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May 15, 2025

Ms. Angela Calvillo Clerk of the Board of Supervisors 1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco, CA 94102-4689

Re: Notice of Letter of Appeal from Action of the Historic Preservation Commission

Dear Ms. Calvillo:

Notice is hereby given of an appeal to the Board of Supervisors by San Francisco Ladies' Protection and Relief Society d/b/a Heritage on the Marina from the following action of the Historic Preservation Commission: On April 17, 2025, the Historic Preservation Commission approved, with conditions of approval, an application for a Certificate of Appropriateness, Case No. 2022-009819COA. The subject property is located at 3400 Laguna Street. The appeal filing date is May 19, 2025.

This appeal is taken only from the Historic Preservation Commission's imposition of Condition of Approval 1, which reads: "Architectural Review Committee. Prior to submittal of any building permit application, the project shall return to the Architectural Review Committee (ARC) to receive direction on final massing and architectural details."

To begin, Condition of Approval 1 is simply unnecessary. Record evidence, including detailed findings adopted by the Historic Preservation Commission, supports finding that the project, as designed, complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties for individual landmarks. A Certificate of Appropriateness, therefore, should have been approved for the project without a condition authorizing further changes to project massing. To the extent any refinements to architectural details are deemed necessary, Planning Department preservation staff are well positioned to review and approve these changes.

Additionally, Condition of Approval 1 suffers from multiple defects:

- Condition of Approval 1 is impermissibly vague, uncertain, and ambiguous and, therefore, is void for vagueness. The condition does not satisfy constitutional due process requirements because it fails to state in definite language how, or prescribe standards by which, compliance can be determined. By leaving vague how the project's size and massing must change, this condition is not sufficiently clear to be constitutional and enforceable.
- 2. Condition of Approval 1 also constitutes an unlawful delegation of authority by the Historic Preservation Commission to its Architectural Review Committee. The Planning Code authorizes the Commission to delegate certain items, for instance, the holding of a Certificate of Appropriateness hearing by a committee (sec. 1006.4(f)) or review by the

Planning Department of an Administrative Certificate of Appropriateness for minor alterations (sec. 1006.2). In contrast, the Planning Code does **not** authorize the Commission to delegate to a committee the unilateral authority to reduce a project's massing, particularly where no constraints are imposed on the committee's discretion and no appeal process is identified.

3. Condition of Approval 1 places the City at risk of violating the state Permit Streamlining Act. Under Public Resources Code section 65950.1, the project must be approved or disapproved within 90 days after the project's environmental impact report was certified on April 17, 2025. Under the condition of approval, project massing, a critical aspect of the project, has not yet been approved by the City. If the Architectural Review Committee did not issue its approval by July 16, 2025, the City would be in violation of the Permit Streamlining Act.

For these reasons, we respectfully request that the Board of Supervisors remove and replace Condition of Approval 1 with a new condition of approval that reads: "Final Architectural Details. Prior to submittal of any building permit application, Department preservation staff shall review and approve final project architectural details, provided that no reduction in project square footage shall result from such review."

Thank you, in advance, for your assistance with this matter.

Sincerely,

Mary Linde

Chief Executive Officer

San Francisco Ladies' Protection and Relief Society d/b/a Heritage on the Marina

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CERTIFICATE OF APPROPRIATENESS MOTION NO. 494

HEARING DATE: APRIL 17, 2025

Record No.:

2022-009819COA

Project Address:

3400 Laguna Street (Ladies' Protection and Relief Society)

Landmark:

Designated Landmark No. 320

Zoning:

RM-1 Residential- Mixed, Low Density Zoning District

40-X Height and Bulk District

Block/Lot:

0471/003

Project Sponsor: Carolyn Kiernat, FAIA

Page & Turnbull

170 Maiden Lane, 5th Floor San Francisco, CA 94108

Property Owner: SF Ladies Protection & Relief Society

San Francisco, CA 94123

Staff Contact:

Charles Enchill - 628-652-7551 Charles.Enchill@sfgov.org

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ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR MAJOR ALTERATIONS DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10 OF THE SAN FRANCISCO PLANNING CODE, AND TO MEET THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 003 IN ASSESSOR'S BLOCK 0471 IN A RM-1 RESIDENTIAL- MIXED, LOW DENSITY ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

Preamble

On February 21, 2025, Elisa Skaggs of Page & Turnbull (hereinafter "Project Sponsor") filed Application No. 2022-009819COA (hereinafter "Application") with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness to demolish two non-contributing additions/buildings; including a two-story addition (Perry Building connector) constructed in 1957 (at north) attached to the rear of the landmarked Ladies Protection and Relief Society Building, and detached one-story building (Dailey Building) constructed in 1963 (at south). The project scope also includes new construction of a four-story building (Bay Building) approximately 31,300 square feet in size (at north) connected to historic portions of the landmark and four-story building (Francisco Building) approximately 47,100 square feet in size (at south); and site alterations to non-contributing courtyards, located on Lot 003 in Assessor's Block 0471, which is City Landmark No. 320 (Ladies' Protection and Relief Society) and locally designated under Article 10, Appendix A of the Planning Code. Planning Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") setting forth mitigation measures that were identified in the Final EIR that are applicable to the Project. These mitigation measures are set forth in their entirety in the MMRP attached to the Motion as "Exhibit C".

On April 17, 2025, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Certificate of Appropriateness Application No. 2022-009819COA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-009819COA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby APPROVES WITH CONDITIONS the Certificate of Appropriateness, as requested in Application No. 2022-009819COA in conformance with the architectural plans dated March 19, 2025 and labeled Exhibit B based on the following findings:

Findings

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

- 1. The above recitals are accurate and also constitute findings of the Commission.
- 2. Project Description. The project requests a Certificate of Appropriateness to demolish two non-contributing additions/buildings; including the two-story addition (Perry Building connector) constructed in 1957 (at north) and connected to the landmarked Morgan Building and detached one-story building (Dailey Building) constructed in 1963 (at south), located on Article 10 City Designated Landmark #320, Ladies' Protection and Relief Society. The project scope also includes new construction of a four-story building (Bay Building) approximately 31,300 square feet in size (at north) connected to historic portions of the landmark and four-story building (Francisco Building) approximately 47,100 square feet in size (at south); and site alterations, which require a Certificate of Appropriateness. This hearing is being conducted as a joint hearing with the Planning Commission.
- 3. Property 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 project site is bounded by Bay Street to the north, single- and multifamily residences near to and along Octavia Street to the east, Francisco Street to the south, and Laguna Street to the west. The project site slopes upward from west to east approximately 30 to 40 feet above mean sea level. The project site is currently occupied by the Heritage on the Marina residential care



retirement community. Heritage on the Marina consists of four existing interconnected structures and a separate Caretaker's Cottage, totaling five structures on site and approximately 83,200 gross square feet. The interconnected structures include: the Julia Morgan Building, the Perry Building, the Perry Building Connector, and the Health Center. These buildings are further described below.

- The Julia Morgan Building, built in 1925, is U-shaped, three stories and approximately 40 feet in height, with up to 6.5 feet of rooftop appurtenances. The primary façade of the building faces west and is viewed from Laguna Street. The building has a partially above-ground basement level and an attic story penthouse over the east portion of the front façade. The building serves as the primary pedestrian entrance to the site, but is not accessible pursuant to the Americans with Disabilities Act (ADA).
- The Perry Building, built in 1957, is rectangular, four stories and approximately 41 feet in height over a partially above-ground basement. The building has an enclosed fire access stair on the Bay Street side that projects about 8 feet above the roofline, and the existing elevator penthouse extends about 16 feet above the 41-foot roofline.
- The Perry Building Connector, built in 1957, is rectangular, two stories and approximately 22 feet in height over a partially raised basement. The Perry Building Connector runs east to west to connect the Julia Morgan Building to the Perry Building.
- The Health Center, built in 1963, is rectangular, one story and approximately 15 feet in height, with an additional 5 feet of rooftop appurtenances up to 20 feet. The Health Center runs east to west and intersects the Perry Building on its southeast corner. This building is currently the only ADA-accessible building on the project site from the public right-of-way.
- The Caretaker's Cottage, built between 1928 and 1929, is an L-shaped structure that is one story and 22 feet in height. It is located on the northeast corner of the property and is enclosed by an iron and wooden fence and gate.

Overall, the existing site has 26,410 square feet of usable open space. The Julia Morgan Building, the Perry Building Connector, the Perry Building, and the Health Center surround a central courtyard. There is a second courtyard east of the Perry Building on the eastern boundary of the project site. The site also contains a front lawn that is located between the existing entrance to the Julia Morgan Building and Laguna Street

4. Surrounding Properties and Neighborhood. The Project Site is located within the Marina neighborhood. Land uses within the immediate vicinity of the project site include the one-story Moscone Recreation Center (1800 Chestnut Street), three- to four-story residential buildings (3300–3360 Laguna Street, 1507–1575 Francisco Street, and 3315–3360 Octavia Street) approximately 30 to 40 feet in height, Fort Mason (2 Marina Boulevard), and a four-story, 40-foot-tall apartment complex (1550 Bay Street). Fort Mason is part of the Golden Gate National Recreation Area and contains parks, public artwork, restaurants, museums, cultural and artistic centers, and a hostel. Moscone Recreation Center includes a children's playground, picnic areas, sports fields and bleachers, and a gymnasium. The one-story Marina Public Library (Landmark No. 232) is also located on the same site as the recreation center. The project site is within the RM-1 (Residential-Mixed, Low Density) Zoning District, and a 40-X Height and Bulk District. Most



of the properties in the immediate vicinity are designated as RM-1, RM-2 (Residential-Mixed, Moderate Density), RH-3 (Residential-House, Three Family), and RM-4 (Residential-Mixed, High Density). Within 0.3 mile of the project site, there are properties designated as NC-2 (Neighborhood Commercial District, Small Scale), NC-3 (Neighborhood Commercial District, Moderate Scale), and NC-S (Neighborhood Commercial District, Shopping Center).

- **5. Public Outreach and Comments.** The Department has received public correspondence from one opposition group regarding the Certificate of Appropriateness application that substantially overlap with 122 letters in opposition, in part, due to the project's proposed size generally and when compared to the landmark, reduced views to the landmark property, not fully meeting the Secretary of the Interior's Standards for Rehabilitation, inadequate exterior material details, removal of cast iron fencing which is a character-defining feature. The Department received 27 letters in support.
- **6. Planning Code Compliance.** The Commission has determined that the proposed work is compatible with the exterior character-defining features of the subject property and meets the requirements of Article 10 of the Planning Code in the following manner:
 - A. Article 10 of the Planning Code. Pursuant to Section 1006.6 of the Planning Code, the proposed alteration shall be consistent with and appropriate for the effectuation of the purposes of this Article 10.

The proposed project is consistent with Article 10 of the Planning Code.

- B. Secretary of the Interior's Standards. Pursuant to Section 1006.6(b) of the Planning Code, the proposed work shall comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties for significant and contributory buildings, as well as any applicable guidelines, local interpretations, bulletins, or other policies. Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):
 - (1) **Standard 1**: A <u>property</u> shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The proposed project does not propose a change in use and the existing facility would continue to be a residential care facility as it has been since opening in 1925. Aside from some minor repairs to the Julia Morgan Building, Caretaker's Cottage, and perimeter iron fence, the proposed project does not require changes to the building's character-defining features in order to maintain its continued use as a residential care facility. Currently, the primary entrance to the site via the Julia Morgan Building does not meet Americans with Disabilities Act (ADA) requirements, therefore an alternative ADA-compliant entrance would be provided off Francisco Street from the curb cut into the Health Center. Rather than make alterations to the front entrance of the Julia Morgan Building to make it ADA accessible, the proposed project would continue to use an alternative entrance while still maintaining the Julia Morgan Building entrance. Even if it is necessary to use a different primary entrance to meet ADA requirements given the slope of the pathways leading up to the Julia Morgan



Building, the center entrance to the Julia Morgan Building would retain its appearance as a main primary entrance to the facility and would still function as an entrance.

Therefore, the proposed project is in conformance with Standard 1.

(2) **Standard 2:** The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The proposed project would change the character of the property by constructing additions on the site that are taller and have larger footprints than the existing additions. The renovation and exterior addition to the Perry Building would result in a minimal change to the overall features and spaces that characterize the property because, for the most part, the proposed changes would modify this non-historic addition that is located along the western edge of the site. The Perry Building is the addition behind the Julia Morgan Building located along the rear of the property in a location that has minimal effect on the Julia Morgan Building. From Laguna Street, the Perry Building is almost completely obscured by the Julia Morgan Building itself. Therefore, alterations and additions to the Perry Building would affect the setting minimally due to its existing location at the site's eastern edge at the rear of the property, as shown in Sheet A4.01 of the plans provided as Exhibit B.

Construction of the new 40-foot-tall Bay Building in the approximate location of the 22-foottall Perry Building Connector would cause some alterations to the overall character of the property due to it being taller and having a larger footprint than the structure it would replace (Sheet A4.01, Exhibit B). The four-story massing of the Bay Building would be taller than the existing two-story massing of the Perry Building connector and would therefore be more visually prominent on the site. Additionally, while the north elevation of the Julia Morgan Building and the Perry Building Connecter are aligned with each other, the Bay Building would have a larger footprint and its north elevation would project further north towards Bay Street. In order to provide some space between the massing of the Bay Building and the Julia Morgan Building, a 29 foot-tall glass hyphen that is slightly recessed from the north elevation of the Julia Morgan Building would provide a separation between the two buildings.

The biggest change in the character of the property would take place along the southern portion of the site where the one-story Health Center is currently located. Demolition of the 15-foot-tall Health Center and construction of the 40-foot-tall Francisco Building would somewhat alter the setting of this portion of the site, because the four-story massing would be a large new structure near the three-story Julia Morgan Building (refer to Sheet A4.01, Exhibit B). However, the massing of the new Francisco Building would be set back from Laguna Street approximately 15.5 feet further than the existing Health Center so as to almost be aligned with the rear roof gable of the Julia Morgan Building's south elevation projection. Pushing this taller massing of the Francisco Building farther east would maintain the primacy of the Julia Morgan Building. Although the new Francisco Building would be taller than the existing Health Center, it would still have a generous setback from the Laguna Street public right-of-way (or 66 feet 10 inches from the front property line) and would be visually separated from the Julia Morgan Building.



Despite these project-related alterations to the property that would cause changes to some of the features and spaces that characterize the property overall, the most prominent views of the Julia Morgan Building would only be slightly affected. The character-defining front lawn would remain intact, as would the overall massing and configuration of the Julia Morgan Building. Additionally, the new additions and alterations would connect with the Julia Morgan Building's northeastern edge, in the location already altered by the Perry Building Connector. Therefore, the character-defining features related to the Julia Morgan Building's overall form would remain intact, including its regular massing and intersecting fixed roof, U-shaped plan with north and south wings, as well as all the decorative detailing on all elevations and the front lawn. Additionally, none of the identified character-defining features of the Caretaker's Cottage at the northeast corner of the property would be removed and its historic character would be retained and preserved.

Therefore, there are elements of the proposed project that are in conformance with Standard 2, but certain other elements of the project that aren't entirely in conformance with this standard.

(3) **Standard 3:** Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.

The project does not propose any alterations to the identified character-defining features of the Julia Morgan Building or the Caretaker's Cottage that would be conjectural or would incorporate architectural elements from other buildings. The contemporary design of the new construction would not give the impression of a false sense of historical development and would be understood as contemporary additions.

Therefore, the proposed project is in conformance with Standard 3.

(4) **Standard 4:** Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

As discussed above, the subsequent additions to the subject property that were added over time have been evaluated and determined to not be historically significant; the Perry Building, Perry Building connector, and the Health Center do not contribute to the significance of the subject property. Additionally, the central courtyard and fountains located east of the Julia Morgan Building and the rear courtyard located east of the Perry Building are also not historically significant themselves and are non-contributing features of the subject property. As discussed above, these buildings and landscapes are all additions and alterations that were added to the site after 1957 and do not have strong associations with the Society's earliest social welfare mission. Additionally, while some of the additions and alterations may have been designed by architects and landscape architects of merit, they are not the best or most representative examples of their larger bodies of work. Therefore, demolition of the Perry Building Connecter and Health Center, and alteration and addition to the Perry Building and central courtyard is in conformance with Standard 4 because these portions of the site are not historically significant. The only additional part of the property that is historically significant is the Caretaker's Cottage that was constructed in 1928-1929. The proposed project would retain the Caretaker's Cottage in its existing location and none of its associated



character-defining features would be altered. The portions of the property that are historically significant would be retained and preserved.

Therefore, the proposed project is in conformance with Standard 4.

(5) **Standard 5:** Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property shall be preserved.

A number of character-defining features of the Julia Morgan Building and Caretaker's Cottage reflect the distinctive features, finishes, and construction techniques that characterize these resources. The distinctive features of the Julia Morgan Building include the structural brick exterior walls, slate roof shingles, operable divided-lite windows (including stained glass windows in the ground floor chapel area), and terra cotta details, among others. The proposed project would retain and repair, as necessary, the distinctive features of the Julia Morgan Building described in the list of character-defining features, and would include any necessary repairs as described in the project description.

Other distinctive features and finishes of the site that would remain include the iron fence on a brick base along the front lawn and the rough stone exterior cladding of the Caretaker's Cottage.

Therefore, the proposed project is in conformance with Standard 5.

(6) **Standard 6:** Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

As part of the proposed project, the Julia Morgan Building would require regular maintenance and repair of exterior features. The distinctive historic features would be repaired rather than replaced. Additionally, as described below in Mitigation Measure M-CR-1: Best Practices and Construction Monitoring Program for Historic Resources (Exhibit C), any accidental damage to the identified historic resources caused by construction of the proposed project would need to be repaired in conformance with the Secretary's Standards.

Therefore, the proposed project is in conformance with Standard 6.

(7) **Standard 7:** Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

The proposed project does not anticipate the use of any chemical or physical treatments that would cause damage to any historic materials.



Therefore, the proposed project is in conformance with Standard 7.

(8) **Standard 8:** Significant **archeological resources** affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Archeological resources are addressed in the Cultural Resources section of the Mitigation Monitoring and Reporting Program(MMRP)(Exhibit C). As stated in the MMRP, the proposed project could result in a significant impact to archeological resources and requires implementation of Mitigation Measure M-CR-2: Archeological Monitoring Program. Mitigation Measure M-CR-2 is proven to either avoid or lessen impacts to archeological resources through monitoring, stop work procedures and investigation and interpretation of significant resources. With implementation of Mitigation Measure M-CR-2, the proposed project would be in conformance with this standard.

Therefore, the proposed project is in conformance with Standard 8.

(9) **Standard 9:** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the <u>property</u>. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the <u>property</u> and its environment.

The proposed project includes the demolition of two existing buildings (the Perry Building Connector and Health Center), and renovation of two existing buildings on the property (the Perry Building and the Julia Morgan Building). Demolition of the Perry Building Connector and Health Center, and renovation and additions to the existing Perry Building, which are not historically significant, would not cause the demolition of any historic materials that characterize the historic property. However, there would be the potential for inadvertent damage during construction from the construction equipment, specifically vibration caused by construction equipment. Construction vibration impacts are addressed in the Noise section of the MMRP. Mitigation Measure M-NO-1: Protection of Adjacent Building/Structures and Vibration Monitoring During Construction requires any damage from construction be repaired to pre-existing conditions in consultation with a qualified historic preservation professional and planning department preservation staff. Therefore, the proposed project would be in conformance with this standard as it relates to potential damage during construction. With the addition of Mitigation Measure M-CR-1, Best Practices and Construction Monitoring Program for Historic Resources, as described below, the project sponsor would be required to develop a list of measures to be included in construction contract specifications to avoid accidental damage to historic resources from other construction activities. With Mitigation Measures M-NO-1 and M-CR-1 applied to the project, the proposed project would be in conformance with this standard.

In general, the proposed project would include additions and alterations to the overall site that are in locations that do not affect the historical integrity of the property and its environment. New construction would be limited to locations where there have already been alterations in the past, such as in the locations east and south of the Julia Morgan Building where there are currently non-historic additions and non-historic courtyards. The footprint of the new Bay Building would encroach on some areas that are currently occupied by the central courtyard in the middle of the property and the parking lot to the north of the property. Both areas are not considered character-



defining features and do not contribute to the significance of the property. Similarly, the new Bay Building would be located roughly on the footprint of the Health Center (which is proposed to be demolished), on a part of the property that is not historically significant.

The new construction would connect the proposed Bay Building with the Julia Morgan Building only at the point where there is already a connection, at the rear eastern end of the northern wing. This allows the retention of the Julia Morgan Building's character-defining "Ushaped" plan. Therefore, the footprint of the new construction would be limited to areas that allow for the retention of the most important and historically significant portions of the site, including the Julia Morgan Building and its front lawn, and the Caretaker's Cottage.

Modifications to the Julia Morgan Building would include some removal of non-historic features that currently detract from the character of the north elevation. The heating and cooling equipment and loading dock that extend from the Julia Morgan Building's current north elevation would be removed. Other interior and exterior renovations to the Julia Morgan Building would rehabilitate and repair existing features of the historic property and would not destroy any of the historic materials that characterize the property.

The height of the new Francisco Building would be no greater than 40 feet (excluding rooftop appurtenances), but taller than the existing Health Center; therefore, there would be a four-story structure where there is currently only a one-story structure. The height of the new four-story Francisco Building would roughly match the height of the roof peak of the Julia Morgan Building. This additional height and massing would somewhat block the view of the Julia Morgan Building from certain vantage points along Francisco Street and would somewhat impose on the setting of the Julia Morgan Building along the southern portion of the property, compared to existing conditions. However, as mentioned in Standard 2, the footprint of the new Francisco Building would not extend as far west (approximately 15.5 feet less) as the existing Health Center and instead would be aligned approximately with the rear roof gable of the south façade projection on the Julia Morgan Building, allowing for increased visibility of the southern elevation from other vantage points.

On a similar note, the massing of the new Bay Building at the northern side of the property would extend farther north into the property than the existing footprint of the Perry Building Connector. The existing Perry Building Connector's north elevation is aligned with the rear north wing of the Julia Morgan Building and is less visible from the Laguna Street vantage point than the new Bay Building would be (see Figures 2-10 and 2-11 in Chapter 2, Project Description). This project-related change would not directly affect any of the identified character-defining features of the Julia Morgan Building. However, the height and location of this new massing would affect the setting of the original building in this location because it would start to encroach on the Julia Morgan Building's primacy from certain vantage points. To reduce the effect of the proposed Bay Building's massing on the Julia Morgan Building, a 29-foot-tall, two-story glass connecting hyphen would connect the Bay Building and the Julia Morgan Building. The materials, massing, and location of this glass hyphen is intended to provide a sensitive connection to the Julia Morgan Building as well as a transition to the taller mass of the new Bay Building. This glass hyphen would be slightly recessed from the north elevation of the Julia Morgan Building so as to provide a reveal between the historic building and the new connection. The use of glass as a material for the hyphen would allow for a



transparent wall at the only location where the proposed new development would actually connect with the Julia Morgan Building. The glass hyphen would also be two stories tall, so as to align with the bottom of the roof line of the Julia Morgan Building and allow for a more gradual transition to the taller four-story massing of the new Bay Building.

The proposed materials and fenestration of the new construction on-site would be contemporary but would not be incompatible with the regular rhythm of punched openings and brick façade of the Julia Morgan Building or the stone construction of the Caretaker's Cottage. The new construction would feature a ground floor finished in Roman style brick and upper floors of a preweathered metal panel system. The elevations of the new construction would be broken up into bays through the use of different colored panels and slight recesses in the elevations. This would help visually reduce the overall bulk of the new construction's massing since it would break up the elevations into discrete portions. The pattern of openings would also be primarily of vertically oriented punched openings with fixed and double casement windows. Overall, the use of solid materials, such as metal panels and Roman brick, and regularly spaced punched openings of vertically oriented windows, would be compatible with the character of the on-site historic resource without mimicking it.

The most important feature of the Julia Morgan Building's setting, the front lawn, would remain intact. The front lawn affords the most important views of the Julia Morgan Building from vantage points along Laguna Street from Bay to Francisco streets. The front lawn also provides the necessary setback to maintain the primacy of the Julia Morgan Building on the site. Additionally, the location of the front lawn and its relationship to the Julia Morgan Building reinforces the importance of the site's primary entrance that is located directly in the center of the Julia Morgan Building's west elevation, a building that is itself centered in the middle of the front lawn. The proposed new structures on the property would not interrupt the symmetrical and hierarchical aspects of the property along Laguna Street, from the front lawn and its curvilinear pathway, to the entrance centered on the Julia Morgan Building. From the most important views, the proposed new structures would recede into the background or be entirely out of view (see Figures 2-11 and 2-12 in Chapter 2, Project Description). Although the proposed new construction would add some visual impositions, the Julia Morgan Building would retain its prominence on the site thanks in part to the generous setback provided by the front lawn.

Therefore, while there are elements of the project that are in conformance with Standard 9, as outlined above there are other proposed project elements that aren't entirely in conformance with this standard.

(10) **Standard 10**: New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic <u>property</u> and its environment would be unimpaired.

Because the location of the proposed new structures and alterations would take place on portions of the property that are not historically significant, the new construction would not affect any parts of the property that relate to its historic significance. The additions would connect with the Julia Morgan Building in the location where there already is an existing connection; thus, reducing the physical alterations required to connect the Julia Morgan Building with the new construction. Other



areas of the property, such as the front lawn and Caretaker's Cottage would also not be affected by the new construction. If in the future, the proposed project were to be removed, the Julia Morgan Building and front lawn, and Caretaker's Cottage would maintain their essential form and integrity and would be unimpaired.

Therefore, the proposed project is in conformance with Standard 10.

C. Landmarks. Article 10 of the Planning Code outlines specific findings for the Commission to consider when evaluating applications for alterations to Landmarks or within designated Historic Districts.

Landmarks

1. Pursuant to Section 1006.6(c) of the Planning Code, for applications pertaining to landmark sites, the proposed work shall preserve, enhance or restore, and shall not damage or destroy, the exterior architectural features of the landmark and, where specified in the designating ordinance pursuant to Section 1004(c), its major interior architectural features. The proposed work shall not adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting, nor of the historic district in applicable cases.

The project is, on balance, in conformance with Article 10, and as outlined in Appendix A, as the work shall not adversely affect the Landmark site through its removal of two non-contributing buildings that either abut the Julia Morgan Building to the rear or are in close proximity to the Julia Morgan Building. As discussed above, the Julia Morgan Building's prominent front lawn setting would remain intact and construction of two new four-story buildings are found compatible in location, size, and finishes and in the case of the new north-side Bay Building, obscured from the Laguna Street right-of-way, or in the case of the new south-side Francisco Building, setback significantly from the front property line. Further, the limited interior renovations will not alter or obscure character-defining features, and the project will include general maintenance and repair of the Julia Morgan Building; and compatible site alterations at non-contributing areas. Therefore, the project in its entirety, is found to not adversely affect the special historic and architectural significance of the landmark, its site and setting.

7. General Plan Compliance. The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT concerns the physical character and order of the city, and the relationship between people and their environment.

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3



Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

Policy 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the subject property for the future enjoyment and education of San Francisco residents and visitors.

- **8.** Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:
 - A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:
 - The project site does not possess any neighborhood-serving retail uses. The Project provides 109 residential care units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.
 - B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The Project will strengthen neighborhood character by respecting the character-defining features of the building in conformance with the Secretary of the Interior's Standards thereby preserving an iconic historic landmark with high architectural, cultural, and historical significance. The Project would provide 109 residential care units, thus resulting in an overall increase of residents in the neighborhood. The Project is consistent with the Article 10 of the Planning Code and Urban Design Element. For these



- reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.
- C) The City's supply of affordable housing will be preserved and enhanced: The Project does not currently possess any existing affordable housing.
- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:
 - The Project Site is served by nearby public transportation options. The Project is within one block of 28, 30, 30X, 43, and 91 MUNI bus route. Future residents would be afforded proximity to a bus line. The Project also provides off-street parking at the principally permitted amounts and sufficient bicycle parking for residents and their guests. Sponsor will continue to work with Planning and SFMTA to create a Driveway and Loading Operations Plan for the facility.
- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:
 - The Project does not include commercial office development and will not displace any industrial or service sector uses. By expanding the existing residential care facility use, the Project will enhance future employment opportunities in the service sector.
- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
 - The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.
- G) That landmark and historic buildings will be preserved:
 - The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the Interior's Standards. The project proposes minimal alterations of the interior, which will ensure continued viability for the historic building.
- H) Parks and open space and their access to sunlight and vistas will be protected from development:
 - The building expansion will not be more than 40 feet tall but would not be of sufficient bulk to cast substantial shadow. Although the Project may cast shadow on the adjacent public parks and open spaces, Moscone Park and Fort Mason Park are still afforded access to sunlight, which should not dramatically affect the use and enjoyment of this park. Therefore, no shadow effects would ensue as a result of the proposed project.
- 9. For these reasons, the proposal overall, appears to meet the Secretary of the Interior's Standards and the provisions of Article 10 of the Planning Code regarding Major Alterations.



Decision

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby APPROVES WITH CONDITIONS a Certificate of Appropriateness for the subject property located at Lot 003 in Assessor's Block 0471 for proposed work in conformance with the architectural submittal dated March 19, 2025 and labeled Exhibit B on file in the docket for Record No. 2022-009819COA.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days after the date of this Motion No. 494. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135). For further information, please contact the Board of Appeals in person at 49 South Van Ness Ave, Suite 1475 or call (628) 652-1150.

Duration of this Certificate of Appropriateness: This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on April 17, 2025.

Jonas P Ionin Digitally signed by Jonas P Ionin Date: 2025.05.08 15:28:54 -07'00'

Jonas P. Ionin Commission Secretary

AYES: Baroni , Baldauf, Vergara, Foley, Matsuda

NAYS: Nageswaran

ABSENT: Wright

ADOPTED: April 17, 2025



EXHIBIT A

Authorization Update

This authorization is for a Certificate of Appropriateness to allow Alterations located at 3400 Laguna Street, Block 0471, and Lot 003 pursuant to Planning Code Section(s) 1006 within the RM-1 District and a 40-X Height and Bulk District; in general conformance with plans, dated March 19, 2025, and stamped "EXHIBIT B" included in the docket for Record No. 2022-009819COA and subject to conditions of approval reviewed and approved by the Historic Preservation Commission on April 17, 2025 under Motion No. 494. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Historic Preservation Commission Motion No. **494** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Certificate of Appropriateness and any subsequent amendments or modifications.

Severability

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

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Historic Preservation Commission approval of a new Certificate of Appropriateness. In instances when Planning Commission also reviews additional authorizations for the project, Planning Commission may make modifications to the Certificate of Appropriateness based on majority vote and not required to return to Historic Preservation Commission.

Extension

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

Conditions of Approval

- 1. Architectural Review Committee. Prior to submittal of any building permit application, the project shall return to the Architectural Review Committee (ARC) to receive direction on final massing and architectural details.
- 2. Transformer Vault Location. Department preservation staff continue to explore alternative transformer vault



placement, subject to PG&E approval, with priority for sub-surface installation east of the front steps and pathways identified as "Secondary Significance" in the Page & Turnbull Significance Diagram excerpt (Exhibit F of Executive Summary); surface installation located further east of the front steps and pathways and adjacent to the new four-story construction (Bay Building); then sidewalk installation. If the previously mentioned locations are determined to be infeasible by PG&E or Department of Public Works, the location shown on Sheet A1.12 of the Plans (Exhibit B) may be permitted with appropriate height and species landscaping as determined by Department preservation staff in consultation with the HPC President.

3. Potential Window Replacement. In the event the project sponsor's qualified preservation consultant that meets the Secretary of the Interior's Professional Qualification Standards identifies original windows deteriorated beyond repair and confirmed by Department preservation staff, the proposed window replacement shall be subject to submittal and approval of an Administrative Certificate of Appropriateness (ACOA) pursuant to Historic Preservation Commission Motion No. 0486, Delegation of Minor Scopes of Work to the Planning Department. Prior to any proposal to replace existing windows, the project sponsor shall provide an existing conditions window survey containing interior and exterior photos of all windows of the Julia Morgan building and proposed repair and/or replacement.



HERITAGE ON THE MARINA

REVISED PRJ REVIEW SET - MARCH 19, 2025

SHEET LIST

#	Sheet	Sheet Name	#	Sheet	Sheet Name
0		COVER	16	A2.02	LEVEL 2
1	C1.0	EXISTING CONDITIONS PLAN	17	A2.03	LEVEL 3
2	C1.1	EXISTING CONDITIONS PLAN	18	A2.04	LEVEL 4
3	C1.2	EXISTING CONDITIONS PLAN	19	A2.05	ROOF
4	C2.0	CONCEPTUAL SITE PLAN	20	A4.01	OVERALL ELEVATIONS
5	C3.0	CONCEPTUAL GRADING PLAN	21		ENLARGED ELEVATIONS
6	C4.0	CONCEPTUAL UTILITY PLAN	22		HYPHEN DETAIL
7	C5.0	CONCEPTUAL STORMWATER MANAGEMENT PLAN	23	A4.02	SUPPLEMENTAL INFORMATION
8	C6.0	CONCEPTUAL SECTIONS	24	A4.03	SUPPLEMENTAL INFORMATION
9	C7.0	CONCEPTUAL TRAFFIC CONTROL PLAN	25		COMPOSITE VISUALATION - VIEW A
10	A1.10	SITE - EXISTING	26		COMPOSITE VISUALATION - VIEW B
11	A1.12	SITE - PROPOSED	27		COMPOSITE VISUALATION - VIEW C
12	A1.13	SITE - PROPOSED LANDSCAPE	28		COMPOSITE VISUALATION - VIEW F
13	A1.14	SITE - TREE SURVEY	29		COMPOSITE VISUALATION - VIEW J
14	A2.00	LEVEL B1	30		COMPOSITE VISUALATION - VIEW K
15	A2.01	LEVEL 1			The second secon

PROJECT DATA

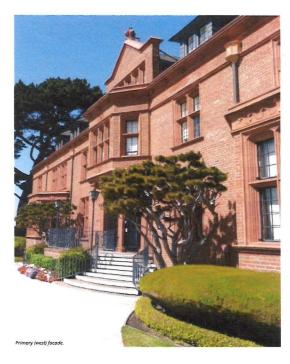
Address: 3400 Laguna Street
Record Number: 2024-001869PRJ
Zoning District: RM-1 - Residential-Mixed, Low Density
Height and Bulk District: 40-X

Block/Lot: 0471/003 Lot size: 68,000 SF Building Height: 40 feet

OWNER INFORMATION

Property Owner: San Francisco Ladies Protection and Relief Society

Project Component	Existing	Proposed	Net Change
Number of Building(s)	5	5	0
Maximum Building Stories	4	4	0
Building Gross Square Feet	83,200	141,580	58,380
Garage Square Feet	0	8,042	8,042
Off-Street Parking Spaces	17	36	19
Off Street Resident Parking Spaces	0	11	11
Off Street Employee Parking Spaces	16	16	0
Off Street Visitor Parking Spaces	0	5	5
Off Street ADA Parking Spaces	1	4	3
Off-Street Loading Spaces	2	1	-1
On-Street Parking Spaces	28	19	-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
Bicycle Parking Spaces Exterior	4	3	-1
Bicycle Parking Spaces Interior (basement)	0	18	18



PROJECT DESCRIPTION

The approximately 68,000-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 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

GENERAL NOTES

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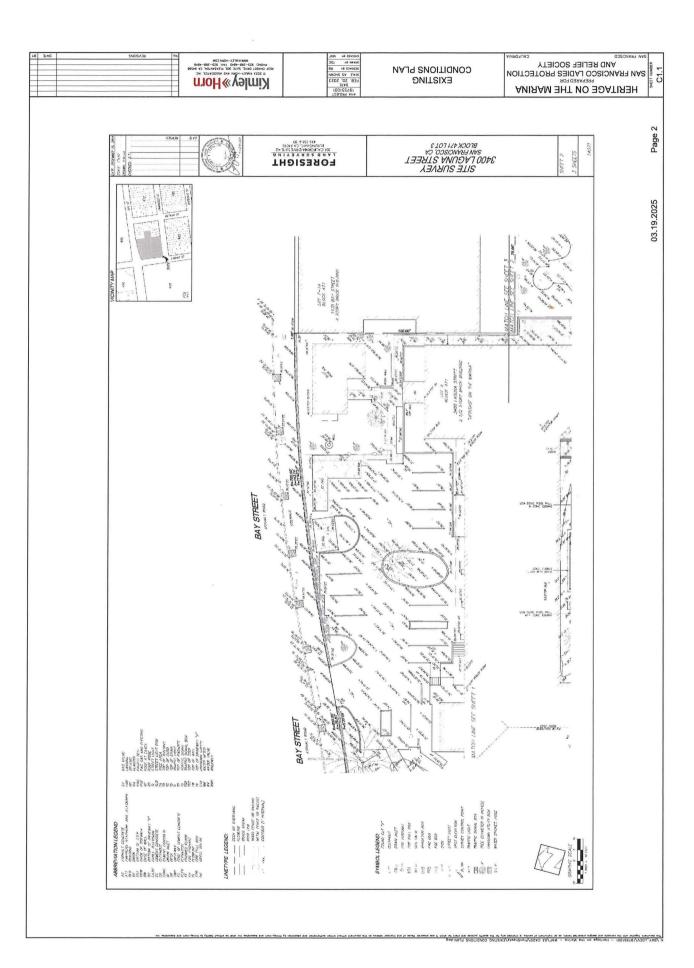
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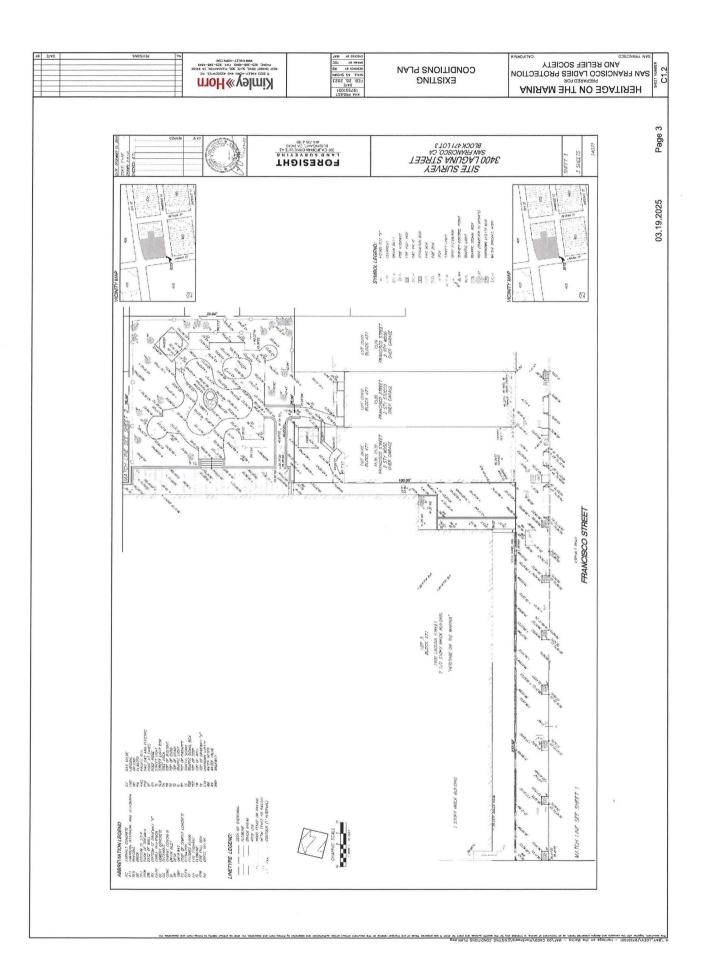
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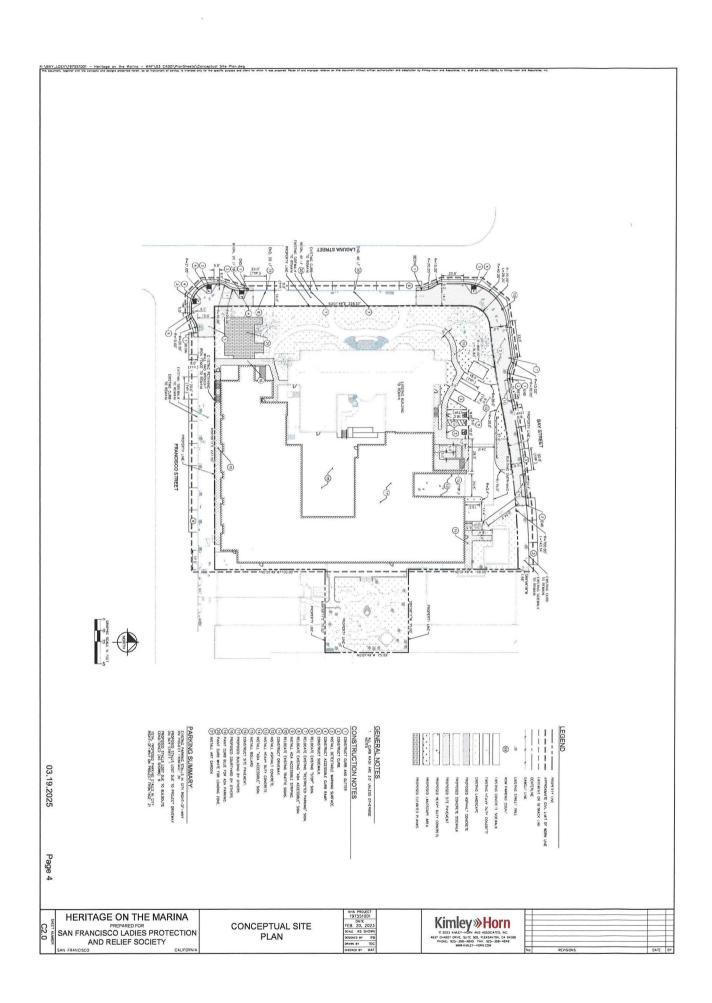
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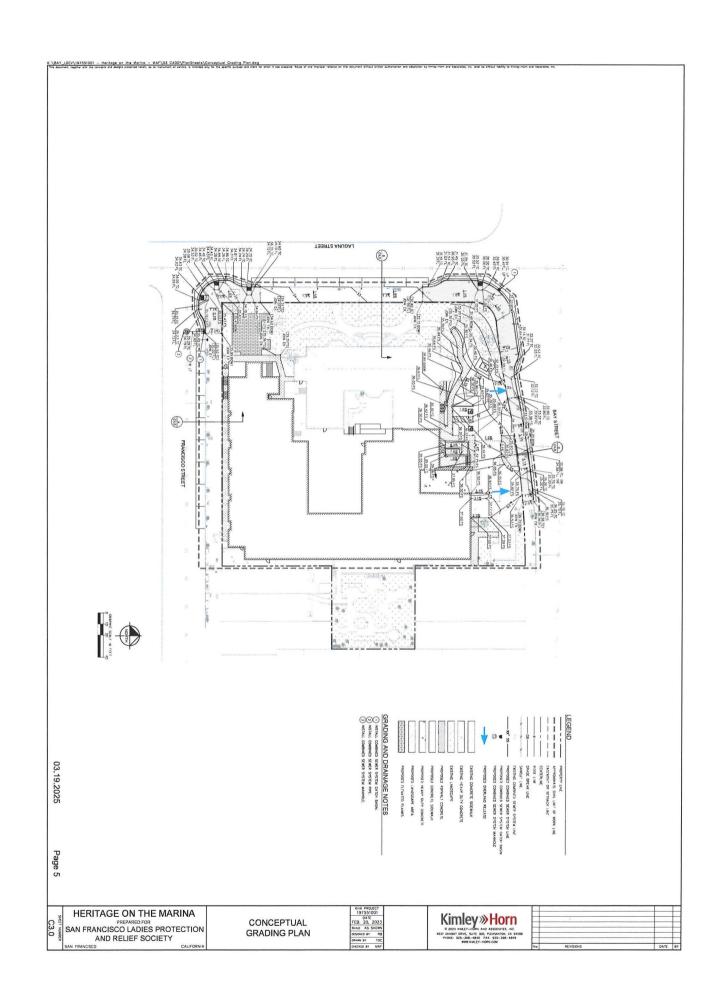
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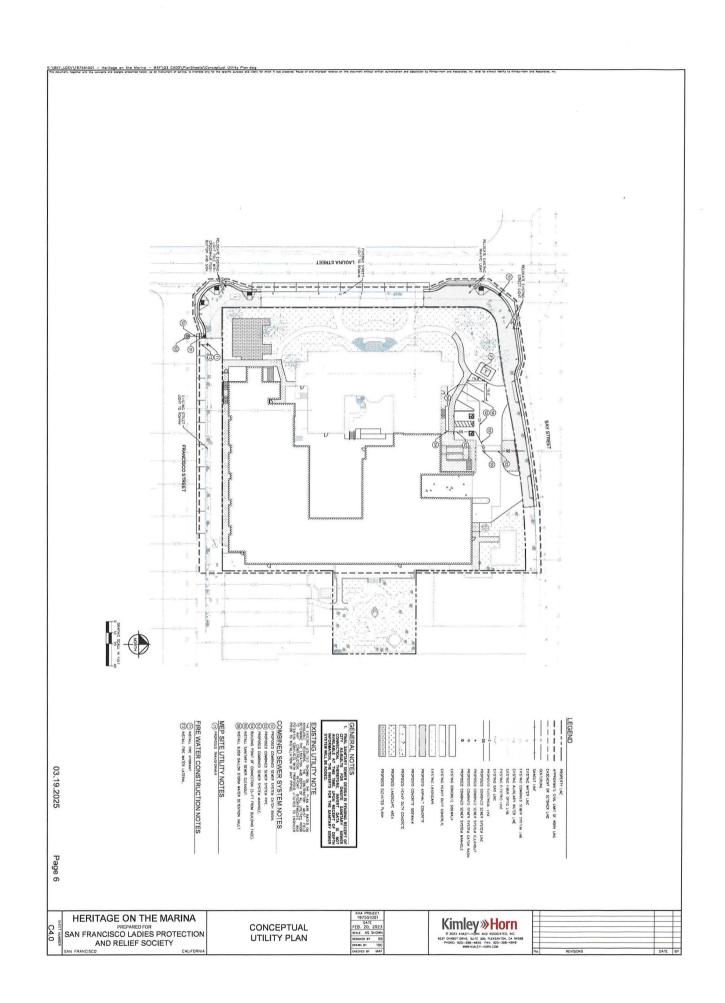
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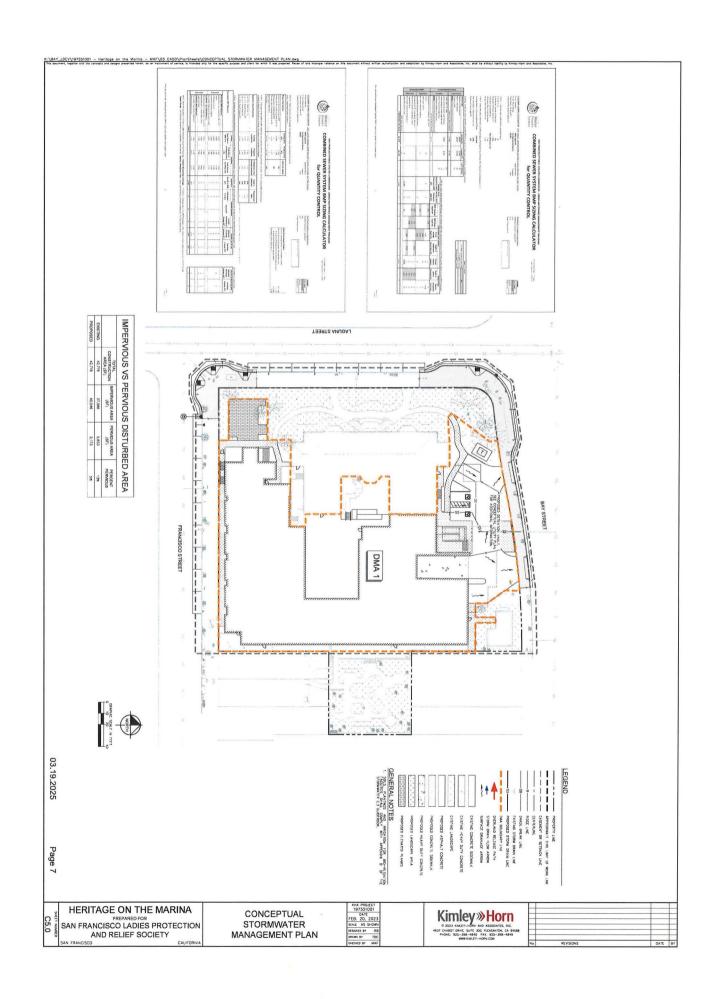




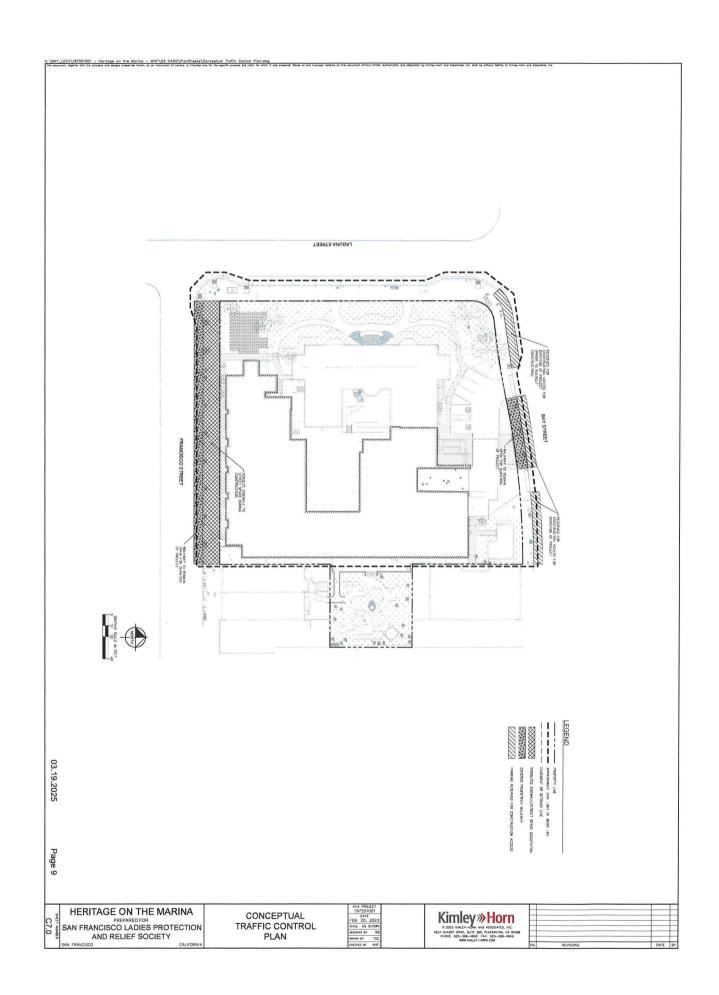


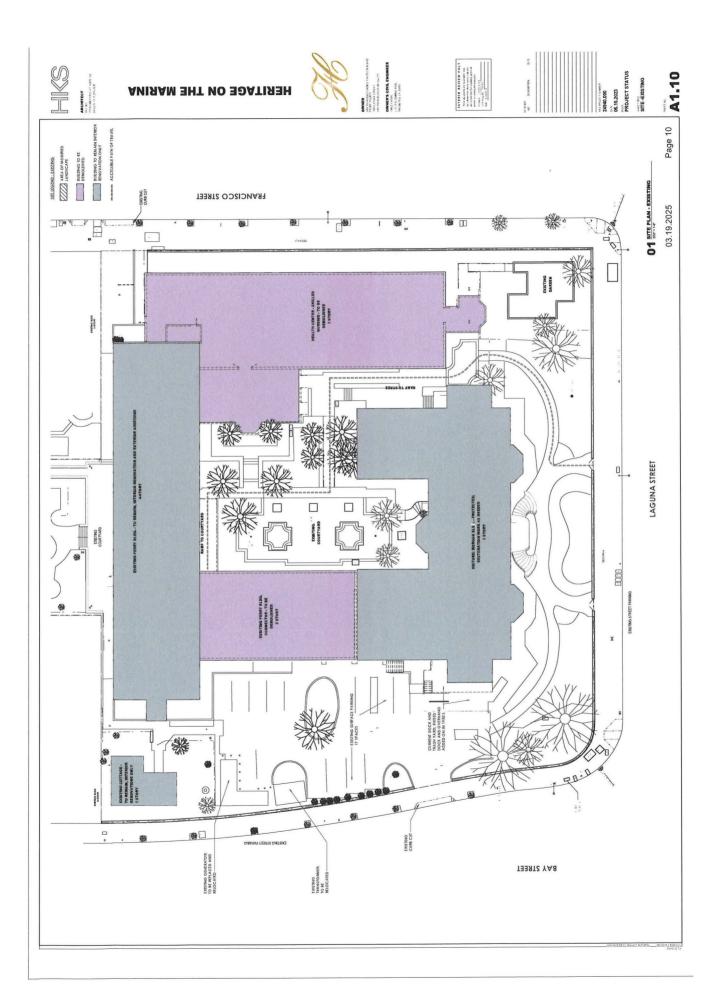


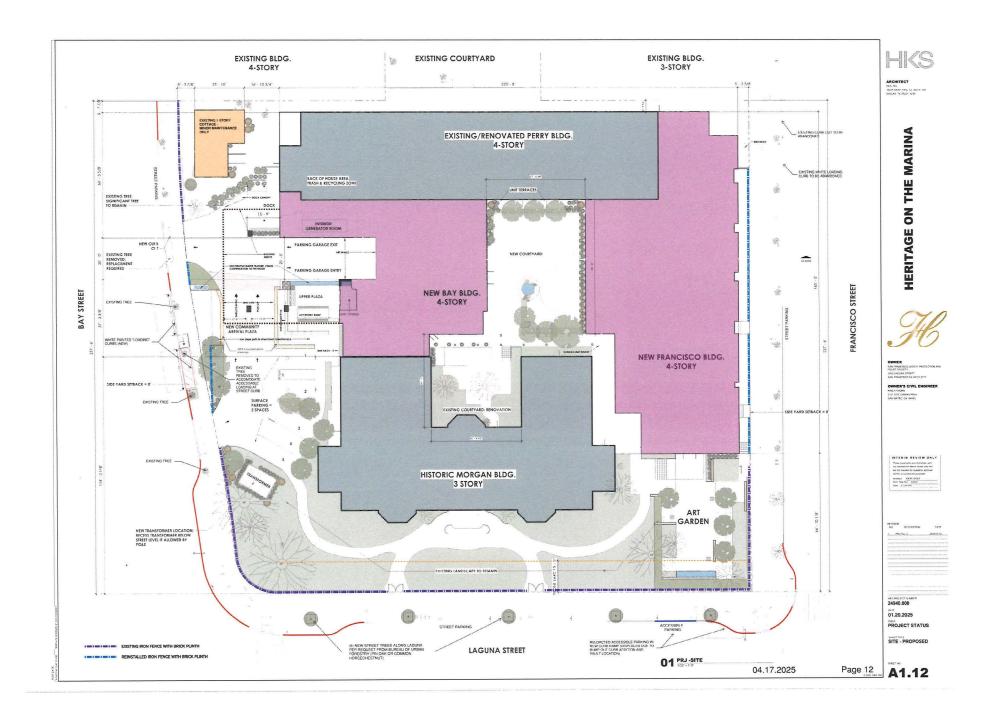


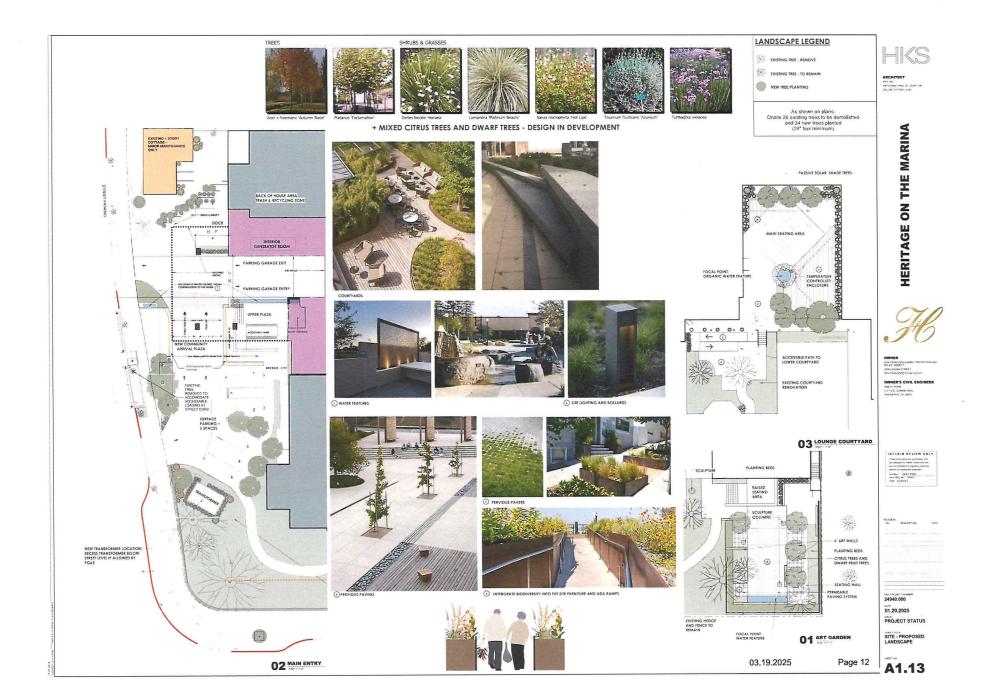


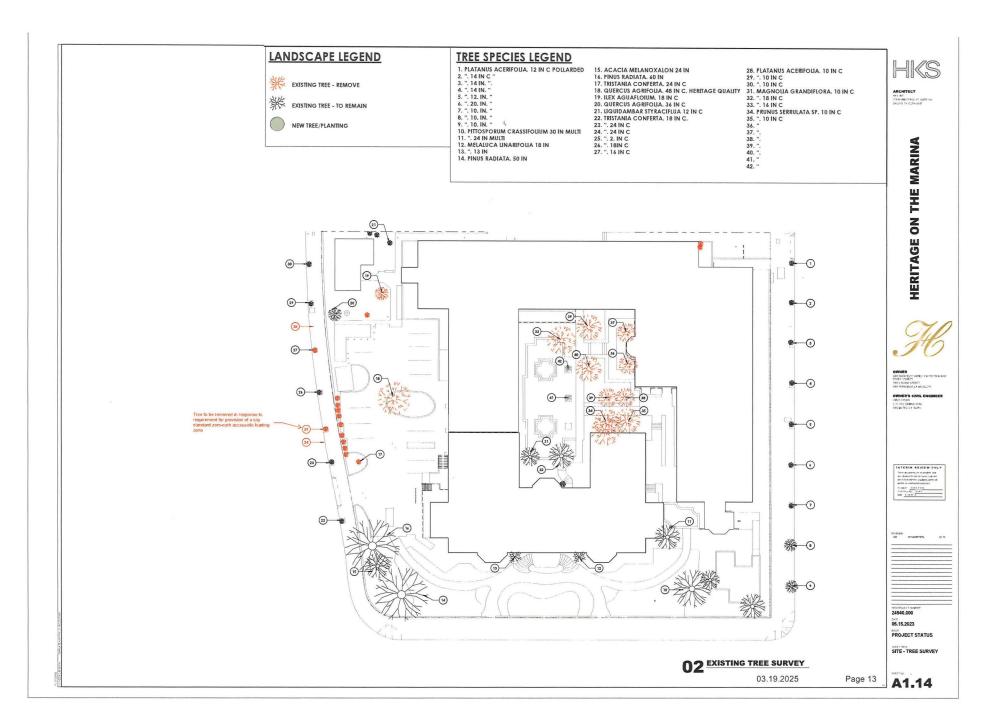


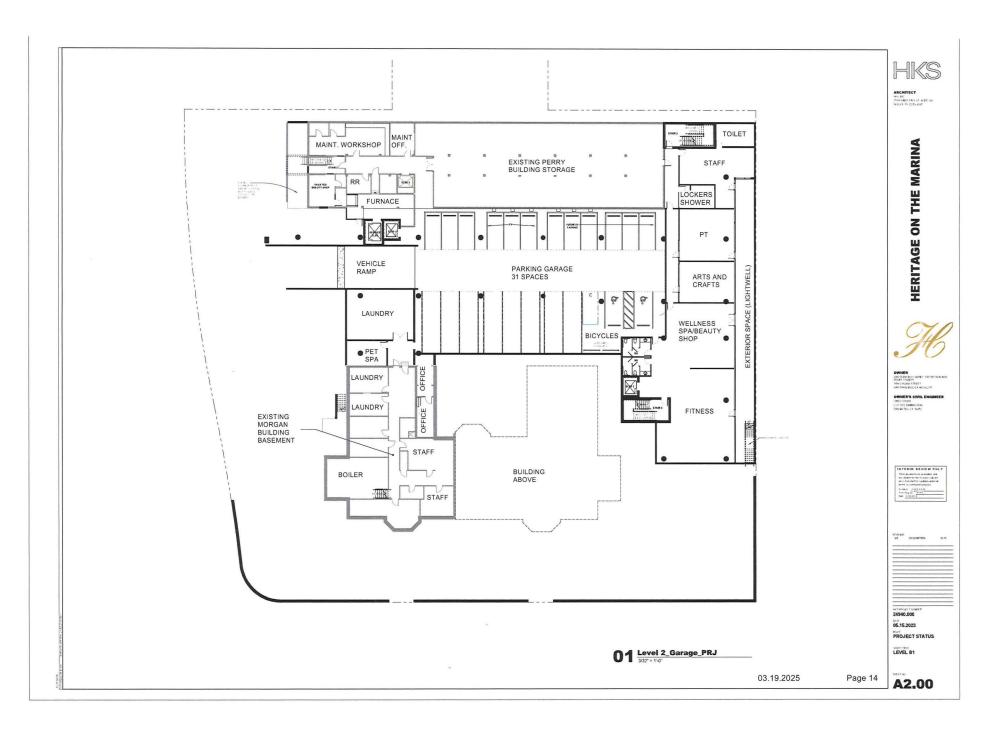


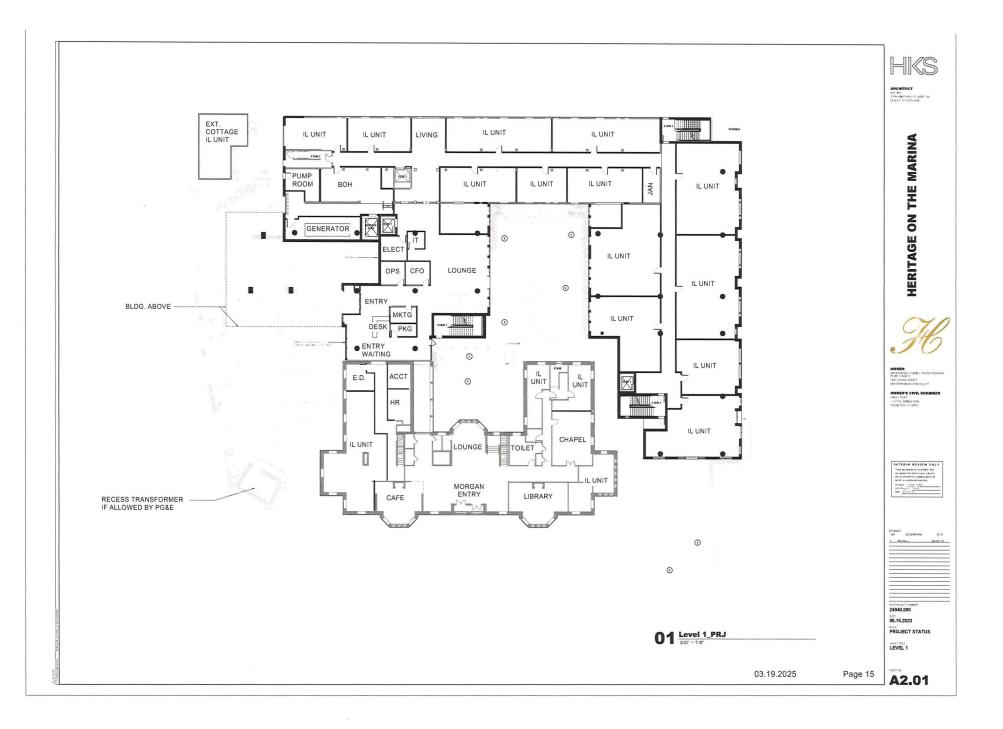


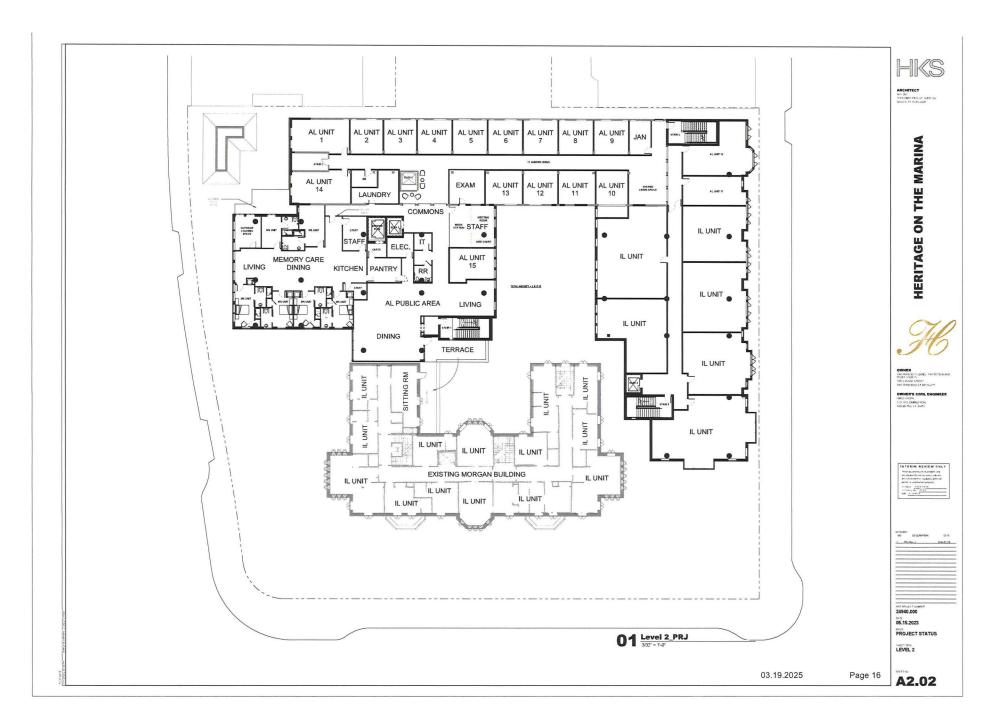


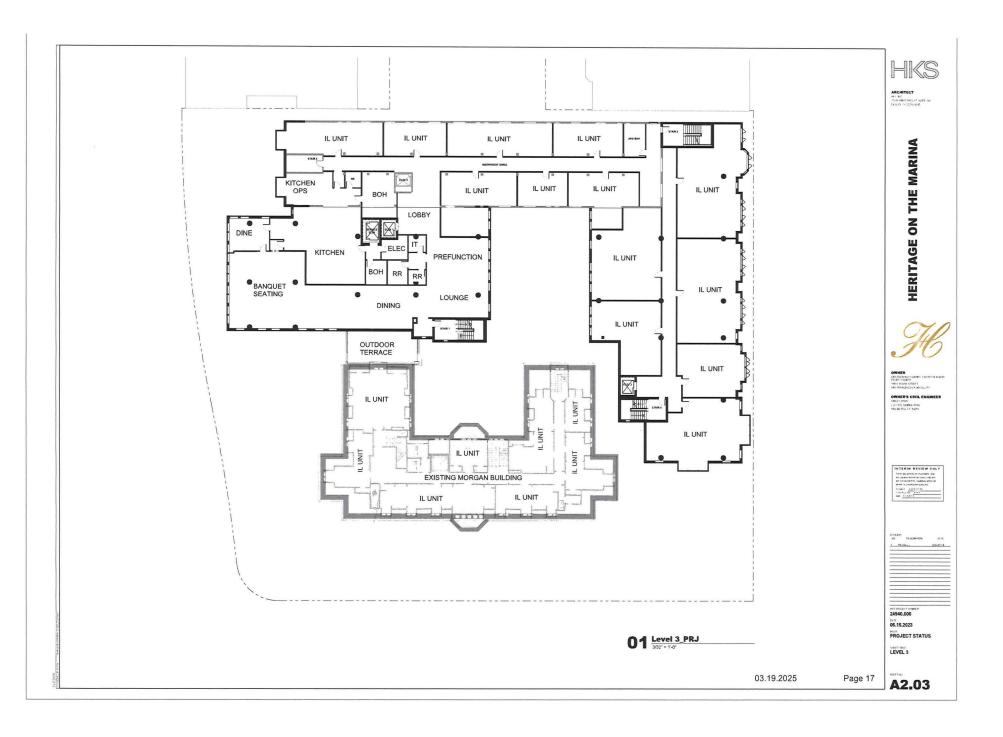


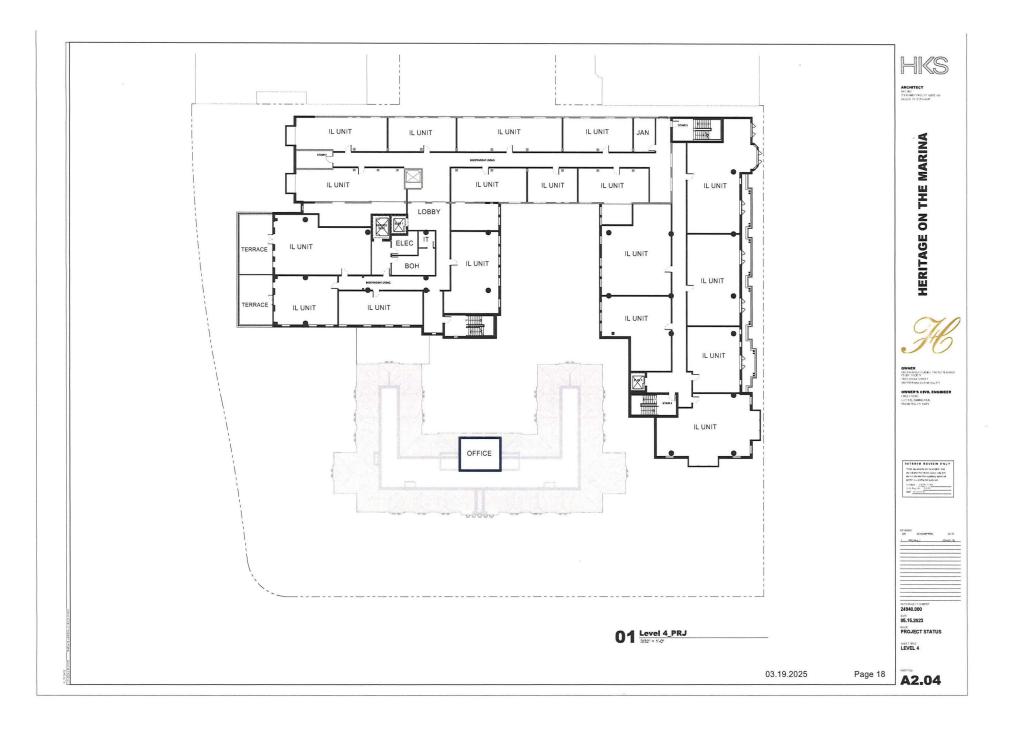


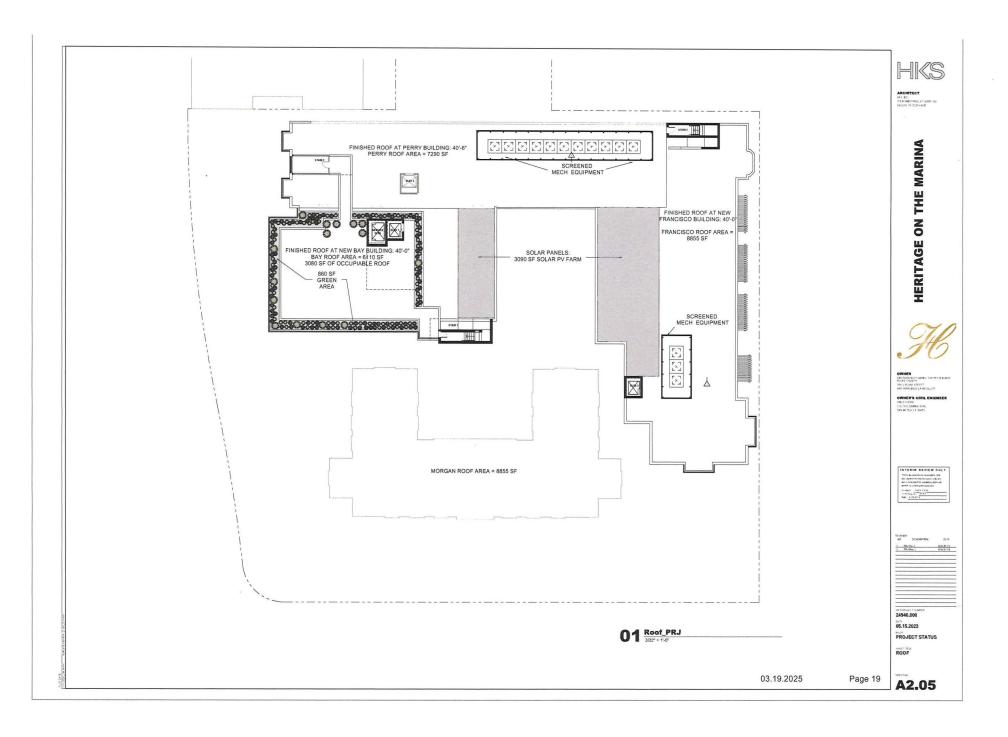














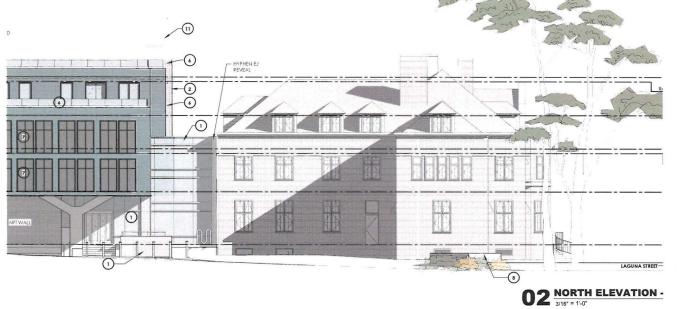














ELEVATION MATERIAL LEGEND

- WINDOW WALL SYSTEM WILL COMPLY WITH BIRD SAFETY REQUIREMENTS
- METAL PANEL SYSTEM PRE-WEATHERED ZINC
- 3 BRICK ROMAN STYLE, CREAM GOLOR
- 4 ALUMINUM SOFFIT SYSTEM WOOD COLOR
- 5 MECHANICAL EQUIPMENT ROOF SCREENS
- 6 GLASS RAILING
- 7 ALUMINUM WINDOW
- 8 DECORATIVE LANDSCAPE SCREENING WALLS
- 9 PERGOLA
- 10 STUCCO WALL SYSTEM SMOOTH FINISH



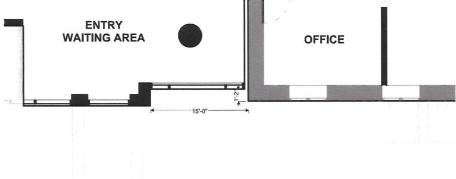


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SOUTH ELEVATION -

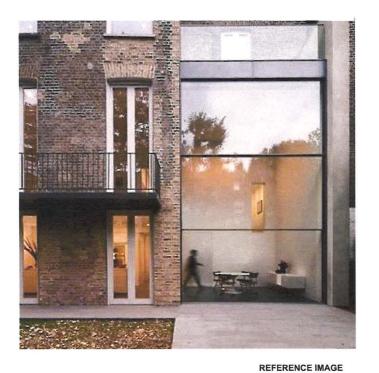
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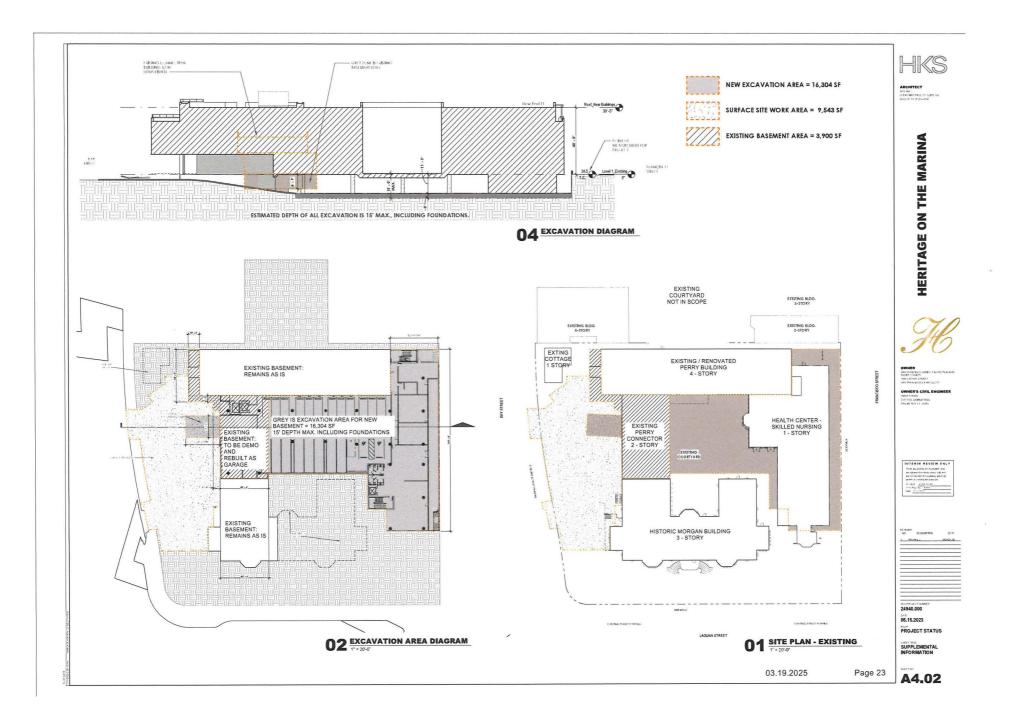
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- 9 PERGOLA
- (10) STUCCO WALL SYSTEM SMOOTH FINISH



PLAN DETAIL

03.19.2025









PROPOSED



EXISTING



HKS HERITAGE ON THE MARINA

03.19.2025





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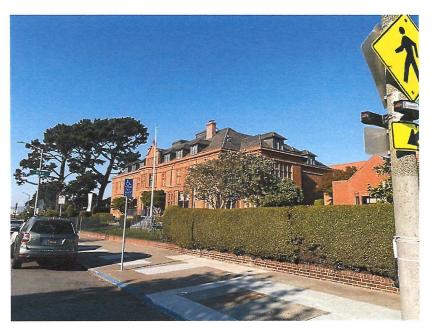
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03.19.2025



1201 Third Ave Suite 4900 Seattle, WA 98101

VENDOR: 220327-002

San Francisco Planning Department

CHECK NO: **2214928**

 INVOICE DATE
 INV. NO
 COMMENT
 INV. AMOUNT

 05/14/2025
 20250514A
 Appeal Fee
 763.00

 TOTAL CHECK AMOUNT
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Perkins Coie 1201 Third Ave Suite 4900 Seattle, WA 98101

U.S. Bank Seattle 1420 Fifth Avenue Seattle, WA 98101 19-10/1250

DATE 05/14/2025 CHECK NO. 2214928

AMOUNT **\$763.00

PAY Seven Hundred Sixty-Three and 00/100 Dollar(s)

TO THE ORDER OF

San Francisco Planning Department 49 S. Van Ness Ave., Suite 1400 San Francisco, CA 94103 PERKINS COIE
VOID IF NOT NEGOTIATED WITHIN SIX MONTHS

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