



Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

October 7, 2019

San Francisco Board of Supervisors
c/o Clerk of the Board of Supervisors
City and County of San Francisco
City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 OCT -7 PM 3:12

Re: 3333 California Street, San Francisco, CA
Appeal of Public Works Order No: 201952/Approval by SF Public Works of Tentative Final Map 9956
APN: 1032-003
PID: 9956
Planning Record Number: 2015-014028ENV/CUA/PCA/CAMAP/DVA

As President of Laurel Heights Improvement Association of San Francisco, Inc. (LHIA), I am authorized to file this Notice of Appeal and the accompanying appeal from Public Works Order No: 201952, approving Tentative Final Map 9956 on September 27, 2019 for the 3333 California Street project . I am authorized to act as agent of LHIA for all purposes of this appeal. A copy of the approval is attached as Exhibit A hereto.

Appellant LHIA and its officers submitted objections to the approval and comments to the Director of Public Works orally and in writing at the September 18, 2019 Public Works Hearing and also submitted those objections in writing before that hearing. The face page of those written comments is attached as Exhibit B hereto.

Members of LHIA reside in properties that are within 300 feet of the 3333 California Street site on Laurel Street and Euclid Avenue as shown in the approximate annotations I have made on the map attached as Exhibit C hereto, and other LHIA members reside in properties nearby the 3333 California Street site. Members of LHIA will be affected by the construction and operational noise, traffic, air emissions, impairment of the historical resource, excavation, destruction of trees and other impacts caused by the proposed project.

Laurel Heights Improvement Association of SF, Inc.

Kathryn Devincenzi

By: Kathryn Devincenzi, President

EXHIBIT A

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

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BY _____



Date: Sept 27, 2019
PID: 9956

THIS IS NOT A BILL.

London N. Breed
Mayor

Mohammed Nuru
Director

Bernard Tse
Bureau of Street Use & Mapping
Acting Manager

Bruce R. Storrs P.L.S.
City and County Surveyor

Bureau of Street Use & Mapping
1155 Market St., 3rd floor
San Francisco, CA 94103
tel (415) 554-5827

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

This is a notice regarding the tentative approval of a subdivision of real property at the following location:

Address: 3333 California
APN: 1032-003

Public Works hereby approves Tentative Final Map 9956, being a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial mixed use new condominium project on stated parcel.

This notification letter is to inform you of your right to appeal this tentative approval. If you would like to file an appeal of this approval, you must do so in writing with the Clerk of the Board of Supervisors **within ten (10) days of the date of this letter** along with a check in the amount of **\$351.00**, payable to SF Public Works.

The Clerk of the Board is located at: City Hall of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
<http://sfbos.org/>

Additional information for filing an appeal may be found at the Board of Supervisor's website, under the "Tentative Subdivision Map" link:
<http://sfbos.org/appeal-information>

For specific information about property history, zoning, planning applications, building permits, and more, please visit the Department of City Planning's website:
<http://propertymap.sfplanning.org/>

If you have any further questions on this matter, our email address is:
Subdivision.Mapping@sfdpw.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce R. Storrs".

Bruce R. Storrs, P.L.S.
City and County Surveyor
City and County of San Francisco

City and County of San Francisco



London N. Breed, Mayor
Mohammed Nuru, Director

San Francisco Public Works

GENERAL - DIRECTOR'S OFFICE

City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.SFPublicWorks.org



Public Works Order No: 201952

The Tentative Map Application, received on April 9, 2019, together with subsequent supplemental data as requested by the City is approved subject to the following findings and conditions:

FINDINGS:

1. This Application requests approval of a phased subdivision project with 675 residential and 64 commercial condominium units on a total of 15 lots. The tentative map assigns to each lot a maximum permissible number of residential and commercial condominium units and dwelling units (non-condominium). As part of the submission of each phase final map, the Subdivider shall include a summary of the number of each type of unit associated with the subject final map and a cumulative project total number of units previously approved.
2. None of the conditions described in Government Code Sections 66474(a) through (g), inclusive, requiring denial of a tentative map, exist with respect to this subdivision, as documented and determined herein:

- a. *Govt. Code § 66474(a): That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.*

The Tentative Map is consistent with the General Plan, for the reasons described in Planning Commission Resolution No. 20514, and there is no applicable specific plan.

- b. *Govt. Code § 66474(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

The design and improvement of the proposed subdivision is consistent with the General Plan, for the reasons described in Planning Commission Resolution No. 20514, and there is no applicable specific plan, as detailed above in these findings.

- c. *Govt. Code § 66474(c) That the site is not physically suitable for the type of development.*

The site is physically suitable for the type of development. The FEIR evaluated potential environmental impacts associated with the development. All required mitigation measures identified in the FEIR's mitigation monitoring and reporting program ("MMRP") will be applied to the Tentative Map as a condition of this approval. The FEIR and corresponding mitigation measures address, among other issues, geotechnical and soils conditions.



- d. *Govt. Code § 66474(d) That the site is not physically suitable for the proposed density of development.*

The site is physically suitable for the proposed density of development. The density of development shown on the Proposed Tentative map, including up to 675 residential condominium units and anticipated commercial square footage, is consistent with the proposed 3333 California Street Special Use District (Planning Code, § 249.86) as described in Planning Commission Resolution No. 20514 recommending approval of the SUD and as evaluated in the FEIR.

- e. *Govt. Code § 66474(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

Neither the design of the subdivision nor the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat for the reasons described in the FEIR. The FEIR incorporates a comprehensive evaluation of biological resources, including fish and wildlife and their habitat. All feasible and applicable mitigation measures identified in the MMRP will be applied to the Tentative Map as a condition of this approval.

- f. *Govt. Code § 66474(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.*

Neither the design of the subdivision nor the type of improvements is likely to cause serious public health problems. Issues of public health, including, for example, geotechnical and soils stability, hazards and hazardous materials, and air quality impacts, were evaluated in the FEIR. All feasible and applicable mitigation measures identified in the MMRP will be applied to the Tentative Map as a condition of this approval.

- g. *Govt. Code § 66474(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

Neither the design of the subdivision nor the type of improvements will conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision. No such public easements for use or public access would be adversely affected by the proposed subdivision, and the Subdivider will be required to provide declarations on title as a condition of approval of the map as necessary for public access and use.

3. The proposed Tentative Map is within the scope of the Final Environmental Impact Report ("FEIR") for the 3333 California Street Mixed-Use Project (the "Project"), prepared pursuant to the California

Environmental Quality Act (Cal. Pub. Resources Code §§ 21000 et seq.), which was certified by the Planning Commission on September 5, 2019 in Motion No. 20512, finding that the FEIR reflects the independent judgement and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the responses to comments document contains no significant revisions to the Draft Environmental Impact Report that would require recirculation of the document pursuant to CEQA Guidelines Section 15088.5, and that the content of the FEIR and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. The Planning Commission also adopted findings, as required by CEQA, regarding the alternatives, mitigation measures, and significant environmental effects analyzed in the FEIR, a statement of overriding considerations for approval of the Project, and a proposed mitigation monitoring and reporting program (collectively, the "CEQA Findings", incorporated herein by reference), by Motion No. 20513.

4. The Planning Commission, by Resolutions Nos. 20514 and 20515 respectively recommended to the Board of Supervisors adoption of ordinances approving amendments to the Planning Code and Zoning Map and approving a Development Agreement between the City and County of San Francisco and the Subdivider. The term of the Tentative Map shall be for the longer of the term described in the Development Agreement, if adopted, or the term otherwise allowed under the Subdivision Code and Subdivision Map Act.
5. The Planning Commission in its Resolution No. 20514 found that this map is, on balance, consistent with the General Plan and Priority Policies listed in Planning Code Section 101.1(b)(1) - (8).
6. The Planning Department, in a letter dated September 12, determined that under Government Code § 66412.3 and 66473.1 that:
 - (a) The Tentative Subdivision Map will facilitate the development of housing in the City by providing up to 744 residential units, enhancing the City's supply of housing. The design of the proposed subdivision will complement the existing neighborhood character and the development of housing will not adversely impact the City's fiscal and environmental resources for its residents.
 - (b) The design of the proposed subdivision will provide, to the extent feasible, future passive or natural heating or cooling opportunities in the subdivision. To the extent feasible, the site layout and alignment of streets provides for southern facing windows and orients the buildings to maximize solar gains.
7. The Planning Department, for purposes of this approval action, relies on the CEQA findings that the Planning Commission adopted in Motion No. 20513, dated September 5, 2019.
8. The Tentative Map is subject to the mitigation measures adopted pursuant to Planning Commission Motion No. 20513, and as attached to these conditions.
9. Public Works held a hearing on the draft Tentative Map and Tentative Map Conditions on September 18, 2019.
10. The Subdivision meets and performs the requirements or conditions imposed by the California Subdivision Map Act and the City and County of San Francisco (CCSF) Subdivision Code and Regulations.

11. Approval of the Tentative Map is conditioned upon final approval by the Board of Supervisors and the Mayor of all project-related legislation.
12. The Tentative Map approval shall be effective upon execution by the Director of Public Works.

CONDITIONS:

SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY (SFMTA)

1. Subdivider shall coordinate with Muni to ensure that the project does not create obstacles to the eastbound bus service on California (Lines 1, 1BX) nor southbound bus service on Presidio (Line 43) during construction.
2. Subdivider shall ensure that Muni bus stops near the southeast corner of California and Laurel and near the southwest corner of California and Presidio (Lines 1, 1BX) remain accessible during project construction. The project sponsor will coordinate with SFMTA to guarantee that the bicycle lane on Euclid and the bicycle route (sharrow) on Presidio are clearly marked during project construction and are fully restored afterward.
3. Subdivider shall ensure that the adjacent sidewalks on the south side of California, and the west side of Presidio and Masonic, the north side of Euclid and the east side of Laurel are accessible during construction.

SAN FRANCISCO FIRE DEPARTMENT (SFFD)

1. Per the 2015 Subdivision Regulations, streets where the buildings will be greater than 40 feet in height, as measured from the lowest level of Fire Department vehicle access, shall have an unobstructed clear width of not less than 26 feet for aerial ladder access. Aerial ladder access is between 15 feet to 30 feet from building facade to truck turn table.
 - a. The fire access road shall continue for at least the entire frontage of the building, directly adjacent to the main building access.
 - b. Provide frontage streets lay-outs and sections, including but not limited to the clear width, travel lane, parking lane, bike lane, side walk, curb return radii and any traffic calming structures for Laurel St, 24th St and Masonic Ave shall meet fire vehicle access standards to the satisfaction of the SFFD.
2. Streets width needed to accommodate fire truck turn of 90-degrees shall be designed using the Latest Vehicle Templates developed by MTA. Fire trucks may encroach onto an oncoming traffic lane however, the lane must provide 7-ft. minimum refuge area for oncoming traffic.
 - a. Provide fire truck turning movements (turning templates) at all the intersections. Fire truck turning studies shall maintain a minimum 7 feet refuge between the truck and the adjacent curb or parking lane throughout the turning movement of the truck at all intersections.
3. Any modifications to the Fire Access Plan Dated May 11, 2018 and signed by Captain Michael Patt on August 27, 2019 must be reviewed and approved by SFFD.

SAN FRANCISCO PUBLIC UTILITIES COMMISSION (SFPUC)

WATER ENTERPRISE

LANDSCAPE IRRIGATION

1. If the project will install or modify 500 square feet or more of landscape area, then the project is required to comply with San Francisco's Water Efficient Irrigation Ordinance, adopted as Chapter 63 of the San Francisco Administrative Code and the SFPUC Rules & Regulations Regarding Water Service to Customers.
2. The project's landscape and irrigation plans shall be reviewed and approved by the SFPUC prior to installation.

WATER FIXTURE EFFICIENCY

1. This project is required to comply with the San Francisco Commercial or Residential Water Conservation Ordinance (San Francisco Building Code Chapter 13A and San Francisco Housing Code Chapters 12 and 12A). Additionally, please refer to Chapter 4 of the San Francisco Plumbing Code which sets maximum flow rates for plumbing fixtures such as water closets, urinals, showerheads and faucet aerators.

RESIDENTIAL WATER SUBMETERING

1. This project is required to comply with residential water submetering requirements set forth in the California Water Code (Division 1, Chapter 8, Article 5, Section 537-537.5) by Senate Bill 7 and enforced in San Francisco by the SFPUC. New construction of a multi-family residential structure or mixed-use residential and commercial structure must indicate on its site plans that each dwelling unit will be submetered as a condition of the site permit and water service. The SFPUC will review plans for compliance only for projects that apply for a site permit from DBI and for new water service from SFPUC after January 1, 2018.

ON-SITE NON-POTABLE WATER

1. This project is required to comply with San Francisco's Mandatory Use of Alternate Water Supplies in New Construction Ordinance, adopted as Chapter 12C of the San Francisco Health and Safety Code. Please refer to www.sfwater.org/np for requirements.

NON-POTABLE WATER USE FOR SOIL COMPACTION AND DUST CONTROL

1. CCSF Ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction or demolition. Recycled water is available from the SFPUC for dust control on roads and streets. However, per State regulations, recycled water cannot be used for demolition, pressure washing, or dust control through aerial spraying. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge. For more information please contact (415) 695-7378.

WATER DISTRIBUTION – CITY DISTRIBUTION DIVISION (CDD)

1. Subdivider shall clarify whether the proposed hydrant connecting off the Laurel Street water main is a private hydrant or a public hydrant. If it is a private hydrant, it shall be installed as a fire service.
2. All proposed water utility improvements shall be shown accurately and correctly on plans and shall be submitted to CDD Engineering for review.
3. Existing water mains shall be shown accurately on the plans. The following water mains should be revised on applicable sheets (C3.0, C6.0). Please reference the attached water maps.
 - a. 8-inch water main on Laurel Street
 - b. 8-inch to 20-inch bypass on California Street, on the west property line of Walnut Street
 - c. 6-inch to 8-inch main connection on Laurel Street south of Euclid Avenue
 - d. 6-inch to 8-inch main connection on Masonic Avenue south of Euclid Avenue
4. Proposed water service laterals on Laurel Street shall connect to an approved water main and not connect to the sewer line on Laurel Street (C6.0).
5. Proposed water service laterals shall be a minimum of five (5) feet away from trees, measured from the outside edge(s) of the water service lateral pipe(s) to the centerline(s) of the tree(s) and shall meet all applicable requirements in the regulations listed below (C6.0).
6. Proposed water service lateral locations must allow for standard meter and box placement in the sidewalk. Note that all locations are subject to SFPUC review and approval (C6.0).
7. Proposed hydrants in the public right of way are subject to SFFD and SFPUC review and approval and must meet all applicable requirements in the regulations listed below (C6.0).
8. All improvements required by SFFD, including but not limited to AWSS, shall be shown on the plans and submitted for review by CDD.
9. All proposed hydrants in the public right of way are subject to SFFD and CDD review and approval.
10. Subdivider shall clarify whether the (E) DW service on Euclid Avenue, approximately 110 feet east of the east property line of Laurel Street, is to remain or be removed (C6.0).
11. To ensure the welfare and safety of people and structures in the City and County of San Francisco, Subdivider shall design all applicable water facilities, including potable, fire-suppression, and non-potable water systems, to conform to the current CDD and San Francisco Fire Department (SFFD) standards and practices. These include, but are not limited to, the following:
 - a. CDD Standard Specifications for the Installation of Ductile Iron Water Mains
 - b. 16-Inches and Smaller (December 2016 or Latest Revision);
 - c. CDD Standard Plans (December 2016 or Latest Revision);

- d. SFPUC Asset Protection Standards (May 2017 or Latest Revision);
 - e. SFPUC Rules and Regulations Governing Water Service to Customers (September 2016);
 - f. San Francisco Fire Code (2016);
 - g. California Safe Drinking Water Act; and
 - h. California Code of Regulations Titles 17 and 22.
12. In addition to conforming to pertinent SFPUC, CDD and SFFD standards, a hydraulic analysis will be required to confirm adequacy of water distribution system for both potable, non-potable and fire use. If current distribution system pressures and flows are inadequate, Subdivider shall be responsible for any water distribution system improvements required to meet the proposed project's water demands.
13. Additionally, a capacity fee shall be assessed for the entire project. To initiate this process, please contact the SFPUC Customer Service Bureau at 415-551-2900.
14. To ensure adequate fire suppression reliability and capacity, Subdivider may be required to include construction of one or more of the following: two sources of water delivery (connections to two separate potable water mains), low pressure fire hydrants, and AWSS high pressure distribution piping and hydrants.

SFPUC-WASTEWATER ENTERPRISE (SFPUC-WWE)

1. Subdivider shall provide anticipated peak storm and sanitary flow calculations (in GPM) at each point of connection. For storm flow calculations, see the 2015 San Francisco Subdivision Regulations.
2. Any modifications that affect street flow, including but not limited to sidewalk bulb outs, altered/moved catch basins, sidewalk widening, etc. will require an analysis of street flow. The analysis shall be provided by Subdivider and submitted to SFPUC WWE for review and approval.
3. Proposed sidewalk changes are not approved by SFPUC-WWE Collection System Division unless any existing manhole(s) within sidewalk extension or bulb out is relocated. Refer to SFPUC Asset Protection Standards S2.a "Sidewalk extensions, bulb outs, curbs and gutters shall not be built in the same location as existing manholes." The face of any new curb shall be horizontal offset from the outside edge of any manhole frame by a minimum of 18 inches.
4. Subdivider shall provide both existing and proposed utility drawings. Show all existing and new lateral connections on drawings. Clearly identify all sewer lateral diameters and material. Each building shall have own sewer/storm lateral constructed per City Std plan 87,196. Sewer vents shall be located 2-ft behind proposed face of curb.
5. In addition, Subdivider shall replace any existing sewer laterals within the sidewalk widening limits to comply with sewer vent location which shall be within 2-ft behind proposed face of curb (refer to comment 4).
6. Existing laterals shall be replaced according to SFPUC standards. Proposed lower laterals shall be minimum 6" diameter for single-family residential occupancy and minimum 8" diameter for multi-family residential or commercial occupancies. Lower laterals shall be at minimum 2% slope.

7. Reuse of existing laterals shall not be allowed. All lateral connections shall be new and replaced to current SFPUC standards, regardless of as-found condition.
8. Sewer lateral requires 5-feet of clearance from outside of sewer lateral to centerline of tree basin.
9. Subdivider is responsible for designing and building at correct elevation to avoid flooding from overland flow.
10. All materials shall comply with latest available City standards or better, subject to approval by SFPUC.
11. All proposed force mains (if any) are considered private. SFPUC WWE responsibility starts at the connection point to SFPUC WWE assets.
12. Any increase in wastewater demand shall be submitted to the SFPUC for review and approval including but not limited expansion of property, change in usage, addition of units, etc. The capacity of the sewer system will need to be analyzed to ensure that it can accommodate the flows. The developer has the option of providing the analysis, or SFPUC can provide the analysis. If the developer does the analysis, it shall be submitted to SFPUC WWE for review and approval. If SFPUC does the analysis, the developer shall reimburse the SFPUC for personnel time. Note if capacity is limited, additional mitigation will be required from the project.
13. Construction activities such as pile driving, compaction, pipe jacking and large excavations can damage SFPUC WWE assets. If these activities take place, monitoring for vibration and settlement of SFPUC WWE assets will be required. A monitoring shall be submitted to SFPUC for review and approval.
14. Special foundations such as tie-backs, pressure grout/soil stabilization, etc., that encroach into public rights of way shall include pre and post CCTV inspection of SFPUC WWE assets to ensure no impact from project.
15. Pre- and post-construction videos of SFPUC WWE assets will be required if construction activities, such as the examples above, are performed. The videos shall be submitted in PACP format and reviewed by SFPUC WWE.
16. Dewatering discharge to the sewer system requires review and approval of SFPUC WWE.
17. All underground basement shall have a detailed permanent dewatering plan, including but not limited to water quality, estimated flow, etc.
18. SFPUC-WWE shall be notified prior to commencement of any construction activities.
19. Subdivider shall reimburse the City for all construction management fees and project oversight during construction.
20. All newly installed sewers shall be air tested and televised according to SFPUC standards. Contractor shall coordinate with SFPUC staff for field witness of CCTV and testing. SFPUC standards can be obtained prior to construction.
21. New manholes will require vacuum testing and new sewers will require either air testing (to applicable ASTM standards) or Focused Electron Leak Locator (FELL).

22. Subdivider shall provide manhole details including a requirement for contractor shop drawings. Provide manhole details including a requirement for contractor shop drawings.
23. Subdivider shall provide monitoring plan for potential settlement of surrounding utilities and buildings.
24. If development of the subject parcel or parcels create or replace 5,000 square feet or more of impervious surface, that development will be subject to the current SFPUC stormwater management regulations and Subdivider must submit a Stormwater Control Plan in compliance with those regulations to the SFPUC for review and approval.

SFPUC POWER ENTERPRISE - HETCH HETCHY POWER

1. Subdivider shall coordinate with the SFPUC to ensure that the project complies with San Francisco Administrative Code Section 99, which identifies certain types of development projects that present good opportunities for City electric service from the SFPUC.

PUBLIC WORKS - BUREAU OF STREET USE AND MAPPING – PERMITS AND INFRASTRUCTURE TASK FORCE

1. A Major/Street Encroachment is required for several of the proposed elements to be placed in the public right-of-way.
2. A Street Improvement Permit, part of the Major Encroachment Permit, is required for the reconstruction/reconfiguration of the public right-of-way.
3. Sidewalk legislation is not required for the reconfiguration of the curb alignment as all sidewalk changes can be addressed administratively under Ordinance No. 34-12
4. The Major Encroachment Permit shall address all street and significant tree removal and replacement as required from the Bureau of Urban Forestry.

PUBLIC WORKS - BUREAU OF STREET USE AND MAPPING – DIVISION OF SURVEYING AND MAPPING

1. In accordance with the Subdivision Regulations, Subdivider, as part of the Final Map Checkprint submission, shall prepare a spreadsheet matrix identifying in writing how all the conditions, including subsequent terms, modifications and refinements imposed through separate associated street improvement permits, have been satisfied, with reference to the date each was satisfied, and the method of satisfaction.
2. Prior to submitting a phased Final Map or Street Improvement Plans, a Project Phasing Plan must be submitted to Public Works for review and approval.
3. Subdivider shall submit Final Map applications in accordance with the Project Phasing Plan as approved by Public Works.
4. Any final map submitted must be in substantial conformance with tentative subdivision map (“Tentative Map”) and the number of vertical subdivisions (“Vertical Lots”) and residential and commercial condominiums shall not exceed the maximum numbers identified for each lot on the Tentative Map.
5. The Final Map title block shall indicate this project as: A # Lot Subdivision, # Vertical Lots, # Residential and # Commercial Mixed-Use New Condominium Project, being a Merger and Subdivision of The Certain

Real Property Described in that/those Certain, *state vesting document name, document number and recording information. For subdivision maps, include book and page of recordation.*

6. The recording information of all the Notice of Special Restrictions affecting the property shall be referenced on each Final Map, and a note added: "this subdivision is subject to the terms and conditions" of said recorded document.
7. Prior to submitting a Final Map Checkprint, Subdivider shall provide survey monument plan to be reviewed and approved by the City and County Surveyor. This plan shall incorporate sufficient elements both vertically and horizontally and based on the *City and County of San Francisco High 2013 Precision Network*.
8. The exterior Subdivision boundary shall be monumented to the satisfaction of the City and County Surveyor and in accordance with Appendix A of the 2015 CCSF Subdivision Regulations. Along right of way lines, provide monumentation on a six (6) foot offset line at each property corner extended. Additional monuments for internal lots shall be set where practical.
9. If the engineer or surveyor certifies on the map that the monuments will be set on or before a specified later date, security guaranteeing the payment of the cost of setting such monuments shall be provided with the Mylar submittal.
10. Subdivider shall provide for reciprocal easements between private lots subject to review and approval by Public Works, DBI and SFFD prior to approval of the Final Map to the satisfaction of the Director. Where appropriate the City shall be named as a third-party beneficiary to easements and shall review any subsequent amendment to the reciprocal easement agreement that affects the City's rights as a third-party beneficiary.
11. The following note shall be placed on each Phased Final Map containing vertical (airspace) parcels:

This subdivision of land contains a vertical subdivision of airspace. Vertical subdivisions often necessitate reciprocal easement agreements such as but not limited to access, maintenance, utilities, support, encroachments, emergency ingress and egress, permitted uses, no build zones, environmental hazards, etc. Some of these requirements may have rights or obligations required to comply with the Building Code and/or Subdivision Code to which the City and County of San Francisco is or should be a beneficiary. These often are not known with specificity at the time of mapping to be disclosed graphically on a survey map. Users of this map are therefore advised to consult their title company and legal counsel to determine whether adequate provisions exist and are sufficient and enforceable and include the City as a third-party beneficiary to ensure compliance with applicable law.
12. Final Maps shall maintain the horizontal datum as the "North American Datum of 1983: NAD83 (2011) 2010.00 Epoch" referenced by the "CCSF-2013 High Precision Network" (CCSF-HPN). Plane coordinates are based on the "City & County of San Francisco 2013 Coordinate System" (CCSF-CS13). The CCSF-CS13 is a low distortion projection designed for CCSF to provide plane coordinates in a ground system. (Book EE Records of Surveys Page 147-157 SFCR).
13. Subdivider shall not submit a Final Map check print showing more than 14 residential condominium units on Lot 1.
14. CAD Polygons of all associated parcels shall be provided along with each Final Map Mylar submittal.

15. Proposed Street CAD centerline segments shall be provided prior to earlier of issuing a street improvement permit, or submittal of a final map check print.
16. No Lot Line Adjustment Applications will be accepted prior to the Recordation of the final phased Final Map.
17. The "Lot Information" Table on each Final Map shall include the following information: Lot Number, Area, Assessor's Parcel Number, Use.
18. Subdivider shall be solely responsible for the proper protection, referencing, and replacement of existing survey markers and control monuments throughout the project area and adjacent affected neighborhoods until the project streets are accepted by the City.
19. Upon installation, Subdivider shall submit monument locations to the City and County Surveyor for official naming and inclusion in the City's records. Lost, destroyed and/or replaced survey control and monumentation shall be done in compliance the PLS Act and coordinated with the City and County Surveyor. Failure to comply with the provisions shall cause the County Surveyor to perform any required obligations under the Surveyor's Act. If the County Surveyor performs any such required obligations, the County Surveyor may recover such costs and expenses, including any attorney's fees, for such performances from Subdivider.
20. The Final Map Owner's Statement shall provide for all offers of dedication, easement designations.
21. Public Works shall not accept any retaining walls. All retaining walls, if any, shall be built on lands outside the public right of way. If any retaining walls are built on lands in the public right of way, such retaining walls would be subject to a major encroachment permit issued at the discretion of the Director of Public Works.
22. Prior to the approval of the Final Map, Subdivider shall provide a copy of the corporate resolution indicating authorized signatures on behalf of the corporation.
23. Easement Agreements shall be required for any public easements offered on the Final Map related to this Tentative Map. No Easement shall take effect until the recordation of said Easement Agreement. No easements not previously shown and approved on the Tentative Map shall be offered to or accepted by the City.
24. All Easement Agreements, Offers of Dedication, Offers of Improvements, Grant Deeds or any other documents shall be executed by Subdivider and submitted to Public Works prior to approval of the Final Map or Improvement Plans, whichever comes first, unless otherwise approved by the City. Review of the documents by the Director and City Attorney shall be concurrent with review and approval of the Amendment to the Public Improvement Agreement.
25. Unless the timing to satisfy any condition included in this approval is otherwise specified, including pursuant to a Public Improvement Agreement approved with the Final Map the Subdivider shall satisfy the condition upon the earlier to occur of the Subdivider's submission to Public Works of 100% improvement plan design, Public Works approval of the public improvement agreement or its equivalent as specified in the San Francisco Subdivision Code, or the Subdivider's submission of final Final Map Checkprint. Notwithstanding the above, if the Subdivider seeks a street improvement or excavation permit to perform construction of a discrete public improvement(s) or facility (ies) or other required

improvement on the public right-of-way in advance of a public improvement agreement or its equivalent, then any condition pertaining to that public improvement or facility or other such required improvement shall be satisfied prior to issuance of the street improvement or excavation permit.

All provision of the CCSF Subdivision Code, CCSF Subdivision Regulation, CCSF Mapping standards, CA Subdivision Map Act, and CA Professional Land Surveyors Act shall be complied with.

X

DocuSigned by:

Bruce Storrs

Storrs, Bruce^{97ABC41507B0494...}

City and County Surveyor

X

DocuSigned by:

Julia Dawson

Dawson, Julia^{AC312F8341B64A0}

Acting Director of Public Works

PROJ. NUMBER: 1906
 DATE: 11/15/19
 DRAWN BY: J. J. JAMES
 CHECKED BY: J. J. JAMES



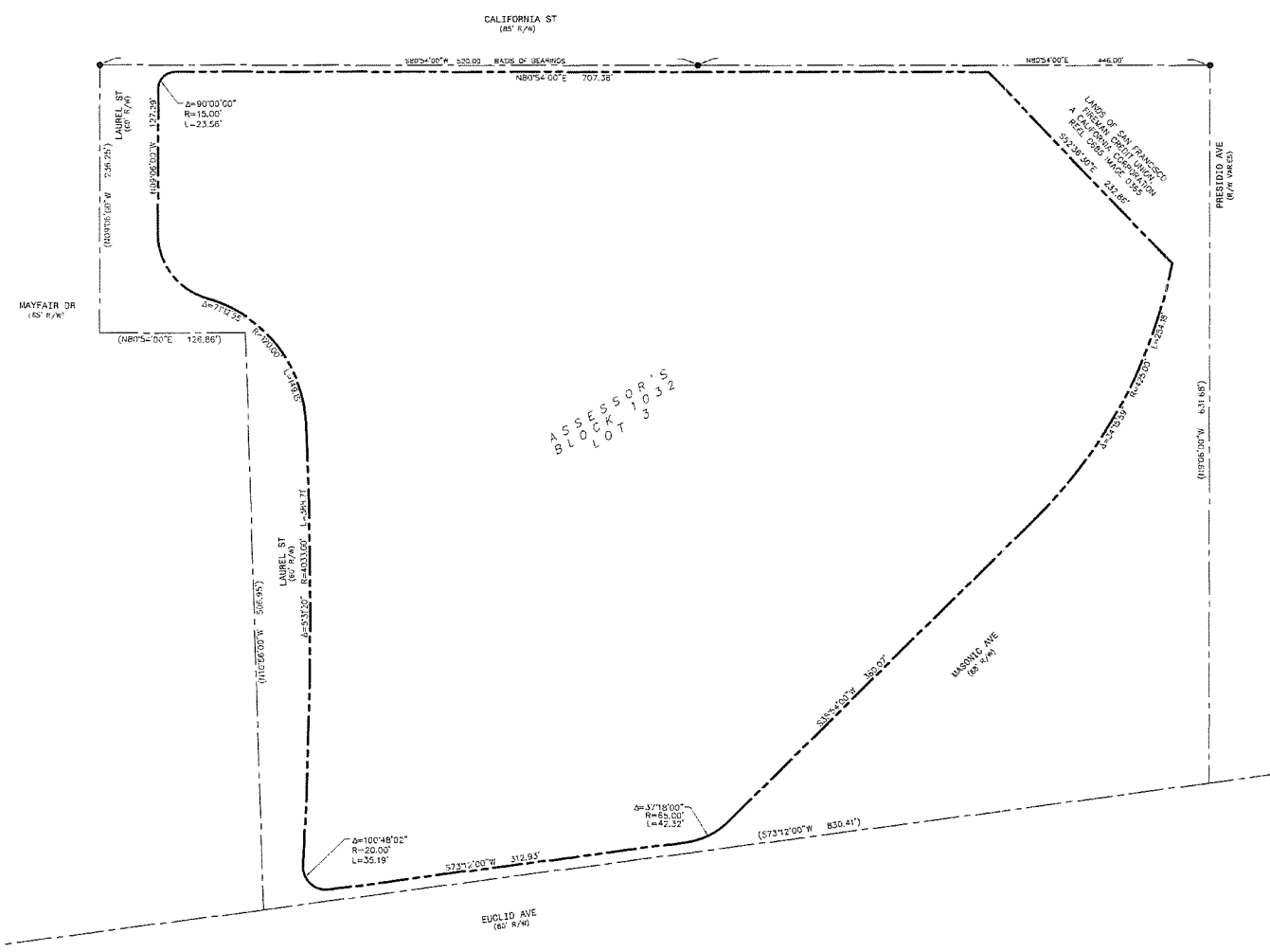
CALIFORNIA
 ENGINEERING FRANCHISE

**3333 CALIFORNIA STREET
 TENTATIVE FINAL MAP 9566
 EXISTING BOUNDARY SURVEY**

SAN FRANCISCO
 CALIFORNIA

| DATE | BY | REVISION |
|----------|-------------|-------------|
| 11/15/19 | J. J. JAMES | PRELIMINARY |
| 11/15/19 | J. J. JAMES | FINAL |

C2.0



| | |
|---------------|------------|
| DATE | 02/26/2013 |
| BY | JK |
| PROJECT | |
| NO. OF SHEETS | |

SAN FRANCISCO

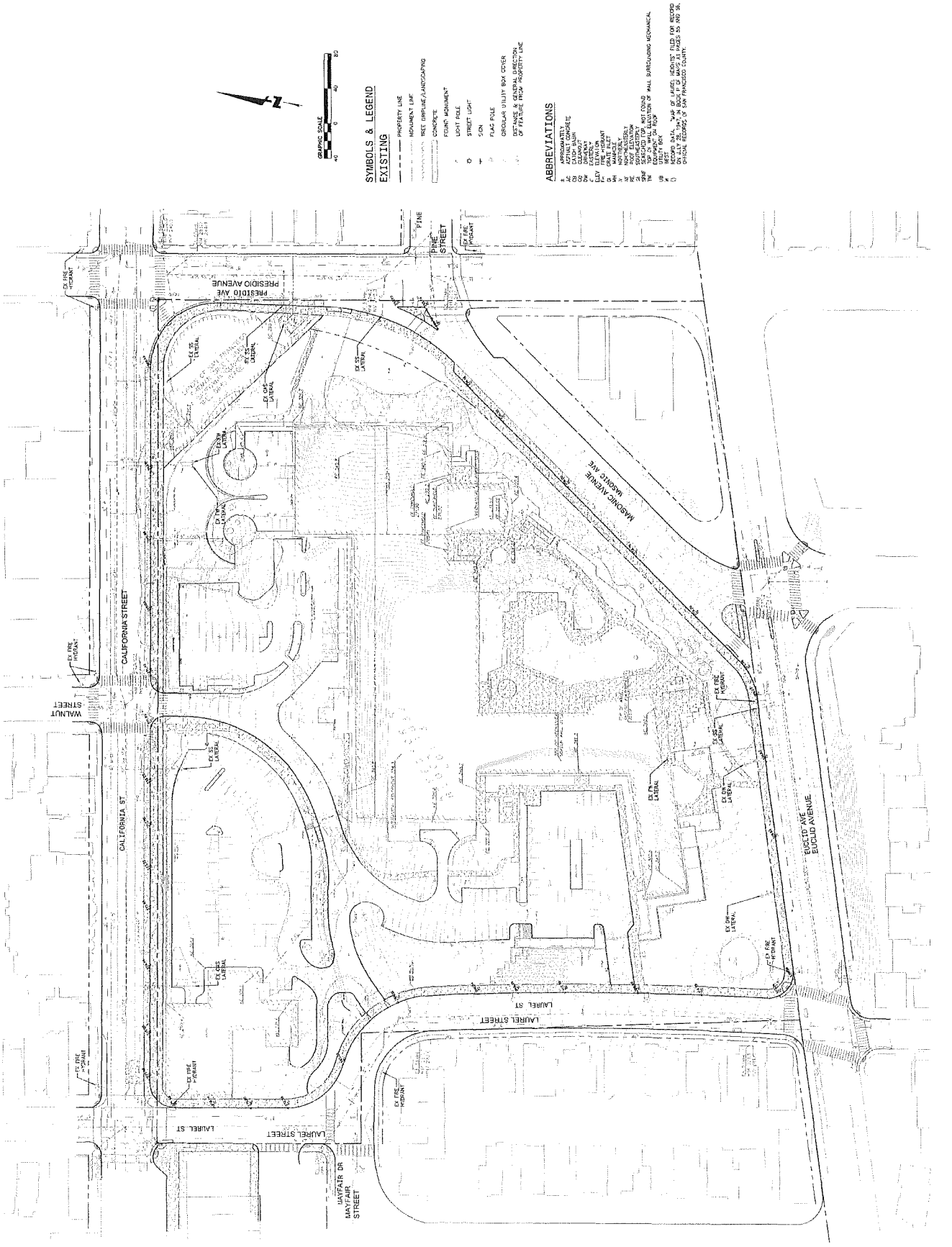
**3333 CALIFORNIA STREET
TENTATIVE SITE CONDITIONS
EXISTING**

CALIFORNIA



6575 WILLOW RD
SUITE 200
REDWOOD CITY, CA 94061
925-954-7755 (FAX)

© BKF ENGINEERS



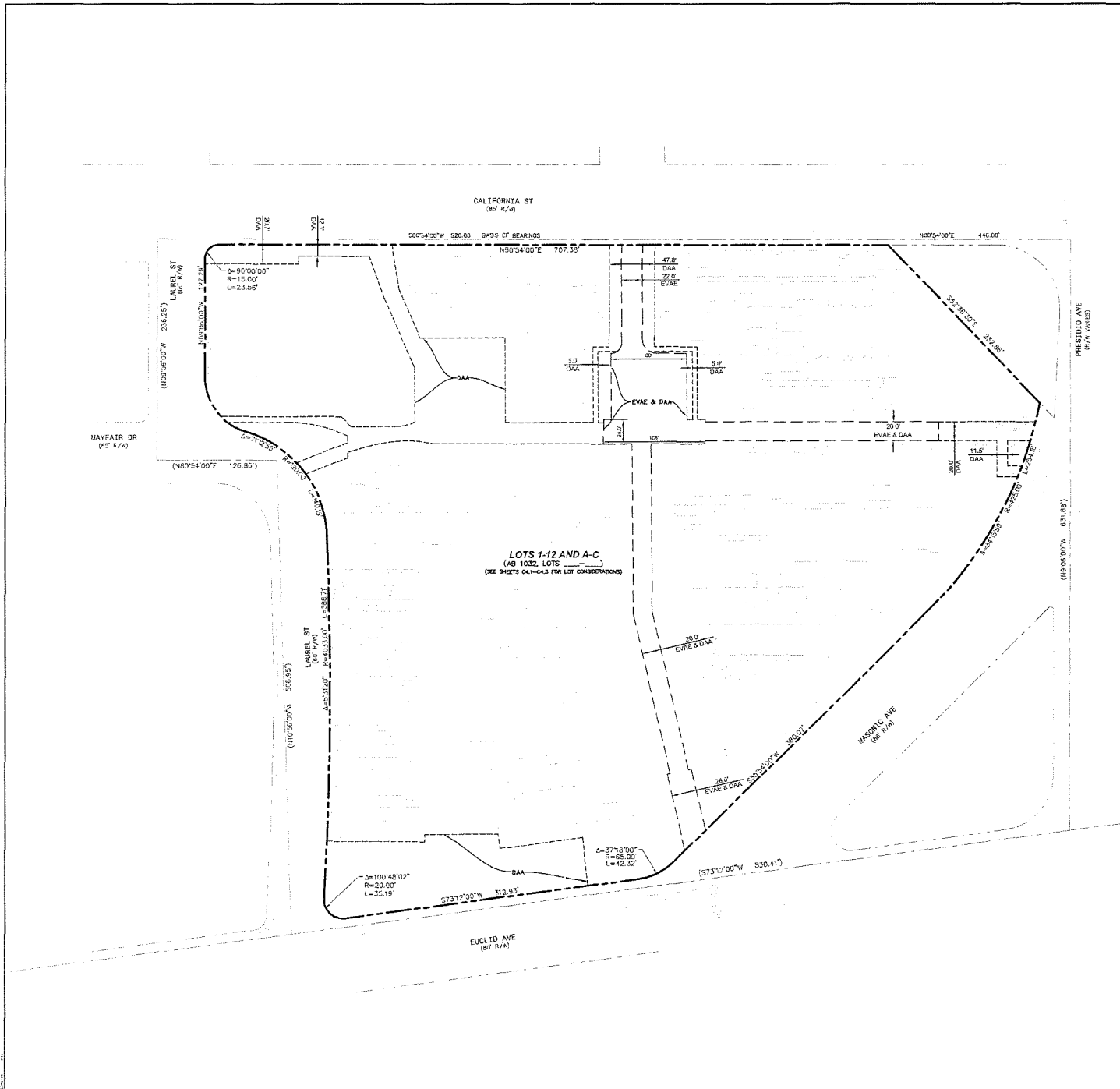
**SYMBOLS & LEGEND
EXISTING**

- PROPERTY LINE
- MONUMENT LIMB
- REET IMPROVEMENT/LANDSCAPING
- CONCRETE
- FOUND MONUMENT
- LIGHT PALE
- STREET LIGHT
- CON
- FLAP PALE
- CIRCULAR UTILITY BOX COVER
- DISTANCE & CENTRAL ANGLE
- OF CURVE
- UTILITY SYMBOLS

ABBREVIATIONS

1. APPROXIMATE
2. APPROXIMATE
3. APPROXIMATE
4. APPROXIMATE
5. APPROXIMATE
6. APPROXIMATE
7. APPROXIMATE
8. APPROXIMATE
9. APPROXIMATE
10. APPROXIMATE
11. APPROXIMATE
12. APPROXIMATE
13. APPROXIMATE
14. APPROXIMATE
15. APPROXIMATE
16. APPROXIMATE
17. APPROXIMATE
18. APPROXIMATE
19. APPROXIMATE
20. APPROXIMATE





| PROPOSED UNITS | | | |
|----------------|------------------|-------------------|----------------|
| LOT # | COMMERCIAL UNITS | RESIDENTIAL UNITS | PARKING SPACES |
| LOT A | 0 | 0 | 0 |
| LOT B | 0 | 0 | 0 |
| LOT C | 0 | 0 | 0 |
| LOT 1 | 2 | 17 | 14 |
| LOT 2 | 6 | 0 | 343 |
| LOT 3 | 15 | 2 | 0 |
| LOT 4 | 15 | 74 | 0 |
| LOT 5 | 2 | 167 | 37 |
| LOT 6 | 2 | 0 | 186 |
| LOT 7 | 4 | 0 | 247 |
| LOT 8 | 0 | 69 | 0 |
| LOT 9 | 16 | 81 | 0 |
| LOT 10 | 2 | 36 | 30 |
| LOT 11 | 0 | 62 | 0 |
| LOT 12 | 0 | 167 | 10 |
| TOTALS | 64 | 675 | 857 |

NOT TO EXCEED

ABBREVIATIONS

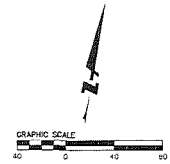
- EVAE PROPOSED EMERGENCY VEHICLE ACCESS EASEMENT
- DAA PROPOSED DECLARATION AREA FOR ACCESS

LEGEND

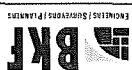
- EVAE - - - - -
- DAA - - - - -

NOTES

- DECLARATION AREA FOR ACCESS TO BE ESTABLISHED BY SEPARATE INSTRUMENT DOC.



430 WILLOW RD
SUITE 202
RICHMOND, CA 94804
415-771-7100
222-3M-752 (TX)



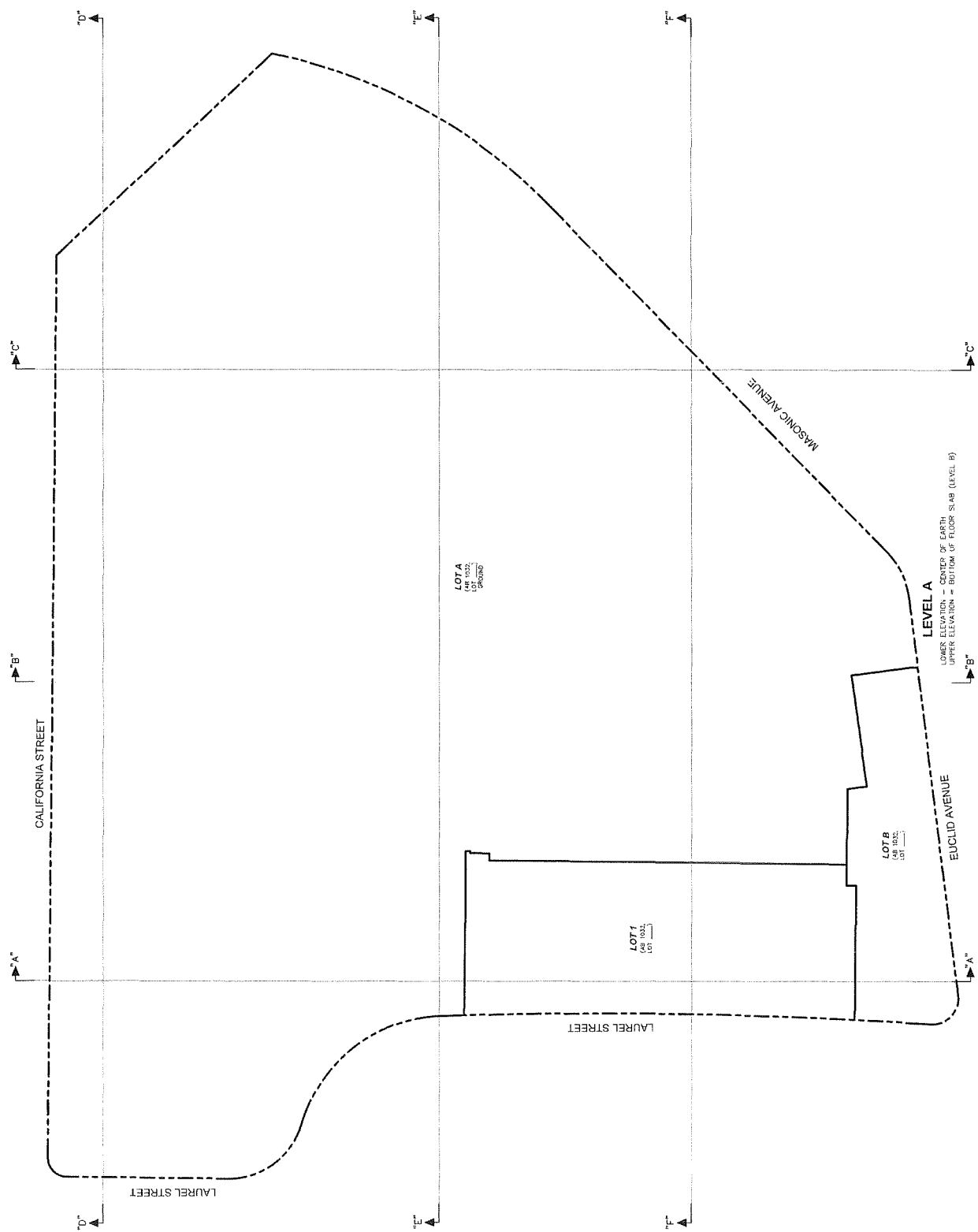
CALIFORNIA

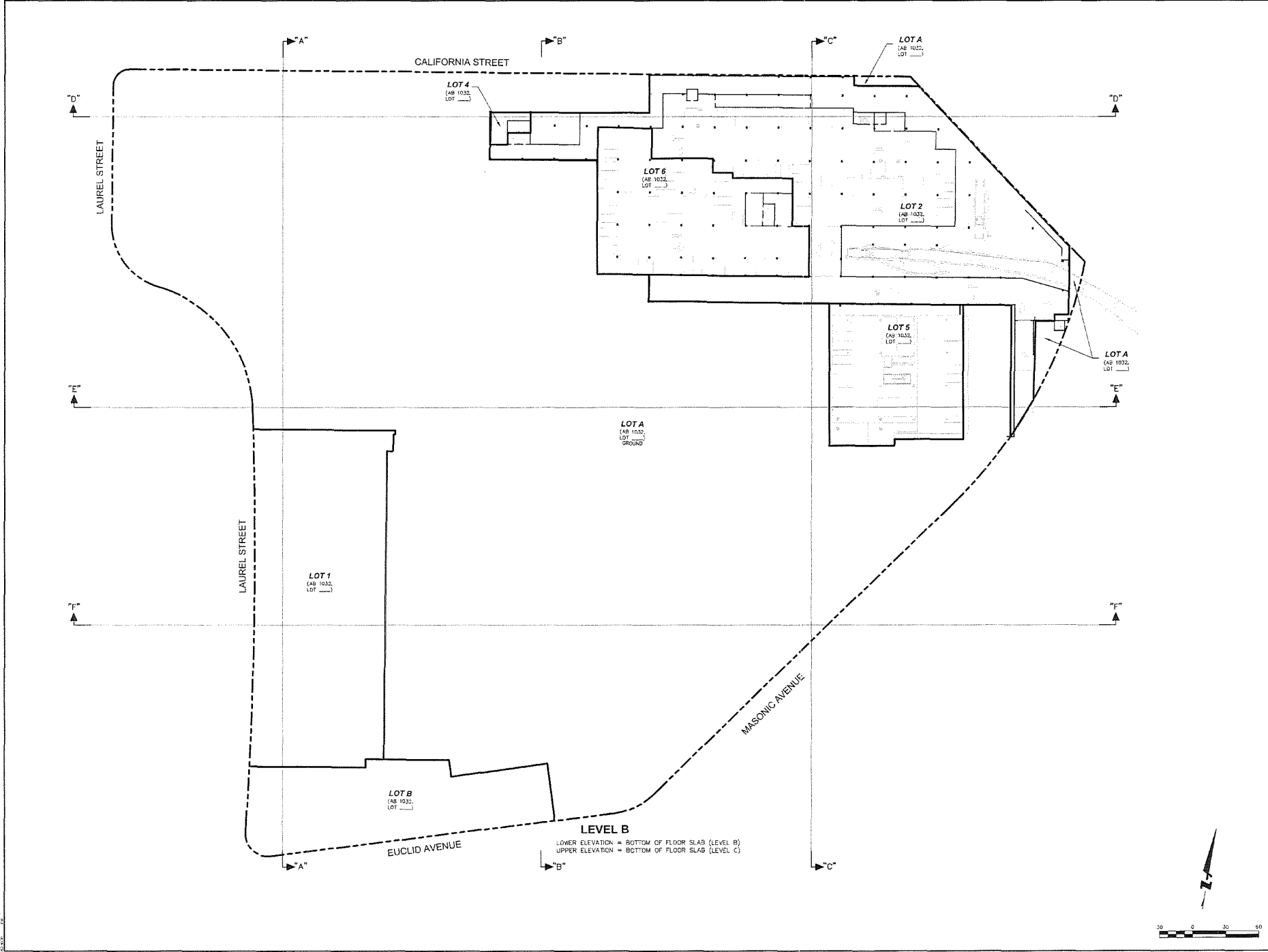
3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
SAN FRANCISCO

SAN FRANCISCO

| | |
|---------|------------|
| DATE | 02/10/2018 |
| BY | ... |
| FOR | ... |
| PROJECT | ... |
| SCALE | ... |
| ... | ... |

C4.1





1031 SULLOW RD
 SUITE 200
 SAN FRANCISCO, CA 94108
 415-398-7700
 415-398-7750 (fax)



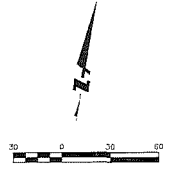
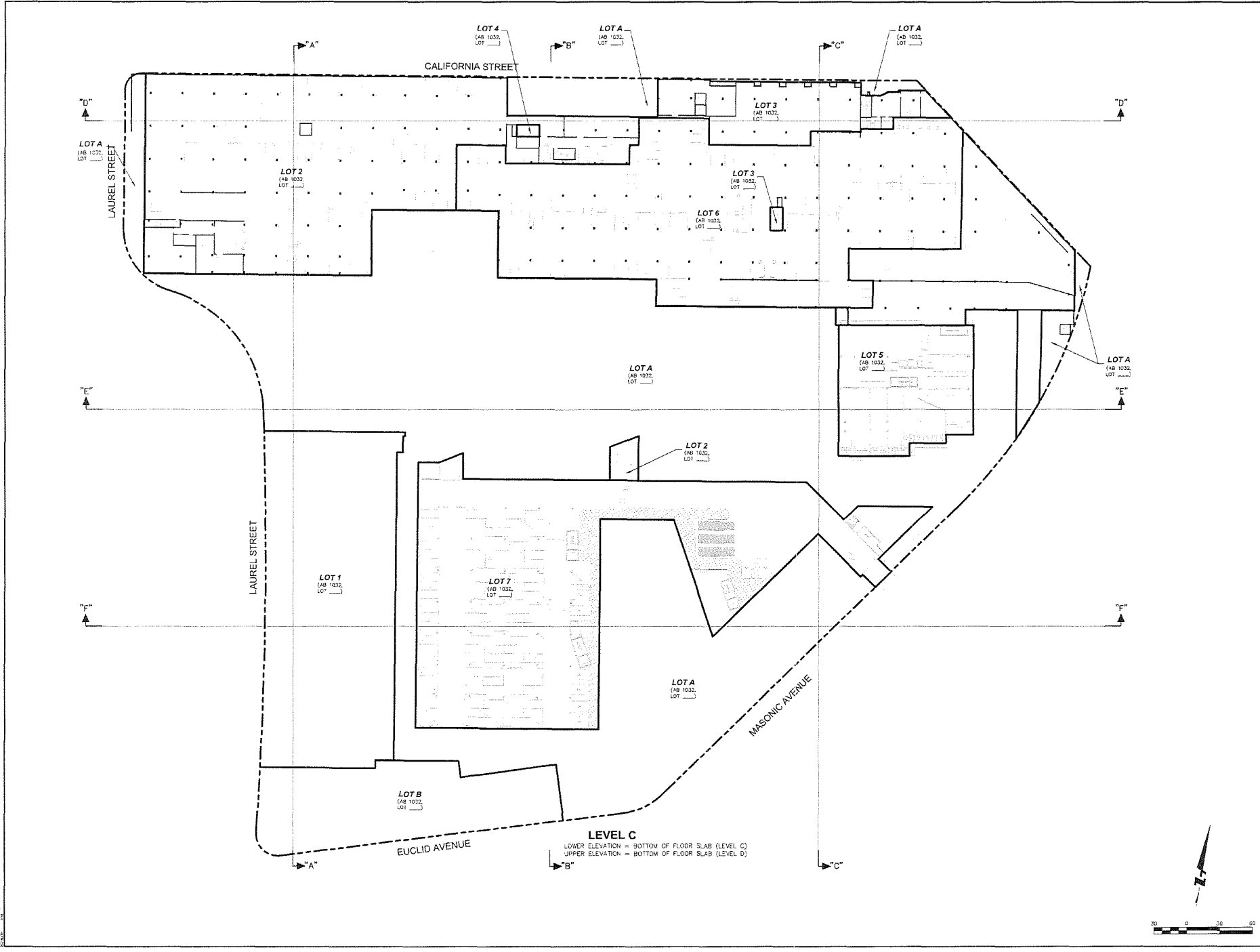
CALIFORNIA

**3333 CALIFORNIA STREET
 TENTATIVE FINAL MAP 9956
 PROPOSED LOT PLAN**

SAN FRANCISCO

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
| | | |

C4.2



1533 Valley St
 Suite 200
 San Francisco, CA 94133
 415-774-7100

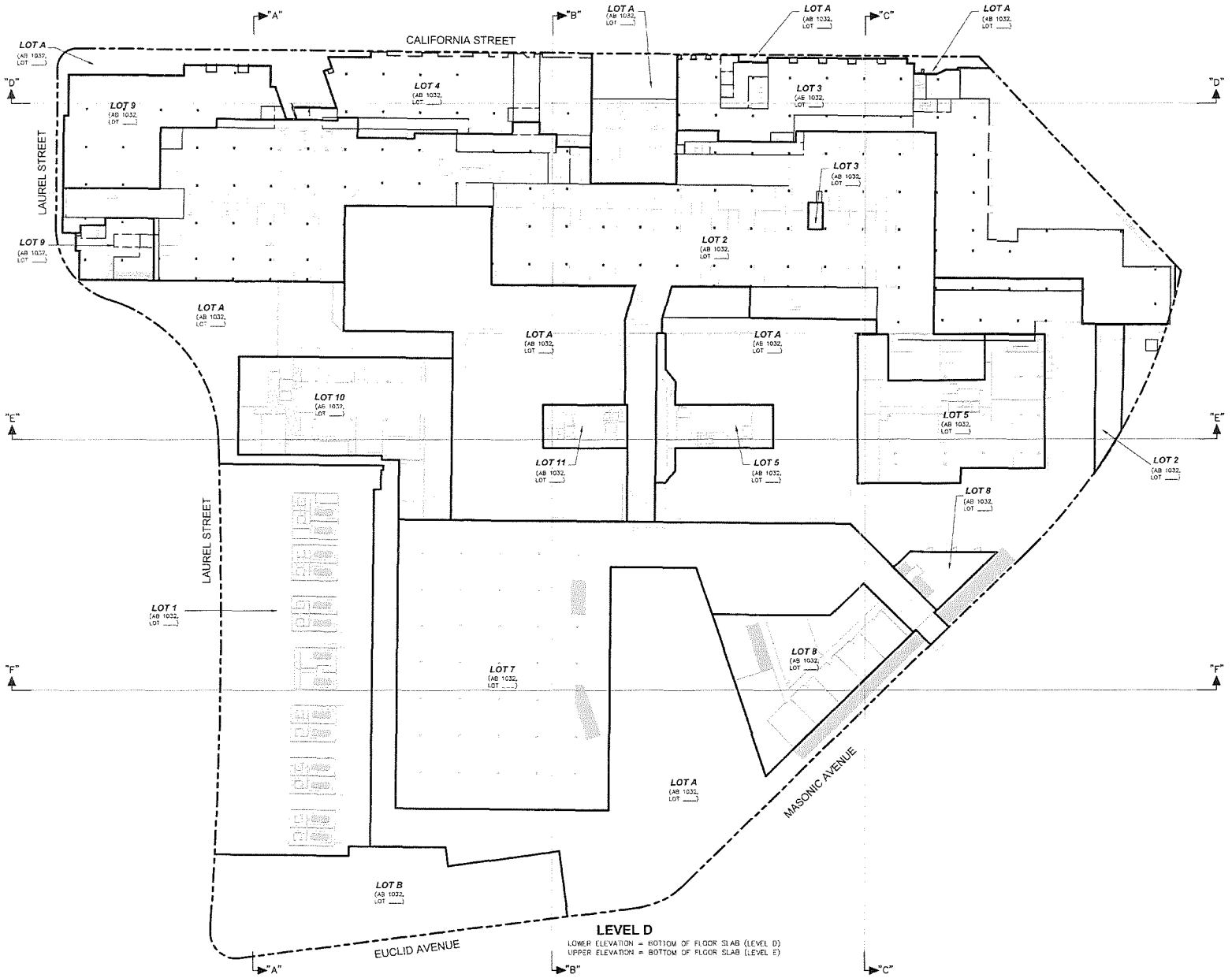


CALIFORNIA
 REGISTERED SURVEYORS / PLANNERS

**3333 CALIFORNIA STREET
 TENTATIVE FINAL MAP 9956
 PROPOSED LOT PLAN**

SAN FRANCISCO

| NO. | DATE | DESCRIPTION |
|-----|------------|-------------|
| 1 | 08/01/2018 | PRELIMINARY |
| 2 | 08/01/2018 | REVISION |
| 3 | 08/01/2018 | REVISION |
| 4 | 08/01/2018 | REVISION |
| 5 | 08/01/2018 | REVISION |
| 6 | 08/01/2018 | REVISION |
| 7 | 08/01/2018 | REVISION |
| 8 | 08/01/2018 | REVISION |
| 9 | 08/01/2018 | REVISION |
| 10 | 08/01/2018 | REVISION |
| 11 | 08/01/2018 | REVISION |
| 12 | 08/01/2018 | REVISION |
| 13 | 08/01/2018 | REVISION |
| 14 | 08/01/2018 | REVISION |
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| 30 | 08/01/2018 | REVISION |
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| 46 | 08/01/2018 | REVISION |
| 47 | 08/01/2018 | REVISION |
| 48 | 08/01/2018 | REVISION |
| 49 | 08/01/2018 | REVISION |
| 50 | 08/01/2018 | REVISION |



15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th

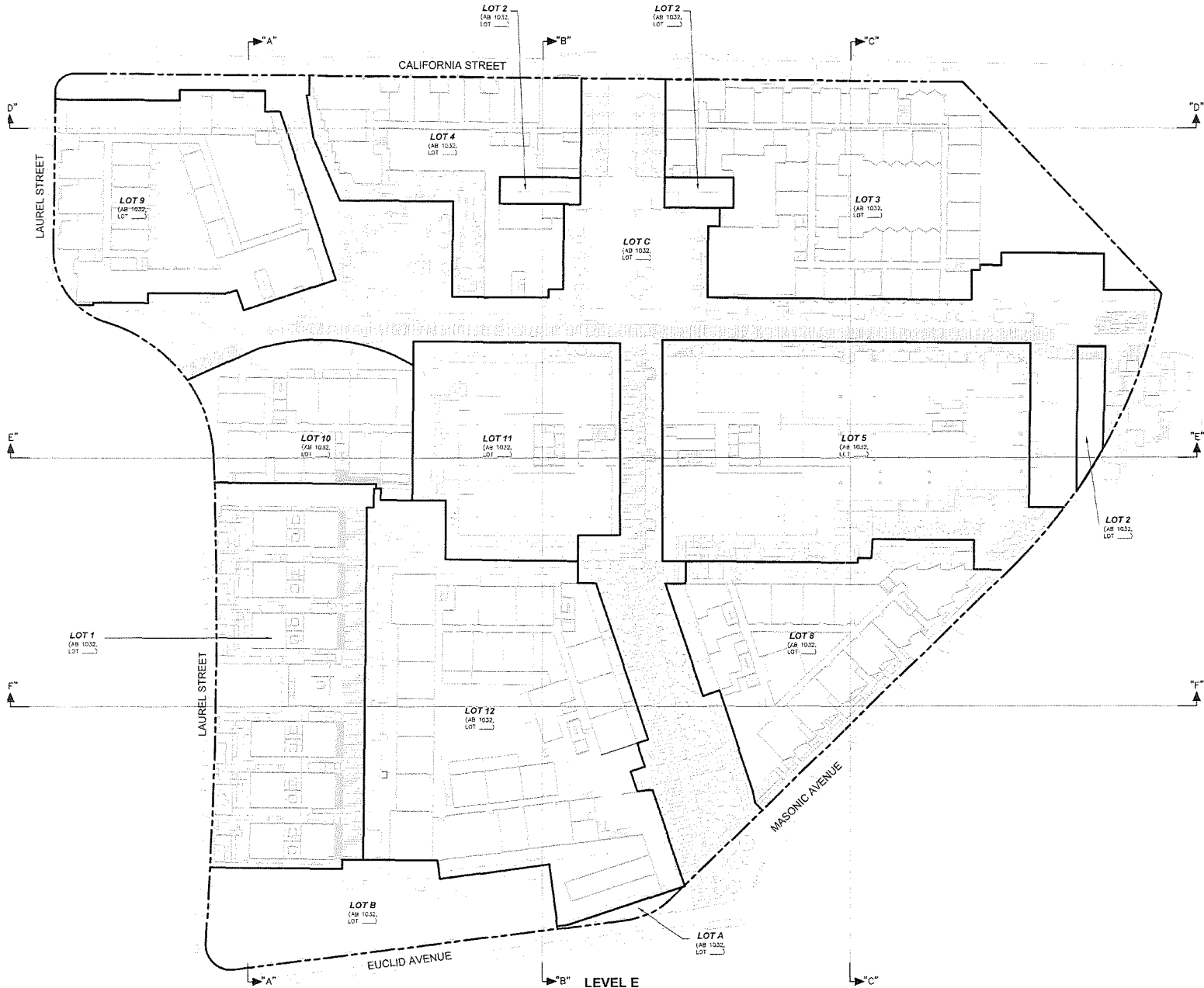


CALIFORNIA

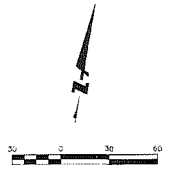
3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
PROPOSED LOT PLAN
SAN FRANCISCO

SAN FRANCISCO

| | |
|-------------|-----------------|
| Project No. | 9956 |
| Map No. | 9956 |
| Date | 10/20/2019 |
| Drawn by | John H. Brennan |
| Checked by | |
| Approved by | |



LEVEL E
 LOWER ELEVATION = BOTTOM OF FLOOR SLAB (LEVEL E)
 UPPER ELEVATION = INFINITY ABOVE



4500 CALIFORNIA RD
 SUITE 200
 SAN FRANCISCO, CA 94108
 415-398-7400
 415-398-7402



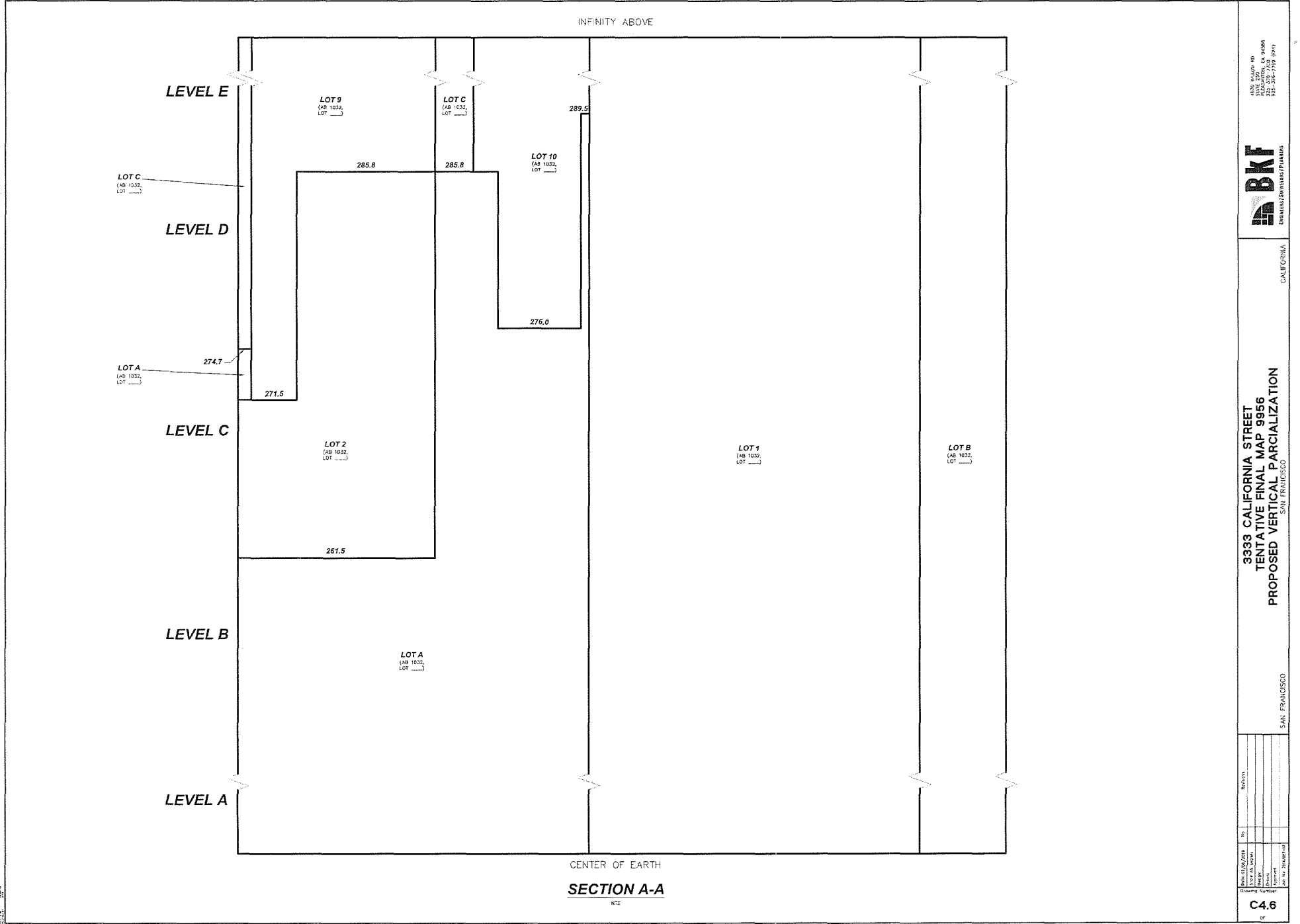
CALIFORNIA
 REGISTERED ENGINEERS

**3333 CALIFORNIA STREET
 TENTATIVE FINAL MAP 9956
 PROPOSED LOT PLAN**
 SAN FRANCISCO

SAN FRANCISCO

| DATE | BY | REVISION |
|------|----|----------|
| | | |
| | | |
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| | | |

Drawing Number
C4.5



BKF MAP ID
 STATE LOT
 COUNTY
 213-387-013
 213-387-719 (REV)



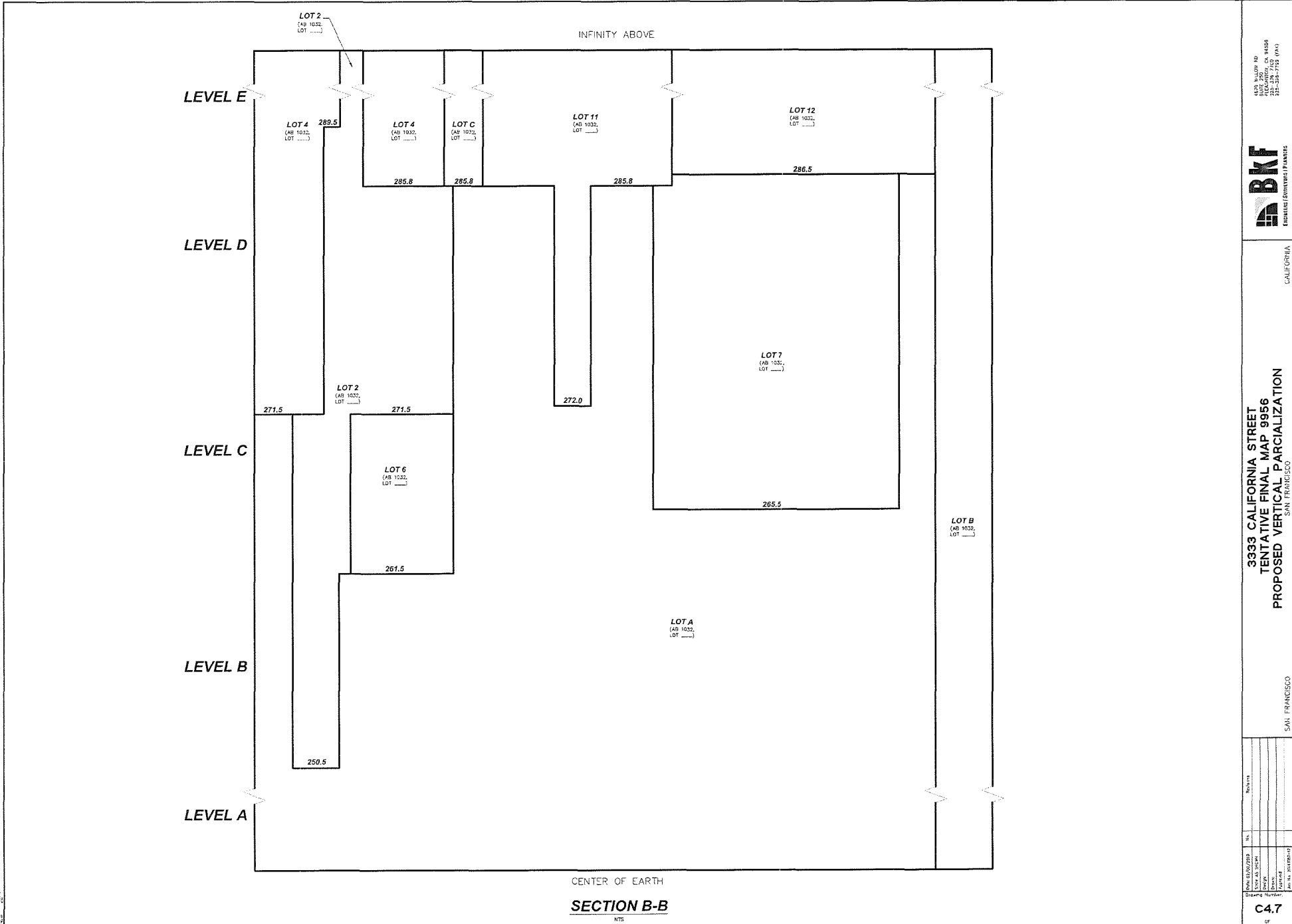
CALIFORNIA

3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
PROPOSED VERTICAL PARCIALIZATION
 SAN FRANCISCO

SAN FRANCISCO

| | | |
|------|----|----------|
| DATE | BY | REVISION |
| | | |
| | | |
| | | |
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C.4.6



1030 VALLEY RD
SUITE 200
SAN FRANCISCO, CA 94109
378-338-7107 (PH)
378-338-7125 (FAX)



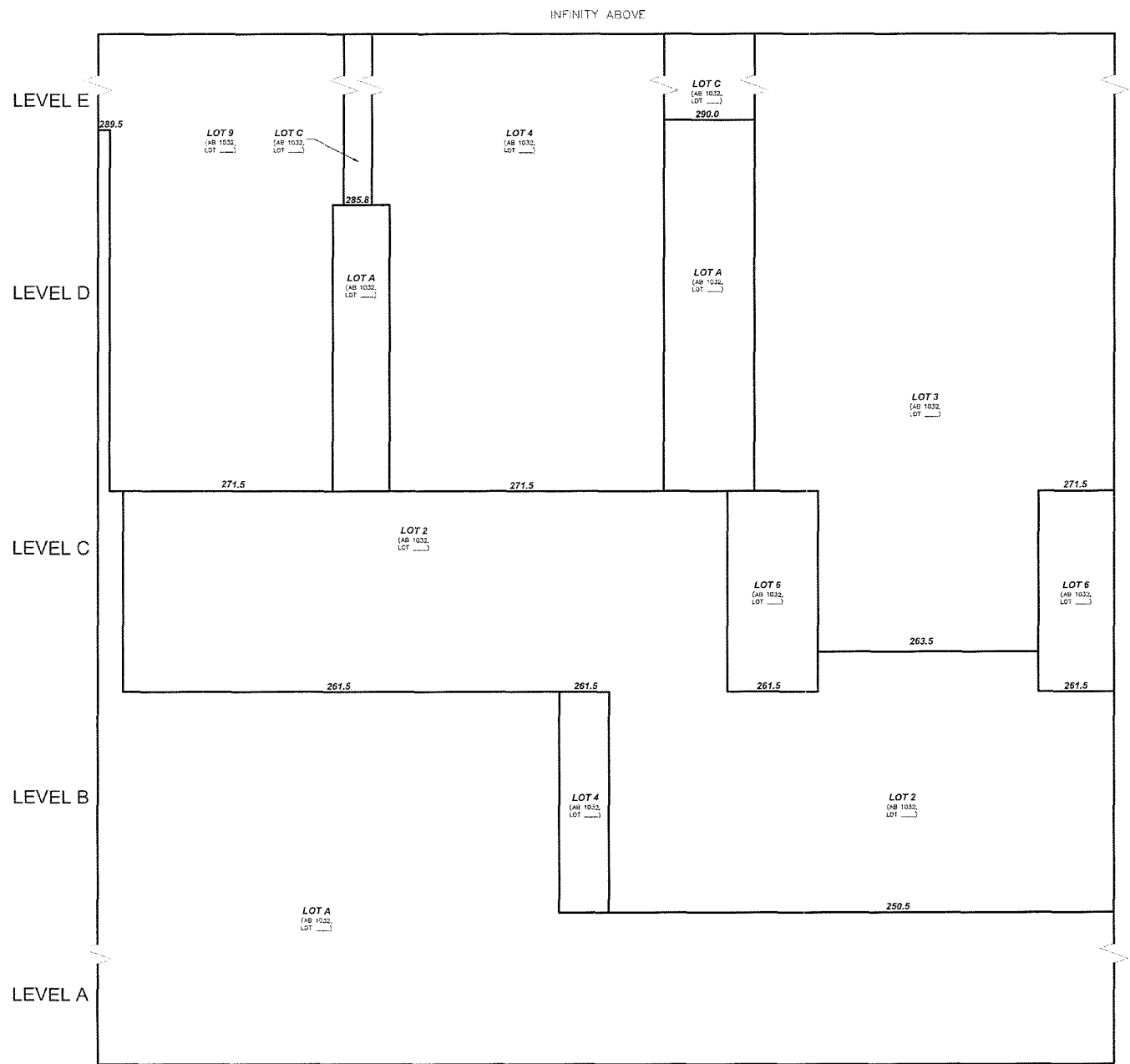
CALIFORNIA

3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
PROPOSED VERTICAL PARCELIZATION
SAN FRANCISCO

SAN FRANCISCO

| | | |
|------|----|----------|
| DATE | BY | REVISION |
| | | |
| | | |
| | | |
| | | |

C4.7



SECTION D-D
N.T.S.

4420 CALIFORNIA RD
SUITE 200
SAN FRANCISCO, CA 94108
415-398-7100
415-398-7197 (fax)



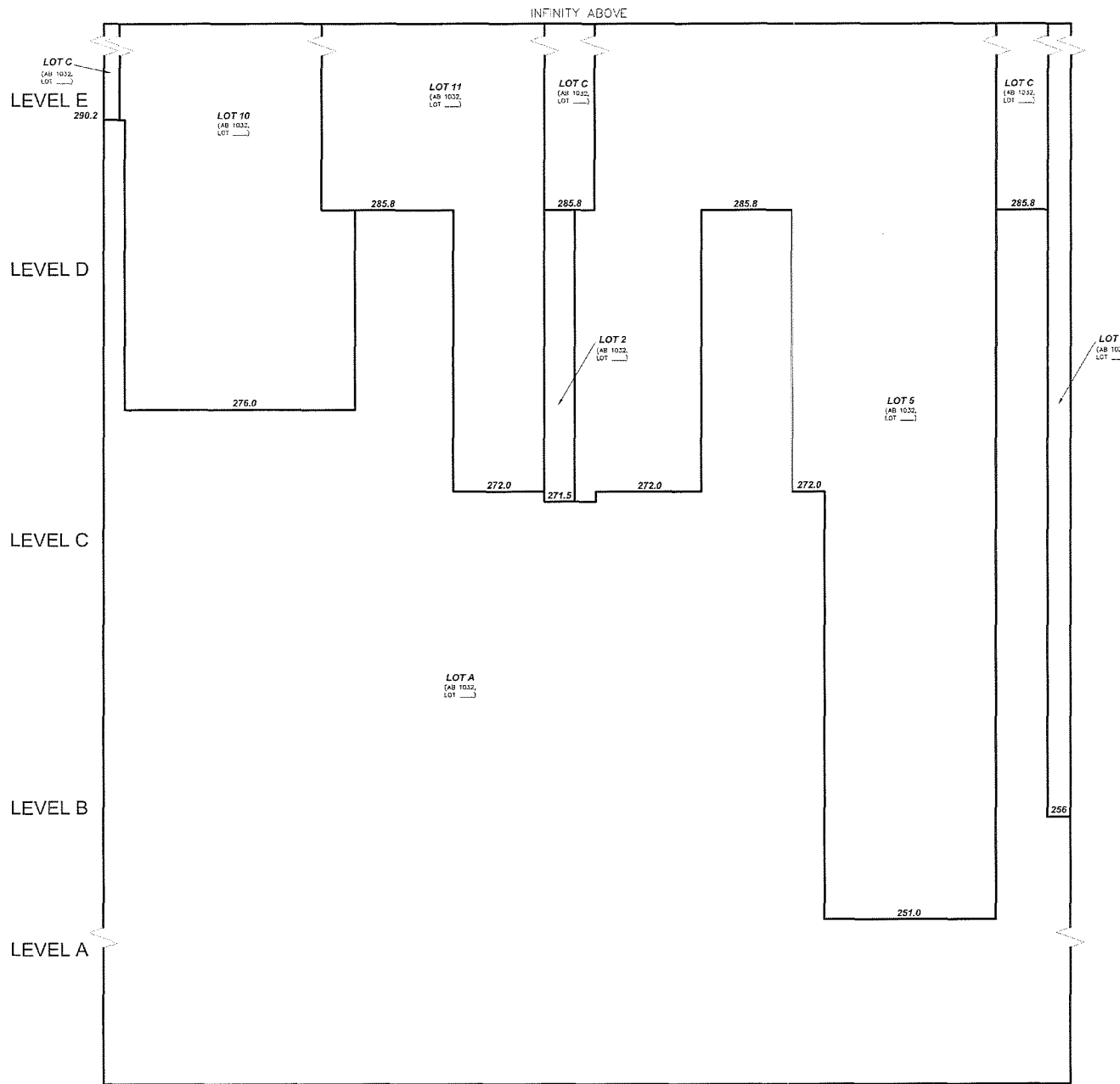
CALIFORNIA

3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
PROPOSED VERTICAL PARCIALIZATION
SAN FRANCISCO

SAN FRANCISCO

| | | | |
|------|----|------|-------|
| DATE | BY | CHKD | APP'D |
| | | | |
| | | | |
| | | | |
| | | | |

C4.0



CENTER OF EARTH

SECTION E-E

NTE

4520 BLISS ST
SUITE 200
EMERYVILLE, CA 94608
925-438-7100 FAX
225-348-7192 (TX)



CALIFORNIA

3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
PROPOSED VERTICAL PARCELLIZATION
SAN FRANCISCO

SAN FRANCISCO

| | | |
|------|----|----------|
| DATE | BY | REVISION |
| | | |
| | | |
| | | |

C4.10

01

Certificate Of Completion

Envelope Id: 91839E04C6A94B76B99BEF1A140F0676
Subject: Order 201952 - Tentative Map No. 9956 Decision
Source Envelope:
Document Pages: 29
Certificate Pages: 2
AutoNav: Enabled
Envelopeld Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:
DPW DocuSign
30 Van Ness Ave. Suite 4400
San Francisco, CA 94102
dpw-docusign.service@sfdpw.org
IP Address: 208.121.64.7

Record Tracking

Status: Original
9/27/2019 11:40:06 AM

Holder: DPW DocuSign
dpw-docusign.service@sfdpw.org

Location: DocuSign

Signer Events

Bruce Storrs
Bruce.Storrs@sfdpw.org
Public Works
Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:
Bruce Storrs
97ABC41507B0494

Signature Adoption: Pre-selected Style
Using IP Address: 76.102.217.186
Signed using mobile

Timestamp

Sent: 9/27/2019 11:40:27 AM
Viewed: 9/27/2019 11:41:06 AM
Signed: 9/27/2019 11:42:12 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Julia Dawson
julia.dawson@sfdpw.org
Deputy Director
Public Works
Security Level: Email, Account Authentication
(None)

DocuSigned by:
Julia Dawson
AC312FB341B64A0

Signature Adoption: Pre-selected Style
Using IP Address: 208.121.64.7

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Viewed: 9/27/2019 11:44:21 AM
Signed: 9/27/2019 11:44:30 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Ryan, James
james.ryan@sfdpw.org
Public Works
Security Level: Email, Account Authentication
(None)

COPIED

Sent: 9/27/2019 11:40:27 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events

Banks, Ernie
Ernie.Banks@sfdpw.org
Public Works
Security Level: Email, Account Authentication
(None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Status

COPIED

Timestamp

Sent: 9/27/2019 11:42:20 AM

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent
Certified Delivered
Signing Complete
Completed

Hashed/Encrypted
Security Checked
Security Checked
Security Checked

9/27/2019 11:42:20 AM
9/27/2019 11:44:22 AM
9/27/2019 11:44:30 AM
9/27/2019 11:44:30 AM

Payment Events

Status

Timestamps

EXHIBIT B



Laurel Heights Improvement Association of San Francisco, Inc.

September 18, 2019

Director, San Francisco Department of Public Works
By Hand at Hearing and By Email to: dpw@sfdpw.org

Re: Public Works Hearing - Wednesday 9/18/2019, Room 400, City Hall
Order No. 201836/ Consideration of Approval of Tentative Map No. 9956
3333 California Street Project

1. The City Violated LHIA's Rights of Due Process and the Requirements of the Block Book Notice Filed Against this Property by Failing to Give LHIA 10 Days' Notice of the Planning Department's Review of the Proposed Tentative Subdivision Map.

Laurel Heights Improvement Association of SF, Inc. (LHIA) filed an Application to Request a Block Book Notice against this property on June 18, 2019, which is valid for one year. (Ex. A hereto) LHIA specifically requested to review "any proposed subdivision map, including tentative and final maps" that may be reviewed by the San Francisco Planning Department and/or San Francisco Planning Commission. (Ex. A, Attachment A, p. 1)

The Planning Department failed to notify LHIA that Planning Department review was requested as to the Tentative Subdivision Map and also failed to hold the Tentative Subdivision Map for 10 days so the BBN requestor may review it, as required by Planning Department procedures. (Ex. B, p. 2, San Francisco Planning Department Application to Request a Block Book Notice, explanations) Under San Francisco Public Works Code sections 1321 and 1325, an application for a subdivision for which a Tentative Map is required must be forwarded to City Planning for its review. Under San Francisco Public Works Code section 1327, each reviewing agency shall report, in writing, its findings on and recommendations for approval, conditional approval or denial of a Application Packet, and "City Planning's report shall include a finding on consistency with the Master Plan." Under San Francisco Public Works Code section 1332 (b) whenever a property is to be subdivided, the Department of City Planning shall report on the question of consistency of the subdivision with the Master Plan."

The Planning Department issued a letter dated September 12, 2019 reporting on its findings pursuant to the Subdivision Map Act, Government Code sections 66474(a)-(g). (Ex. C) For the reasons stated herein, among others, and in comments submitted in the administrative record for the proposed Project, LHIA was prejudiced by being denied the opportunity to voice objections to the Planning Department's view of the proposed Project's alleged compliance with the Subdivision Map Act and alleged consistency with the San Francisco General Plan, including

EXHIBIT C



1221 Horton Street, Suite 18
San Francisco, CA 94103-4448
(415) 391-4775

BLOCK 1032
LOT 3
San Francisco, CA



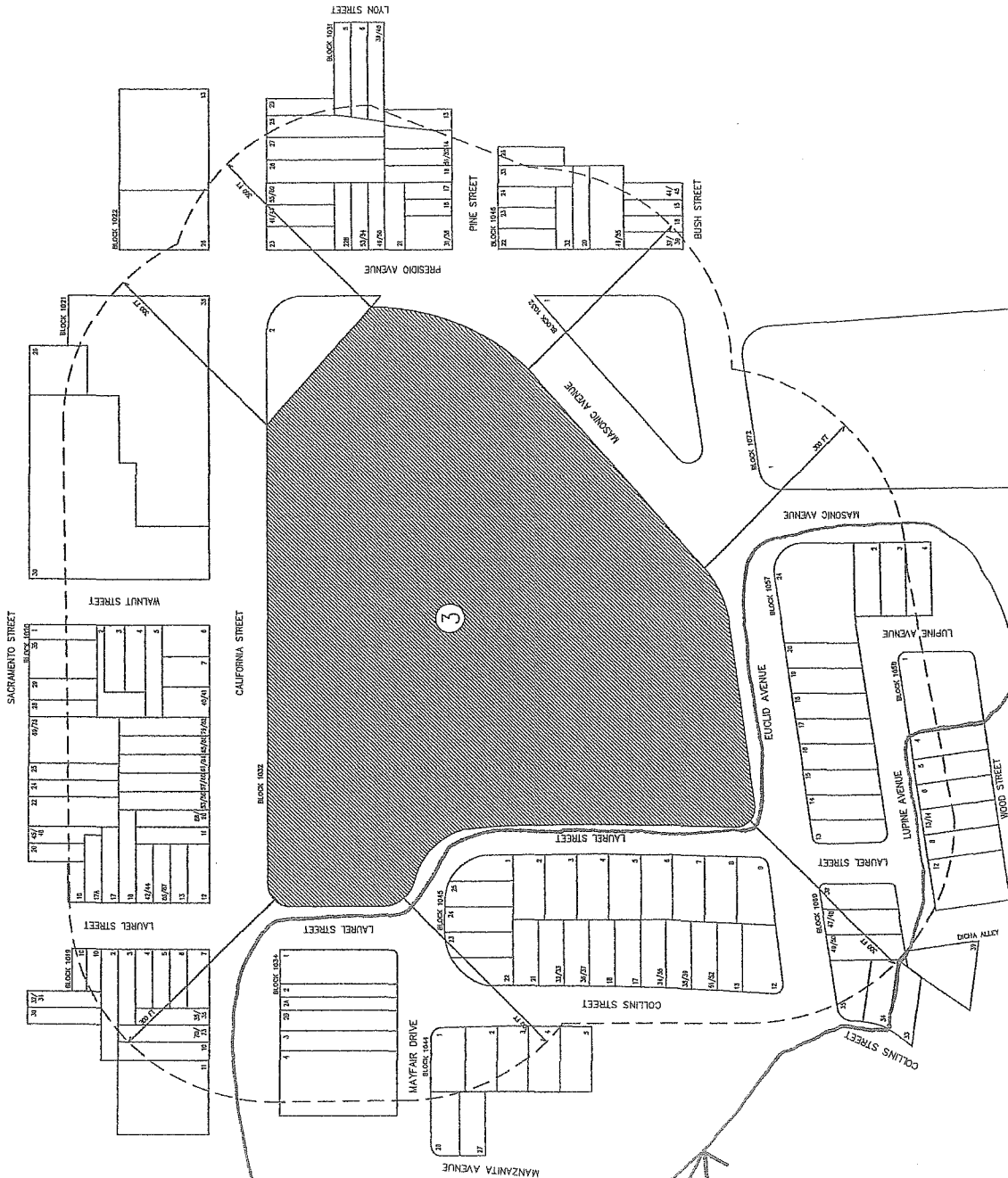
SCALE: 1" = 75' - 0"

DATE: 10/1/84

JOB NO.: 10320003
DATE: 10/1/84
DRAWN: [unintelligible]
CHECKED: [unintelligible]

300 FOOT
RADIUS MAP

2



Laurel Heights Imp. Assn. Members

This information contains neither recommendations nor conclusions of the engineer. It is the responsibility of the client to verify the accuracy and completeness of the information and to make any necessary adjustments. We have no reason to doubt the accuracy but we do not guarantee it.



Laurel Heights Improvement Association of San Francisco, Inc.

October 5, 2019

San Francisco Board of Supervisors
c/o Clerk of the Board of Supervisors
City and County of San Francisco
City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 OCT -7 PM 3:12

Re: 3333 California Street, San Francisco, CA
Record Number: 2015-014028CUA/PCA/MAP/DUA
Appeal of Public Works Order No. 201952/Approval of Tentative Map Application

1. If the Board Overturns the Planning Commission's Certification of the Final EIR, the Board Must Also Overturn the Approval of the Tentative Subdivision Map by San Francisco Public Works.

For the reasons stated in LHIA's appeal of the Planning Commission's certification of the Final EIR for 3333 California Street, the Final EIR is inadequate, and if overturned by the Board of Supervisors, the Board must grant this appeal of the approval of the application for tentative subdivision map (tentative subdivision map) by San Francisco Public Works. The Final EIR is the CEQA document upon which the approval of the tentative subdivision is based, and if the Final EIR is overturned, the approval of the tentative subdivision map must necessarily also be overturned. The Final EIR identified significant adverse impacts which the Project would have, so CEQA review must have been completed in a lawful manner before the tentative subdivision map approval can be valid.

2. Approval of the Tentative Map Must Be Overturned If the Board of Supervisors Does Not Approved the Zoning Changes Required to Allow the Proposed Project to be Built.

The Preliminary Project Assessment explains that only the Board of Supervisors can change the height limits requested by the Project or change the Planning Commission Resolution 4109 that prohibits development of the parcel in the manner proposed by the Project. (Ex. M to June 8, 2018 Comments of Devincenzi on 3333 California Street Initial Study, PPA excerpts)

Planning Commission Resolution No. 20514 adopted on September 5, 2019 states at page 1 that a proposed Ordinance introduced on July 30 and amended on September 3, 2019 "would enable the Project" and at page 10 that "the Commission recommends approval of the proposed Ordinance" with certain modifications. Thus, the Planning Commission did not approve the

rezoning needed for the project to be approved.

If the Board does not approve the zoning changes set forth in the proposed Special Use District, the Board must overturn the approval of the Subdivision Map.

3. Consideration of the Tentative Map Should be Deferred Until After the Board of Supervisors Renders a Decision on the Proposed New Zoning Controls.

The Board of Supervisors could reject or modify the proposed Special Use District, overturn or modify the conditional use authorization, and overturn the certification of the Final EIR or adopt mitigation measures or alternatives. Any such actions could change the nature of the project and location of proposed buildings reflected in the proposed Tentative Map. Thus, consideration of LHIA's appeal from the approval of the Tentative Map should be continued to a date that occurs after the Board of Supervisors renders a decision on the proposed new zoning controls.

4. The Board Should Revoke Approval of the Tentative Map Because the Applicant Failed to Submit Complete or Adequate Information as to Lack of Sunlight on Publicly Accessible Open Space and Impairment of the Listed Historical Resource.

A. Impairment of Listed Historical Resource.

The November 7, 2018 DEIR confirmed that the "proposed project or project variant would cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5 of the CEQA Guidelines." (DEIR p. 4.B.41) Despite this, on April 2, 2019, the applicant failed to comply with the instructions contained on Form No. 3 to "present information in detail about how your application relates to each of the eight priority policies listed below. The application will be found to be incomplete if the responses are not thorough." (Ex. A, Form No. 3)

With respect to the priority policy of Planning Code section 101.1 that "landmarks and historic buildings be preserved," the applicant inadequately and ambiguously responded: "The Project proposes adaptive reuse of the existing office building, which is currently being analyzed as part of a Historic Resource Evaluation for the CEQA document." (Ex. A) Further, on the application form, the applicant checked the box marked "Yes" for submittal of "Proposition 'M' Findings demonstrating consistency with Eight Priority General Plan Policies (Planning Code Sec. 101.1(b))." (Ex. A) One of these policies is that "landmarks and historic buildings be preserved."

The applicant's response ignored the historically significant natural landscaping that is integrated with the main building so that there is a seamless connection between the interior and

exterior spaces through the window walls. (Ex. B) In addition, the response omitted the proposed 40-foot cut through the mid-section of the main building, the demolition of its south wing and other areas, and the addition of 2-3 new floors onto the remaining pieces of the main building, to impair its horizontality. (Plan sheets A6.00, A6.01)

B. Shading of Publicly Accessible Open Space

With respect to General Plan priority policy that “our parks and open space and their access to sunlight and vistas be protected from development,” the applicant ambiguously stated:

The Project would create substantial new, publicly-accessible open spaces on private property, and would not cast shadows on any publicly-owned parks or open space. The project has been designed to maintain vistas where practical, and to allow for sun access to the Project’s proposed open spaces. Any shadow cast by the Project’s buildings will be further reviewed and documented through the CEQA documents’ shadow analysis.

However, the November 3, 2017 shadow analysis showed that the majority of the publicly accessible open spaces in the proposed Project would be significantly shadowed much of the time. (Ex. C, plan sheet L.01 and Ex. D, excerpts from shadow analysis)

In addition, the proposed new street trees would block the public vistas from the existing green open space that has been used by the public for recreational purposes. (Ex. E, developer’s rendering and plan sheet L1.03; Ex. F, photos of public vistas from green open space)

Government Code section provides that 65956, subd. (c) provides that:

Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65944, inclusive, may constitute grounds for disapproving a development project.

Based on the above-described inadequacies, approval of the Tentative Map should be overturned.

5. The Tentative Map is Not Consistent with the San Francisco General Plan, and the FEIR Failed to Adequately Describe the Inconsistencies With Policies Calling for Preservation of Historical Resources and Neighborhood Character and Conformity With the Generalized Citywide Zoning Map and Generalized Height Map.

In its September 12, 2019 letter, the Planning Department found that the proposed Tentative Subdivision Map is consistent with the General Plan for the reasons set forth in Planning Commission Resolution No. 20514. However, the Planning Department findings

omitted the following General Plan policies, with which the proposed Project and Tentative Subdivision Map are inconsistent. The FEIR was also inadequate because it failed to discuss those inconsistencies. “An EIR must discuss any inconsistencies between a proposed project and applicable general plans.” 14 Cal.Code Regs. Section 15125(d). By doing so, a lead agency may be able to modify a project to avoid any inconsistency. *Orinda Association v. Board of Supervisors* (1986) 183 Cal.App.3d 1145, 1169. Moreover, the Planning Commission’s Resolution merely found that the proposed rezoning ordinance “is in general conformity with the General Plan as set forth in Planning Commission Resolution 20514.” The finding of “general conformity” is ambiguous, and unexplained.

Section 101.1(b) of the San Francisco General Plan, passed by the voters in Proposition M, codifies the General Plan Priority Policies that “shall be the basis upon which inconsistencies in the General Plan are resolved.” They include the following Priority Policies:

That landmarks and historic buildings be preserved.

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

That our parks and open space and their access to sunlight and vistas be protected from development. (Ex. BB to August 28, 2019 letter of LHIA to Planning Commission).

The FEIR was inadequate because it merely noted that the above policy to preserve historic resources exists, but failed to describe the inconsistency between the proposed Project and this General Plan Priority Policy. DEIR 4.B.34. Moreover, the DEIR used an erroneous legal standard, indicating that Planning Code section 101.1 merely allowed the City to balance the eight master plan priority policies, whereas CEQA requires that an EIR describe *any* inconsistency with a general plan policy. DEIR 4.B.34.

Similarly, the EIR failed to describe the Project’s inconsistency with the General Plan Priority Policy that existing neighborhood character be preserved and protected. DEIR 4.B.34. The EIR avoided this issue and brushed off the issue of “loss of neighborhood character” as a “controversial issue.” DEIR 5.7.

The EIR also failed to discuss the inconsistency of the proposed rezoning and the mandate of Housing Element Policy 1.4 to “Ensure the community based planning processes are used to generate changes to land use controls.” (See LHIA’s August 28, 2016 letter to Planning Commission pp. 13-15 and LHIA’s September 5, 2019 letter to Planning Commission, Ex. S)

While the September 5, 2019 Planning Department findings of “general conformity” with the General Plan mention Housing Element Policy 11.4 to “continue to utilize zoning districts

which conform to a generalized residential land use and density plan and the General Plan,” the FEIR failed to specifically discuss this policy and failed to adequately describe the inconsistencies between the Project and Policy 11.4. The proposed Project would have increased heights of 82 and 90 feet and increased densities greater than those shown in Figure IV-4 of the Housing Element EIR (which shows that the project site is in a height district of “40 ft” or less) and densities greater than those shown on the average generalized permitted housing densities by Zoning Districts of 54 average units per acre in medium density areas. (Ex. L to June 8, 2018 comments of Kathryn Devincenzi on 3333 California Street Initial Study, excerpts from 2014 Housing Element p. I.70) As explained in the September 12, 2019 letter from San Francisco Planning Department to Bureau of Street Use and Mapping, the proposed density of development on the 10.25-acre site includes up to 744 proposed residential units, approximately 35,000 gross square feet of retail area, approximately 15,000 gross square feet of childcare facility, approximately 400,000 gross square feet devoted to off-street parking (857 spaces, including 10 car share spaces) and 839 bicycle spaces. (Ex. C, p. 2) Also, the Project proposes to add 2-3 floors onto the main building with heights up to 80 feet and 92 feet, which would disrupt and conflict with the height and prevailing scale of development in the surrounding neighborhood. (Ex. G, developer’s renderings and plan sheet G2.08)

Similarly, while the September 5, 2019 Planning Commission Resolution mentions Housing Element Policy 11.3 “Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character,” the findings and the EIR failed to describe the inconsistency of the Project with the Policy. (Ex. L to June 8, 2018 comments of Kathryn Devincenzi on 3333 California Street Initial Study, p. 37) Policy 11.3 text states that accommodation of growth should be achieved without damaging existing residential neighborhood character...In existing residential neighborhoods, this means development projects should defer to the prevailing height and bulk of the area. *Ibid.* The Project’s heights of 82 and 90 feet are substantially in excess of the predominant 40-foot height in the area.

Also, the September 12, 2019 Planning Department findings erroneously state that the subject parcels are located within the Central Waterfront Planning Area.

6. The Tentative Map is Not Consistent With Urban Design Element Policies that Protect Public Vistas and the Visibility of Open Spaces, Especially Those on Hilltops.

The proposed project is inconsistent with the following policies of the Urban Design Element, and the September 5, 2019 Planning Commission findings omitted the following policies and failed to analyze the inconsistencies of the Project with them, among others:

Policy 1.1: Recognize and protect major views in the city, with particular attention to those of open space and water.

Visibility of open spaces, especially those on hilltops, should be maintained and improved, in order to enhance the overall form of the city, contribute to the distinctiveness of districts and permit easy identification of recreational resources. The landscaping at such locations also provides a pleasant focus for views along streets.

Objective 3: Moderation of major new development to complement the City pattern, the resources to be conserved and the neighborhood environment.

Policy 3.3: Promote efforts to achieve high quality design for buildings to be constructed at prominent locations.

Policy 3.4: Promote building forms that will respect and improve the integrity of open spaces and other public areas.

Policy 3.5: Relate the height of buildings to important attributes of the city patterns and to the height and character of existing development.

Policy 3.6: Relate the bulk of the buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction....

When buildings reach extreme bulk, by exceeding the prevailing height and prevailing horizontal dimensions of existing buildings in the area, especially at prominent and exposed locations, they can overwhelm other buildings, open spaces and the natural land forms, block views and disrupt the city's character. Such extremes in bulk should be avoided by establishment of maximum horizontal dimensions for new construction above the prevailing height of development in each area of the city...

Policy 3.7: Recognize the special urban design problems posed in development of large properties.

Policy 3.8: Discourage accumulation and development of large properties, unless such development is carefully designed with respect to its impact upon the surrounding area and upon the City.

Policy 3.9: Encourage a continuing awareness of the long-term effects of growth upon the physical form of the city.

Policy 4.1: Protect residential areas from the noise, pollution and physical danger of excessive traffic.

Policy 4.2: Provide buffering for residential properties when heavy traffic cannot be avoided. (See Ex. V to June 8, 2018 Kathryn Devincenzi comments on 3333 California Street Initial Study, Urban Design Element of San Francisco General Plan, excerpts).

The Project proposes to construct new buildings on portions of the natural green open spaces along Laurel Street and Euclid Avenue, which have public views of the City and to install street trees along Euclid Avenue and Laurel Street that would impair these historically significant hilltop views. (See Exs. E and F; Ex. B, excerpts from approved nomination of Fireman's Fund Insurance Company Home Office in National Register of Historic Places stating that site was long recognized for its views including views "to the southeast and downtown, to the northwest and a partial view of the Golden Gate Bridge, and to the west into the Richmond District;" see also Exhibit KK to September 5, 2019 LHIA submission to Planning Commission.)

The project site is atop Laurel Hill and commands valued public vistas of the downtown and eastern portion of the City and also of the Golden Gate Bridge and other neighborhoods of the City to the northwest. During my years living in the neighborhood, I have seen innumerable members of the public enjoy these views during daytime as well as during nighttime. I have seen jubilant crowds of people view lunar eclipses from the sidewalks atop Laurel Hill at the corner of Laurel Street and Euclid Avenue and from the landscaped green spaces surrounding the main office building. Some photographs I have taken which show the existing condition of some of these views are attached hereto. (Ex. F; see also Ex. B to January 1, 2019 comments of Devincenzi,, photographs taken on October 24, 2017 and January 7, 2019) These photographs show that the portions of the Bank of America Building, Transamerica Pyramid, Salesforce Building and Golden Gate Bridge can be seen from the high ground at Laurel Street and Euclid Avenue, from the landscaped green spaces surrounding the main office building and from public sidewalks along Laurel Street and Euclid Avenue. Also, the historically significant architecture of the main building can be seen across the landscaping on the perimeter of the site, and the site was designed so that the building and landscaping would function as an integrated composition.

The proposed project would construct new buildings on the south site of the site near Euclid Avenue and Masonic Avenue and on the western portion of the site near Laurel Street that would obstruct these public scenic vistas and obstruct the public view of the historically significant main building as viewed from the surrounding landscaping. Also, the proposed new buildings constructed on the landscaped areas surrounding the site would block public access to such vistas. In addition, the project proposes to add new trees/shrubs near the perimeter of the south side of the site and also street trees at this location that would also impair and/or obstruct these scenic vistas. (January 8, 2019 comments of Devincenzi on Draft EIR, Ex. E)

The Final EIR for the 2004 and 2009 Housing Element acknowledges that new residential housing could result in an impact related to scenic vistas if it would be developed in a manner that obstructs views from a scenic vista from a public area or introduces a visual element that

would dominate or upset the quality of a view. (January 8, 2019 comments of Devincenzi, Ex. F. p. V.C-11) Figure V.C-1 of that Final EIR shows street views of an important building in the area of the 3333 California site.

The Community Preservation Alternative/Variants would avoid this significant impact on public vistas because it would retain the existing landscaped areas largely in their present form and existing public vistas from sidewalks and open space used by the public. Also, DEIR Alternatives B and C would retain the existing landscaped areas largely in their present form and avoid this significant impact on public vistas. DEIR 6.35 and 6.67.

Under CEQA, the City may not lawfully approve the subdivision map for the Proposed Project/Variant, because a feasible alternative is available that would avoid or substantially reduce the project's significant impact upon scenic resources.

Mitigation Measure: Approve an alternative that would preserve the existing landscaped areas surrounding the main building on the southern and western portions of the site in their present form and do not locate any new construction on these areas.

7. The Design of the Subdivision or the Proposed Improvements Are Likely to Cause Substantial Environmental Damage or Substantially and Avoidably Injure Wildlife and Their Habitat.

Substantial evidence does not support the conclusion stated in the September 12, 2019 Planning Department findings that the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure wildlife habitat.

The Initial Study discloses that tree removal and construction-related activities associated with the proposed project could adversely affect bird breeding "at the project site and in the immediate vicinity." IS 199. "Construction activities that may cause visual disturbance or alter the ambient noise environment include vegetation removal, demolition of existing buildings, and construction of foundations and new buildings." IS p. 199-200. The Initial Study also acknowledges that "landscaped areas within the project site may provide suitable habitat for resident and migratory birds covered under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and the California Fish and Game Code (sections 3503 and 3503.5). IS p. 199. The Initial Study acknowledges that the proposed project "would result in the temporary loss of nesting and foraging habitat through the removal of onsite trees and vegetation during construction" and states that "after the approximately 7- to 15-year construction period and incorporation of site landscaping (including the planting of up to 250 new trees on the project site) birds would be expected to inhabit the project site." IS p. 199. The IS does not state how soon after the incorporation of site landscaping bird habitation would be expected to occur on the

site.

The Draft EIR (DEIR) admits that construction of the proposed project or project variant would expose people to or generate noise levels in excess of applicable standards or cause a substantial temporary or periodic increase in ambient noise levels. DEIR p. 4.D.36. Despite this significant impact, the DEIR failed to adopt feasible mitigation measures required by the California Environmental Quality Act (CEQA). The DEIR is inadequate because it proposes only that the project sponsor prepare a noise control plan at a later time that would be approved by the Planning Department, and the DEIR does not specify the required contents of the plan and does not adopt a specific performance standard for mitigation of the significant noise impact.

The FEIR was inadequate because the above information supports a fair argument that the project could have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The information set forth above also provides a fair argument that the proposed project would interfere substantially with the movement of native resident or migratory wildlife species or impede the use of native wildlife nursery sites. This impact would be significant under the standards of Appendix G of the CEQA Guidelines, including the following:

Interfere substantially with the movement of any 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:

Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance; or

Conflict with the provisions of an adopted habitat Conservation Plan, natural Community conservation Plan, or other approved local, regional, or state habitat conservation plan.” (Ex. B to June 8, 2018 comments of Kathryn Devincenzi on Initial Study, excerpts from CEQA Appendix G; and Ex. C thereto, Excerpts from Housing Element EIR).

A member of the native plant society recently performed a survey of bird and other species on the project site and found 9 species of birds on site, including 3 breeding bird species. (Ex. I hereto). The project would conflict with the Biodiversity resolutions passed by the Board of Supervisors, Department of the Environment and Planning Commission which make protecting biodiversity a priority for City Agencies and establish a framework for implementation of City plans that promote habitat-supportive greening in the built environment. (Ex. J hereto)

8. The EIR Failed to Identify and Describe Feasible Mitigation Measures that Would Reduce or Avoid the Proposed Project's Significant Adverse Impact on the Historical Resource.

The EIR is defective because it failed to identify and describe modifications to the proposed site plan that would reduce or avoid the proposed Project's significant adverse impact on the historical resource. Such modifications would avoid building on the historic green space and landscaping and would avoid cutting a 40-foot wide pathway all the way through the main building, and instead cut a ground-level pathway with a Light Court above, and construct only a one-level addition on top of the main building. Such modifications were proposed as mitigation in LHIA's August 28, 2019 submission to the Planning Commission.

Under the Street Design Advisory Team request, a ground-level portal through Building A is feasible and need not be a straight axial pathway:

SDAT requests a clear, primary east-west connection [sic] allows and encourages the public to traverse the site from Mayfair to the intersection of Presidio and Pine. The entirety of the path should be accessible to all users...

SDAT requests a single, clear, and primary north-south connection that both allows and encourages members of the public to traverse the site along the Walnut alignment, connecting to the intersection of Masonic and Euclid. This north/south pathway may meander through the site and doesn't need to be a straight axial pathway. Consider accommodating [sic] a portal through building A to support north-south public access. The entirety of the pathway should be accessible to all users. The major N-S should be clearly legible.... (September 5, LHIA submission to Planning Commission, Ex. FF) Note that the City can only request such pathways through the privately-owned site because the Better Streets Plan only applies to City streets. (See September 5, LHIA submission to Planning Commission, Ex. LL, excerpts Better Streets Plan, www.sfbetterstreets.org.)

The modifications proposed by LHIA would conform with the Secretary of the Interior's Standards for the Treatment of Historic Properties. However, as previously stated in LHIA's August 28, 2019 submission, the City failed to apply the Secretary's Standards to the design of the project, even though City Preservation Bulletin No. 21 states that:

For both Article 10-designated historic resources and CEQA-identified historical resources, the *Standards* will be applied to any work involving new construction, exterior alteration (including removal or demolition of a structure), or any work involving a sign, awning, marquee, canopy or other appendage for which a City permit is required. (Ex. U to LHIA's August 28, 2019 submittal, excerpt)

An EIR must identify and describe mitigation measures to minimize the significant environmental effects identified in the EIR. Public Resources Code sections 21002.1(a), 21100(b)(3); 14 Cal. Code Regs. section 15126.4. The requirement that EIRs identify mitigation measures implements CEQA's policy that agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Public Resources Code sections 21002, 21081(a).

Mitigation measures must be designed to minimize significant environmental impacts, not necessarily to eliminate them. Public Resources Code section 21100(b)(3); 14 Cal. Code Regs. section 15126(a)(1). Any action that is designed to minimize, reduce, or avoid a significant environmental impact or to rectify or compensate for the impact qualifies as a mitigation measure. 14 Cal. Code Regs. Sections 15126(a)(1), 15370. The following specific requirements for mitigation measures are set forth in 14 Cal. Code Regs. section 15126.4:

Mitigation measures should be identified for each significant effect described in the EIR. If several measures are available to mitigate a significant adverse impact, the EIR should discuss each measure and identify the reason for selecting a particular measure.

The description must distinguish between mitigation measures that are included in the project as proposed and other measures that the lead agency determines could reasonably be expected to reduce significant effects if required as conditions of project approval.

Mitigation measures must either be incorporated into the design of the project or be fully enforceable through conditions, agreements, or other means. CEB, *Practice Under the California Environmental Quality Act*, p. 14-4. An EIR should focus on mitigation measures that are feasible, practical, and effective. *Napa Citizens for Honest Gov't v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 365.

A mitigation measure may reduce or minimize a significant impact without avoiding the impact entirely. 14 Cal.Code Regs. section 15370(b); see also Public Resources Code sections 21002.1(a), 21081(a)(1); *Masonite Corp. v. County of Mendocino* (2013) 218 Cal.App.4th 230, 239. The CEQA Guidelines provide a broad definition of mitigation, which also includes actions taken to rectify or compensate for a significant impact. Under 14 Cal.Code Regs. Section 15370, "mitigation" includes the following:

Avoiding an impact altogether by not taking a certain action or part of an action;

Minimizing an impact by limiting the magnitude of a proposed action and its implementation;

Rectifying an impact by repairing, rehabilitating, or restoring the affected environmental

resource. (CEB, *Practice Under the California Environmental Quality Act*, p. 14-7.)

An EIR's discussion of mitigation measures should distinguish between measures proposed by the project proponent and measures that the lead agency determines could reduce significant adverse impacts if imposed as conditions of project approval. 14 Cal.Code Regs. Section 15126.4(a)(1)(A).

Some mitigation measures make a change in the proposed project, such as not taking a certain action or not building a certain part of the project, to avoid the identified significant impact entirely. 14 Cal.Code Regs. Section 15370(a). Examples include:

Changing a project to avoid a wetland area on the project site;

Restricting demolition or alteration of significant historic structures or cultural sites; and

Prohibiting activities that produce significant noise impacts. (CEB, *Practice Under the California Environmental Quality Act*, p. 14-8.)

Some mitigation measures do not avoid an impact entirely but limit the scope or magnitude of a proposed activity or development. 14 Cal.Code Regs. Section 15370(b). Examples include:

Changing a project plan to reduce the amount of wetland fill;

Avoiding the most important habitat of a wildlife species;

Establishing a buffer zone on a project site to reduce adverse effects on adjacent areas;

Preserving areas of native vegetation.

Shielding activities, or restricting the hours during which activities are conducted, to reduce noise impacts. (CEB, *Practice Under the California Environmental Quality Act*, p. 14-8 to 14-9.)

Some mitigation measures do not avoid an environmental impact but rectify or correct it by restoring the affected environment or resource. 14 Cal.Code Regs. section 15370(c). Examples include:

Repairing or reconstructing a wetland or habitat area after it has been affected by a project activity;

Replanting trees or native landscape;

Restoring a historical structure that is affected by a project; and restoring areas damaged during project construction. (CEB, *Practice Under the California Environmental Quality Act*, p. 14-9.)

With respect to historical resources, the CEQA Guidelines specify that modifications that conform with the Secretary's Standards generally mitigate an impact to below a level of significance:

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

(2) In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur. (14 Cal.Code Regs. section 15126.4(b)(1) and (2).)

The DEIR considered only inadequate mitigation for the project's significant impact on historical resources consisting of documentation of the historical resource (M-CR-1a) and development of an interpretative program focused on the history of the project site (M-CR-1b). DEIR pp. 4.B.45-46. Neither of these measures would substantially reduce or avoid the significant impact upon the listed historical resource.

This Board of Supervisors has the authority to order modifications to the proposed project as a condition of approval, through the conditional use authorization procedure or by design modifications. Cities and counties are authorized to regulate land use by local planning law (Government Code sections 65100-65763), the zoning law (Government Code section 65800-65912), and the Subdivision Map Act (Government Code section 66410-66499.37).

Thus, Public Works should defer its decision on the Tentative Subdivision Map until the Board decides whether to approve the Project as proposed or modify it.

9. The Community Preservation Lookalike Variant is Feasible as Mitigation and Would Achieve 744 Housing Units, Including Senior Affordable Housing, While Mitigating Significant Adverse Impacts on the Historically Significant Main Building and Integrated Landscaping, and Other Alternatives Are Feasible.

The Board of Supervisors could order that the proposed Project be modified as follows in order to mitigate the project/variant's significant adverse impact upon the historically significant resource. The Community Preservation Lookalike Variant (August 28, 2019 LHIA submittal to Planning Commission, Ex. A) basically uses the developer's site plan with the following modifications:

Removes approximately 30 feet from the south side of the Euclid building to preserve green space

Removes 2 Laurel townhomes toward the top of Laurel Street to preserve the green space

Reduces the height of the five remaining Laurel townhomes from 40 to 30 feet with a 15-foot set back on the third level, to conform with the scale of the homes across the street on Laurel (August 28, 2019 LHIA submittal, Ex. B, photo of 20-foot tall homes on Laurel)

Constructs a ground-level passageway through the main building (aligned with Walnut Street) under a Light Court to avoid cutting a 40-foot pathway all the way through the main building

Constructs a set-back, one-level addition to the top of the main building, to conform with the Secretary of Interior's Standards for the Treatment of Historic Properties
Enlarges the Walnut building so that the project has the same amount of residential square footage as the developer's variant

Uses all space in the new buildings for housing; does not include new retail uses

Moves the childcare center from the west of the Eckbo Terrace toward the east of it

Retains the existing 1,183 asf café, 11,500 gsf childcare center and 5,000 gsf of office space in the main building

Would be built in approximately 4 years, instead of 7-15 years requested by the developer

Since the project site is adjacent to the Laurel Village Shopping Center (anchored by Cal-Mart and Bryan's grocery stores) and near Sacramento Street shops, Trader Joe's, Target and Geary and Presidio Street retail stores, retail is not needed on site, and **the Board of Supervisors should recommend the design and duration modifications stated above** when it considers the proposed project.

We will respectfully urge the Board of Supervisors to strike the appropriate balance, because the developer has stated “this is not a negotiation” and declined to make appropriate revisions in response to community input. Also, the developer paid only approximately \$192.35 per square foot for the property (\$88,600,000.00 for 99-year lease plus \$1,612,000 for the fee interest = \$90,212,000/469,000 = \$192.35) so can well afford to make some modifications to avoid significant adverse impact on this listed historical resource. (August 28, 2019 LHIA submission, Ex. D, deeds)

Public Resources Code section 21002 states:

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects..... The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

The Community Full Preservation alternatives are also feasible and could be adopted, including:

Community Full Preservation Alternative Variant 2 - Matches developer’s residential square footage plus 744 housing units, including senior housing. (August 28, 2019 LHIA submittal, Ex. C)

Community Full Preservation Alternative Variant - 744 housing units submitted as comment on DEIR (August 28, 2019 LHIA submittal, Ex. E, see also LHIA’s August 28, 2019 letter re modifications in connection with developer’s July 2019 revised plan submittal and proposed Development Agreement relating to affordable senior housing; please also **note that architect Goldenberg has verified that the 744 units fit in the spaces and provided unit counts.** (August 28, 2019 LHIA submittal, Ex. F)

Community Full Preservation Alternative - 558 housing units submitted as comment on DEIR (August 28, 2019 LHIA submittal to Planning Commission, Ex. C, see accompanying letter re modifications in connection with developer’s July 2019 revised plan submittals and proposed Development Agreement; please **note that architect Goldenberg has verified that the 558 units fit in the spaces and provided unit counts.** (August 28, 2019 LHIA submittal -Ex. F)

EIR Alternative C: Full Preservation-Residential Alternative- Residential - 534 residential units (EIR 6.75)

Since all the above alternatives are feasible, and ample retail is provided in the immediate vicinity of the project, this Board of Supervisors may not lawfully approve the developer's proposed project, which would have a significant adverse impact on a listed historical resource. False or inadequate findings are subject to contest under the California Environmental Quality Act (CEQA).

Public Resources Code section § 21081 provides that:

Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless **both of the following occur:**

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. (3)

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. (Emphasis added; see also 14 Cal. Code Regs. § 15091)

This is a stand-down mandate. The developer's project is unnecessarily destructive and prolonged, and the Board of Supervisors should order it redesigned to preserve the historically significant natural green spaces and landscaping and its integrated Mid-Century modern main building. This resource is also significant for its association with the Fireman's Fund Insurance Company, a company established in San Francisco that grew due to its reputation for integrity and played an important role in the development of San Francisco, paying fire claims after the 1906 earthquake and other significant conflagrations. (August 28, 2019 LHIA submittal Ex. G, listing and excerpts from approved nomination)

The EIR's claim that this alternative would not have enough commercial uses to constitute mixed use is inaccurate, unsupported by fact, and reflective of the overly narrow description of project objectives. There are several types of mixed-use developments including Mixed-Use Walkable Areas, which combine both vertical and horizontal mix of uses in an area, within an approximately 10-minute walking distance to core activities. (August 28, 2019 LHIA

submittal to Planning Commission, Ex. H- *Planning for Complete Communities in Delaware*) Taking this realistic view, the on-site commercial uses in the Community Preservation alternatives must be considered together with the retail uses in the adjacent Laurel Village Shopping Center and the nearby Sacramento Street neighborhood commercial uses, Trader Joe's, Target and Presidio Avenue and Geary Boulevard commercial uses.

10. The EIR is Inadequate as It Used an Unstable and Overly Narrow Project Description and Lacks a 744-Residential Unit or Similar Alternative Other than the Community Full Preservation Alternative Variant, Which the EIR Failed to Evaluate as an EIR Alternative.

On July 3, 2019, the developer submitted a Planning Application Re-Submittal 2 containing an EIR Variant which proposed approximately 185 one-bedroom residential units and 1 two-bedroom (manager's) unit in the Walnut building and a project total of 744 residential units, with 21,498 gsf of general retail and 12,998 gsf of retail, food and beverage. (VAR.01a and VAR.01b) The residential units would substitute for the 49,999 gsf of office uses previously proposed to be located in the Walnut building in the project. (Plan sheet G3.01a)

On July 30, 2019, a proposed Special Use District and Development Agreement were introduced at the Board of Supervisors. The Development Agreement stated that:

There is no requirement under this Agreement that Developer initiate or complete development of the Project, or any portion thereof. There is also no requirement that development be initiated or completed within any period of time or in any particular order, subject to the requirement to complete Associated Community Benefits for each Building (or for any market rate residential unit in excess of three hundred eighty-six (386), as applicable) commenced by Developer as set forth in Section 4.1. (August 28, 2019 LHIA submittal to Planning Commission, Ex. J, DA, section 6. at p. 28)

Developer shall, upon thirty (30) days prior notice to the City, have the right in its sole and absolute discretion, to terminate this Agreement in its entirety at any time if Developer does not Commence construction on any part of the Project Site by the date which is five (5) years following the Effective Date as such five (5) year date may be extended by any Litigation Extension. Thereafter, the City shall, upon sixty (60) days prior notice to Developer, have the right, in its sole and absolute discretion, to terminate this Agreement if the Developer has not Commenced Construction...(August 28, 2019 LHIA submittal to Planning Commission, Ex. J, DA, section 11.2, at p. 39)

Exhibit D to the Development Agreement is a Affordable Housing Program that states that the developer has agreed to construct 185 studio and one-bedroom affordable residential units for senior households in addition to the 558 residential units initially proposed. (August 28, 2019

LHIA submittal, Ex.J, DA p. D-1) The 185 senior affordable units will all be located in a single residential building known as the Walnut Affordable Housing Building. (August 28, 2019 LHIA submittal, Ex. J, DA p. D-4)

After providing that the Housing Entity formed by the developer will seek Low Income Housing Tax Credits and City-issued tax-exempt bond financing for construction, and may apply for the state Multifamily Housing Program and the Infill Infrastructure Grant Program, the Development Agreement provides for Transfer of Walnut Land to City in the event the developer fails to construct the affordable housing:

If the Tax Credit closing does not occur by the Outside Date, subject to extension for any applicable Excusable Delay, and construction of any Building occurs during the Term, then City shall have the right to acquire, and Developer agrees to transfer to the City, fee ownership of the Walnut Land Pursuant to the form of grant deed (the “Grant Deed”) attached as Attachment D-2, with the Approved Legal Description attached to it as Exhibit A. (August 28, 2019 LHIA submittal to Planning Commission, Ex. J, p. D-7)

Exhibits D-1 Walnut Parcel Title Condition and Exhibit D-2 Baseball Arbitration Appraisal Process were not provided on the Board of Supervisors’ website as of August 26, 2019.

When the proposed Development Agreement was prepared, it became likely that the project was proposed to have 744 residential units, including 185 units of affordable senior housing.

However, the EIR failed to analyze the 744-unit Community Full Preservation Alternative Variant as an “alternative” in the EIR, erroneously claiming that the range of alternatives described in the Draft EIR was adequate, and also by relying upon misstatements made by the developer and SF Public Works as to the nature of the Community Full Preservation Alternative Variant. The EIR is clearly inadequate because it does not contain a single 744-unit or similar sized alternative that the City analyzed as an alternative in the EIR. This inadequacy is in part due to the shifting nature of the proposed project, as evidenced by the late release of the proposed SUD and information about the affordable housing obligation of the project contained in the proposed Development Agreement.

Binding legal authority has held that “architectural drawings” or “design plans” are not required for EIR project alternatives. (*Los Angeles Conservancy v. City of West Hollywood* (2017) 18 Cal.App.5th 1031, 1038; August 28, 2019 LHIA submittal to Planning Commission, Ex. N) Thus, Public Works erred in criticizing the community alternatives for lacking architectural plans.

SF Public Works claims that the Community alternatives do not have a sufficient level of

architectural information (e.g., a scaled site plan showing the dimensions of the subject lot and buildings, landscaped areas, and setbacks, floor plans, roof plans, sections and elevations) to convey size, area, arrangement of uses or to demonstrate compliance with Planning Code requirements and basic life-safety requirements. In addition to being wrong on the law, Public Works failed to note that the conceptual site plans provided by the City for the alternatives analyzed in the Draft EIR had the same or a lesser level of architectural information as the Community alternatives. (See, for example, Figures 6.5 and 6.7 Alternative C: Full Preservation Residential Alternative Site Plan and Site Access at pp. 6.67, 6.72.) Public Works also contradicted itself at page 5 of its statement, claiming that conceptual site plans are sufficient at the early stage when alternatives are considered, stating:

For projects at an early conceptual level where only block diagrams are used, such as the Community alternative, estimates of the overall footprint of the building is the only measurable area. Without additional floor plans that show and dimension units, corridors, structure, mechanical shafts, etc., efficiency percentages are the only means available to calculate the approximate amount of residential area.

With respect to the California Front and Back townhomes, which are the only buildings that would not be multi-unit buildings, dimensions of the building footprints and heights were provided at pages 6-7 of the Community alternatives. (August 28, 2019 LHIA submission to Planning Commission, Ex. C)

Public Works also failed to take into account the flexibility built into the Community alternatives at page 9, which states:

The Community Alternative/Variant would comply with all applicable laws and regulations, including by making any modifications in the design needed to achieve such compliance or to provide additional space for necessary functions.

Public Works erroneously assumed twice as many elevator shafts in the California Front and Back buildings as the Community alternatives intended. (See August 28, 2019 LHIA submittal to Planning Commission, Ex. O, statement of engineer as to alternatives) Public Works' claim that the Community alternatives could fit 323 parking spaces was also unsubstantiated opinion based upon misunderstanding. (August 28, 2019 LHIA submittal to Planning Commission, Ex. P, statement of engineer as to parking)

Data taken from the developer's site survey and architectural plans was used by the engineer who performed the initial calculations of the dimensions of the subject lot and buildings. (August 28, 2019 LHIA submittal to Planning Commission, Ex. O - Statement of

Richard Frisbie August 27, 2019) In this statement, Mr. Frisbie details inaccuracies in the Public Works' analysis, such as using larger unit sizes for the community alternative than for the project and failing to adjust amounts of space needed for circulation based on the type of building. (August 28, 2019 LHIA submittal to Planning Commission, Ex. O) For example, flats do not have internal corridors like multi-unit buildings.

11. The City Violated LHIA's Rights of Due Process and the Requirements of the Block Book Notice Filed Against this Property by Failing to Give LHIA 10 Days' Notice of the Planning Department's Review of the Proposed Tentative Subdivision Map.

Laurel Heights Improvement Association of SF, Inc. (LHIA) filed an Application to Request a Block Book Notice against this property on June 18, 2019, which is valid for one year. (Ex. A hereto) LHIA specifically requested to review "any proposed subdivision map, including tentative and final maps" that may be reviewed by the San Francisco Planning Department and/or San Francisco Planning Commission. (Ex. K, Attachment A, p. 1)

The Planning Department failed to notify LHIA that Planning Department review was requested as to the Tentative Subdivision Map and also failed to hold the Tentative Subdivision Map for 10 days so the BBN requestor may review it, as required by Planning Department procedures. (Ex. L, p. 2, San Francisco Planning Department Application to Request a Block Book Notice, explanations) Under San Francisco Public Works Code sections 1321 and 1325, an application for a subdivision for which a Tentative Map is required must be forwarded to City Planning for its review. Under San Francisco Public Works Code section 1327, each reviewing agency shall report, in writing, its findings on and recommendations for approval, conditional approval or denial of a Application Packet, and "City Planning's report shall include a finding on consistency with the Master Plan." Under San Francisco Public Works Code section 1332 (b) whenever a property is to be subdivided, the Department of City Planning shall report on the question of consistency of the subdivision with the Master Plan."

The Planning Department issued a letter dated September 12, 2019 reporting on its findings pursuant to the Subdivision Map Act, Government Code sections 66474(a)-(g). (Ex. A) For the reasons stated herein, among others, and in comments submitted in the administrative record for the proposed Project, LHIA was prejudiced by being denied the opportunity to voice objections to the Planning Department's view of the proposed Project's alleged compliance with the Subdivision Map Act and alleged consistency with the San Francisco General Plan, including its elements, at the time the Planning Department was reviewing the application. LHIA was

further prejudiced by being denied adequate time to prepare and submit to SF Public Works and the SF Planning Department LHIA's objections to the proposed Project's alleged compliance with the Subdivision Map Act and alleged consistency with the San Francisco General Plan. These violations of LHIA's rights and the rights of its officers constitute unlawful and unconstitutional violations of the rights of due process afforded to LHIA and its officers under the United States Constitution and/or the State of California Constitution.

As a result of these violations, the Board should grant LHIA's appeal of approval of the tentative subdivision map and return the Tentative Subdivision Map to the Planning Department so that it can give LHIA and its officers the required 10 days' notice of the Planning Department's review of the application for compliance with the Subdivision Map Act and consistency with the San Francisco General Plan.

12. The Board Should Overturn the Approval of the Tentative Subdivision Map Because the Map Contains Inaccurate Statements.

The map sheet for Proposed Parcels and Easements erroneously states that Lot 1 would have 2 Commercial Units and 17 Residential Units. (See Ex. N hereto) Parcel 1 is only supposed to have residential units, and the developer's plans show it having 13 residential units.

The developer's proposed plans do not show any Commercial Units in Lot 1, which is the Lot that would contain the Laurel Duplexes. (See 07-03-2019 Laurel Duplex Plans showing only 13 residential units, although a data sheet shows 14) Thus, the plans do not show 17 residential units in the Laurel Duplexes.

The proposed zoning changes would allow retail uses only in the buildings fronting on California Street. (See Special Use District.)

The City's Preliminary Project Assessment confirms that under the RM-1 zoning, only residential uses are currently allowed and office, retail, entertainment and commercial parking uses are not allowed and would require a rezoning of the subject property. (see attachment 4 hereto)

Conclusion

For the reasons stated above and in LHIA's appeal of the Planning Commission's certification of the Final EIR, the Final EIR is inadequate, and if overturned by the Board of

San Francisco Board of Supervisors
October 7, 2019
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Supervisors, the Board must grant this appeal of the approval of the tentative subdivision map by the Public Works. The Final EIR is the CEQA document upon which the approval of the tentative subdivision is based, and if the Final EIR is overturned, the approval of the tentative subdivision map must necessarily also be overturned.

Also, the Board of Supervisors should overturn Public Works' approval of the tentative subdivision map because the design or improvement of the proposed subdivision is not consistent with applicable general plans and the site is not physically suitable for the proposed density of development for the reasons stated herein. Further information on inadequacies of the Final EIR and findings will be submitted to the Board of Supervisors. Also, LHIA incorporates herein all comments it made or any individual who serves as one of its officers made in the CEQA proceedings for 3333 California Street.

Laurel Heights Improvement Association of SF, Inc.



By: Kathryn Devincenzi, President

KRDevincenzi@gmail.com

Attachments: Exhibits A-L

EXHIBIT A



SAN FRANCISCO PLANNING DEPARTMENT

September 12, 2019

Subdivision and Mapping
Bureau of Street Use and Mapping
San Francisco Public Works
1155 Market Street
San Francisco, CA 94103

Record Number: 2019-015081SUB (DPW Project ID#9956)
Project Address: 3333-3395 California Street (1032/003)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

On September 5, 2019, at a duly noticed public hearing, the Planning Commission adopted Motion No. 20513, approving CEQA findings and certified the FEIR under Motion No. 20512. At the same hearing, the Commission adopted General Plan findings and recommended approval of Zoning Map Amendments, Planning Code Text Amendments, and established the 3333 California Street Special Use District under Resolution No. 20514. The Commission also approved the 3333 California Street Project Development Agreement under Resolution No. 20515.

On October XX, 2019, at a duly noticed public hearing, the San Francisco Board of Supervisors adopted Ordinance No. XX-19 approving the, CEQA findings, and Mitigation and Monitoring Report for the 3333 California Street Project. On October XX, 2019, the Board of Supervisors adopted the Development Agreement under Ordinance No. XX-19, authorizing the Planning Director to execute this Agreement on behalf of the City. The following land use approvals relating to the Project were approved by the Board of Supervisors concurrently with the Development Agreement: Zoning Map and Planning Code Text Amendments creating the 3333 California Street Special Use District (Ordinance No. XX-19), and General Plan Amendments (Ordinance No. XX-19).

ACTION

The Planning Department approves the proposed Tentative Subdivision Map 9956 for the 3333 California Street Project as submitted.

FINDINGS

The Planning Department hereby finds that the proposed Tentative Subdivision Map is consistent with the Project as defined in the Development Agreement. The Planning Commission adopted CEQA Findings and a General Plan Referral for the Project under Planning Commission Motion Nos. 20513 and 20514.

The Department has also considered the entire record to determine, pursuant to Subdivision Map Act, Gov't Code § 66474(a)-(g), whether any of the criteria exist that would require denial of the Tentative Subdivision Map, and finds that none of the criteria exist.

September 12, 2019

Record No. 2019-015081SUB
3333 California Street Project

The San Francisco Planning Department makes the findings below pursuant to Subdivision Map Act, Gov't Code § 66474(a)-(g):

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

The Tentative Subdivision Map is consistent with the General Plan for the reasons set forth in Planning Commission Resolution No. 20514. The subject parcel is not located within an Area Plan.

- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The Tentative Subdivision Map, together with the provisions for its design and improvement, is consistent with the San Francisco General Plan for the reasons set forth in Planning Commission Resolution No. 20514. The subject parcels are located within the Central Waterfront Planning Area.

- (c) That the site is not physically suitable for the type of development.

The site is physically suitable for the type of development. The FEIR evaluated potential environmental impacts associated with the development, which development is consistent with Special Use District (SUD). All required mitigation measures identified in the Mitigation Monitoring and Reporting Program will be applied to the Project.

- (d) That the site is not physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development on the 10.25-acre site. The density of development, including up to 744 proposed residential units, approximately 35,000 gross square feet of retail area, approximately 15,000 gross square feet of childcare facility, approximately 400,000 gross square feet devoted to off-street parking (857 spaces, including 10 car share spaces), and 839 bicycle spaces are consistent with the SUD as evaluated in the FEIR.

- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The FEIR incorporates a comprehensive evaluation of biological resources, including fish and wildlife and their habitat. All feasible and applicable mitigation measures identified in the MMRP will be applied to the Tentative Subdivision Map.

- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems. Issues of public health, including, for example, geotechnical and soils stability, hazards and

hazardous materials, and air quality impacts, were evaluated in the FEIR. All feasible and applicable mitigation measures identified in the MMRP will be applied to the Tentative Subdivision Map.

- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Neither the design of the subdivision nor the type of improvements will conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision. No such public easements for use or public access would be adversely affected by the proposed subdivision, and the Subdivider will be required to provide new easements as a condition of approval of the map as necessary for public access and use.

Pursuant to Subdivision Map Act, Gov't Code § 66412.3 and § 66473.1, the Department finds that the proposed subdivision with associated development complies with said criteria in that:

- (a) In carrying out the provisions of this division, each local agency shall consider the effect of ordinances and actions adopted pursuant to this division on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

The Tentative Subdivision Map is associated with a project that proposes up to 744 proposed residential units, approximately 35,000 gross square feet of retail area, and approximately 15,000 gross square feet of childcare facility. The development will balance housing with employment opportunities, new and improved infrastructure, community facilities, parks. The existing neighborhood character and the development of housing will not adversely impact the City's fiscal and environmental resources for its residents.

- (b) The design of a subdivision for which a tentative map is required pursuant to Section 66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The design of the proposed subdivision will enable the creation of a mixed-use and sustainable neighborhood. The neighborhood would improve the site's multi-modal connectivity with active streets and open spaces, high quality and well-designed buildings. The Project will promote the use of renewable energy, energy-efficient building envelopes, passive heating and cooling, and sustainable materials.

September 12, 2019

Record No. 2019-015081SUB
3333 California Street Project

CONDITIONS

We hereby attach the following:

- Planning Commission Motion Nos. 20512 and 20513 with respect to FEIR certification and CEQA findings
- Planning Commission Motion No. 20514 with respect to the Map's consistency with the General Plan and Planning Code Section 101.1(b)
- Mitigation Monitoring and Reporting Program for the 3333 California Street Project

Form No. 3

Proposition "M" Findings Form The Eight Priority Policies of Section 101.1 of the San Francisco Planning Code

Date: 04/02/19City Planning Case No. 2015.014028ENV (if available)Address 3333 California Street SF, CA 94118Assessor's Block 1032 Lot(s) 003Proposal: Mixed-Use Redevelopment

EIGHT PRIORITY GENERAL PLAN POLICIES

As a result of the passage of Proposition M (Section 101.1 of the San Francisco Planning Code), findings that demonstrate consistency with the eight priority policies of Section 101.1 must be presented to the Department of City Planning as part of your project application review for general conformity with San Francisco's General Plan.

Photographs of the subject property are required for priority policy review and must be submitted as part of the application.

INSTRUCTIONS TO APPLICANTS: Please present information in detail about how your application relates to each of the eight priority policies listed below. The application will be found to be incomplete if the responses are not thorough. Use a separate document and attach if more space is needed.

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

The Project will preserve existing neighborhood-serving retail uses, and will provide a substantial new customer base for those existing uses. In addition, the Project would create approximately 54,000 square feet of new retail uses to serve both new residents and existing neighborhood residents. By providing new customers to existing businesses and creating new retail businesses, future opportunities for resident employment in and ownership of neighborhood-serving retail uses will be enhanced.

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

The mixed-use, mixed-income Project provides a range of improvements, housing, and services that will preserve the cultural and economic diversity of the surrounding neighborhood. The Project proposes approximately 558 new dwelling units and will comply with the City's inclusionary affordable housing requirements. The Project would take advantage of a key infill housing opportunity site during an unprecedented housing crisis in San Francisco, replacing an underutilized, suburban-style office building site with a mixed-income community that will enhance the existing neighborhood character.

- 3. That the City's supply of affordable housing be preserved and enhanced;

The Project would substantially enhance the City's supply of affordable housing by complying with the provisions of the City's affordable housing requirements.

- 4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

The Project would substantially enhance the City's supply of affordable housing by complying with the provisions of the City's affordable housing requirements.

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

Neither the adaptive reuse of the existing office building nor the construction of new mixed-use buildings would displace any industrial or service sector businesses. New service sector jobs will be created in the proposed neighborhood-serving retail uses, enhancing future opportunities for resident employment and ownership in the service sector.

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

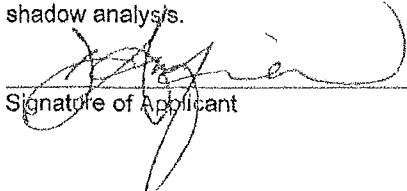
The Project will be built in compliance with the most current building codes to protect against injury and loss of life in the event of an earthquake.

- 7. That landmarks and historic buildings be preserved; and

The Project proposes adaptive reuse of the existing office building, which is currently being analyzed as part of a Historic Resource Evaluation for the CEQA document.

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

The Project would create substantial new, publicly-accessible open spaces on private property, and would not cast shadows on any publicly-owned parks or open space. The Project has been designed to maintain vistas where practical, and to allow for sun access to the Project's proposed open spaces. Any shadow cast by the Project's buildings will be further reviewed and documented through the CEQA document's shadow analysis.



 Signature of Applicant

04/02/19

 Date

(Required for all New Condominium Applications)

D. APPLICATION

Property Address: 3333 California Street

For SFPW-BSM use only

Assessor's Block: 1032 Lot Number(s): 003

ID No.: _____

| | |
|--|---|
| Owner: | |
| Name: | Laurel Heights Partners, LLC |
| Address: | c/o Prado Group 150 Post Street Suite 320 San Francisco, CA 94018 |
| Phone: | 415-395-0880 |
| E-mail: | dbragg@pradogroup.com |
| Attorney's Information: (If Any) | |
| Name: | David Van Atta c/o Hanna Van Atta |
| Address: | 525 University Ave, Suite 600 Palo Alto, CA 94301 |
| Phone: | (650) 321-5700 |
| E-mail: | dvanatta@hanvan.com |
| Surveyor preparing the subdivision map: | |
| Name: | Eric Girod c/o BKF |
| Address: | 4670 Willow Road, Suite 250 Pleasanton, CA 94588-3323 |
| Phone: | (925) 396-7751 |
| E-mail: | egirod@bkf.com |
| Subdivider: (if different from owner) | |
| Name: | N/A |
| Address: | |

Number of Units in Project: 739

This subdivision creates an airspace: No Yes (shown on Tentative Map)
 This subdivision creates an addition to an existing building No Yes (shown on Tentative Map)

Check only one of the following options:

| | Indicate project type |
|-------------------------|---|
| Residential Only | <input type="checkbox"/> |
| Mixed-Use | <input checked="" type="checkbox"/> If checked, Number of residential unit(s): <u>675</u> Number of commercial unit(s): <u>64</u> |

**STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO**

I (We) Laurel Heights Partners LLC, a Delaware limited liability company
 (Print Subdivider's Name in full)

declare, under penalty of perjury, that I am (we are) the owner(s) [authorized agent of the owner(s)] of the property that is the subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my (our) knowledge and belief.

Date: 1-2-19 Signed: _____

Date: _____ Signed: _____

E. NEW CONDOMINIUM APPLICATION CHECKLIST

Check the following items enclosed where applicable:

| Submitted per guidelines and in this order? | | Official Use Only: | No. | Item Description and Order | Total of copies | Which and how many of total required items are needed for each agency? | | | Form No. (where applicable) |
|---|--------------------------|--------------------------|-----|--|-----------------|--|-----|-----|-----------------------------|
| Yes | No | OK? | | | | SFPW | DCP | DBI | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. | Four (4) copies of Tentative Parcel Map [SFPW copies: 3-BSM Mapping Section; 1-City Planning One additional copy will be required if project falls within the jurisdiction of SFRA (See Page 8).] | 4 | 3 | 1 | 1* | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. | Six (6) copies of Tentative Final Map [SFPW copies: 5-BSM Mapping Section; 1-City Planning One additional copy will be required if project falls within the jurisdiction of SFRA (See Page 8).] | 6 | 5 | 1 | 1* | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. | Subdivision Fee (\$ <u>55,937</u>) | 1 | | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. | Preliminary Title Report (dated within 3 months) | 2 | 1 | 1 | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. | Grant Deeds and any other recorded documents for: <input checked="" type="checkbox"/> Subject Site and <input checked="" type="checkbox"/> Adjoiners | 1 | 1 | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. | Previous Land Use. | 2 | 1 | 1 | | Form No. 1 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6a. | Permit numbers for any approved building permits | 2 | 1 | 1 | | Form No. 1 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. | Owner's Release of Interest in Common Areas (Sec. 1323 (6)) | 2 | 1 | 1 | | Form No. 2 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. | Neighborhood notification packet for Tentative Map decision. <input checked="" type="checkbox"/> 300-Foot Radius Map <input checked="" type="checkbox"/> Address List <input checked="" type="checkbox"/> Envelopes | 1 | 1 | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. | Photographs of subject property, as follows: [Public Works Code Sec. 723.2 & Planning Code] <input checked="" type="checkbox"/> Front photo from the street looking at the property, including sidewalk without obstructions <input checked="" type="checkbox"/> Photo from left side showing property line and sidewalk fronting subject site <input checked="" type="checkbox"/> Photo from right side showing property line and sidewalk fronting subject site <input checked="" type="checkbox"/> Photo of rear of property | 3 | 2 | 1 | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. | Proposition "M" Findings demonstrating consistency with Eight Priority General Plan Policies (Planning Code Sec. 101.1(b)) | 2 | 1 | 1 | | Form No. 3 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. | Review by Department of Building Inspection, if required, See Page 9. | 1 | | | 1 | Form No. 4 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 12. | Provide proposed sales prices for Below Market Rate (BMR) units (Form No. 1) N/A | 1 | 1 | | | Form No. 1 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 13. | A copy of the signed Planning Dept. or Planning Commission motion approving the project N/A | 1 | 1 | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 14. | Provide copies of any Notices of Special Restrictions associated with this site. <small>Standard City NSRs anticipated at project approval</small> | 1 | 1 | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 15. | 3R report required for existing dwelling units-See Page 9 for details. N/A - Commercial Building | 1 | 1 | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 16. | Copy of Building Permits-See Page 9 for details. N/A | 1 | 1 | | | |

*** ADDITIONAL COPY TO DBI – SEE REQUIREMENTS PAGE 9, ITEM 11**

EXHIBIT B

Fireman's Fund Insurance Company
 Name of Property

San Francisco, CA
 County and State

located in the center of the property. There is also a much smaller, one-story Service Building in the northwest corner of the property. The two buildings were designed to complement each other in character and materials. The Office Building is a glass walled structure with an open character. The Service Building is a brick building with a closed character. The Office Building is an International Style structure which despite its size is built into its sloping hillside site in such a way as to minimize its presence. Its four wings, each built for different functions, range from three floors to seven floors. It is characterized by its horizontality, its bands of windows separated by the thin edges of projecting concrete floors, and brick trim. The wings of the building frame outdoor spaces whose landscape design connects the outdoors with the indoors both functionally and conceptually. The landscape design includes outdoor spaces for use by employees, parking lots, circulation paths, and vegetation. The principal outdoor spaces are the Entrance Court, the Terrace, and small areas around the Auditorium.

Narrative Description

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Name of Property

San Francisco, CA
County and State

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SETTING

The Fireman’s Fund Home Office property is located in a central area of the north half of the City of San Francisco near the intersection of two principal streets, California and Presidio. The property occupies almost all of a large irregular block bound by California Street on the north, (continuing clockwise) Presidio Avenue on the east, Masonic Avenue on the southeast, Euclid Avenue on the south, and Laurel Street (in straight and curved sections) on the west. Fireman’s Fund occupies about 10.2 acres – the entire block except for a small triangular parcel at the corner of California and Presidio. (See Map 1 and Map 4)

The site itself slopes down from about 300 feet in elevation in the southwest corner to about 225 feet in the northeast corner. It is part of a cluster of low hills associated with Lone Mountain whose several high points were developed as cemeteries in the nineteenth century. The Fireman’s Fund site was previously a portion of the Laurel Hill Cemetery, and was long recognized for its views. Today there are distant views from the property to the southeast and downtown, to the northwest and a partial view of the Golden Gate Bridge, and to the west into the Richmond District.

The property is surrounded on all sides by thoroughly developed parts of the City of San Francisco. The site itself is at a junction of several different historical developments. To the east and north, the streets are laid out in a modified extension of the original grid of the city. Across Presidio Avenue on the east the neighborhood is called the Western Addition, characterized by a mix of middle-class homes built in the nineteenth century, and by flats and apartments built in the years after the earthquake and fire of 1906. To the north, Presidio Avenue is the dividing line between two of San Francisco’s wealthiest late-nineteenth- and early twentieth-century neighborhoods, Pacific Heights to the east and Presidio Heights to the west. To the west along California Street is Laurel Village, a post-World War II strip shopping center. To the west and south is Laurel Heights, a post-World War II residential development of houses and apartments. To the southeast across Masonic Avenue is Station 10 of the San Francisco Fire Department.

BUILDINGS

There are two buildings on the Fireman’s Fund property. The Office Building, which is by far the larger of the two and is sometimes referred to as the main building, is located in the center of the property and is surrounded by lawns, gardens, and landscaped parking lots. The Service Building, referred to as the Annex since 1985 under a new owner, is a relatively small structure located at the northwest corner of the property. Although different in size and function, the two

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The Service Building is a steel frame and reinforced concrete structure enclosed in brick. Its openings are limited to glass and aluminum doors, a few window openings, and ventilating louvers in the boiler room.

LANDSCAPE

Landscape Features Associated with the Mid-1950s Design

The landscape was an integral part of the original design for the new corporate headquarters commissioned by Fireman's Fund in the mid-1950s. The San Francisco-based firm of Eckbo, Royston, and Williams (ERW) was the landscape architect for the original landscape design, completed in 1957, and its successor firm Eckbo, Dean, Austin, and Williams (EDAW) designed the landscape associated with the mid-1960s additions. The landscape setting around the modernist Office Building integrates functional needs (such as parking lots and internal circulation) with large areas of lawns and structured outdoor spaces (the Terrace, Entrance Court, and the Auditorium's outdoor spaces). The landscape is designed to promote the integration between architecture and landscape and uses forms and materials that are characteristic of modernist designs from the mid-twentieth century. (See Map 2 and Map 3)

Brick Wall

A brick wall, which takes different forms, provides a continuous and unifying element around the edges of the site. It exists as a retaining wall along the perimeter of the property's northeast, north, and west sides. Three gated entrances—one for the employees on California Street and the service and executive/visitor entrances on Laurel Street—are integrated into these sections of the wall. Each of these three entrances has a separate vehicular and pedestrian opening framed by brick pillars and secured by a double-leaf, metal rail gate when the property is closed. On the south side of the Executive/Visitor Gate, the perimeter wall is transformed into low retaining walls that define a series of planting beds along the west end and south side of the Executive Wing. The wall continues along the outer edge of the Terrace garden, along the bank that parallels Masonic Avenue, and then reconnects to the southeast corner of the Office Wing (east). Here rectangular brick planting beds have been incorporated into the wall, creating a zig-zag alignment similar to that found in other locations (i.e., on the bank along Laurel Street in the vicinity of the Entrance Court, on the southwest side of the Terrace, and in the bench wall that frames the eastern side of the Terrace).

Parking Lots and Internal Circulation

Two parking lots occupy the land in front (north) of the Office Building. The East Parking Lot and the West Parking Lot sit on either side of the entry drive, which aligns with the Employee Gate and an employee entrance (E2) into the Office Building.

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Executive/Visitor Entrance and was one of the two structured outdoor spaces in ERW's mid-1950s design. A narrow, rectangular planting bed (10' x 55') at the center of the asphalt paving creates a U-shaped drive, which connects to the Executive/Visitor Gate on Laurel Street. Sidewalks (exposed aggregate concrete) and narrow planting beds (with Japanese maple trees, azaleas, rhododendron, New Zealand flax, and decorative rocks) line the sides of the Entrance Court's parking lot.

Terrace

In ERW's mid-1950s design, the principal structured outdoor space was the Terrace, which was intended as a place for employees to sit outside during lunch and at breaks. The Terrace is framed by the south side of the Office Wing and the east side of the Cafeteria Wing, where it is protected from the prevailing west wind and provides views to the east and south of San Francisco. This garden area has two levels. The lower level contains a biomorphic-shaped lawn and a paved patio, which wraps around the lawn's north and east sides. Steps along the east side of the upper-level terrace connect down to the lower level of the garden. Both the terrace and patio are paved with exposed aggregate concrete which is divided into rectangular panels by inlaid rows of red brick aligned with the window frames of the building. A brick retaining wall runs along the east and north sides of the lower-level patio. A raised planting bed, to the east of this wall, provides a visual boundary along the Terrace garden's east side. Three raised, circular beds (one on the upper-level terrace, one at the western edge of the lawn, and one at the north end of the lawn) each contain a tree; the sides of these circular beds are constructed of modular sections of pre-cast concrete. (See Map 3)

The plan for the Terrace provides a classic modernist composition. The biomorphic-shaped lawn contrasts with the rectilinear pattern of the pavement and the geometric form of the three , three circular tree beds, the zig-zag alignment of the wall along its eastern edge, and the curved arch of hedge in the raised planting bed along its eastern edge. The triangular relationship between the three circular tree beds adds yet another level to the geometry of the composition.

Benches, which appear to have been custom-built for the mid-1950s design, are attached to the interior face of the wall along the Terrace's east side. The wooden boards for the seat and back are attached by metal bolts to a metal frame, which is attached to the wall; both the wood and metal are painted black. Benches of a similar design (three wood boards mounted on a bent metal frame) are mounted onto the patio at various places along its inner edge.

Landscape Features Associated with the Mid-1960s Design

EDAW, the successor firm to the ERW partnership which was dissolved in 1958, prepared the landscape design that accompanied the mid-1960s additions to the Office Building. Just as the mid-1960s architectural additions were intended to be compatible with the original Office

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for sidewalks; the exposed aggregate concrete divided into panels by rows of brick in the pavement at the Terrace and in the Auditorium's west-side sitting area; the metal for the entrance gates; the custom-designed wood benches found in the Terrace and at the Entrance Court's outdoor sitting area; and the circular tree beds constructed of modular sections of concrete found in the Terrace the Auditorium's west-side sitting area.

Combined Buildings and Landscape

Together the buildings and landscape of the Fireman's Fund Home Office constitute a single resource that possesses integrity as measured by the seven aspects of integrity, as follows:

- 1) Location: The property is in its original location. It has not been moved.
- 2) Design: The property retains the essential elements of its design and the relationship between the parts of the design. Alterations to the design since the period of significance are relatively minor. It retains integrity of design.
- 3) Setting: The setting of the property is the same in all major respects as at the time it was first built. It retains integrity of setting.
- 4) Materials: The materials used in the buildings and landscape during the period of significance are all present. The property retains integrity of materials.
- 5) Workmanship: Evidence of workmanship, both from craftsmanship (brick and landscape features) and industrial processes (glass manufacture, concrete finishing, extrusion of aluminum) are all present. The property retains integrity of workmanship.
- 6) Feeling: Because the property as a whole – its buildings and landscape – are little altered and have been well-maintained, it retains integrity of feeling from the period of significance.
- 7) Association: Apart from the lettering on the outside wall near two entrance gates with the name of the current owner and occupant of the property, the property is almost indistinguishable from the time of its ownership by Fireman's Fund Insurance Company. Thus it retains integrity of association.

CHARACTER DEFINING FEATURES

Office Building

Plan of the building with wings open along the sides to the immediate landscape and to views of the distant city.

Horizontality of massing

Horizontal lines of projecting edges of concrete floors

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- Horizontal bands of nearly identical window units
- Uninterrupted glass walls
- Window units of aluminum and glass
- Circular garage ramps
- Exposed concrete piers over the Garage
- Wrought iron deck railings that match gates in the landscape
- Brick accents and trim

Service Building

- Massing of rectangular volumes
- Brick walls with a minimum of openings

Landscape

Terrace, as the “centerpiece” of the landscape, designed to integrate the architecture of the building with the site and with the broader setting (through views of San Francisco); key character-defining features include its biomorphic-shaped lawn surrounded by a paved terrace and patio (paved with exposed aggregate concrete divided into panels by rows of brick); brick retaining wall and large planting bed around the east and north sides of the paved patio, custom-designed wood benches, and three circular tree beds constructed of modular sections of concrete.

Entrance Court, providing a connection between the Executive/Visitors Gate on Laurel Street and an entrance to the building on the west side of the Cafeteria Wing; key character-defining features include a central paved parking lot surrounded on its north, east, and west sides by narrow planting beds; exposed aggregate sidewalks along the north, east, and west sides of the parking lot; and a low free-standing brick wall along its north side.

Two outdoor sitting areas—one on the east side of the Auditorium and one on its west side—that connect to entrances into the Auditorium; key character-defining features for the area on the west side of the Auditorium include the pavement (exposed aggregate divided into panels by rows of bricks), circular tree bed constructed of modular sections of concrete; and metal benches; key character-defining features for the area on the east side of the Auditorium include the pavement (concrete divided into panels by wood inserted into expansion joints).

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opportunities to adapt the modernist vocabulary for gardens to the new parks, educational and commercial campuses, and civic spaces being developed in the post war economic boom. This expansion in the profession of landscape architecture was led by a new generation of landscape architects, which included at its forefront Garrett Eckbo, Robert Royston, and Ed Williams—the three partners in the firm responsible for the landscape design of the Fireman's Fund site.

Landscape of the Corporate Headquarters

A new type of cultural landscape, created by a synthesis of modernist buildings and landscape design, developed during the post-World War II era as corporate headquarters moved out of the central city. Louise A. Mozingo, professor of landscape architecture at the University of California, Berkeley and the author of several articles and a book on this development, has noted that corporations moved out of the urban core for a number of reasons. First and foremost, the larger sites available in the suburbs allowed corporations to construct new buildings that fit their current management structure and operational needs. "Efficient office organization now required flexible, expandable offices with movable partitions rather than fixed walls. The dense, constricted downtown became untenable."¹⁰²

By the early 1950s, insurance companies had spearheaded this exodus from the central business district to the peripheral residential areas of the city or to suburban sites. An article in *Business Week* in 1951, quoted by Mozingo in her article "The Corporate Estate in the USA, 1954-1964," noted that there were not enough downtown spaces "in the right places" to meet companies' needs for expansion. The management of these insurance companies believed that it was hard to "hire first class personnel" to work in downtowns that were viewed as undesirable environments. ("Management thinks workers will be happier looking at trees instead of grimy buildings and listening to birds instead of honking taxis."¹⁰³) The integration of the architecture and landscape typically featured a low-rise, centrally-sited, modernist building(s), an entry drive and large parking lots which were a reflection of the domination of the automobile as the preferred means of transportation for employees and visitors, and an enveloping landscape setting or "green surround" which was often designed to resemble an idealized suburban space.¹⁰⁴ The buildings and parking lots occupied only a fraction of a site's acreage and the landscaped lawns and outdoor spaces contributed to the "seamlessness between the interior and exterior space, which was a common goal of the modernist architectural aesthetic."¹⁰⁵ Mozingo noted that corporations "considered the designed landscape essential to the functioning of their management

¹⁰² Mozingo, *Campus, Estate, and Park*, 258

¹⁰³ Mozingo, *The Corporate Estate*, 28

¹⁰⁴ *Ibid.*, 34.

¹⁰⁵ *Ibid.*, 44.

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County and State

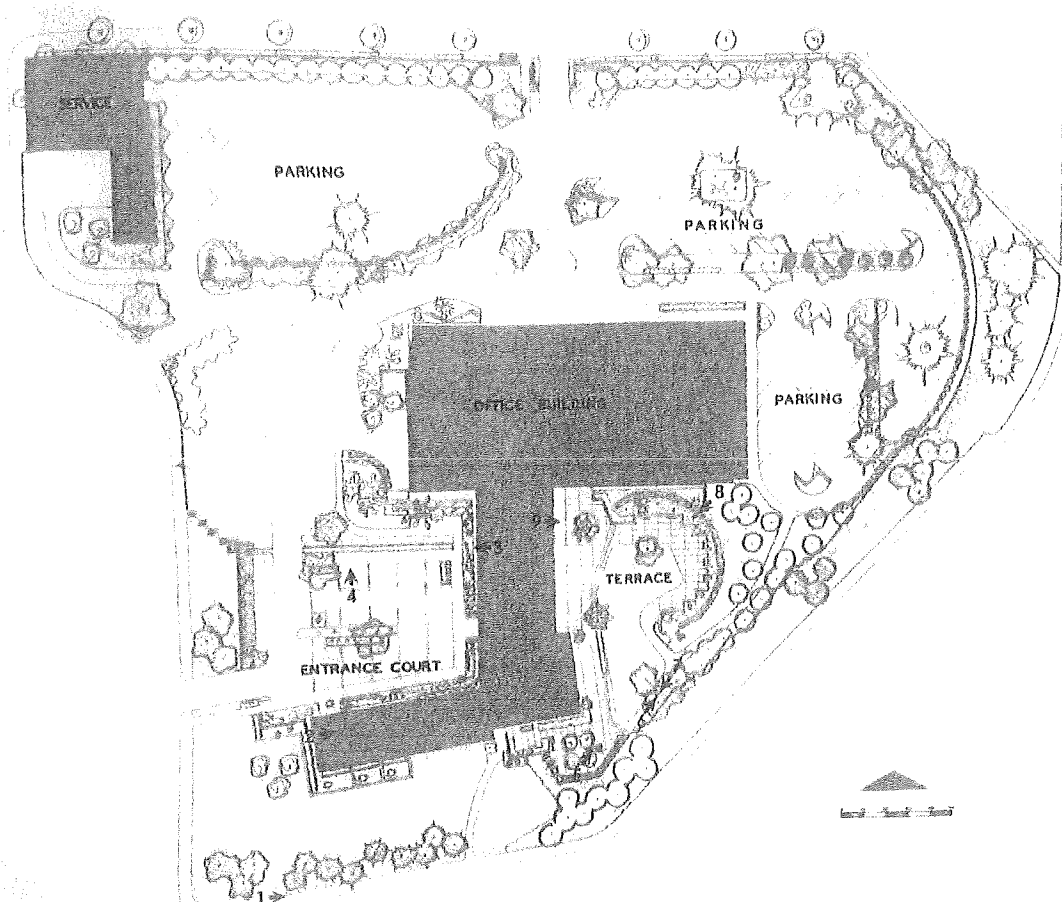
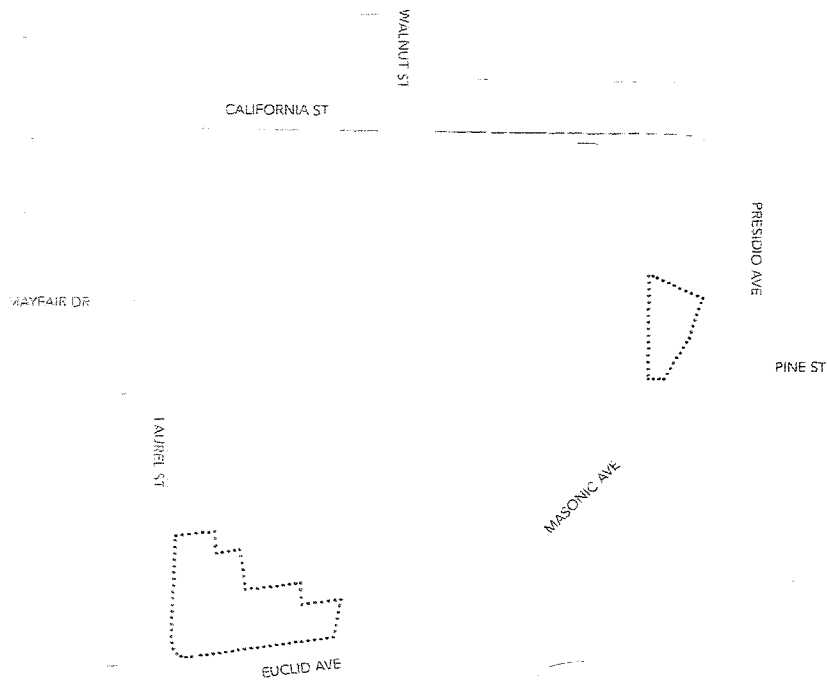


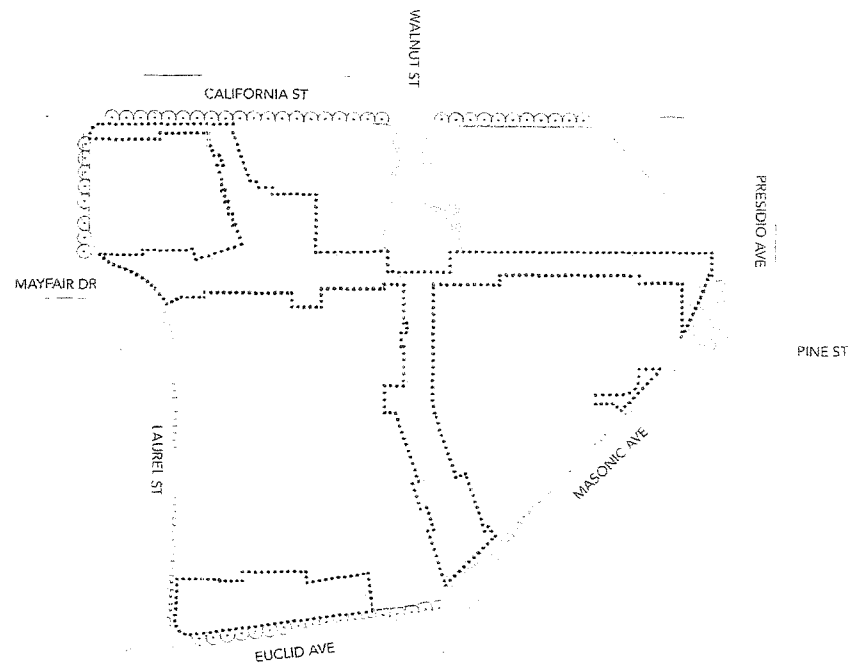
Figure 2. Site Plan showing features ca. 1957–1963. Source: Garrett Eckbo, *Urban Landscape Design*, 1964

EXHIBIT C



EXISTING PRIVATELY OWNED PUBLICLY ACCESSIBLE OPEN SPACE

--- EXISTING PUBLICLY ACCESSIBLE OPEN SPACE
(14,703 SF)



PROPOSED PUBLICLY ACCESSIBLE OPEN SPACE

--- PROPOSED PUBLICLY ACCESSIBLE OPEN SPACE
(103,000 SF)
SEE SHEET G3.03 FOR SUMMARY OF OPEN SPACE COMPLIANCE

--- PROPOSED PUBLICLY ACCESSIBLE OPEN AREA LOCATED IN
PUBLIC ROW (DOES NOT MEET PLANNING DEFINITION OF
OPEN SPACE)
(10,000 SF)

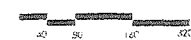
--- PROPOSED PUBLICLY ACCESSIBLE OPEN AREA WITHIN
PROPERTY LINE (DOES NOT MEET PLANNING DEFINITION OF
OPEN SPACE)
(8,000 SF)

3333 CALIFORNIA STREET SAN FRANCISCO, CA

SITE DIAGRAM - OPEN SPACE NETWORK



07.03.2019
PLANNING APPLICATION SUBMITTAL



L0.01

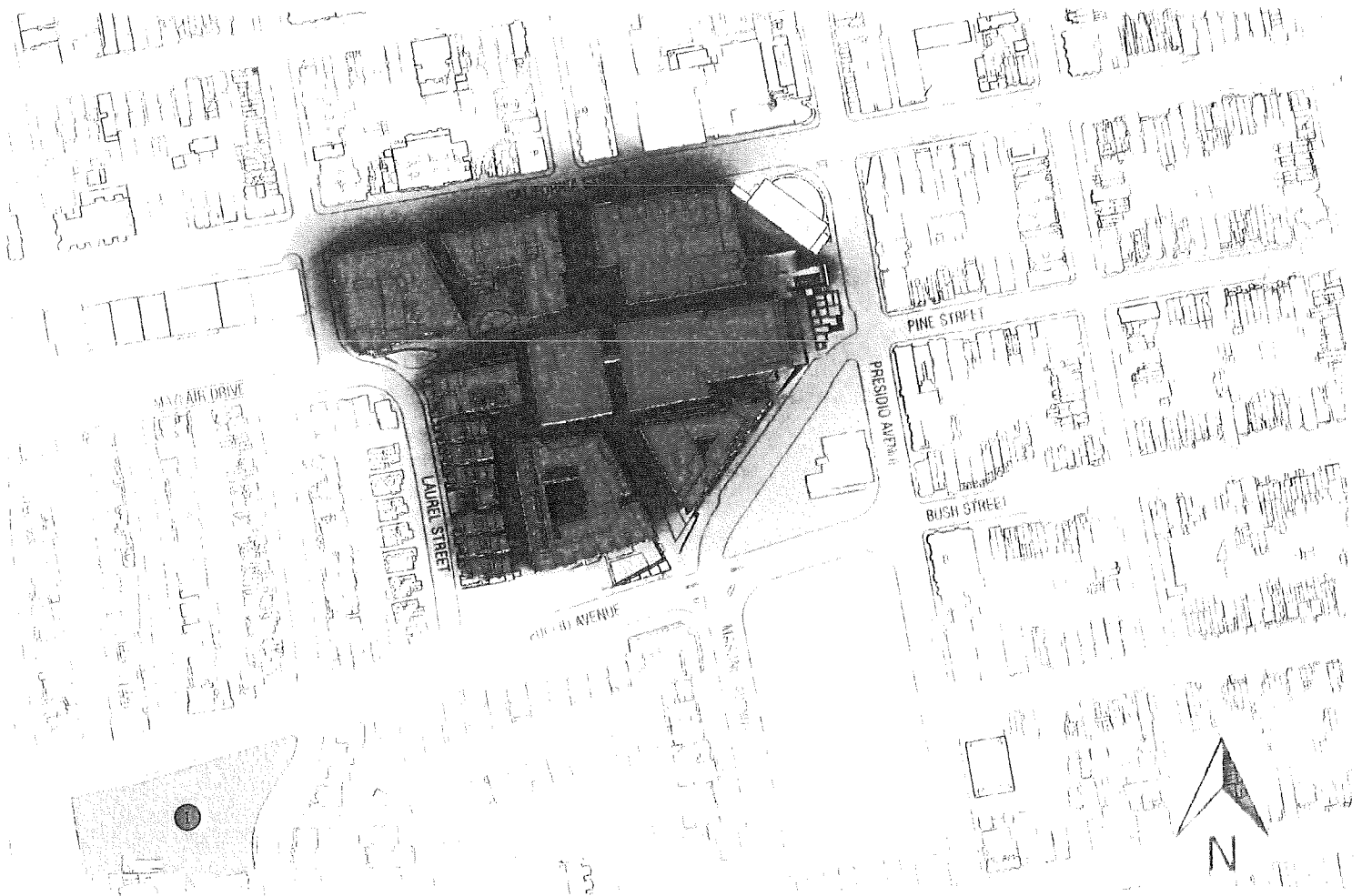
EXHIBIT D



A

3333 CALIFORNIA MIXED-USE PROJECT

Refined Annual Shadow Fan Diagram (Factoring in Existing Shadow)



EXTENTS OF NET NEW PROJECT SHADING
THROUGHOUT THE YEAR

FULL YEAR

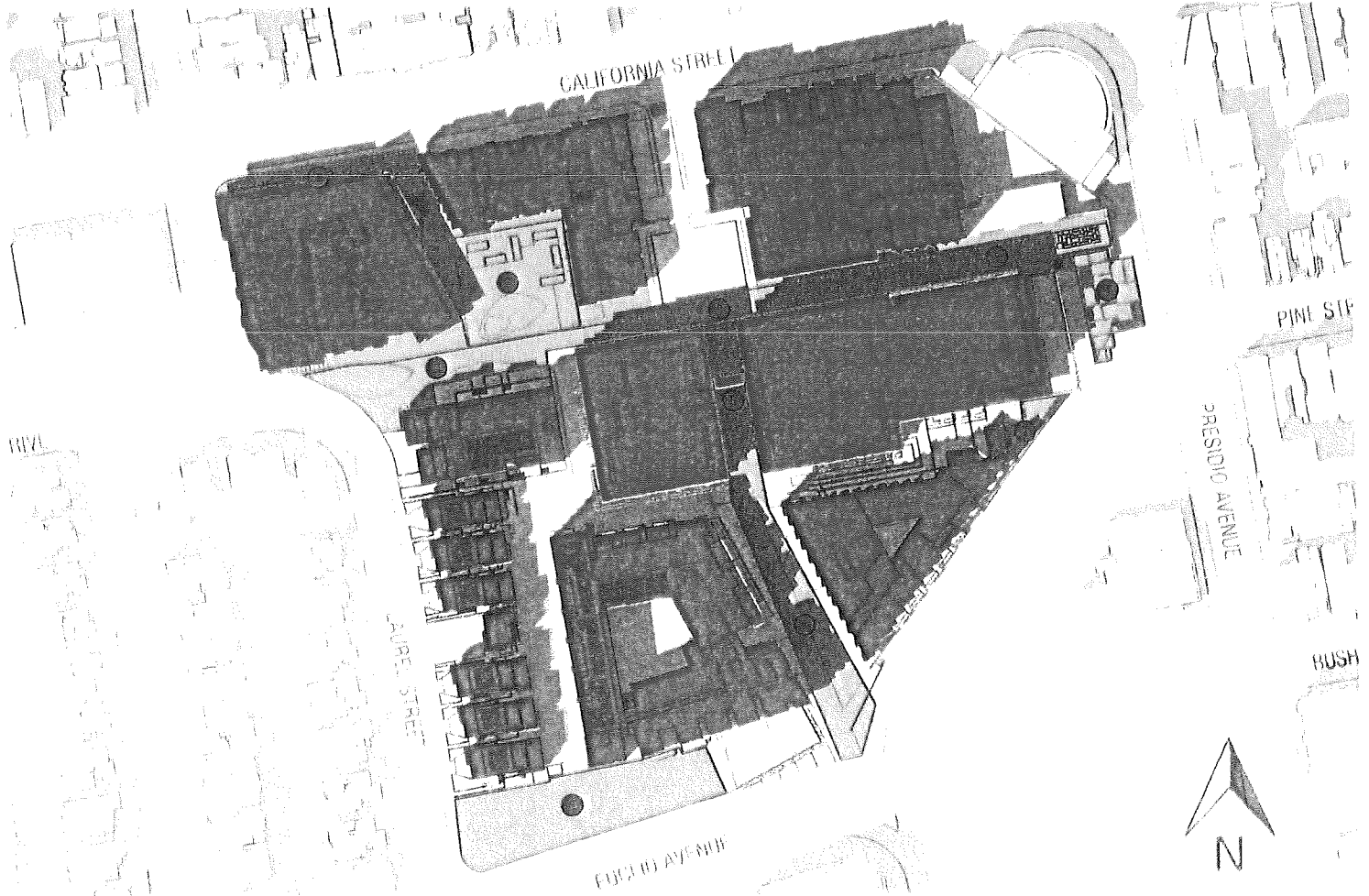




C2.9











3333 CALIFORNIA MIXED USE MULTI-FAMILY HOUSING VARIANT

Shading diagrams near the Fall/Spring Equinoxes



APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20

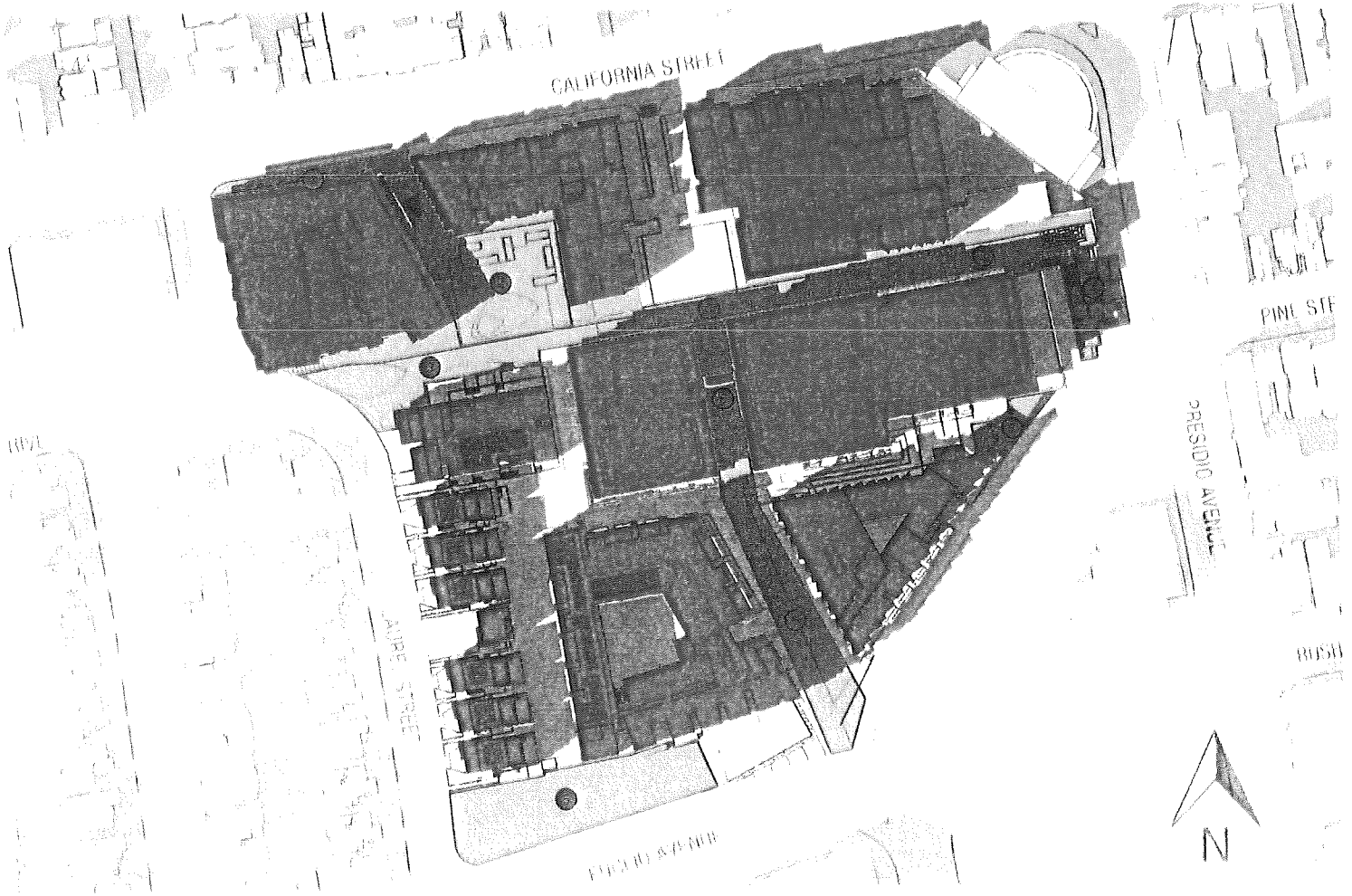
3:00 PM

| | | | | | |
|---|-----------------------------|---|-----------------------------|---|---------------|
|  | Existing building |  | Proposed development |  | Street Light |
|  | Existing building shadow |  | Proposed development shadow |  | Window Glare |
|  | Proposed development shadow |  | Window Glare |  | Motor Vehicle |
| | |  | Motor Vehicle Glare | | |

C2.10

3333 CALIFORNIA MIXED USE MULTI-FAMILY HOUSING VARIANT

Shading diagrams near the Fall/Spring Equinoxes



APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20

4:00 PM



- Existing building
- Proposed building
- Proposed building

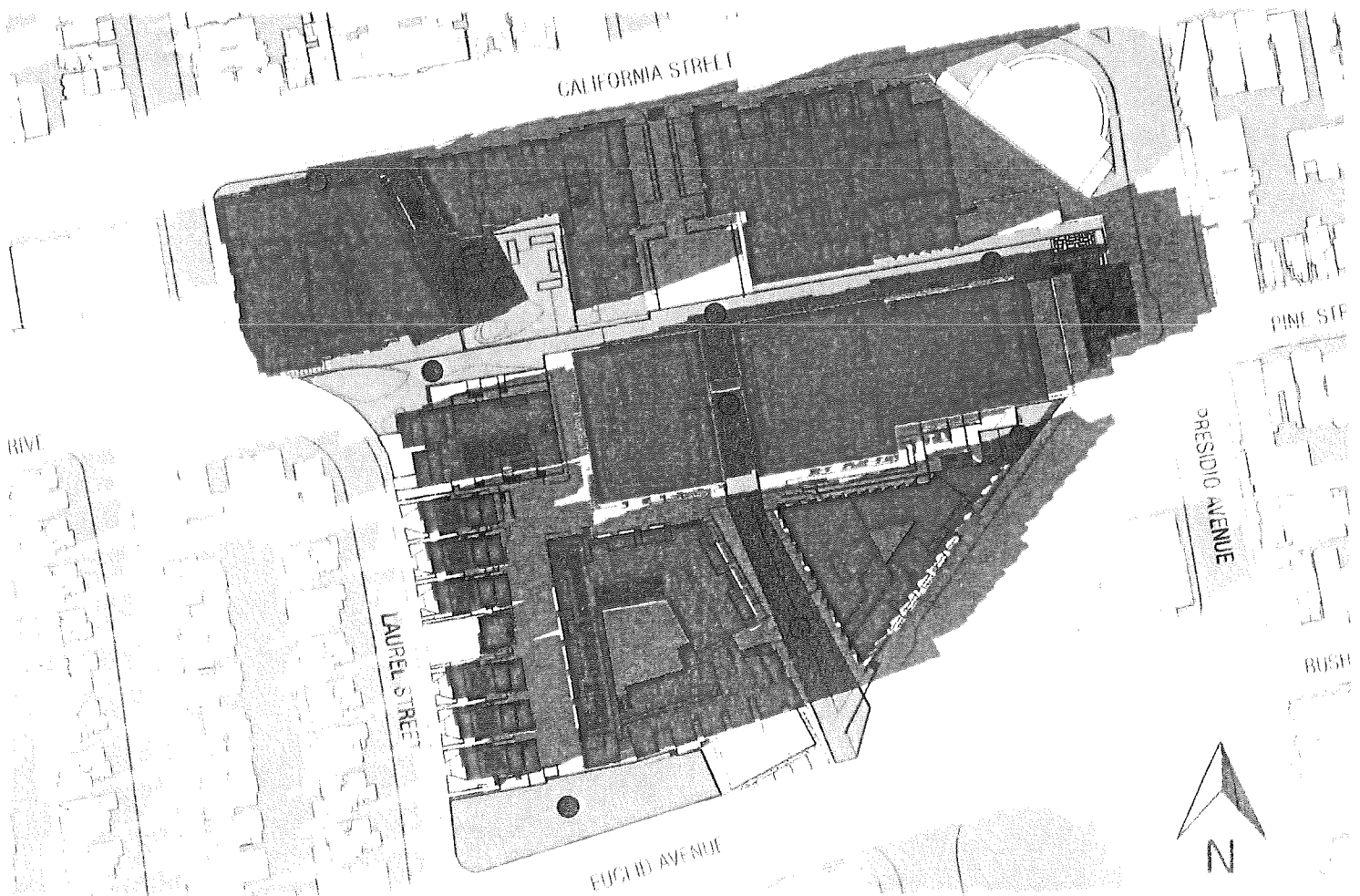
- 1. 1st Floor
- 2. 2nd Floor
- 3. 3rd Floor
- 4. 4th Floor

- 5. 5th Floor
- 6. 6th Floor
- 7. 7th Floor

C2.11

3333 CALIFORNIA MIXED USE MULTI-FAMILY HOUSING VARIANT

Shading diagrams near the Fall/Spring Equinoxes



APPROX. FALL EQUINOX (SPRING SIMILAR)

SEPTEMBER 20

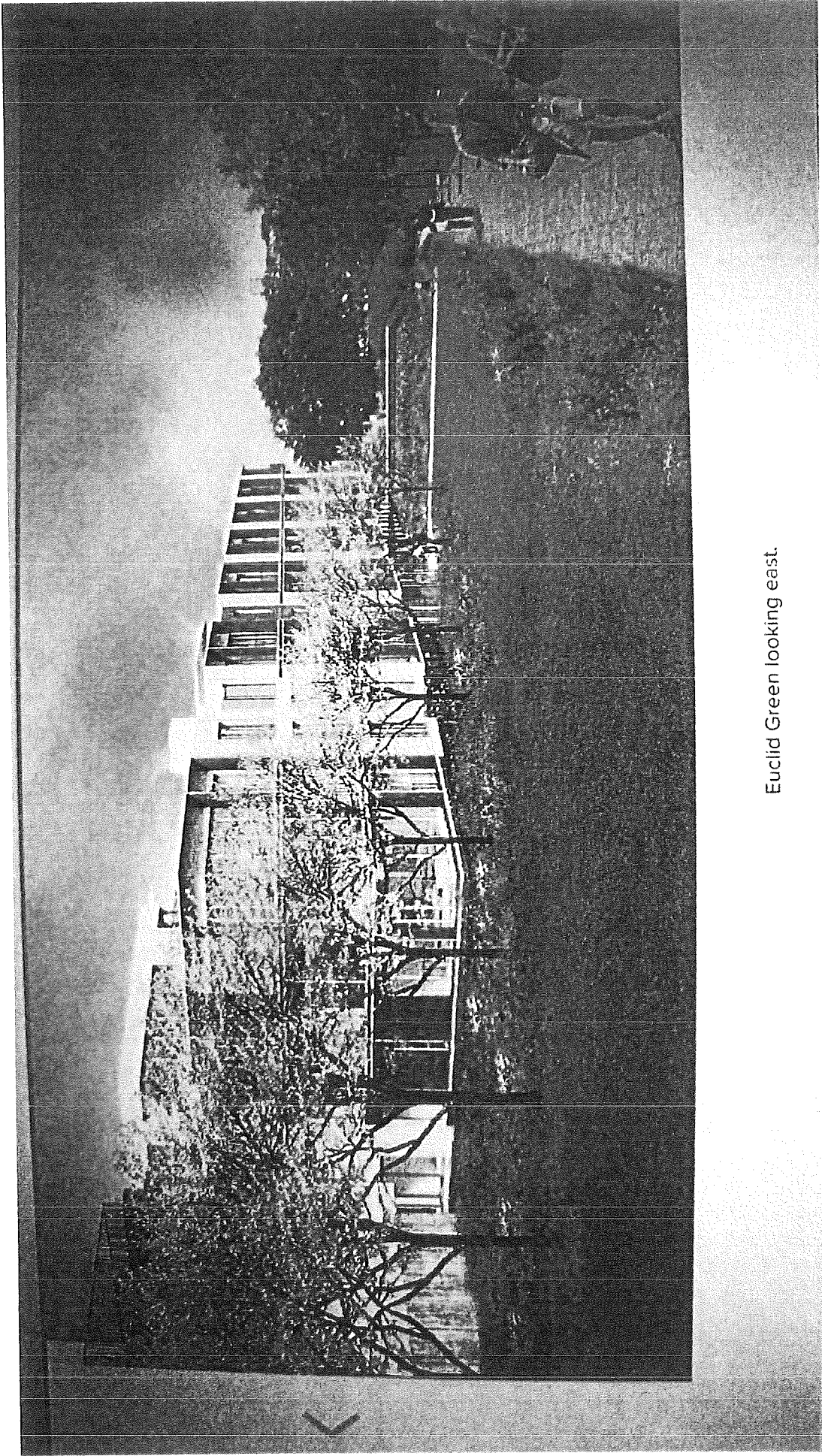
5:00 PM

- Proposed massing
- Existing street frontage
- New building proposed to be built

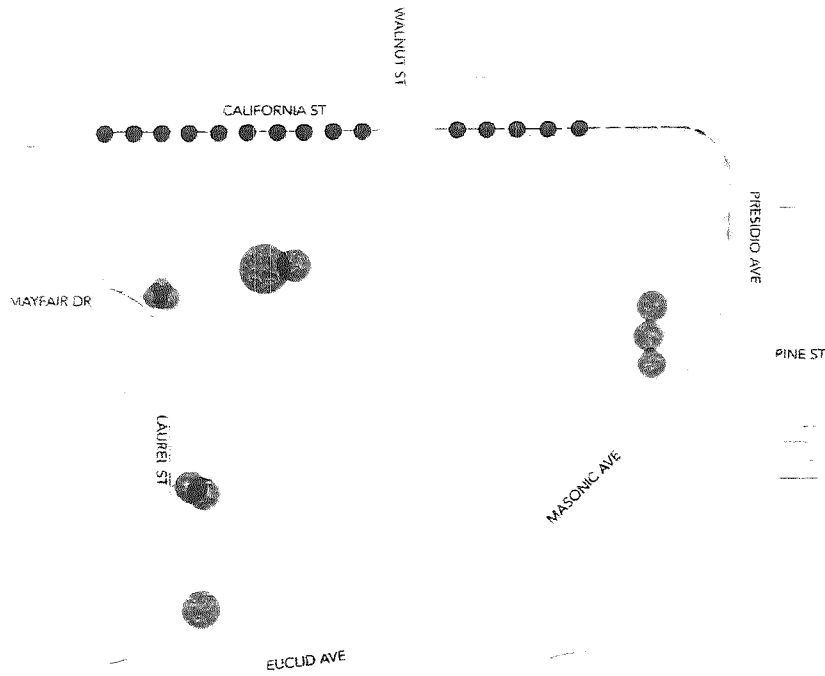
- EXISTING BUILDINGS**
- 1. 3333 California Street
 - 2. 3335 California Street
 - 3. 3337 California Street
 - 4. 3339 California Street

- EXISTING TREES**
- 5. Elm
 - 6. Yucca
 - 7. Magnolia

EXHIBIT E

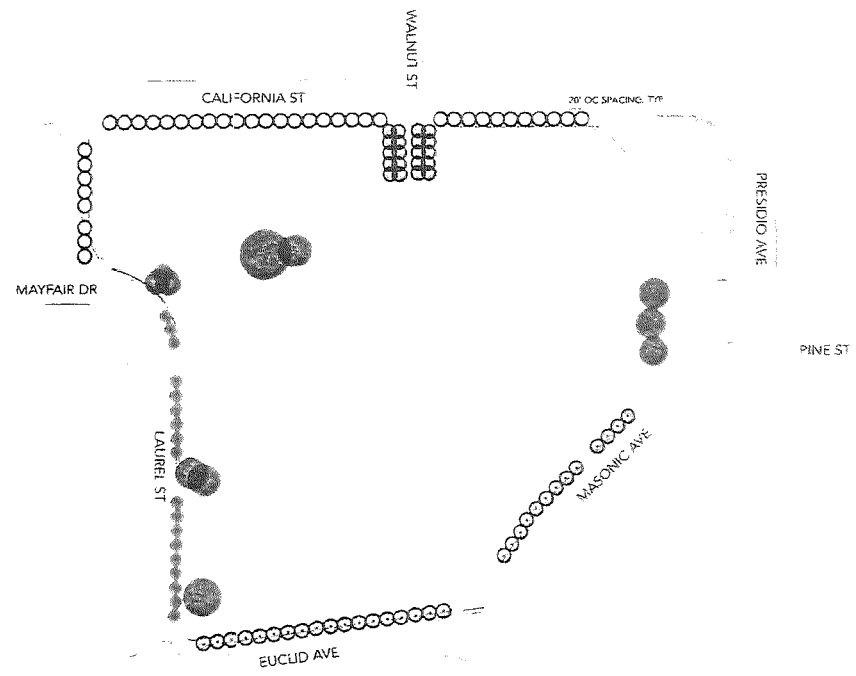


Euclid Green looking east.



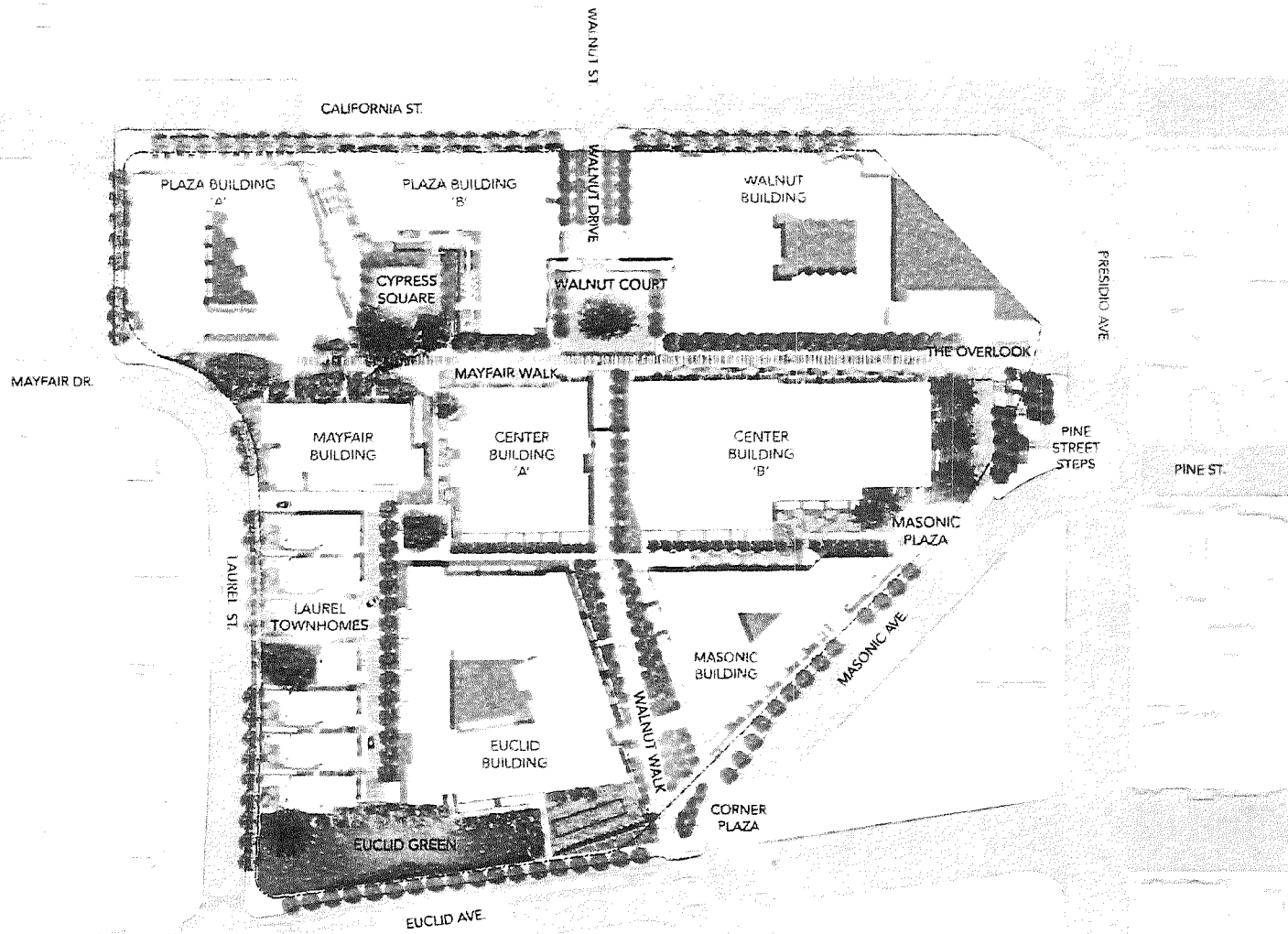
EXISTING STREET TREES

- EXISTING STREET TREES (15)
"IN FRONT OF THE PROPERTY LINE"
- EXISTING STREET TREES (8)
"AT ADJOINING PROPERTY"
- KEY TREES TO BE PRESERVED (11)



PROPOSED STREET TREES

- PROPOSED STREET TREES AT CALIFORNIA ST (39)
FRUITLESS OLIVE "OLEA EUROPAEA" SVAN HILL
- PROPOSED STREET TREES (31)
GINKGO GINKGO BILOBA PRINCETON SENTRY
- PROPOSED STREET TREES (18)
AESCLJUS CARNEA
- KEY TREES TO BE PRESERVED (11)
- EXISTING STREET TREES (8)
"AT ADJOINING PROPERTY"



3333 CALIFORNIA STREET SAN FRANCISCO, CA

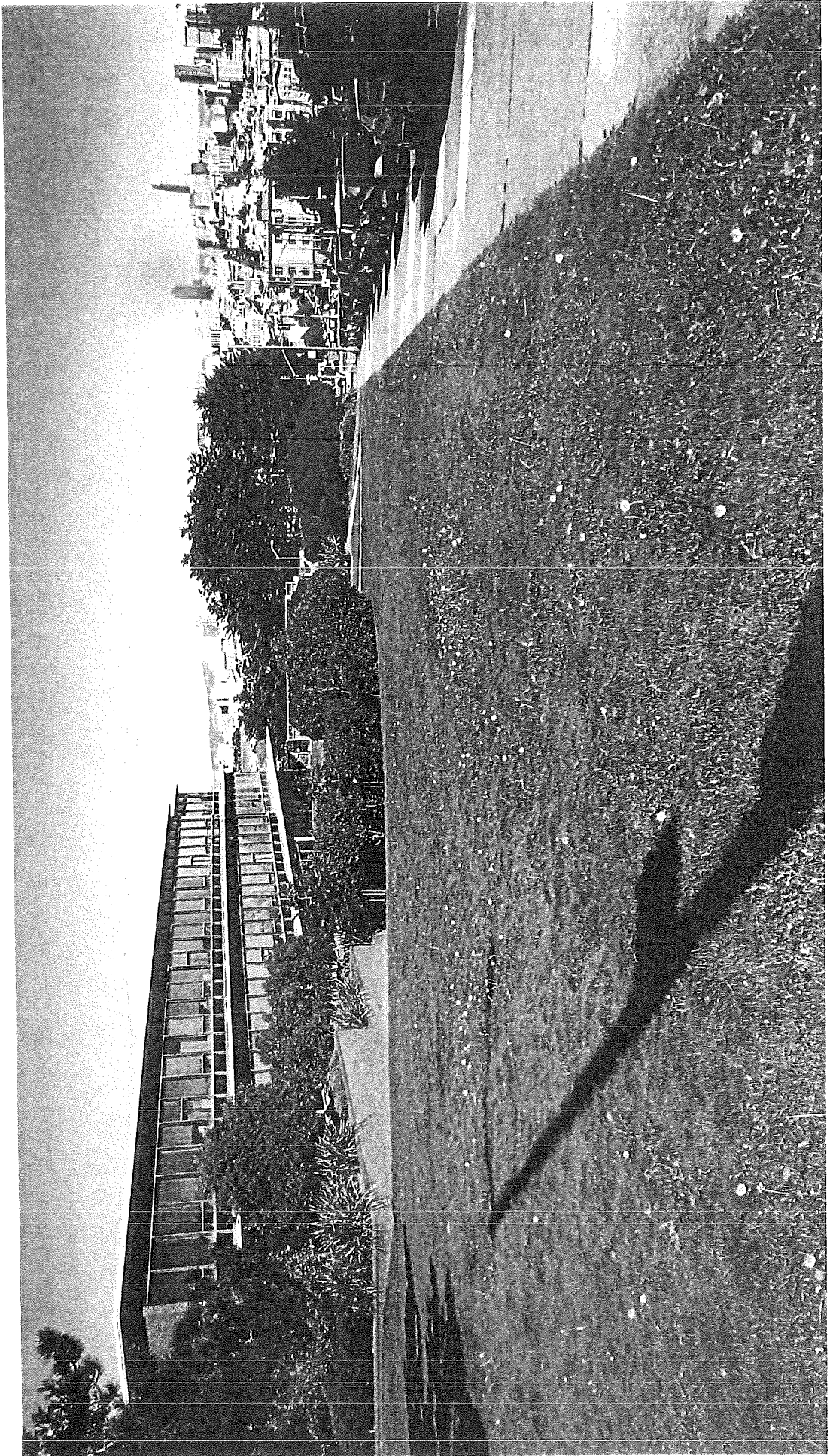
LANDSCAPE SITE PLAN

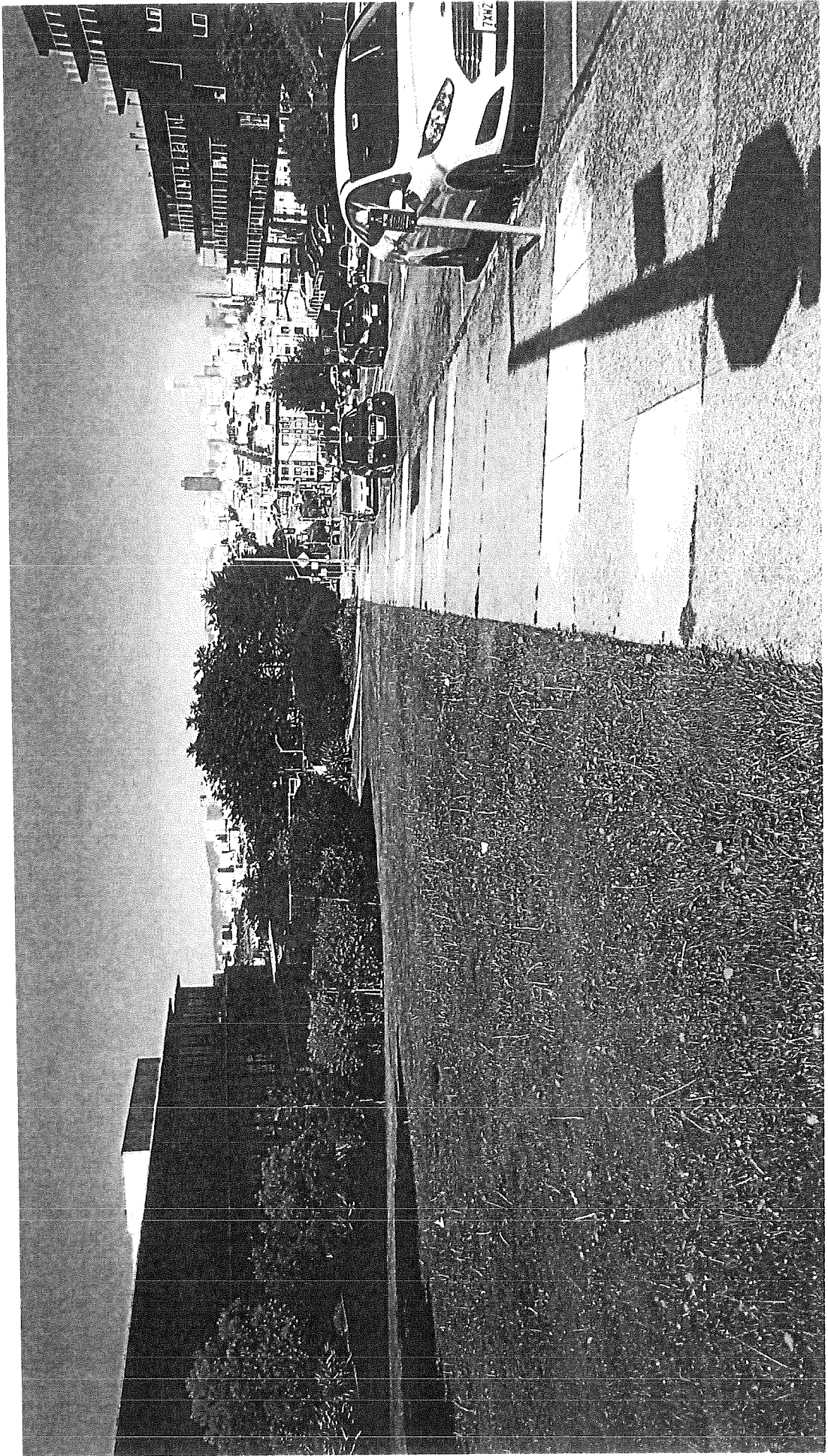


07.03.2019 | PLANNING APPLICATION SUBMITTAL |

VAR.04

EXHIBIT F





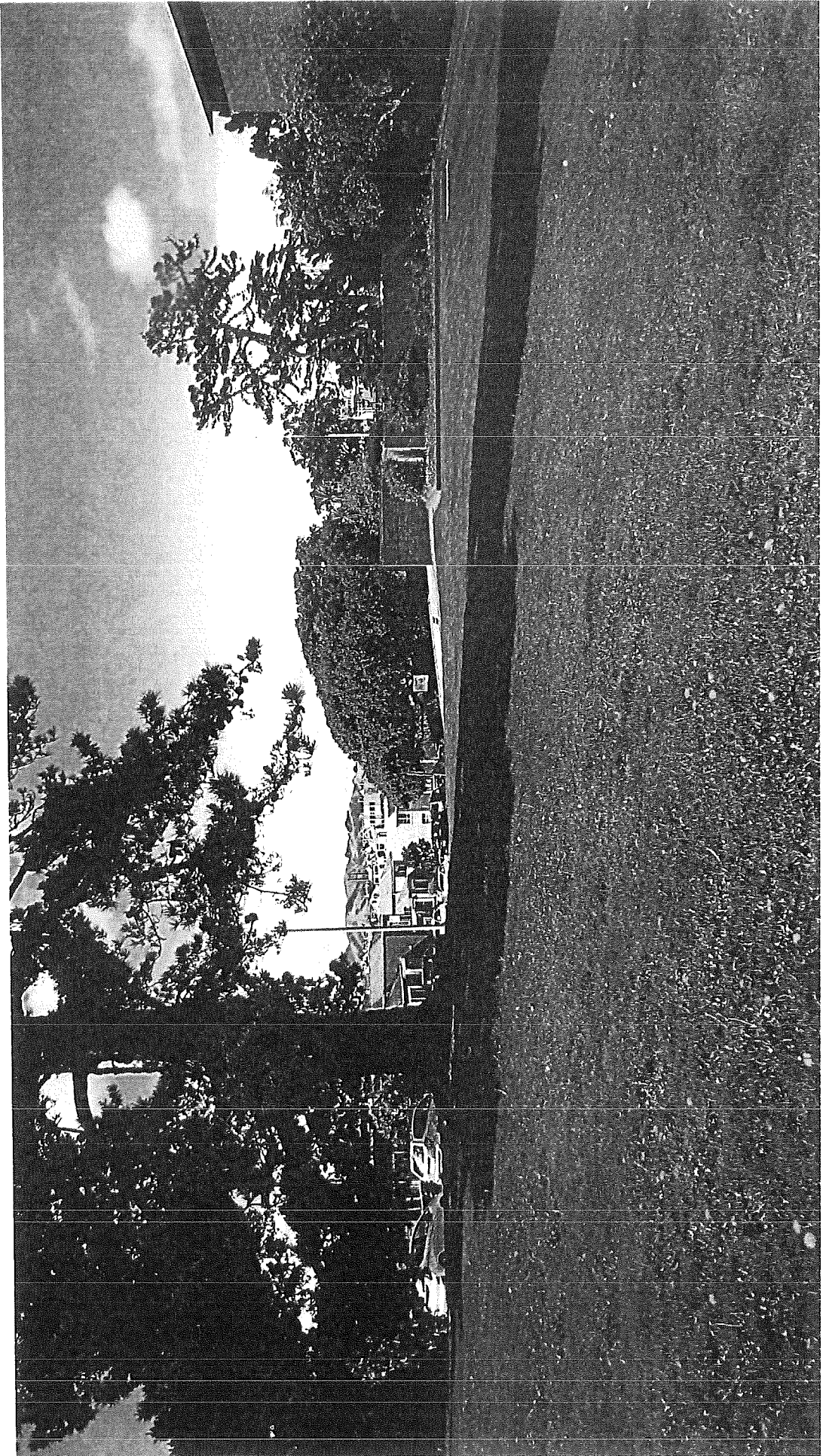
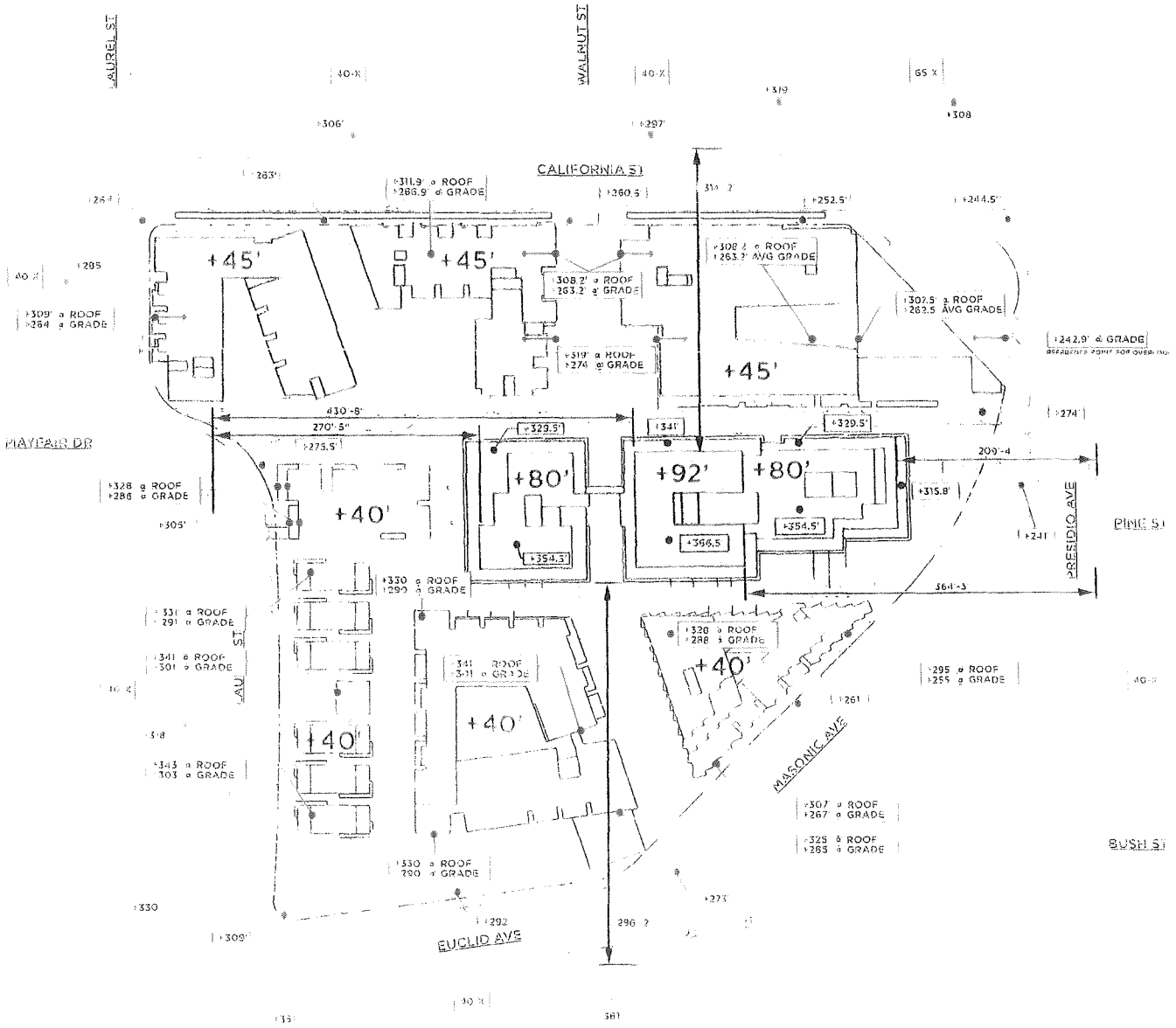
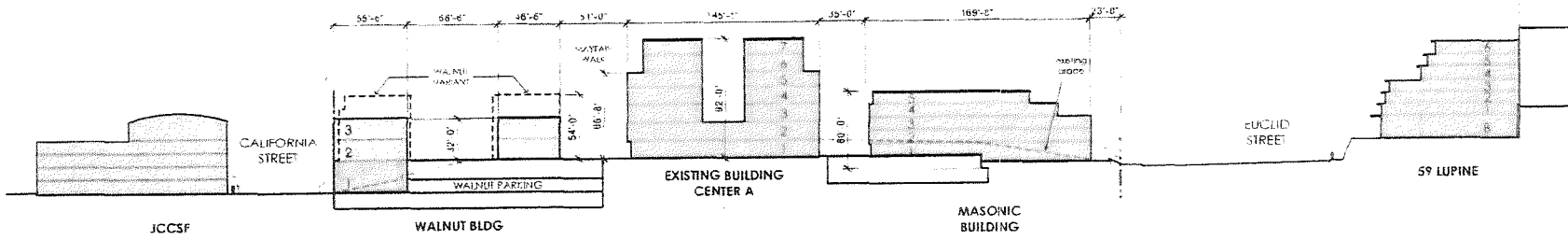


EXHIBIT G

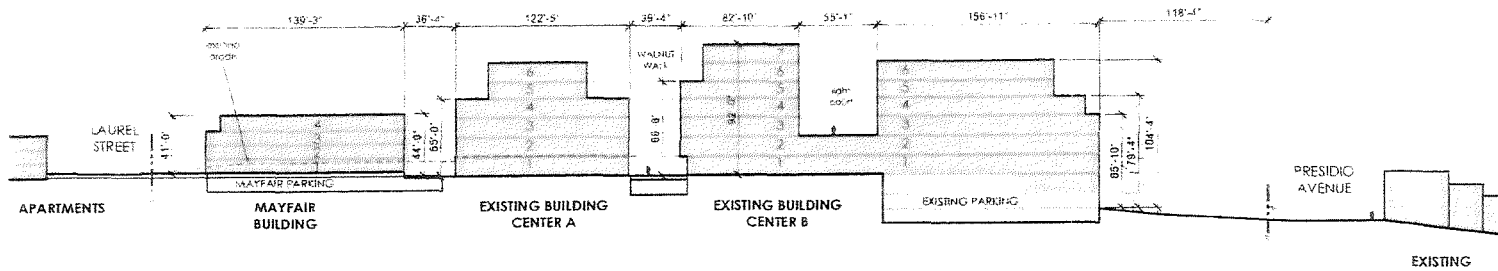


| | | | |
|---|-------------------|--------------------|---------------------------|
| ● PLATTING CORNER BASIS DATA AND ALLOWABLE HEIGHT | ● ROAD CENTERLINE | ● GRADE BURN POINT | ● COMPLEX ROOF ELEVATIONS |
| ← DISTANCES TO NEIGHBORING BUILDINGS | | | |

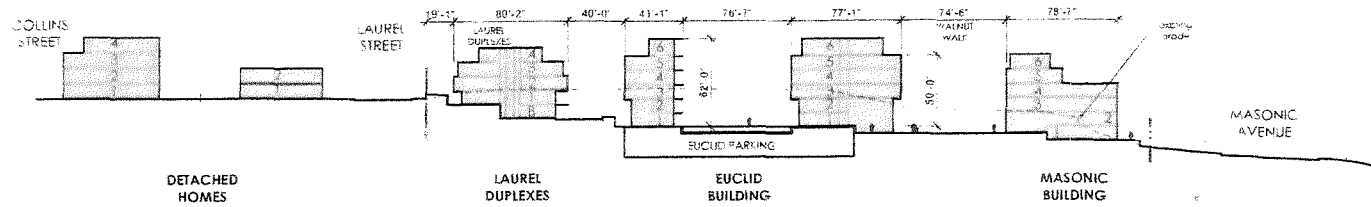
NOTE: ELEVATIONS ARE RELATIVE TO SAN FRANCISCO BASE DATUM



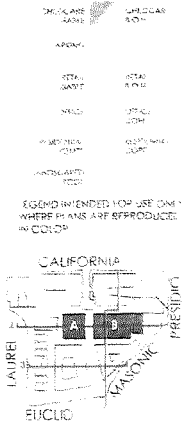
1 NORTH-SOUTH SITE SECTION



2 EAST-WEST SITE SECTION



3 EAST-WEST SITE SECTION



3333 CALIFORNIA STREET SAN FRANCISCO, CA

PROJECT SITE SECTIONS



EXHIBIT H

EXHIBIT I

President Myrna Melgar and Commissioners
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 3333 California Street, San Francisco, CA
Record Number: 2015-014028CUA/PCA/MAP/DUA
Certification of Final EIR, CUA, etc.
Planning Commission Hearing: September 5, 2019

Please take into account the environmental effects a massive development would have on the grounds of 3333 California Street before moving ahead with the Prado/SKS project.

3333 California Street has the potential to be world-class development project that combines the best practices of green building, healthy community open space design and enriched habitat for local biodiversity.

Instead of a mega-complex, a limited expansion and re-use of the current building would keep tons of building material out of landfills and limit the carbon effects of the cement needed to create multiple giant structures. The cement industry is one of the primary producers of carbon dioxide, a potent greenhouse gas. In addition, concrete dust caused by demolition can be a major source of dangerous air pollution. The world's leading climate scientists have warned there is only a dozen years for global warming to be kept to a maximum of 1.5C, beyond which even half a degree will significantly worsen the risks of drought, floods, extreme heat and poverty for hundreds of millions of people. Please consider the Planning Department's sustainability goals before proceeding with a massive build out: <https://sfplanning.org/project/sustainable-city>

Improving biodiversity on the grounds must also be considered in any approved project. I recently conducted a survey of the flora and fauna (Please refer to my observations on iNaturalist: <https://www.inaturalist.org/calendar/bilgepump100/2019/5/20>) . While the vast open space shows potential for improvement where lawns can be reduced in size and traditional landscaping could be updated with habitat-friendly plantings, there were several species on the property worth protecting. The large historic coast live oaks must be preserved. Science shows that they benefit over 300 different species. Also of note were breeding birds such as song sparrow, Nuttall's white-crowned sparrow and bushtit.

Survey results:

3 Fungi/lichen
2 "Other" animals

12 insect species, including bees and butterflies

9 Bird species

4 CA native plant species

7 San Francisco native plant species

9 Bird species

3 Breeding bird species: Song sparrow, white-crowned sparrow and bushtit

The recent UN Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services report stated that the biodiversity crisis may even surpass the climate crisis in severity. Please ensure that any development you undertake doesn't accelerate the catastrophe and also adheres to the San Francisco Board of Supervisors approved Biodiversity Resolution:

<https://sfbos.org/sites/default/files/r0107-18.pdf>

My recommendation is to limit the scope of this project and enhance the grounds to benefit wildlife and the health of the community.

Sincerely,

Robert Hall
1946 Grove St. Apt. 6
San Francisco

EXHIBIT J

AMENDED IN COMMITTEE

04/09/18

FILE NO. 180161

RESOLUTION NO. 107-18

1 [San Francisco Biodiversity Policy]

2

3

**Resolution establishing local biodiversity as a citywide priority, with a framework for
4 interagency collaboration for nature-based initiatives.**

5

6

WHEREAS, Biodiversity is defined as the variability among living organisms and the
7 ecological complexes of which they are a part, including ecosystem diversity and within and
8 between species; and

9

10

WHEREAS, According to the United Nations Convention on Biological Diversity,
biodiversity is essential for thriving and resilient ecosystems, upon which we all depend for
11 food, health and well-being, clean air, and clean water; and

12

13

14

WHEREAS, According to Conservation International, our planet's biodiversity is in a
state of crisis as species are going extinct at the fastest rate since the dinosaurs; habitat loss
15 is the top driver of extinction, and California is the only one of the world's 35 biological
16 diversity hotspots (high concentrations of endemic species under threat from humans) located
in the United States; and

17

18

19

WHEREAS, 95% of San Francisco's land area has been developed and its remaining
natural heritage is in a precarious state due to the ongoing challenges of invasive species,
urban growth, pollutants, the effects of climate change, and other human impacts; and

20

21

22

WHEREAS, Our local ecosystems include a dozen distinct ecological communities,
hundreds of species of native plants, birds, mammals, reptiles, amphibians, and insects, and
23 ten federally listed endangered species; and

23

24

25

WHEREAS, San Francisco has a rich history of wildland and natural resources
management and stewardship in our park, watershed and public trust lands, including our
local National and State parks, the City's own Recreation and Parks Department, as well as

1 the many other City Departments that collaborate with communities and non-profit
2 organizations to conserve local biodiversity, connect San Franciscans to nature in the city,
3 and actively create a socially and ecologically resilient city; and

4 WHEREAS, San Francisco's Climate Action Goals of 0-50-100-ROOTS identify city
5 and community greening as integral to local climate mitigation and adaptation, and San
6 Francisco has proven that strong action on climate change is good for the planet and the
7 economy; and

8 WHEREAS, San Francisco is a founding and committed member of the international
9 Wild Cities and Biophilic Cities networks, and the national Cities Connecting Children to
10 Nature project, which all encourage conservation of and connection to nature in cities; and

11 WHEREAS, Over time, the City has built a policy foundation to support local
12 biodiversity, including the General Plan, the Biodiversity Chapter of the Sustainability Plan,
13 and the San Francisco Children's Outdoor Bill of Rights; and

14 WHEREAS, Several San Francisco City Departments have created internal policies
15 that pertain to the conservation of natural resources and support biodiversity, including but not
16 limited, to the Recreation and Park Department's Natural Resources Management Plan, the
17 Public Utilities Water Enterprise Environmental Stewardship Policy, and the Port of San
18 Francisco's Waterfront Land Use Plan; and

19 WHEREAS, An inter-agency biodiversity working group helped identify the need to
20 strengthen and coordinate citywide policy and planning on behalf of local nature conservation,
21 and co-created a citywide biodiversity vision with five supportive goals; and

22 WHEREAS, The San Francisco Commission on the Environment passed Resolution
23 No. 003-17-COE in May 2017, which committed the Department of the Environment to initiate
24 a broad discussion with fellow departments and the public around the following five citywide
25 goals: (1) Biologically Rich Ecosystems: Restore, maintain, and monitor robust and

1 interconnected indigenous habitats, natural areas, open spaces, watersheds, marine
2 ecosystems, and urban forests so that they support a diverse web of life, and mitigate climate
3 change impacts to rare species and communities; (2) Equitable Access, Awareness, and
4 Experience of Nature: Connect all residents, workers, and visitors with nature every day in
5 neighborhood green spaces, parks, and natural habitats; (3) Community and Ecological
6 Stewardship: Empower people and partnerships to promote, cultivate, enjoy, and restore
7 nature in every neighborhood; (4) Ecological Planning and Design: Incorporate biodiverse,
8 purposeful greening into all building and open space development, with a priority on creating
9 diverse habitats for many species of wildlife; (5) Resilience in a Living City: Leverage local
10 natural ecosystems to sequester carbon, conserve water, manage flooding, control pests, and
11 improve air quality to support San Francisco's adaptation into a climate-protected and
12 ecological city; now, therefore, be it

13 RESOLVED, That in order to further elevate conservation and stewardship of local
14 native species and habitats, the City and County of San Francisco hereby adopts the following
15 citywide biodiversity vision to guide its current and future initiatives, programs, and projects:
16 San Francisco is a place where our local biodiversity thrives in climate-resilient ecosystems
17 that integrate healthy native wildlife and plant habitats throughout our city's physical
18 environment, connecting ALL San Franciscans to nature daily and inspiring stewardship of our
19 unique natural heritage in every neighborhood; and, be it

20 FURTHER RESOLVED, That relevant City Departments (including San Francisco
21 Airport, Animal Care and Control, Children Youth and Families, Municipal Transportation
22 Agency, Planning Department, Port, Public Health Department, Public Library, Public Utilities
23 Commission, Public Works Department, Real Estate Department, and Recreation and Park
24 Department; Office of Community Investment and Infrastructure; and Treasure Island
25 Development Authority) should attend and participate in a regular inter-agency biodiversity

1 working group to collaborate on important ongoing and future initiatives to support biodiversity
2 in San Francisco, including:

3 - Vetting of final citywide biodiversity goals that each department supports through its
4 own operations;

5 - Integration and implementation of City policies, plans, and tools that promote
6 habitat-supportive greening in the built environment, such as Green Connections and the San
7 Francisco Plant Finder and many more;

8 - Pursuit of opportunities to enhance native biodiversity on City-owned lands unless
9 those lands are dedicated to another mandated City use;

10 - Promotion of equitable experience and awareness, and responsible access and
11 stewardship of nature; and, be it

12 FURTHER RESOLVED, That within six months of adoption of Resolution No. 107-18,
13 the departments listed above should each complete a biodiversity survey, per templates
14 provided by the Department of the Environment, which:

15 - Acknowledges and celebrates programs and initiatives that support biodiversity;

16 - Describes how the department will help realize San Francisco's Biodiversity Vision
17 through departmental planning and operations, and potential conflicts or limitations;

18 - Outlines collaborative strategies and actions to best integrate and enhance local
19 biodiversity through everyday work; and, be it

20 FURTHER RESOLVED, That within twelve months of adoption of Resolution
21 No. 107-18, the agencies listed above should each articulate a commitment to San
22 Francisco's Biodiversity Vision, via one of the following methods:

23 - A biodiversity resolution to its respective commission for adoption;

24 - A presentation to its respective commission on the survey results, including key
25 biodiversity strategies and initiatives identified therein;

- 1 - A memo or other official communication to the Department of the Environment (and
2 the Mayor's Office/BOS), reflecting the department's survey results, and biodiversity
3 strategies and initiatives identified therein; and, be it

4 FURTHER RESOLVED, That to support its fellow City Departments, the San Francisco
5 Department of the Environment should:

- 6 - Within 30 days of adoption of Resolution No. 107-18, supply the departments with
7 information on each agency's existing biodiversity programs already catalogued and
8 customizable templates for the biodiversity survey, commission resolution, etc.; and,
9 - Within 30 days of adoption of Resolution No. 107-18, convene the departments to
10 discuss practices and programs that support local biodiversity and review and assist
11 with the process for completing the biodiversity survey; and,
12 - Regularly convene the departments to review progress, share best management
13 practices, provide training, and help identify additional policies and actions as
14 needed; and,
15 - Document, consolidate, and provide a process for regular reporting on inter--
16 departmental progress, opportunities, and resources implications associated with
17 supporting the City's biodiversity vision; and,
18 - Report back to the Board of Supervisors on implementation progress one year after
19 date of adoption of Resolution No. 107-18; and, be it

20 FURTHER RESOLVED, a copy of this Resolution should be transmitted to the
21 Directors of all named City Departments, all members of the Board of the Supervisors and the
22 Mayor.
23
24
25



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 180161

Date Passed: April 17, 2018

Resolution establishing local biodiversity as a citywide priority, with a framework for interagency collaboration for nature-based initiatives.

April 09, 2018 Land Use and Transportation Committee - AMENDED

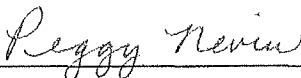
April 09, 2018 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

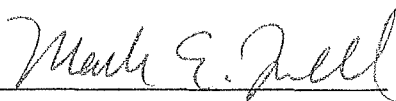
April 17, 2018 Board of Supervisors - ADOPTED

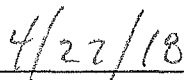
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani,
Tang and Yee

File No. 180161

I hereby certify that the foregoing
Resolution was ADOPTED on 4/17/2018 by
the Board of Supervisors of the City and
County of San Francisco.


for Angela Calvillo
Clerk of the Board


Mark E. Farrell
Mayor


Date Approved



Search

Resolution Adopting Citywide Biodiversity Goals

Environmental policy and legislation in San Francisco

Policy

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Email

[San Francisco Biodiversity Policy]

Resolution 004-17-COE on May 23, 2017 adopting citywide [biodiversity](#) (<https://sfenvironment.org/biodiversity>), goals and articulating the role of the Department of the Environment in protecting San Francisco's [natural heritage](#) (<https://sfenvironment.org/natural-heritage>).

WHEREAS, Biodiversity or 'biological diversity,' according to the United Nations Environment Program, means the variability among living organisms and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems; and,

WHEREAS, the City and County of San Francisco is located in the California Floristic Province, a global biodiversity hotspot, and still has indigenous ecosystems comprised of many different types of natural ecological communities; and

WHEREAS, the City's parks, natural areas and various open spaces still harbor hundreds of species of indigenous plants, birds, mammals, reptiles and amphibians, untold diversity of insects, and ten federally listed endangered species, including uniquely San Francisco species such as the Presidio and Franciscan manzanitas; and

WHEREAS, biodiversity loss along with climate change are among the most significant environmental challenges facing our planet; and

WHEREAS, in 2010, in Nagoya, Aichi Prefecture, Japan, the United Nations Convention on Biological Diversity designated 2010-2020 the UN Decade on Biodiversity, and adopted the UN Strategic Plan for Biodiversity 2011-2020, which includes the vision of "living in harmony with nature" as well as the 20 Aichi Biodiversity Targets; and

WHEREAS, the Living Planet Index, managed by the World Wildlife Fund to measure progress toward the Biodiversity Targets, has documented a 58% reduction in global vertebrate species diversity since 1970; and

WHEREAS, to help urban areas contribute to the Aichi Targets and the UN Strategic Plan, the Convention on Biological Diversity and the Stockholm Resilience Center published the Cities Biodiversity Outlook, which identifies 10 key findings, including "maintaining functioning urban ecosystems can significantly enhance human health and well-being" and "urban ecosystem services and biodiversity can help contribute to climate change mitigation and adaptation"; and

WHEREAS, the Golden Gate National Parks and the City's watershed lands are part of the Golden Gate Biosphere Reserve, a unit of the United Nations' Man and the Biosphere Program, the goal of which is the overall improvement of the relationship between people and their environment; and

WHEREAS, San Francisco's Climate Action Goals of 0-50-100-ROOTS identify city and community greening as integral to local climate mitigation and adaptation; and

WHEREAS, San Francisco is a founding member of the international Wild Cities and Biophilic Cities networks, which promote conservation, awareness and stewardship of biodiversity in cities and a global conservation vision of "Nature Needs Half," which calls for half of Earth's lands and waters to be permanently protected for nature and biodiversity; and

WHEREAS, the Children and Nature Network and the National League of Cities jointly created the Cities Connecting Children to Nature initiative, and San Francisco is one of a seven city cohort whose mission is to address equity in nature connection in cities; and

WHEREAS, San Francisco has long championed and sustained a tradition of wildland and natural resources management and stewardship in its City, State and National Parks and watershed and public trust lands; and

WHEREAS, 2017 is the 20th anniversary of the Sustainability Plan for the City and County of San Francisco, and conservation and restoration of our local biodiversity is integral to the city's long-term environmental sustainability; and

WHEREAS, in order to fulfill the vision and goals of the 1997 Sustainability Plan, the Commission on the Environment articulated a significant commitment to biodiversity in Resolution 2011-05-COE; and

WHEREAS, the Board of Supervisors approved a new Recreation and Open Space Element of the General Plan in 2014, which includes a Biodiversity Objective that recognizes that biodiversity exists throughout San Francisco in parks, natural areas, backyards, and in the streets, and that wildlife and pollinator diversity can be supported by local and California native plants as well as non-native non-invasive climate appropriate plants; and

WHEREAS, in 2014 the Board of Supervisors signed a resolution endorsing the San Francisco Children's Outdoor Bill of Rights, which promotes every child's right to connect to nature in the City and advocates the critical importance of human connection to nature for individual, community and public health; and

WHEREAS, in 2016, the Recreation and Parks Commission approved the Natural Resources Management Plan, and the Planning Commission certified its Final Environmental Impact Report; and

WHEREAS, in 2016 the Board of Supervisors passed a resolution urging City Departments, including the Department of Environment, to conduct education and outreach to foster knowledge and appreciation of San Francisco's pollinators and their interconnected role in the City's natural ecosystems; and

WHEREAS, various City Departments, in collaboration with communities and non-profit organizations, are restoring local biodiversity; connecting San Franciscans to nature in the city; and actively bringing nature into the built environment; and collectively have coalesced around a unified vision for conservation and stewardship of San Francisco's natural heritage; now, therefore, be it,

RESOLVED, that the Commission on the Environment hereby adopts the following citywide biodiversity vision and goals:

VISION

All San Franciscans connect to nature daily and are inspired to participate in some form of ecological stewardship of the City's natural heritage. San Francisco's biodiverse, climate resilient, and verdant ecosystems are integrated throughout its natural and built environments.

GOALS

1. Biologically Rich Ecosystems: Restore and maintain robust and interconnected indigenous habitats, natural areas, open spaces, watersheds, marine ecosystems, and urban forests that support a rich web of life, and mitigate climate change impacts to rare species and communities;
2. Equitable Access, Awareness and Experience of Nature: Connect all residents, workers, and visitors with nature every day in neighborhood green spaces, parks, and natural habitats;
3. Community and Ecological Stewardship: Empower people and partnerships to promote, cultivate, enjoy, and restore nature in every neighborhood;
4. Ecological Planning and Design: Incorporate biodiverse, purposeful greening into all building and open space development, with a priority on creating diverse habitats for many species of wildlife;

5. Resilience in a Living City: Leverage local natural ecosystems to sequester carbon, conserve water, prevent flooding, manage pests, and improve air quality to support San Francisco's adaptation into a climate-protected and ecological city; and, be it,

FURTHER RESOLVED, that the Commission urges the Department of the Environment to realize the five biodiversity goals, as part of its overall climate strategy, by employing the following strategies and programs, among others:

1. Serve as the hub and resource for San Francisco city government and the community at large for local biodiversity initiatives and programs, such as the Nature in the City Map and celebrating the City's efforts;
2. Lead interagency initiatives to develop, align, and implement plans, policies, practices, guidelines, trainings, and other strategies to achieve biodiversity goals, all consistent with environmentally healthy and protective integrated pest management practices and the reduced risk pesticide list;
3. Work with City Departments, other public agencies including the Presidio Trust and the National Park Service, the California Academy of Sciences and other non-governmental organizations and stakeholders to produce a citywide inventory of the City's biodiversity and develop key indicators and monitoring protocols for ecosystem health;
4. Promote biodiversity in major development projects by, for example, encouraging wildlife-friendly landscaping, and biophilic, nature-based urban design;
5. Lead the Environment Department's Pollinators Program to include expanding the use of the San Francisco Plant Finder website and the application of Bay-Friendly Landscaping;
6. Promote biodiverse greening of the built environment through facilitating collaborative and community-based implementation of the Green Connections Plan, the Urban Forest Plan, and others that support natural carbon sequestration and climate resilience;
7. Support the Urban Forest Council in its advocacy for full funding of the Urban Forest Plan and its four primary recommendations, including the street tree planting goal and maximizing street tree benefits like biodiversity;
8. Participate in relevant local-to-international networks to share San Francisco's urban biodiversity best practices with cities everywhere.

I hereby certify that this Resolution was adopted at the Commission on the Environment meeting on May 23, 2017.

Anthony Valdez, Commission Affairs Manager

Vote: 5-0 Approved

Ayes: Commissioners Bermejo, Hoyos, Stephenson, Wald and Wan

Noes: None

Absent: None

On April 17, 2018, the San Francisco Board of Supervisors also unanimously adopted a [San Francisco Biodiversity Policy](#) ([https://sfenvironment.org/wp-content/uploads/2018/04/sf-biodiversity-policy.pdf](#)). Resolution establishing local biodiversity as a citywide priority, with a framework for interagency collaboration for nature-based initiatives.



PLANNING COMMISSION RESOLUTION NO. #####

HEARING DATE: APRIL 11, 2019

Date: April 4, 2019

Case No.: 2013.4117CWP

Project: **San Francisco Biodiversity Policy**

Staff Contact: Lisa Fisher 415-575-8715, lisa.fisher@sfgov.org

Reviewed by: Adam Varat, 415-558-6405, adam.varat@sfgov.org
 Jeff Joslin, 415-575-9117, jeff.joslin@sfgov.org
 Devyani Jain, 415-575-9051, devyani.jain@sfgov.org

Recommendation: **Recommend that the Planning Commission adopt a resolution to support the City's biodiversity vision throughout the built environment.**

WHEREAS, biodiversity, defined as the variability among living organisms and the ecological complexes of which they are a part, is essential for thriving and resilient ecosystems, upon which we all depend for food, health and well-being, clean air, and clean water; and,

WHEREAS, biodiversity is in a state of crisis due to habitat loss and climate change, and California is the only global biological diversity hotspot (high concentration of endemic species under threat from humans) in the United States; and,

WHEREAS, 95% of San Francisco's land area is developed, its remaining natural heritage is in a precarious state, our local ecosystem includes a dozen distinct ecological communities and endangered species, and our Climate Action Goals identify city greening as integral to local climate mitigation and adaptation; and,

WHEREAS, in partnership with SF Environment, the San Francisco Planning Department co-leads the citywide biodiversity initiative and inter-agency working group, which helped identify the need to strengthen and coordinate citywide policy and planning on behalf of local nature conservation; and,

WHEREAS, on April 17, 2018, the Board of Supervisors unanimously approved the San Francisco Biodiversity Policy (Resolution No. 107-18) and associated vision: San Francisco is a place where our local biodiversity thrives in climate-resilient ecosystems that integrate healthy native wildlife and plant habitats throughout our city's physical environment, connecting ALL San Franciscans to nature daily and inspiring stewardship of our unique natural heritage in every neighborhood; and,

WHEREAS, along with 14 fellow City Departments, Board of Supervisors Resolution No. 107-18 directs the Planning Department to collaborate, integrate, and implement policies, plans, and tools that amplify biodiversity throughout the built environment and the equitable experience, awareness, and access of nature for all; and,

WHEREAS, Resolution No. 107-18 directs the Planning Department to complete and submit a Biodiversity Survey by October 2018 that summarizes both the Department's current efforts that support biodiversity and future opportunities to better integrate and enhance local biodiversity through its role and work; and,

WHEREAS, Resolution No. 107-18 also directs each of the 15 named agencies to articulate a public commitment to the City's biodiversity vision, such as presenting a resolution to its respective Commission for action; and,

WHEREAS, the Planning Department, under the direction of the Planning Commission, is charged with maintaining an extraordinary vision for the physical and social city; fostering exemplary land use, planning, and design controls; improving our surrounding environment; and preserving our unique heritage pursuant to the San Francisco General Plan; and,

WHEREAS, the Planning Department, as a California Environmental Quality Act (CEQA) lead agency, reviews projects to evaluate whether they would have a significant effect on biological resources, including, but not limited to, substantial adverse effects to any candidate, sensitive or special status species; and, if such significant effects are found, is obligated to identify appropriate mitigation measures to reduce impacts on biological resources; and,

WHEREAS, the Planning Department works with other City agencies, such as San Francisco's Municipal Transportation Agency, Public Works, Public Utilities Commission, and Recreation and Parks Department to ensure that the planning, review, and approvals of private and capital projects align with the intentions of the General Plan, Planning Code, Building Code, Better Streets Plan, Urban Forest Plan, and more; now, therefore, be it

RESOLVED, that the Planning Department will work internally and with project applicants to support biodiversity throughout the built environment, including:

- Existing Planning Code Section 139 (Standards for Bird Safe Buildings), to best protect local and migratory birds while providing co-benefits to urban design and energy efficiency aims;
- Current Planning Code requirements for greening, such as landscaping and permeability in setbacks (Section 132) and Better Roofs (Section 149), to prioritize native and non-native/non-invasive plants that support habitat as well as water conservation;
- Planning Code sections for rear yards (Section 134), usable open spaces (Section 135), streetscape and pedestrian improvements (Section 138.1), privately owned public open spaces (Section 138), and mid-block alleys (Section 270), to increase biodiversity supportive greening throughout the city; and,

RESOLVED, that the Planning Department will continue to enhance nature in public and private property by applying a biodiversity lens to area plans, major development agreements, public realm plans, the Better Streets Plan, Urban Forest Plan, Residential Design Guidelines, Urban Design Guidelines, and general policies; and,

RESOLVED, that the Planning Department will continue to host the City's SFPlantFinder online tool and provide regular updates as needed to enhance plant palette content and ease of use by staff and the public; and,

RESOLVED, that the Planning Department will continue to support the mapping of critical habitat features in unprotected lands in order to inform the potential for ecological restoration, wildlife corridors, creek daylighting, community gardens, tree planting, and other habitat elements within suitable sites; and,

RESOLVED, that the Planning Department will seek to build staff capacity around these topics across its divisions, in part by supporting relevant staff to attend the City's biodiversity training overview; and,

RESOLVED, that the Planning Department will contribute to the City's efforts to record, monitor, and track the amount and function of its biodiversity supportive greening throughout San Francisco over time; and,

RESOLVED, that the Planning Department will work with fellow agencies, including SF Environment, Public Works, Port, Real Estate, Recreation and Parks, and more to develop Biodiversity Design Guidelines applicable to multiple types, scales, and ownership of landscape-supportive surfaces, such as open spaces, plazas, sidewalks, roofs, yards, and building facades; and,

RESOLVED, that the Planning Department will work with agency partners, such as SFMTA, Public Works, SFPUC, the Port, and others to leverage public and private investment in public spaces to maximize urban biodiversity and the public's experience of nature daily.



SF Environment

Our home. Our city. Our planet.

A Department of the City and County of San Francisco

Mark Farrell
Mayor

Deborah O. Raphael
Director

BASELINE BIODIVERSITY SURVEY: San Francisco Planning Department [October 19, 2018]

Please use this template as a guide for completing your survey.

City Biodiversity Vision

San Francisco is a place where our local biodiversity thrives in climate-resilient ecosystems that integrate healthy native wildlife and plant habitats throughout our city's physical environment, connecting ALL San Franciscans to nature daily and inspiring stewardship of our unique natural heritage in every neighborhood.

WORK PROGRAM (1–5): *Please answer in the Biodiversity Work Program Matrix to follow.*

1. Acknowledge and **celebrate** past and current efforts (programs, initiatives, policies, plans) that support biodiversity.
 - List all relevant programs and initiatives, including some example projects — you can use the five citywide biodiversity goals as a framework. *[see table on page 2]*
 - Highlight those for which your department is particularly proud and/or that tell a good story.
 - o Better Roofs Ordinance
 - o SF Plantfinder online tool
 - o Better Streets Plan
2. Describe how your department will help realize the City's Biodiversity **Vision** through departmental planning and operations. *The Planning Department has the opportunity to both regulate the built environment and connect with projects during the design phase. Through a combination of carefully crafted tools, policies, and potential Planning Code requirements, we can work to make the built environment greener.*
3. Outline ongoing and future departmental and interdepartmental **strategies** and **actions** to best integrate and enhance biodiversity through everyday work. *[see table on page 2]*
 - Identify short-term actions within existing programs that are already planned and funded.
 - Identify new short-term actions within existing programs that would add value to your existing work.
 - Outline long-term strategies (e.g., new initiatives or programs) that you would like to undertake.
 - Enumerate any department-specific biodiversity objectives.

BIODIVERSITY WORK PROGRAM MATRIX

| PROGRAMS, INITIATIVES, POLICIES, PLANS, STRATEGIES, ACTIONS | | COLLABORATION OPPORTUNITIES | SAN FRANCISCO BIODIVERSITY GOALS MAPPING | | | | |
|---|---|---|--|----------------------------------|-----------------------|--|-----------------------------|
| | | | Robust Ecosystems | Equitable Experience, Connection | Community Stewardship | Ecological Planning / Biophilic Design | Resilience in a Living City |
| PAST AND CURRENT EFFORTS | Bird Safe Standards: http://sf-planning.org/standards-bird-safe-buildings | DBI | X | | | X | |
| | Better Roofs Ordinance: http://sf-planning.org/san-francisco-better-roofs | SFE, DBI, SFPUC | X | X | X | X | X |
| | Green Landscaping Ordinance (front set-back landscaping & permeability requirements, street trees, climate appropriate plants): http://default.sfplanning.org/publications-reports/Guide to SF Green Landscaping Ordinance.pdf | PW (today) & SFE, DBI (future) | | X | X | X | X |
| | Better Streets Plan with SDAT oversight (understory/sidewalk landscaping + trees): https://www.sfbetterstreets.org/find-project-types/greening-and-stormwater-management/greening-overview/sidewalk-landscaping/ | SFMTA, PW, SFPUC, FUF | X | X | X | X | X |
| | Green Connections (currently CalAcademy Citizen Science has teamed up with SF Public Library to do bio-blitzes with I-Naturalist app, working to align routes with Green Connections): http://sf-planning.org/green-connections | SFMTA, PW, SFPUC, FUF, SF Public Library, Cal Academy | X | X | | X | X |
| | Rear-Yard requirements and mid-block open spaces (today = % or feet from property line to ensure minimum amount of space, no greening requirements): http://default.sfplanning.org/publications-reports/ZAB 05 Buildable Area .pdf and http://sf-planning.org/Modules/ShowDocument.aspx?documentid=5356 | | X | | | X | X |
| | Usable Open Space requirements (today = development metric, but greening not required), Planning Code 135: http://sf-planning.org/Modules/ShowDocument.aspx?documentid=5358 | | | X | X | X | |
| | Urban Forest Plan, Part 1 (street trees): http://sf-planning.org/urban-forest-plan | PW, FUF | X | X | X | X | X |
| | SF PlanFinder.org: http://sfplantfinder.org/ | SFE, PW, SFPUC, RecPark, FUF | X | | | X | X |
| | GIS data base: unprotected lands (not yet public) | (future) RecPark, SFE | X | | | | X |
| | Urban Design Guidelines: https://sf-planning.org/urban-design-guidelines | DBI, PW | | X | | X | |
| | Streetscape + public realm design & planning (parklets, plazas, living alleys): http://sf-planning.org/living-alleys-toolkit and https://groundplaysf.org/ | SFMTA, PW, SFPUC, FUF | | X | X | X | X |

| PROGRAMS, INITIATIVES, POLICIES, PLANS, STRATEGIES, ACTIONS | | COLLABORATION OPPORTUNITIES | SAN FRANCISCO BIODIVERSITY GOALS MAPPING | | | | |
|---|--|---|--|----------------------------------|-----------------------|--|-----------------------------|
| | | | Robust Ecosystems | Equitable Experience, Connection | Community Stewardship | Ecological Planning / Biophilic Design | Resilience in a Living City |
| ONGOING (W/ FLEX OPPORTUNITIES) AND FUTURE EFFORTS | Biodiversity Design Guidelines adoption and implementation through capital projects and major development projects (e.g., waterfront DAs) – expanded to include biophilic design guidelines for vertical development | SFMTA, PW, Port, SFPUC, private-sector designers, ULI | X | | | X | X |
| | Better Front Yards (Green Landscape Ordinance implementation: property owner tools/support and enforcement) | SFE, PW, CBOs | | X | X | X | X |
| | Get major developments to invest in public realm landscaping improvements for their full-block, especially to plant existing vacant street tree basins (TDM? Green connections? Better Streets Plan?) | PW, SFMTA, FUF | | X | X | X | X |
| | Streetscape greening along with mobility/transit/Vision Zero investments, including greened protected bikeway buffers (SODA, PC) | SFMTA, PW | | X | X | X | X |
| | Ecological restoration projects wish list as a CEQA mitigation bank? Part of CEQA evaluation of bio-resource thresholds? | SFE, PW, SFMTA, RecPark, SFPUC | X | X | X | X | X |
| | Creek daylighting projects as part of GHG-reduction efforts (roots) and climate adaptation? | SFPUC, PW, SFMTA, Port | X | X | X | X | X |
| | Green Connections 2.0 (assess, leverage, position value – continued Citizen Science partnership, ecology guide) | SFMTA, PW, SFPUC, RecPark | X | X | X | X | X |
| | Living walls (analysis & tools, Better Roofs 2.0? POPOS guidelines? GroundPlay opportunity?) | DBI, PW | | X | | X | X |
| | “Green factor”-like program (similar to TDM? Seattle example) | Citywide | | | | X | |
| | Rear Yard requirement with permeability and greening minimums? (Urban Forest Phase 3? Certified Backyard Habitat program like Portland?) | DBI, SFE | X | | X | X | |
| | Usable Open Space requirement with minimum greening component? | DBI | X | X | X | X | X |
| | Habitat exchange program (footprint) for new development? | SFE | X | X | | | X |
| | General Plan: Urban Design, Transportation, and Safety element updates, and Recreation and Open Space Element Action Plan development | RecPark, SFE, SFMTA | X | X | X | X | X |

4. Identify opportunities for **collaboration** with fellow agencies, community partners, and stakeholders that help implement your efforts. *[see table]*
- List existing collaborations with other City departments, local NGOs, or other entities.
 - List other opportunities that you perceive would add value to your work that supports biodiversity.

5. Explain conflicts, limitations or **resource gaps** that may impede the implementation of your department’s biodiversity strategies actions above. *In general, items in the Planning Code are reviewed by a Current Planner as standard procedure. Ongoing enforcement is challenging, especially for existing buildings not seeking new permits. Areas not visible to the public (rear yards) are also a challenge in terms of review and enforcement. Currently plant selection review and enforcement is not conducted by the Planning Department, only SFPUC in terms of stormwater management on roofs and sidewalks, and Public Works for anything public right-of-way.*
6. **STAFF AMBASSADORS:** Identify the **key staff** who will participate in our regular inter-agency biodiversity working group, and who can serve as ambassadors to institutionalize a biodiversity lens in your department culture and work. *The staff below have been participating in a newly convened Intra-Agency Biodiversity Working Group. In addition to seeking ways to better integrate biodiversity into our current work programs, we will be working together to assess the future opportunities the group identified for the previous table (work scope and resource needs) and draft the Planning Commission resolution mentioned below.*

| NAME | DIVISION, TEAM | EMAIL | AREAS OF ENGAGEMENT | TIME COMMITMENT | RESOURCE COST |
|---------------|------------------|--|---|-----------------|---------------|
| Lisa Fisher | Citywide | Lisa.fisher@sfgov.org | SF Planning Biodiversity PM/lead (including work program with SFE), Sustainable City lead, inter-agency Climate & Resilience team | .15 FTE | |
| Josh Pollak | EP | Josh.Pollak@sfgov.org | Environmental review (CEQA) | | |
| Sherie George | EP | Sherie.George@sfgov.org | Environmental review (CEQA) | | |
| Paul Chasan | Citywide, CDG | Paul.Chasan@sfgov.org | Streetscape, SDAT | | |
| Patrick Race | Citywide, CDG | Patrick.Race@sfgov.org | Public realm, GroundPlay, POPOS, landscape | | |
| Corey Teague | Compliance | Corey.Teague@sfgov.org | Zoning, compliance | | |
| Trent Greenan | Current/Arch | Trent.Greenan@sfgov.org | Urban design, design review | | |
| Andrew Perry | Current Planning | Andrew.Perry@sfgov.org | Bird safe | | |
| Mike Webster | Citywide, IDG | Michael.Webster@sfgov.org | GIS, data, PlantFinder tool | | |

7. **COMMUNICATION STRATEGY:** Describe how your department will articulate a **commitment** to the City’s Biodiversity Vision, whether via Commission resolution, Commission presentation, official memo or other means, including:
- Next steps for how best to prepare and realize a resolution at your Commission? *Internal work with staff and leadership on fleshing out and prioritizing action items to include in our Planning Commission resolution March 2019 – and any associated funding mentions.*

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, April 11, 2019
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Hillis, Johnson, Koppel, Melgar, Moore, Richards

THE MEETING WAS CALLED TO ORDER BY PRESIDENT MELGAR AT 1:06 PM

STAFF IN ATTENDANCE: Aaron Starr, Veronica Flores, Diego Sanchez, Lisa Fisher, Pilar LaValley, Gabriela Pantoja, Seema Adina, Mathew Chandler, David Winslow, John Rahaim – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2018-013861PCAMAP (D. SANCHEZ: (415) 575-9082)
LARGE RESIDENCE SPECIAL USE DISTRICT – Planning Code and Zoning Map Amendment introduced by Supervisor Safai to create the District 11 Large Residence Special Use District (the area within a perimeter established by Brotherhood Way, Junipero Serra Boulevard, Holloway Avenue, Ashton Avenue, Holloway Avenue, Harold Avenue, Ocean Avenue, Geneva Avenue, Interstate 280, Tingley Street, Alemany Boulevard, Mission Street, Interstate 280, Stoneybrook Avenue, Cambridge Street, Stoneyford Avenue, Gladstone

bedrooms, and 12 three-bedroom units. The proposal includes three car-share parking spaces, 116 Class 1 bicycle parking spaces. This action constitutes the Approval Action for CEQA, pursuant to San Francisco Administrative Code Section

Approve with Conditions

15a.

Approve with Conditions

Koppel, Melgar, Moore, Richards

(D. SANCHEZ: (415) 575-9082)

Planning Code Amendment introduced by Supervisor Mandelman for buildings fronting on narrow streets, modify front yard setbacks, increase required rear yards in single family zoning districts, increase the rear yard requirements for through lots and corner lots and buildings where specified conditions are met, and allow additional stories in existing nonconforming buildings in order to affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, the San Francisco Planning Code, Section 101.1; and adopting findings of consistency and general welfare under Planning Code, Section 302.

Approve with Modifications

Staff report

Aide to Sup. Mandelman – Proposed amendments

Staff – Support, RH zoning districts

Staff report

Staff – Support

Staff Modifications and direction to Staff to pursue similar amendments in other districts.

Koppel, Melgar

(L. FISHER: (415) 575-8715)

RESOLUTION – Request for **Adoption** of a Planning Commission resolution proposed in response to, and in support of, the San Francisco Planning Commission's resolution unanimously approved by the Board of Supervisors in April 2018 regarding the unique natural heritage of San Francisco and its current environmental biodiversity and climate change crises; the role and importance of the Planning Commission to support biodiversity in the built environment; and the Commission's commitment to support biodiversity, with the public, and in partnership with fellow agencies. The resolution recognizes and builds on the efforts from the past four years' of the Commission in developing policies and tools, and the findings of the Commission's report from October 2018.

SPEAKERS: = Lisa Fisher – Staff report
 = Peter Brastow – Biodiversity
 + Susan Krzywicki – Support
 + Georgia Schuttish – Rear yard, mid-block, open space
 + Tom Radulovic – Support

ACTION: Adopted

AYES: Hillis, Johnson, Koppel, Melgar, Moore, Richards

RESOLUTION: 20423

12. 2017-016416PCA (A. STARR: (415) 558-6362)
CODE REORGANIZATION PHASE 3: CHINATOWN – Planning Code Amendment Initiation to revise the zoning control tables of the Chinatown Mixed Use Districts to make them consistent with those in Article 2 and 7 and to apply the use definitions in Section 102; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1 and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Initiate and Schedule for Adoption on or After May 9, 2019

SPEAKERS: = Aaron Starr – Staff report
 + Roy Chan – Support

ACTION: Initiated and Scheduled a Hearing on or after May 9, 2019

AYES: Hillis, Johnson, Koppel, Melgar, Richards

ABSENT: Moore

RESOLUTION: 20424

13. 2016-013156SRV (P. LAVALLEY: (415) 575-9084)
CITYWIDE CULTURAL RESOURCES SURVEY – Informational Presentation regarding the Citywide Cultural Resources Survey. Planning Department staff will present an overview of the Citywide Cultural Resources Survey, including: survey methodology; survey phasing; and, information on survey staffing and budget.
Preliminary Recommendation: None – Informational

SPEAKERS: = Pilar LaValley – Staff presentation
 = Aaron Hyland – Support to expedite
 = Georgia Schuttish – Support

ACTION: Reviewed and Commented

- ~~14. 2016-013850ENV (J. MOORE: (415) 575-8733)
915 CAYUGA AVENUE between Ocean and Onondaga Avenues, Lots 011C and 039 in Assessor’s Block 6954 (District 11) Request for Adoption of Final Mitigated Negative Declaration. The 915 Cayuga Avenue Project would rezone the entire project site and establish land use controls for the project site through adoption of the Cayuga/Alemany Special Use District (SUD). The Project includes demolition of the existing commercial building and new construction of a five-story over two basement building (measuring approximately 115,4985 square feet) with 116 residential units, 50% of which are affordable below market rate units. The Project includes a dwelling unit mix consisting of 16 studios, 18 one-bedrooms, 70 two-bedrooms, and 12 three-bedroom units. The proposal includes~~

EXHIBIT K

Application to Request a
Block Book Notice

CASE NUMBER:
For Staff Use only

BBN 25217

APPLICATION TO REQUEST A Block Book Notice

RECEIVED

JUN 18 2019

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEIVED BLOCK BOOK

1. Applicant Information

APPLICANTS NAME:

Laurel Heights Improvement Association of San Francisco, Inc.

MAILING ADDRESS:

22 Iris Avenue, San Francisco, CA 94118-2727

EMAIL:

LaurelHeights2016@gmail.com

TELEPHONE:

(415) 221-4700

2. BBN Property Location

SUBJECT PARCEL ADDRESS

3333 California Street

ASSESSORS BLOCK/LOT:

Block 1032, Lot 003

ADDITIONAL BLOCK/LOT(S):

3. Notification Preference

Please identify the type(s) of applications reviewed by the Planning Department for which you are interested in receiving notification (check all that apply):

- All Building Permit Applications (interior and exterior)
- Any Exterior Work (windows, garage doors, horizontal and vertical additions)
- Horizontal and / or Vertical Additions
- Changes of Use
- Conditional Use and Variance
- Other: See descriptions in Attachments A and B hereto.

4. Payment

First Assessor's Parcel: \$ 40.00

Additional Parcels: No. of Parcels x \$ = \$

Total Enclosed: \$ 40.00

Laurel Heights Improvement Association of SF, Inc.

Requestor Signature: *By: Kathryn Devourenzi, President* Date: *June 18, 2019*

Kathryn Devourenzi, 6/18/19

ATTACHMENT A (types of applications, continued)

Any application, request or proposal that may be reviewed by the San Francisco Planning Department and/or San Francisco Planning Commission, including without limitation relating to any of the following:

- any conditional use application
- any planned use development application
- any large project authorization application
- any authorization of any kind allowed under the San Francisco Planning Code or any applicable building code
- any application for any change in, or waiver of, the terms of Resolution 4109 of the San Francisco Planning Commission that applies to this property
- any inter-agency referral
- any proposed subdivision map, including tentative and final maps
- any and all applications for a permit to remove and replace street trees
- any and all applications for a street space permit from the Bureau of Street Use and Mapping and/or a special traffic permit from the Sustainable Streets Division if sidewalk(s) are to be used for construction staging and/or pedestrian walkways are constructed in the curb lane(s)
- any and all requests or applications for on-street commercial truck and/or passenger loading zones on Laurel Street, California Street, Masonic Avenue, and/or Euclid Avenue
- any application for alteration, renovation, demolition, and/or construction
- any application for revision(s) to any permit or site permit
- any application relating to a change in the nonconforming use and/or structure on said property
- any review of any matter relating to this property by the San Francisco Historic Preservation Commission

ATTACHMENT A (types of applications, continued)

any environmental review under the California Environmental Quality Act (CEQA), Public Resources Code sections 21000 *et seq.*, of any application reviewed by the Planning Department, Planning Commission, Department of Building Inspection, Department of Public Works and/or for a building permit or a site permit relating to this property

any and all draft and/or proposed findings relating to any approval of a site permit, conditional use, planned unit development or other authorization relating to this property, including findings as to feasibility of alternatives under CEQA

any and all requests and/or applications for approval of placement of bicycle racks and/or stations on the perimeter sidewalks and/or within the project site

any and all drafts of and/or proposals for a proposed special use district for this property

any and all potential approvals described on Attachment B hereto

any and all proposed amendments to the Special Use District Map

any and all draft and/or proposed recommendations to the Board of Supervisors of a Special Use District

any and all draft and/or proposed conditional use and/or planned unit development authorization(s) relating to this property

any and all draft and/or proposed recommendations to the Board of Supervisors to approve a Development Agreement with respect to, among other community benefits, the project sponsor's commitment to the amount of affordable housing to be developed as part of the proposed project or project variant, to develop and maintain privately owned, publicly accessible open space, to vest the project's entitlements for a period of time and/or to prohibit rezoning for a period of time relating to this property

any and all draft and/or proposed planning code and zoning map amendments, including for a Special Use District

any and all draft and/or proposed findings of consistency with the General Plan and priority policies of Planning Code section 101.1

any and all draft and/or proposed resolutions to modify and/or waive Planning Commission Resolution 4109 that pertains to this property

ATTACHMENT B

E. INTENDED USES OF THE EIR

An EIR is an informational document that is intended to inform the public and the decision-makers of the environmental consequences of a proposed project and to present information about measures and feasible alternatives to avoid or reduce the proposed project's identified significant environmental impacts. This is a project-level EIR that provides the environmental information and evaluation that is necessary for decision-makers to approve the proposed 3333 California Street Mixed-Use Project, prepared by the City and County of San Francisco pursuant to the California Environmental Quality Act (California Public Resources Code section 21000 et seq. and California Code of Regulations Title 14, sections 15000 et seq., "CEQA Guidelines"). It analyzes construction and operation of the proposed project and project variant at a project-specific level.

Before any discretionary project approvals may be granted for the proposed project or project variant, the San Francisco Planning Commission (Planning Commission) must certify the EIR as adequate, accurate, and objective. This Draft EIR will undergo a public comment period (from November 8, 2018 to Monday December 24, 2018) as noted on the cover of this EIR, during which time the Planning Commission will hold a public hearing on the Draft EIR. Following the close of the public comment period, the Planning Department will prepare and publish a Responses to Comments document, containing all comments received on the Draft EIR and the Planning Department's responses to substantive environmental comments. It may also contain specific changes to the Draft EIR text and/or figures. The Draft EIR, together with the Responses to Comments document, including revisions to the Draft EIR, if any, will be considered for certification by the Planning Commission at a public hearing and certified as a Final EIR if deemed adequate, accurate, and objective.

ANTICIPATED APPROVALS

Implementation of the proposed project or project variant would require changes to existing development controls for the project site through planning code, and zoning map amendments including changes to allow office and retail as permitted uses and changes to allow increased heights along California Street (increasing from 40 to 45 feet to accommodate higher ceilings for ground-floor retail uses), and at the center of the site (from 40 feet to 80 and 92 feet) for the renovated buildings resulting from the adaptive reuse of the existing office building. The project sponsor would seek to create a new Special Use District (SUD), which would require a recommendation by the Planning Commission and approval by the Board of Supervisors. The project sponsor would also seek approval of a conditional use authorization/planned unit development to permit development of buildings with heights in excess of 50 feet and to provide for minor deviations from the provisions for measurement of height, to allow for more residential units than principally permitted in the RM-1 Zoning District, and to allow certain planning code

ATTACHMENT B

2. Project Description

exceptions. It is anticipated that the project sponsor would seek approval of a development agreement between the City and the project sponsor (which requires recommendation for approval by the Planning Commission and approval by the Board of Supervisors) with respect to, among other community benefits, the project sponsor's commitment to the amount of affordable housing developed as part of the proposed project or project variant and to develop and maintain privately owned, publicly accessible open space, and would vest the project's entitlements for a 15-year period.

The following is a preliminary list of San Francisco agencies' anticipated approvals for the proposed project and the project variant and is subject to change. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

Actions by the City Planning Commission

- Certification of Environmental Impact Report (EIR) and adoption of findings under CEQA.
- Adoption of Findings of Consistency with the general plan and priority policies of Planning Code section 101.1.
- Recommendation to the Board of Supervisors of an amendment to the Height and Bulk Map to increase height limits along California Street from 40 to 45 feet to accommodate higher ceilings for ground-floor retail uses, and at the center of the site (from 40 feet to 80 and 92 feet) for the renovated buildings resulting from the adaptive reuse of the existing office building.
- Recommendation to the Board of Supervisors of an amendment to the Special Use District Map to designate the boundaries of the Special Use District.
- Recommendation to the Board of Supervisors of a Special Use District to reflect other planning code compliance issues, including to allow office and retail uses at the project site and to modify or waive the requirements of Resolution 4109.
- Conditional Use/Planned Unit Development authorization to permit development of buildings with height in excess of 50 feet and provide for minor deviations from the provisions for measurement of height, to provide for additional dwelling unit density under the project variant, and to provide other exceptions to the planning code requirements applicable to the project site.
- Approval of office allocation for up to 49,999 square feet (Planning Code section 321).
- Recommendation to Board of Supervisors to approve a Development Agreement with respect to, among other community benefits, the project sponsor's commitment to the amount of affordable housing developed as part of the proposed project or project variant and to develop and maintain privately owned, publicly accessible open space and vesting the project's entitlements for a 15-year period.
- Approval of a Transportation Demand Management Plan (Planning Code section 169).

Actions by the San Francisco Board of Supervisors

- Adoption of findings under CEQA
- Adoption of Findings of Consistency with the General Plan and priority policies of Planning Code section 101.1
- Approval of planning code and zoning map amendments, including Special Use District
- Approval of Development Agreement
- Approval of sidewalk widening legislation
- Adoption of resolution to modify or waive Planning Commission Resolution 4109

Actions by Other City Departments

- San Francisco Public Works
 - Approval of Subdivision Map
 - Public hearing and approval of permits to remove and replace street trees on California Street and to remove protected trees on the project site within 10 feet of the public right-of-way
 - Approval of permits for streetscape improvements in the public right-of-way, including new curb cuts on Masonic Avenue (two) and Laurel Street (eight)
 - Approval of encroachment permit for the proposed development of the Corner Plaza at Masonic and Euclid avenues, the Pine Street Steps and Plaza at the Masonic/Pine/Presidio intersection, curb bulb-outs and associated streetscape improvements on the west side of Presidio Avenue at the intersection with Pine Street and Masonic Avenue, on the west side of Masonic Avenue at the intersection with Euclid Avenue, and on the east side of Laurel Street at the intersection with Mayfair Drive, and for sidewalk widening
 - Approval of a street space permit from the Bureau of Street Use and Mapping if sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s)
 - Recommendation to Board of Supervisors to approve legislation for sidewalk widening
- San Francisco Municipal Transportation Agency
 - Approval of request for on-street commercial truck (yellow) and passenger (white) loading zones on Laurel Street, California Street, Masonic Avenue, and Euclid Avenue
 - Approval of a special traffic permit from the Sustainable Streets Division if sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s)
 - Approval of construction within the public right-of-way (e.g., bulbouts and sidewalk extensions) to ensure consistency with the Better Streets Plan
 - Approval of the placement of bicycle racks on the perimeter sidewalks and within the project site

2. Project Description

- San Francisco Department of Building Inspection
 - Review and approval of demolition, excavation, and site/building permits
 - Review and approval of construction permit for non-potable water system
 - Approval of a permit for nighttime construction if any night construction work is proposed that would result in noise greater than five dBA above ambient noise levels, as applicable.
 - Review and approval of plumbing plans for non-potable water reuse system per the Non-potable Water Ordinance
- San Francisco Public Utilities Commission
 - Review and approval of Erosion and Sediment Control Plan, in accordance with article 4.1 of the public works code
 - Review and approval of any changes to sewer laterals (connections to the City sewer system)
 - Review and approval of any changes to existing publicly-owned fire hydrants, water service laterals, water meters, and/or water mains
 - Review and approval of the size and location of new fire, standard, and/or irrigation water service laterals
 - Review and approval of post-construction stormwater design guidelines including a Stormwater Control Plan, in accordance with City's 2016 Stormwater Management Requirements and Design Guidelines
 - Review and approval of Landscape Plan per the Water Efficient Irrigation Ordinance
 - Approval of the use of dewatering wells per article 12B of the health code (joint approval by the health department)
 - Review and approval of documentation for non-potable water reuse system per the Non-potable Water Ordinance
- San Francisco Department of Public Health
 - Review and approval of Site Mitigation Plan, in accordance with San Francisco Health Code article 22A (Maher Ordinance)
 - Review and approval of a Construction Dust Control Plan, in accordance with San Francisco Health Code article 22B (Construction Dust Control Ordinance)
 - Approval of the use of dewatering wells per article 12B of the health code (joint approval by the San Francisco Public Utilities Commission)
 - Review and approval of design and engineering plans for non-potable water reuse system and testing prior to issuance of Permit to Operate

Actions by Other Government Agencies

- Bay Area Air Quality Management District
 - Approval of any necessary air quality permits for installation, operation, and testing (e.g., Authority to Construct/Permit to Operate) for individual air pollution sources, such as boilers and emergency standby diesel generator
 - Approval of Asbestos Dust Mitigation Plan for construction and grading operations

EXHIBIT B



SAN FRANCISCO
PLANNING
DEPARTMENT

APPLICATION TO REQUEST A Block Book Notice

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

A complete application is necessary for the Planning Department to process your application. The instructions for this application should be read carefully before the application form is completed to ensure a proper submission.

Planning Department staff are available to advise you in the preparation of this application. Call (415) 558-6377 for further information.

WHAT IS A BLOCK BOOK NOTICE?

A Block Book Notice (BBN) is a request made by a member of the public to be provided notice of permits on any property within the City and County of San Francisco that is subject to the San Francisco Planning Code. Applications that do not require San Francisco Planning Department Review WILL NOT be subject to a BBN (examples include applications for plumbing permits, electrical permits and building permits that do not require Planning Department review). BBNs are intended to provide the requestor notice of applications reviewed by the Planning Department that they may not otherwise receive.

WHEN CAN AN APPLICATION FOR A BLOCK BOOK NOTICE BE FILED?

An application for a BBN may be filed at any time. The Planning Department requires an annual fee for the first Assessor's Parcel, plus an additional fee for each additional parcel included in the same request. While legislation does not allow a fee exemption for any individual or groups, neighborhood organizations (defined as having been in existence for 24-months prior to the request and listed on the Planning Department's neighborhood organization notification list) require an annual fee for the first Assessor's Block, plus an additional fee for each additional block included in the same request. If you are an authorized representative of a neighborhood organization (as defined above), please also include the organization name and your title on this application form.

HOW DOES THE PROCESS WORK?

To file a request for BBN on properties within the City and County of San Francisco and subject to the San Francisco Planning Code please complete the attached Application to Request a Block Book Notice and submit a check in the appropriate amount payable to the San Francisco Planning Department. Those wishing more specific or more detailed information may call 558-6392.

Once an Application is filed on a property, a notice of the application that requires San Francisco Planning Department review is provided to the BBN Requestor. The Planning Department notifies a Requestor under a BBN, or if another notice is otherwise required, the Requestor is also included in the required notice. Please note that should a particular Planning Code Section (e.g. Sections 303, 305, 311, 312) require a notice, the BBN Requestor may not receive notice immediately following submittal of a permit to the Planning Department but rather through notice requirements in accordance with the specific Planning Code Section. The Department is required to hold a permit for 10 days so that the BBN Requestor may review it. The BBN procedure is a notification process only and any individual receiving notice has the options available to any citizen and no more. If the BBN Requestor has a concern regarding approval of the subject permit they may ultimately file a request for Discretionary Review.

If you are submitting a permit that requires San Francisco Planning Department review and there is a BBN filed on the subject property, you may ask the Planning Department at the Planning Information Center to call the BBN Requestor to determine if they are willing to waive the notification requirement, in which case the Planning Department may proceed without sending a 10 day notice letter. The permit applicant may also contact the BBN Requestor in advance or during the 10 day notice period to obtain their agreement to forego notice where the permit under consideration is not of concern to them.

If the Requestor does not waive the notice requirement, the permit will be accepted for submittal and internally routed from the Building Department to the Planning Department for staff assignment. It may take a week or more for the routing, assignment and for the planner to be able to send out a notice, based upon their workload. The planner assigned to the case will send a notice to the Requestor indicating they have 10 days from the date of the Planning Department's letter to raise any concerns with the project and/or initiate Discretionary Review.

WHO MAY APPLY FOR A BBN?

Any member of the public may request a BBN on any lot within the City and County of San Francisco that is subject to the San Francisco Planning Code.

INSTRUCTIONS:

Please complete the attached Application to Request a Block Book Notice and submit your request with a check in the appropriate amount payable to the San Francisco Planning Department. Requests may be mailed or delivered to the San Francisco Planning Department, 1650 Mission Street, Ste. 400, San Francisco, CA 94103-2414. Please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. Please note: All returned checks are subject to a \$50.00 bank fee.

FOR MORE INFORMATION
Call or visit the San Francisco Planning Department



Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415.558.6409**
WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

EXHIBIT L



City and County of San Francisco
 San Francisco Public Works · Bureau of Street-Use and Mapping
 1155 Market Street, 3rd Floor · San Francisco, CA 94103
 sfpUBLICWORKS.org tel 415-554-5810 · fax 415-554-6161



TENTATIVE MAP DECISION

Date: August 2, 2019

Department of City Planning
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

| | | | |
|---|---------------|-------|-----|
| Project ID: 9956 | | | |
| Project Type: 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial Mixed use New Condominium units | | | |
| Address# | StreetName | Block | Lot |
| 3333 - 3395 | CALIFORNIA ST | 1032 | 003 |
| Tentative Map Referral | | | |

Attention: Mr. Corey Teague.

Please review* and respond to this referral within 30 days in accordance with the Subdivision Map Act.

(*In the course of review by City agencies, any discovered items of concern should be brought to the attention of Public Works for consideration.)

Sincerely,

ADRIAN VERHAGEN

Digitally signed by ADRIAN VERHAGEN
 DN: cn=ADRIAN VERHAGEN, o=DPW-BSM,
 email=adrian.verhagen@sfpw.org, c=US
 Date: 2019.08.07 14:22:38 -0700

for, Bruce R. Storrs, P.L.S.
 City and County Surveyor

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class: _____, CEQA Determination Date: _____, based on the attached checklist.

See attached

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

PLANNING DEPARTMENT

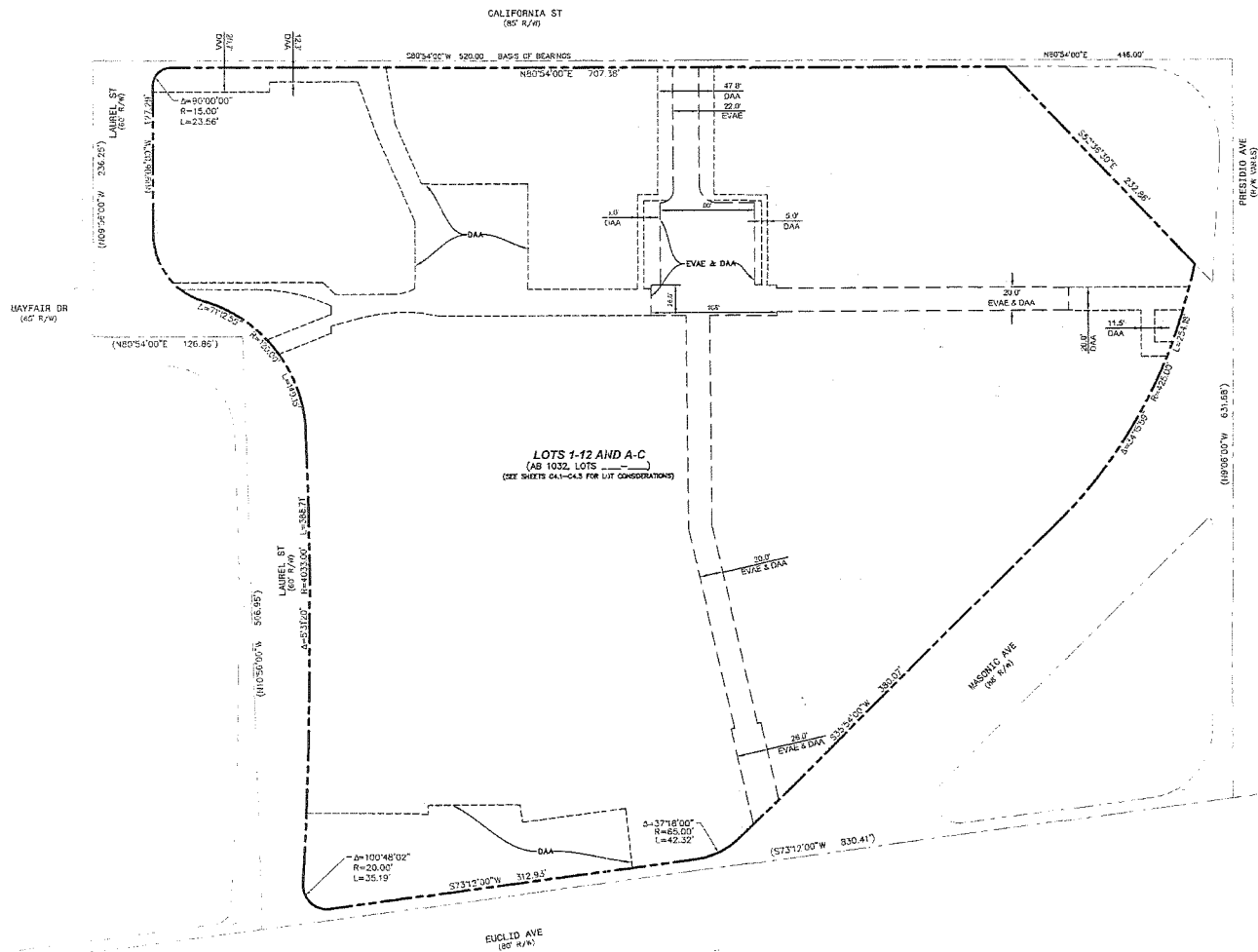
Signed: **Nancy Tran** Digitally signed by Nancy Tran
 Date: 2019.09.12 15:20:20 -07'00'

Date: 9-12-19

Planner's Name: Nancy Tran 415-575-9174
 for, Corey Teague, Zoning Administrator

EXHIBIT N

3333 CALIFORNIA STREET
TENTATIVE FINAL MAP 9956
PROPOSED PARCELS AND EASEMENTS



| LOT # | PROPOSED UNITS | | |
|---------------|------------------|-------------------|----------------|
| | COMMERCIAL UNITS | RESIDENTIAL UNITS | PARKING SPACES |
| LOT A | 0 | 0 | 0 |
| LOT B | 0 | 0 | 0 |
| LOT C | 0 | 0 | 0 |
| LOT 1 | 2 | 17 | 14 |
| LOT 2 | 6 | 0 | 343 |
| LOT 3 | 15 | 2 | 0 |
| LOT 4 | 15 | 74 | 0 |
| LOT 5 | 2 | 167 | 37 |
| LOT 6 | 2 | 0 | 186 |
| LOT 7 | 4 | 0 | 247 |
| LOT 8 | 0 | 69 | 0 |
| LOT 9 | 16 | 81 | 0 |
| LOT 10 | 2 | 36 | 30 |
| LOT 11 | 0 | 62 | 0 |
| LOT 12 | 0 | 167 | 10 |
| TOTALS | 64 | 675 | 857 |

NOT TO EXCEED

ABBREVIATIONS

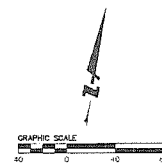
EVAE PROPOSED EMERGENCY VEHICLE ACCESS EASEMENT
DAA PROPOSED DECLARATION AREA FOR ACCESS

LEGEND

EVAE _____
DAA _____

NOTES

1. DECLARATION AREA FOR ACCESS TO BE ESTABLISHED BY SEPARATE INSTRUMENT DOC.



DATE: 07/27/18
DRAWN: [Name]
CHECKED: [Name]
APPROVED: [Name]
SCALE: AS SHOWN

C4.0

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:12

BY

| | | |
|--|--|--|
| LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO SAN FRANCISCO, CA 94118 | | 181 |
| Date <u>October 7, 2019</u> | | 11-8166/3210 19 |
| Pay to the Order of <u>Department of Public Works</u> | | \$ 336.00 |
| <u>Three Hundred thirty-six and ⁴⁰/₁₀₀</u> Dollars | | Security features are included. Details on back. |
| FIRST REPUBLIC BANK 3533 California St. San Francisco, CA 94118 Tel (415) 831-6688 | | |
| For <u>3333 California St. Subdivision Map Appeal Fee</u> | | <u>Kathryn R. Devueneri</u> NP |
| 15 | | |

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| | | |
|--|--|--|
| LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO SAN FRANCISCO, CA 94118 | | 182 |
| Date <u>October 7, 2019</u> | | 11-8166/3210 19 |
| Pay to the Order of <u>Department of Public Works</u> | | \$ 15.00 |
| <u>Fifteen and ⁴⁰/₁₀₀</u> Dollars | | Security features are included. Details on back. |
| FIRST REPUBLIC BANK 3533 California St. San Francisco, CA 94118 Tel (415) 831-6688 | | |
| For <u>3333 California Subdivision Map Appeal</u> | | <u>Kathryn R. Devueneri</u> NP |
| 1 | | |

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