

1 [Adoption of Findings Related to Certificate of Appropriateness - 3400 Laguna Street]

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3 **Motion adopting findings in support of the Board of Supervisors' disapproval of the**
4 **decision of the Historic Preservation Commission by its Motion No. 494 to approve a**
5 **Certificate of Appropriateness identified as Planning Case No. 2022-009819COA, for a**
6 **proposed project at 3400 Laguna Street; and the Board's approval of a Certificate of**
7 **Appropriateness for the same Planning Case with different conditions.**

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9 WHEREAS, The project (Project) at 3400 Laguna Street (Assessor's Parcel Block No.
10 0471, Lot No. 003, within the RM-1 (Residential-Mixed, Low Density) Zoning District and 40-X
11 Height and Bulk Districts) identified in Planning Case No. 2022-009819CUA, proposes to
12 allow demolition of two noncontributing buildings (the Perry Connector and the Health Care
13 Center) on the site, construct two new buildings (the Bay Building and the Francisco Building)
14 in the same locations as the demolished structures, renovate two of the other existing
15 buildings, make improvements to the Julia Morgan building, and site alterations; and

16 WHEREAS, The Planning Commission, through its Motion No. 21726, dated April 17,
17 2025, certified a Final Environmental Impact Report for the Project, and on June 17, 2025, the
18 Board of Supervisors affirmed the Final Environmental Impact Report for the Project; and

19 WHEREAS, On April 17, 2025, the Planning Commission found the Project consistent
20 with the General Plan, and the eight priority policy findings of Planning Code, Section 101.1,
21 for the reasons set forth in Planning Commission Resolution No. 21727, and the Board hereby
22 incorporates such reasons herein by reference; and

23 WHEREAS, On April 17, 2025, the Planning Commission, by its Motion No. 21727,
24 approved a Conditional Use Authorization for the Project, and on June 17, 2025, the Board
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1 conditionally disapproved that decision and approved a Conditional Use Authorization for the
2 Project with modified findings but with no other changes to the approval; and

3 WHEREAS, On June 17, 2025, this Board held a duly noticed hearing to consider the
4 appeal of the Certificate of Appropriateness, at which hearing the Board reviewed and
5 considered the Certificate of Appropriateness, the appeal letters, the other written records
6 before the Board including the Planning Department's response to the appeal, and heard
7 testimony and received public comment regarding the Certificate of Appropriateness; and

8 WHEREAS, Following the conclusion of the public hearing on June 17, 2025, the
9 Board voted to conditionally disapprove the decision of the Historic Preservation Commission
10 and to approve the requested Certificate of Appropriateness with different conditions, subject
11 to the adoption of written findings by the Board, as reflected in Board of Supervisors Motion
12 No. M25-076; and

13 WHEREAS, In deciding the appeal, the Board considered the entire record before the
14 Board; now, therefore, be it

15 MOVED, That with the modifications to the conditions of the Certificate of
16 Appropriateness that the Board adopted - specifically revising Condition 1 on page 15, to
17 state: "Final Architectural Details. Prior to submittal of any building permit application,
18 Department preservation staff shall review and approve final project architectural details of
19 fenestration size and orientation, and exterior finishes, provided that no reduction in project
20 square footage shall result from such review." - the Certificate of Appropriateness meets the
21 requirements for approval under the Planning Code and Secretary of Interior's Standards as
22 otherwise stated in the Certificate of Appropriateness; Condition 1, as imposed by the Historic
23 Preservation Commission, requiring the Project to return to the Commission's Architectural
24 Review Committee for direction on the Project's final massing and architectural details
25 exceeded the Commission's authority by delegating to the Committee authority to make

1 material changes to the Project's size after the Commission's approval of the Certificate of
2 Appropriateness; and this secondary level of review that the Commission's Condition 1 would
3 have required is unnecessary for the Project to meet the legal standard for approval of a
4 Certificate of Appropriateness.