO-1])

RESPONSE BIO-1 - BIOLOGICAL RESOURCES

The commenter expressed concern about the removal of trees, as they may host sensitive natural communities. As outlined in initial study section E.15, Biological Resources, the proposed project involves removing and replacing trees along Bay Street and Laguna Street, as well as onsite trees, while ensuring compliance with the California Fish and Game Code and the Migratory Bird Treaty Act to protect nesting birds. One street tree would be removed and replaced nearby, 6 new street trees

would be planted on Laguna Street, and 25 onsite trees would be removed, with 34 new trees planted. Tree removal during the bird breeding season could impact nesting birds, potentially causing significant effects. To mitigate this, the project would implement Mitigation Measure M-BI-1, which requires tree removal and construction activities to occur outside the nesting season when feasible. If removal must occur during the nesting season, a pre-construction survey would identify active nests and a buffer zone would be established around them until fledging occurs. With these measures in place, impacts to nesting birds would be reduced to less than significant. In addition, it was found that no special-status species are known or expected to occur on or in the vicinity of the site due to its urbanized condition and lack of suitable habitat. As such, implementation of the proposed project would not have a substantial adverse effect, either directly or through habitat modification, on any species identified as candidate, sensitive, or special-status species.

4.I Hazardous Materials

The comments and corresponding responses in this section cover the subjects included in section E.18, Hazardous Materials, of the initial study:

- **HZ-1:** Hazardous Materials

4.I.1 Comment HZ-1: Hazardous Materials

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

- I-WilliamsJ-2
- O-HOA-5

“Hazards/Hazardous Materials: The project's extensive demolition and excavation plans for 60+-year-old buildings heighten concerns about potential hazardous materials such as asbestos. The site's proximity to a former PG&E location with toxic soil further exacerbates worries about encountering unidentified hazardous materials during excavation.”

(Jillian Williams, Email, 10/14/2024 [I- WilliamsJ-2, HZ-1])

“Initial Study Section E.18, Hazards and Hazardous Materials

We strongly disagree with the analysis that ‘the proposed project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials.’

1. The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
2. The proposed project may emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school.”

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-5, HZ-1])

RESPONSE HZ-1 - HAZARDOUS MATERIALS

The commenters expressed concern about the potential release of asbestos due to the proposed demolition of the existing structures. As outlined in initial study section E.18, Hazardous Materials, the project site includes structures built in 1925 and 1928, with later additions from 1957 and 1963; the latter are proposed to be demolished. Due to the age of these buildings, asbestos-containing materials may be present and could become airborne during demolition or renovation. State and local regulations, including those enforced by the Bay Area Air Quality Management District (air district), California Occupational Safety and Health Administration, and California Department of Health Services, require the safe removal of asbestos-containing materials before any disturbance occurs. Demolition permits would only be issued after compliance with these regulations, including notification of the air district at least 10 days prior to demolition and adherence to the abatement procedures outlined in Title 8 of the California Code of Regulations. Proper hazardous waste handling and disposal would also be required, including registration with the Department of Health Services and filing a Hazardous Waste Manifest. These established regulatory procedures ensure that any potential impacts from asbestos-containing materials would be less than significant, and no additional mitigation measures would be required.

In addition, the commenters expressed concern regarding the project site's proximity to an identified hazardous materials zone and the potential for construction activities to release unidentified hazardous materials. A portion of the project site falls under San Francisco's Maher Ordinance (article 22A of the health code), which addresses the handling and remediation of contaminated soil and groundwater during construction. The project requires excavation of approximately 9,600 cubic yards of soil, triggering compliance with the ordinance. A Phase I environmental site assessment identified asbestos-containing waste previously disposed onsite and nearby environmental concerns, including volatile organic compounds in groundwater adjacent to the site. However, these findings do not indicate a significant risk to the site.

The project sponsor has submitted a Maher Application and the Phase I environmental site assessment to the San Francisco Department of Public Health, which will oversee any required remediation. The Maher Ordinance (article 22A of the San Francisco Health Code) requires proper handling, treatment, and remediation of contaminated soil and groundwater at sites where such contamination is known or suspected. Projects disturbing 50 cubic yards or more of soil must comply by conducting environmental site assessments and following health department oversight to ensure public safety and prevent exposure to hazardous materials during construction. Compliance with the Maher Ordinance ensures that contaminated soil and groundwater are handled appropriately to prevent public or environmental exposure. As a result, the project would not pose a significant hazard, and no mitigation is required.

4.J General Comments (Non-CEQA)

The comments and corresponding responses in this section cover the general comments regarding formatting and rationale for the proposed project:

- **GC-1:** Document Clarity and Presentation
- **GC-2:** Project Need and Justification
- **GC-3:** Site Orientation

4.J.1 Comment GC-1: Document Clarity and Presentation

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

- A-SFPUC-1
- A-CPC-Moore-1

“Review and approval of water budget calculations for on-site water use per requirements of the Non-potable Water Ordinance.’ Please remove this item from the list of SFPUC actions as the project would not be subject to the Non-potable Water Ordinance.”

(Fan Lau, Email, 10/8/2024 [A-SFPUC-1, GC-1])

“The hardest thing for me is, not questioning that somebody can consider enlarging their property, that the description of the project itself is hardly legible in the documents that we have. I received a printed copy, but even if I use my small laptop, I'm unable to fully read the extent of the plans of what's intended here. That was missing data about the type of units that there are, the ones that may have been merged, including the incredible increase in parking makes me wonder. That is a question, where I would ask that not only do we show better-size plans, but the existing side plan and the proposed side plan are hardly distinguishable because I think, in print, the distinction between the colors of what is and what should be is not fully depicted so that one can see the extent of what's being described.”

“The -- I would ask that the EIR produces better readable plans, enlarges the depiction of the alternatives that were analyzed, particular when it comes to the little diagram so that people can really fully understand of how they're different.”

*(Kathrin Moore, Vice President, San Francisco Planning Commission,
Public Hearing, 9/26/2024 [A-CPC-Moore-1, GC-1])*

RESPONSE GC-1 - DOCUMENT CLARITY AND PRESENTATION

The City has revised the draft EIR to delete references to compliances with the Non-potable Water Ordinances.

One commenter raised concerns regarding the clarity and legibility of the project plans, particularly in relation to the printed materials provided and the ability to distinguish between existing and proposed conditions. Under CEQA and related regulations, the lead agency's responsibility is to ensure that all necessary project documentation is available for public review and adequately conveys the potential environmental impacts of the project.

Although the project application materials from the applicant meet all City standards, the final EIR was revised to include clearer maps and figures to further aid understanding of the project, as outlined in Chapters 2 and 5 of this final EIR.

4.J.2 Comment GC-2: Project Need and Justification

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

- A-CPC-Moore-3
- I-AlbuquerqueT-2.1 & I-Iparraguirre-1
- I-AlbuquerqueT-2.4 & I-Iparraguirre-4
- I-AlbuquerqueT-1.1
- I-AlbuquerqueT-1.2
- I-AlbuquerqueT-1.3
- I-WilliamsK-3
- I-Hebel-6
- I-AlbuquerqueL-3
- I-Herrmann-2
- I-Grohne-4
- I-Chandler-1
- I-Beresford-3

“Lastly, I have a question about the increase in parking. When one moves into a retirement home, one doesn't park, most likely drive a car anymore.”

*(Kathrin Moore, Vice President, San Francisco Planning Commission,
Public Hearing, 9/26/2024 [A-CPC-Moore-3, TR-2/GC-2])*

“First, I want to object to the timing of the issuance of the EIR on two grounds:

One is, I think it should have been paused while the Landmark Designation is being considered. This is just logical. It includes extensive commentary on suggestions regarding how to protect historic resources, but it was prepared based only on its own assumptions about what will actually be protected once the landmark process is complete.

Second, the initial studies should have been completed and released before the draft EIR, not at the same time. That really jeopardizes the public's ability to comment in any effective way on the draft EIR.

I understand that initial study's not required under CEQA, but in this case, when it is done, the CEQA rules and the code under which it's adopted assumes that it will be the starting point for a draft EIR. It doesn't say anything about releasing them both at the same time and jeopardizing the public's ability to comment.”

(Tania Albuquerk, Transcript, 9/26/2024 [I-AlbuquerqueT-1.1, CR-3/GC-2])

“Turning to the substance of the draft EIR, I agree with the Department's conclusion in it, that no project is the most environmentally conscientious choice and has alternative renovations of existing buildings. Any justification for ignoring those two superior options is based on economic arguments that the Heritage is asserting without any basis.

In particular, there's absolutely no data, economic or financial information of any kind in the EIR or supporting documentation that support Heritage's claims for an economic need for this gigantic

project. For this reason alone, the Draft EIR fails the sufficiently credible test for agency findings set forth in the California Supreme Court case *Laurel Heights Improvement Association* and shouldn't be relied upon by SF Planning.”

(Tania Albuquerk, Transcript, 9/26/2024 [I-AlbukerkT-1.2, ALT-1/GC-2])

“Second, the Heritage claims it needs more units to be competitive in the market. But if you look at their premise history, since 2010 alone, it has chosen to merge 29 separate units in -- which resulted in a loss of 16 units, including turning one into a laundry room and, in other cases, taking three separate units and turning them into giant luxury apartments. They shouldn't be rewarded with a 58,000-square-foot project for this situation that they created.”

(Tania Albuquerk, Transcript, 9/26/2024 [I-AlbukerkT-1.3, GC-2])

“3. The Project Sponsor Provides No Evidence or Other Basis for “Social, Economic or Other Benefits” that Would Justify Approval of this Project Outweighing the Environmental Consequences and Therefore Fails to Meet the Legal Standard for Reliance Set Forth by the California Supreme Court.

The justifications for ignoring the two environmentally superior choices (no construction or renovation of existing buildings) in favor of the type of massive construction that the Heritage is seeking are primarily economic – the Project Sponsor (i.e., Ladies Home Protection and Relief Society) asserts that it needs more units and to upgrade existing units to meet its financial goals. I take issue with the draft EIR’s reliance on the Heritage’s baseless assertions of its own economic needs.

a. There is absolutely no data, economic or financial information of any kind in the draft EIR, Initial Study or related documents that support or demonstrate any economic benefit. It appears that the Department is just accepting the Heritage’s assertion that this Project has economic necessity with no evidence at all. For this reason alone, the Draft EIR fails the “sufficiently credible” test set forth by the California Supreme Court in *Laurel Heights Improvement Association* and cannot be relied upon by SF Planning.³

Footnote 3: The California Supreme Court has explained that when an agency has prepared an environmental impact report: [T]he issue is not whether the [lead agency’s] studies are irrefutable or whether they could have been better. The relevant issue is only whether the studies are sufficiently credible to be considered as part of the total evidence that supports the [lead agency’s] finding[.] (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 409; see also *Eureka Citizens for Responsible Gov’t v. City of Eureka* (2007) 147 Cal.App.4th 357, 372.

b. In addition to there being no evidence to support an economic-based exception, the available public data about the Heritage’s finances show that it is awash in money and has no financial needs. In its most recent IRS filing, the Heritage has over \$90 million in assets and well over \$100 million if depreciation is not netted out against the value of its real property.⁴

Footnote 4: Form 990-PF for 2022 filed by the Project Sponsor on November 2023.

c. The Heritage asserts – but provides no evidence of any kind – that it needs more units to be competitive in the market. Yet, it has been systematically eliminating units over the past decade. Since 2010, it has merged separate units for a net loss of 16 units, including turning one unit into a laundry room and in other cases taking 3 separate units and turning them into a single massive apartment.⁵ The Heritage shouldn't be rewarded for creating this situation where it is taking existing functional living spaces and combining them into luxury apartments.

Footnote 5: The permit history for the Property shows that since September 2010, permits have been issued to:⁵

- a. Merge units 320 and 321 (September 2010)
- b. Merge units 302 and 303 (August 2011)
- c. Merge. Units 304 and 305 (December 2012)
- d. Merge 210 and 211 (March 2014)
- e. Merge units 325 and 326 (March 2017)
- f. Merge units 306 and 307 (March 2017)
- g. Merge units 242 and 244 (August 2017)
- h. Merge units 319 and 320 (December 2018)
- i. Merge units 307 and 308 (July 2020)
- j. Merge units 205, 206 and 207 (July 2020) (took 3 studios to make 1 unit)
- k. Merge units 403 and 404 (July 2020)
- l. Merge units 407, 408 and 409 (April 2021) (again, took 3 studios to make 1 unit)
- m. Merge units 419 and 420 (May 2024)
- n. Change unit 423 into a laundry room (May 2024)

e. Throughout the Draft EIR, it states that the Project will add over 58,000 square feet to create only 23 new units. This is the equivalent of more than 2,500 square feet per unit. Even if 10 of the units are designed for double occupancy, this is equivalent to over 1,750 square feet per person. There is no economic justification for such over-sized luxury apartments.

f. On a related note, the draft EIR assumes that current San Francisco residents would be the people moving into these new units at the Heritage. But, again, there is no data or any justification for this assumption, and if the residents are not current San Francisco residents, any “social” basis for this expansion weakens.

g. The Heritage is not providing any affordable housing. This Project is designed to add a few \$1 million senior luxury apartments. This is offensive in itself given the city's need for low-income housing. But, what makes this even more upsetting, is the Heritage, as a not-for-profit, doesn't have to pay any taxes to San Francisco and therefore uses our public resources without giving back to the city. At the least, the Heritage should contribute by providing affordable housing.

The Draft EIR fails the requirement under California law that evidence relied upon by a lead agency for its findings must be sufficiently credible as to be part of the total evidence supporting the agency's findings. In this instance, SF Planning has no findings or evidence to support the argument that the Project has social, economic or other benefits, and therefore, it cannot

approve the Project when it has already determined that no construction, or barring that, rehabilitation of existing buildings, are the environmentally superior options under CEQA.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.4 & I-Iparraguirre-4, GC-2])

“5) The weak explanation of the Heritage’s call for expansion of units, while over the years, there is evidence that the Heritage has been *consolidating* current units!! Also, these units will not assist in SF’s affordable housing goals, as the value of each unit will be in the \$1m+ range.”

(Kathleen Williams, Email, 10/12/2024 [I-WilliamsK-3, GC-2])

“THE PROJECT SPONSOR HAS PROVIDED NO EVIDENCE OR OTHER BASIS FOR “SOCIAL, ECONOMIC OR OTHER BENEFITS” THAT WOULD JUSTIFY APPROVAL OF THE PROJECT OUTWEIGHING THE ENVIRONMENTAL CONSEQUENCES TO THE JULIA MORGAN BUILDING AND TO THE SURROUNDING MARINA NEIGHBORHOOD.

- a. No data (financial, survey, market comparisons, projections) of any kind is found in the draft EIR or other related documents that support or demonstrate any economic benefit.
- b. Available recent public information about the Heritage’s financial condition show that it is swimming in monies and has no financial needs. Its most recent IRS 990-PF states that it has over \$90 million in assets and well over \$100 million value of its real property.
- c. Over the past decades it has been systematically eliminating units. Since 2010, it has merged 29 separate units for a net loss of 16 units. Now it wants to add 58,000 square feet to create only 23 new units, more properly characterized as over-sized luxury apartments.
- d. Heritage does not require prior San Francisco residency for admission into its continuing care facility. The draft EIR, without confirmation, assumes that current San Francisco residents would be the people moving into the new units at the Heritage. Heritage does not currently market only to SF residents and there is no submitted documentation from Heritage that it will market the new or existing units only to SF residents.
- e. This is not a building project to provide affordable housing to seniors. This is not a building project to provide needed low-income housing for seniors. It is designed to add a few \$1million senior luxury apartments. And Heritage, as a not-for-profit, doesn’t pay taxes to San Francisco. For this privilege it certainly should contribute to the well-being of San Francisco by providing a meaningful percentage of its apartments as affordable senior housing.”

(Mike Hebel, Email, 10/11/2024 [I-Hebel-6, GC-2])

“Why is the Heritage allowed to build this project? To the best of my knowledge they are asking for an economic necessity waiver? Maybe because it does not comply with the local zoning and nothing else

about this project is going through the normal channels. The Heritage reduced the number of units over the last several years, now they want to add units so they can stay competitive? This is a not-for-profit entity with over \$100 million of assets, probably much more now because as of their last statement, \$90 million of their assets were invested in the stock market and the market is up tremendously since the date of their last report 2 years ago. The Heritage has not demonstrated that they need to build to stay solvent, there are no financial figures in their request.

The Heritage is a not-for-profit organization yet it only serves extremely wealthy customers. There is no affordable housing that comes with this project (because they do not want to be classified as Residential and have to provide affordable housing?). They do not serve the needy. They do not contribute to the City, State or Federal tax base. Why are my tax dollars going to support a project that is bad for my health, bad for San Francisco's historical preservation, bad for the local community? If this project brought real housing onto the market, really served the community, had affordable housing open to the public or in some obvious way benefitted the City or neighborhood I could consider the tradeoff of building this monstrosity, but it does not."

(Larry Albukerk, Email, 10/15/2024 [I- AlbukerkL-3, GC-2])

"Reorienting the Building? The Heritage wants to demote the Julia Morgan Mansion into a 'sub building' so that it can take advantage of a variance for a diminished rear setback. This is clearly gaming the system. And, the Heritage already did this for the Perry Building in 1957. How many large, disproportionate buildings will they be allowed to build on this property, it is already out of proportion for the neighborhood? Let's not forget, the Heritage, the City and Julia Morgan all agree that Laguna is the front of the property and it has always been regarded as such for all purposes including permits."

(Mark Herrmann, Email, 10/15/2024 [I-Herrmann-2, GC-2/GC-3])

"4. The Draft EIR concludes that either no construction or a project limited to renovation would be the best options under CEQA but then goes on to basically endorse allowing the Heritage to do everything it wants with some minimal mitigation to protect air quality and some historical resources. The only justification under CEQA for allowing a project to proceed under these circumstances are that it is has "economic, social or other benefits" that outweigh the environmental concerns. However, neither the Draft EIR nor the Initial Study contain any data or financial information. The Heritage has stated in its public documents that it needs to expand to stay competitive in the senior housing market. But, there is no evidence that is true. And, in fact, the Heritage has been systematically eliminating units over the last 15 years by combining units to make larger and more expensive ones. During this time, it merged 29 separate units for a net loss of 16. It violates the letter and spirit of CEQA to use unsubstantiated – and self-serving justifications to allow this project to go forward."

(Margaret Grohne, Email, 10/15/2024 [I-Grohne-4, GC-2])

“Insufficient Evidence and Reasoning in the Draft EIR. The Draft EIR is premature and incomplete in several ways. It was issued while there is an ongoing landmark application for the property, and it makes numerous recommendations based on Planner’s assumption about what will happen with this application and what will be protected or not. It was made public concurrently with the Initial Study whereas the Initial Study should have been completed and released for comments before the Draft EIR. It is also clear that SF Planning shared the Initial Study with the Heritage while keeping it from the public. It relies on the Heritage’s assertion that this project to add units is “necessary for its financial health” without including even one piece of evidence to validate that assertion, and with SF Planning’s knowledge that the Heritage has been systematically reducing its units for over a decade, that the Heritage is already one of the most expensive senior living facility in the city. It unilaterally determined that “aesthetics” would not be addressed in the Draft EIR because it deems the Heritage to be eligible for an exemption for “residential projects” even though in its past filings with SF Planning the Heritage maintains it is “non-residential” or “institutional,” primarily it appears to avoid having to provide any affordable housing.

The two issues addressed at length in the Draft EIR are air quality and the protection of historic resources. Setting aside my strong belief that the Draft EIR is wrong in determining that other issues such as noise, shadows, ground shaking and stability, traffic, and parking – weren’t significant under CEQA, I will address the two issues – air quality and historic resources -in the Draft EIR and which I believe on their own warrant not approving this project.”

(Christy Chandler, Email, 10/15/2024 [I-Chandler-1, OC-1/GC-2])

“I am wondering what the basis is for permitting the variance to allow such a large institutional project to be built in a residential neighborhood? And if the Heritage is adding 60,000 square feet why isn’t there more efficient use of space, 23 additional units seems very small. Another concerned friend in the neighborhood told me that they’ve been reducing the number of units over the years, if true, why add now? It sounds like they just want to make the property more luxurious--if you read their plans, the pricing will skyrocket and they will have amenities like a pet salon. Is this what the City should be advocating for - super luxury senior living project that pays no taxes as far as I can tell? It also seems that there is no affordable housing associated with the project which would be strange because it is for seniors and the sponsor is a non-profit.

I read that the Heritage is basing this request to build on economic need, however, they provide no evidence of this need that I can find. I looked up on the Heritage website, they have \$100 million of assets and that was from a while ago so it’s probably much higher now. Who exactly is this non-profit serving and why are they a non-profit?”

(Todd Eichler, Email, 10/15/2024 [I-Eichler-1, GC-2])

“Furthermore, the Draft EIR states CEQA can consider economic justifications for a project that can override the environmentally superior choice, which SF Planning agrees is no project or the interior renovation of existing buildings. In this case, neither the Draft nor the Initial Study include any economic data, and yet SF Planning is recommending that the project be allowed to proceed. How

can the Heritage's unsupported assertion of economic need be sufficient to override significant environmental harm?"

(Maese Beresford, Letter, 10/05/2024 [I- Beresford-3, GC-2])

RESPONSE GC-2 - PROJECT NEED AND JUSTIFICATION

Commenters question the need for the project and outline the project sponsor's assumed financial assets and targeted residents. Under CEQA and related land use regulations, the lead agency is responsible for evaluating a project application based on its compliance with applicable laws, ordinances, and environmental standards. The lead agency's role is not to assess the "need" or market justification for a private project but to ensure that the project adheres to existing regulations and mitigates environmental impacts as required by CEQA.

CEQA focuses on the environmental review process to determine whether the proposed project may have significant environmental impacts and, if so, to identify feasible mitigation measures or alternatives to reduce those impacts. As stated in CEQA Guidelines section 15040(b), "CEQA does not grant an agency new power(s) independent of the powers granted to the agency by other laws." This means the lead agency's authority is limited to evaluating compliance with regulations and addressing environmental concerns, not determining whether the project serves a broader societal or economic "need."

The decision to propose a project lies with the project sponsor, and the lead agency is responsible for evaluating the application as proposed. CEQA ensures that the environmental consequences of the lead agency's potential decision to approve the project are thoroughly analyzed and disclosed. If a project complies with applicable laws and the environmental impacts are mitigated to the extent feasible, the lead agency is tasked with certifying the environmental review and allowing the permitting process to proceed, irrespective of its assessment of the project's necessity. For reference, see CEQA Guidelines sections 15040(b), 15041(a), and 15124(b), and Public Resources Code section 21002.1(b).

4.J.3 Comment GC-3: Site Orientation

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

- I-Stilwell-3
- I-Grohne-2
- I-AlbukerkT-2.6 & I-Iparraguirre-6
- I-AlbukerkT-1.4
- I-Herrmann-2
- I-Chandler-3
- I-Polidore-1

"I am particularly concerned about the Heritage's plan to rotate the property so that it can reclassify the Julia Morgan building as an outlot. This is an underhanded ploy to exploit a variance for a reduced rear set back and build an oversized building that will fall off the Morgan building. The Heritage already used that variance once and built one large building on the back of its property, it should not

have the opportunity to build a second. It already disrupts the harmony of our neighborhood. Laguna is clearly the front of this property, and it has been for 100 years.

As a mother, I want my children to grow up in a community that values its history and preserves its character. I also want my daughter to see Landmarks designed by woman. Please consider the implications of these proposed changes not just for the current residents, but for future generations who deserve to enjoy the rich heritage that defines our neighborhood.”

(Mia Stilwell, Email, 10/15/2024 [I-Stilwell-3, GC-3])

“4. The Project Sponsor’s Attempt to Change the Orientation of its Property by 90 Degrees Would Turn the Historical-Resource Morgan Mansion into an Ancillary Building and Violates a Century of Reliance by SF Planning With Regard to Permit Decisions for the Property.

The Heritage is making a radical and unprecedented demand to SF Planning, which is to change the orientation of its entire parcel of land to treat Francisco Street as its rear and get a variance from rear yard setbacks to build to the property line. Do not let them do this! For 100 years, the property orientation has been clear, consistent and, most importantly, relied upon for numerous decisions by the Planning Department, including only allowing the construction of the Perry Building in 1957 because it was at the rear of the property and requiring that the Health Care Center be limited to “one story only” and that it be set back from the property line.⁷

Footnote 7: SF City Planning Commission Resolution No. 5512 (dated April 5, 1962) “The proposed facilities shall be constructed and installed in substantial conformity to the preliminary plans labeled “Proposed Infirmary Addition – The Heritage San Francisco Ladies’ Protection and Relief Society 3400 Laguna Street, San Francisco, Cal.” Filed with said application, *providing for a one-story building only.*” (emphasis added)

To allow this radical shift would be to diminish the Morgan Mansion. By default, the proposed new Bay Street Building would become the “front” of the Property. The Mansion would be relegated to being an ancillary building and this diminishment of a Historical Resource isn’t permissible under CEQA or under the historical landmark laws and regulations.

The property is oriented so that the Mansion’s front is Laguna Street, and its rear is Octavia Street, with Bay Street at the north and Francisco Street at the south. In the draft EIR as well as the historical landmark designation recently approved by the HPC, there are dozens of references to the “front” and “front lawn,” which always means the grassy area in front of the Mansion’s front door abutting Laguna Street. This language is even in the Heritage’s own project objectives – which include maintaining “the original landscape features of the front lawn on the project site.” In extensive permit applications for a new garden-level addition to be built behind the Mansion and *extending toward Octavia Street* that the Heritage sought between 2016-2020, the Heritage asked for variance to the **rear yard setback requirement per Section 134**. This is another example demonstrating that the Heritage has always agreed that the rear of its property is Octavia Street. In fact, even in its application for a conditional use permit seeking permission to treat Francisco as the rear, the Heritage continues to admit that Laguna Street is its front.⁸

Footnote 8: “The Project will preserve and restore the Morgan building, an existing historic structure. New structures proposed as part of the Project will respect the character of the historic Morgan building and are consistent with the existing scale and pattern of development in the neighborhood. Proposed structures, therefore, complement and do not overwhelm nearby existing buildings, including the historic building located on the Project site. The Project also preserves the Residential Care Facility’s **existing pedestrian-oriented building frontage along Laguna Street.**” See Conditional Use Permit application (emphasis added)

The Heritage is pretending that its entire property has suddenly, magically shifted 90 degrees so that Bay Street has become its front and Francisco Street has become the rear. This is a blatant attempt to manipulate the Planning Department. Will the Heritage come back in another 5 years and propose another fictional shift so that Laguna is the rear and then try to in-fill yet more of the property? To allow the Heritage to treat Francisco as the “rear” of its property will mean that the Bay Street Building becomes the front/main building and will substantially diminish the importance, role and visibility of the Historically Significant, soon to be Landmarked Morgan Mansion.”

(Tania Albuquerk, Email, 10/9/2024 and John Iparraguirre, Email, 10/15/2024 [I-AlbuquerkT-2.6 & I-Iparraguirre-6, CR-1/GC-3])

“Third, they are making a radical and unprecedented demand that you change the orientation of their parcel street, Francisco Street, as their rear and to get a variance from rearyard setbacks to build to the property line. Don't let them do that. Not only would it materially impair the historic Morgan mansion by basically making it an ancillary side building, which would be in violation of the historic preservation rules, but it would also violate history. For a hundred years, the property --”

(Tania Albuquerk, Transcript, 9/26/2024 [I-AlbuquerkT-1.4, CR-1/GC-3])

“Reorienting the Building?” The Heritage wants to demote the Julia Morgan Mansion into a 'sub building' so that it can take advantage of a variance for a diminished rear setback. This is clearly gaming the system. And, the Heritage already did this for the Perry Building in 1957. How many large, disproportionate buildings will they be allowed to build on this property, it is already out of proportion for the neighborhood? Let's not forget, the Heritage, the City and Julia Morgan all agree that Laguna is the front of the property and it has always been regarded as such for all purposes including permits.”

(Mark Herrmann, Email, 10/15/2024 [I-Herrmann-2, GC-3])

“2. The Draft EIR dropped consideration of aesthetics because it determined the Heritage was eligible for an exemption for certain residential properties. However, in all its past permit filings with SF Planning and SF Building, the Heritage consistently takes the position it is “nonresidential” or that it is “institutional.” It uses this status to justify not providing any affordable housing. Not only is it unfair to

allow the Heritage to pick and choose whether it is “residential” or “nonresidential,” depending on what it wants from the city, but it is also clear that aesthetics is a fundamental issue with respect to this project. As I wrote in my prior letter, the Julia Morgan mansion stands as an invaluable testament to our cultural heritage, embodying the architectural brilliance and historical significance of its time, and it is imperative to safeguard our cultural heritage for future generations and ensure that its integrity remains intact. The project does not meet this standard. If the project as proposed is permitted by SF Planning, the mansion will be completely enclosed on three sides by nearly 60,000 square feet of new construction consisting of two 4 story plus modern buildings. They will physically and visually tower over the mansion, making it seem a subordinate structure, and their construction will eliminate the existing landscaping and openness that now characterize this parcel of land. I also understand that the conditional use authorization under which the existing Health Care Center was allowed explicitly limited it to a height of one story, and the Heritage is ignoring this restriction when it proposes to replace the Health Care Center with a four-story building spanning almost its entire frontage on Francisco Street. Finally, the Heritage is proposing significant alterations to the mansion when it suggests abandoning its front entrance on Laguna Street and building a new one on Bay Street. The Heritage wants to do this to reorient the property from its existing east west axis (Laguna Street to Octavia Street) to a north south axis (Bay Street to Francisco Street) to treat Francisco Street as the “rear” of the property. All of these issues relate to aesthetics (as well as protection of historic resources) and should have been fully evaluated under CEQA.”

(Margaret Grohne, Email, 10/15/2024 [I-Grohne-2, OC-2/GC-3])

“Historical and Cultural Resources

The Julia Morgan building holds significant historical value, and I’m concerned that the new construction would diminish its presence. It’s not just a building—it’s a piece of the neighborhood’s identity.

CEQA Guidelines Section 15064.5 emphasizes the protection of historical resources, and this project, as currently proposed, risks undermining the historical integrity of the site by changing its orientation and reducing the prominence of the Morgan Mansion.”

(Todd Polidore, Email, 10/12/2024 [I-Polidore-1, CR-1/GC3])

RESPONSE GC-3 – SITE ORIENTATION

Commenters question the need for the rear-yard exception, requested by the project sponsor as part of the Planned Unit Development (in lieu of a variance) as part of the project approvals, which would shift the rear yard of the property to Francisco Street. The decision to propose a project lies with the project sponsor, and the lead agency is responsible for evaluating the application as proposed. CEQA does not opine on the project approvals, including site orientation and variances; it focuses on the environmental review process to determine whether the proposed project may have significant physical environmental impacts and, if so, to identify feasible mitigation measures or alternatives to reduce those impacts. Insofar as the proposed project would not cause a material impairment to the Julia Morgan Building’s historic front entrance and front lawn, the proposed project’s physical effects on the environment would be less than significant.

4.J.4 Comment GC-4: General Comments

Several comments were received that expressed a general disagreement with the findings of the draft EIR but did not include any information regarding potential deficiencies with the draft EIR. These comments were noted and no further response is needed.

- O-HOA-2
- O-HOA-3

“We strongly disagree with the analysis that “the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-2])

“We strongly disagree with the statement that “The proposed project would not increase the use of existing neighborhood and regional parks and other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.”

1. The proposed project will negatively impact recreational facilities, which may have an adverse physical effect on the environment.

(1435 Bay Street Homeowners Association, Email, 10/14/2024 [O-HOA-3])

CHAPTER 5 DRAFT EIR REVISIONS

The following changes to the text of the draft environmental impact report (EIR) are made in response to comments on the draft EIR or are included to clarify the draft EIR text. The revisions reflect changes identified in Chapter 3, Comments and Responses, or staff-initiated text changes, all of which clarify, expand, or update information and/or graphics presented in the draft EIR. Staff-initiated changes to clarify information presented in the draft EIR are highlighted with an asterisk (*) in the margin to distinguish them from text changes in response to comments.

The revised text does not provide new information that would result in any new significant impact not already identified in the draft EIR and initial study or a substantial increase in the severity of an impact identified in the draft EIR and initial study that cannot be mitigated to less than significant with implementation of mitigation measures agreed to by the project sponsor. Thus, none of the text revisions would require recirculation pursuant to CEQA Guidelines section 15088.5. The draft EIR and this response to comments (RTC) document together constitute the final EIR for the 3400 Laguna Street Project. In the revisions shown below, deleted text is shown in ~~striketrough~~ and new text is double underlined.

5.A Revisions to Chapter S, Summary

* Table S-1 on p. S-2 of the draft EIR was updated to reflect draft EIR Table 2-1, Proposed Project Details, and incorporate the changes to the proposed site plan:

Table S-1 Project Summary

	Existing	Proposed	Net Change
Number of Building(s)	5	5	0
Maximum Building Stories¹	4	4	0
Maximum Building Height (feet)¹	41	41	0
Building Gross Square Feet	83,200	141,580	+58,380
Residential Care Suites	86	109	+23
Useable Open Space (gross square feet)	26,410	30,280	+3,870
Off-Street Parking (spaces)	17	36	+19
Off-Street Loading Spaces	2	1	-1
<u>Off-Street Car Share Spaces</u>	<u>0</u>	<u>1</u>	<u>+1</u>
On-Street Parking Spaces²	28	20 <u>19</u>	-8 <u>-9</u>
On-Street Commercial Loading Spaces	0	0	0
On-Street Passenger Loading Spaces	3	2	-1

Source: HKS Inc. and Kimley-Horn, Project Plans (January 10, 2024 and March 14, 2025).

Notes: All gross square footage numbers are rounded to the nearest multiple of 10.

¹ Reflects the maximum building height and number of stories; existing buildings vary across the site. The existing Perry Building is 40.5 feet tall (rounded to 41 feet tall) and no changes to this building's height are proposed. The new Bay and Francisco building heights would not exceed 40 feet.

² Reduction in parking due to bulb-outs required by planning code section 138.1 and in consultation with the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and Public Works Disability Access Coordinator. In addition, one on-street parking space on Bay Street would be removed for the project's new driveway; however, one on-street parking space would be added on Francisco Street because the proposed project would eliminate the existing 22-foot passenger loading space on Francisco Street.



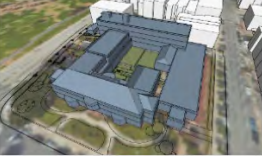

* Mitigation Measure M-CR-1: Best Practices and Construction Monitoring Program for Historic Resources was updated in Table S-2, on page S-5, to add additional instructions for the qualified preservation consultant preparing the construction monitoring plan (if required):

If directed by planning department preservation staff, the project sponsor shall engage a qualified preservation professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61), to undertake a monitoring program to ensure that best practices are being followed. If monitoring is required, the qualified preservation professional shall prepare a monitoring plan to direct the monitoring program that shall be reviewed and approved by planning department preservation staff. In preparation of the

monitoring plan, the qualified preservation professional should consult any available drawings related to historic resources on site.

* To be consistent with the updated article 10 landmark status of the project site, Table S-4 Comparison of Proposed Project and Alternatives, p. S-48, was updated to clarify and add any approvals required:

Table S-4 Comparison of Proposed Project and Alternatives

Project Characteristics	Proposed Project	No Project Alternative	Rehabilitation Alternative	Reduced Construction Alternative
Project Rendering				
Number of Buildings	5	5	5	5
Building Stories	3–4	1–4	1–4	3–4
Building Heights (feet)	22–41	15–41	15–41	22–41
Building Gross Square Feet (gsf)	141,580	83,200	83,200	120,326
Residential Care Suites	109	86	90	98
Useable Open Space (gsf)	26,410	30,280	30,280	29,100
Off-Street Parking (spaces)	36	17	17	17
Excavation Depth (feet)	15	No additional	No additional	15
Ground Disturbance (cubic yards)	9,600	None	None	600
Entitlements	CUA/PUD, <u>Certificate of Appropriateness</u>	None	None <u>planning approvals</u>	CUA/PUD, <u>Certificate of Appropriateness</u>

Source: HKS Inc. (April 2024).

Note: References to 41-foot height reflect that the existing Perry Building has been measured at 40.5 feet tall, so with rounding is described as 41 feet tall. No changes to the Perry Building would increase its height and no other building on the project site would exceed 40 feet in height under the proposed project or any alternative

CU/PUD = Conditional Use/Planned Unit Development

5.B Revisions to Chapter 3.B, Historic Resources

- * Under San Francisco Historic Preservation Commission and Planning Code articles 10 and 11, p. 3.B-8 and 3.B-9, the paragraph was updated to reflect the article 10 landmark status of the project site, effective January 19, 2025:

~~None of the buildings on the~~ The project site ~~are currently is listed as~~ article 10 landmark 320;s and ~~however,~~ the project site is not located in an article 10 historic district. ~~However,~~ In March 2024, the department received a community-initiated article 10 landmark designation nomination for the site. On May 15, 2024, the HPC held a hearing regarding the landmark designation nomination and instructed staff to add the site to the landmark designation work program. On August 21, 2024, the Historic Preservation Commission recommended initiation of the Landmark Designation per article 10 (planning code section 1006).¹⁰ ~~At the time of publication of the draft EIR, the nomination will require one additional hearing at the Historic Preservation Commission before being sent to the Board of Supervisors to review and approve the Landmark Designation.~~ On October 16, 2024, the Historic Preservation Commission recommended designation of the project site as a landmark under article 10 of the planning code.^{10a} Ordinance 302-24, *Planning Code - Landmark Designation - Ladies' Protection and Relief Society (3400 Laguna Street)*, was heard by the San Francisco Board of Supervisors Land Use and Transportation Committee on December 9, 2024, followed by a first reading at the full board on December 10, 2024, and finally passed on December 17, 2024.^{10b} Mayor London Breed signed the ordinance into law on December 19, 2024. The amendment to article 10 of the planning code went into effect on January 10, 2025, and the project site is listed as landmark 320 in appendix A to article 10 of the planning code.^{10c}

- * Footnote 2a has been added to the draft EIR p. 2-6 as follows:

2a San Francisco Historic Planning Commission, Landmark Resolution Recommendation, Resolution No. 1425, available at: <https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=94cd09bf00b85e4124757a708c9df26d7194d92d889f79b0bd6a564195cc8df4&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>, accessed February 6, 2025.

- * Footnote 2b has been added to the draft EIR p. 2-6 as follows:

2b San Francisco Board of Supervisors, Ordinance No. 302-24, Board File No. 241103, Planning Code – Landmark Designation – Ladies’ Protection and Relief Society (3400 Laguna Street), available at: <https://sfbos.org/sites/default/files/o0302-24.pdf>, accessed February 6, 2025.

- * Footnote 2c has been added to the draft EIR p. 2-6 as follows:

2c San Francisco Planning Code, Appendix to Article 10 – List of Designated Landmarks, available at: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-28058, accessed February 6, 2025.

Responding to Commissioner Kathrin Moore’s questions regarding the historical significance of the Gardner Dailey and Perry buildings at the draft EIR hearing on September 26, 2024, a biography of

Gardner Dailey was added as the second to last paragraph under the Historic Context heading, p. 3.B-12:

Gardner A. Dailey (1895-1967) was born in St. Paul, Minnesota and moved to California in 1915 to work for Donald McLaren's landscape architecture firm. He attended the University of California, Berkeley; Stanford University; and Heald's Engineering College, San Francisco, where he studied botany, economics, engineering, and architecture. In 1926, he established his own architectural offices in San Francisco. During the early years of his practice, Dailey focused on residential design in eclectic Spanish and Neoclassical styles, exhibiting traditional revival influences in his work. Then, in the 1930s, Dailey began to explore modern design. The Lowe House (1936) in Woodside, California, was one of Gardner Dailey's most famous pre-war houses, published widely from 1936 to 1942. This house conveyed the "Early California" aesthetic favored by Dailey and his rival, William Wurster, at this time, derived from adobe ranch houses and spare timber-framed, rural vernacular structures built by Anglo farmers and miners. Wurster and Dailey, along with a small group of Bay Area architects and landscape architects, came to define the second period of Bay Area regionalism of the 1930s and 1940s, known as the Second Bay Region Tradition. In addition to residential design, Dailey's firm was commissioned by organizations, including the Matson Shipping Company; Stanford University; the University of California, Berkeley; and the San Francisco Recreation and Parks Department. He designed the Brazil Pavilion for the Golden Gate International Exposition on Treasure Island and was included in the seminal New York Museum of Modern Art's 1944 show "Built in USA," as well as the San Francisco Museum of Art (now the San Francisco Museum of Modern Art) show, "Domestic Architecture in the San Francisco Bay Region" in 1949.

Warren Charles Perry was born May 12, 1884, in Santa Barbara, California, but grew up in Berkeley, where his family had moved when he was three years old. He graduated from Berkeley High in 1903 and began undergraduate studies in Civil Engineering at the University of California, Berkeley. Perry took classes with John Galen Howard, and during the summers of 1906 and 1907, worked in Howard's San Francisco office. Perry traveled to Paris in the fall of 1907 to study at the renowned École des Beaux-Arts and returned to the Bay Area in 1911. He joined the faculty of the Department of Architecture at Berkeley that year, and began to work on residential and commercial projects in Howard's San Francisco architecture firm.

Perry succeeded Howard as Chairman of the School of Architecture in 1927, and 2 years later was appointed Dean of the School, a position he held until 1950. Perry designed, alongside George Kelham, the George C. Edwards Track Stadium, which opened in 1932. In 1913, Perry was licensed and established his own practice. Perry's teaching responsibilities did not allow a great deal of time for private practice, but he did complete some residential projects in San Francisco, including 2530 Vallejo, a blend of the classical and shingle styles, for his family, as well as 3140 Pacific (1926) and 3150 Pacific (1932), and a remodeled Victorian at 3028 Clay. Some other prominent houses in the city designed by Perry are the Italian Renaissance-style corner house at 2585 Pacific (1924), 570 El Camino del Mar in Sea Cliff (1930), and 165 Terrace Drive in St. Francis Wood, designed in 1936.

Perry was a member of the State Board of Architectural Examiners for 13 years, from 1931 to 1943, and served as president for 2 of them (1934-1935). He also served as vice president of

the San Francisco Chapter of the American Institute of Architects (AIA) for 2 years (1936–1937) and then as its president in 1938. Perry was recognized for his contributions to architectural education and the profession by being made a Fellow of the AIA, the highest honor the institution bestows, in 1947. Perry retired in 1954, making the design for the addition to the Ladies’ Relief and Protection Society at 3400 Laguna Street one of his final projects. Perry died in San Francisco in 1980 at the age of 95.”

* Under draft EIR Chapter 3.B, Section 3.B.4 Environmental Setting, p. 3.B-20, footnote 16 was updated to reflect the article 10 status of the project site, effective January 19, 2025:

16 In March 2024, the planning department received a community-initiated article 10 landmark designation nomination for 3400 Laguna Street. On January 19, 2025, the project site at 3400 Laguna Street became local landmark 320. The nomination identified a list of character-defining features that was more or less aligned with the department’s list of character-defining features in the HRR dated February 27, 2024, with small changes to the language. The only additional character-defining features identified related to the front lawn and landscaping, and landscaping around the Caretaker’s Cottage. The department reviewed the additional character-defining features and the department’s list now includes modifications to the front lawn to incorporate the location of plantings along the front lawn panels, the location of mature trees at the northwest corner of the site, and landscaped area around the cottage entrance.

* Under draft EIR Chapter 3.B, section 3.B.4 Environmental Setting, p. 3.B-21, the identification of adjacent historic architectural resources was updated to include the Moscone Recreation Center:

According to the HRR,¹⁷ the project site is in the Marina neighborhood. Across Laguna Street to the west, the 3400 Laguna Street property faces the Moscone Recreation Center that contains the article 10 designated Marina Branch Library, the California Register-eligible Moscone Recreation Center building, and the California Register-eligible Funston bleachers that are identified as contributors to the discontinuous Midcentury Recreation historic district. In addition, the Fort Mason historic district is located to the north of the proposed project. The 3400 Laguna Street property, which is the proposed project site, occupies the western half of a residential block situated between Laguna and Octavia streets. The following is a brief description of the historic resources near the project site:

- **Moscone Recreation Center building:** The Moscone Recreation Center building (originally referred to as the Funston Field House) is individually eligible for listing in the California Register under criterion 3 as a good example of the Tudor Revival architectural style as well as being a good example of the work of John Reid Jr., an architect of merit who was the City architect from 1918 to 1928. ^{17a} Because the Moscone Recreation Center building was constructed in 1924, it was constructed around the same time as the Julia Morgan Building. The two buildings are also constructed in English period revival styles. However, the two buildings do not share much in common stylistically, as the Tudor Revival architectural style of the Moscone Recreation Center building, with its false wood timbering and tan stucco walls, is quite different from the Jacobethan-inspired red brick

façade of the Julia Morgan Building. Additionally, the Moscone Recreation Center building is situated at the intersection of Buchanan and Chestnut streets and has a primary entrance facing south towards Chestnut Street. Although the two buildings are within sight of each other, the location and orientation of the Moscone Recreation Center is such that the visual connection between the two buildings, which are both designed in period revival styles and constructed within a year of each other, is more of a coincidence than evidence of an intentional historic connection.

Footnote 17a: Although the Moscone Recreation Center building was not identified in the HRR, it was identified as a historic resource as part of a rehabilitation of the building in 2006; see “Certificate of Determination of Exemption/Exclusion from Environmental Review, Moscone Recreation Center Addition,” March 13, 2006 (case no. 2005.1147E).

- * Under draft EIR Chapter 3.B Historic Resources, Impact CR-1, p. 3.B-23, the first paragraph was updated to reflect the article 10 landmark status of the project site:

As outlined in Chapter 2, Project Description, the proposed project would demolish two of the five existing buildings (the Perry Building Connector and the Health Center) and construct two new buildings (the Bay Building and the Francisco Building). Based on the HRE and HRR, and as described above, the 3400 Laguna Street site is not listed in the National Register or the California Register, nor is it a local San Francisco article 10 landmark; however, the site is eligible for listing in the California Register and the project site was listed as article 10, landmark 320, on January 19, 2025. ~~the planning department received an Historic Landmark Designation application for the Julia Morgan Building on March 22, 2024. The application was considered by the Historic Preservation Commission for the Landmark Designation work plan on May 15, 2024, and was added to the work plan. On August 21, 2024, with Resolution 1416, the Historic Preservation Commission initiated the Landmark Designation process for adoption. As noted above, the nomination requires one additional Historic Preservation Commission hearing before being sent to the Board of Supervisors to review and approve the Landmark Designation.~~ The site contains two individually eligible historic resources, the Julia Morgan Building and the Caretaker’s Cottage; both were determined eligible for listing in the California Register under Criterion 1 and 3, and project impacts to these two resources are discussed in more detail below.

Footnote 20a: The planning department received an Historic Landmark Designation application for the Julia Morgan Building on March 22, 2024. The application was considered by the Historic Preservation Commission for the Landmark Designation work plan on May 15, 2024, and was added to the work plan. On August 21, 2024, with Resolution 1416, the Historic Preservation Commission initiated the Landmark Designation process for adoption.

- * Mitigation Measure M-CR-1: Best Practices and Construction Monitoring Program for Historic Resources was updated in section 3.B.5, on page 3.B-33, to add additional instructions for the qualified preservation consultant preparing the construction monitoring plan (if required):

If directed by planning department preservation staff, the project sponsor shall engage a qualified preservation professional who meets the standards for history, architectural history,

or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61), to undertake a monitoring program to ensure that best practices are being followed. If monitoring is required, the qualified preservation professional shall prepare a monitoring plan to direct the monitoring program that shall be reviewed and approved by planning department preservation staff. In preparation of the monitoring plan, the qualified preservation professional should consult any available drawings related to historic resources on site.

5.C Revisions to Chapter 3.C, Air Quality

- * Under section 3.C.1 Environmental Setting, on page 3.C-2, adding a sentence at the end of the second paragraph of the section to reflect changes to the City's air pollutant exposure zone made in February 2025:

The study area for regional air quality impacts is the air basin. The study area for localized air quality impacts is generally within 1,000 feet of the project site.³ Although the project site is in one of the least environmentally burdened areas⁴ in San Francisco, it is within the City's Air Pollutant Exposure Zone (APEZ). Since the publication of this draft EIR, the City has updated the criteria for the APEZ, as periodically required by article 38 of the public health code and to align with United States Environmental Protection Agency's updated PM_{2.5} standard.^{4a}

These changes do not affect the draft EIR's analysis of the proposed project's impacts because the project site is within the APEZ under both previous and new City standards.

- * Footnote 4a was added to the draft EIR p. 3.C-2 as follows:

San Francisco Planning Department, Air Quality Review, available at: <https://sfplanning.org/air-quality>, accessed February 7, 2025.

- * Under section 3.C.1 Environmental Setting, on page 3.C-14, updating the language in the second paragraph on the page to reflect changes to the City's air pollutant exposure zone made in February 2025:

SAN FRANCISCO MODELING OF AIR POLLUTANT EXPOSURE ZONES

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the air district to inventory and assess air pollution and exposure from mobile, stationary, and area sources in San Francisco. This analysis, known as the 2020 Citywide HRA, is documented in the San Francisco Citywide Health Risk Assessment: Technical Support Documentation.²⁸ Areas with poor air quality, referred to as the air pollutant exposure zone, or APEZ, were identified based on the following health-protective criteria: (1) excess cancer risk greater than 100 per 1 million population from the contribution of emissions from all modeled sources; or (2) cumulative PM_{2.5} concentrations greater than ~~10~~ 9 $\mu\text{g}/\text{m}^3$. The APEZ is expanded in certain geographic health vulnerable areas of the City, primarily the Bayview, Tenderloin, and much of the South of Market area, to be more protective, with the areas included in the APEZ based on a standard that is 10 percent more stringent than elsewhere in the City for cancer risk (i.e., areas where the excess cancer risk exceeds 90 per 1 million ~~or the PM_{2.5} concentration exceeds 9 $\mu\text{g}/\text{m}^3$~~). The project site is in ZIP code 94123, which is not

identified as a health vulnerable area; however, the project site is within the APEZ. The APEZ also includes all parcels within 500 feet of a freeway and parcels within 1,000 feet of roadways with average daily vehicle volumes of 100,000 or greater. The APEZ is based on modeling that was prepared using a 20-meter by 20-meter receptor grid covering the entire City. The following summarizes the evidence supporting the APEZ criteria followed by a discussion of major sources of emissions in and near the proposed project.

* Under section 3.C.1 Environmental Setting, on page 3.C-15, updating the language in the last three paragraphs on the page to reflect changes to the City's air pollutant exposure zone made in February 2025:

FINE PARTICULATE MATTER

In April 2011, the U.S. EPA published Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards(NAAQS). In this document, the U.S. EPA concludes that the then-current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level in the range of 13 to 11 µg/m³, with evidence strongly supporting a standard in the range of 12 to 11 µg/m³. In December 2012, the U.S. EPA lowered the annual PM_{2.5} standard from 15 to 12 µg/m³, and issued final area designations based on that standard. On February 7, 2024, the U.S. EPA published the Final Rule: Reconsideration of the NAAQS for particulate matter.³² In this reconsideration document, the U.S. EPA lowered the primary annual PM_{2.5} standard from 12 µg/m³ to 9 µg/m³. As discussed below, the APEZ for San Francisco's health vulnerable locations is based on the health protective PM_{2.5} standard of 9 µg/m³, ~~and a standard of 10 µg/m³ for all other areas.~~

HEALTH-VULNERABLE LOCATIONS

Based on the air district's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94110, 94124, and 94130) in the worst quintile of Bay Area health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying parcels in the air pollutant exposure zone to: ~~(1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM_{2.5} concentrations in excess of 9 µg/m³.~~³³

PROXIMITY TO FREEWAYS

According to the air board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses near freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,³⁴ parcels that are within 500 feet of freeways are included in the APEZ. Research shows that areas within a 1,000-foot buffer of high-volume roadways with a daily average of 100,000 vehicles are at an increased health risk from air pollution;^{34a} as such, these areas are also included in the air pollutant exposure zone.

* Footnote 34a was added to draft EIR p. 3.C-15 as follows,

California Air Resources Board, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*, April 2017, pp.12-13. Available at: https://ww2.arb.ca.gov/sites/default/files/2017-10/rd_technical_advisory_final.pdf, accessed February 6, 2025.

- * Update to draft EIR Chapter 3, section 3.C.3 Impact Assessment Methodology, p. 3.C-24, the amount of excavation was updated in the middle paragraph on the page to correct a typographical error:

The proposed project would require the excavation of 9,060 9,600 cubic yards of soil to a maximum depth of 15 feet.

This change does not affect the draft EIR's analysis of the proposed project's impacts because the correct figure of 9,600 cubic yards was used in all of the technical analyses.

- * Update to Table 3.C-6 to reflect the new federal standard for PM_{2.5} as incorporated in the City's revised air pollutant exposure zone in February 2025.

Table 3.C-6 Excess Cancer Risk and PM_{2.5} Concentration Thresholds

Affected Sensitive Receptors	PM _{2.5} (µg/m ³)	Excess Cancer Risk (cases per 1 million population)
APEZ Criteria		
APEZ criteria¹	10.0 <u>9.0</u>	100.0
Thresholds for Construction		
Significance threshold for project contribution to sensitive receptors meeting the APEZ criteria²	0.2	7.0
Significance threshold for project contribution to sensitive receptors that do not meet the APEZ criteria, but would meet the APEZ criteria as a result of the project³	0.3	10.0

Sources: San Francisco Department of Public Health, Environmental Health, Planning, Memorandum to File regarding 2014 Air Pollutant Exposure Zone Map, April 9, 2014.

Jerrett, M., et al., "Spatial Analysis of Air Pollution and Mortality in Los Angeles," *Epidemiology* 16:727-736, 2005.

¹ San Francisco Department of Public Health, Environmental Health, Planning, Memorandum to File regarding 2014 Air Pollutant Exposure Zone Map (April 9, 2014).

² A 0.2 µg/m³ increase in PM_{2.5} would result in a 0.28 percent increase in noninjury mortality, or an increase of about 21 excess deaths per million population per year from noninjury causes in San Francisco. This information is based on M. Jerrett et al. 2005. The excess cancer risk has been proportionally reduced to result in a significance criterion of seven per 1 million persons exposed

³ Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines, Chapter 3: Thresholds of Significance*, April 20, 2023, <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>, accessed January 18, 2024.

APEZ = Air Pollutant Exposure Zone





µg/m³ = micrograms per cubic meter

PM_{2.5} = particulate matter less than or equal to 2.5 micrometers in diameter

5.D Revisions to Chapter 5, Alternatives

* To be consistent with the updated article 10 landmark status of the project site, Table 5-1 Comparison of Proposed Project and Alternatives, p. 5-4, was updated to clarify and add any approvals required:

Table 5-1 Comparison of Proposed Project and Alternatives

Project Characteristics	Proposed Project	No Project Alternative	Rehabilitation Alternative	Reduced Construction Alternative
Project Rendering				
Number of Buildings	5	5	5	5
Building Stories	3–4	1–4	1–4	3–4
Building Heights (feet)	22–41 ¹	15–41	15–41	22–41
Building Gross Square Feet (gsf)	141,580	83,200	83,200	120,326
Residential Care Suites	109	86	90	98
Useable Open Space (gsf)	26,410	30,280	30,280	29,100
Off-Street Parking (spaces)	36	17	17	17
Excavation Depth (feet)	15	No additional	No additional	15
Ground Disturbance (cubic yards)	9,600	None	None	600
Entitlements	CUA/PUD, <u>Certificate of Appropriateness</u>	None	None planning approvals	CUA/PUD, <u>Certificate of Appropriateness</u>

Source: HKS Inc. (April 2024).

Note: References to 41-foot height reflect that the existing Perry Building has been measured at 40.5 feet tall, so with rounding is described as 41 feet tall. No changes to the Perry Building would increase its height and no other building on the project site would exceed 40 feet in height under the proposed project or any alternative.

CU/PUD = Conditional Use/Planned Unit Development

5.E Revisions to Initial Study Section C, Compatibility with Existing Zoning and Plans

- * Under initial study, section C. Compatibility with Existing Zoning and Plans, p. 3, the first paragraph was revised to clarify the correct description of on-street parking as a result of the proposed project's color curb program:

The new driveway would necessitate the removal of the 17 existing off-street surface parking spaces and approximately 15 feet of on-street parking along the project's Bay Street frontage; ~~resulting in the loss of one on-street parking space on Bay Street.~~

5.F Revisions to Initial Study Section E.6, Transportation

- * Under initial study, section E.6 Transportation and Circulation, Impact TR-2, p. 32, the third and fourth paragraphs were revised to clarify the correct description of on-street parking as a result of the proposed project's color curb program:

A new basement level garage would be constructed beneath the proposed Bay and Francisco buildings and the existing interior courtyard. A new two-directional, 20-foot-wide driveway on Bay Street would provide access to the new basement, east of the existing entrance. One of these two lanes may be partially impinged if a 40-foot truck would be parked in the loading dock, but this would not restrict auto ingress or egress. All vehicles (trucks and autos) would be restricted to right-only turns into and out of the driveway. The new driveway would necessitate the removal of 17 existing off-street surface parking spaces and approximately 15 feet of on-street parking along Bay Street; ~~for a total loss of one on-street parking space on Bay Street.~~ At this location, a 20-foot-long, two-vehicle-wide, off-street covered porte cochère (accessed from the existing curb cut on Bay Street) would provide universal access required by the residential care facility, in compliance with the ADA. The existing driveway on Bay Street, west of the new driveway, would also provide access to five project site surface parking spaces. These modifications would allow passenger pick up and drop off activities to occur on site and provide easier vehicular ingress and egress to and from the site.

The project site has approximately 45 feet of passenger loading (white curb) and 20 feet of accessible parking (blue curb) on the Laguna Street frontage, and 22 feet of loading (white curb) on the Francisco Street frontage. As part of the proposed project, the on-street white curb loading space on Francisco Street would be removed along with the associated approximately 18-foot-wide curb cut. The 45-foot-long passenger loading (white curb) would be removed from Laguna and on-street parking installed in its place. Additionally, two 20-foot on-street passenger loading spaces would be provided on Bay Street, adjacent to the accessible entrance. Freight loading access and activity currently occurs via Bay Street in the off-street surface parking lot's loading area. Figures 2-13 and 2-14 in Chapter 2, Project Description, of the draft EIR, show the existing and proposed freight loading entry and exits. Freight trucks back into the loading parking spot available in the existing parking lot. For delivery trucks to maneuver in and out of the project site's loading areas, Bay Street currently experiences traffic interruptions approximately nine times weekly for food delivery and approximately twice weekly for trash pick-up, each instance for the duration of vehicles backing into the existing loading space. Currently the largest freight vehicles that access the existing loading dock are 26 feet. Under the existing conditions, smaller (up to 30-foot)

delivery trucks backing into the parking lot for loading temporarily block the sidewalk via the curb cut as they maneuver back in, but not once parked at the loading dock. If any larger (40-foot) delivery trucks were to access the existing loading dock, those vehicles would block the sidewalk via the curb cut while parked at the loading dock, in addition to while they maneuver back in.

- * Under initial study, section E.6 Transportation and Circulation, Impact TR-6, p. 35, the second paragraph under Passenger Loading was revised to clarify the correct description of on-street loading spaces as a result of the SFMTA Color Curb Program and project site plan (revised):

Additionally, Laguna Bay Street adjacent to the project site ~~currently has~~ would have approximately 405 feet of on-street passenger loading (white curb), which ~~would remain unchanged by the proposed project and can~~ could accommodate two standard passenger vehicles or parcel delivery trucks.

5.G Revisions to Initial Study Section E.8, Air Quality

- * In initial study, section E.8 Air Quality, under impact AQ-1, p. 51, the second to last paragraph was updated to reflect the correct description of on-street loading spaces as a result of the SFMTA Color Curb Program and project site plan (revised):

Additionally, the project would remove an additional ~~eight~~ nine on-street parking spaces for required bulb-outs on the corners of Laguna and Francisco streets and Laguna and Bay streets, as required by planning code section 138.1 and in consultation with the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and Public Works Disability Access Coordinator. The project would convert the 45-foot-long passenger loading zone on Laguna Street to on-street parking and remove one on-street 22-foot-long passenger loading space along the project site's Francisco Street frontage and the associated approximately 18-foot-wide curb cut, and add one on-street parking space. Two 20-foot-long passenger loading spaces would be added on Bay Street, adjacent to the project site's ADA-accessible entrance.

- * The text in initial study, section E.8 Air Quality, under impact C-AQ-4, p. 53, was updated to correct a typo and reflect the accurate number of net new vehicle trips that would be generated by the proposed project. The updated number reflects the number on which the analysis in initial study section E.6 Transportation was based.

The proposed project would also generate a negligible amount of TACs during operation from the approximately ~~34~~ 302 new daily vehicle trips and any additional truck trips to the site. Cumulative health risk impacts are addressed in the draft EIR under Impact C-AQ-4.

5.H Revisions to Initial Study Section E.16, Geology and Soils

- * Under Impact GE-2, p. 88, the second sentence of the first paragraph was updated to correct an error:

The proposed project would require the excavation of approximately ~~9,060~~ 9,600 cubic yards of soil to a depth of approximately 15 feet.

5.I Revisions to Initial Study Section E.17, Hydrology and Water Quality

- * Under Impact HY-3, p. 93, the fifth sentence was updated to correct an error:

The proposed project would require the excavation of approximately ~~9,060~~ 9,600 cubic yards of soil to depths of approximately 15 feet in one portion of the site.

5.J Revisions to Initial Study Section E.18, Hazards and Hazardous Materials

* Under Impact HZ-2, p. 96, the fourth sentence was updated to correct an error:

The proposed project would require the excavation of approximately ~~9,060~~ 9,600 cubic yards of soil to depths of approximately 15 feet in one portion of the site.

5.K Revisions to Figures

The following draft EIR figures were revised to reflect the changes to the project description as outlined in Chapter 2 and minor corrections in response to comments in Chapter 4 of this RTC document:

- Figure 2-3: Revised Proposed Site Plan
- Figure 2-4: Revised Proposed Floor Plan – Basement
- Figure 2-5: Revised Proposed Floor Plan – Level 1
- Figure 2-6: Revised Proposed Floor Plan – Level 2
- Figure 2-7: Revised Proposed Floor Plan – Level 3
- Figure 2-8: Revised Proposed Roof Level Plan
- Figure 2-9: Revised Proposed Elevations – North and South
- Figure 2-10: Revised Proposed Elevations – East and West

5.L Revisions to Appendices

Appendix E, Trip Generation, Freight Loading, and Passenger Loading Memo is updated to reflect changes to the proposed on-street parking and loading plan in consultation with the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and Public Works Disability Access Coordinator. These changes do not materially affect the analysis, nor do they alter the conclusions of the draft EIR with respect to transportation: there would be no new or substantially more severe impacts, nor would new or revised mitigation measures be necessary. Accordingly, no recirculation of the EIR is required. Updates to Appendix E are shown below.

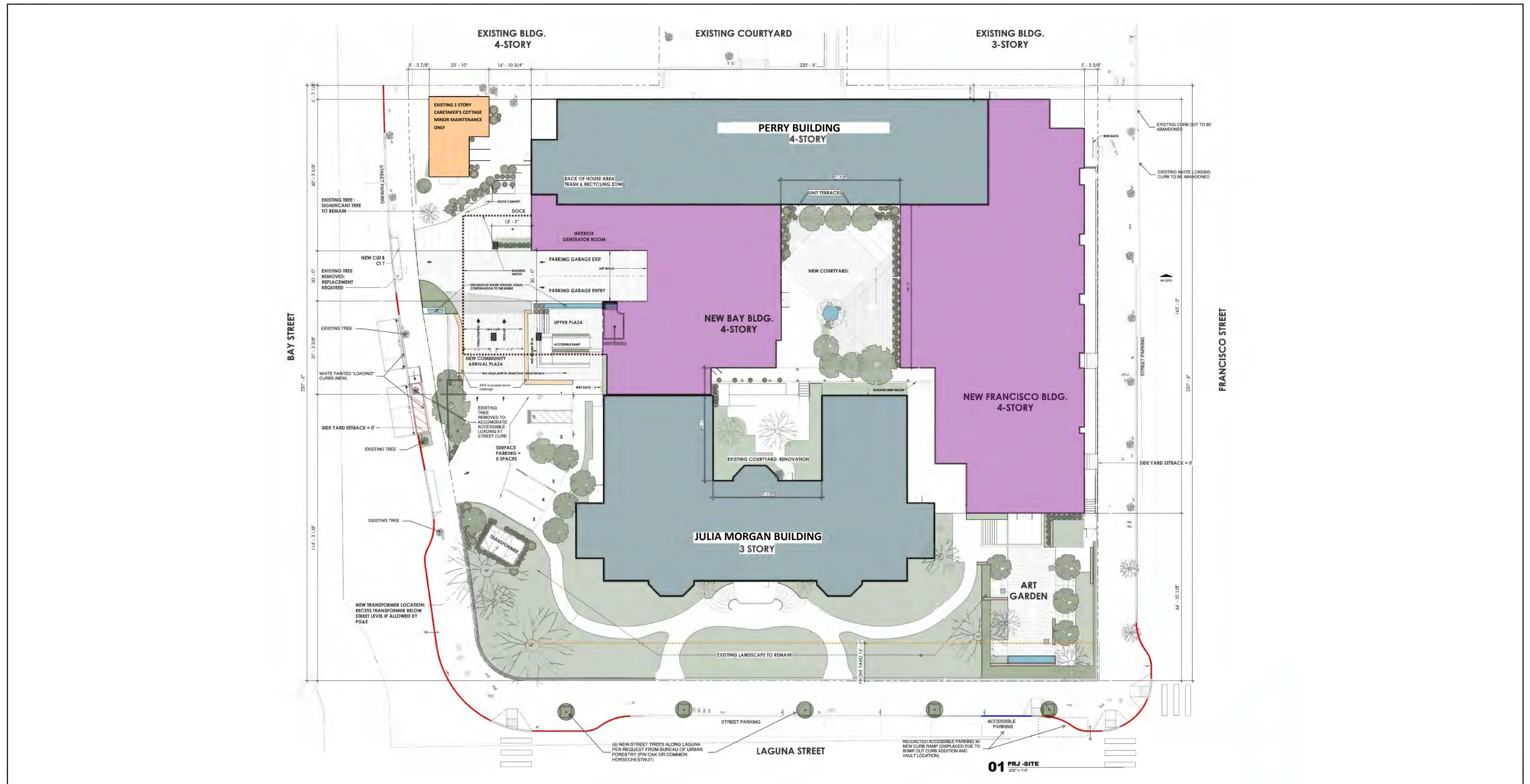


FIGURE 2-3

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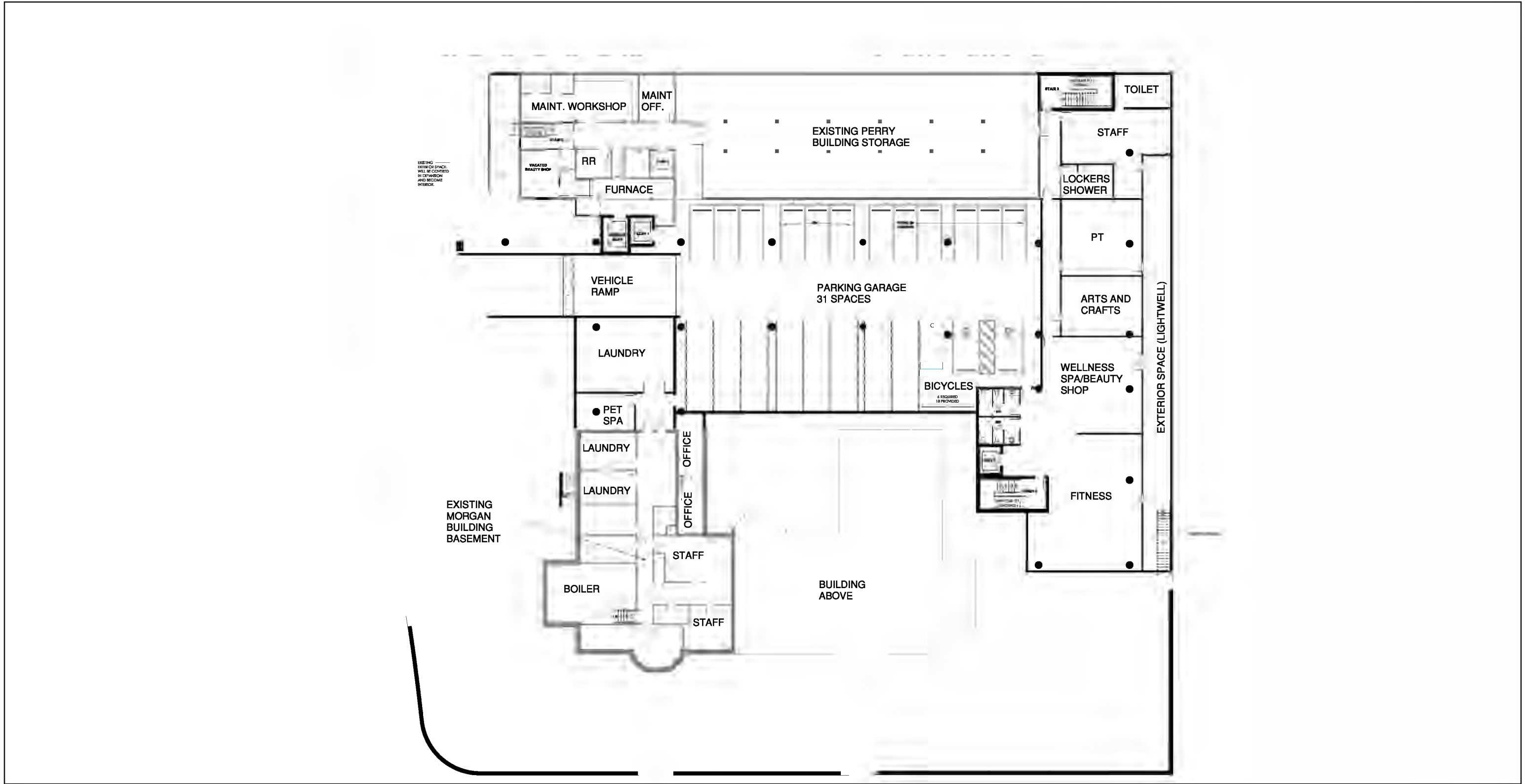
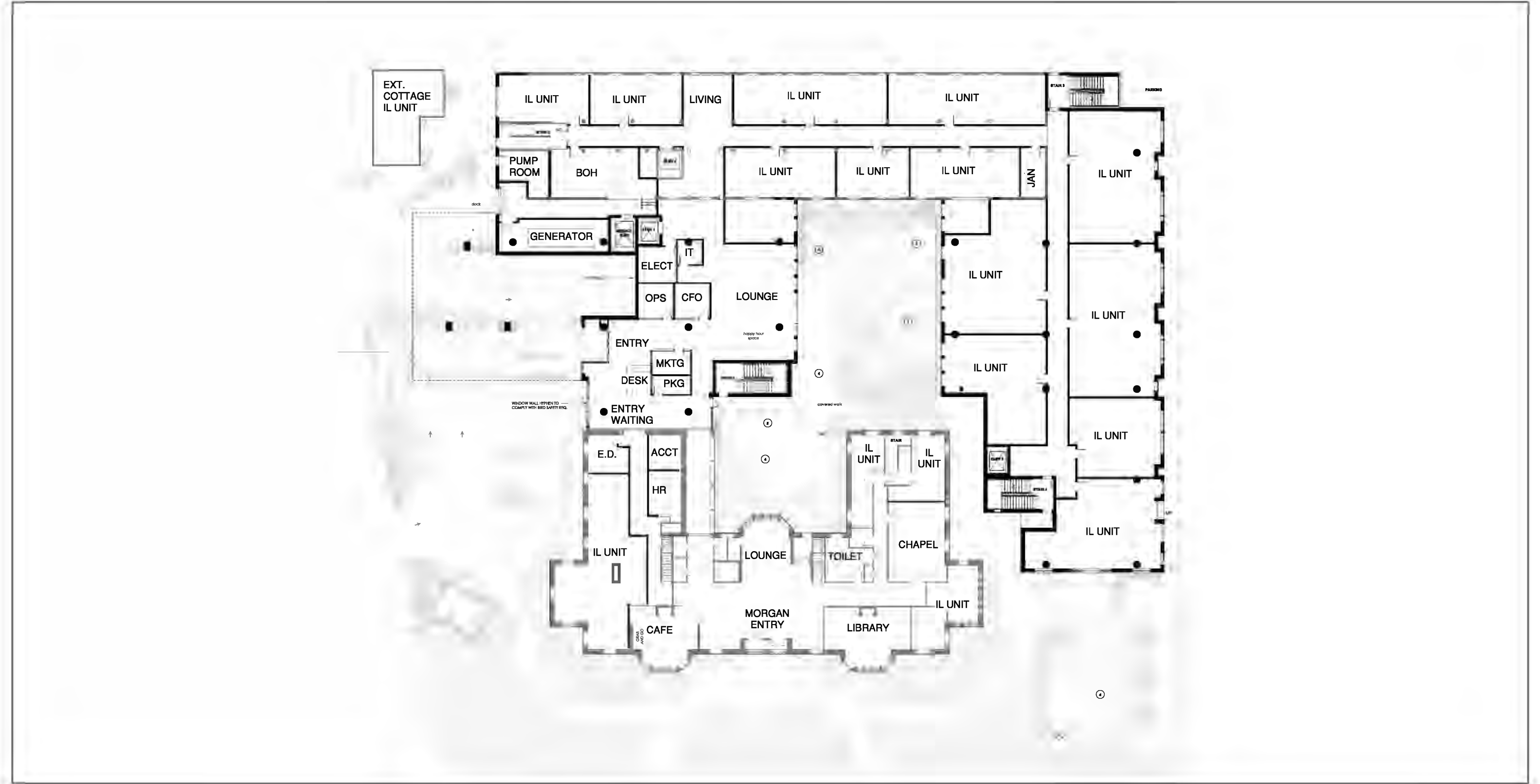


FIGURE 2-4



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LEGEND

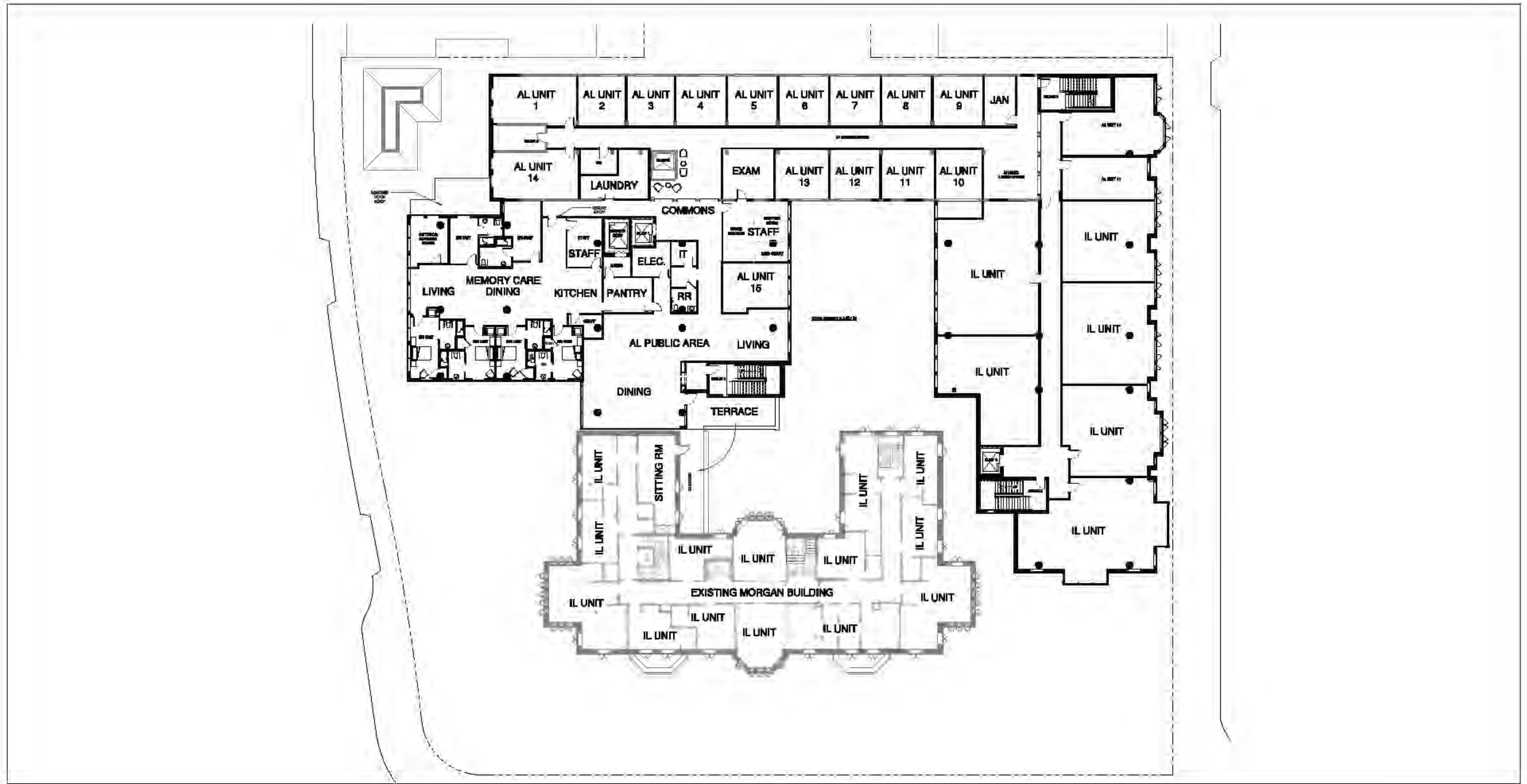
- IL** Independent Living
- AL** Assisted Living



NO SCALE
SOURCE: HKS, Inc. (March 14, 2025)

FIGURE 2-5

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LEGEND

IL

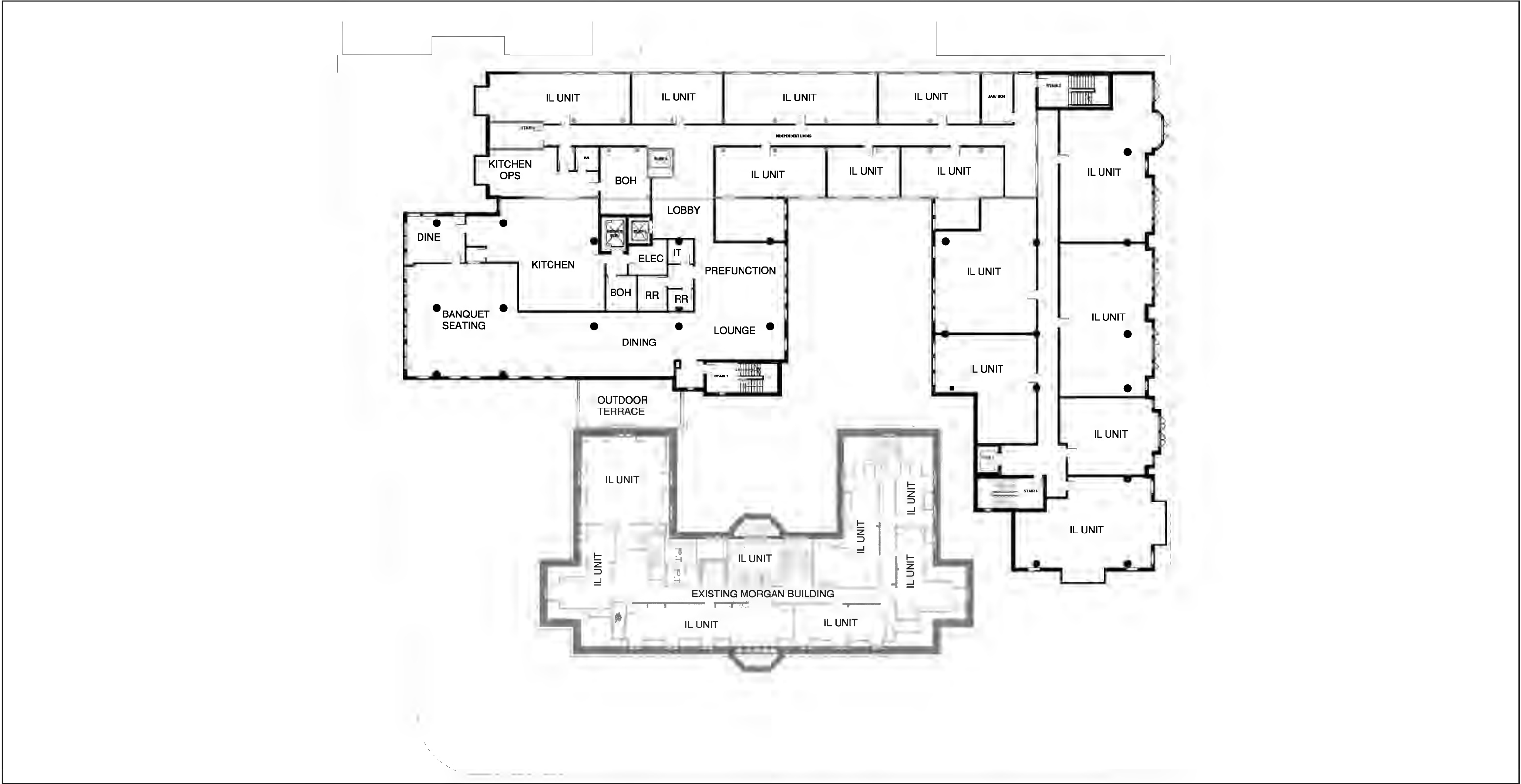
Independent Living

AL

Assisted Living

FIGURE 2-6

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LEGEND

- IL** Independent Living
- AL** Assisted Living



NO SCALE
 SOURCE: HKS, Inc. (March 14, 2025)

FIGURE 2-7

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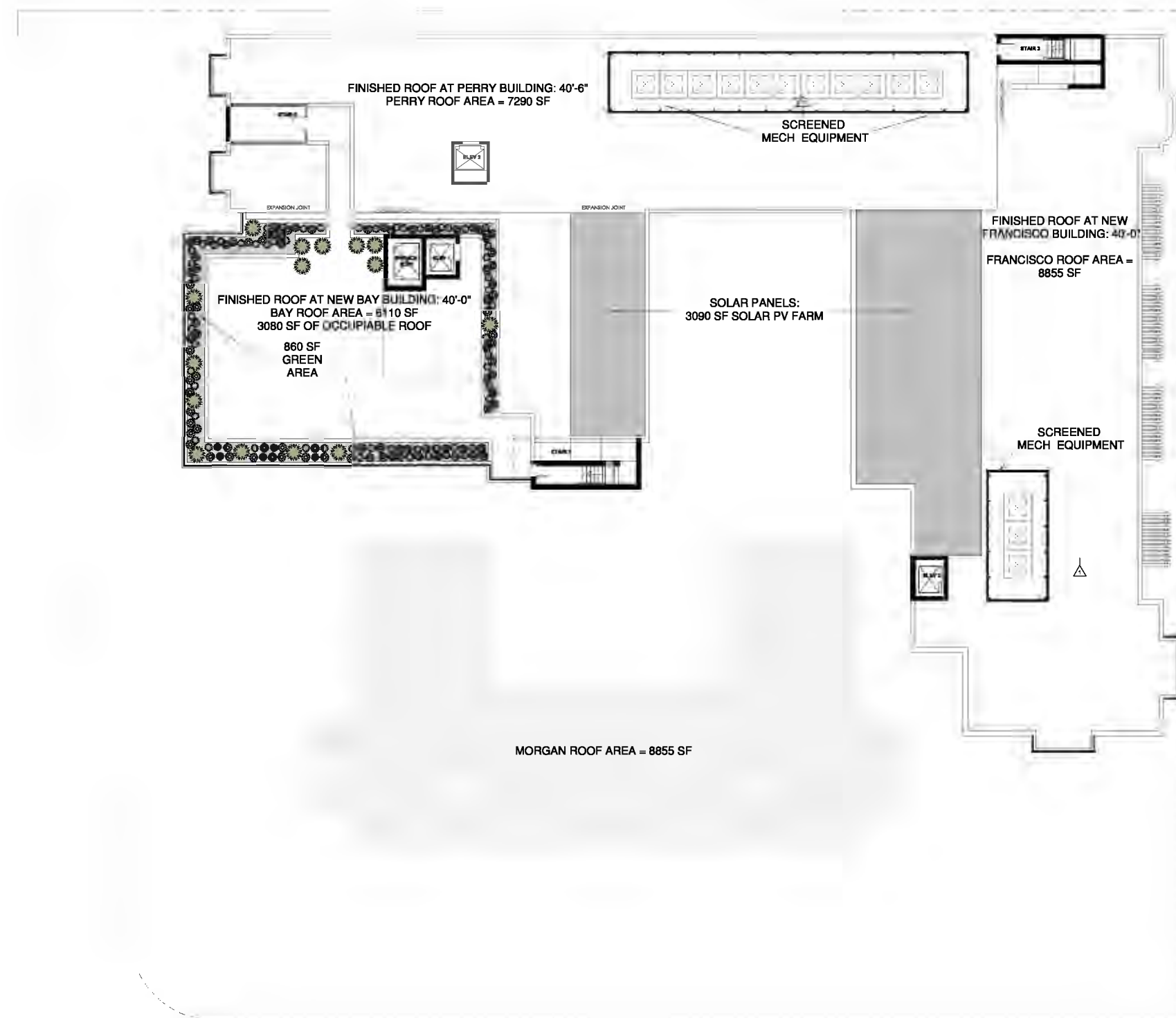


FIGURE 2-8



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FIGURE 2-9



NO SCALE
SOURCE: HKS, Inc. (March 14, 2025)

3400 Laguna Street Project
Proposed Elevations – North and South **(REVISED)**

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FIGURE 2-10



NO SCALE
SOURCE: HKS, Inc. (March 14, 2025)

3400 Laguna Street Project
Proposed Elevations – East and West **(REVISED)**

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* Updated Table 1, Proposed Project Details, on page 2, to reflect the updated on-street parking and loading color curb program following coordination with SFTMA and Public Works:

Table 1 Proposed Project Details

Project Component	Existing	Proposed	Net Change
Number of Building(s)	5	5	0
Maximum Building Stories¹	4	4	0
Maximum Building Height (feet)¹	41	41	0
Building Gross Square Feet	83,200	141,580	+58,380
Residential Care Units	86	109	+23
Useable Open Space (gross square feet)	26,410	30,280	+3,870
Off-Street Parking Spaces	17	36	+19
Off-Street Loading Spaces	2	1	-1
<u>Off-Street Car Share Space</u>	<u>0</u>	<u>1</u>	<u>+1</u>
On-Street Parking Spaces²	28	<u>2019</u>	<u>-89</u>
On-Street Ride Share Spaces	0	1	+1
On-Street Commercial Loading Spaces	0	0	0
On-Street Passenger Loading Spaces	3	2	-1

Source: HKS Inc. and Kimley-Horn, 2023; Source: HKS Inc. March 14, 2025 and Kimley-Horn, 2023.

Notes: All gross square feet numbers are rounded to the nearest multiple of 10.

- 1 Reflects the maximum building height and number of stories; existing buildings vary across the site. The existing Perry Building is 40.5 feet tall (rounded to 41 feet tall) and no changes to this building's height are proposed. The new Bay and Francisco building heights would not exceed 40 feet.
- 2 Reduction in parking due to bulb-outs required by planning code section 138.1 and in consultation with the San Francisco Municipal Transportation Agency (SFMTA) Color Curb Program and Public Works Disability Access Coordinator. In addition, one on-street parking space on Bay Street would be removed for the project's new driveway; however, one on-street parking space would be added on Francisco Street because the proposed project would eliminate the existing 22-foot passenger loading space on Francisco Street.

* The last sentence of the second paragraph on p.2 and Appendix A to reflect the Proposed Site Plan (Revised):

(See Appendix A – Proposed Site Plan [Revised March 14, 2025].)

* Under the first full paragraph on p. 3, revisions were included to reflect the proposed on-street loading and parking configuration:

In total the project would remove 89 on-street parking spaces and would add 19 off-street parking spaces. The proposed project would also remove one off-street loading

space by reconfiguring the off-street parking to accommodate the new driveway, porte cochère and below-grade garage entrance. Additionally, ~~one two, 20-foot-long on-street passenger loading spaces would be added along Bay Street. The 45-foot-long loading zone on Laguna Street would be returned to on-street parking, and the 22-foot-long on-street passenger loading zone removed on Francisco Street would be removed to add one on-street parking space.~~

- * Under the section *Street Design Advisory Team (SDAT) review*, the paragraph was updated to reflect the project sponsor's coordination with SFMTA and Public Works per the November 2022 SDAT letter:

The project was reviewed in November 2022 by San Francisco Planning's Street Design Advisory Team (SDAT), and a final letter with SDAT feedback was issued to the sponsor on December 12, 2022, as part of the Preliminary Project Assessment Letter (See Appendix B - SDAT Letter, December 2022 and SDAT follow up email, June 2023). The project sponsor complied with SDAT requests regarding bulb out design and proposed driveway changes. On June 7, 2023, SDAT responded to the resubmittal, affirming the sponsor had adequately satisfied previous SDAT comments for Planning's purposes and did not need to return for a full SDAT second meeting (Appendix C). In September and October 2024, the project sponsor coordinated with the SFMTA Color Curb Program and Public Works Disability Access Coordinator to update the on-street parking and loading plan. These changes are reflected in appendix A, Proposed Site Plan [Revised]. The changes included the addition of two, 20-foot-long on-street passenger loading spaces along Bay Street and returning the existing 45-foot-long loading zone on Laguna Street to on-street parking. As previously noted in the draft EIR, on-street parking would also be removed to accommodate the required bulb outs at the project site intersections, and the 22-foot-long on-street passenger loading zone on Francisco Street would be removed to add one on-street parking space.

- * Under Loading Impact Analysis under p. 4, second paragraph, the paragraph was updated to reflect the current proposal for on-street passenger loading:

The proposed project passenger loading space demand by land use is presented in Table 3, Project Passenger Loading Demand by Land Use. The proposed project would generate a passenger loading demand for one passenger loading space during the peak 15 minutes of the peak hour through the average peak period of passenger loading activity (5-8 p.m.). The project's passenger loading demand would be accommodated ~~by within the existing on-street, 45-foot-long white curb zone (approximately 2 loading spaces) on Laguna Street frontage and no loading deficit would occur. Additionally, the proposed project would develop an approximately 20-foot-long, two-lane off-street loading zone via the porte cochère in front of the proposed new Bay Building, which would provide universal access to the project site and additional passenger loading.~~

Additionally, two 20-foot on-street passenger loading spaces would be provided on Bay Street, adjacent to the accessible entrance.

- * Under Loading Impact Analysis, p. 5, updating the first paragraph to reflect the proposed on-street parking and loading configuration:

The proposed project's freight and commercial loading demand is presented on Table 4, Project Freight Loading Demand by Land Use. The proposed project would generate demand of up to approximately one delivery and service loading activities per day which corresponds to a loading demand up to one loading spaces during the peak hour of freight loading activity through the average peak period of freight and commercial loading activity (11am-2pm). The proposed project would provide one off-street freight loading space accessible via Bay Street and parcel delivery could occur via the 20-foot-long off-street porte cochère in front of the new Bay Building. Additionally, the project's existing on-street, 45-foot-long proposes two, 20-foot-long on-street white curb loading zones on Laguna Bay Street has sufficient length to accommodate 2 freight or passenger vehicles, should simultaneous passenger and freight/commercial loading activity occur. As described by SFMTA's color curb program, any vehicle may use a white zone for active loading and are subject to the rules and restrictions for the effective days, hours, and time limits (i.e., parking for more than five minutes in white zone are subject to citation and towing).

- * Under the list of appendices, updating the first line to reflect the revised proposed project site plan, dated March 14, 2025:

Appendix A – Proposed Site Plan (Revised), 3400 Laguna Street, and Freight Loading Turn Templates

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APPENDIX A

BRACKETED DRAFT EIR PUBLIC HEARING TRANSCRIPT

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Table Appendix A Public Hearing Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
Agencies				
A-CPC-Moore	Vice President Kathrin Moore	Transcript September 26, 2024	1	4.J.1 Comment GC-1: Document Clarity and Presentation
			2	4.B.2 Comment CR-2: Eligibility of Gardner Dailey Building and Warren Perry Building
			3	4.F.2 Comment TR-2: Traffic & Parking
				4.J.2 Comment GC-2: Project need and Justification"
			4	4.F.1 Comment TR-1: Street Safety
Individuals				
I-AlbukerkT-1	Tania Albuquerk	Transcript September 26, 2024	1.1	4.B.3 Comment CR-3: Landmark Designation Status
				4.E.1 Comment OC-1: Concurrent Release of Initial Study and Draft EIR"
			1.2	4.D.1 Comment ALT-1: Rehabilitative Alternative
				4.J.2 Comment GC-2: Project Need and Justification"

Appendix A: Bracketed Draft EIR Public Hearing Transcript

Table Appendix A Public Hearing Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			1.3	4.J.2 Comment GC-2: Project Need and Justification
			1.4	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.J.3 Comment GC-3: Site Orientation"

PUBLIC HEARING ON DRAFT EIR - September 26, 2024

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CITY AND COUNTY OF SAN FRANCISCO
PLANNING COMMISSION

---oOo---

PROJECT TITLE:)
3400 LAGUNA STREET PROJECT)
)
)
CASE NO.: 2022-009819ENV)
) Pages 1 - 17

PUBLIC HEARING ON DRAFT EIR
Thursday, September 26th, 2024

Stenographically reported by:
Brianna Rudd, CSR 13668

JAN BROWN & ASSOCIATES
WORLDWIDE DEPOSITION, VIDEOGRAPHY & TRIAL SERVICES
701 Battery St., 3rd Floor, San Francisco, CA 94111
(415) 981-3498 or (800) 522-7096
SCHEDULING@JANBROWNASSOCIATES.COM

A P P E A R A N C E S

COMMISSIONERS:

LYDIA SO, President

KATHRIN MOORE, Vice President

DEREK BRAUN, Commissioner

AMY CAMPBELL, Commissioner

THERESA IMPERIAL, Commissioner

SEAN McGARRY, Commissioner

GILBERT WILLIAMS, Commissioner

STAFF:

RICH HILLIS, Planning Director

JONAS IONIN, Commission Secretary

MEGAN CALPIN, EIR Coordinator

JOY NAVARRETE, Principal Environmental Planner

ALLISON VANDERSLICE, Principal Environmental Planner

JUSTIN GREVING, Senior Planner

PROJECT:

MARY LINDE, Project Sponsor

1 ---oOo---

2 September 26, 2024 - 12:57 p.m.

3 P R O C E E D I N G S

4 ---oOo---

5 ...

6 (Proceedings prior to agenda item #8 not reported.)

7 COMMISSION SECRETARY IONIN: If there's nothing
8 further, we can move on to item 8, for Case Number
9 2022-009819ENV, for 3400 Laguna Street. This is the
10 Draft Environmental Impact Report.

11 Please note that written comments will be
12 accepted at the Planning Department until 5:00 p.m. on
13 October 15th, 2024.

14 MS. CALPIN: Thank you, Jonas.

15 Good afternoon, President So and planning
16 commissioners. I'm Megan Calpin, Planning Department
17 staff and environmental impact review coordinator for the
18 3400 Laguna Street Project or the proposed project.

19 Joining me today are my colleagues Joy
20 Navarrete, Allison Vanderslice and Justin Greving.
21 Members of the project sponsor team are also present
22 today.

23 Can my presentation please be shown. Thank you.

24 The item before you today is the public hearing
25 on the 3400 Laguna Street Project draft Environmental

1 Impact Report or draft EIR.

2 The purpose of today's hearing is to take public
3 comment on the adequacy, accuracy and completeness of the
4 draft EIR pursuant to the California Environmental
5 Quality Act, or CEQA, and San Francisco's local
6 procedures for implementing CEQA. No approval action on
7 this document is requested at this time.

8 As Jonas mentioned, the draft EIR will receive
9 public comment through October 15th at 5:00 p.m., and the
10 Draft EIR was published on August 28th, 2024.

11 I will now provide a brief overview of the
12 existing project site.

13 3400 Laguna Street is an approximately 1.6-acre
14 project site with frontages along Laguna, Bay and
15 Francisco Streets in the Marina District. Moscone Rec
16 Center is located to the west, and Upper Fort Mason is
17 north of the project site.

18 3400 Laguna Street is located within an RM-1,
19 Residential-Mixed Use, Low-Density Zoning District and a
20 40-X Height and Bulk District. The existing land use is
21 institutional, as a residential care facility, and the
22 land uses in the surrounding area include a mixture of
23 single- and multi-family residential, public and
24 commercial uses.

25 The project site is currently improved with five

1 structures of approximately 83,200 gross square feet.
2 The five structures are: the Julia Morgan Building,
3 constructed in 1925; the Caretaker's Cottage, constructed
4 in 1928 to 1929; the Perry Building; the Perry Building
5 Connector; and the Health Center.

6 Four of the existing buildings are currently
7 interconnected and surround a central courtyard. There's
8 a second courtyard east of the Perry Building, on the
9 eastern boundary of the project site. The site also
10 contains a front lawn that is located between the
11 existing entrance to the Julia Morgan Building and Laguna
12 Street.

13 The project site has been occupied by the
14 Heritage on the Marina residential care retirement
15 community since 1925. The project site contains 86
16 residential care suites, common space for residents,
17 dining and recreation, 26,410 square feet of usable open
18 space, 17 off-street parking spaces and two off-street
19 loading spaces.

20 Next I will provide an overview of the proposed
21 project as analyzed in the draft EIR.

22 So the proposed project would maintain the
23 current operation at the site as a residential care
24 facility. The project would demolish two of the existing
25 five buildings, the Perry Building Connector and the

1 health center, and construct two new buildings, the Bay
2 Building and the Francisco Building, of heights not to
3 exceed 40 feet, in the same locations as the demolished
4 structures. The existing Julia Morgan Building and Perry
5 Buildings would be interconnected to the two new
6 buildings, similar to the existing onsite buildings'
7 configuration. The proposed project would also renovate
8 the Julia Morgan and Perry Buildings. The project would
9 not include any changes to the Caretaker's Cottage, the
10 front lawn or the rear courtyard.

11 The project would also construct a below-grade
12 parking garage with a new driveway off of Bay Street. A
13 porte-cochère would be part of the construction of the
14 new Bay Building, allowing for off-street, accessible
15 loading for residents and guests. The proposed project
16 would also include streetscape improvements such as
17 bulb-outs at both project site intersections and the
18 addition of three trees along the Laguna Street frontage.
19 In total, the proposed project would add 58,380 square
20 feet of net new institutional use and increase the number
21 of residential care suites by 23, from 86 to 109.

22 Shown on the next few slides that I'll click
23 through are sight line images prepared by the project
24 sponsor's architect, showing the proposed project in
25 relation to the project site and the existing buildings

1 to remain.

2 So this is a view from Laguna Street, from Bay
3 Street, and from Francisco Street.

4 Next I'll describe the historic statuses of each
5 of the existing buildings at 3400 Laguna Street, as
6 determined in the Historic Resource Evaluation.

7 So the Historic Resource Evaluation was prepared
8 in 2023 to assess the historic significance of the
9 existing property. 3400 Laguna has been identified as
10 eligible for the California Register of Historic Places
11 under Criterion 1 and Criterion 3.

12 The Julia Morgan Building was constructed in the
13 Jacobethan Revival style by architect of merit Julia
14 Morgan for the Ladies' Protection and Relief Society in
15 1925, which later became the Heritage on the Marina. The
16 freestanding one-story stone Caretaker's Cottage,
17 constructed in 1928 to 1929, is located in the northeast
18 corner of the site just north of the Perry Building.

19 The Planning Department concluded that the
20 additions and alterations to the site made after 1957
21 have not taken on historical significance and do not
22 contribute to the significance of 3400 Laguna Street.

23 None of the buildings on the project site are
24 currently article 10 landmarks, and the project site is
25 not located in an article 10 historic district. However,

1 in March 2024, the Department received a
2 community-initiated article 10 Landmark Designation
3 nomination for the site. On May 15, 2024, the Historic
4 Preservation Commission held a hearing regarding the
5 Landmark Designation nomination and instructed staff to
6 add the site to the Landmark Designation work plan. On
7 August 21st, 2024, the Historic Preservation Commission
8 approved the initiation of the Article 10 Landmark
9 Designation.

10 Next steps include one additional Historic
11 Preservation Commission hearing, which will occur on
12 October 16th, 2024, to formally send the recommendation
13 to the Board of Supervisors, where the Landmark
14 Designation would be referred to the land use committee
15 and then heard by the full board. This process will run
16 in parallel to the environmental review process that
17 we're -- under CEQA, but it would not impact the outcome
18 of this EIR.

19 The draft EIR concludes that the proposed
20 project would not result in any significant or
21 unavoidable impacts. Six impacts were found to be less
22 than significant with mitigation. All other impacts from
23 the proposed project were found to be less than
24 significant or would result in no impact.

25 Six mitigation measures shown here on the slide

1 on the right were identified to mitigate the impacts to a
2 less-than-significant level. And with the implementation
3 of these mitigation measures, the proposed project would
4 not have any significant impacts.

5 To address the impacts requiring mitigation
6 measures, the Draft EIR also analyzed three feasible
7 alternatives to the proposed project pursuant to CEQA:
8 the no project alternative; the rehabilitation
9 alternative; and the reduced construction alternative.

10 The Draft EIR contains analysis of the impacts
11 associated with the three alternatives. These impacts
12 are summarized in the table shown here. The summary is
13 that all of the alternatives reduced the impacts more
14 than the existing project at varying levels.

15 So today we're conducting a public hearing on
16 the adequacy and accuracy of the draft EIR. For members
17 of the public who wish to speak, please state your name
18 for the record. We have a court reporter joining
19 remotely, who will record your comments. When it is your
20 turn, please state your name and spelling, and we ask
21 that you speak slowly and clearly so that the court
22 reporter can make an accurate transcription of today's
23 proceedings.

24 Staff is not here to answer comments today.
25 Comments may be transcribed -- or will be transcribed and

1 responded to in writing in the Responses to Comments
2 document. That document will respond to all relevant
3 verbal comments received today and any written comments
4 received during the public comment period, as well as
5 include revisions to the draft EIR as appropriate.

6 And those who are interested in commenting on
7 the draft EIR in writing, by mail or e-mail, may submit
8 their comments to me, Megan Calpin, EIR coordinator, at
9 the address shown on the screen, 49 South Van Ness
10 Avenue, Suite 1400, San Francisco, or the project e-mail
11 address, cpc.3400lagunaeir@sfgov.org.

12 Again, those comments are due by 5:00 p.m. on
13 October 15th, and we anticipate the publication of the
14 Response to Comments in the spring and followed by an EIR
15 certification hearing shortly after that.

16 Unless the commissioners have questions, I
17 respectfully suggest that the public hearing on this item
18 be opened. Thank you.

19 COMMISSION SECRETARY IONIN: Very good. Thank
20 you.

21 We should open up public comment. Members of
22 the public, this is your opportunity to address the
23 commission on this matter. You need to come forward.

24 MEMBER OF PUBLIC: Okay. Hi. My name is Tania
25 Albuquerk, A-L-B-U-K-E-R-K.

1 First, I want to object to the timing of the
2 issuance of the EIR on two grounds:

3 One is, I think it should have been paused while
4 the Landmark Designation is being considered. This is
5 just logical. It includes extensive commentary on
6 suggestions regarding how to protect historic resources,
7 but it was prepared based only on its own assumptions
8 about what will actually be protected once the landmark
9 process is complete.

10 Second, the initial studies should have been
11 completed and released before the draft EIR, not at the
12 same time. That really jeopardizes the public's ability
13 to comment in any effective way on the draft EIR.

14 I understand that initial study's not required
15 under CEQA, but in this case, when it is done, the CEQA
16 rules and the code under which it's adopted assumes that
17 it will be the starting point for a draft EIR. It
18 doesn't say anything about releasing them both at the
19 same time and jeopardizing the public's ability to
20 comment.

21 Turning to the substance of the draft EIR, I
22 agree with the Department's conclusion in it, that no
23 project is the most environmentally conscientious choice
24 and has alternative renovations of existing buildings.
25 Any justification for ignoring those two superior options

1 is based on economic arguments that the Heritage is
2 asserting without any basis.

3 In particular, there's absolutely no data,
4 economic or financial information of any kind in the EIR
5 or supporting documentation that support Heritage's
6 claims for an economic need for this gigantic project.
7 For this reason alone, the Draft EIR fails the
8 sufficiently credible test for agency findings set forth
9 in the California Supreme Court case Laurel Heights
10 Improvement Association and shouldn't be relied upon by
11 SF Planning.

12 Second, the Heritage claims it needs more units
13 to be competitive in the market. But if you look at
14 their premise history, since 2010 alone, it has chosen to
15 merge 29 separate units in -- which resulted in a loss of
16 16 units, including turning one into a laundry room and,
17 in other cases, taking three separate units and turning
18 them into giant luxury apartments. They shouldn't be
19 rewarded with a 58,000-square-foot project for this
20 situation that they created.

21 Third, they are making a radical and
22 unprecedented demand that you change the orientation of
23 their parcel street, Francisco Street, as their rear and
24 to get a variance from rearyard setbacks to build to the
25 property line. Don't let them do that. Not only would

1 it materially impair the historic Morgan mansion by
2 basically making it an ancillary side building, which
3 would be in violation of the historic preservation rules,
4 but it would also violate history. For a hundred years,
5 the property --

6 (Simultaneous crosstalk.)

7 COMMISSION SECRETARY IONIN: Thank you, ma'am.
8 That is your time.

9 MEMBER OF PUBLIC: -- and relied upon. Thank
10 you.

11 COMMISSION SECRETARY IONIN: Okay. Last call
12 for public comment.

13 Seeing none, public comment is closed. It is
14 now before you, commissioners.

15 COMMISSIONER SO: Commissioner Moore?

16 COMMISSIONER MOORE: I would raise some of the
17 questions which were raised by the public. Thank you
18 very much for going in as much detail. I wish I could
19 read the entire comment you had. You couldn't finish.

20 The hardest thing for me is, not questioning
21 that somebody can consider enlarging their property, that
22 the description of the project itself is hardly legible
23 in the documents that we have. I received a printed
24 copy, but even if I use my small laptop, I'm unable to
25 fully read the extent of the plans of what's intended

1 here. That was missing data about the type of units that
2 there are, the ones that may have been merged, including
3 the incredible increase in parking makes me wonder.

4 That is a question, where I would ask that
5 not only do we show better-size plans, but the existing
6 side plan and the proposed side plan are hardly
7 distinguishable because I think, in print, the
8 distinction between the colors of what is and what
9 should be is not fully depicted so that one can see the
10 extent of what's being described.

11 What is puzzling to me is that there is a short
12 shrift to fully justify why a Gardner Dailey building,
13 built in the fifties, and the Warren Perry Building that
14 are being demolished are not worth considering,
15 Particularly by age, they are a part of what should be
16 considered as a historic building. The fact that they
17 are background buildings seemed to be, to me, more in
18 respect to Julia Morgan's significant building than
19 anything that attracts on the quality of architecture
20 that particularly Mr. Dailey -- or Gardner Dailey has
21 been producing his entire career as a master architect.

22 Lastly, I have a question about the increase in
23 parking. When one moves into a retirement home, one
24 doesn't park, most likely drive a car anymore. The only
25 thing I know is that I believe that taking access to the

1 parking garage from Bay Street, which is a little bit
2 difficult to discern in the plan, creates an additional
3 danger to an already significantly complicated and
4 underserved intersection at the corner of Bay and Laguna,
5 where bike lanes are continuously in conflict with cars
6 at rather high-speed turning, including some, but not
7 fully comprehensible, through lane that continues down
8 Bay beyond Laguna Street.

9 I believe that's also -- I think Director Hillis
10 knew that while having worked at Fort Mason. It's an
11 extremely dangerous intersection.

12 And I also don't believe that an entrance to
13 parking off Bay Street, other than a right turn in, right
14 turn out, is at all feasible given that the curvature of
15 the road is already dangerous enough as it is.

16 The -- I would ask that the EIR produces better
17 readable plans, enlarges the depiction of the
18 alternatives that were analyzed, particular when it comes
19 to the little diagram so that people can really fully
20 understand of how they're different.

21 And I think those are my comments.

22 Technically, I think the EIR follows of what we
23 typically do. It just -- I believe it needs further
24 examination in particular areas of detail. Thank you.

25 COMMISSION SECRETARY IONIN: If there's no

1 further comment, commissioners, we can move on to item 9.

2 (Whereupon the proceedings adjourned at

3 1:16 p.m.)

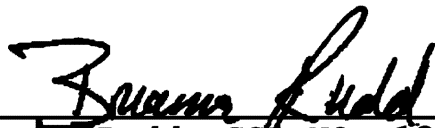
4 ---oOo---

REPORTER'S CERTIFICATE

I, BRIANNA RUDD, a Shorthand Reporter,
State of California, do hereby certify:

That said proceedings were taken before
me at said time and place, and were taken down in
shorthand by me, a Certified Shorthand Reporter of the
State of California, and were thereafter transcribed into
typewriting, and that the foregoing transcript
constitutes a full, true and correct report of said
proceedings that took place.

IN WITNESS WHEREOF, I have hereunto
subscribed my hand this 14th day of October, 2024.


Brianna Rudd, CSR NO. 13668

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APPENDIX B

BRACKETED DRAFT EIR COMMENTS LETTERS AND EMAILS

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Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
Agencies				
A-SFPUC	San Francisco Public Utilities Commission	Email October 8, 2024	1	4.J.1: Comment GC-1: Concurrent Release of Initial Study and Draft EIR
Organizations				
O-HOA	1435 Bay Street Homeowners Association	Email October 14, 2024	1	4.G.1 Comment NO-1: Noise and Vibration Impacts
			2	4.J.4 Comments GC-4: General Comments
			3	4.J.4 Comments GC-4: General Comments
			4	4.H.1 Comment BIO-1: Biological Resources
			5	4.I.1 Comment HZ-1: Hazardous Materials
			6	4.E.2 Comment OC-2: Aesthetics
			7	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
			8	4.F.1 Comment TR-1: Street Safety
Individuals				
I-AlbukerkL	Larry Albukerk	Email October 15, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.B.3 Comment CR-3: Landmark Designation Status

Appendix B: Bracketed Draft EIR Comments Letters and Emails

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			2	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			3	4.J.2 Comment GC-2: Project Need and Justification
			4	4.E.2 Comment OC-2: Aesthetics
I-AlbukerkT-2	Tania Albuquerk	Email October 9, 2024	2.1	4.B.3 Comment CR-3: Landmark Designation Status
				4.J.2 Comment GC-2: Project Need and Justification
			2.2	4.E.1 Comment OC-1: Concurrent Release of Initial Study and Draft EIR
			2.3	4.D.1 Comment ALT-1: Rehabilitative Alternative
			2.4	4.J.2 Comment GC-2: Project Need and Justification
			2.5	4.D.1 Comment ALT-1: Rehabilitative Alternative
			2.6	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.J.3 Comment GC-3: Site Orientation
			2.7	4.E.2 Comment OC-2: Aesthetics

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			2.8	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			2.9	4.G.1 Comment NO-1: Noise and Vibration Impacts
I-Armour	Theo Armour	Email October 14, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
I-Beresford	Maese Beresford	Letter October 5, 2024	1	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			2	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
			3	4.J.2 Comment GC-2: Project Need and Justification
I-Chandler	Christy Chandler	Email October 15, 2024	1	4.E.1 Comment OC-1: Concurrent Release of Initial Study and Draft EIR
				4.J.2 Comment GC-2: Project Need and Justification
			2	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			3	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
I-Draper	Bart Draper	Email October 15, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building

Appendix B: Bracketed Draft EIR Comments Letters and Emails

Table Appendix B Written Comments

Committer Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			2	4.D.1 Comment ALT-1: Rehabilitation Alternative
				4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			3	4.D.1 Comment ALT-1: Rehabilitation Alternative
				4.G.1 Comment NO-1: Noise and Vibration Impacts
I-Dunford	David Dunford	Email October 15, 2024	1	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			2	4.E.2 Comment OC-2: Aesthetics
I-Eichler	Todd Eichler	Email October 15, 2024	1	4.J.2 Comment GC-2: Project Need and Justification
			2	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.E.2 Comment OC-2: Aesthetics
I-Fitzgerald	Maurice Fitzgerald	Email October 13, 2024	1	4.F.1 Comment TR-1: Street Safety
I-Fontanello	Gloria Fontanello	Email October 15, 2024	1	4.F.1 Comment TR-1: Street Safety

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
I-Goldstein	Brenda Goldstein	Email October 14, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.D.1 Comment ALT-1: Rehabilitation Alternative
			2	4.E.1 Comment OC-1: Concurrent Release of Initial Study and Draft EIR
			3	4.F.2 Comment TR-2: Traffic & Parking
			4	4.G.1 Comment NO-1: Noise and Vibration Impacts
			5	4.E.2 Comment OC-2: Aesthetics
			6	4.D.1 Comment ALT-1: Rehabilitation Alternative
I-Grohne	Margaret Grohne	Email October 15, 2024	1	4.B.1 Comment CR-3: Landmark Designation Status
			2	4.E.2 Comment OC-2: Aesthetics
			3	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
				4.G.1 Comment NO-1: Noise and Vibration Impacts
			4	4.J.2 Comment GC-2: Project Need and Justification

Appendix B: Bracketed Draft EIR Comments Letters and Emails

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
I-Hebel	Mike Hebel	Email October 11, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
			2	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			3	4.G.1 Comment NO-1: Noise and Vibration Impacts
			4	4.F.2 Comment TR-2: Traffic & Parking
			5	4.E.2 Comment OC-2: Aesthetics
			6	4.J.2 Comment GC-2: Project Need and Justification
			7	4.D.1 Comment ALT-1: Rehabilitation Alternative
I-Herrmann	Mark Hermann	Email October 15, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.E.2 Comment OC-2: Aesthetics
			2	4.J.3 Comment GC-3: Site Orientation
I-Iparraguirre	John Iparraguirre	Email October 15, 2024	1	4.B.3 Comment CR-3: Landmark Designation Status
				4.J.2 Comment GC-2: Project Need and Justification
			2	4.E.1 Comment OC-1: Concurrent Release of Initial Study and Draft EIR

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			3	4.D.1 Comment ALT-1: Rehabilitative Alternative
			4	4.J.2 Comment GC-2: Project Need and Justification
			5	4.D.1 Comment ALT-1: Rehabilitative Alternative
			6	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.J.3 Comment GC-3: Site Orientation
			2.7	4.E.2 Comment OC-2: Aesthetics
			2.8	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			2.9	4.G.1 Comment NO-1: Noise and Vibration Impacts
I-Lester	David Lester	Email October 15, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
			2	4.G.1 Comment NO-1: Noise and Vibration Impacts
			3	4.F.2 Comment TR-2: Traffic & Parking
			4	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk

Appendix B: Bracketed Draft EIR Comments Letters and Emails

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
				4.D.1 Comment ALT-1: Rehabilitation Alternative
I-Parsons	John Parsons	Email October 15, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
			2	4.G.1 Comment NO-1: Noise and Vibration Impacts
			3	4.F.1 Comment TR-1: Street Safety
I-Peckham	Terry Peckham	Email October 9, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.D.1 Comment ALT-1: Rehabilitation Alternative
			2	4.F.2 Comment TR-2: Traffic & Parking
				4.G.1 Comment NO-1: Noise and Vibration Impacts
I-Polidore	Todd Polidore	Email October 12, 2024	1	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
			2	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			3	4.G.1 Comment NO-1: Noise and Vibration Impacts
			4	4.F.1 Comment TR-1: Street Safety
			5	4.F.2 Comment TR-2: Traffic & Parking

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			6	4.E.3 Comment OC-3: Cumulative Impacts
			7	4.E.2 Comment OC-2: Aesthetics
I-Stilwell	Mia Stilwell	Email October 15, 2024	1	4.G.1 Comment NO-1: Noise and Vibration Impacts
				4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			2	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
				4.E.2 Comment OC-2: Aesthetics
			3	4.J.3 Comment GC-3: Site Orientation
I-WilliamsJ	Jillian Williams	Email October 14, 2024	1	4.F.2 Comment TR-2: Traffic & Parking
			2	4.I.1 Comment HZ-1: Hazardous Materials
			3	4.G.1 Comment NO-1: Noise and Vibration Impacts
			4	4.B.1 Comment CR-1: Impacts to Julia Morgan Building
I-WilliamsK	Kathleen Williams	Email October 10, 2024	1	4.C.1 Comment AQ-1: Project Emissions and Related Cancer Risk
			2	4.G.1 Comment NO-1: Noise and Vibration Impacts

Appendix B: Bracketed Draft EIR Comments Letters and Emails

Table Appendix B Written Comments

Commenter Code	Name and Title of Commenter	Format	Comment Number	Topic Code
			3	4.J.2 Comment GC-2: Project Need and Justification
			4	4.D.1 Comment ALT-1: Rehabilitation Alternative

Review of CEQA Documents for Non-SFPUC Projects
San Francisco Public Utilities Commission

Document Name: **Draft Environmental Impact Report**
Project: **3400 Laguna Street**

SFPUC EMG Coordinator: **Kelly Yong**
Date: **10/8/24**

Comment Number	Commenter Name & SFPUC Division	Document Section Title or Section Number	Page Number and Line or Paragraph Number	Figure Number	Review Comment
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1	Fan Lau, P.E., SFPUC, Water Resources Division	Section 2.D.7 Project Approvals, Sub-section 3 Actions by Other City Departments: Item 3.d(3)	page 2-26	n/a	"Review and approval of water budget calculations for on-site water use per requirements of the Non-potable Water Ordinance". Please remove this item from the list of SFPUC actions as the project would not be subject to the Non-potable Water Ordinance.
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A-SFPUC-1

From: Larry Albukerk [REDACTED]
Sent: Tuesday, October 15, 2024 9:12 AM
To: CPC.3400LagunaEIR
Subject: Response to Draft Environmental Impact Report at 3400 Laguna Street

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

San Francisco Planning Case No.: 2022-009819ENV
State Clearinghouse No. 2024050241

Dear Ms. Calpin,

As a long-time resident of this beautiful Marina neighborhood, I am deeply concerned about the proposed project at 3400 Laguna Street. This area has been my family home for decades, and the most prominent treasure of our neighborhood is the **Julia Morgan-designed building**.

I-AlbukerkL-1

Demolishing parts of this site and adding massive modern structures will **irreversibly alter the historic character** of the neighborhood. The proposed new buildings will overshadow the historical features that define this community and reduce the visibility of the **Julia Morgan building**, increase shadows, block light and look awful. As further evidence of this, the Julia Morgan building is currently in front of the Historic Preservation Commission which has unanimously agreed to support its inclusion as a City Landmark. It would make sense for this process to play out before coming to any conclusions about this EIR and to reverse the request by the Heritage to not include aesthetics as part of this EIR. Further, the owners of the building cannot have both the benefit of it being Institutional and Residential, The Heritage has always maintained that this is an Institutional building and has reaped the rewards such as not having to provide affordable housing.

I-AlbukerkL-2

Further, I am extremely concerned about the health impact this project will have on the local neighbors. The below table shows that as a nearby resident I am statistically significant (much more likely) to get cancer because of this project, so are my wife and my kids. The on-site residents and workers are all protected but I am NOT. I read the mitigation plan and I think we all know that this is a fantasy at best - asking the construction firm to only use modern equipment, abide by the manufacturer manuals, no idling etc... how does the City audit and enforce these mitigation requests? The other part of the health concern is the noise. Again, mitigation for the residents, workers etc.. but not the neighbors. In fact, it's anticipated to be so bad that the Heritage will move residents and give them headphones, yet we just have to suffer? These are two points that will eventually be litigated by the neighbors so please listen to us now and do not just give the Heritage what they want.

Table 3.C-8 Existing Plus Project Lifetime Cancer Risk at Maximally Exposed Individual Receptors

	On-site Residential Receptor	Off-site Residential Receptor	Off-site Childcare Receptor	Off-site School Receptor	On-site Worker Receptor	Off-site Worker Receptor
Receptor coordinates (UTM X, UTM Y)	550120, 4184080	550140, 4184080	550240, 4184160	549760, 4183980	550120, 4184080	550240, 4184160
Proposed project cancer risk (per 1 million)	1.37	26.31	8.44	0.14	0.69	0.05
Existing lifetime excess cancer risk (2020)¹ (per 1 million)	108.16	107.64	133.99	95.39	108.16	133.99
Existing + proposed project cancer risk (per 1 million)	109.53	133.95	142.43	95.53	108.85	134.04
Existing cancer risk meets APEZ criteria?	Yes	Yes	Yes	No	Yes	Yes
Significance threshold for project contribution (per 1 million)	7.0	7.0	7.0	10.02	7.0	7.0
Threshold exceeded?	No	Yes	Yes	No	No	No

Source: LSA 2024; see Appendix D.2, 3400 Laguna Street Air Quality and Health Risk Assessment Results.

¹ Background cancer risk at receptor from the 2020 Citywide HRA database.

² The excess cancer risk of 10 significance threshold only applies to receptors that do not meet the excess cancer risk APEZ criteria under existing conditions but would meet the excess cancer risk APEZ criteria as a result of the proposed project.

UTM = Universal Transverse Mercator

UTM X = eastward-measured distance

UTM Y = northward-measured distance

I-AlbukerkL-3

Why is the Heritage allowed to build this project? To the best of my knowledge they are asking for an economic necessity waiver? Maybe because it does not comply with the local zoning and nothing else about this project is going through the normal channels. The Heritage reduced the number of units over the last several years, now they want to add units so they can stay competitive? This is a not-for-profit entity with over \$100 million of assets, probably much more now because as of their last statement, \$90 million of their assets were invested in the stock market and the market is up tremendously since the date of their last report 2 years ago. The Heritage has not demonstrated that they need to build to stay solvent, there are no financial figures in their request.

The Heritage is a not-for-profit organization yet it only serves extremely wealthy customers. There is no affordable housing that comes with this project (because they do not want to be classified as Residential and have to provide affordable housing?). They do not serve the needy. They do not contribute to the City, State or Federal tax base. Why are my tax dollars going to support a project that is bad for my health, bad for San Francisco's historical preservation, bad for the local community? If this project brought real housing onto the market, really served the community, had affordable housing open to the public or in some obvious way benefitted the City or neighborhood I could consider the tradeoff of building this monstrosity, but it does not.

I-AlbukerkL-4

Please at the very minimum bring back the standard of aesthetics to this EIR process to protect the Julia Morgan building, do not let the Heritage 'reorient' the property, resolve the health dangers and justify why we need this project.

Regards,
Larry Albukerk

Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

Re: Response to Draft Environmental Impact Report, issued August 28, 2024

Property: 3400 Laguna Street Project (also known as the “The Heritage at the Marina” (the “Heritage”))

San Francisco Planning Case No.: 2022-009819ENV

State Clearinghouse No. 2024050241

October 9, 2024

Dear Ms. Calpin,

I am writing to you to share my comments on both the Draft Environment Impact Report (Draft EIR) and the Initial Study for the Draft EIR, both issued August 28, 2024, for the Property referenced above.

Before addressing the substance of the Draft EIR and Initial Study, I want to discuss why the issuance of the Draft EIR and parts of the Initial Study were premature and not in accordance with the CEQA law and regulations thereunder.

1. It is premature to issue a draft EIR and Initial Study while the Historical Landmark Designation Process is Ongoing and Incomplete.

I-AlbuerkerT-2.1

As noted throughout the Draft EIR and Initial Study, since March 2024, the SF Historical Preservation Committee (HPC) has been considering a nomination to protect the Property with historical landmark status. At its meeting on August 20, 2024, the HPC voted unanimously in favor of such designation, and it will be voted on again in October, after which the nomination will be considered by the Board of Supervisors. It was premature and presumptuous to move forward with the Draft EIR and Initial Study while the landmark process is underway. Throughout both documents, Department staff make numerous assumptions about the scope, details and requirements of a landmark designation that is still under debate, and then use such assumptions as the basis for recommendations to be adopted by SF Planning in approval of the construction at the Property.

The preparation of the Draft EIR and Initial Study should be paused while the landmark designation is being considered by the HPC and Board of Supervisors and only begun after the detailed contours any such designation have been determined.

2. It violates SF Administrative Code to Concurrently Issue a Draft EIR and an Initial Study.

Under CEQA and the SF Administrative Code implementing CEQA, the Department is not required to undertake an Initial Study.¹ However, the Code is clear that if an Initial Study is undertaken – as is the case with the Property – then the Initial Study should be the starting point for preparation of a Draft EIR.² Section 31.10(f) explicitly states that it is only **after** “the analysis and conclusions in the initial study” that “the Environmental Review Officer shall determine whether there is substantial evidence to support a “fair argument” that the project may have a significant effect on the environment and an environmental impact report is required.” Similarly, the California Code of Regulations makes clear that the Initial Study must **precede** a draft EIR: “The EIR process starts with the decision to prepare an EIR. This decision will be made either during preliminary review under Section 15060 or **at the conclusion of an initial study** after applying the standards described in Section 15064.” (emphasis added). In addition, it appears that SF Planning did share and discuss the Initial Study with the Heritage, and that the Heritage’s team of expensive consultants influenced SF Planning’s work, which seems to violate principles of public disclosure and access.

In this instance, both the Draft EIR and the Initial Study were released together on August 28 and the public was directed to make comments on both at the same time. The Department jumped the gun on preparing this Draft EIR and in so doing violated the SF Administrative Code and deprived the public of its rights to fully participate in a timely and informed manner in the EIR process.

Turning to the substance of the draft EIR and Initial Study, I agree with the draft EIR’s conclusion that no project is the most environmentally conscientious choice and, as an

¹ SF Administrative Code: SEC. 31.09. DETERMINATION OF NEED FOR EVALUATION. “Upon receiving an environmental evaluation application for a project; upon referral of a project by the board, commission or department that is to carry out or approve the project; or through such other process for rendering an exemption determination as the Environmental Review Officer shall authorize, the Environmental Review Officer shall determine whether such project is exempt from environmental review. For all projects that are not exempt from CEQA, prior to the City’s decision as to whether to carry out or approve the project, the Environmental Review Officer shall conduct an initial study to establish whether a negative declaration or an environmental impact report is required. In the event it is clear at the outset that an environmental impact report is required, the Environmental Review Officer may make an immediate determination and dispense with the initial study.” See also Cal. Code Regs. Tit. 14 Sec. 15060(d) – Preliminary Review.

² SF Administrative Code. Section 31.10 Initial Evaluation of Projects): “ (f) In accordance with CEQA, Public Resources Code Sections 21080(c) and 21080(d), based on the analysis and conclusions in the initial study, the Environmental Review Officer shall determine whether there is substantial evidence to support a “fair argument” that the project may have a significant effect on the environment and an environmental impact report is required, or whether a project could not have a significant effect on the environment and a negative declaration is required.”

alternative, renovation of existing buildings without new construction is the next best choice. I fully support either option. However, the substance of the draft EIR makes clear that the Department is moving toward approving the proposed project in full and will do so based on finding, under CEQA, that “social, economic, or other benefits outweigh the unavoidable impacts of the project.” I strongly object to this result for a multitude of reasons.

3. The Project Sponsor Provides No Evidence or Other Basis for “Social, Economic or Other Benefits” that Would Justify Approval of this Project Outweighing the Environmental Consequences and Therefore Fails to Meet the Legal Standard for Reliance Set Forth by the California Supreme Court.

The justifications for ignoring the two environmentally superior choices (no construction or renovation of existing buildings) in favor of the type of massive construction that the Heritage is seeking are primarily economic – the Project Sponsor (i.e., Ladies Home Protection and Relief Society) asserts that it needs more units and to upgrade existing units to meet its financial goals. I take issue with the draft EIR’s reliance on the Heritage’s baseless assertions of its own economic needs.

PR-1

- a. There is absolutely no data, economic or financial information of any kind in the draft EIR, Initial Study or related documents that support or demonstrate any economic benefit. It appears that the Department is just accepting the Heritage’s assertion that this Project has economic necessity with no evidence at all. For this reason alone, the Draft EIR fails the “sufficiently credible” test set forth by the California Supreme Court in *Laurel Heights Improvement Association* and cannot be relied upon by SF Planning.³
- b. In addition to there being no evidence to support an economic-based exception, the available public data about the Heritage’s finances show that it is awash in money and has no financial needs. In its most recent IRS filing, the Heritage has over \$90 million in assets and well over \$100 million if depreciation is not netted out against the value of its real property.⁴
- c. The Heritage asserts – but provides no evidence of any kind – that it needs more units to be competitive in the market. Yet, it has been systematically eliminating units over the past decade. Since 2010, it has merged 29 separate units for a net loss of 16 units, including turning one unit into a laundry room and in other cases taking 3 separate units and turning them into a single massive apartment.⁵ The Heritage shouldn’t be rewarded for creating this

³ The California Supreme Court has explained that when an agency has prepared an environmental impact report: [T]he issue is not whether the [lead agency’s] studies are irrefutable or whether they could have been better. The relevant issue is only whether the studies are sufficiently credible to be considered as part of the total evidence that supports the [lead agency’s] finding[.] (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 409; see also *Eureka Citizens for Responsible Gov’t v. City of Eureka* (2007) 147 Cal.App.4th 357, 372.

⁴ Form 990-PF for 2022 filed by the Project Sponsor on November 2023.

⁵ The permit history for the Property shows that since September 2010, permits have been issued to:⁵

- a. Merge units 320 and 321 (September 2010)

I-AlbuquerqueT-2.4	situation where it is taking existing functional living spaces and combining them into luxury apartments.	PR-1
I-AlbuquerqueT-2.5	<p>d. The Draft EIR states that under the Rehabilitation Alternative only four new units could be added to the Property. There is no data or any other basis for this assertion, and it is not supportable. The now-shuttered one-story Health Care Center alone housed 32 beds when it was a licensed skilled nursing facility;⁶ even if those beds were in double-occupancy rooms, this means that there is room for additional 14 units in the existing Heath Care Center. Similarly, the Draft EIR's exploration of other aspects of the Rehabilitation Alternative or a Reduced Construction Alternative is so limited and unimaginative that they appear designed to deliver the Project Sponsor the result that it wants. There is no discussion or consideration, for example, of building smaller on Francisco or Bay, or swapping some of the planned common space in the Bay Building for more residential units, or for reimagining space utilization within the Morgan Mansion.</p>	Alt-1
I-AlbuquerqueT-2.4	<p>e. Throughout the Draft EIR, it states that the Project will add over 58,000 square feet to create only 23 new units. This is the equivalent of more than 2,500 square feet per unit. Even if 10 of the units are designed for double occupancy, this is equivalent to over 1,750 square feet per person. There is no economic justification for such over-sized luxury apartments.</p> <p>f. On a related note, the draft EIR assumes that current San Francisco residents would be the people moving into these new units at the Heritage. But, again, there is no data or any justification for this assumption, and if the residents are not current San Francisco residents, any "social" basis for this expansion weakens.</p> <p>g. The Heritage is not providing any affordable housing. This Project is designed to add a few \$1 million++ senior luxury apartments. This is offensive in itself given the city's need for low-income housing. But, what makes this even more upsetting, is the Heritage, as a not-for-profit, doesn't have to pay any taxes to San Francisco and therefore uses our public resources without giving back to</p>	PR-1

-
- b. Merge units 302 and 303 (August 2011)
 - c. Merge. Units 304 and 305 (December 2012)
 - d. Merge 210 and 211 (March 2014)
 - e. Merge units 325 and 326 (March 2017)
 - f. Merge units 306 and 307 (March 2017)
 - g. Merge units 242 and 244 (August 2017)
 - h. Merge units 319 and 320 (December 2018)
 - i. Merge units 307 and 308 (July 2020)
 - j. Merge units 205, 206 and 207 (July 2020) (took 3 studios to make 1 unit)
 - k. Merge units 403 and 404 (July 2020)
 - l. Merge units 407, 408 and 409 (April 2021) (again, took 3 studios to make 1 unit)
 - m. Merge units 419 and 420 (May 2024)
 - n. Change unit 423 into a laundry room (May 2024)

⁶ See <https://npiprofile.com/np/1396964722>

the city. At the least, the Heritage should contribute by providing affordable housing.

I-AlbukerkT-2.4

The Draft EIR fails the requirement under California law that evidence relied upon by a lead agency for its findings must be sufficiently credible as to be part of the total evidence supporting the agency's findings. In this instance, SF Planning has no findings or evidence to support the argument that the Project has social, economic or other benefits, and therefore, it cannot approve the Project when it has already determined that no construction, or barring that, rehabilitation of existing buildings, are the environmentally superior options under CEQA.

4. The Project Sponsor's Attempt to Change the Orientation of its Property by 90 Degrees Would Turn the Historical-Resource Morgan Mansion into an Ancillary Building and Violates a Century of Reliance by SF Planning With Regard to Permit Decisions for the Property.

I-AlbukerkT-2.6

The Heritage is making a radical and unprecedented demand to SF Planning, which is to change the orientation of its entire parcel of land to treat Francisco Street as its rear and get a variance from rear yard setbacks to build to the property line. Do not let them do this! For 100 years, the property orientation has been clear, consistent and, most importantly, relied upon for numerous decisions by the Planning Department, including only allowing the construction of the Perry Building in 1957 because it was at the rear of the property and requiring that the Health Care Center be limited to "one story only" and that it be set back from the property line.⁷

To allow this radical shift would be to diminish the Morgan Mansion. By default, the proposed new Bay Street Building would become the "front" of the Property. The Mansion would be relegated to being an ancillary building and this diminishment of a Historical Resource isn't permissible under CEQA or under the historical landmark laws and regulations.

The property is oriented so that the Mansion's front is Laguna Street, and its rear is Octavia Street, with Bay Street at the north and Francisco Street at the south. In the draft EIR as well as the historical landmark designation recently approved by the HPC, there are dozens of references to the "front" and "front lawn," which always means the grassy area in front of the Mansion's front door abutting Laguna Street. This language is even in the Heritage's own project objectives – which include maintaining "the original landscape features of the front lawn on the project site." In extensive permit applications for a new garden-level addition to be built behind the Mansion and **extending toward Octavia Street** that the Heritage sought

⁷ SF City Planning Commission Resolution No. 5512 (dated April 5, 1962) "The proposed facilities shall be constructed and installed in substantial conformity to the preliminary plans labeled "Proposed Infirmary Addition – The Heritage San Francisco Ladies' Protection and Relief Society 3400 Laguna Street, San Francisco, Cal." Filed with said application, **providing for a one-story building only.**" (emphasis added)

between 2016-2020, the Heritage asked for variance to the **rear yard setback requirement per Section 134**. This is another example demonstrating that the Heritage has always agreed that the rear of its property is Octavia Street. In fact, even in its application for a conditional use permit seeking permission to treat Francisco as the rear, the Heritage continues to admit that Laguna Street is its front.⁸

The Heritage is pretending that its entire property has suddenly, magically shifted 90 degrees so that Bay Street has become its front and Francisco Street has become the rear. This is a blatant attempt to manipulate the Planning Department. Will the Heritage come back in another 5 years and propose another fictional shift so that Laguna is the rear and then try to in-fill yet more of the property? To allow the Heritage to treat Francisco as the “rear” of its property will mean that the Bay Street Building becomes the front/main building and will substantially diminish the importance, role and visibility of the Historically Significant, soon to be Landmarked Morgan Mansion.

I-AlbuquerqueT-2.7 **5. SF Planning Should Not Have Dropped Consideration of Aesthetics from the Draft EIR**

SF Planning decided that “aesthetics” would be dropped from the EIR process between its initial notice in November 2023 and its re-issued notice in May 2024. According to the May 2024 Notice: “Aesthetics was previously anticipated as a topic to be analyzed for full analysis in the EIR. Since the November 1, 2023, publication of the NOP, the Planning Department has determined the project meets the requirements of CEQA guidelines section 21099 and therefore aesthetic impacts are not to be considered a significant impact of the project; this topic will be briefly discussed in the initial study that will be included as part of the EIR.” However, there are three problems with this determination: (1) no public notice was given of this very significant unilateral decision. This is particularly shocking considering 35 of the 37 letters written to SF Planning after the issuance of the November Notice of Preparation discussed concerns about aesthetics – and I would note – all 35 opposed this project as currently conceived; (2) the Section 21099 requirement includes that the project be residential, mixed-use residential or an employment center and the Heritage, as project sponsor, has always taken the position is that this is NOT residential but is “institutional”; and (3) even if 21099 did apply, it doesn’t mean that aesthetics should not be considered under other relevant statutes and regulations, specifically with respect to historical landmarks, as this Project involves.⁹

⁸ “The Project will preserve and restore the Morgan building, an existing historic structure. New structures proposed as part of the Project will respect the character of the historic Morgan building and are consistent with the existing scale and pattern of development in the neighborhood. Proposed structures, therefore, complement and do not overwhelm nearby existing buildings, including the historic building located on the Project site. The Project also preserves the Residential Care Facility’s **existing pedestrian-oriented building frontage along Laguna Street**.” See Conditional Use Permit application (emphasis added)

⁹ Visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact as defined in the City’s CEQA Threshold Guide shall not be considered an impact for infill

I-Albuquerque-T-2.7

The Draft EIR notes that the SF Planning Code classifies that Heritage as “institutional use,” which should mean that the Section 21099 requirements are not met. Then, SF Planning staff glosses over this by saying CEQA would also consider it residential. Why doesn’t SF Planning have to abide by SF Planning Code?

Aesthetics were incorrectly excluded from consideration in the Draft EIR and the Draft EIR should be revised to include this critical criterion.

6. The Draft EIR States that the Air Pollution Created by this Project Will Increase Residential Cancer Rates by Nearly 400% Over the City’s Threshold “Acceptable” level of 7 People in 1 million Getting Cancer Because of this Project

I-Albuquerque-T-2.8

The Project is in an area that is already designated an Air Pollutant Exposure Zone – meaning our air quality is compromised. In the homes surrounding the Heritage, there are many elderly residents as well as children, who are the most at risk from air pollution. The Draft EIR states that air pollution will be created by the proposed project. It includes numerous requirements to protect residents of the Heritage and the workers, but NOTHING for the neighborhood. In fact, in Table 3-C8 of the Draft EIR, it plainly states that the Heritage project will increase my family’s risk, and the risk of all of my neighbors, of getting cancer by nearly 400% over an already shameful standard of 7 in 1 million people getting cancer – so now my risk is 26.31 in a million if they proceed, which this is very statistically significant!¹⁰ Why does the City or the Heritage get to knowingly add to my cancer risk, my children’s cancer risk, my husband’s cancer risk? It is not acceptable to risk our health for the Heritage’s greed.

Don’t trade my family’s health for the Heritage’s wealth.

I-Albuquerque-T-2.9

7. Noise Levels Will Rise Well Above Thresholds Considered Acceptable

According to the Draft EIR, the noise level on Francisco Street and other others adjoining the Project are already at the maximum level considered “conditionally acceptable for residential use” at 65 dBA Ldn. Construction that is inherently very loud – demolition, excavation, foundation work, etc. - is expected for a minimum of 5 months and will cause noise levels to soar past this level. A change in noise level of 10 dBA Ldn is perceived by the

projects within TPAs) pursuant to CEQA. However, this law did not limit the ability of the City to regulate, or study aesthetic related impacts pursuant to other land use regulations found in the city’s Municipal Code) or the City’s General Plan, including specific plans. For example, SF Planning staff would still need to address a project’s shade and shadow impacts if it is expressly required by Historical Landmark regulations. Also, the limitation of aesthetic impacts pursuant to Section 21099 of the PRC does not include impacts to historic or cultural resources. Impacts to historic or cultural resources need to be evaluated pursuant to CEQA regardless of project location.

¹⁰ “As shown in Table 3.C-8 and Table 3.C-9, the maximum cancer risk from construction of the proposed project would be approximately 26.31 in one million at the maximally exposed individual off-site residential receptor, which would exceed the cancer risk threshold of 7 in one million.”

human ear as a doubling of the sound level. Construction is projected to exceed this increase. The Project Sponsor understands that this noise will be unlivable, so they propose renting out hotel rooms for the Heritage's residents, providing noise cancellation headphones and arranging for day-time relocation. But, NOTHING is proposed for all of the Heritage's neighbors, many of whom are home during the day. The Draft EIR concludes that this noise will be "less than significant" but its own data and descriptions make clear that the noise will be unbearable.

The unacceptable level of noise in the neighborhood is yet another reason why it is inappropriate to allow this massive construction project in the middle of a residential neighborhood.

8. The Public Does Not Want this Project to Happen

Although the concerns of the public are not a criterion alone for a CEQA determination, it is important for the Department to recognize that the only supporter of this Project is the Project Sponsor. All of 37 letters sent to the Department in response to the Notice of Preparation of the Draft EIR opposed the Project, except one from the Heritage itself.¹¹

I respectfully request that SF Planning reconsider the Draft EIR in light of the serious shortcomings and significant concerns regarding its issuance, scope and conclusions. The appropriate determination under CEQA with respect to the Project is to either not allow any construction or to limit construction to renovation of the Heritage's existing buildings.

Respectfully,

Tania Albuquerk

¹¹ And one from the California Department of Fish and Wildlife.

I-Armour



Fwd: Comments on 3400 Laguna Applications

From Theo Armour [REDACTED]**Date** Tue 10/15/2024 11:32 AM**To** CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>; LaValley, Pilar (CPC) <pilar.lavalley@sfgov.org>**Cc** [REDACTED]

2 attachments (3 MB)

The Roses of 3400 Laguna.pdf; Julia Morgan Building - Character-Defining Features.pdf;

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms Calpin & Ms LaValley,

This message relates to the Draft EIR for 3400 Laguna prepared by San Francisco Planning, Case Number 2022-009819ENV and to the Landmark Designation Recommendation, Record Number 2024-001869DES.

I have attached two papers as comments relating to the above documents:

- The Roses of 3400 Laguna
- Comments on Julia Morgan Building: Character-Defining Features

I apologize for the late submission of these comments. I was late coming into the game. I first learned about 3400 LagunaSt-DEIR-Appendices.pdf two weeks ago. I had my first look at 2024-001869DES.pdf yesterday, October 14.

I have been a resident of Heritage on the Marina since 2020. The views and opinions expressed are mine alone and do not represent the views, policy or position of the management of Heritage on the Marina.

If any element in any of my statements could in any way delay or impede the progress of either submission, kindly inform me and I will immediately withdraw these comments.

Yours sincerely,

Theo

PS: This is a resend because of an error in email addresses. Sorry.

Theo Armour



Comments on Julia Morgan Building: Character-Defining Features

Theo Armour / [REDACTED]

Preface

This paper is submitted as a comment on the Draft EIR prepared by San Francisco Planning Case Number 2022-009819ENV and is reference to section on "Character-Defining Features" listed on pages 3.B-15 to 3.B-20 and to Landmark Designation Recommendation, record number 2024-001869DES.

I-Armour

-1

I am a resident of Heritage on the Marina at 3400 Laguna. My intention here is to bring attention and to record the existence of elements of high architectural quality in the project that are not mentioned in the draft EIR.

I am a former architect. Among other works, I designed and managed the renovation of over ninety houses in London and was number three in an architectural practice that designed twelve mass transit railway stations in Hong Kong. Working for Autodesk, I was Program Manager for three releases of AutoCAD.

Character-Defining Features: Julia Morgan Building

Item #3 ~ Structural brick exterior walls

The external cladding of the Morgan building is brickwork laid in English (American ;-) bond, a single brick length deep.

The brickwork is not structural or load-bearing. It is a veneer. The primary structure of beams and columns is constructed of reinforced concrete. The engineer was Walter T Steilberg.

- <https://heritage-happenings.github.io/scans/1925-heritage-drawings-morgan/zoom-plan-structural-foundation-lr.jpg>
- https://oac.cdlib.org/findaid/ark:/13030/tf209n992b/entire_text/

Item #5 Symmetrical arrangement of front façade, with central gabled parapet



The gable is topped with a large ornate, and wondrous finial.

Item #10 ~ Terra cotta details...

See my comments on the terra cotta details in a paper titled "The Roses of 3400 Laguna".

Item #21 ~ Fireplace mantel

There are three mantels

- Morgan parlor
- Stucky library
- Corridor dining room ~ relocated from what is now the kitchen

Feature Not Identified: Unencumbered, undecorated reinforced concrete structure evident in the main lobby

See also above: Item #3 ~ Structural brick exterior walls



I-Armour

-1

Unlike most main lobbies of buildings in 1925, the main lobby of the Morgan building is without any decoration. All we see are plain columns and beams. This is evidence that the building is made of reinforced concrete. You are

entering a building that is designed to be earthquake resistant—a hallmark of Julia Morgan's architecture. This is a feature that should be identified and preserved.

Character-Defining Features: Front Lawn of the Julia Morgan Building

Structures in San Francisco with extensive front gardens are rare. The Julia Morgan Building has a front garden that is a significant feature of the building. The fence extends runs along three different streets: Bay, Laguna and Francisco, perhaps over six hundred feet in length. Of premises in the northern half of San Francisco, perhaps only the Flood Mansion (Pacific Union Clubhouse) has a larger or more significant garden area.

Adjacent Historic Architectural Resources

The draft EIR omits several significant historic resources that are adjacent or near to the project site that have much similarity to the Julia Morgan Building—unlike most of the other Art Deco buildings in the Marina District. These are:

George R Moscone Recreation Center



- Visible from the Julia Morgan bilding
- John Reid Jr, 1924

- https://en.wikipedia.org/wiki/Moscone_Recreation_Center
- <https://www.sfheritage.org/news/moscone-field-house-one-mayors-playground/>

San Francisco Gas Light Company Building



- <https://www.sfheritage.org/news/sf-gas-light-building-the-marinas-industrial-past/>
- <http://www.sfmuseum.org/hist7/gaslight.html>
- <https://noehill.com/sf/landmarks/sf058.asp>
- <https://www.sfchronicle.com/bayarea/article/In-the-Marina-a-stocky-castle-with-a-story-to-6366483.php>
- <https://www.christies.com/en/lot/lot-5617344>
- <https://pacunionpartners.com/legacy>

Galileo High School

- 1921 & 1925
- John Reid Jr

Ghirardelli Square

- 1890
- French Gothic
- Industrial brick

3152 Laguna Street



Various realtor sites date this brick structure as being built in 1900. It is a rare example of a brick building in the Marina District pre-dating the 1906 earthquake.

The Roses of 3400 Laguna

Theo Armour / [REDACTED]

Preface

This paper is submitted as a comment on the Draft EIR prepared by San Francisco Planning Case Number 2022-009819ENV and is reference to section on "Character-Defining Features" listed on pages 3.B-15 to 3.B-20 and to Landmark Designation Recommendation, record number 2024-001869DES.

I am a resident of Heritage on the Marina at 3400 Laguna. My intention here is to bring attention and to record the existence of elements of high architectural quality in the project that are not mentioned in the draft EIR.

I am a former architect. Among other works, I designed and managed the renovation of over ninety houses in London and was number three in an architectural practice that designed twelve mass transit railway stations in Hong Kong. Working for Autodesk, I was Program Manager for three releases of AutoCAD.

All the photographs herein were taken by me.

Introduction

I-Armour
-1 One of the remarkable aspects of the Julia Morgan building is the quality, consistency and quantity of particular decorative items. Representations of roses, similar to a Tudor Rose or Luther Rose, are repeated several dozen times in at least twelve different expressions. Trefoils and berries, while not as numerous, may also be observed in a variety of locations. The quality and repetition of these decorative details are hallmarks of great architecture.

- https://en.wikipedia.org/wiki/Tudor_rose
- https://en.wikipedia.org/wiki/Luther_rose

The interesting question here is: How important were these roses to Julia Morgan, the managers of the San Francisco Ladies Protection and Relief Society as the client and to the residents themselves?

I-Armour
-1 Certainly, the project as a whole was quite significant for Julia Morgan. The commission she received the year she worked in the project, 1924, was the third largest that year out of forty-five projects list in her accounts:

2024-10-13

- http://www.coffmanbooks.com/HAMpdfs/30_HAM_AI.pdf

It is my intention to explore this matter more deeply, to seek references to the roses in correspondence and to source the brief that Julia Morgan was trying to carry out.

Elsewhere I have investigated the symbology of the rose and its possible uses and meaning. All my research so far has been based on speculation and not on any documentation contemporary with the design of the building. I intend to carry out further research into this probably fascinating topic, but any comments now would be outside the purview of an EIR.

The primary purpose of this effort is to bring to your attention:

- The deep level of consistency and continuity of Julia Morgan's design as a whole
- The very high level of workmanship and artistic flair embedded in the stonework of the project
- **Consideration that the roses be listed as "Character-Defining Features"**
- The possibility of you smiling as you walk around the building and say to yourself: "Ah, there's another one!"

The following sections catalog all the roses and other symbols that I have identified so far:

- Three Roses in Two Terracotta Panels
- Dozens of Roses in Roundels in the Parapet
- Roses in Two Front Bay Terracotta Panels
- Roses to Sides of Front Bay Corbels
- Two Roses in Three Pilaster Capitals
- Roses in Spandrels to Front Door Arches
- Roses in Window Transoms
- Rosebuds in Window Spandrels
- "Roses" in Brickwork
- Four Roses in Parlor Mantlepiece
- Roses as Brass Ornaments to Fireplace and Windows
- Roses in Corridor Column Capitals
- Four Roses in Chapel Alter
- Roses in Folding Screen

Three Roses in Two Terracotta Panels

There are three roses in the terracotta panels between the second story windows above the two ground floor bays. Each rose is composed of three nested roses. In the outer rose there are eight outside petals with gaps between petals at the quadrants. The two inside roses appear to have four petals each. Surrounding the roses there is a garland or vine with berries and leaves of a type not yet identified. In each of the corners there is a rosebud. The meticulous carving indicates a skilled level of craftsmanship.



Dozens of Roses in Roundels in the Parapet

Every few feet along the parapet that surround the entire building there are “roundels” or decorative circular medallions. All the roundels are identical in design. A large acanthus leaf dominates a rose with four petals on the lower right.



Roses in Two Front Bay Terracotta Panels

Two rectangular terracotta panels are above and below the windows in the central bay. Each bay contains a double rose surrounded by what might be buds. The is decorations are highly undercut indicating a complex manufacturing process. Handiwork is highly evident.



Roses to Both Sides of Six Front Bay Corbels

Under the central bay there are six separate corbels with a single four quadrant rose at each end. The overall shape of the corbel is quite convoluted, indicating the use of a complex casting process. The appearance of a rose at the end is unusual and indicates a specific design intent rather than standard practice.



Two Roses in Three Pilaster Capitals

Perhaps the most imaginative application of the rose theme on the Morgan building is the embedding of two single quadrant roses between the traditional acanthus leaves in each of the flat faces of the three pilasters (square columns) that otherwise resemble capitals of the Corinthian order. Significant undercutting is exhibited.



Roses in Spandrels to Front Door Arches

The intricate floral carving to the right of the arch is part of the spandrel, the triangular space between the top of the arch and the rectangular framing of the window. The center and side spandrels differ. The side spandrels add an extra rectangular area with what may be a vertical branch with a rose bud.



Roses in Window Transoms

The most frequently appearing rose in the building is at the center of every transom of every window. The rose and leaves are highly stylized nevertheless retain the feel of “made by human hands”. Even this most commonly used component in the Morgan Building displays the need for a complex casting process.



Rosebuds in Window Spandrels

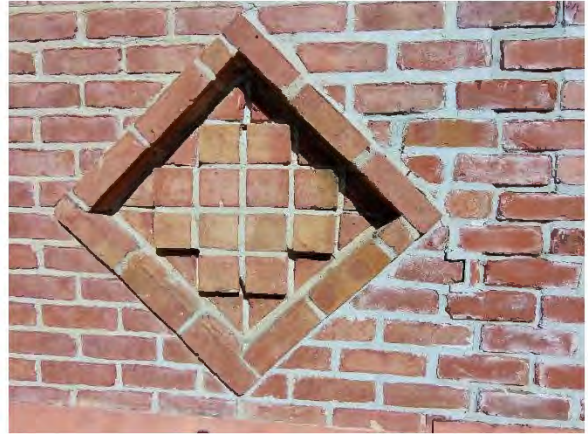
The spandrels are only a few inches wide. The floral decoration looks more like a rosebud than a rose. In any case it has a stylization of leaves and flower that differs from its adjacent architrave.



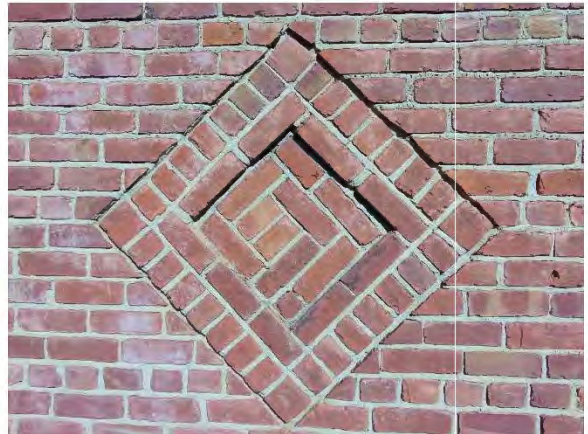
"Roses" in Brickwork

There are two areas of brickwork that incorporate decorative areas that may or may not depict rose-like feelings. ;-)

The most rose-like is on the south face of the corridor.



The second rose is on the mostly blank south elevation of the Morgan building



Roses in Corridor Column Capitals

When the Perry Building was added in 1958, a corridor was added as a connector to the Morgan building. The design of the corridor, unlike the Brutalist-style Perry building, incorporates elements that are inspired by Julia Morgan's efforts. Highly apparent are the crudely-detailed Corinthian column capitals with a rose. Note the five not four rose petals.



Four Roses in Parlor Mantlepiece

Helping to confirm that the rose them was an architectural design theme and not just the whim of an individual tradesman, roses are evident inside the building made of very different materials. Four stylized quadrant roses double roses adorn the Morgan Parlor fireplace.



Roses as Brass Ornaments to Fireplace and Windows

In the Morgan Parlor, gold-colored ornaments to both sides of the fireplace. Depicting stylized double roses. Photograph taken in November 2020. The ornaments are no longer in these positions. Ditto similar ornaments in black to both sides of the windows to hold back curtains.



Roses in Folding Screen

On the fourth floor of the Perry Building, there is a folding screen that feels like a 1920s effort. It contains elements that look like stylized roses. More research is needed to help identify this piece as part of the Julia Morgan design.



Four Roses in Chapel Alter

The altar in the Chapel which was altered in 1958. The alter table includes four four-sided roses carved in wood. The designer of the chapel understood the importance of the roses.



Berries or Grapes in Various Locations



Two quite beautiful copper roundels affixed to roof facing courtyard. Note the large berry in the center.



Note the berry or grapes to the spandrel to the right of the arch of the fireplace.



Note the four bunches of grapes or berries

Trefoils in Various Locations

A trefoil is an ornamental design of three rounded lobes like a clover leaf, used typically in architectural tracery.



Note two tiny trefoils at 5 and 7 o'clock



Note two doors with trefoils to left of Morgan building staircase



Note alternating balusters with trefoil cutouts

Postscript

Multiple Uses

This paper has multiple intentions, The first, of course, Is to provide further background to the draft EIR. Next, logically. would be to provide any updates that might be of interest to the final EIR and an eventual planning application. Second intent is to provide this background information to the San Francisco historical planning group and the application to become registered in San Francisco. A third intent is to begin to provide some kind of repository or documentation that will be of assistance in celebrating the 2025 centenary of the Julian Morgan building at 3400 Laguna Street.

Photography

My use of technology in this process is a work in progress. I'm using a Samsung Galaxy S24 ultra as one of the cameras and a hover air X one and X 1 pro drone that is my cameras. All of the images are being edited using the AI editing tools in Google photos. Editing includes cropping rotating and adjusting the colors. The tricky thing is adjusting the colors. It turns out that all the cameras take pictures with very different coloring aspects depending on the weather and the time of day. This is fine if you're looking for wonderful images that stand by themselves. But varying colors can be distracting when you're looking at a entire paper full of images that are meant to be the same thing. There is much to learn here.

Artisans

The name of Julie Morgan is very well known in relationship to this project. But what about all the artisans and craftspeople that actually created all the decorative elements catalog in this paper? Obviously, some of them were master craftspeople in the field of terracotta, and stonework and the other materials used to build these decorations. As this work progresses, I plan to research this topic in detail. Of course, Julia is the star, but she was helped by many other stars in their own disciplines. It would be good if their names are known and their reputations enhanced.

Colophon

The font for this paper is 14-point Verdana. This is the font we also use to publish the *Heritage Happenings*, the newsletter sent out to all the residents of Heritage on the marina and other subscribers. It is the font that is most legible to elderly people with vision issues. The hex code for color of the headings is #88000. We call this color "red brick". Which is of course the primary color of the Julia Morgan building.

I-Beresford

October 5, 2024

Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

Re: Comments on Draft EIR for 3400 Laguna Street (Heritage on the Marina)
Proposal for Massive Building Project

Case Number: 2022-009819ENV

Dear Ms. Calpin,

I am writing to you to share my comments on both the Draft Environment Impact Report ("***Draft EIR***") and the Initial Study for the Draft EIR, both issued August 28, 2024, for the Property/Case Number referenced above.

I-Beresford
-1

I have lived 200 feet from the project sponsor, Heritage on the Marina ("***Heritage***"), located at 3400 Laguna Street, for over 30 years. I am a retired widow. My home is my sanctuary. It is not fair that my peace and enjoyment of my home should be shattered by the Heritage's greed, which is indeed what will happen if this massive project is approved. The noise, construction traffic and pollution will be my constant companion for a minimum of 30 months (according to the Draft EIR) but likely longer given that almost all large construction projects take longer than estimated. I am worried about the impact on my health and wellbeing, especially from the noise, dust and potential release of toxins into the air from the excavation that the project would entail.

The Draft EIR states that air pollution will be created by the proposed project. It includes numerous requirements to protect residents of the Heritage. However, I suffer from health issues and serious allergies. I am of the same age as residents of the Heritage. The Draft EIR claims that its mitigation measures are sufficient to mitigate the significant impacts of this project. What is my recourse if you are wrong? My health will suffer if the proposed projects proceeds and the Draft EIR's requirements do not protect me.

I-Beresford
-
1

The size and scope of this project is too large. It is in an area that is already designated an Air Pollutant Exposure Zone – meaning our air quality is compromised. Furthermore, in my building and the other homes surrounding the Heritage, there are many elderly residents as well as children, who are the most at risk from air pollution. Table 3-C8 of the Draft EIR says plainly that the Heritage will be increasing my risk of cancer by nearly 400% if they are allowed to

I-Beresford
-
1 proceed.¹ And, why is the Heritage risking my health? Only one reason – it is greedy. It wants to build very expensive, very large luxury apartments. Don't trade my health for the Heritage's wealth.


I-Beresford
-3 When my late husband and I bought our home, the location almost adjoining the Heritage's beautiful central building, a historic mansion designed by the renowned architect, Julia Morgan, was a selling point, as well as the "breathing room" that its lawns, trees and open space provides on our block. The Heritage's plans would result in the mansion nearly disappearing from public view as it will be enclosed on three sides by buildings that are 40 feet or higher, and much of the existing setbacks and landscaping will be destroyed to make space for these new towers.

The information and architectural drawings made public are very limited and inadequate to justify SF Planning's conclusion that the historical resources at the Heritage will be protected. It is not sufficient to not alter the appearance of the Mansion, which seems to be where SF Planning is drawing the line. The Heritage's plan will encapsulate the Mansion, the central courtyard will disappear from the view, and the roof line of the Mansion will only be visible from its front façade. It should matter to SF Planning and under CEQA that the beautiful Mansion will disappear from public view on three sides. This type of encroachment violates the principles of historic preservation.

I-Beresford
-4 Furthermore, the Draft EIR states CEQA can consider economic justifications for a project that can override the environmentally superior choice, which SF Planning agrees is no project or the interior renovation of existing buildings. In this case, neither the Draft nor the Initial Study include any economic data, and yet SF Planning is recommending that the project be allowed to proceed. How can the Heritage's unsupported assertion of economic need be sufficient to override significant environmental harm?

Please do not let the Heritage do this project. Their greedy plans come at my expense and that isn't fair or just.

Sincerely,


Masae Matsumoto Beresford

P.S. please confirm to receive this letter by email.

¹ "As shown in Table 3.C-8 and Table 3.C-9, the maximum cancer risk from construction of the proposed project would be approximately 26.31 in one million at the maximally exposed individual off-site residential receptor, which would exceed the cancer risk threshold of 7 in one million."

SAN FRANCISCO CA 940

7 OCT 2024 PM 4 L

As in past elections,

USPS is ready.

If you choose to vote by mail,
please return your ballot by mail.



Ms Megan Calpin
Environmental Coordinator
49 South Van Ness,
Suite 1400

SAN FRANCISCO, CA 94103

94103-379950



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OCT 10 2024

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEPTION DESK

I-Chandler



Outlook

3400 Laguna Street (Heritage on the Marina)Subject: Comments on Draft EIR and Initial Study

From Christy Chandler [REDACTED]**Date** Tue 10/15/2024 4:28 PM**To** CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Megan Calpin
Senior Environmental Planner
San Francisco Planning
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

Case No: 2022-009819ENV

Project Address: 3400 Laguna Street (Heritage on the Marina)Subject: Comments on
Draft EIR and Initial Study
October 15, 2024

Dear Ms. Calpin,

I have reviewed the Draft EIR and Initial Study for the development at 3400 Laguna Street by the Heritage at the Marina (the "Heritage"), and I have serious concerns regarding its environmental impact and specifically the issues protected by the California Environmental Quality Act (CEQA) that I don't believe were sufficiently addressed.

Insufficient Evidence and Reasoning in the Draft EIR. The Draft EIR is premature and incomplete in several ways. It was issued while there is an ongoing landmark application for the property, and it makes numerous recommendations based on the Planner's assumption about what will happen with this application and what will be protected or not. It was made public concurrently with the Initial Study whereas the Initial Study should have been completed and released for comments before the Draft EIR. It is also clear that SF Planning shared the Initial Study with the Heritage while keeping it from the public. It relies on the Heritage's assertion that this project to add units is "necessary for its financial health" without including even one piece of evidence to validate that assertion, and with SF Planning's knowledge that the Heritage has been systematically reducing its units for over a decade, that the Heritage is already one of the wealthiest non-profits in San Francisco and that it is already the most expensive senior living facility in the city. It unilaterally determined that "aesthetics"

I-Chandler
-1

would not be addressed in the Draft EIR because it deems the Heritage to be eligible for an exemption for “residential projects” even though in its past filings with SF Planning the Heritage maintains it is “non-residential” or “institutional,” primarily it appears to avoid having to provide any affordable housing.

I-Chandler
-1
The two issues addressed at length in the Draft EIR are air quality and the protection of historic resources. Setting aside my strong belief that the Draft EIR is wrong in determining that other issues – such as noise, shadows, ground shaking and stability, traffic, and parking – weren’t significant under CEQA, I will address the two issues – air quality and historic resources – in the Draft EIR and which I believe on their own warrant not approving this project.

I-Chandler
-2
Air Quality Concerns. The Draft EIR makes clear that the air pollution that will be created by the various phases of this project -- demolition, excavation, and construction – will significantly increase the potential risk of cancer in the neighborhood. Given the age of the Heritage’s existing buildings, this project will cause toxins like asbestos and heavy metals/lead to become airborne. The Draft EIR states that the risk of cancer in the neighborhood will increase by **four times**. And it doesn’t address increases in respiratory diseases, such as asthma and bronchitis, that will result from airborne dust and debris. As noted in the Draft EIR, the Marina neighborhood in which the Heritage is located already has compromised air quality and is considered an Air Pollution Exposure Zone. It is also the home to many elderly people as well as families with children; both populations at much higher risk of health problems from the air pollution and toxic substances that will be released into the neighborhood. We don’t deserve to be exposed to the risks to our health and well-being for any reason, and certainly not to satisfy the Heritage’s greed.

I-Chandler
-3
Diminishment of a Cultural Heritage. At the heart of the Heritage is an iconic Julia Morgan mansion as well as the original landscaping on all sides of it. I am not surprised that it is moving quickly through San Francisco’s historical preservation process and is widely expected to be granted the landmark status that it deserves. But this protection will become meaningless if the proposed construction of nearly 60,000 square feet consisting of two modern four-story building is permitted. The mansion will be hidden from view – except the front façade on Laguna Street – and it will be much smaller than and become ancillary to the three buildings that will surround it. Ms. Morgan was careful and precise about how she sited the building and designed the surrounding landscape. All her remaining original work should be preserved. I am particularly incensed by the Heritage’s plans to drastically alter the mansion by creating a brand-new front entrance for the property on Bay Street. Please prevent this from happening. The Heritage wants to do this so it can treat Francisco Street as the “rear” part of its lot and put a new building to its property line. The historical record is very clear that the rear of the Heritage’s lot faces Octavia Street. It is only because it was at the rear that the Perry Building was allowed to be built in 1957. To allow the Heritage to keep changing its orientation to max out construction on its lot is to undermine the entire concept underpinning the planning code. To say nothing of the fact that Ms. Morgan was deliberate in designing the front of the property; it is iconic, and the Heritage’s plans will turn it into an insignificant side door, which epitomizes that type of diminishment of a cultural heritage that SF Planning needs to prevent.

The Draft EIR makes clear that the best result from an environmental standpoint under CEQA is to not allow this project or to reduce it to only allow renovation of existing buildings. I hope that you will take seriously my concerns and those raised through the public comments received in November 2023 in response to the original notice of preparation of an EIR and now in response to the Draft EIR. It should matter to you that all 35 letters sent to SF Planning in November 2023 opposed this project; the only exception was one from the Heritage and a neutral one from California Fish and Wildlife. The public does not want this project. The legal bases under CEQA to deny this project are significant. Please don't issue a final EIR that allows this project to move forward.

Yours sincerely,

Christy Chandler

Christy H. Chandler (she/her)
Co-Founder



Bart Draper



15 October 2024

Ms. Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103

Comments on the Draft Environmental Impact Report for the 3400 Laguna Street Project

Dear Ms. Calpin,

I am writing to express my concerns about the proposed 3400 Laguna Street Project as outlined in the Draft Environmental Impact Report (EIR). I recognize the need for improvements to the Heritage on the Marina facility but, I believe that the proposed project poses significant environmental risks and fails to adequately preserve the historical and architectural integrity of the site. For these reasons, I urge the city to consider adopting the rehabilitation alternative, that balance development goals with environmental and cultural preservation.

I-Draper-1

The rehabilitation alternative renovates and updates the existing buildings rather than demolishing and constructing new structures. This will minimize disruption of the surrounding community and still allow for necessary upgrades. Maintaining the existing structures, particularly the Julia Morgan Building, the rehabilitation alternative would honor the site's architectural heritage.

I-Draper-1

The proposed demolition of the Perry Building Connector and the Health Center, and the construction of two new buildings, would result in devastating changes to the historical character of the site. These alterations would diminish the historical value of the existing structures but also potentially lead to irreversible damage during construction. I emphatically believe that a renovation-focused approach is the only suitable alternative, as it addresses the need for modernization without compromising the historical integrity of the site.

I-Draper-2

The EIR highlights that construction activities under the proposed project could lead to increased air pollution. While mitigation measures are suggested, the overall scale of the construction will lead to significant degradation of air quality. The 29-month construction period will result in prolonged emissions that adversely affect the immediate neighborhood and vulnerable residents, including the elderly at the care facility.

The rehabilitation alternative would reduce the extent of demolition and construction minimizing the generation of pollutants. This alternative would still allow for necessary improvements, but with fewer adverse effects on air quality. It is critical to prioritize the health of residents and the surrounding community, especially in a densely populated urban area.

I-Draper-3

The proposed project would create significant noise and vibration over an extended period. According to the EIR, these disruptions could lead to both immediate and long-term impacts on the surrounding environment. Construction vibrations could damage existing historical structures, including the Julia Morgan Building, and continuous noise could lead to adverse health effects for the elderly residents of the care facility.

The rehabilitation alternative would greatly reduce the duration and intensity of construction-related noise and vibrations. By focusing on renovating existing structures, this approach minimizes the need for heavy machinery and extensive ground disturbance, protecting both the structural integrity of historical buildings and the well-being of residents.

I-Draper-1

The Julia Morgan Building and other historical structures on the site are invaluable parts of San Francisco's cultural heritage. Preserving these buildings not only honors the past but also maintains the character of the Marina neighborhood. Large-scale construction fundamentally alters the aesthetic and historical significance of the site, despite the mitigation efforts outlined in the EIR.

The rehabilitation alternative offers a way to modernize and improve the facility while ensuring that the character-defining features of these historical structures remain intact. This option aligns with best practices for historic preservation, emphasizing careful restoration over replacement and enabling the community to retain a meaningful connection to its architectural heritage.

The current proposal for the 3400 Laguna Street Project involves extensive construction that poses significant environmental and cultural risks. Although mitigation measures are outlined in the EIR, the most effective way to address these concerns is to adopt the rehabilitation alternative. This approach achieves the project's objectives of modernizing the residential care facility while minimizing environmental impact and preserving the unique historical character of the site.

I respectfully urge the city to reconsider the scale of the proposed development and prioritize sustainable, preservation-focused alternatives. The rehabilitation alternative represents a balanced solution that would benefit both current and future residents of the care facility, as well as the broader community.

Thank you for considering my comments. I hope that the city will take these concerns seriously and adjust the project plan to reflect a commitment to environmental stewardship and cultural preservation.

Sincerely,

Bart Draper

I-Dunford



Outlook

San Francisco Planning Case No.: 2022-009819ENV

From David Dunford [REDACTED]**Date** Tue 10/15/2024 3:22 PM**To** CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Calpin,

As a parent of young children in the neighborhood, I am very concerned about the **air quality impacts** outlined in the EIR for the 3400 Laguna Street Project. The report shows that construction will expose nearby residents, including sensitive receptors like children, to **substantial pollutant concentrations**. Even with Mitigation Measure in place, the project still poses a **significant risk** to air quality, increasing cancer risk by nearly 400% (Table 3.C-8). This is not to mention the extreme noise levels that the EIR is also projecting. Lining up trucks on Francisco St. seems like a horrible idea and an undue imposition on local residents.

Given these alarming statistics, I urge the Planning Department to prioritize the health of Marina families by exploring safer alternatives or scaling back the project.

I also do not understand why the City would **not** consider the aesthetics of the Julia Morgan Building as part of its EIR. Given its historic nature this is a very important part of the consideration and seems purposeful to drop this requirement despite CEQA requiring Historic preservation zones to be taken into account.

Sincerely,
David Dunford

I-Eichler



Outlook

3400 EIR Response

From Todd Eichler [REDACTED]

Date Tue 10/15/2024 5:06 PM

To CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Calpin,

I am wondering what the basis is for permitting the variance to allow such a large institutional project to be built in a residential neighborhood? And if the Heritage is adding 60,000 square feet why isn't there more efficient use of space, 23 additional units seems very small. Another concerned friend in the neighborhood told me that they've been reducing the number of units over the years, if true, why add now? It sounds like they just want to make the property more luxurious--if you read their plans, the pricing will skyrocket and they will have amenities like a pet salon. Is this what the City should be advocating for - super luxury senior living project that pays no taxes as far as I can tell? It also seems that there is no affordable housing associated with the project which would be strange because it is for seniors and the sponsor is a non-profit.

I read that the Heritage is basing this request to build on economic need, however, they provide no evidence of this need that I can find. I looked up on the Heritage website, they have \$100 million of assets and that was from a while ago so it's probably much higher now. Who exactly is this non-profit serving and why are they a non-profit?

Finally, **Aesthetics** should absolutely be part of the Environment concerns. This Julia Morgan property is too beautiful and important to bury behind massive walls. The building defines the neighborhood as it sits at the intersection of a federal and City park. Asking to make the front of the building on Bay so they can build their giant buildings does not make sense--they already built one building on the back of the property, don't let them build another because if they do it sets a precedent and then all properties in the City should have the same right to overbuild.

Please consider these points in your final Environmental Impact Report.

Thank you so much!

Todd

Maurice J. Fitzgerald Esq.



October 13, 2024

Megan Calpin
EIR Coordinator
Senior Environmental Planner
San Francisco Planning
49 South Van Ness Ave, Suite 1400
San Francisco, California, 94103

Dear Ms. Calpin and San Francisco Planning,

I write this letter to strongly urge you reject plans by The Heritage on the Marina (“Heritage”) to use Bay Street between Laguna and Octavia as an expanded entrance point and driveway.

I live at 1427 Bay Street with my wife and two young children. I have lived there for 22 years. My house is in the middle of the block with a garage on the bottom level. I understand better than anyone the traffic patterns of the 1400 block of Bay Street and the pedestrian use of sidewalk at the southern side of that block. This includes specific perils associated with the ingress and egress of driveways and garages.

As an attorney with over thirty years of experience, I have represented all manner of businesses as well as individuals involved in injuries and death. I have retained countless experts while both defending businesses and prosecuting cases against them. As such, I have developed a deep understanding of the existence of dangerous conditions. As further discussed below, adding a new and busy entrance at Bay Street near Laguna, would demonstrate a reckless disregard for drivers, pedestrians, neighbors as well as the residents and visitors at Heritage. I would urge you to prohibit the creation of this obvious dangerous condition.

Vehicle Traffic

Bay Street between Laguna Street and Octavia Street is somewhat unique in that it substantially narrows as you proceed from Laguna to Octavia. At Laguna, Bay Street is 80 feet wide. It narrows to 50 feet by mid-block. This is relevant for several reasons. First, as commuters head downtown from Marin County to avoid congested Lombard Street they take Marina Boulevard. They proceed down Marina Boulevard and turn right on Laguna where there are two lanes in each direction. After proceeding up Laguna two blocks, the commuters in the far-right lane proceed straight or turn left onto Bay Street where, due to the 80-foot width of Bay Street, they swing a wide turn. In so doing, they cannot be seen from most of the South side of Bay Street until they reappear 3 to 4 seconds later as they approach the middle of the block. After whipping around the turn, the vehicles, often high-performance cars, tend to speed

past my home to catch the green light at Octavia. I can estimate speeds of 45 to 50 miles per hour for some of these vehicles.

Next are vehicles approaching Bay Street traveling northbound on Laguna. They turn right and remain out of sight until they reach the middle of the block. Next, vehicles travelling down Bay Street from Fillmore Street enter the intersection, again obscured until the middle of the block. Backing our car out of our garage to take our two young children to school every morning is never a safe endeavor. We have become adept at timing our exit, often waiting several minutes for a break in the traffic. Traffic is quite intense between 7:30 and 9:30 in the morning but is nonetheless always present.

Introducing an even greater number of vehicles entering and exiting a driveway at Heritage would further obscure traffic proceeding eastbound. This would substantially increase the danger to all residences on our block. What's more, those entering and exiting this new driveway would place themselves in danger since vehicles rapidly turning left onto Bay Street have little or no time to react to a vehicle exiting the new contemplated entrance. Major traffic collisions are a near certainty. This is true also for vehicles turning right onto Bay Street and those proceeding eastbound from Fillmore Street. A new and busy entrance to the Heritage should not be considered without taking these dangerous conditions into consideration. It is my genuine belief that the expansion of a new entrance or driveway on Bay Street will put in jeopardy the safety, and perhaps lives of those who utilize this busy roadway. People in vehicles will be hurt, perhaps gravely, and might even die if this expansion occurs.

Pedestrian Danger

In addition to dangers to people in vehicles, the south side of Bay Street between Laguna and Octavia is extensively used by pedestrians, including women with strollers, children on scooters, Heritage's own residents, and the thousands of people who access The Great Meadow at Fort Mason at Octavia and Bay Street. Because it's entrance location, many hundreds of people walk past our house every day to access Fort Mason. In addition, children and adults use the sidewalk to access Moscone Field, the Safeway at the Marina, and the countless events that occur in the area on weekends.¹ My wife and I often discuss that pulling into our driveway is akin to playing a video game where there is always somebody walking past our garage entrance just as we are attempting to enter. This often leaves us to be stranded in the middle of the roadway as we wait for an opening. (Always dangerous, but more so with a setting sun blinding drivers approaching from behind.) While we enter and exit our garage relatively infrequently, perhaps two or three times a day, a far more heavily used driveway entrance for Heritage will substantially increase the danger to these pedestrians. Every child on a bike or scooter will be in danger. When we back out of our garage, it is astounding how many people merely continue to walk behind as we are backing up. Fortunately, our vehicles have cameras allowing us to see

¹ I write this letter as the Blue Angels perform overhead. It is but one of the many busy events that bring people onto the sidewalk at the 1400 block of Bay Street,

I-Fitzgerald
-2

these people and rapidly stop. Oftentimes these pedestrians appear distracted by children in their strollers, are looking at their phones or walking a dog (or all three). Over the years, even our relatively infrequent use of our garage has placed many careless pedestrians in substantial danger. The new driveway contemplated by Heritage will increase this danger 100-fold.

Conclusion

I-Fitzgerald
-3

My family and I have great fondness for Heritage, its residents, and its mission. But the contemplated new entrance is misguided. Any thinking person who observes the traffic and pedestrian use of this busy and already dangerous block would have to agree that Heritage should not consider using the Bay Street side of its property as a new entrance point, nor should it be allowed by San Francisco Planning. It is simply too dangerous. We are happy to meet with you to further discuss this important matter and we truly appreciate your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "M - Fitzgerald".

Maurice Fitzgerald Esq.

CC: Senior Planner Jeffrey Horn
Commissioner Kathrin Moore

I-Fontanello



Outlook

Fw: EIR Coordinator CPC.3400LagunaEIR@sfgov.org, jeffrey.horn@sfgov.org

From Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>**Date** Tue 10/15/2024 7:55 AM**To** CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

12 attachments (15 MB)

DivisionIX.jpeg; Caltrans.jpeg; Police Department City and County of SF.jpeg; California Vechicle Code.jpeg; IMG 6753.JPG; IMG 6754.JPG; IMG 6752.JPG; IMG 6757.JPG; 1019140811 0001 0001.jpg; 1009241331.jpg; 0604241129a.jpg; 20240920 113950.jpg;

From: Terry FONTANELLO <[REDACTED]>t>**Sent:** Monday, October 14, 2024 7:07 PM**To:** Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>**Subject:** EIR Coordinator CPC.3400LagunaEIR@sfgov.org, jeffrey.horn@sfgov.org

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Commissioner Kathrin Moore ,

I-Fontanello-1

Your observations at the San Francisco Planning Commission meeting on 9/26/24 regarding the Heritage Expansion Plan , 3400 Laguna Steet were very accurate.

Your comments concerning Bay Street & Laguna Street Intersection being very dangerous are extremely valid.

In addition, the residents along Bay Street witness daily speeding of automobiles and illegal trucks driving 40 to 50 mph when in fact the speed limit on Bay Street is 25mph.

Enclosed for your reference are Division IX Restricted Areas, CA.gov Caltrans Sec.501 Vehicle Weight Restriction , Police Department City And County of San Francisco, and California Vehicle Code 23130. Also enclosed are photos of trucks in front of the Heritage on Bay Street and trucks parked backwards illegally. It is a hazard and nuisance for the residential neighbors living Bay Street. I have been a resident living on Bay Street for 47 years. If needed I have the history and files of the traffic patterns on Bay Street for anyone to review.

Thank you for your consideration in this matter.

Gloria Fontanello, Former Commissioner

The Commission on San Francisco's Environment

I-Dunford



Outlook

San Francisco Planning Case No.: 2022-009819ENV

From David Dunford [REDACTED]**Date** Tue 10/15/2024 3:22 PM**To** CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Calpin,

As a parent of young children in the neighborhood, I am very concerned about the **air quality impacts** outlined in the EIR for the 3400 Laguna Street Project. The report shows that construction will expose nearby residents, including sensitive receptors like children, to **substantial pollutant concentrations**. Even with Mitigation Measure in place, the project still poses a **significant risk** to air quality, increasing cancer risk by nearly 400% (Table 3.C-8). This is not to mention the extreme noise levels that the EIR is also projecting. Lining up trucks on Francisco St. seems like a horrible idea and an undue imposition on local residents.

Given these alarming statistics, I urge the Planning Department to prioritize the health of Marina families by exploring safer alternatives or scaling back the project.

I also do not understand why the City would **not** consider the aesthetics of the Julia Morgan Building as part of its EIR. Given its historic nature this is a very important part of the consideration and seems purposeful to drop this requirement despite CEQA requiring Historic preservation zones to be taken into account.

Sincerely,
David Dunford



FRED H. LAU
CHIEF OF POLICE

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103

Dear Sir or Madame,

It is the duty of the San Francisco Police Department to protect the many neighborhoods that make our city so great. I am referring specifically to the traffic laws that protect the neighborhoods surrounding the Palace of Fine Arts/ Exploratorium and the Marina District.

SAN FRANCISCO POLICE CODE SECTION 1183 STATES:

Sec.1183. OPERATOR OF PASSENGER-CARRYING COMMERCIAL VEHICLES WITHIN CERTAIN STREETS AND AREAS PROHIBITED. It shall be unlawful for any person to operate any commercial motor vehicle with seating capacity of eight or more passengers, etc.

Sec.1183.1 RESTRICTED AREAS. Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area.

FINE: \$500.00

In summary, there is only one way for vans and buses to legally enter the parking lot of the Palace of Fine Arts/ Exploratorium. Vans and buses must come from Richardson Street (the west end of Lombard) and turn north on Lyon Street and then left into the parking lot. There is room to turn around in the parking lot and there is no need to use any of the surrounding streets.

San Francisco police officers in marked and unmarked police cars will be issuing citations for any vans or buses whom violate Section 1183.1 of the San Francisco Police Code. It carries a \$500.00 dollar fine.

Sincerely,

Walter R. Cullop
Captain Walter Cullop
Commanding Officer
Northern Police Station
Lt. Nicole M. Greely
Contact person 553-1563

DIVISION IX

RESTRICTED AREAS

SEC. 1183. OPERATION OF PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLES WITHIN CERTAIN STREETS AND AREAS, PROHIBITED. (a) It shall be unlawful for any person to operate any commercial motor vehicle with seating capacity of eight or more passengers, other than a passenger-carrying commercial van, used or maintained for the transportation of persons for hire, compensation, or profit, upon the streets or areas designated in Section 1183.1 et seq. of this Article. It shall be unlawful for any person to operate any passenger-carrying commercial van, used or maintained for the transportation of persons for hire, compensation or profit, upon the streets or areas designated in Sections 1183.14 et seq. of this Article.

(b) The provisions of this Section shall not apply to "jitney buses" as defined in Section 1076 of this Article.

(c) The provisions of this Section shall not apply to buses operated by the San Mateo County Transit District eastbound on Market Street between Main and Spear Streets; provided no more than two buses per hour are operated on this block of Market Street. The provisions of this Section shall not apply to such business when on Market Street westbound between Main and Pine Streets, or on Pine Street between Market and Battery Streets, or on Battery Street between Pine and Market Street, provided no more than 16 such buses are operated on these streets between the hours of 7:00 a.m. and 9:00 a.m., and no more than 16 buses between the hours of 4:00 p.m. and 6:00 p.m., Monday through Friday, and no more than two buses per hour at all other times.

(d) This Section shall not apply to buses operated by the San Mateo County Transit District on Post Street between Mason and Kearny Streets; on Sutter Street between Mason and Montgomery Streets; on Montgomery Street between California and Market Streets; on California Street between Battery Street and Davis Street; on Davis Street between California Street and Market Street; or on Kearny Street between California Street and Market Street. (Added by Ord. 562-88, App. 12/27/88)

SEC. 1183.1. RESTRICTED AREAS. Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area. (Added by Ord. 562-88, App. 12/27/88)

SEC. 1183.2. RESTRICTED AREAS. In areas described as follows:
Commencing at the point of intersection of the northerly line of Sutter Street with the westerly line of Mason Street; thence easterly along the northerly line of Sutter Street to its intersection with the westerly line of Grant Avenue; thence northerly along the westerly line of Grant Avenue to its intersection with the northerly line of Bush Street; thence easterly along the northerly line of Bush Street to its intersection with the westerly line of Kearny Street; thence northerly along the westerly line of Kearny Street to its intersection with the northerly line of California



SEC. 501. VEHICLE WEIGHT RESTRICTIONS.

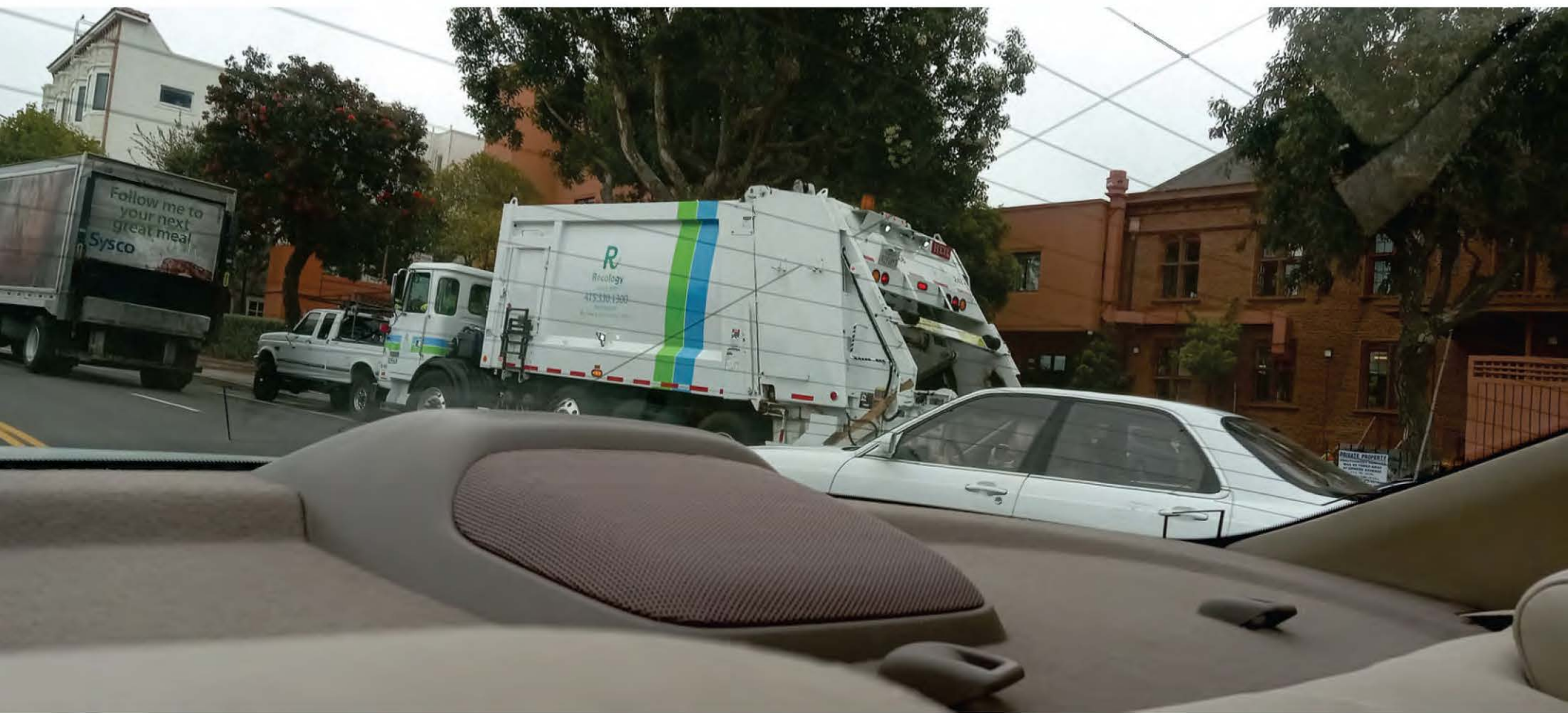
- (a) The operation of a vehicle with gross weight in excess of 6,000 pounds on the Streets listed in Section [501\(b\)](#), or the operation of a vehicle with unladen weight in excess of 18,000 pounds on any Street listed in Section [501\(c\)](#) is a violation of [Division I](#), Section [7.2.77](#) (Weight Restricted Streets).

(b)

Bay Street between Laguna Street and Columbus Avenue.

CALIFORNIA VEHICLE CODE
23130

23130. (a) No person shall operate either a motor vehicle or combination of vehicles of a type subject to registration at any time or under any condition of grade, load, acceleration, or deceleration in such a manner as to exceed the following noise limit for the category of motor vehicle within the speed limits specified in this section: Speed limit Speed limit of 35 mph of more than or less 35 mph (1) Any motor vehicle with a manufacturer's gross vehicle weight rating of more than 10,000 pounds and any combination of vehicles towed by such motor vehicle 86 dbA 90 dbA Speed limit Speed limit of 45 mph of more than or less 45 mph (2) Any motorcycle other than a motor-driven cycle 82 dbA 86 dbA (3) Any other motor vehicle and any combination of vehicles towed by such motor vehicle 76 dbA 82 dbA (b) The noise limits established by this section shall be based on a distance of 50 feet from the center of the lane of travel within the speed limit specified in this section. The Department of the California Highway Patrol may provide for measuring at distances other than 50 feet from the center of the lane of travel. In such a case, the measurement shall be corrected so as to provide for measurements equivalent to the noise limit established by this section measured at 50 feet. (c) The department shall adopt regulations establishing the test procedures and instrumentation to be utilized. These procedures shall allow, to the extent feasible, noise measurement and enforcement action to be accomplished in reasonably confined areas such as residential areas of urban cities. (d) This section applies to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this code relating to motor vehicle exhaust noise. (e) For the purpose of this section, a motortruck, truck tractor, or bus that is not equipped with an identification plate or marking bearing the manufacturer's name and manufacturer's gross vehicle weight rating shall be considered as having a manufacturer's gross vehicle weight rating of more than 10,000 pounds if the unladen weight is more than 5,000 pounds. (f) No person shall have a cause of action relating to the provisions of this section against a manufacturer of a vehicle or a component part thereof on a theory based upon breach of express or implied warranty unless it is alleged and proved that such manufacturer did not comply with noise limit standards of the Vehicle Code applicable to manufacturers and in effect at the time such vehicle or component part was first sold for purposes other than resale. 23130.5. (a) Notwithstanding the provisions of subdivision (a) of Section 23130, the noise limits, within a speed zone of 35 miles per hour or less on level streets, or streets with a grade not exceeding plus or minus 1 percent, for the following categories of motor vehicles, or combinations of vehicles, which are subject to registration, shall be: (1) Any motor vehicle with a manufacturer's gross vehicle weight rating of 6,000 pounds or more and any combination of vehicles towed by such motor vehicle 82 dbA (2) Any motorcycle other than a motor-driven cycle 77 dbA (3) Any other motor vehicle and any combination of vehicles towed by such motor vehicle 74 dbA No person shall operate such a motor vehicle or combination of vehicles in such a manner as to exceed the noise limits specified in this section. The provisions of subdivisions (c), (d), (e), and (f) of Section 23130 shall apply to this section. (b) Measurements shall not be made within 200 feet of any intersection controlled by an official traffic control device, or within 200 feet of the beginning or end of any grade in excess of plus or minus 1 percent. Measurements shall be made when it is reasonable to assume that the vehicle flow is at a constant rate of speed, and measurement shall not be made under congested traffic conditions which require noticeable acceleration or deceleration. (c) Test procedures and instrumentation to be utilized shall be in accordance with regulations of the Department of the California Highway Patrol, except that measurement shall not be conducted within 200 feet of any intersection controlled by an official traffic control device, or within 200 feet of the beginning or end of a grade. (d) The noise limits established by this section shall be based on a distance of 50 feet from the center of the lane of travel within the speed limit specified in this section. The Department of the California Highway Patrol may provide for measuring at distances closer than 50 feet from the center of the lane of travel. In such a case, the measuring devices shall be so calibrated as to provide for measurements equivalent to the noise limit established by this section measured at 50 feet. Vehicles equipped with at least two snowtread tires are exempt from this section.







TOW-AWAY
NO STOPPING
ANY TIME

Sysco

Lagu

7MUB295



LEFT LANE
MUST
TURN LEFT

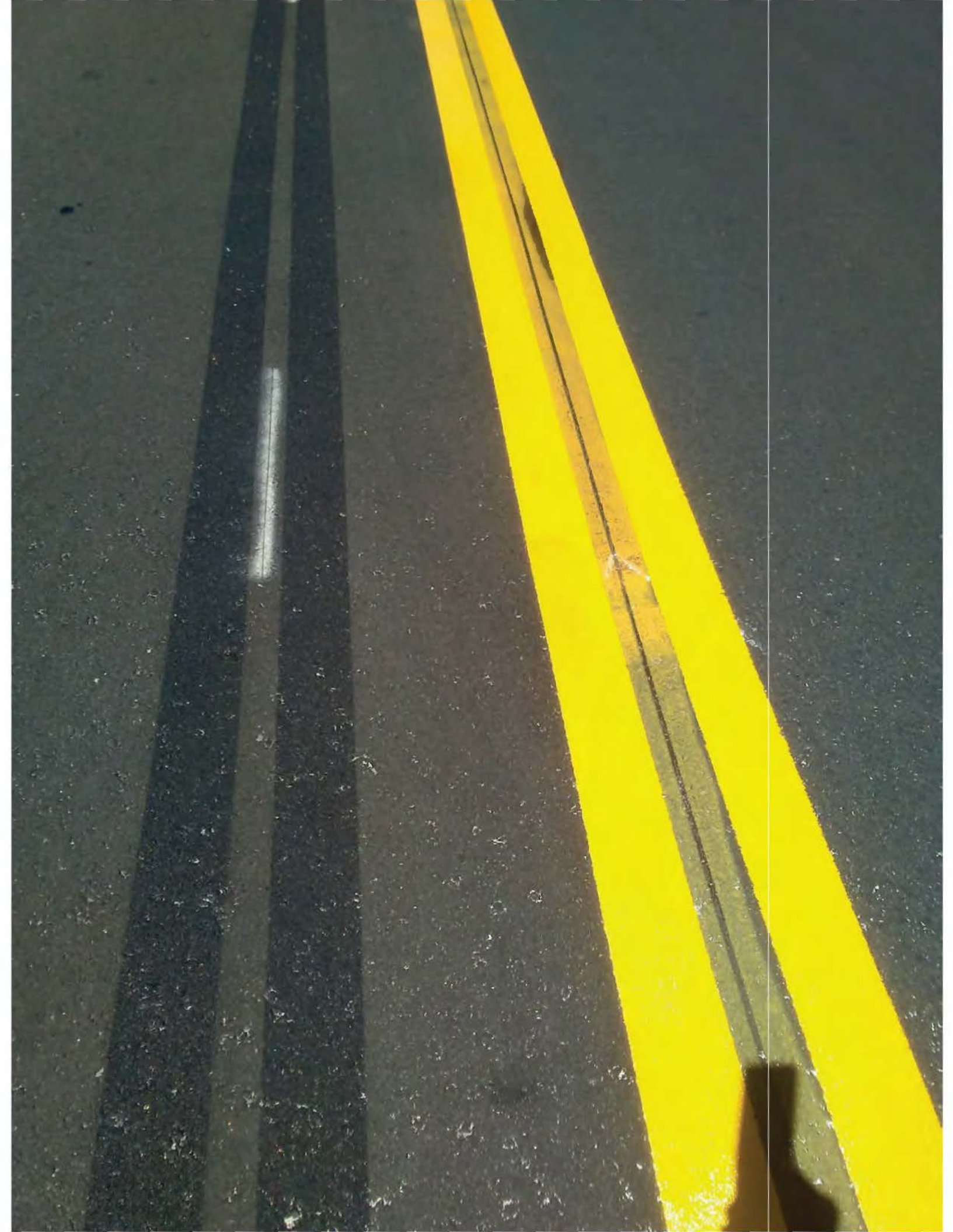
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THE SUPPLY FIRE
SPRINKLER SYSTEM
AT 181 FRANCISCO
HEALTH CENTER &
300 LAGON
PERRY BLVD &
COTTAGE



October 14, 2024

Ms. Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Ste. 1400
San Francisco, CA 94103

Subject: Draft Environmental Impact Report for the 3400 Laguna Street Project

Dear Ms. Calpin:

I am writing to express my opposition to the proposed 3400 Laguna Street Project as outlined in the Draft Environmental Impact Report (EIR). As a resident of the Marina neighborhood for more than 30 years, I have seen firsthand the unique charm and historical significance that define this community. Among its most treasured landmarks is the Julia Morgan Building, a structure that embodies both architectural excellence and a deep sense of local history. I am concerned that the proposed construction project, as currently planned, will significantly diminish this iconic structure and disrupt the character of the surrounding area.

Preservation of Historical Integrity

The Julia Morgan Building is not just another structure; it is a historical asset and an architectural treasure that has been part of our community since 1925. Designed by one of the most prominent female architects in history, this building represents a rare example of Morgan's craftsmanship in the city. Over the years, it has become a cornerstone of the Marina's architectural identity. The proposed plan, which includes extensive demolition and new construction, threatens to overshadow and compromise the integrity of this important landmark.

I-Goldstein-1

While the Draft EIR acknowledges the building's historical value, I am not convinced that the mitigation measures are sufficient to preserve its architectural integrity. Large-scale demolition and new construction, especially in such close proximity to the Julia Morgan Building, risk altering its character-defining features. Despite efforts to incorporate the existing building into the new design, there is a real possibility that the visual and historical harmony of the site will be lost.

As a long-term resident, I am particularly supportive of the Rehabilitation Alternative outlined in the EIR. This approach would allow for much-needed updates and modernization of the facilities while preserving the historical features that make the Julia Morgan Building so valuable. By focusing on renovation rather than replacement, the Rehabilitation Alternative respects the community's history and maintains the integrity of this irreplaceable asset.

Impact on the Community

I-Goldstein-2 The proposed project's scale is unprecedented for this area of the Marina and brings with it several concerns that could have long-lasting effects on the community. Over the 29-month construction period, residents will have to endure significant disruptions, including noise, dust, and reduced accessibility. While the project aims to improve facilities for elderly care, it does so at the expense of the well-being and quality of life for current residents in the vicinity.

I-Goldstein-3 **Traffic and Parking:** The increase in construction-related vehicles will likely exacerbate existing traffic issues, particularly along Laguna and Bay Streets. Additionally, the reduction in on-street parking spaces will inconvenience residents and visitors alike. With parking already being a challenge in the area, losing eight on-street spaces, as indicated in the EIR, would only make matters worse.

I-Goldstein-4 **Noise and Vibrations:** Continuous construction noise for more than two years will significantly impact the residents' daily lives, particularly for the elderly community members who are more vulnerable to disruptions. Moreover, the vibrations from construction equipment could potentially damage the Julia Morgan Building and other nearby structures. Although mitigation measures are proposed, they may not be enough to safeguard the historical fabric of the area or ensure the safety and comfort of those living and working nearby.

I-Goldstein-5 **Aesthetic Impact:** The Marina neighborhood is known for its cohesive architectural style and low-rise buildings that promote a sense of openness. The proposed new structures, despite being limited to a height of 40 feet, could still disrupt the visual appeal of the area. The scale and massing of the new buildings may overshadow the existing Julia Morgan Building, thereby diminishing its historical presence and aesthetic contribution to the neighborhood.

I-Goldstein-6 **Advocating for the Rehabilitation Alternative**
I strongly urge the city to adopt the Rehabilitation Alternative, which aligns more closely with the community's needs and respects the site's historical significance. Renovating the existing buildings, rather than opting for large-scale demolition and new construction, provides a compromise that can modernize the care facility while preserving the neighborhood's character. This approach would minimize disruptions during construction, reduce the environmental impact, and maintain the architectural cohesion that residents have come to cherish.

Moreover, the Rehabilitation Alternative would demonstrate a commitment to sustainable development practices. By reusing and renovating existing structures, the project can achieve its goals without the extensive environmental costs associated with demolition and new construction. It is a solution that reflects a respect for history, architecture, and community values.

The Marina is a vibrant and close-knit community that has maintained its unique character for decades. The Julia Morgan Building is a key part of this identity, and any changes to the site must be handled with the utmost care. I appreciate the need for modernization and support improvements to the care facilities, but not at the expense of our neighborhood's historical and cultural heritage. The proposed project, as it stands, poses significant risks to the community and the architectural landscape that makes the Marina special.

I respectfully urge the city to reconsider the current proposal and adopt the Rehabilitation Alternative. This plan would honor the history of the Julia Morgan Building, limit disruptions to the community, and preserve the unique charm of the Marina neighborhood. By making this choice, the city can demonstrate its commitment to responsible development that respects both past and present.

Thank you for considering my comments. I hope the city will take these concerns seriously and act in the best interests of the community and its architectural heritage.

Sincerely,

Brenda Goldstein

A black rectangular redaction box covering the signature area.

I-Grohne



Outlook

3400 Laguna / Case# 2022-009819ENV

From Margaret Grohne [REDACTED]**Date** Tue 10/15/2024 2:13 PM**To** CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Megan Calpin
Senior Environmental Planner
San Francisco Planning
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

Case No: 2022 009819ENV
Project Address: 3400 Laguna Street (Heritage on the Marina)
Subject: Comments on Draft EIR and Initial Study

October 15, 2024

Dear Ms. Calpin,

Last November, I wrote to SF Planning to express my deep concerns and objections regarding the proposed construction project at 3400 Laguna Street. Now, I have reviewed the Draft EIR and Initial Study for the nearly 60,000 square foot construction project that is proposed at this site and my concerns remain. The size, scale, duration and impacts of this project lack justification.

There are numerous problems raised by the Draft EIR and Initial Study:

1. The Draft EIR assumes that parts of 3400 Laguna Street will receive historic landmark status (i.e., the Julia Morgan Mansion, its front lawn and the Caretaker Cottage) and then makes several recommendations for protecting these portions of the property. However, this entire discussion is premature. The Historic Preservation Committee (HPC) is still considering the nomination, and the Board of Supervisors (Board) hasn't even had a hearing. The Draft EIR and Initial Study should have been paused while this process is underway so that any EIR doesn't

I-Grohne
-1

I-Grohne
-1

rely on assumptions about future protection but on the actual contours of the HPC's and Board's decision.

I-Grohne
-2

2. The Draft EIR dropped consideration of aesthetics because it determined the Heritage was eligible for an exemption for certain residential properties. However, in all its past permit filings with SF Planning and SF Building, the Heritage consistently takes the position it is "non residential" or that it is "institutional." It uses this status to justify not providing any affordable housing. Not only is it unfair to allow the Heritage to pick and choose whether it is "residential" or "non residential," depending on what it wants from the city, but it is also clear that aesthetics is a fundamental issue with respect to this project. As I wrote in my prior letter, the Julia Morgan mansion stands as an invaluable testament to our cultural heritage, embodying the architectural brilliance and historical significance of its time, and it is imperative to safeguard our cultural heritage for future generations and ensure that its integrity remains intact. The project does not meet this standard. If the project as proposed is permitted by SF Planning, the mansion will be completely enclosed on three sides by nearly 60,000 square feet of new construction consisting of two 4 story plus modern buildings. They will physically and visually tower over the mansion, making it seem a subordinate structure, and their construction will eliminate the existing landscaping and openness that now characterize this parcel of land. I also understand that the conditional use authorization under which the existing Health Care Center was allowed explicitly limited it to a height of one story, and the Heritage is ignoring this restriction when it proposes to replace the Health Care Center with a four story building spanning almost its entire frontage on Francisco Street. Finally, the Heritage is proposing significant alterations to the mansion when it suggests abandoning its front entrance on Laguna Street and building a new one on Bay Street. The Heritage wants to do this to reorient the property from its existing east west axis (Laguna Street to Octavia Street) to a north south axis (Bay Street to Francisco Street) to treat Francisco Street as the "rear" of the property. All of these issues relate to aesthetics (as well as protection of historic resources) and should have been fully evaluated under CEQA.

I-Grohne
-3

3. The potential impact on the health of neighbors of the Heritage are not taken seriously enough in the Draft EIR. The air and noise pollution that this project will generate are dangerous and there is no justification for allowing this to happen. The Draft EIR states this Project will cause the estimated cancer rates among neighboring residents of the Heritage to increase by nearly 400% (from 7 per

I-Grohne
-3

1,000,000 to 26.31 per 1,000,000). Similarly, it states the existing noise levels in the neighborhood are already at maximum acceptable levels, and that this project will cause the noise levels to far exceed these levels. There are mitigation measures recommended to protect people who live and work at the Heritage but almost nothing to protect the neighborhood. Please don't let the Heritage damage my health so that it can increase its wealth.

I-Grohne
-4

4. The Draft EIR concludes that either no construction or a project limited to renovation would be the best options under CEQA but then goes on to basically endorse allowing the Heritage to do everything it wants with some minimal mitigation to protect air quality and some historical resources. The only justification under CEQA for allowing a project to proceed under these circumstances are that it is has "economic, social or other benefits" that outweigh the environmental concerns. However, neither the Draft EIR nor the Initial Study contain any data or financial information. The Heritage has stated in its public documents that it needs to expand to stay competitive in the senior housing market. But, there is no evidence that is true. And, in fact, the Heritage has been systematically eliminating units over the last 15 years by combining units to make larger and more expensive ones. During this time, it merged 29 separate units for a net loss of 16. It violates the letter and spirit of CEQA to use unsubstantiated – and self-serving justifications to allow this project to go forward.

Please reconsider these issues and issue a final EIR that either does not allow any construction or limits any work to the renovation of the existing buildings.

Sincerely,

Margaret Grohne

Sent from my iPhone

Carlina Rose

From: Mike Hebel [REDACTED]
Sent: Friday, October 11, 2024 8:19 PM
To: CPC.3400LagunaEIR@sfgov.org
Cc: San Francisco Heritage; susandreynolds@marinatimes.com; adamklafter@gmail.com; Tania Albukerk
Subject: EIR/3400 Laguna Street Project; Julia Morgan Building

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Response to Draft Environmental Impact Report, issued August 28, 2024
Property: 3400 Laguna Street (Heritage at the Marina)
SF Planning Case No. 2022-009819ENV
State Clearinghouse No. 2024050241

Megan Calpin
Environmental Coordinator
49 South Van Ness Avenue, suite 1400
San Francisco, CA 94103

October 11, 2024

Dear Ms. Calpin:

I am writing to comment upon the Draft EIR in general and, in particular, to support the draft EIR's Rehabilitation Alternative which involves preserving the existing buildings rather than demolishing and constructing new ones, as it would minimize environmental and cultural impacts. The Rehabilitation Alternative allows for the necessary upgrades to the facility. This alternative would be less disruptive to the community and the site's historical resources.

JULIA MORGAN BUILDING

The San Francisco Historical Preservation Committee (HPC) is currently considering a nomination to protect the Property (Julia Morgan building and surroundings) with historical landmark status. This process has yet to be completed – a second designation vote (HPC) and consideration by the SF Board of Supervisors has yet to occur. This property is historically significant for its association with the Ladies' Protection and Relief Society, San Francisco's second oldest charitable organization and the first established by and for women. The main building, constructed in 1925 by renowned architect Julia Morgan, is also architecturally significant as an excellent, rare, and well-preserved example of a commercial building designed in the Jacobethan Revival style by an architect of merit. This building, while not currently on the California Register of Historical Resources, is eligible for such listing.

The Project Sponsor (SF Ladies' Protection and Relief Society, aka Heritage at the Marina) has proposed a radical and unprecedented change in the orientation of its entire parcel of land. For 99 years, the

I-Hebel

-1 property orientation has been clear, consistent and, most importantly, relied upon for numerous decisions by the Planning Department. The front of the historical Morgan building would be turned by 90 degrees so that its front would leave Laguna Street and relocate on Bay Street. This would be done to accommodate the construction of a four-story building on Francisco Street which would magically become the rear of the property. In all prior applications to the Planning Department, Octavia Street has been properly designated, by the Project Sponsor, as the rear of the property.

To allow the Project Sponsor to treat Francisco Street as the rear of the property will mean that the Bay Street building becomes the front/main building which will substantially diminish the importance, role, and visibility of the historically significant cultural resource, soon to be landmarked, Julia Morgan building. Construction near or involving this precious building may irreversibly damage its historical integrity.

The Julia Morgan building, one of her notable architectural works in San Francisco, mandates special consideration under CEQA. All alternatives must be considered that avoid damage to this historic structure. The Project's scale and design will detract from the original aesthetic of the building, the stone cottage, and surrounding gardens

ENVIRONMENTAL IMPACT ISSUES

The EIR lists key areas that it focused on, and of which are of critical importance to the surrounding neighborhood during the proposed 29 months' construction.

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1. Air Quality: Construction dust and emissions will certainly lead to deterioration in air quality. Elderly residents in the nearby residential care facility, along with local neighbors, would face negative health impacts, particularly those with respiratory issues. Air quality mitigation measures are insufficient; alternative construction methods are needed to reduce pollution. **The draft EIR states that air pollution created by and directly due to this project will increase residential cancer rates by nearly 400% over the CCSF threshold "acceptable" level of 7 people in 1 million contracting cancers.** This project is in an Air Pollutant Exposure Zone which makes the surrounding population more vulnerable to health risks especially respiratory illnesses, cardiovascular disease, and premature death, particularly in children and the elderly.

I-Hebel
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2. Noise and Vibration: With a 29 months' prolonged construction, noise and vibration will significantly disrupt daily life in this neighborhood. The Project Sponsor clearly understands this the noise created by its proposed project will be unlivable, so it proposes renting out hotel rooms for the Heritage's residents, providing noise cancellation headphones and arranging for day-time relocation. But nothing, yes nothing is proposed for the Heritage's neighbors, many of whom are at home during the day including children and seniors.

I-Hebel
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3. Traffic and Parking: The construction phase will exacerbate parking and traffic issues, particularly the removal of street parking and the creation of a new driveway. Long term traffic problems created by this Project are not sufficiently addressed especially the traffic impact on adjoining local streets.

I-Hebel
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4. Aesthetics and Neighborhood Character: The Marina District is known for its distinctive architecture and aesthetic character. Introducing two new buildings, each 40 feet tall, will certainly alter the neighborhood's visual harmony. Limiting the height and scope of the new construction is needed to preserve the neighborhood's architectural integrity. Proposition M (SF Planning Code section 101.1) prioritizes the protection of neighborhood character, including

I-Hebel-5 | preserving historic and landmark buildings. The proposed 40-foot-high buildings will erode the neighborhood's unique aesthetic and cultural character.

The Project's proposed mitigation measures are insufficient to fully address the significant impacts on air quality, noise, vibration, and cultural resources. The mitigation measures outlined in the draft EIR seem insufficient to fully protect both the surrounding community and particularly the elderly at the residential care facility.

I-Hebel-6 | **THE PROJECT SPONSOR HAS PROVIDED NO EVIDENCE OR OTHER BASIS FOR "SOCIAL, ECONOMIC OR OTHER BENEFITS" THAT WOULD JUSTIFY APPROVAL OF THE PROJECT OUTWEIGHING THE ENVIRONMENTAL CONSEQUENCES TO THE JULIA MORGAN BUILDING AND TO THE SURROUNDING MARINA NEIGHBORHOOD.**

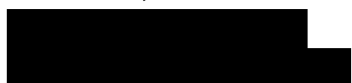
1. No data (financial, survey, market comparisons, projections) of any kind is found in the draft EIR or other related documents that support or demonstrate any economic benefit.
2. Available recent public information about the Heritage's financial condition show that it is swimming in monies and has no financial needs. Its most recent IRS 990-PF states that it has over \$90 million in assets and well over \$100 million value of its real property.
3. Over the past decades it has been systematically eliminating units. Since 2010, it has merged 29 separate units for a net loss of 16 units. Now it wants to add 58,000 square feet to create only 23 new units, more properly characterized as over-sized luxury apartments.
4. Heritage does not require prior San Francisco residency for admission into its continuing care facility. The draft EIR, without confirmation, assumes that current San Francisco residents would be the people moving into the new units at the Heritage. Heritage does not currently market only to SF residents and there is no submitted documentation from Heritage that it will market the new or existing units only to SF residents.
5. This is not a building project to provide affordable housing to seniors. This is not a building project to provide needed low-income housing for seniors. It is designed to add a few \$1million senior luxury apartments. And Heritage, as a not-for-profit, doesn't pay taxes to San Francisco. For this privilege it certainly should contribute to the well-being of San Francisco by providing a meaningful percentage of its apartments as affordable senior housing.

REHABILITATION ALTERNATIVE

I-Hebel-7 | The draft EIR examined 3 alternatives. I am advocating for adoption of the Rehabilitation Alternative. Instead of demolishing buildings, this alternative focuses on rehabilitating existing structures with less intensive construction. And in so doing, provides the least harmful potential impact on historic buildings and grounds, air quality, construction noise, and traffic flow.

Sincerely,

Michael S. Hebel
Treasurer, Protect Our Marina's Heritage (a recognized neighborhood organization)



I-Herrmann



San Francisco Planning Case No.: 2022-009819ENV

From Mark H [REDACTED]
Date Tue 10/15/2024 2:35 PM
To CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

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Dear Ms. Calpin,

Historical Preservation: The Julia Morgan building is not just a structure; it represents a significant piece of the City's history and preserves a masterpiece built by perhaps the most important woman architect, who happens to be local, Julia Morgan. The Historical Preservation Committee has already supported its nomination as a City Landmark, and the Heritage supports its nomination, so this must be taken into account when considering to base the EIR on aesthetics. This building is too important to waive aesthetics as a criteria. Further, it is an institutional building so this rule to drop aesthetics should not apply and it should be in the Planning Departments best judgement to consider aesthetics of this one of kind building that is about to become a City Landmark.

Reorienting the Building? The Heritage wants to demote the Julia Morgan Mansion into a 'sub building' so that it can take advantage of a variance for a diminished rear setback. This is clearly gaming the system. And, the Heritage already did this for the Perry Building in 1957. How many large, disproportionate buildings will they be allowed to build on this property, it is already out of proportion for the neighborhood? Let's not forget, the Heritage, the City and Julia Morgan all agree that Laguna is the front of the property and it has always been regarded as such for all purposes including permits.

Sincerely,

Mark Herrmann

[REDACTED]

I-Iparraguirre



3400 Laguna EIR response

From John Iparraguirre [REDACTED]
Date Tue 10/15/2024 5:28 PM
To CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>
Cc Tania Albukerk <talbukerk@gmail.com>

 1 attachment (153 KB)

3400 Laguna Street - Response to Draft EIR - Tania Albukerk.pdf;

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Calpin,

As a Marina resident, I was preparing to write a letter regarding my response to the August 3400 Laguna Street EIR Draft. I spoke with my neighbor Tania Albukerk and I agreed with her response. In fact I read her letter and it was so well written that my wife and I would like to just submit her letter as well because we concur with all of her points, she is cc'd on this email.

Sincerely yours,
John and Dawn

Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

Re: Response to Draft Environmental Impact Report, issued August 28, 2024

Property: 3400 Laguna Street Project (also known as the “The Heritage at the Marina” (the “Heritage”))

San Francisco Planning Case No.: 2022-009819ENV

State Clearinghouse No. 2024050241

October 9, 2024

Dear Ms. Calpin,

I am writing to you to share my comments on both the Draft Environment Impact Report (Draft EIR) and the Initial Study for the Draft EIR, both issued August 28, 2024, for the Property referenced above.

Before addressing the substance of the Draft EIR and Initial Study, I want to discuss why the issuance of the Draft EIR and parts of the Initial Study were premature and not in accordance with the CEQA law and regulations thereunder.

1. It is premature to issue a draft EIR and Initial Study while the Historical Landmark Designation Process is Ongoing and Incomplete.

As noted throughout the Draft EIR and Initial Study, since March 2024, the SF Historical Preservation Committee (HPC) has been considering a nomination to protect the Property with historical landmark status. At its meeting on August 20, 2024, the HPC voted unanimously in favor of such designation, and it will be voted on again in October, after which the nomination will be considered by the Board of Supervisors. It was premature and presumptuous to move forward with the Draft EIR and Initial Study while the landmark process is underway. Throughout both documents, Department staff make numerous assumptions about the scope, details and requirements of a landmark designation that is still under debate, and then use such assumptions as the basis for recommendations to be adopted by SF Planning in approval of the construction at the Property.

The preparation of the Draft EIR and Initial Study should be paused while the landmark designation is being considered by the HPC and Board of Supervisors and only begun after the detailed contours any such designation have been determined.

2. It violates SF Administrative Code to Concurrently Issue a Draft EIR and an Initial Study.

Under CEQA and the SF Administrative Code implementing CEQA, the Department is not required to undertake an Initial Study.¹ However, the Code is clear that if an Initial Study is undertaken – as is the case with the Property – then the Initial Study should be the starting point for preparation of a Draft EIR.² Section 31.10(f) explicitly states that it is only **after** “the analysis and conclusions in the initial study” that “the Environmental Review Officer shall determine whether there is substantial evidence to support a “fair argument” that the project may have a significant effect on the environment and an environmental impact report is required.” Similarly, the California Code of Regulations makes clear that the Initial Study must **precede** a draft EIR: “The EIR process starts with the decision to prepare an EIR. This decision will be made either during preliminary review under Section 15060 or **at the conclusion of an initial study** after applying the standards described in Section 15064.” (emphasis added). In addition, it appears that SF Planning did share and discuss the Initial Study with the Heritage, and that the Heritage’s team of expensive consultants influenced SF Planning’s work, which seems to violate principles of public disclosure and access.

In this instance, both the Draft EIR and the Initial Study were released together on August 28 and the public was directed to make comments on both at the same time. The Department jumped the gun on preparing this Draft EIR and in so doing violated the SF Administrative Code and deprived the public of its rights to fully participate in a timely and informed manner in the EIR process.

Turning to the substance of the draft EIR and Initial Study, I agree with the draft EIR’s conclusion that no project is the most environmentally conscientious choice and, as an

¹ SF Administrative Code: SEC. 31.09. DETERMINATION OF NEED FOR EVALUATION. “Upon receiving an environmental evaluation application for a project; upon referral of a project by the board, commission or department that is to carry out or approve the project; or through such other process for rendering an exemption determination as the Environmental Review Officer shall authorize, the Environmental Review Officer shall determine whether such project is exempt from environmental review. For all projects that are not exempt from CEQA, prior to the City’s decision as to whether to carry out or approve the project, the Environmental Review Officer shall conduct an initial study to establish whether a negative declaration or an environmental impact report is required. In the event it is clear at the outset that an environmental impact report is required, the Environmental Review Officer may make an immediate determination and dispense with the initial study.” See also Cal. Code Regs. Tit. 14 Sec. 15060(d) – Preliminary Review.

² SF Administrative Code. Section 31.10 Initial Evaluation of Projects): “ (f) In accordance with CEQA, Public Resources Code Sections 21080(c) and 21080(d), based on the analysis and conclusions in the initial study, the Environmental Review Officer shall determine whether there is substantial evidence to support a “fair argument” that the project may have a significant effect on the environment and an environmental impact report is required, or whether a project could not have a significant effect on the environment and a negative declaration is required.”

I-Iparraguirre
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alternative, renovation of existing buildings without new construction is the next best choice. I fully support either option. However, the substance of the draft EIR makes clear that the Department is moving toward approving the proposed project in full and will do so based on finding, under CEQA, that “social, economic, or other benefits outweigh the unavoidable impacts of the project.” I strongly object to this result for a multitude of reasons.

3. The Project Sponsor Provides No Evidence or Other Basis for “Social, Economic or Other Benefits” that Would Justify Approval of this Project Outweighing the Environmental Consequences and Therefore Fails to Meet the Legal Standard for Reliance Set Forth by the California Supreme Court.

The justifications for ignoring the two environmentally superior choices (no construction or renovation of existing buildings) in favor of the type of massive construction that the Heritage is seeking are primarily economic – the Project Sponsor (i.e., Ladies Home Protection and Relief Society) asserts that it needs more units and to upgrade existing units to meet its financial goals. I take issue with the draft EIR’s reliance on the Heritage’s baseless assertions of its own economic needs.

I-Iparraguirre
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- a. There is absolutely no data, economic or financial information of any kind in the draft EIR, Initial Study or related documents that support or demonstrate any economic benefit. It appears that the Department is just accepting the Heritage’s assertion that this Project has economic necessity with no evidence at all. For this reason alone, the Draft EIR fails the “sufficiently credible” test set forth by the California Supreme Court in *Laurel Heights Improvement Association* and cannot be relied upon by SF Planning.³
- b. In addition to there being no evidence to support an economic-based exception, the available public data about the Heritage’s finances show that it is awash in money and has no financial needs. In its most recent IRS filing, the Heritage has over \$90 million in assets and well over \$100 million if depreciation is not netted out against the value of its real property.⁴
- c. The Heritage asserts – but provides no evidence of any kind – that it needs more units to be competitive in the market. Yet, it has been systematically eliminating units over the past decade. Since 2010, it has merged 29 separate units for a net loss of 16 units, including turning one unit into a laundry room and in other cases taking 3 separate units and turning them into a single massive apartment.⁵ The Heritage shouldn’t be rewarded for creating this

³ The California Supreme Court has explained that when an agency has prepared an environmental impact report: [T]he issue is not whether the [lead agency’s] studies are irrefutable or whether they could have been better. The relevant issue is only whether the studies are sufficiently credible to be considered as part of the total evidence that supports the [lead agency’s] finding[.] (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 409; see also *Eureka Citizens for Responsible Gov’t v. City of Eureka* (2007) 147 Cal.App.4th 357, 372.

⁴ Form 990-PF for 2022 filed by the Project Sponsor on November 2023.

⁵ The permit history for the Property shows that since September 2010, permits have been issued to:⁵

- a. Merge units 320 and 321 (September 2010)

I-Iparraguirre-4

situation where it is taking existing functional living spaces and combining them into luxury apartments.

d. The Draft EIR states that under the Rehabilitation Alternative only four new units could be added to the Property. There is no data or any other basis for this assertion, and it is not supportable. The now-shuttered one-story Health Care Center alone housed 32 beds when it was a licensed skilled nursing facility;⁶ even if those beds were in double-occupancy rooms, this means that there is room for additional 14 units in the existing Heath Care Center. Similarly, the Draft EIR’s exploration of other aspects of the Rehabilitation Alternative or a Reduced Construction Alternative is so limited and unimaginative that they appear designed to deliver the Project Sponsor the result that it wants. There is no discussion or consideration, for example, of building smaller on Francisco or Bay, or swapping some of the planned common space in the Bay Building for more residential units, or for reimagining space utilization within the Morgan Mansion.

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e. Throughout the Draft EIR, it states that the Project will add over 58,000 square feet to create only 23 new units. This is the equivalent of more than 2,500 square feet per unit. Even if 10 of the units are designed for double occupancy, this is equivalent to over 1,750 square feet per person. There is no economic justification for such over-sized luxury apartments.

I-Iparraguirre-4

f. On a related note, the draft EIR assumes that current San Francisco residents would be the people moving into these new units at the Heritage. But, again, there is no data or any justification for this assumption, and if the residents are not current San Francisco residents, any “social” basis for this expansion weakens.

g. The Heritage is not providing any affordable housing. This Project is designed to add a few \$1 million++ senior luxury apartments. This is offensive in itself given the city’s need for low-income housing. But, what makes this even more upsetting, is the Heritage, as a not-for-profit, doesn’t have to pay any taxes to San Francisco and therefore uses our public resources without giving back to

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- b. Merge units 302 and 303 (August 2011)
 - c. Merge. Units 304 and 305 (December 2012)
 - d. Merge 210 and 211 (March 2014)
 - e. Merge units 325 and 326 (March 2017)
 - f. Merge units 306 and 307 (March 2017)
 - g. Merge units 242 and 244 (August 2017)
 - h. Merge units 319 and 320 (December 2018)
 - i. Merge units 307 and 308 (July 2020)
 - j. Merge units 205, 206 and 207 (July 2020) (took 3 studios to make 1 unit)
 - k. Merge units 403 and 404 (July 2020)
 - l. Merge units 407, 408 and 409 (April 2021) (again, took 3 studios to make 1 unit)
 - m. Merge units 419 and 420 (May 2024)
 - n. Change unit 423 into a laundry room (May 2024)

⁶ See <https://npiprofile.com/npi/1396964722>

the city. At the least, the Heritage should contribute by providing affordable housing.

The Draft EIR fails the requirement under California law that evidence relied upon by a lead agency for its findings must be sufficiently credible as to be part of the total evidence supporting the agency's findings. In this instance, SF Planning has no findings or evidence to support the argument that the Project has social, economic or other benefits, and therefore, it cannot approve the Project when it has already determined that no construction, or barring that, rehabilitation of existing buildings, are the environmentally superior options under CEQA.

4. The Project Sponsor's Attempt to Change the Orientation of its Property by 90 Degrees Would Turn the Historical-Resource Morgan Mansion into an Ancillary Building and Violates a Century of Reliance by SF Planning With Regard to Permit Decisions for the Property.

The Heritage is making a radical and unprecedented demand to SF Planning, which is to change the orientation of its entire parcel of land to treat Francisco Street as its rear and get a variance from rear yard setbacks to build to the property line. Do not let them do this! For 100 years, the property orientation has been clear, consistent and, most importantly, relied upon for numerous decisions by the Planning Department, including only allowing the construction of the Perry Building in 1957 because it was at the rear of the property and requiring that the Health Care Center be limited to "one story only" and that it be set back from the property line.⁷

To allow this radical shift would be to diminish the Morgan Mansion. By default, the proposed new Bay Street Building would become the "front" of the Property. The Mansion would be relegated to being an ancillary building and this diminishment of a Historical Resource isn't permissible under CEQA or under the historical landmark laws and regulations.

The property is oriented so that the Mansion's front is Laguna Street, and its rear is Octavia Street, with Bay Street at the north and Francisco Street at the south. In the draft EIR as well as the historical landmark designation recently approved by the HPC, there are dozens of references to the "front" and "front lawn," which always means the grassy area in front of the Mansion's front door abutting Laguna Street. This language is even in the Heritage's own project objectives – which include maintaining "the original landscape features of the front lawn on the project site." In extensive permit applications for a new garden-level addition to be built behind the Mansion and **extending toward Octavia Street** that the Heritage sought

⁷ SF City Planning Commission Resolution No. 5512 (dated April 5, 1962) "The proposed facilities shall be constructed and installed in substantial conformity to the preliminary plans labeled "Proposed Infirmary Addition – The Heritage San Francisco Ladies' Protection and Relief Society 3400 Laguna Street, San Francisco, Cal." Filed with said application, **providing for a one-story building only.**" (emphasis added)

between 2016-2020, the Heritage asked for variance to the **rear yard setback requirement per Section 134**. This is another example demonstrating that the Heritage has always agreed that the rear of its property is Octavia Street. In fact, even in its application for a conditional use permit seeking permission to treat Francisco as the rear, the Heritage continues to admit that Laguna Street is its front.⁸

The Heritage is pretending that its entire property has suddenly, magically shifted 90 degrees so that Bay Street has become its front and Francisco Street has become the rear. This is a blatant attempt to manipulate the Planning Department. Will the Heritage come back in another 5 years and propose another fictional shift so that Laguna is the rear and then try to in-fill yet more of the property? To allow the Heritage to treat Francisco as the “rear” of its property will mean that the Bay Street Building becomes the front/main building and will substantially diminish the importance, role and visibility of the Historically Significant, soon to be Landmarked Morgan Mansion.

5. SF Planning Should Not Have Dropped Consideration of Aesthetics from the Draft EIR

SF Planning decided that “aesthetics” would be dropped from the EIR process between its initial notice in November 2023 and its re-issued notice in May 2024. According to the May 2024 Notice: “Aesthetics was previously anticipated as a topic to be analyzed for full analysis in the EIR. Since the November 1, 2023, publication of the NOP, the Planning Department has determined the project meets the requirements of CEQA guidelines section 21099 and therefore aesthetic impacts are not to be considered a significant impact of the project; this topic will be briefly discussed in the initial study that will be included as part of the EIR.” However, there are three problems with this determination: (1) no public notice was given of this very significant unilateral decision. This is particularly shocking considering 35 of the 37 letters written to SF Planning after the issuance of the November Notice of Preparation discussed concerns about aesthetics – and I would note – all 35 opposed this project as currently conceived; (2) the Section 21099 requirement includes that the project be residential, mixed-use residential or an employment center and the Heritage, as project sponsor, has always taken the position is that this is NOT residential but is “institutional”; and (3) even if 21099 did apply, it doesn’t mean that aesthetics should not be considered under other relevant statutes and regulations, specifically with respect to historical landmarks, as this Project involves.⁹

⁸ “The Project will preserve and restore the Morgan building, an existing historic structure. New structures proposed as part of the Project will respect the character of the historic Morgan building and are consistent with the existing scale and pattern of development in the neighborhood. Proposed structures, therefore, complement and do not overwhelm nearby existing buildings, including the historic building located on the Project site. The Project also preserves the Residential Care Facility’s **existing pedestrian-oriented building frontage along Laguna Street**.” See Conditional Use Permit application (emphasis added)

⁹ Visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact as defined in the City’s CEQA Threshold Guide shall not be considered an impact for infill

I-Iparraguirre
-7

The Draft EIR notes that the SF Planning Code classifies that Heritage as “institutional use,” which should mean that the Section 21099 requirements are not met. Then, SF Planning staff glosses over this by saying CEQA would also consider it residential. Why doesn’t SF Planning have to abide by SF Planning Code?

Aesthetics were incorrectly excluded from consideration in the Draft EIR and the Draft EIR should be revised to include this critical criterion.

6. The Draft EIR States that the Air Pollution Created by this Project Will Increase Residential Cancer Rates by Nearly 400% Over the City’s Threshold “Acceptable” level of 7 People in 1 million Getting Cancer Because of this Project

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-8

The Project is in an area that is already designated an Air Pollutant Exposure Zone – meaning our air quality is compromised. In the homes surrounding the Heritage, there are many elderly residents as well as children, who are the most at risk from air pollution. The Draft EIR states that air pollution will be created by the proposed project. It includes numerous requirements to protect residents of the Heritage and the workers, but NOTHING for the neighborhood. In fact, in Table 3-C8 of the Draft EIR, it plainly states that the Heritage project will increase my family’s risk, and the risk of all of my neighbors, of getting cancer by nearly 400% over an already shameful standard of 7 in 1 million people getting cancer – so now my risk is 26.31 in a million if they proceed, which this is very statistically significant!¹⁰ Why does the City or the Heritage get to knowingly add to my cancer risk, my children’s cancer risk, my husband’s cancer risk? It is not acceptable to risk our health for the Heritage’s greed.

Don’t trade my family’s health for the Heritage’s wealth.

7. Noise Levels Will Rise Well Above Thresholds Considered Acceptable

I-Iparraguirre
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According to the Draft EIR, the noise level on Francisco Street and other others adjoining the Project are already at the maximum level considered “conditionally acceptable for residential use” at 65 dBA Ldn. Construction that is inherently very loud – demolition, excavation, foundation work, etc. - is expected for a minimum of 5 months and will cause noise levels to soar past this level. A change in noise level of 10 dBA Ldn is perceived by the

projects within TPAs) pursuant to CEQA. However, this law did not limit the ability of the City to regulate, or study aesthetic related impacts pursuant to other land use regulations found in the city’s Municipal Code) or the City’s General Plan, including specific plans. For example, SF Planning staff would still need to address a project’s shade and shadow impacts if it is expressly required by Historical Landmark regulations. Also, the limitation of aesthetic impacts pursuant to Section 21099 of the PRC does not include impacts to historic or cultural resources. Impacts to historic or cultural resources need to be evaluated pursuant to CEQA regardless of project location.

¹⁰ “As shown in Table 3.C-8 and Table 3.C-9, the maximum cancer risk from construction of the proposed project would be approximately 26.31 in one million at the maximally exposed individual off-site residential receptor, which would exceed the cancer risk threshold of 7 in one million.”

human ear as a doubling of the sound level. Construction is projected to exceed this increase. The Project Sponsor understands that this noise will be unlivable, so they propose renting out hotel rooms for the Heritage's residents, providing noise cancellation headphones and arranging for day-time relocation. But, NOTHING is proposed for all of the Heritage's neighbors, many of whom are home during the day. The Draft EIR concludes that this noise will be "less than significant" but its own data and descriptions make clear that the noise will be unbearable.

The unacceptable level of noise in the neighborhood is yet another reason why it is inappropriate to allow this massive construction project in the middle of a residential neighborhood.

8. The Public Does Not Want this Project to Happen

Although the concerns of the public are not a criterion alone for a CEQA determination, it is important for the Department to recognize that the only supporter of this Project is the Project Sponsor. All of 37 letters sent to the Department in response to the Notice of Preparation of the Draft EIR opposed the Project, except one from the Heritage itself.¹¹

I respectfully request that SF Planning reconsider the Draft EIR in light of the serious shortcomings and significant concerns regarding its issuance, scope and conclusions. The appropriate determination under CEQA with respect to the Project is to either not allow any construction or to limit construction to renovation of the Heritage's existing buildings.

Respectfully,

Tania Albuquerk

¹¹ And one from the California Department of Fish and Wildlife.

I- Lester



3400 Laguna Street EIR

From David Lester <[REDACTED]>
Date Tue 10/15/2024 12:04 PM
To CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

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October 14, 2024
Megan Calpin, Environmental Coordinator
San Francisco Planning Department
49 South Van Ness Ave, Ste. 1400
San Francisco, CA 94103
Subject: Concerns Regarding the Proposed Expansion at 3400 Laguna Street

Dear Ms. Calpin:

I am writing as a concerned resident in opposition to elements of the proposed expansion at 3400 Laguna Street. After reviewing the Draft Environmental Impact Report (EIR) dated August 28, 2024, and considering the potential impacts on the community and the environment, I feel compelled to express my concerns about several aspects of this project. My primary objections focus on the historical preservation of the Julia Morgan structure and the disruption caused by prolonged construction.

1. Preservation of the Historic Julia Morgan Building

The Julia Morgan building holds significant historical value to our community, not only as a work of the pioneering architect Julia Morgan but also as part of the cultural fabric of San Francisco's architectural heritage. This building demands space, respect, and a surrounding environment that complements rather than overshadows its presence. While the proposed project outlines efforts to renovate the Morgan and Perry buildings, the addition of two new buildings—the Bay and Francisco Buildings—threatens to overwhelm this important structure.

According to the project summary (EIR, Section 2.D), these new buildings will stand up to 40 feet tall and be integrated with the Morgan building. This proximity risks visually diminishing the historical structure and detracting from its architectural significance. The Julia Morgan building, with its distinctive features, deserves more thoughtful planning that preserves its character and the surrounding context. Any construction or redevelopment should prioritize maintaining the visual and cultural integrity of this important landmark, avoiding the risk of it being lost amidst new developments.

In Section 3.B of the EIR, it is acknowledged that the project may result in adverse impacts to historic resources. Although mitigation measures such as the Construction Monitoring Program are proposed, these seem insufficient in ensuring the original character and ambiance of the Julia Morgan structure. The best way to preserve this building's significance is by scaling back the expansion and creating a respectful buffer zone around it.

2. Construction Impacts and Community Disruption

The extended construction timeline and the scale of the proposed project will inevitably disrupt the local community. Construction activities such as demolition, excavation, and

I-Lester-2 *heavy vehicle traffic will generate noise, dust, and vibrations. According to Section 3.B.22 of the EIR, there is a risk of vibration related damage to nearby structures, including the Julia Morgan building. The mitigation plan for vibration monitoring is welcome but must be robustly enforced.*

I-Lester-3 *Moreover, the project will reduce on street parking spaces and alter traffic patterns during construction. As outlined in the EIR (Table S 1), the project will result in a net loss of on street parking spaces, from 28 to 20. The reduction in passenger loading zones will further inconvenience residents and visitors, particularly those relying on public or shared transportation.*

I-Lester-2 *The quality of life of residents near the construction site must be given higher priority. Noise pollution from machinery and construction activities, even within acceptable regulatory limits, can affect mental health and well being over time. I urge the Planning Department to impose stricter time limits on construction activities, enforce noise control measures, and ensure transparent communication with the community throughout the project's duration.*

3. Alternative Proposals and Recommendations

I-Lester-4 ***The EIR (Chapter 5) explores alternative approaches, including the "Reduced Construction Alternative" and the "Rehabilitation Alternative." These options should be given greater consideration, as they strike a more appropriate balance between meeting development goals and preserving the historical and environmental integrity of the area. Specifically, the Rehabilitation Alternative, which limits new construction and focuses on upgrading existing structures, appears to be a more sensitive approach.***

I recommend the following changes to the proposed project:

- 1. Scale down the size and footprint of the Bay and Francisco buildings to prevent them from overwhelming the Julia Morgan building.***
- 2. Increase setbacks around the Julia Morgan building to preserve its visual prominence and historical context.***
- 3. Enhance air quality mitigation measures by providing real-time monitoring and requiring contractors to use the cleanest available technology.***
- 4. Reduce construction hours to minimize noise and vibration impacts on residents and nearby buildings.***

I still have concerns about that the project sponsor is attempting to change the address to get a larger building built on Francisco Street. They have already built out there back yard using a height variance and maxed out the build out on this lot.

The whole project appears an unnecessary attempt to gain greater density than it is zoned for.

I respectfully request that the Planning Department reconsider the current proposal for 3400 Laguna Street, placing greater emphasis on preserving the historical significance of the Julia Morgan building, mitigating environmental impacts, and minimizing disruptions to the local community. While I appreciate the need for development and the intention to enhance the site's functionality, it must not come at the expense of our neighborhood's character and residents' well being.

Thank you for your attention to these concerns. I look forward to your response and the Planning Department's continued engagement with the community on this important matter.

Sincerely,

David Lester

I-Parsons



EIR response to the 3400 Laguna project - San Francisco Planning Case No.: 2022-009819ENV

From John Parsons [REDACTED]

Date Tue 10/15/2024 2:33 PM

To CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Calpin,

I-Parsons
-1 As a longtime resident of the Marina, I do not understand why the City is willing to encase the Julia Morgan building in huge monolithic structures. Isn't one of the main purposes of the Environmental Review to protect historic and cultural sites? I also learned recently the building is a City Landmark. Shouldn't the Planning Department pay particular attention to these important, beautiful buildings? SF Planning has the power to protect for generations, please use this power.

I-Parsons
-2 I am more immediately concerned about the projected noise and vibration levels during construction. The EIR admits that the noise levels on Francisco Street already reach the maximum conditionally acceptable level for residential use, and construction is expected to far exceed this (Impact NO-1, Table S-3). This will disrupt the daily lives of residents, especially families with small children or the elderly who spend much of their time at home.

I-Parsons
-3 I am also concerned about the traffic and transportation impacts of the 3400 Laguna Street Project. According to the EIR, the project will generate over 300 additional vehicle trips per day, exacerbating already congested streets and potentially creating hazardous conditions for the pedestrians that use the parks across the street including the little children's playground, baseball fields, basketball courts, tennis courts and, of course, Fort Mason. These are all tricky crosswalks without a traffic light or stop sign to get to Moscone Park and a double crossing with an island in the middle of Bay to get to Ft. Mason from Laguna – very bad for older folks and kids.

I urge the City to not allow this project to move forward as planned for both historical, safety and health reasons.

Sincerely,
John Parsons

October 9, 2024

Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103

Re: Response to Draft Environmental Impact Report, issued August 28, 2024
(3400 Laguna Street Project)

Dear Ms. Calpin:

I am writing as a concerned citizen to express my opposition to the proposed 3400 Laguna Street Project, as outlined in the Draft Environmental Impact Report (EIR). While I understand the need for updates to the existing residential care facilities, I believe the current proposal poses significant risks to the preservation of our community's cultural heritage and will negatively impact the surrounding neighborhood.

Historical Preservation Concerns

The site of the proposed project, particularly the Julia Morgan Building, is an important part of our community's history and architectural legacy. Designed by the pioneering architect Julia Morgan, this building is not only a valuable cultural resource but also a testament to a key period in the development of San Francisco. The demolition of adjacent structures and the extensive new construction planned as part of this project could significantly compromise the integrity of the Julia Morgan Building and other historical assets on the site.

I-Peckham-1 Despite assurances of preservation efforts, the scale and nature of the proposed construction raise concerns about the long-term sustainability of these historical structures. Construction activities, including noise, vibrations, and heavy machinery operation, pose risks to the stability of these aging buildings. Moreover, the proposed renovations and new constructions may alter the visual and historical character of the area, detracting from its architectural significance.

I respectfully urge the city to consider alternative approaches, such as the Rehabilitation Alternative detailed in the EIR. This option would allow for necessary updates and improvements to the facility without resorting to the demolition of historically significant buildings. By focusing on modernizing existing structures, this alternative strikes a balance between upgrading the care facilities and preserving our cultural heritage. It would maintain the integrity of the Julia Morgan Building while still improving the functionality and infrastructure of the site

Impact on the Community

I-Peckham
-2 The proposed project's construction will undoubtedly have far-reaching effects on the Marina neighborhood. As outlined in the Draft EIR, the construction period is expected to last nearly 29 months, leading to prolonged disruptions for residents and visitors. This timeline raises concerns about the quality of life for those living in the area, particularly for elderly residents in the care facility and nearby residential units.

I-Peckham-2

The Marina neighborhood is known for its quiet, community-oriented atmosphere. Introducing a large-scale construction project in this setting will likely lead to increased traffic congestion, noise pollution, and reduced parking availability, all of which would disrupt the daily lives of local residents. Furthermore, the project will involve significant excavation and heavy machinery operations, which may generate vibrations that could harm both historical buildings and newer constructions.

For over two years, residents will have to contend with constant noise, dust, and general disruptions to their routines, potentially affecting property values and overall neighborhood livability. Such prolonged exposure to construction activities can also have negative impacts on the health and well-being of community members, especially those who are elderly or have underlying health conditions.

I-Peckham-1

Given these concerns, I encourage the city to explore less invasive construction approaches or consider a scaled-back project scope. A reduction in the scale of construction would mitigate many of these issues, preserving the neighborhood's quality of life while still allowing for necessary improvements to the care facility. Alternatively, the Rehabilitation Alternative discussed in the EIR could offer a viable path forward that reduces the intensity of construction impacts, limits environmental disruptions, and retains the site's cultural and architectural integrity.

Conclusion

The 3400 Laguna Street Project, as currently proposed, represents a significant and risky undertaking that could have long-term adverse effects on our community. While there is a need to improve and modernize residential care facilities, this goal should not come at the expense of the historical, cultural, and architectural assets that define our neighborhood.

I urge the city to prioritize alternative solutions that reduce the scale and impact of construction, particularly those that preserve our shared heritage and minimize disruption to the daily lives of residents. The Rehabilitation Alternative provides a compromise that allows for modernization without the adverse impacts associated with large-scale new construction. By choosing this path, the city can demonstrate its commitment to sustainable development that respects the past while planning for the future.

Thank you for considering my comments. I hope the city will take these concerns seriously and revisit the project plan to prioritize both historical preservation and the well-being of our community.

Sincerely,

Terry Peckham

A black rectangular redaction box covering the signature area.

Carlina Rose

From: Todd Polidore <[REDACTED]>
Sent: Saturday, October 12, 2024 12:00 PM
To: CPC.3400LagunaEIR@sfgov.org
Subject: Response to Draft EIR 3400 Laguna St

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Megan Calpin
Environmental Coordinator
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103
CPC.3400LagunaEIR@sfgov.org

Re: Response to Draft Environmental Impact Report, issued August 28, 2024
Property: 3400 Laguna Street Project
San Francisco Planning Case No.: 2022-009819ENV
State Clearinghouse No. 2024050241

October 12, 2025

Dear Ms. Calpin,

As a resident of the Marina for over 10 years, I'm writing to express my concerns regarding the proposed project at 3400 Laguna Street. This neighborhood is where I've chosen to plant roots and consider starting a family, even as San Francisco has faced significant changes. I care deeply about preserving the qualities that make this area a special place to live. After reviewing the Draft Environmental Impact Report (EIR), I feel there are several important issues that need to be addressed to ensure that any development is thoughtful and aligned with the well-being of our community.

Historical and Cultural Resources

- The Julia Morgan building holds significant historical value, and I'm concerned that the new construction would diminish its presence. It's not just a building—it's a piece of the neighborhood's identity.
- CEQA Guidelines Section 15064.5 emphasizes the protection of historical resources, and this project, as currently proposed, risks undermining the historical integrity of the site by changing its orientation and reducing the prominence of the Morgan Mansion.

Air Quality and Health Risks

- Living in a neighborhood designated as an Air Pollutant Exposure Zone, I'm worried about the potential increase in cancer risk from the project's construction. The EIR states that the risk could rise by nearly 400%, which is alarming, especially as I consider starting a family.

- I-Polidore
-2
- The health of my household, along with other residents, is a priority. CEQA mandates protecting public health, but the EIR does not sufficiently address the impacts on the most vulnerable members of our community—children and the elderly.

Noise and Vibration

- I-Polidore
-3
- I'm also concerned about the potential noise during construction. The projected noise levels are expected to exceed acceptable residential thresholds. As someone who works from home and enjoys the tranquility of this neighborhood, I believe that the impact on our daily lives will be significant.
 - CEQA requires proper noise mitigation, and I feel that the current plans don't do enough to address how this construction will affect those of us living nearby.

Transportation and Traffic

- I-Polidore
-4
- With over 300 additional vehicle trips expected per day, the project could significantly affect traffic flow and pedestrian safety. I regularly walk through the neighborhood, and I worry about how this will impact both families and individuals who rely on walking and cycling.
- I-Polidore
-5
- The loss of on-street parking and increased construction vehicle presence would only worsen the current traffic issues. The Draft EIR doesn't seem to fully account for these challenges, and I hope more attention is given to this aspect of the project.

Cumulative Impacts

- I-Polidore
-6
- My concern is not just about this project in isolation but about its cumulative environmental impact on the Marina. The combined effects of noise, traffic, air pollution, and the disruption to the neighborhood's historical identity need a more thorough review, as required by CEQA.

Aesthetic Impacts

- I-Polidore
-7
- Lastly, while I understand the decision to remove aesthetics from the EIR scope, the visual integrity of our neighborhood is important to me. I chose to live here because of its charm, and any new development should enhance, not detract from, the historic beauty of the Marina.

Conclusion

- I'm not against development, but I do hope that it aligns with the needs of those of us who call this neighborhood home. The rehabilitation alternative seems like a more balanced approach that would preserve the character of the site while allowing for improvements.
- Under CEQA, the goal is to minimize environmental harm and protect community health. I believe this project should be revisited to better reflect these principles, ensuring that it benefits both the neighborhood and its long-standing residents.

Thank you for taking my concerns into consideration.

Sincerely,
Todd Polidore

I-Stilwell



3400 Laguna

From Mia Stilwell <[REDACTED]>
Date Tue 10/15/2024 3:56 PM
To CPC.3400LagunaEIR <CPC.3400LagunaEIR@sfgov.org>

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Dear Ms. Calpin,

I-Stilwell
-1 As a mother and resident of this community, I feel compelled to voice my concerns regarding the proposed changes to the Julia Morgan building. My main concern is protecting the Julia Morgan building, its gardens and surroundings. But I also worry about the health impacts highlighted by the EIR, particularly for the nearby residents, created by the pollution and noise. I am not an expert but the tables in the EIR frankly scared me and the proposed mitigation plan seems completely implausible particularly since the Heritage will move many of its residents.

I-Stilwell
-2 To me, the Julia Morgan building is much more than a structure; it embodies a vital part of our city's history and showcases the brilliance of one of the most significant women architects, Julia Morgan. The Historical Preservation Committee has already supported its nomination as a City Landmark, there was no opposition, in fact there was only shock from the HPC that it was not already a City, State or National Landmark. Landmark status should absolutely be taken into account when evaluating the EIR based on aesthetics. Waiving aesthetic considerations for such an important building is simply unacceptable. The Planning Department should prioritize its unique aesthetic value and significance as it moves toward City Landmark status.

I-Stilwell
-3 I am particularly concerned about the Heritage's plan to rotate the property so that it can reclassify the Julia Morgan building as an outlot. This is an underhanded ploy to exploit a variance for a reduced rear setback and build an oversized building that will wall off the Morgan building. The Heritage already used that variance once and built one large building on the back of its property, it should not have the opportunity to build a second. It already disrupts the harmony of our neighborhood. Laguna is clearly the front of this property, and it has been for 100 years.

As a mother, I want my children to grow up in a community that values its history and preserves its character. I also want my daughter to see Landmarks designed by woman. Please consider the implications of these proposed changes not just for the current residents, but for future generations who deserve to enjoy the rich heritage that defines our neighborhood.

Thank you for your attention to this important matter.

Best,

Mia Stilwell

Mia Freund Stilwell

[REDACTED]

[REDACTED]

November 29, 2023

Jeanie Poling
SF Planning Dept.
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

RE: Critical Concerns Regarding Proposed Project at 3400 Laguna Street

Dear Ms. Poling,

I trust this message finds you well. Having received the Notice of Preparation of an EIR for the proposed project at 3400 Laguna Street, I feel compelled to bring forth my concerns. As a dedicated resident of the vibrant Marina neighborhood in San Francisco, I implore the SF Planning Department to thoroughly consider the community's apprehensions and proposed amendments.

The proposed project's sheer magnitude not only disrupts the neighborhood's essence but also raises substantial concerns aligned with CEQA guidelines. Allow me to underscore the key issues:

Transportation: The chosen site, positioned at the intersection of Bay and Laguna, is already grappling with existing traffic and parking challenges. Several essential Muni lines (43, 28, 30) servicing the area would undoubtedly face disruptions. Notably, the crosswalk at the southwest corner (Francisco and Laguna) poses an increased risk to pedestrians with amplified traffic.

Hazards/Hazardous Materials: The project's extensive demolition and excavation plans for 60+-year-old buildings heighten concerns about potential hazardous materials such as asbestos. The site's proximity to a former PG&E location with toxic soil further exacerbates worries about encountering unidentified hazardous materials during excavation.

Noise Pollution + Recreation: With a projected timeline of 6+ years, the proposed project threatens severe disruptions to the surrounding neighborhoods, particularly impacting vital recreational spaces like Moscone Park and Fort Mason. These areas, integral for sports leagues, weekly Farmer's Markets, and social gatherings, stand to bear the brunt of prolonged noise and pollution. Additionally, considering the growing trend of remote work, the project's impact on community members' mental health and economic contributions is a matter of significant concern.

Cultural Resources: The proposed project's considerable impact on the Julia Morgan-designed building, once the primary site for the San Francisco Ladies' Protection and Relief Society, is disconcerting. Visual and structural consequences from the construction of towering buildings

surrounding it, coupled with deep excavation work, pose a tangible threat to the preservation of this invaluable cultural resource.

Having cherished the Marina as my home for over 10 years, I am eager to see it progress in a manner that respects its unique character. While I recognize the importance of development, the current proposal appears disproportionate and at odds with the Marina's distinctive charm.

Thank you for your attention to these concerns. I look forward to gaining further insights into the SF Planning Department's evaluation process.

Sincerely,

Jillian Williams
Marina Resident

From: [REDACTED]
Sent: Saturday, October 12, 2024 10:53 AM
To: San Francisco Planning Department
Cc: [REDACTED]
Subject: Response to Draft EIR issued 8-28-2024. 3400 Laguna, case 2022-009819ENV

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October 10, 2024

Megan Calpin

Environmental Coordinator

49 South Van Ness Ave, Suite 1400

San Francisco, CA. 94103

Via email: CPC.3400LagunaEIR@sfgov.org

RE: Response to Draft Environmental Impact Report issued August 28, 2024

Case Number 2022-009819ENV. Block/Lot 1471/1003

Dear Ms. Calpin:

I have received the Public Notice as above referred and have reviewed the draft EIR on the SF Planning website. I will list and register my concerns and objections to the draft, but first I wish to express my surprise at the timing of the draft and raise an objection to the issuance of such a draft while the SF Historical Preservation Committee has been considering a designation of historical landmark status. I have been following and participating in the review process, which is not yet complete. How can the draft be issued, without considering what is in progress by the HPC?

These are my concerns about this massive project:

- 1) 400% increase in cancer—a personal invasion of health for nearby citizens/neighbors. Unacceptable!
- 2) The size of this project and effects on the neighborhood families' quality of life with the construction timeline of 29 months (and, for anyone who has had construction done on one's own property—there are *always* delays!)
 - a. Air Pollution-Air Quality—environmental concerns
 - b. Noise and Vibration that could affect nearby homes and occupants

I-WilliamsK-2 c. Traffic and Parking congestion
d. Lack of sleep by residents, leading to health problems, anxiety and irritability due to workers' daily demolition or construction tasks
3) Employment concerns by those who work from home (particularly noise)
4) Effect on current elderly residents—29 months is a cherished and extremely valuable amount of time for our senior citizens
I-WilliamsK-3 5) The weak explanation of the Heritage's call for expansion of units, while over the years, there is evidence that the Heritage has been *consolidating* current units!! Also, these units will not assist in SF's affordable housing goals, as the value of each unit will be in the \$1m+ range.
I-WilliamsK-2 6) Construction Duration—an unbearable amount of time and inconvenience
I-WilliamsK-4 This project, if allowed to continue will interfere with life and livelihood of the neighborhood and extending areas. I respectfully request that the project is either not allowed or limited to internal construction/renovation of the existing buildings. Preservation of the existing buildings, with the goal of updating the infrastructure will better preserve the historical integrity of the site and avoid many of the concerns outlined above and less tension and stress for the residents! The alternative of updating is an environmentally superior alternative! The community interests must be better balanced with this developer's goals!

Sincerely,

Kathleen O. Williams

1435 Bay Street Homeowners Association

1435 Bay Street
San Francisco, CA 94123

14 October 2024

Jeanie Poling, Senior Environmental Planner
San Francisco Planning Department
49 South Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: 3400 Laguna Street (Case 2022-009819ENV)

Ms. Poling:

Our group represents the residents of 1435 Bay Street, immediately to the east of the proposed project at 3400 Laguna Street. Following are our comments regarding the Draft Environmental Impact Report:

Initial Study Section E.7, Noise

We strongly disagree with the analysis that “the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.”

1. The proposed project may cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
2. The proposed project may cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
3. The proposed project will cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
4. The proposed project will cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
5. The project significantly increases noise along Bay Street, due to increased traffic (drop off at Community Plaza and new underground parking garage), the addition of a new loading dock immediately adjacent to 1435 Bay Street, and noise generated by the new generator.

Initial Study Section E.9, Greenhouse Gas Emissions

We strongly disagree with the analysis that “the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.”

Initial Study Section E.12, Recreation

We strongly disagree with the statement that “The proposed project would not increase the use of existing neighborhood and regional parks and other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.”

1. The proposed project will negatively impact recreational facilities, which may have an adverse physical effect on the environment.

Initial Study Section E.15, Biological Resources

We agree with the analysis that the proposed project could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites:

O-HOA-4

1. The proposed project may have a substantial adverse effect on a sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
2. The proposed project may conflict with local policies or ordinances protecting biological resources, such as tree preservation policies or ordinances. The proposed project includes removal of mature trees, which currently provide a buffer between the built environment and the Fort Mason parkland, and may host sensitive natural communities or habitat.

Initial Study Section E.18, Hazards and Hazardous Materials

We strongly disagree with the analysis that “the proposed project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials.”

O-HOA-5

1. The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
2. The proposed project may emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school.

S.2 Summary of Impacts and Mitigation Measures

We strongly disagree with the statement that “the initial study (Appendix B) determined that the proposed project would have no impact on....aesthetics”:

O-HOA-6

1. The proposed project will have a substantial adverse effect on a scenic vista.
2. The proposed project will substantially degrade the existing visual character or quality of the site and its surroundings.
3. The proposed project may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact CR-1:

We believe that the proposed project may cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines section 15064.5.

O-HOA-7

1. The massing of the new building along Laguna Street creates a significant impact to that street, reducing the public’s view as they approach Moscone Park from the east. The decreased massing of the current Heritage Facilities (stepping down in density along Francisco Street as it meets Laguna Street) provides an important transition from the dense built environment along Laguna Street toward Moscone Park. This decrease in density provides a transition between the built environment to the open public park.
2. The new building element above the Community Entry Plaza significantly impacts an existing public view corridor from Moscone Park to the northeast toward Fort Mason. Both heavily used public parklands provide substantial relief for the public in the second most densely populated city in the United States.

- O-HOA-7
3. One of the new buildings creates new massing along Bay Street, which creates a prominent covered Porte Cochere at the new Community Entry Plaza. This new element creates new massing and uses out of character for the neighborhood. The covered Porte Cochere is a hotel-scaled element wholly out of character with the residential neighborhood. No building north of Lombard Street and west of Van Ness Avenue has anything like this commercial-scaled vehicular drop-off element.

4.D Areas of Known Controversy and Issues to be Resolved

We agree with the analysis that potential areas of controversy and issues to be resolved for the proposed project include:

- O-HOA-6
1. The light required for the new main entry, new parking garage entry, and expanded loading dock will create new sources of light and glare.

5.3 EIR Topics

We agree with the analysis that “The initial study found that the proposed project may have a significant impact to cultural (architectural) resources and air quality.”

- O-HOA-2
1. Air Quality:
 - a. The proposed project may violate air quality standards or contribute substantially to an existing or projected air quality violation.
 - b. The proposed project may create objectionable odors affecting a substantial number of people.
 - c. The project includes the addition of an emergency power generator and loading dock adjacent to the residential building at 1435 Bay Street. The generator will produce petrochemical exhaust when in use, which may be frequent, as the facility is a 24-hour healthcare provider. In addition, Marina Middle School is 0.2 miles to the west, less than one-quarter of a mile away.
- O-HOA-7
2. Cultural Resources:
 - a. The proposed project will cause a substantial adverse change in the significance of a historical resource.
 - b. The new additions behind the Julia Morgan Building along Bay and Francisco Streets create a monolithic, rectangular mass which is detrimental to the current public views of the landmarked Julia Morgan Building. The current building, as viewed from Moscone Park, is visually isolated, enhancing its contribution as a historic resource, especially as viewed by the public. There are few (if any) historical resources in San Francisco which can be so clearly viewed by the public from a park in San Francisco.

5.7 Areas of Known Controversy and Issues to Be Resolved: Impacts on traffic congestion and parking

There are multiple significant impacts caused by the change in entries to the project, traffic impacts, and uses prohibited by law along Bay, Laguna, and Francisco Streets:

- O-HOA-8
1. The proposed project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, pedestrian and bicycle paths, and mass transit.
 2. The proposed project may conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
 3. The proposed project will substantially increase hazards due to a design feature (main entry drive too close to a very busy signaled intersection).

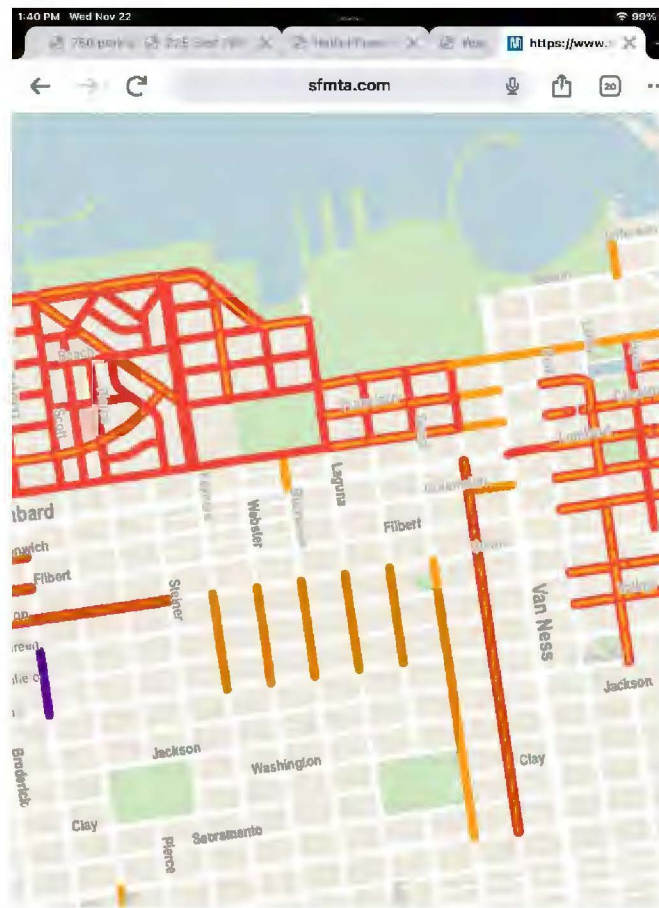
- O-HOA-8
4. The proposed project includes a new commercial drop-off and loading dock along Bay Street. The City of San Francisco prohibits commercial vehicles weighing more than 3 tons from operating on Bay Street between Laguna Street and Franklin Street. (see attachment).
 - a. **This ordinance effectively prohibits any vehicle heavier than a passenger car or light truck from driving on Bay Street. The applicant is in daily violation of this ordinance, as exhibited by the attached photographs.**
 - b. The same restriction exists on Francisco Street between Laguna and Franklin (more information can be found at www.sfmta.com/commercial-vehicles). Consequently, the proposed Community Entry Plaza cannot be accessed from Bay Street, and therefore is not possible.
 5. In addition, the proposed project includes the addition of a second curb cut along Bay Street. Bay Street is a significant thoroughfare, with heavy traffic particularly during commute hours, as it is a major route for traffic coming from and going to the Golden Gate Bridge. The existing curb cut closer to Laguna Street, now used infrequently for surface parking, would be used as the primary vehicular entry to the Heritage property. This increased traffic will be entering the new vehicular entry very close to the corner of Laguna Street, causing a congested traffic situation near an extremely busy signaled intersection at the corner of Laguna and Bay.
 6. The new underground parking garage, loading dock, and Community Entry Plaza will significantly increase traffic, creating a substantial impact. The intersection of Bay and Laguna streets includes a Muni bus line, major east-west dedicated bicycle route, and busy pedestrian pathways. Adding this traffic activity to an often very congested Bay Street (with no new left turn lanes from the westbound lanes of Bay Street) will exacerbate already challenging conditions.

Respectfully Submitted,
1435 Bay Street Homeowners Association
1435 Bay Street
San Francisco, CA 94123

ENC: City of San Francisco Commercial Vehicle Restrictions
Photographic evidence of violation of commercial vehicle restrictions by the Applicant
SFPD Ordinance 1183

City of San Francisco Commercial Vehicle Restrictions

www.sfmta.com/commercial-vehicles



San Francisco Street Restrictions Effective December 2017

Street Restrictions

- 9+ Passenger Prohibited
- 9+ Passenger Prohibited (except employer bus)
- 3+ tons Prohibited
- 3+ tons & 9+ Passenger Bus Prohibited
- 9+ tons Prohibited





FRED H. LAU
CHIEF OF POLICE

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103

Dear Sir or Madame,

It is the duty of the San Francisco Police Department to protect the many neighborhoods that make our city so great. I am referring specifically to the traffic laws that protect the neighborhoods surrounding the Palace of Fine Arts/ Exploratorium and the Marina District.

SAN FRANCISCO POLICE CODE SECTION 1183 STATES:

Sec.1183. OPERATOR OF PASSENGER-CARRYING COMMERCIAL VEHICLES WITHIN CERTAIN STREETS AND AREAS PROHIBITED. It shall be unlawful for any person to operate any commercial motor vehicle with seating capacity of eight or more passengers, etc.

Sec.1183.1 RESTRICTED AREAS. Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area.

FINE: \$500.00

In summary, there is only one way for vans and buses to legally enter the parking lot of the Palace of Fine Arts/ Exploratorium. Vans and buses must come from Richardson Street (the west end of Lombard) and turn north on Lyon Street and then left into the parking lot. There is room to turn around in the parking lot and there is no need to use any of the surrounding streets.

San Francisco police officers in marked and unmarked police cars will be issuing citations for any vans or buses whom violate **Section 1183.1 of the San Francisco Police Code.** It carries a \$500.00 dollar fine.

Sincerely,

Walter R. Cullop

Captain Walter Cullop
Commanding Officer
Northern Police Station
Lt. Nicole M. Greely
Contact person 553-1563

DIVISION IX

RESTRICTED AREAS

SEC. 1183. OPERATION OF PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLES WITHIN CERTAIN STREETS AND AREAS, PROHIBITED. (a) It shall be unlawful for any person to operate any commercial motor vehicle with seating capacity of eight or more passengers, other than a passenger-carrying commercial van, used or maintained for the transportation of persons for hire, compensation, or profit, upon the streets or areas designated in Section 1183.1 et seq. of this Article. It shall be unlawful for any person to operate any passenger-carrying commercial van, used or maintained for the transportation of persons for hire, compensation or profit, upon the streets or areas designated in Sections 1183.14 et seq. of this Article.

(b) The provisions of this Section shall not apply to "jitney buses" as defined in Section 1076 of this Article.

(c) The provisions of this Section shall not apply to buses operated by the San Mateo County Transit District eastbound on Market Street between Main and Spear Streets; provided no more than two buses per hour are operated on this block of Market Street. The provisions of this Section shall not apply to such business when on Market Street westbound between Main and Pine Streets, or on Pine Street between Market and Battery Streets, or on Battery Street between Pine and Market Street, provided no more than 16 such buses are operated on these streets between the hours of 7:00 a.m. and 9:00 a.m., and no more than 16 buses between the hours of 4:00 p.m. and 6:00 p.m., Monday through Friday, and no more than two buses per hour at all other times.

(d) This Section shall not apply to buses operated by the San Mateo County Transit District on Post Street between Mason and Kearny Streets; on Sutter Street between Mason and Montgomery Streets; on Montgomery Street between California and Market Streets; on California Street between Battery Street and Davis Street; on Davis Street between California Street and Market Street; or on Kearny Street between California Street and Market Street. (Added by Ord. 562-88, App. 12/27/88)

SEC. 1183.1. RESTRICTED AREAS. Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area. (Added by Ord. 562-88, App. 12/27/88)

SEC. 1183.2. RESTRICTED AREAS. In areas described as follows:
Commencing at the point of intersection of the northerly line of Sutter Street with the westerly line of Mason Street; thence easterly along the northerly line of Sutter Street to its intersection with the westerly line of Grant Avenue; thence northerly along the westerly line of Grant Avenue to its intersection with the northerly line of Bush Street; thence easterly along the northerly line of Bush Street to its intersection with the westerly line of Kearny Street; thence northerly along the westerly line of Kearny Street to its intersection with the northerly line of California

1435 Bay Street Homeowners Association

1435 Bay Street
San Francisco, CA 94123

14 October 2024

Jeanie Poling, Senior Environmental Planner
San Francisco Planning Department
49 South Van Ness Ave., Suite 1400
San Francisco, CA 94103

RE: 3400 Laguna Street (Case 2022-009819ENV)

Ms. Poling:

Our group represents the residents of 1435 Bay Street, immediately to the east of the proposed project at 3400 Laguna Street. Following are our comments regarding the Draft Environmental Impact Report:

Initial Study Section E.7, Noise

We strongly disagree with the analysis that “the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.”

1. The proposed project may cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
2. The proposed project may cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
3. The proposed project will cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
4. The proposed project will cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
5. The project significantly increases noise along Bay Street, due to increased traffic (drop off at Community Plaza and new underground parking garage), the addition of a new loading dock immediately adjacent to 1435 Bay Street, and noise generated by the new generator.

Initial Study Section E.9, Greenhouse Gas Emissions

We strongly disagree with the analysis that “the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.”

Initial Study Section E.12, Recreation

We strongly disagree with the statement that “The proposed project would not increase the use of existing neighborhood and regional parks and other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated.”

1. The proposed project will negatively impact recreational facilities, which may have an adverse physical effect on the environment.

Initial Study Section E.15, Biological Resources

We agree with the analysis that the proposed project could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites:

- O-HOA-1-4
1. The proposed project may have a substantial adverse effect on a sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
 2. The proposed project may conflict with local policies or ordinances protecting biological resources, such as tree preservation policies or ordinances. The proposed project includes removal of mature trees, which currently provide a buffer between the built environment and the Fort Mason parkland, and may host sensitive natural communities or habitat.

Initial Study Section E.18, Hazards and Hazardous Materials

We strongly disagree with the analysis that “the proposed project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials.”

- O-HOA-1-5
1. The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
 2. The proposed project may emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school.

S.2 Summary of Impacts and Mitigation Measures

We strongly disagree with the statement that “the initial study (Appendix B) determined that the proposed project would have no impact on...aesthetics”:

- O-HOA-1-6
1. The proposed project will have a substantial adverse effect on a scenic vista.
 2. The proposed project will substantially degrade the existing visual character or quality of the site and its surroundings.
 3. The proposed project may create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact CR-1:

We believe that the proposed project may cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines section 15064.5.

- O-HOA-1-7
1. The massing of the new building along Laguna Street creates a significant impact to that street, reducing the public’s view as they approach Moscone Park from the east. The decreased massing of the current Heritage Facilities (stepping down in density along Francisco Street as it meets Laguna Street) provides an important transition from the dense built environment along Laguna Street toward Moscone Park. This decrease in density provides a transition between the built environment to the open public park.
 2. The new building element above the Community Entry Plaza significantly impacts an existing public view corridor from Moscone Park to the northeast toward Fort Mason. Both heavily used public parklands provide substantial relief for the public in the second most densely populated city in the United States.

- O-HOA-1-7
3. One of the new buildings creates new massing along Bay Street, which creates a prominent covered Porte Cochere at the new Community Entry Plaza. This new element creates new massing and uses out of character for the neighborhood. The covered Porte Cochere is a hotel-scaled element wholly out of character with the residential neighborhood. No building north of Lombard Street and west of Van Ness Avenue has anything like this commercial-scaled vehicular drop-off element.

4.D Areas of Known Controversy and Issues to be Resolved

We agree with the analysis that potential areas of controversy and issues to be resolved for the proposed project include:

- O-HOA-1-6
1. The light required for the new main entry, new parking garage entry, and expanded loading dock will create new sources of light and glare.

5.3 EIR Topics

We agree with the analysis that “The initial study found that the proposed project may have a significant impact to cultural (architectural) resources and air quality.”

- O-HOA-1-2
1. Air Quality:
 - a. The proposed project may violate air quality standards or contribute substantially to an existing or projected air quality violation.
 - b. The proposed project may create objectionable odors affecting a substantial number of people.
 - c. The project includes the addition of an emergency power generator and loading dock adjacent to the residential building at 1435 Bay Street. The generator will produce petrochemical exhaust when in use, which may be frequent, as the facility is a 24-hour healthcare provider. In addition, Marina Middle School is 0.2 miles to the west, less than one-quarter of a mile away.
- O-HOA-1-7
2. Cultural Resources:
 - a. The proposed project will cause a substantial adverse change in the significance of a historical resource.
 - b. The new additions behind the Julia Morgan Building along Bay and Francisco Streets create a monolithic, rectangular mass which is detrimental to the current public views of the landmarked Julia Morgan Building. The current building, as viewed from Moscone Park, is visually isolated, enhancing its contribution as a historic resource, especially as viewed by the public. There are few (if any) historical resources in San Francisco which can be so clearly viewed by the public from a park in San Francisco.

5.7 Areas of Known Controversy and Issues to Be Resolved: Impacts on traffic congestion and parking

There are multiple significant impacts caused by the change in entries to the project, traffic impacts, and uses prohibited by law along Bay, Laguna, and Francisco Streets:

- O-HOA-1-8
1. The proposed project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, pedestrian and bicycle paths, and mass transit.
 2. The proposed project may conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
 3. The proposed project will substantially increase hazards due to a design feature (main entry drive too close to a very busy signaled intersection).

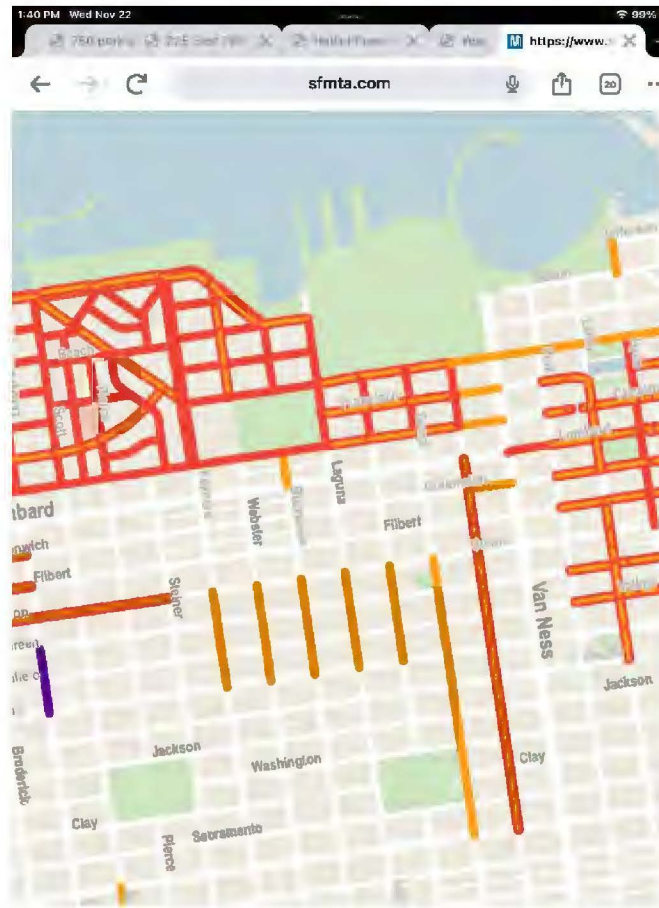
- O-HOA-1-8
4. The proposed project includes a new commercial drop-off and loading dock along Bay Street. The City of San Francisco prohibits commercial vehicles weighing more than 3 tons from operating on Bay Street between Laguna Street and Franklin Street. (see attachment).
 - a. **This ordinance effectively prohibits any vehicle heavier than a passenger car or light truck from driving on Bay Street. The applicant is in daily violation of this ordinance, as exhibited by the attached photographs.**
 - b. The same restriction exists on Francisco Street between Laguna and Franklin (more information can be found at www.sfmta.com/commercial-vehicles). Consequently, the proposed Community Entry Plaza cannot be accessed from Bay Street, and therefore is not possible.
 5. In addition, the proposed project includes the addition of a second curb cut along Bay Street. Bay Street is a significant thoroughfare, with heavy traffic particularly during commute hours, as it is a major route for traffic coming from and going to the Golden Gate Bridge. The existing curb cut closer to Laguna Street, now used infrequently for surface parking, would be used as the primary vehicular entry to the Heritage property. This increased traffic will be entering the new vehicular entry very close to the corner of Laguna Street, causing a congested traffic situation near an extremely busy signaled intersection at the corner of Laguna and Bay.
 6. The new underground parking garage, loading dock, and Community Entry Plaza will significantly increase traffic, creating a substantial impact. The intersection of Bay and Laguna streets includes a Muni bus line, major east-west dedicated bicycle route, and busy pedestrian pathways. Adding this traffic activity to an often very congested Bay Street (with no new left turn lanes from the westbound lanes of Bay Street) will exacerbate already challenging conditions.

Respectfully Submitted,
1435 Bay Street Homeowners Association
1435 Bay Street
San Francisco, CA 94123

ENC: City of San Francisco Commercial Vehicle Restrictions
Photographic evidence of violation of commercial vehicle restrictions by the Applicant
SFPD Ordinance 1183

City of San Francisco Commercial Vehicle Restrictions

www.sfmta.com/commercial-vehicles



1:40 PM Wed Nov 22 sfmta.com 99%

San Francisco Street Restrictions Effective December 2017

Street Restrictions

- 9+ Passenger Prohibited
- 9+ Passenger Prohibited (except employer bus)
- 3+ tons Prohibited
- 3+ tons & 9+ Passenger Bus Prohibited
- 9+ tons Prohibited





FRED H. LAU
CHIEF OF POLICE

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103

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DIVISION IX

RESTRICTED AREAS

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APPENDIX C

REVISED TRIP GENERATION, FREIGHT LOADING, AND PASSENGER LOADING MEMO

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~~June 7, 2024~~ March 27, 2025

Sherie George, Acting Transportation Team Lead
Environmental Division, San Francisco Planning
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103

Re: 3400 Laguna Street, Proposed Project Trip Generation
Planning Department File No. 2022-009819ENV

To Whom It May Concern:

Pursuant to the *San Francisco Transportation Impact Analysis Guidelines for Environmental Review*¹, the San Francisco Planning Department prepared the following memo to analyze the potential trips generated from the proposed project at 3400 Laguna Street and whether implementation of the project would result in a passenger or freight loading deficit.

Project Description

The approximately 68,090-square-foot (approximately 1.6-acre) project site at 3400 Laguna Street is located on a corner lot southeast of the Laguna Street and Bay Street intersection in the Marina neighborhood. The site is bounded by Bay Street to the north, single- and multi-family residences near to and along Octavia Street to the east, Francisco Street to the south, and Laguna Street to the west. The project site has been occupied by the Heritage on the Marina residential care retirement community since 1925. Heritage on the Marina consists of five existing structures of approximately 83,200 gross square feet: the Julia Morgan Building, the Perry Building, the Perry Building Connector, the Health Center, and the Caretaker's Cottage. The current number of residential care suites is 86.

The proposed project would continue to operate as a residential care facility. The proposed project would demolish two of the five existing buildings (the Perry Connector and the Health Care Center) and construct two new buildings (the Bay Building and the Francisco Building) of heights not to exceed 40 feet and in the same locations as the demolished structures. The proposed project would renovate two of the other three existing buildings on the site. In total, the proposed project would add approximately 58,380 square feet of institutional use and increase the number of residential care suites by 23, from 86 to 109. Of the total 109 units, approximately 10 may have double occupancy; therefore, a total residential population of 119 is anticipated, or an increase of up to 33 residents compared to 86 residents under existing conditions. At project completion, a total of 75 staff members are expected to be employed at the site, which would be an increase of 22 staff members as compared

¹ San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review* (February 2019, updated October 2019), <https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update#impact-analysis-guidelines>, accessed on May 7, 2024.

to existing conditions. In total, the proposed project would consist of 141,580 gross square feet of institutional use, including 109 residential care units. Further detail is provided in Table 1.

Table 1 Proposed Project Details

Project Component	Existing	Proposed	Net Change
Number of Building(s)	5	5	0
Maximum Building Stories ¹	4	4	0
Maximum Building Height (feet) ¹	41	41	0
Building Gross Square Feet	83,200	141,580	+58,380
Residential Care Units	86	109	+23
Useable Open Space (gross square feet)	26,410	30,280	+3,870
Off-Street Parking Spaces	17	36	+19
Off-Street Loading Spaces	2	1	-1
Off-Street Car Share Space	0	1	+1
On-Street Parking Spaces ²	28	<u>2019</u>	<u>-89</u>
On-Street Ride Share Spaces	0	1	+1
On-Street Commercial Loading Spaces	0	0	0
On-Street Passenger Loading Spaces	3	2	-1

Source: ~~HKS Inc. and Kimley-Horn, 2023.~~ Source: HKS Inc. March 14, 2025 and Kimley-Horn, 2023.

Notes: All gross square feet numbers are rounded to the nearest multiple of 10.

¹ Reflects the maximum building height and number of stories; existing buildings vary across the site. The existing Perry Building is 40.5 feet tall (rounded to 41 feet tall) and no changes to this building's height are proposed. The new Bay and Francisco building heights would not exceed 40 feet.

² Reduction in parking due to bulb-outs required by planning code section 138.1. In addition, one on-street parking space on Bay Street would be removed for the project's new driveway; however, one on-street parking space would be added on Francisco Street because the proposed project would eliminate the existing 22-foot passenger loading space on Francisco Street.

The project site currently includes 17 off-street vehicle parking spaces and two off-street loading spaces, which are accessible via the existing 18-foot-wide driveway along Bay Street. The project site has approximately 45 feet of passenger loading (white curb) and 20 feet of accessible parking (blue curb) on the Laguna Street frontage and 22 feet of passenger loading (white curb) on the Francisco Street frontage. Pedestrian access to the site is provided via gates along Laguna Street that access internal sidewalks connecting to the Julia Morgan Building entrances and additional accessible entrances from Bay Street.

The proposed project would construct a new basement level garage beneath the proposed Bay and Francisco buildings and the existing interior courtyard. The basement level would include 31 vehicular parking spaces for use by staff and residents, including one car-share space, and 18 bicycle parking spaces. A new two-directional, 20-foot-wide driveway on Bay Street would provide access to the new basement level garage, east of the existing entrance. Vehicles would be restricted to right-only turns into and out of the driveway. At this location, an approximately 20-foot-long, two-lane off-street covered porte cochère would provide universal access required by the residential care facility. The existing driveway on Bay Street, west of the new driveway, would provide access to five off-street surface parking spaces. (See Appendix A – Proposed Site Plan [Revised March 14, 2025].)

The new driveway would necessitate the removal of the 17 existing off-street surface parking spaces and approximately 15 feet off-street parking spaces along Bay Street, resulting in the loss of one on-street parking space. However, one on-street parking space would be added on Francisco Street, thus eliminating the existing 22-foot passenger loading space and associated curb cut. Additionally, the project would remove an additional

eight on-street parking spaces for required bulb-outs on the corners of Laguna Street and Francisco Street and Laguna Street and Bay Street as required by planning code section 138.1. The proposed project would also add 12 bicycle parking spaces in the public right of way (three located on Bay Street and nine located on Francisco Street).

In total the project would remove ~~89~~ on-street parking spaces and would add 19 off-street parking spaces. The proposed project would also remove one off-street loading space by reconfiguring the off-street parking to accommodate the new driveway, porte cochère and below-grade garage entrance. Additionally, ~~one two, 20-foot-long on-street passenger loading spaces~~ would be added along Bay Street. The 45-foot-long loading zone on Laguna Street would be returned to on-street parking, and the 22-foot-long on-street passenger loading zone removed on Francisco Street would be removed to add one on-street parking space.

Street Design Advisory Team (SDAT) Review

The project was reviewed in November 2022 by San Francisco Planning's Street Design Advisory Team (SDAT), and a final letter with SDAT feedback was issued to the sponsor on December 12, 2022, as part of the Preliminary Project Assessment Letter (See Appendix B - SDAT Letter, December 2022 and SDAT follow up email, June 2023). The project sponsor complied with SDAT requests regarding bulb out design and proposed driveway changes. On June 7, 2023, SDAT responded to the resubmittal, affirming the sponsor had adequately satisfied previous SDAT comments for Planning's purposes and did not need to return for a full SDAT second meeting (Appendix C). In September and October 2024, the project sponsor coordinated with the SFMTA Color Curb Program and Public Works Disability Access Coordinator to update the on-street parking and loading plan. These changes are reflected in appendix A, Proposed Site Plan [Revised]. The changes included the addition of two, 20-foot-long on-street passenger loading spaces along Bay Street and returning the existing 45-foot-long loading zone on Laguna Street to on-street parking. As previously noted in the draft EIR, on-street parking would also be removed to accommodate the required bulb outs at the project site intersections, and the 22-foot-long on-street passenger loading zone on Francisco Street would be removed to add one on-street parking space.

Trip Generation Analysis

The trip generation analysis typically calls for calculating the total person and vehicle trips estimated from residential units and non-residential square footage proposed in the project application, to calculate the increase in vehicle trips that would occur if the proposed project were to be developed.

To understand how the addition of units and non-residential square footage would influence person and vehicle trips to and from the project site, the inputs for the total proposed project were 99 "studio" (single occupancy) residential care suites, 10 "one-bedroom" (double occupancy) units, and 71,580 square feet of office use.² Under consultation with the department, office was used as a proxy for institutional use to estimate the amount of net new worker trips, which has components of similarly functioning land uses and employee travel activity. The inputs for the net new trips were 23 "studio" (single occupancy) residential care suites and 43,620 square feet of office.³ The results are presented in Table 2 (next page) and in Appendix C - San Francisco Travel Demand Tool, Trip Generation Output table, June 4, 2024.

² For purposes of this calculation, the project sponsor provided an estimated breakdown of total proposed project's residential care unit square footage (70,000) and non-residential institutional square footage (71,580).

³ The proposed project would increase the institutional uses at the site by 58,830 gross square feet, which is inclusive of the 23 net new residential care units that would be added. To more accurately calculate institutional use trip generation verses residential trip generation, the planning department separated residential uses from institutional uses by subtracting the average residential care unit size (70,000 square feet / 109 residential care units = 642 square feet) times 23 new units (642 * 23 = 14,766 residential square feet) from 58,830. The result was 43,620 (when rounded to the nearest ten).

Table 2 Travel Demand Estimate, PM Peak Vehicle Trips for Proposed Project

Mode	Person Trips		Vehicle Trips	
	Total	PM peak	Total	PM Peak
Auto	611	54	494	44
TNC/Taxi	142	13	95	8
Transit	302	27	--	--
Private Shuttle	146	13	--	--
Bike	51	5	--	--
Walk	360	329	--	--
Total Proposed Project	1613	144	588	52
Total Net New Trips	787	70	302	27

NOTE: Travel Demand inputs: Total proposed project: 99 studio units, 10 one-bedroom units and 71,580 square feet of office (proxy for institutional) at 3400 Laguna Street, Placetype 2. Net new project: 23 studio units and 43,620 square feet of office (proxy for Institutional) at 3400 Laguna Street, Placetype 2.

Overall, the proposed project would add an estimated 302 total vehicle trips to the adjacent streets and roadways, of which 27 p.m. peak vehicle trips are estimated from the addition of 23 residential care units (net increase of 58,830 square feet of institutional space).

Loading Impact Analysis

A project would have a significant effect on the environment if it would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed off-street loading facilities or within convenient on-street loading zones, and create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

The proposed project passenger loading space demand by land use is presented in Table 3, Project Passenger Loading Demand by Land Use. The proposed project would generate a passenger loading demand for one passenger loading space during the peak 15 minutes of the peak hour through the average peak period of passenger loading activity (5-8 p.m.). The project's passenger loading demand would be accommodated by within the existing on-street, 45-foot-long white curb zone (approximately 2 loading spaces) on Laguna Street frontage and no loading deficit would occur. Additionally, the proposed project would develop an approximately 20-foot-long, two-lane off-street loading zone via the porte cochère in front of the proposed new Bay Building, which would provide universal access to the project site and additional passenger loading. Additionally, two 20-foot on-street passenger loading spaces would be provided on Bay Street, adjacent to the accessible entrance.

Table 3 Passenger Loading Demand by Land Use

Land Use	Proposed Project	
	Passenger Loading Demand (Spaces)	
	Peak Hour	Peak 15-minute
Institutional (Office used as proxy)	0.22	0.45
Residential (Studio units used as proxy)	0.05	0.10
Rounded Total	1	1

SOURCES: San Francisco Planning Department, 2019 TIA Guidelines, <https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update>, accessed May 14, 2024.

The proposed project's freight and commercial loading demand is presented on Table 4, Project Freight Loading Demand by Land Use. The proposed project would generate demand of up to approximately one delivery and service loading activities per day which corresponds to a loading demand up to one loading spaces during the peak hour of freight loading activity through the average peak period of freight and commercial loading activity (11am-2pm). The proposed project would provide one off-street freight loading space accessible via Bay Street and parcel delivery could occur via the 20-foot-long off-street porte cochère in front of the new Bay Building. Additionally, the project's ~~existing on-street, 45-foot-long~~ proposes two, 20-foot-long on-street white curb loading zones ~~on Laguna Bay Street has sufficient length to accommodate 2 freight or passenger vehicles,~~ should simultaneous passenger and freight/commercial loading activity occur. As described by SFMTA's color curb program, any vehicle may use a white zone for active loading and are subject to the rules and restrictions for the effective days, hours, and time limits (i.e., parking for more than five minutes in white zone are subject to citation and towing).

Additionally, the project sponsor representing Heritage on the Marina provided an overview of the current freight loading operations at the site, including the number, frequency, and duration of freight loading events in a typical week and month (Appendix D). Based on the analysis conducted pursuant to the San Francisco Planning Department's Transportation Impact Analysis Guidelines and the information provided by the project sponsor, no freight and commercial loading deficit would occur.

Table 4 Freight Loading Demand by Land Use

Proposed Project Freight Loading Demand (Spaces)		
Land Use	Average Hour	Peak Hour
Institutional (Office used as proxy)	0.70	0.87
Residential	0.10	0.12
Rounded Total	1	1
SOURCES: San Francisco Planning Department, 2019 TIA Guidelines, https://sfplanning.org/project/transportation-impact-analysis-guidelines-environmental-review-update , accessed May 14, 2024.		

If you have any questions related to this project's environmental evaluation, please call me at 652.628.7508.

Sincerely,

Megan Calpin
Senior Environmental Planner
Environmental Planning Division
San Francisco Planning Department

Appendices

Appendix A – Proposed Project Site Plan (Revised), 3400 Laguna Street, and Freight Loading Turn
Templates

Appendix B – SDAT Letter, December 2022 and SDAT follow up email, June 2023

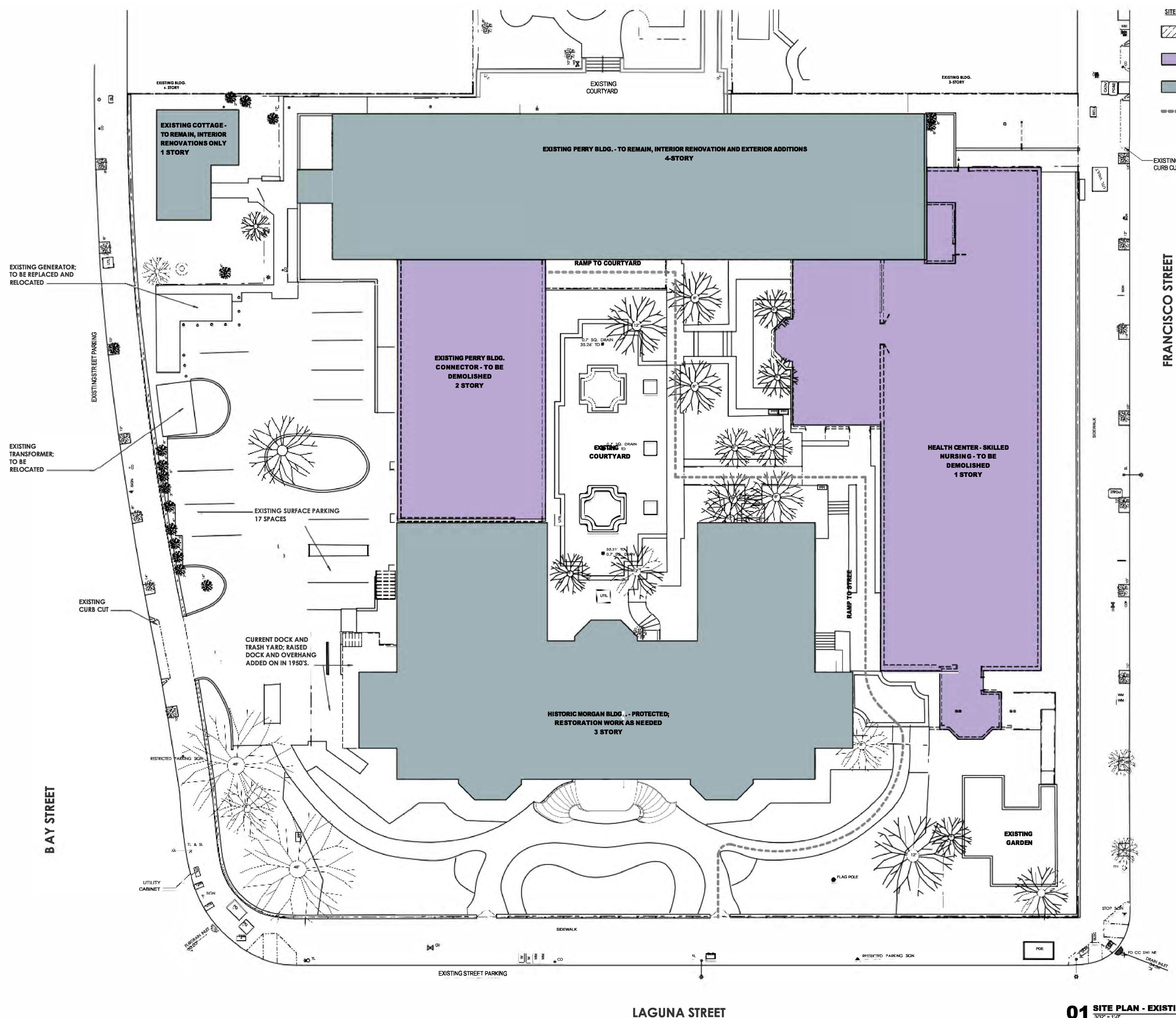
Appendix C - San Francisco Travel Demand Tool, Trip Generation Output table, June 4, 2024.

Appendix D – Heritage on the Marina Correspondence, June 2024

APPENDIX A

PROPOSED PROJECT SITE PLAN (REVISED), 3400 LAGUNA STREET, AND FREIGHT LOADING TURN TEMPLATES

PLOT DATE: 1/17/2024 4:15:51 PM
TEMPLATE VERSION: 21.03.2020051



- SITE LEGEND : EXISTING**
- AREA OF MODIFIED LANDSCAPE
 - BUILDING TO BE DEMOLISHED
 - BUILDING TO REMAIN INTERIOR RENOVATION ONLY
 - ACCESSIBLE PATH OF TRAVEL



ARCHITECT
HKS, INC.
350 N SAINT PAUL ST, SUITE 100
DALLAS, TX 75201-4240

HERITAGE ON THE MARINA



OWNER
SAN FRANCISCO LADIES' PROTECTION AND RELIEF SOCIETY
3400 LAGUNA STREET
SAN FRANCISCO CA 94123-2271

OWNER'S CIVIL ENGINEER
KIMLEY HORN
2121 S EL CAMINO REAL
SAN MATEO, CA 94403

INTERIM REVIEW ONLY
These documents are incomplete, and are released for interim review only and are not intended for regulatory approval, permit, or construction purposes.
Architect: XXXX XXXX
Arch/Reg. No.: XXXX
Date: XXXXXXXX

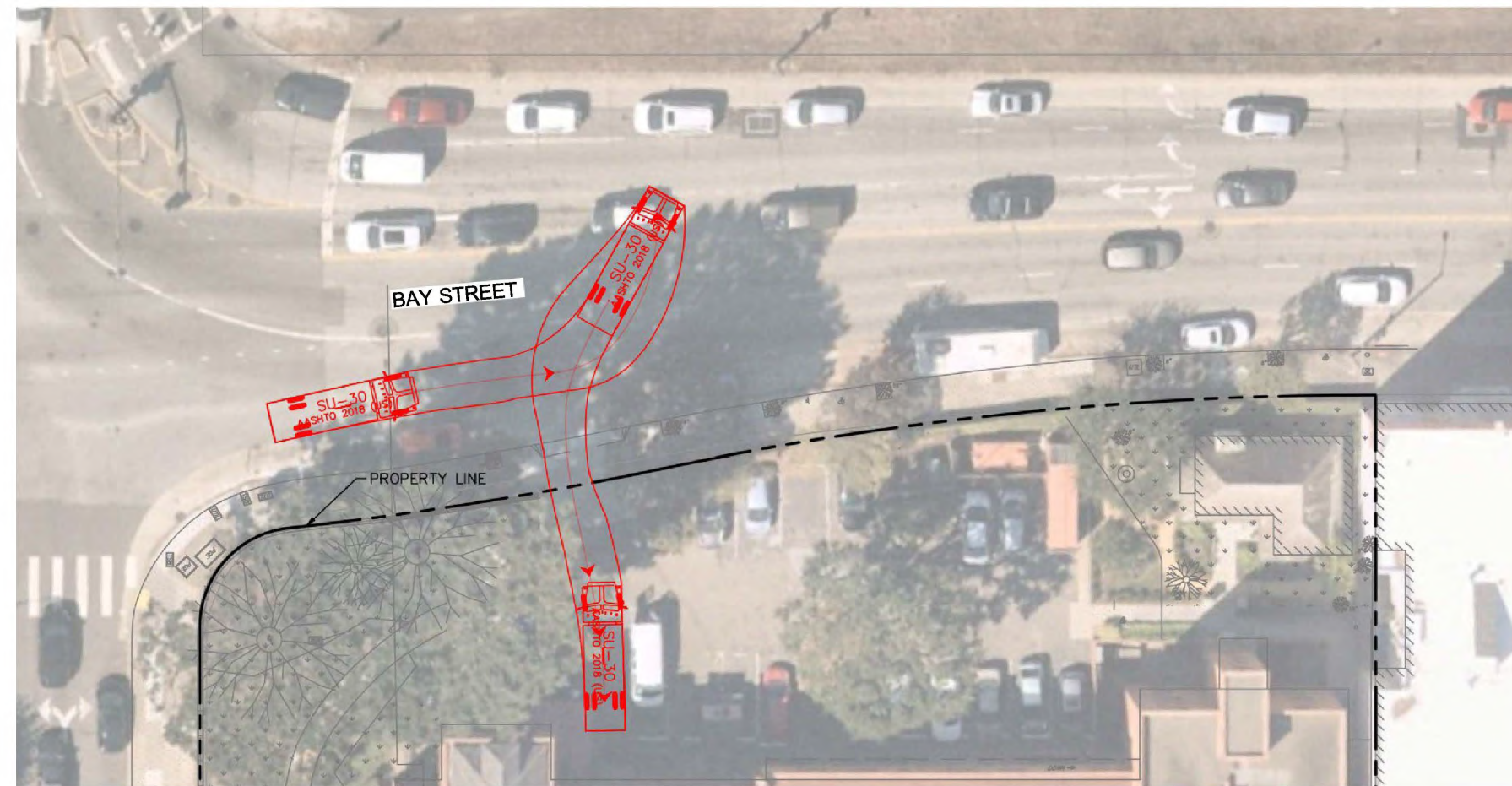
REVISION NO.	DESCRIPTION	DATE

HKS PROJECT NUMBER
24940.000
DATE
05.15.2023
ISSUE
PROJECT STATUS
SHEET TITLE
SITE-EXISTING

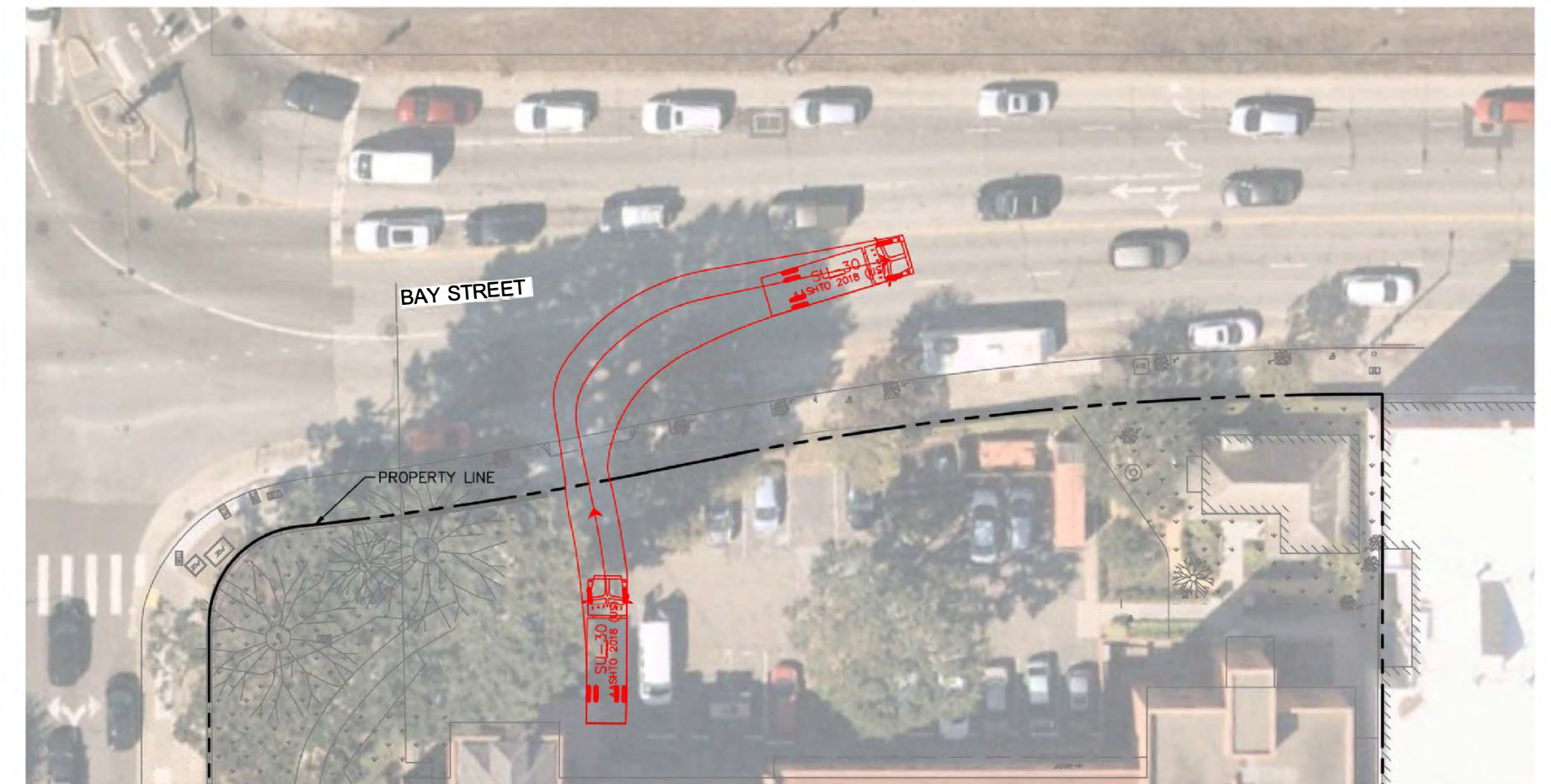
SHEET NO.
A1.10

01 SITE PLAN - EXISTING
3/32" = 1' 0"

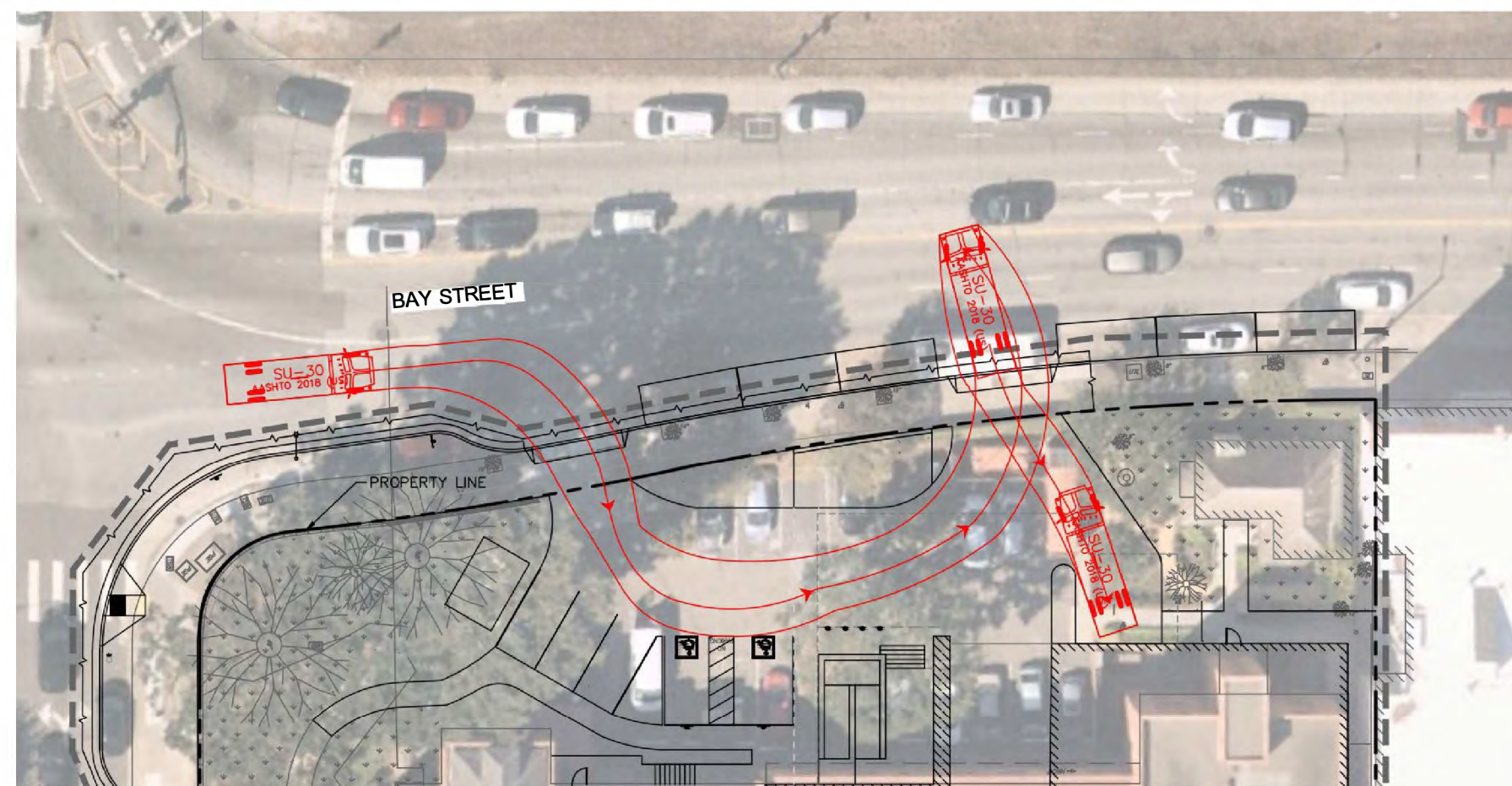




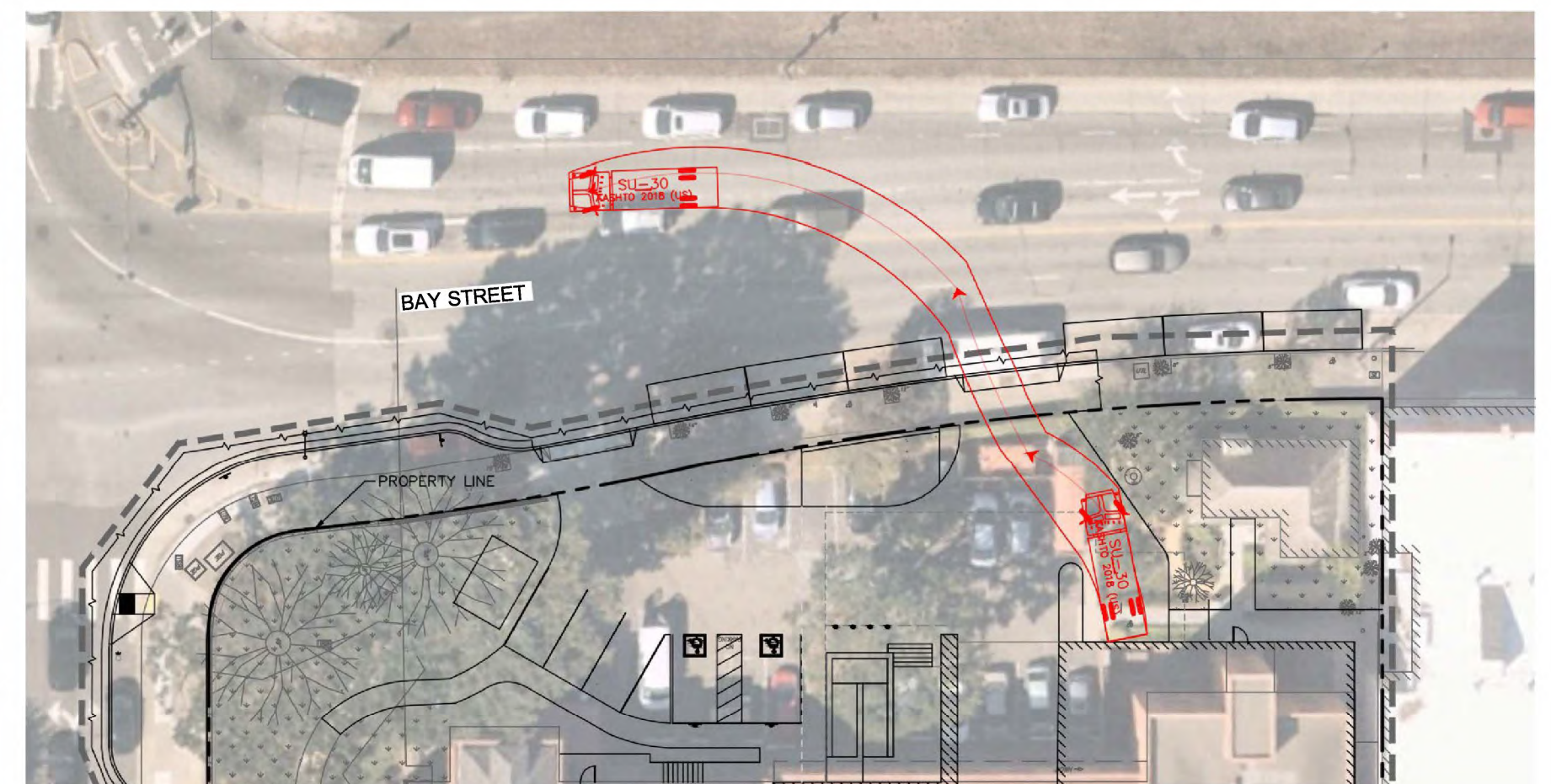
EXISTING LOADING ENTRY



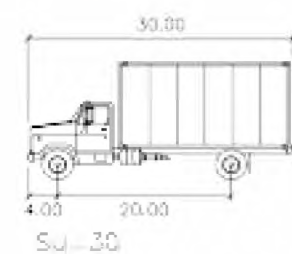
EXISTING LOADING DEPARTURE



PROPOSED LOADING ENTRY



PROPOSED LOADING DEPARTURE



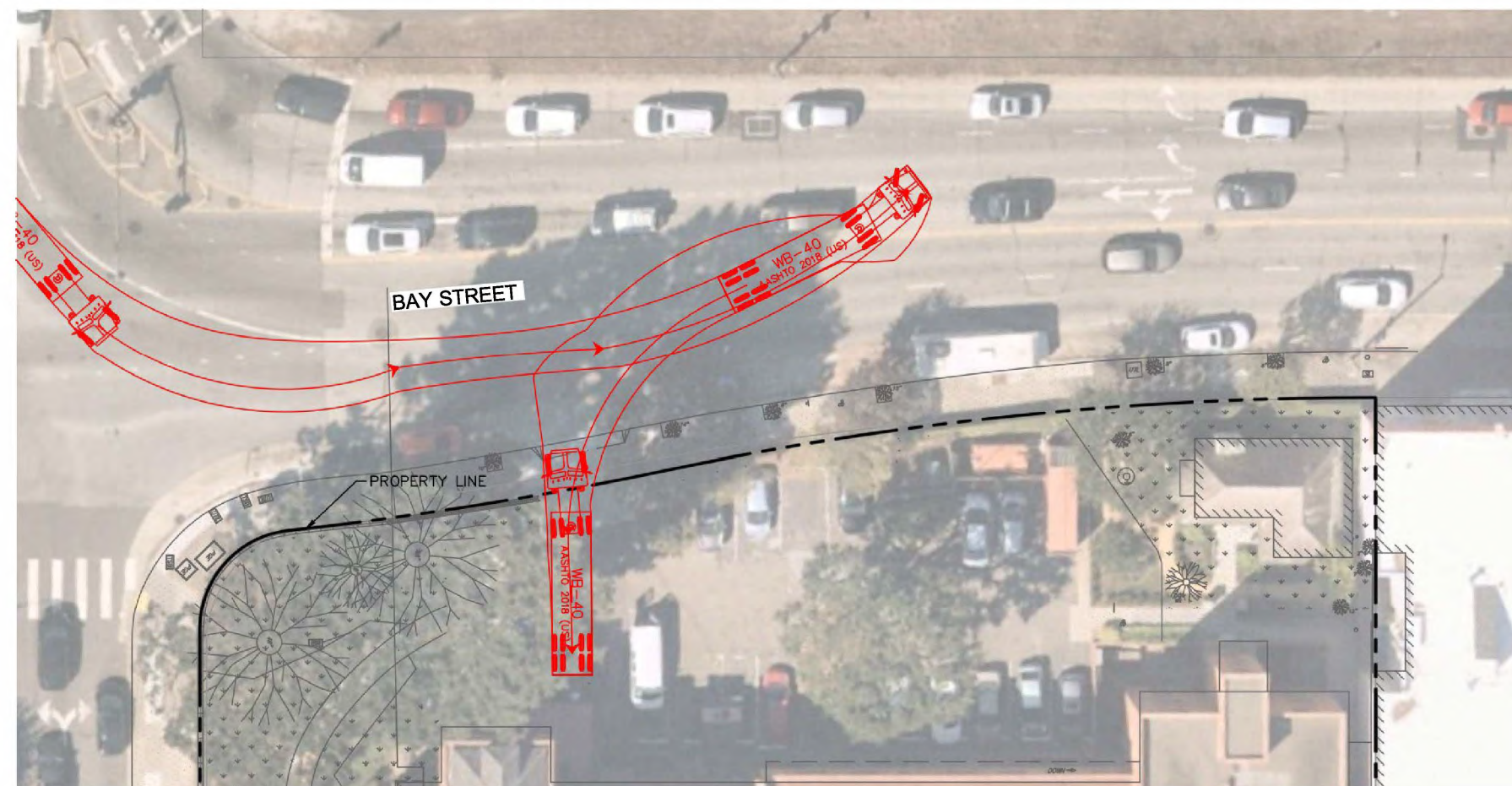
VEHICLE DATA

Width	8.00
Height	4.00
Lock to Lock Time	0.00
Steering Angle	30.0

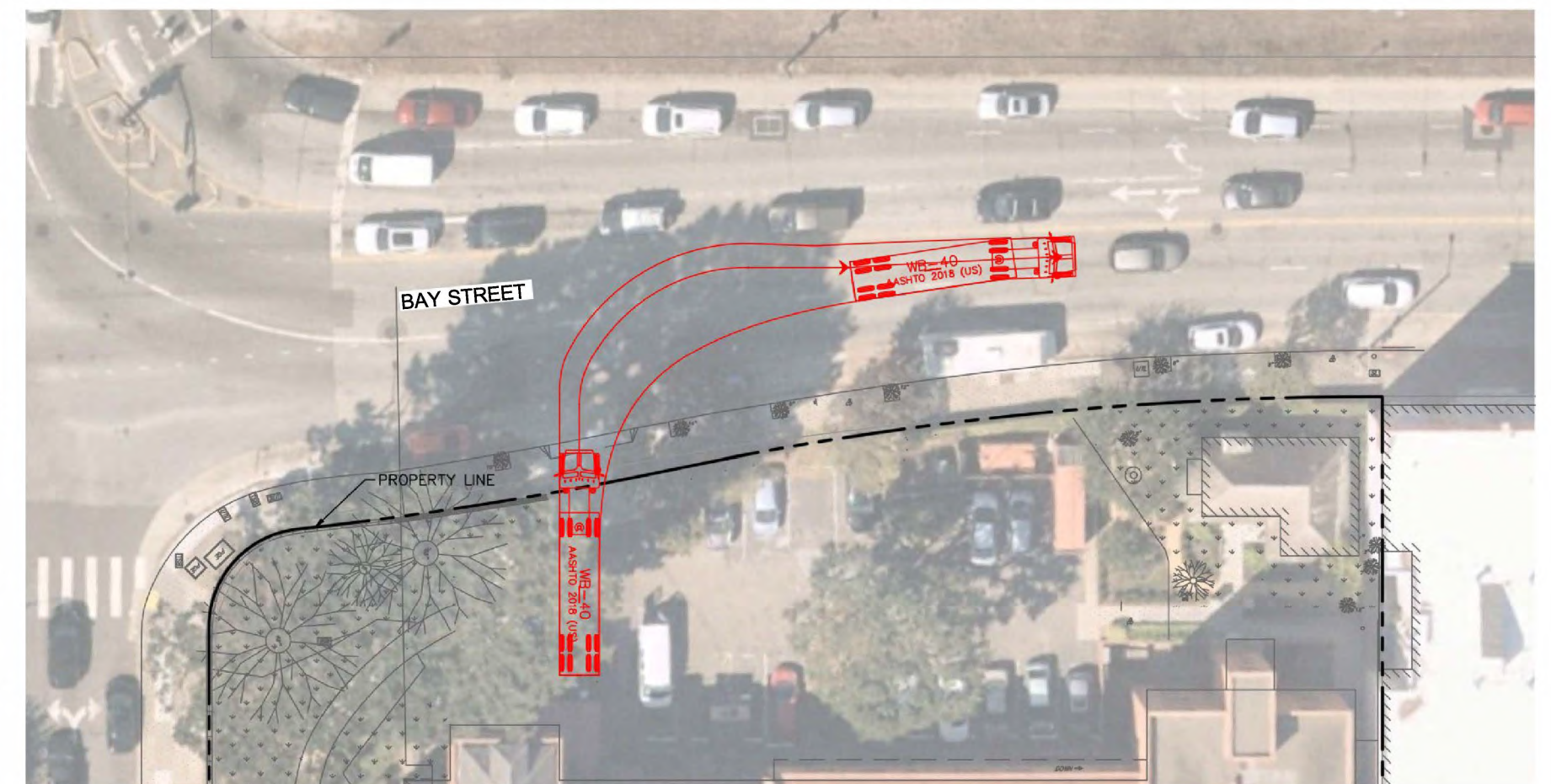
SU-30 LOADING TRUCK
HERITAGE ON THE MARINA

NOTE: SU-30 VEHICLE CURRENTLY
USED FOR PRODUCE DELIVERIES
WEEKLY ON FRIDAY.

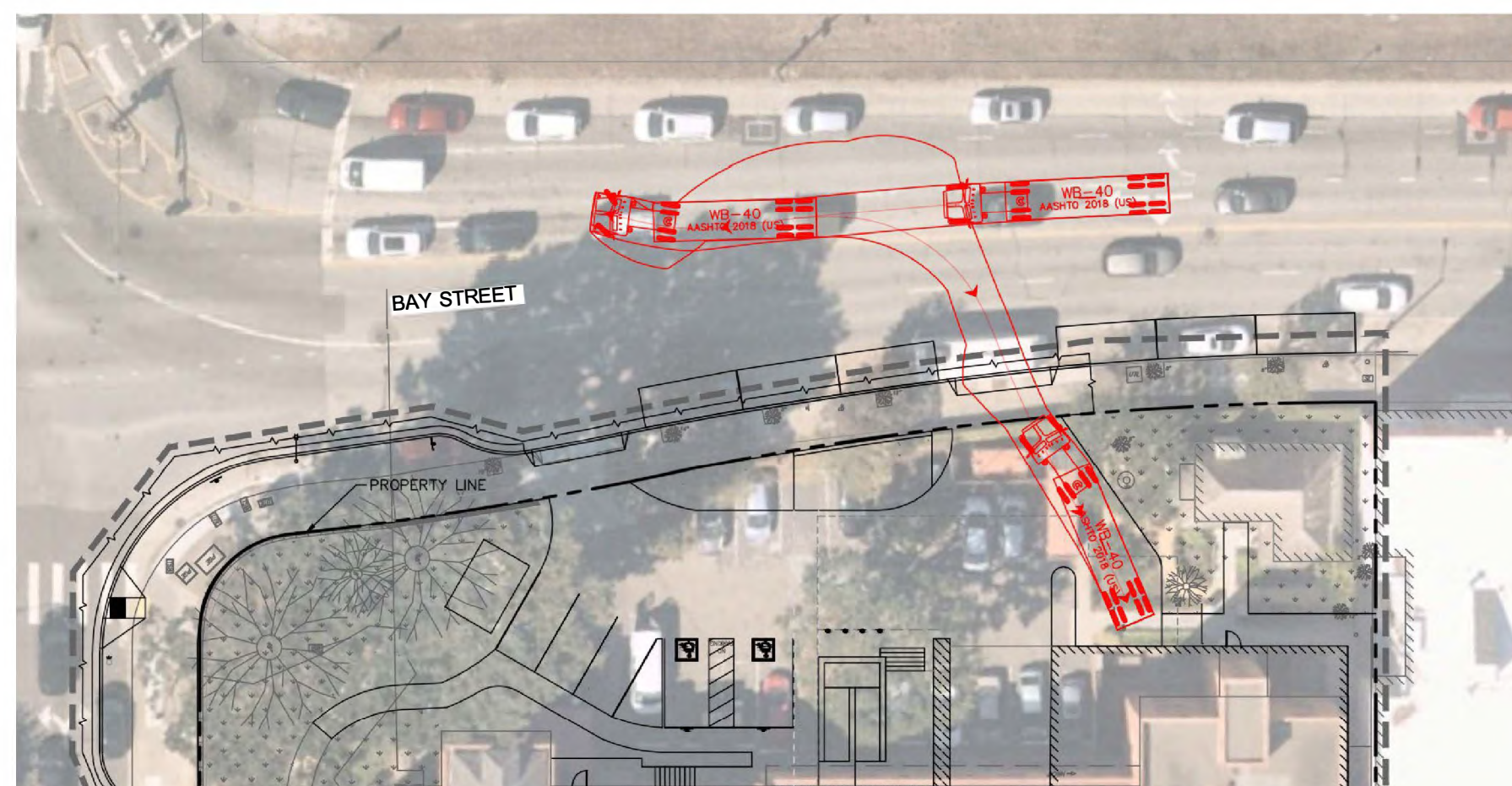




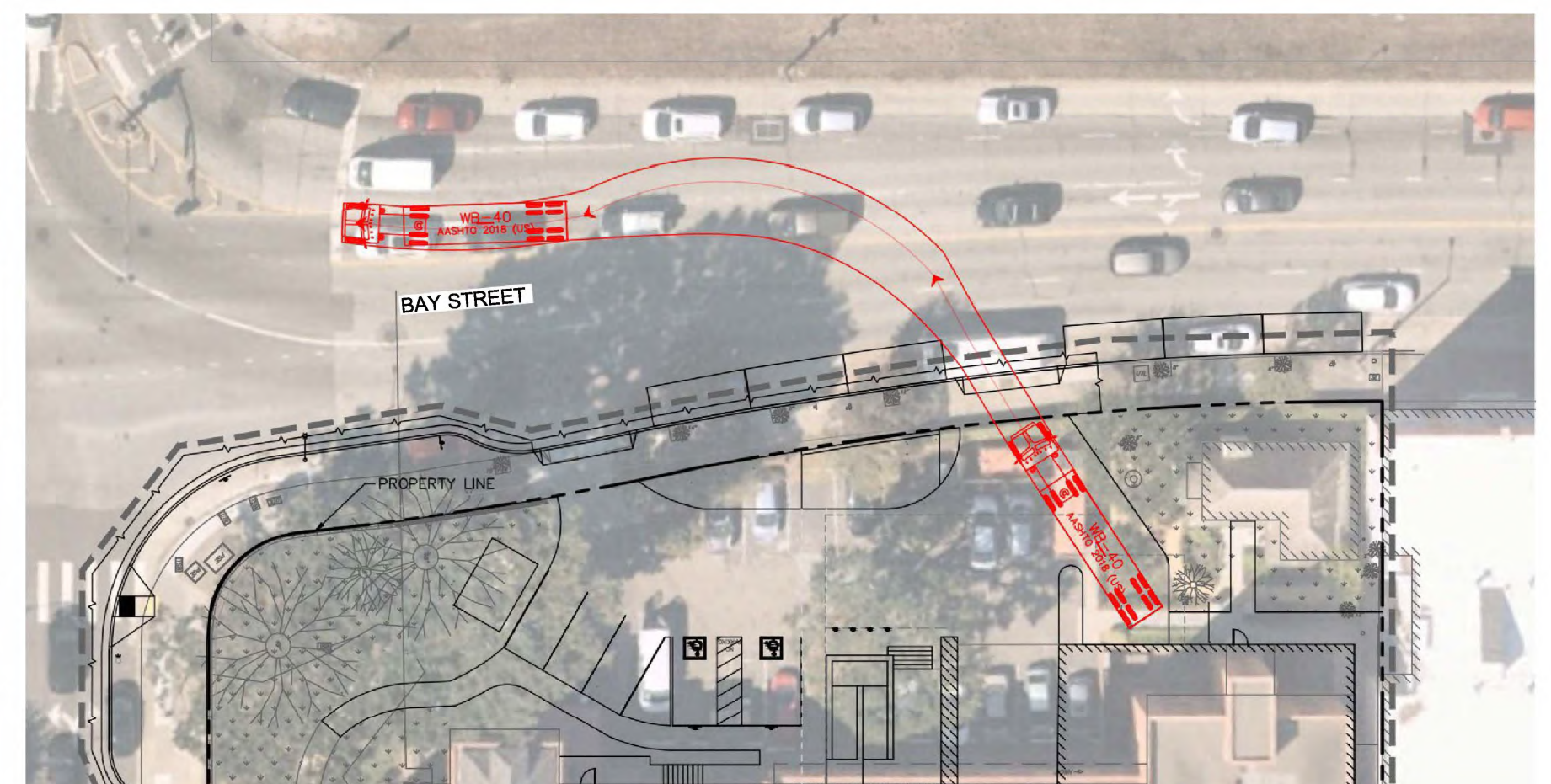
EXISTING LOADING ENTRY



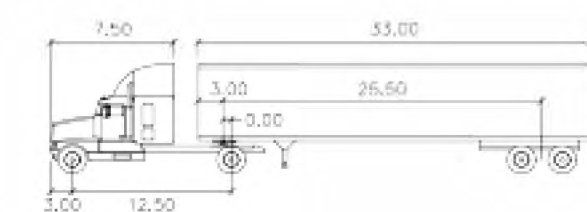
EXISTING LOADING DEPARTURE



PROPOSED LOADING ENTRY



PROPOSED LOADING DEPARTURE



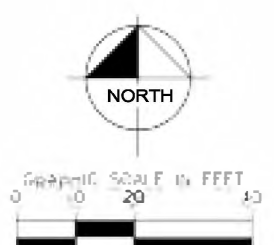
WB-40

Tractor Width	: 8.00	Truck In use Time	: 6.0
Tractor Length	: 8.00	Slowing Angle	: 25.3
Tractor Track	: 8.00	Approaching Angle	: 75.6
Tractor Tread	: 8.00		

VEHICLE DATA

WB-40 LOADING TRUCK
HERITAGE ON THE MARINA

NOTE: WB-40 VEHICLE CURRENTLY
USED FOR DELIVERIES WEEKLY ON
MONDAY AND THURSDAY.



APPENDIX B

SDAT LETTER, DECEMBER 2022 AND SDAT FOLLOW UP EMAIL, JUNE 2023

STREET DESIGN REVIEW

The Street Design Advisory Team (SDAT) is an inter-agency review body that provides street design guidance for projects subject to the streetscape and pedestrian improvement requirements established in the Better Streets Plan, or any project proposing work in the public right-of-way. SDAT includes representatives from The Planning Department, Department of Public Works, Municipal Transportation Agency (SFMTA), San Francisco Fire Department (SFFD), and the San Francisco Public Utilities Commission (SFPUC). SDAT reviewed the proposed project on November 7, 2022, and provides the following comments:

Site Conditions

(See Transportation Info Map <http://sftransportationmap.org>)

- | | |
|--|--|
| <input type="checkbox"/> Vision Zero Network High Injury | <input type="checkbox"/> Transit Preferential Street |
| <input checked="" type="checkbox"/> Bicycle Network | <input checked="" type="checkbox"/> Key Walking Street |
| <input type="checkbox"/> Green Connections Network | <input checked="" type="checkbox"/> Curb Cut Restriction |
| <input type="checkbox"/> Muni Corridor | <input type="checkbox"/> SFMTA or Public Works Projects |

Conditions Requiring Street Design Review

- ☒ Planning Code 138.1 (required streetscape improvements per the Better Streets Plan)
- ☐ Vision Zero

Based on the information provided in the PPA Application:

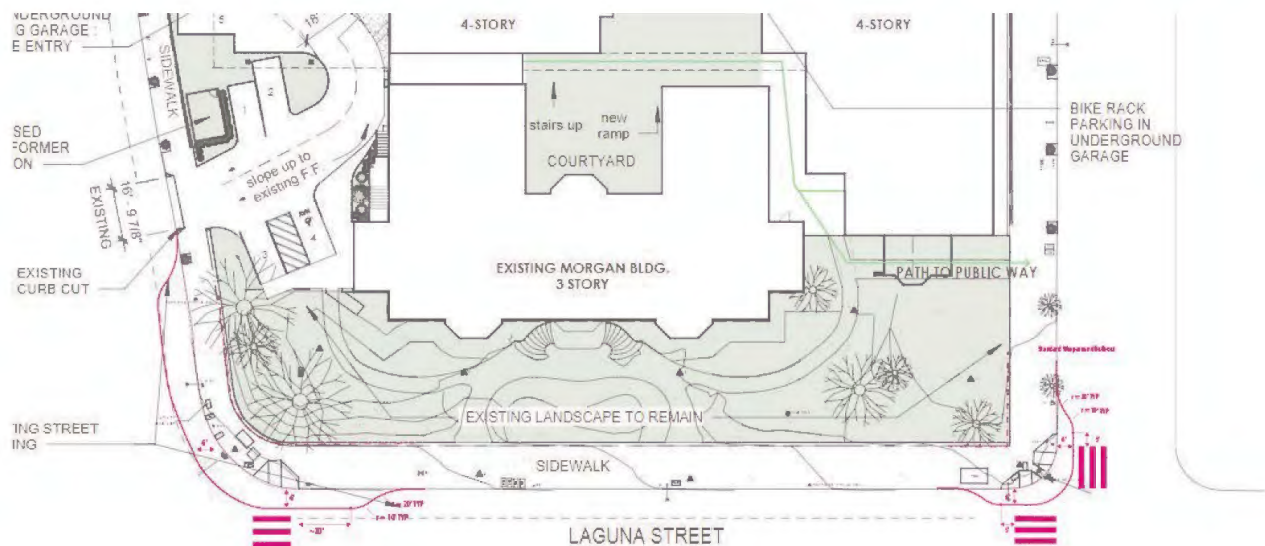
- ☐ Development Application will not require SDAT review.
- ☒ Development Application will require SDAT review. The proposed project will require SDAT review upon submittal of the first Development Application. Any Development Application for a project requiring SDAT review shall include the required elements for a Streetscape Plan outlined in the Plan Submittal Guidelines here: http://forms.sfplanning.org/Plan_Submittal_Guidelines.pdf

REQUIRED STREETScape FEATURES

Based on a preliminary interagency review, SDAT anticipates the project would be required to install the following streetscape features. Be aware that these recommendations are subject to change.

1. Bulbout (required per Planning Code Sec. 138.1)

- The project is required to install an extended wrap-around bulb-out at the intersection of Laguna Street and Bay Street. The bulb-out should project 6' into both the Laguna and Bay Street ROWs. The bulb out should extend to the existing curb cut on Bay Street.
- The project is also required to install a wrap-around bulb-out at the intersection of Laguna Street and Francisco Street. The bulb-out should project 6' into both Laguna and Francisco Street ROWs.
- Please note, there is an existing accessible parking space (blue zone) on Laguna Street near the intersection of Laguna and Francisco which will need to remain accessible. This will require installation of a curb ramp at the rear of the vehicle pull-up space in the bulb-out transition. Show the blue zone and the curb ramp serving the blue zone in the revised site plan.



- The project is responsible for any utility work associated the construction of the bulb-outs if needed.
- Turn Templates: With your next submission to SDAT, please submit the following turn templates for all bulbouts. Note that turn templates must be approved by SDAT prior to Planning entitlement.
 - Custom SFFD Engine
 - Custom SFFD Ladder

Follow-up for Bulbouts	<p>Pre-entitlement/Next SDAT</p> <ul style="list-style-type: none"> Sponsor to submit revised plans to SDAT showing required bulbout(s) and relevant turn templates Bulbout curb returns shall conform to SF Public Works' Standard Plan for Curb Bulbs. See: http://sfpublishworks.org/sites/default/files/87%2C175.pdf <p>Pre- or Post-entitlement</p> <ul style="list-style-type: none"> Obtain relevant permits from BSM www.sfpublishworks.org/services/permits
------------------------	---

2. Curb Cuts/ Driveways

- SDAT encourages the project team to consider single directional traffic flow for each of the curb cuts along Bay Street. This would allow for a reduce curb cut width which would minimize conflicts with pedestrian movement. Please note that all exit movements would be right turn only.
- Per Planning Code Section 155(l), driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements.
- Turn Templates: Vehicles may not be able to enter the proposed western driveway and turn into the proposed parking garage. With your next submission to SDAT, please submit turn templates for passenger vehicles accessing the parking garage to confirm.

3. Off-Street Loading

- Please clarify how the loading dock will work including describing the anticipated volume of delivery trucks, time of day deliveries that are likely to occur and size of vehicles that will serve the project
- The proposed passenger loading zone and accessible parking shall be accessible and comply with the requirements of California Building Code Chapter 11B. There shall be an accessible route from the passenger loading zone to ground-floor entrances. A detectable separation is required to separate the accessible route from the vehicular way (raised curb 4-inch minimum height, 3-ft depth detectable warnings, and/or a railing).

Follow-up for curb cuts, off-street parking and loading	Pre-entitlement/Next SDAT submittal <ul style="list-style-type: none"> • Include revised plans showing reduced curb cut width • Include revised plans showing a scaled freight vehicle parked within the off-street loading area • Submit loading demand analysis and loading operations plan • Submit turn templates for passenger vehicles accessing the parking garage and trucks accessing the loading dock
Contacts	Coordinate with your assigned Planner

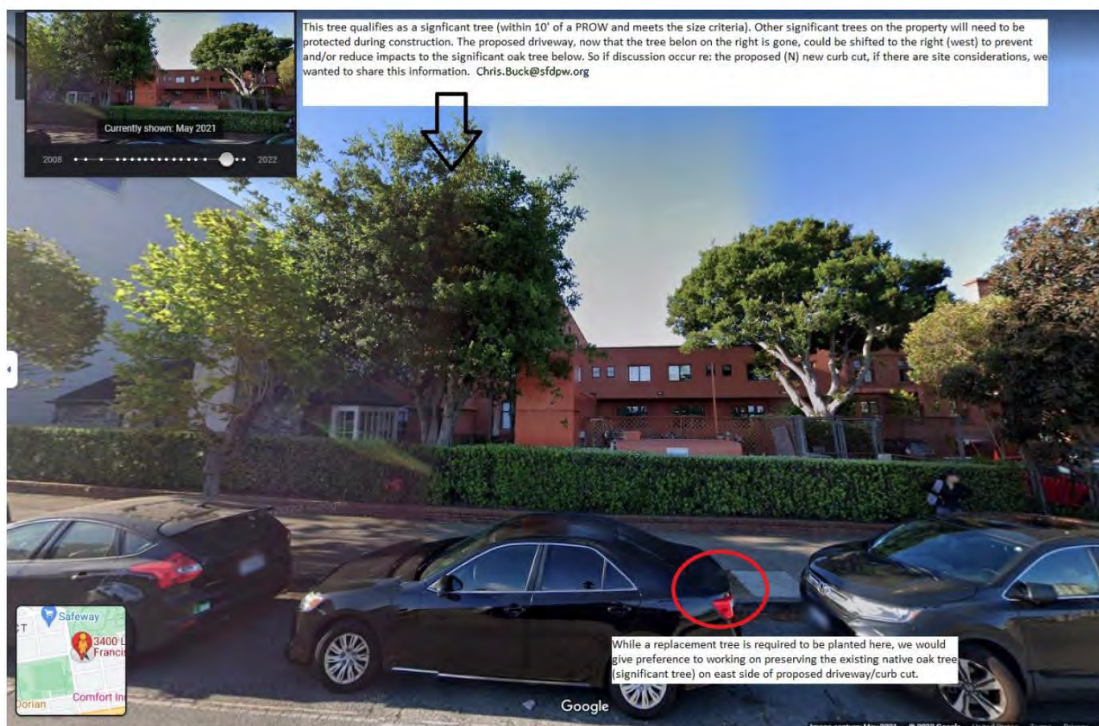
4. On-street Passenger Loading

- The existing passenger loading zones (white zone) on the Laguna Street and Francisco Street frontages shall be accessible and comply with the requirements of California Building Code Chapter 11B and Standard Accessible Passenger Loading Zone Drawings. There shall be an accessible route from the passenger loading zone to ground-floor entrances. The white zone on Laguna Street could also be moved to Bay Street, but this relocation would require coordination with relevant agencies including SFMTA Color Curb Program and Public Works Disability Access Coordinator.
- Refer to Standard Accessible Passenger Loading Zone Drawings for technical requirements: https://sfgov.org/mod/sites/default/files/Documents/Bulletin10_PassengerLoadingZones.pdf
- Show the proposed Accessible Passenger Loading Zone geometry on the revised site plan.
- The sponsor shall set up a meeting with Paul Kniha (paul.kniha@sfmta.com), SFMTA Color Curb Program Manager, and Karina Lairet (karina.lairet@sfdpw.org), Associate Engineer with the Public Works Disability Access Coordinator, to discuss the project's loading needs and corresponding accessibility requirements.

Follow-up	<p>Pre-entitlement/Next SDAT</p> <ul style="list-style-type: none"> Sponsor to submit written statement to Planning expressing intention to follow-up on this item If SDAT requests only Commercial or Passenger Loading, or Accessible Passenger Loading, sponsor to meet with SFMTA Loading Team to coordinate design of loading zone(s). <p>Post-entitlement (Post-Certificate of Occupancy)</p> <ul style="list-style-type: none"> Sponsor to apply for on-street loading zones from the SFMTA permits from SFMTA https://www.sfmta.com/online-color-curb-application
Contacts	<p>Karina Lairet (karina.lairet@sfdpw.org), Associate Engineer with the Public Works Disability Access Coordinator</p> <p>Paul Kniha (paul.kniha@sfmta.com), SFMTA Color Curb Program Manager</p>

5. Street Trees

- The project is required to install street trees along all street frontages. Please coordinate with SF Public Works Bureau of Urban Forestry for guidance on spacing of tree basins.
- The existing trees along Bay and Francisco shall remain unless determined otherwise by SF Public Works Bureau of Urban Forestry (BUF). Any proposed new, removed, or relocated street trees and/or landscaping within the public sidewalk may require a permit from the Bureau of Urban Forestry (BUF).
- Below is a diagram where the new curb cut to the east is proposed to be located. There is a tree that is protected as a significant tree which needs to be preserved (or removal application submitted/permit issued if unable to protect tree). BUF strongly recommends protecting this native oak tree. See diagram below. Possible consideration could also be given to shifting the driveway even a few feet to the west to reduce impacts to this significant oak tree.



Follow-up	Pre-entitlement/Next SDAT
	<ul style="list-style-type: none"> Sponsor to submit written statement to Planning expressing intention to follow-up on this item Submit plans that differentiate existing trees from new trees Submit revised plans that address tree placement comments above
	Post-entitlement
	<ul style="list-style-type: none"> Sponsor to obtain any required permits from Public Works Bureau of Urban Forestry
Contacts	Public Works Bureau of Urban Forestry, urbanforestry@sfdpw.org , 628-652-8733

6. Street Lighting

- If existing lighting conditions on fronting the project site do not meet City standards, the project will be required to upgrade street lighting and/or pedestrian lighting. To determine if lighting improvements are required, the sponsor will need to provide photometric studies for street lighting plans to the SFPUC.

Follow-up	Pre-entitlement/Next SDAT
	<ul style="list-style-type: none"> Sponsor to submit written statement to Planning expressing intention to follow-up on this item and confirm that Sponsor has reviewed the “Standard SDAT Comments” (see the end of this document)
	Post-entitlement
	<ul style="list-style-type: none"> Projects are required to submit proposed street lighting plans and photometric studies to the Public Works Bureau of Street Use and Mapping (BSM) prior to issuance of the Streetscape Permit
Contacts	SFPUC Streetlights Division, Streetlights@sfgwater.org

7. Transformer

- If a new electrical power transformer is required by PG&E to provide power to the building, please continue to show the location of the transformer room on the plans for SDAT review. Should the project wish to install an electrical transformer within the public right-of-way, be aware that sidewalk vaults are considered an exception by SF Public Works Bureau of Street Use & Mapping (BSM).

Follow-up	Pre-entitlement/Next SDAT
	<ul style="list-style-type: none"> Sponsor to show proposed transformer locations on plans to be submitted and approved by SDAT Coordinate with SFPUC or PG&E to ensure proposed transformer location meets relevant standards.
Contacts	Transformer Location (ROW v. Private Property): Coordinate with your assigned Current Planner on this item
	Transformer Location Technical Feasibility: Coordinate with electrical power utility (SFPUC or PG&E) and Public Works BSM.

ADDITIONAL INFORMATION REQUIRED FOR NEXT SDAT REVIEW

- ☐ Existing/proposed curb cuts and curb cuts to be removed
- ☐ Street names
- ☒ Dimensions of existing and proposed sidewalk and curb extensions on plans
- ☒ Dimensions of existing and proposed curb cuts on plans
- ☐ Dimensions of existing and proposed transit stops
- ☒ Site plan with streetscape features (e.g., bulbouts, trees, transit shelters, benches, bike racks)
- ☒ Proposed street tree locations
- ☐ Adjacent ROW widths
- ☒ Locations of existing utility poles and hydrants
- ☒ Turn templates for bulbouts
- ☐ Curb-to-curb section, including dimensions of tree wells and path of travel
- ☒ Proposed transformer vault location
- ☒ A written statement clarifying that Standard SDAT Comments have been reviewed

STANDARD SDAT COMMENTS

For your next SDAT submittal, please review the “Standard SDAT Comments” which can be found on the SDAT website (<https://sfplanning.org/project/street-design-advisory-team>), and include a written statement clarifying that this task has been completed and that all plans are consistent with guidelines/standards enumerated in the “Standard SDAT Comments”.

From: [Delumo, Jenny \(CPC\)](#)
To: [Poling, Jeanie \(CPC\)](#)
Subject: FW: NO SDAT needed for 3400 Laguna + notes to convey
Date: Wednesday, September 20, 2023 11:28:59 AM

Jenny Delumo, AICP (she/hers)
Senior Planner and Transportation Review Team Lead
Environmental Planning Division

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7568 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Look, Jessica (CPC) <jessica.look@sfgov.org>
Sent: Friday, June 09, 2023 4:12 PM
To: Caldwell, Ben (CPC) <ben.caldwell@sfgov.org>; Horn, Jeffrey (CPC) <jeffrey.horn@sfgov.org>
Cc: Shaw, Jeremy (CPC) <jeremy.shaw@sfgov.org>
Subject: Re: NO SDAT needed for 3400 Laguna + notes to convey

comments added to podio..

Jessica Look, AICP | Senior Planner

Citywide Division

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7455 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Caldwell, Ben (CPC) <ben.caldwell@sfgov.org>
Sent: Wednesday, June 7, 2023 11:36 AM
To: Horn, Jeffrey (CPC) <jeffrey.horn@sfgov.org>; Look, Jessica (CPC) <jessica.look@sfgov.org>
Cc: Shaw, Jeremy (CPC) <jeremy.shaw@sfgov.org>
Subject: NO SDAT needed for 3400 Laguna + notes to convey

Hi Jeff,

We just took a look at 3400 Laguna's resubmittal for possible SDAT next week and there are couple remaining concerns but overall we believe it adequately satisfies our previous SDAT comments for Planning's purposes and therefore does not need to return for a full SDAT 2nd meeting.

Jessica wrote the previous letter, but couldn't make our internal meeting today, so I'm passing along these notes in her stead. We would like to make sure the following 2 comments are conveyed to the project sponsor in your plan check letter:

- The curb radii for both new bulbouts are unnecessarily large and should be reduced. But SDAT will work with Public Works, MTA, and Fire as necessary to address this as best we can without needing to see another submittal. Final design of the curb radii will be ultimately finalized the SIP process.
- Our comment to add trees on all frontages still stands. The sponsor did not add them on the Laguna side. There may be historic preservation issues preventing them from adding them. If so, HP is saying one thing but BUF is saying another. This is in BUF's court now to hammer out with HP and the project sponsor.

Jessica, if you could please add these notes to Accela to document them, that would be much appreciated.

Also note, re: your notes in the calendar sign-up:

- SDAT elected not to say anything about the porte-cochere previously, so we wouldn't do so now.
- We only recommended driveway changes previously, and the changes made are an improvement. Final design of the curb cuts will be worked out during the SIP.

Thanks, and let me know if anyone has questions.

Jeff, if you're all good with the above, please remove the project from the SDAT calendar for next week if you don't mind.

Ben Caldwell, AICP, Urban Designer/Planner
City Design Group/Citywide Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7443 | www.sfplanning.org
[San Francisco Property Information Map](#)

APPENDIX C

SAN FRANCISCO TRAVEL DEMAND TOOL, TRIP GENERATION OUTPUT TABLE, JUNE 4, 2024.

Travel Demand: Total Proposed Project (109 units and 71,580 square feet of office (proxy for institutional use))

SAN FRANCISCO TRAVEL DEMAND TOOL INFO

WEBSITE VERSION: 0.3.2
DATA VERSION: 0.3

PROJECT LOCATION ATTRIBUTES

Address: 3400 laguna st
District: Marina/WesternMarket
Place Type: Urban medium density
City: San Francisco

SELECTED FILTERS

Time Period: pm
Purpose: work and non-work
Direction: inbound and outbound
Distribution Method: place-type

Average vehicle occupancy

Landuse	District AV	Place Type	City AVO
Residential	1.3	1.5	1.5
Hotel	1.4	1.5	1.7
Retail	1.4	1.5	1.7
Supermarket	1.4	1.5	1.7
Office	1.2	1.2	1.2
Restaurant	1.4	1.5	1.7
Composite	1.4	1.5	1.7

Total Trips Generated by Land Use and Time

Landuse	Amount	Unit	Daily Perso	Daily Perso	PM Person	PM Person	PM Person	PM Person
Residential	109	Bedrooms	4.5	490.5	0.4	43.6		
Hotel	null	Rooms	8.4	0	0.6	0		
Retail	0	1K Square	150	0	13.5	0		
Supermarket	0	1K Square	297	0	21.7	0		
Office	71.58	1K Square	15.7	1123.8	1.4	100.2		
Restaurant	0	1K Square	200	0	27	0		
Composite	0	1K Square	600	0	81	0		
Total				1614.3		143.8		

Mode Split Distribution

Landuse	Auto	TNC/Taxi	Transit	Private Shu	Walk	Bike
Residential	0.389	0.035	0.19	0.003	0.343	0.039
Hotel	0.269	0.157	0.147	0.042	0.384	0
Retail	0.259	0.014	0.118	0.005	0.576	0.028
Supermarket	0.259	0.014	0.118	0.005	0.576	0.028
Office	0.374	0.111	0.186	0.129	0.171	0.028
Restaurant	0.259	0.014	0.118	0.005	0.576	0.028
Composite	0.259	0.014	0.118	0.005	0.576	0.028

Total Trips by Mode

Mode	Total Perso	Filtered Pe	Total Vehi	Filtered Vehicle
Auto	611.1	54.4	493.6	44
TNC/Taxi	141.9	12.6	94.6	8.4
Transit	302.2	26.9		
Private Shuttle	146.4	13.1		
Walk	360.4	32.1		
Bike	50.6	4.5		

Total (in bold) **1613** **144** **588** **52**

auto Person Trips Distribution by District

Landuse	Downtown SoMa	Marina/W	Mission/	Bayshore	Richmond	Sunset	Islands	South Bay	East Bay	North Bay	OuterMission/Hills	
Residential	1.3	0.7	5.8	2.6	0.1	1.4	0.5	0	2	0.7	0.6	1.3
Hotel	0	0	0	0	0	0	0	0	0	0	0	0
Retail	0	0	0	0	0	0	0	0	0	0	0	0
Supermarket	0	0	0	0	0	0	0	0	0	0	0	0
Office	3.2	0.6	4.1	3.6	0.1	3.1	3	0	10	5.3	2.5	1.8
Restaurant	0	0	0	0	0	0	0	0	0	0	0	0
Composite	0	0	0	0	0	0	0	0	0	0	0	0
Total	4.5	1.3	9.9	6.2	0.2	4.5	3.5	0	12	6	3.1	3.1

auto Vehicle Trips Distribution by District

Landuse	Downtown SoMa	Marina/W	Mission/	Bayshore	Richmond	Sunset	Islands	South Bay	East Bay	North Bay	OuterMission/Hills	
Residential	0.9	0.5	4	1.8	0.1	0.9	0.3	0	1.4	0.5	0.4	0.9
Hotel	0	0	0	0	0	0	0	0	0	0	0	0
Retail	0	0	0	0	0	0	0	0	0	0	0	0
Supermarket	0	0	0	0	0	0	0	0	0	0	0	0
Office	2.8	0.5	3.5	3.1	0.1	2.7	2.6	0	8.7	4.6	2.2	1.6
Restaurant	0	0	0	0	0	0	0	0	0	0	0	0
Composite	0	0	0	0	0	0	0	0	0	0	0	0
Total	3.6	1	7.5	4.9	0.2	3.7	2.9	0	10	5.1	2.6	2.4



TRAVEL DEMAND TOOL*

What is this? [How to Use this Tool](#)

3400 laguna st

Place Type: Urban medium density

Residential

Daily PM Peak

Residential (per bedroom) 4.5 0.4

1 Bedroom 99 10

2 Bedroom 3 Bedroom

Number of 2 bedroom Number of 3 bedroom

Office

Daily PM Peak

Office (per 1k sqft) 15.7 1.4

Office Space 71580

Retail Restaurant Supermarket Hotel

All Auto Transit TNC/Taxi

Work Non Work Total

Inbound Outbound Total

Daily PM Peak

District Place Type City

Reset All Download data (.zip)

Travel Demand: New New Additions (23 units and 43,620 square feet of office (proxy for institutional use))

SAN FRANCISCO TRAVEL DEMAND TOOL INFO

WEBSITE VERSION: 0.3.2
DATA VERSION: 0.3

PROJECT LOCATION ATTRIBUTES

Address: 3400 Laguna
District: Marina/WesternMarket
Place Type: Urban medium density
City: San Francisco

SELECTED FILTERS

Time Period: pm
Purpose: work and non-work
Direction: inbound and outbound
Distribution Met: place-type

Average vehicle occupancy

Landuse	District AV	Place Type	City AVO
Residential	1.3	1.5	1.5
Hotel	1.4	1.5	1.7
Retail	1.4	1.5	1.7
Supermarket	1.4	1.5	1.7
Office	1.2	1.2	1.2
Restaurant	1.4	1.5	1.7
Composite	1.4	1.5	1.7

Total Trips Generated by Land Use and Time

Landuse	Amount	Unit	Daily Perso	Daily Perso	PM Person	PM Person Trips
Residential	23	Bedrooms	4.5	103.5	0.4	9.2
Hotel	null	Rooms	8.4	0	0.6	0
Retail	0	1K Square	150	0	13.5	0
Supermarket	0	1K Square	297	0	21.7	0
Office	43.62	1K Square	15.7	684.8	1.4	61.1
Restaurant	0	1K Square	200	0	27	0
Composite	0	1K Square	600	0	81	0
Total			788.3		70.3	

Mode Split Distribution

Landuse	Auto	TNC/Taxi	Transit	Private Shu	Walk	Bike
Residential	0.389	0.035	0.19	0.003	0.343	0.039
Hotel	0.269	0.157	0.147	0.042	0.384	0
Retail	0.259	0.014	0.118	0.005	0.576	0.028
Supermarket	0.259	0.014	0.118	0.005	0.576	0.028
Office	0.374	0.111	0.186	0.129	0.171	0.028
Restaurant	0.259	0.014	0.118	0.005	0.576	0.028
Composite	0.259	0.014	0.118	0.005	0.576	0.028

Total Trips by Mode

Mode	Total Perso	Filtered Pe	Total Vehic	Filtered Vehicle Trips
Auto	296.4	26.4	249	22.2
TNC/Taxi	79.6	7.1	53.1	4.7
Transit	147	13.1		
Private Shuttle	88.7	7.9		
Walk	152.6	13.6		
Bike	23.2	2.1		

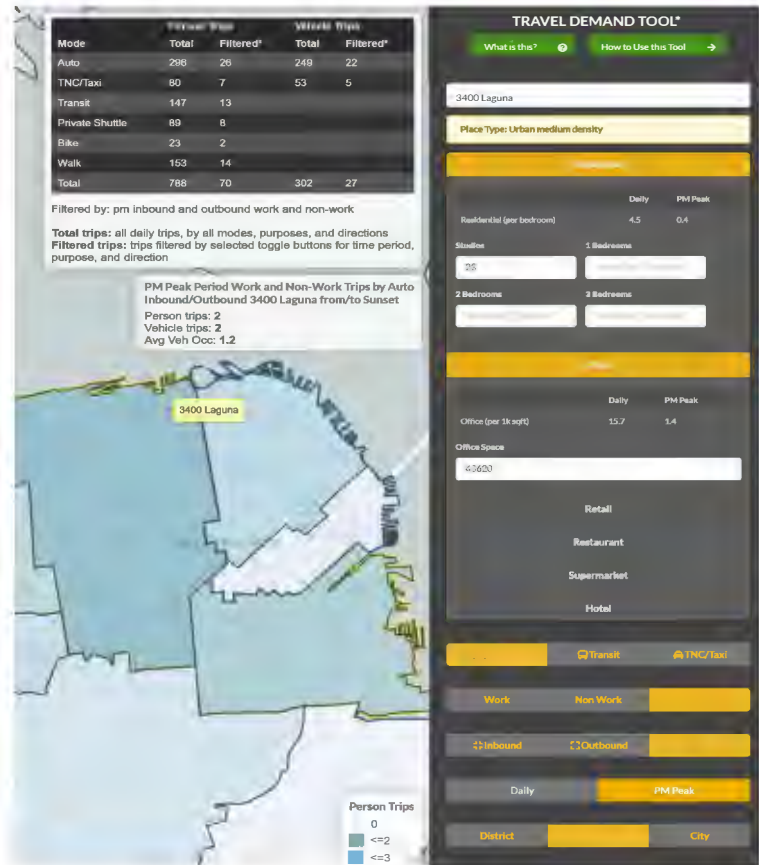
Total (in bold) **788** **70** **302** **27**

auto Person Trips Distribution by District

Landuse	Downtown SoMa	Marina/W	Mission/	Bayshore	Richmond	Sunset	Islands	South Bay	East Bay	North Bay	OuterMission/Hills
Residential	0.3	0.2	1.2	0.5	0	0.3	0.1	0	0.4	0.1	0.3
Hotel	0	0	0	0	0	0	0	0	0	0	0
Retail	0	0	0	0	0	0	0	0	0	0	0
Supermarket	0	0	0	0	0	0	0	0	0	0	0
Office	2	0.4	2.5	2.2	0.1	1.9	1.9	0	6.1	3.2	1.5
Restaurant	0	0	0	0	0	0	0	0	0	0	0
Composite	0	0	0	0	0	0	0	0	0	0	0
Total	2.2	0.5	3.7	2.8	0.1	2.2	1.9	0	6.5	3.4	1.7

auto Vehicle Trips Distribution by District

Landuse	Downtown SoMa	Marina/W	Mission/	Bayshore	Richmond	Sunset	Islands	South Bay	East Bay	North Bay	OuterMission/Hills
Residential	0.2	0.1	0.8	0.4	0	0.2	0.1	0	0.3	0.1	0.2
Hotel	0	0	0	0	0	0	0	0	0	0	0
Retail	0	0	0	0	0	0	0	0	0	0	0
Supermarket	0	0	0	0	0	0	0	0	0	0	0
Office	1.7	0.3	2.1	1.9	0.1	1.7	1.6	0	5.3	2.8	1.3
Restaurant	0	0	0	0	0	0	0	0	0	0	0
Composite	0	0	0	0	0	0	0	0	0	0	0
Total	1.9	0.4	3	2.3	0.1	1.9	1.7	0	5.6	2.9	1.4



Freight Delivery Information Provided by Project sponsor

	M	T	W	Th	F	S	S
Vendor 1	--	30-45 min	--	--	30-45 min	--	
Vendor 2	30 min	--	30 min	30 min	--	30 min	
Vendor 3	15 min (5:30 am)	--	--	15 min (5:30 am)	--	15 min (5:30 am)	
Vendor 4	30-45 min						
Vendor 5	Once per month, day varies, 30-45 min						
Vendor 6	Less than once per month, day varies, 20 min						

Note: Delivery times are variable with each vendor. Vehicle lengths are consistent by vendor. The largest vehicles are 26 foot single axle trucks, the smallest are commercial delivery vans.

Maneuvering: [Bay] street is generally not closed for any length of time. The time the street is blocked is just time enough to line up and back the truck to the dock. Following construction of our proposed project, this maneuver will be slightly different with the new layout of the building, but again the street impact will be the same or less with the angle of the new dock. There is not a flagger. Trucks block traffic for a short time while they align with the dock. Once they back in there is no blocking of the street.

1 What is the total square footage per land use?

Office 71,580 new total

Residential 70,000 new total

2 What are the land use loading demand rates

Office 0.21 per 1000sf

Residential 0.03 per 1000sf

3 What is the daily delivery trip demand rate calculation (turnover) - R

Office 15.0318

Residential 2.1

4 What is the average hour loading demand

Office 0.70

Residential 0.10

0.793 1 space

5 What is the peak hour loading demand

Office 0.87

Residential 0.12

0.99 1 spaces

APPENDIX D

HERITAGE ON THE MARINA CORRESPONDENCE, JUNE 2024

RE: 3400 Laguna - additional data request for sponsor team

Murphy, Alan H. (Perkins Coie) <AMurphy@perkinscoie.com>

Mon 6/3/2024 4:25 PM

To: Theresa Wallace <Theresa.Wallace@lsa.net>; Calpin, Megan (CPC) <megan.calpin@sfgov.org>; Eric Jacobs <eric@gbasf.com>; Frank Rockwood <frank@rockwoodpacific.com>

Cc: Range, Jessica (CPC) <jessica.range@sfgov.org>; Brent Rosenwald <Brent.Rosenwald@lsa.net>

 2 attachments (1 MB)

HOTM Delivery Memo Rev 1.pdf; SDAT_3400 Laguna_ 2022_12_2.pdf;

Hi all,

This email responds to Megan's five data requests for transportation analysis, below. Our responses follow each item in bold. Under separate cover, either later today or tomorrow, we'll provide responses to the items in the Excel spreadsheet Theresa circulated on Friday.

From Megan: I have a few additional data requests for transportation analysis. Could you please:

- separate out, if possible, the square footage of residential care *units from the common institutional gross square footage*? Please also clarify how many of the 109 residential care suites are single or double occupancy.
[Yes. As you know, there is no distinction in land use between these types of areas. That said, solely for purposes of obtaining a more accurate transportation analysis, the project will include approximately 70,000 square feet within residential care units, while the remainder of project square footage will be common institutional space. Of the 109 total units, approximately 10 may have double occupancy.]
- describe existing loading conditions and operations - is there a flagger for the truck backing in to the loading space and at what time of day do these type of deliveries occur? How many deliveries per day? Are the hours of delivery consistent or variable? Are the vehicle types consistent or variable?
[Please see the attached memo from Jon Casey.]
- clarify the existing closures on Bay Street that occur due to loading - of the 9 closures, how long is the average closure for? (30 minutes each?)
[Please see the attached memo from Jon Casey.]
- provide documentation of meetings / communications with SFMTA regarding accessible passenger loading or other SDAT related comments for my records.
[There have not yet been communications with SFMTA regarding passenger loading. For your records, please see the attached SDAT memo.]
- provide the length of the proposed porte cochere loading space.
[Over 20 feet of passenger loading space would be available beneath the proposed porte cochere. Two cars could be loaded undercover, side-by-side. There also would be space for four additional cars to queue in the new driveway outside the covered loading area.]

Please let us know if you have any further questions on these items.

Alan

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MEMO

Prepared by Jon Casey, CFO / Compliance Officer
May 30, 2024

Regarding questions from San Francisco Planning on loading conditions and operations, and street closures due to loading at Heritage on the Marina.

Specifically, this memo will answer the following two questions:

1. Describe existing loading conditions and operations:
 - a. Is there a flagger for the truck backing into the loading space and at what time of day do these type of deliveries occur?
 - b. How many deliveries per day?
 - c. Are the hours of delivery consistent or variable?
 - d. Are the vehicle types consistent or variable?
2. Clarify the existing closures on Bay Street that occur due to loading - of the 9 closures, how long is the average closure for? (30 minutes each?)

Response to question 1:

- a. There is not a flagger. Trucks block traffic for a short time while they align with the dock. Once they back in there is no blocking of the street. The delivery times vary depending on the vendor and the individual delivery.
- b. Please see the schedule below.
- c. Variable with the vendor and the deliveries for that day
- d. Consistent by vendor. The largest vehicles are 26 foot single axle trucks, the smallest are commercial delivery vans.

Here are details on current deliveries received throughout the week on the following customary delivery schedule:

Sysco: frequency of delivery, Tues & Fri, time spent at the location ~30-45 mins

Vesta: frequency of delivery, Mon, Wed, Thurs & Sat, time spent at the location ~30 mins

Le Boulanger: frequency of delivery, Mon, Thurs & Sat, time spent at the location ~15 mins, early morning ~5:30am.

AlSCO: frequency of delivery, Mon & Thurs, time spent at the location ~30-45 mins

Waxie: frequency of delivery, once per month, day varies, time spent at location ~30-45 mins

Alhambra Water: frequency of delivery less than once a month, time spent at location ~20 mins

Question 2:

The street is generally not closed for any length of time. The time the street is blocked is just time enough to line up and back the truck to the dock. Following construction of our proposed project, this maneuver will be slightly different with the new layout of the building, but again the street impact will be the same or less with the angle of the new dock.

If there are any additional details required for this request, please let us know.