RESPONSES TO COMMENTS ON DEIR

1546-1564 Market Street Project

CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT
CASE NO. 2012.0877E

STATE CLEARINGHOUSE NO. 2014102055

<table>
<thead>
<tr>
<th>Description</th>
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<tr>
<td>Draft EIR Publication Date</td>
<td>January 7, 2015</td>
</tr>
<tr>
<td>Draft EIR Public Hearing Date</td>
<td>February 26, 2015</td>
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<td>Draft EIR Public Comment Period</td>
<td>January 7, 2015 – March 2, 2015</td>
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<tr>
<td>Final EIR Certification Hearing Date</td>
<td>June 25, 2015</td>
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Attached for your review please find a copy of the Responses to Comments document for the Draft Environmental Impact Report (EIR) for the above-referenced project. **This document, along with the Draft EIR, will be before the Planning Commission for Final EIR certification on June 25, 2015.** The Planning Commission will receive public testimony on the Final EIR certification at the June 25, 2015, hearing. Please note that the public review period for the Draft EIR ended on March 2, 2015; any comments received after that date, including any comments provided orally or in writing at the Final EIR certification hearing, will not be responded to in writing.

The Planning Commission does not conduct a hearing to receive comments on the Responses to Comments document, and no such hearing is required by the California Environmental Quality Act. Interested parties, however, may always write to Commission members or to the President of the Commission at 1650 Mission Street, and express an opinion on the Responses to Comments document or the Commission’s decision to certify the completion of the Final EIR for this project.

Please note that if you receive the Responses to Comments document in addition to the Draft EIR, you technically have the Final EIR. If you have any questions concerning the Responses to Comments document or the environmental review process, please contact Brett Bollinger at (415) 575-9024 or brett.bollinger@sfgov.org.

Thank you for your interest in this project and your consideration of this matter.
RESPONSES TO COMMENTS ON DEIR

1546-1564 Market Street Project

CITY AND COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT
CASE NO. 2012.0877E

STATE CLEARINGHOUSE NO. 2014102055
CHAPTER 1 INTRODUCTION ...................................................................................................................... 1-1
A. Purpose of the Responses to Comments Document .............................................................. 1-1
B. Environmental Review Process ................................................................................................ 1-1
C. Document Organization ............................................................................................................ 1-3

CHAPTER 2 PROJECT DESCRIPTION REVISIONS ................................................................................... 2-1

CHAPTER 3 LIST OF PERSONS COMMENTING ...................................................................................... 3-1
A. Agencies, Boards, and Commissions ....................................................................................... 3-1
B. Organizations ............................................................................................................................. 3-1
C. Individuals .................................................................................................................................. 3-1

CHAPTER 4 COMMENTS AND RESPONSES ............................................................................................. 4-1
A. General Comments .................................................................................................................... 4-4
B. Project Description ..................................................................................................................... 4-7
C. Plans and Policies ....................................................................................................................... 4-10
D. Cumulative Projects ................................................................................................................... 4-11
E. Historic Architectural Resources ........................................................................................... 4-13
F. Alternatives ............................................................................................................................... 4-18
G. Aesthetics .................................................................................................................................. 4-23
H. Transportation and Circulation ............................................................................................... 4-25
I. Air Quality ................................................................................................................................ 4-30
J. Wind and Shadow ...................................................................................................................... 4-31

CHAPTER 5 DRAFT EIR REVISIONS ........................................................................................................... 5-1
A. Text Revisions ............................................................................................................................. 5-1
B. Figure Revisions ......................................................................................................................... 5-8

Tables
Table RTC 2-1 (Revised Table 2-2) Project Characteristics
Table RTC 4-1 Comments on the Draft EIR
Table RTC 5-1 (Revised Table 5-3) Comparison of Alternatives for CEQA Analysis
Table RTC 5-2 (Revised Table 2-2) Project Characteristics
Table RTC 5-3 (Revised Table 6-1) Comparison of Alternatives for CEQA Analysis

Figures
Figure RTC 5-1 Figure 2-7, Proposed Floor Plan – Levels 7 through 10
Figure RTC 5-2 Figure 2-10, Proposed Floor Plan
## LIST OF ACRONYMS AND ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tr>
<td>CEQA</td>
<td>California Environmental Quality Act</td>
</tr>
<tr>
<td>City</td>
<td>City and County of San Francisco</td>
</tr>
<tr>
<td>CPE</td>
<td>Community Plan Exemption</td>
</tr>
<tr>
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<td>California Register of Historic Resources</td>
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<td>EIR</td>
<td>Environmental Impact Report</td>
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<td>LOS</td>
<td>level of service</td>
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<td>Market and Octavia PEIR</td>
<td>Programmatic Environmental Impact Report for the Market and Octavia Area Plan</td>
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<td>Mitigation Monitoring and Reporting Program</td>
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<td>mph</td>
<td>miles per hour</td>
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<td>Notice of Preparation</td>
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<td>Responses to Comments</td>
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<td>San Francisco Municipal Transportation Agency</td>
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<td>Transportation Advisory Staff Committee</td>
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CHAPTER 1

Introduction

A. Purpose of the Responses to Comments Document

The purpose of this Responses to Comments (RTC) document is to present comments on the Draft Environmental Impact Report (EIR) for the proposed 1546-1564 Market Street Project; to respond in writing to comments on environmental issues; and to revise the Draft EIR as necessary to provide additional clarity. Pursuant to California Environmental Quality Act (CEQA) requirements included in California Public Resources Code Sections 21091(d)(2)(A) and 21091(d)(2)(B), the San Francisco Planning Department (Planning Department) has considered the comments received on the Draft EIR, has evaluated the issues raised, and is providing written responses to the issues raised by commenters. In accordance with CEQA, the responses to comments focus on clarifying the project description and addressing physical environmental issues associated with the proposed project. These issues include physical impacts or changes attributable to the project rather than any social or financial implications of the project. Therefore, this document provides limited responses to comments received during the public review period that are not relevant to the proposed project or its physical environmental effects.

The Draft EIR, together with this RTC document, will be considered by the Planning Commission at a noticed public hearing and, if deemed adequate with respect to accuracy, objectiveness, and completeness, will be certified as a Final EIR. The Final EIR will consist of the Draft EIR, the comments received during the public review period, responses to the comments, any revisions to the Draft EIR that result from public agency and public comments, and any staff-initiated text changes.

B. Environmental Review Process

As described in the Draft EIR on page 1-2, the 1546-1564 Market Street project site is located in the Market and Octavia Area Plan (Area Plan) boundaries and the Market and Octavia Neighborhood Plan EIR (PEIR), which analyzed the impacts of the implementation of the Area Plan and addressed the impacts of the proposed project at a program level. The Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is consistent with the requirements (i.e., development density) of the Area Plan, as evaluated in the PEIR.

As described in the Draft EIR on page 1-3, the CEQA State Guidelines Section 15183 streamline environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies, for which an EIR was previously certified. Therefore, because the Planning Department has determined that the project is consistent with the development density established in the Area Plan and evaluated in the PEIR, the environmental review must be streamlined per CEQA State Guidelines Section 15183.

For this streamlined review, Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (1) are peculiar to the project or parcel on which the project would be located; (2) were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent; (3) are potentially significant offsite and cumulative impacts that were not discussed in the underlying EIR; or (4) are previously identified in the EIR, but are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

As described in the Community Plan Exemption (CPE) Checklist that the Planning Department prepared for the proposed 1546-1564 Market Street project, all of the proposed project’s impacts, with the exception of impacts to historic architectural resources, were adequately addressed in the PEIR—the project would not result in new significant impacts, nor would it result in more severe adverse impacts to these resources than were identified in the PEIR. The proposed demolition of the two buildings that are considered to be historic resources under CEQA was not addressed in the PEIR. Therefore, further environmental review of the proposed project was required for the topic of historic architectural resources.

In accordance with Section 15183, the Focused EIR was prepared to examine the proposed project’s specific impacts on historic architectural resources; identify mitigation for potentially significant impacts; and analyze whether proposed mitigation measures would reduce the significant environmental impacts to less-than-significant levels. The Focused EIR also analyzed alternatives to the proposed project that could substantially reduce or eliminate one or more significant impacts of the proposed project, but could still feasibly attain most of the basic project objectives.

As described in the Draft EIR on page 1-4, all other environmental topics were addressed in the CPE Checklist, because the analysis in the PEIR was determined to have adequately addressed the project’s potential impacts, consistent with Section 15183.

1. Notice of Preparation and Community Plan Exemption Checklist

The Planning Department, as lead agency responsible for administering the environmental review of projects in the City and County of San Francisco (City) under CEQA, prepared a Notice of Preparation (NOP) with a CPE Checklist under the Programmatic EIR for the Area Plan on October 22, 2014. The NOP included a brief project description and indicated which environmental topics would be addressed in the EIR. The Planning Department mailed the NOP and CPE Checklist to responsible and trustee agencies, as well as to interested entities and individuals (see Appendix A of the Draft EIR for the NOP and CPE Checklist). Publication of the NOP initiated a 30-day public comment period (October 23, 2014, through November 24, 2014); during this time, the Planning Department received no substantive public comment letters on the scope of the EIR. The Planning Department determined that a public scoping meeting was not required for the project.
2. Draft EIR Public Review

The Planning Department prepared the Draft EIR for the proposed project in accordance with CEQA, the CEQA Guidelines in Title 14 of the California Code of Regulations, and Chapter 31 of the San Francisco Administrative Code. The Draft EIR was published on January 7, 2015, and circulated to local, state, and federal agencies, and to interested organizations and individuals. A public comment period was held from January 7, 2015, to March 2, 2015, to solicit public comments on the adequacy and accuracy of information presented in the Draft EIR. A public meeting was held before the San Francisco Historic Preservation Commission on February 4, 2015, to receive the commission’s comments on the Draft EIR. In addition, during the public comment period, a public hearing was held at the San Francisco Planning Commission on February 26, 2015. The comments received during the public review period and at the hearings are the subject of this RTC document, which addresses all substantive written and oral comments on the Draft EIR.

3. Responses to Comments Document and Final EIR

This RTC document has been distributed to the San Francisco Planning Commission and State Clearinghouse, as well as to the agencies, organizations, and individuals who commented on the Draft EIR. This RTC document, together with the Draft EIR, constitutes the Final EIR for the 1546-1564 Market Street project. The Planning Commission will review and consider the information presented in the Final EIR and, at a public hearing scheduled for June 25, 2015, will decide whether to certify that the Final EIR has been completed in compliance with CEQA. In the event the Planning Commission’s certification decision is appealed, the San Francisco Board of Supervisors would hear and make a final determination on any such appeal. The City decision-makers will consider the certified Final EIR, along with other information and the public process, to determine whether to approve, modify, or disapprove the proposed project and to specify any applicable environmental conditions as part of project approvals. If the City approves the proposed project, it will adopt environmental findings and a Mitigation Monitoring and Reporting Program (MMRP) at the project decision hearing. The CEQA Guidelines (Section 15097) require preparation of an MMRP, which is designed to ensure that mitigation measures identified in the Final EIR to reduce or avoid the project’s significant environmental effects are implemented.

If the City decides to approve a proposed project having significant effects that are not avoided or reduced to a less-than-significant level, a Statement of Overriding Considerations must be prepared to explain why any such unavoidable significant effects are acceptable due to overriding considerations, pursuant to CEQA Guidelines Section 15093. The benefits of the proposed project must be balanced against its unavoidable environmental risks. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable. If an agency makes a Statement of Overriding Considerations, the statement must be included in the record of project approval.

C. Document Organization

This RTC document consists of the following sections:

1. Introduction – This chapter discusses the purpose of the RTC document, the environmental review process, and the organization of the RTC document.
2. **Project Description Revisions** – This chapter describes minor revisions to the project that were made subsequent to the publication of the Draft EIR, and addresses how the environmental impacts and mitigation measures would not be substantially different from those identified for the Draft EIR. Revisions to the Draft EIR text are shown as double-underlined text; strikethrough is used to represent language deleted from the Draft EIR.

3. **List of Persons Commenting** – This chapter presents a list of the agencies, organizations, and individuals who submitted written comments during the public review period or spoke at the public hearing on the Draft EIR. Comments are organized by agency (federal, state, regional, and local), organizations, and individuals. The chapter identifies whether the comments were submitted in writing (letter, e-mail, or fax) and/or orally at the Draft EIR public hearings.

4. **Responses to Comments** – This chapter contains responses to all substantive comments received on the Draft EIR, organized in the order the topics were presented in the Draft EIR (i.e., beginning with the Summary chapter of the Draft EIR and ending with Chapter 6, Alternatives, of the Draft EIR).

Each comment has been coded by subject area and assigned a two-part comment number based on the environmental topic abbreviations listed below, and based on the order of presentation under each topic. Each response has been assigned a corresponding number. For example, the first comment pertaining to Alternatives is “Comment AL-1,” and the response to that comment is “Response AL-1.” The second comment and response regarding alternatives are “Comment AL-2,” and “Response AL-2,” respectively. The direct quotes from the respective comment letter and/or transcript pertaining to the comment are listed below the comment number, followed by the response.

The environmental subject area abbreviations are as follows:

- General Comments (GC)
- Project Description (PD)
- Plans and Policies (PP)
- Cumulative Projects (CU)
- Historic Architectural Resources (CP)
- Alternatives (AL)
- Aesthetics (AE)
- Transportation and Circulation (TR)
- Air Quality (AQ)
- Wind and Shadow (WS)

The responses in many cases provide clarification of the EIR text, but some revisions to the Draft EIR text have been made in response to comments received. As with the Project Description Revisions, double-underlined text is used to represent language added or modified in the Draft EIR; strikethrough is used to represent language deleted from the Draft EIR. Revised graphics are shown with the word “Revised” next to the figure number.

The subject matter of one topic may overlap with that of other topics, so the reader must occasionally refer to more than one group of comments and responses to review all the information on a given subject. Cross-references are provided where necessary.
The comment letters are presented in their entirety in Attachment A of this RTC document, and are grouped by agencies (A), organizations (B), and individuals (C). The hearing transcript is presented in Attachment B of this RTC document.

5. **Draft EIR Revisions** – This chapter presents text changes to the EIR that reflect both text changes made as a result of a response to a comment and text changes identified by Planning Department staff to update, correct, or clarify the EIR text. Revisions to the Draft EIR text are again shown as follows: double-underlined text is used to represent language added or modified in the Draft EIR; strikethrough is used to represent language deleted from the Draft EIR; and revised graphics are shown with the word “Revised” next to the figure number.

These changes and minor errata do not result in significant new information with respect to the proposed project, including the level of significance of project impacts or any new significant impacts. Therefore, recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5 is not required.

This RTC document will be incorporated into the Final EIR as a new chapter. The changes to the EIR’s text and figures identified in Chapter 4, Comments and Responses—which are compiled in Chapter 5, Draft EIR Revisions—will be incorporated into the Final EIR text. This RTC document, together with the Draft EIR, will constitute the Final EIR.

**Attachment A** – Draft EIR Comment Letters and Emails

**Attachment B** – Draft EIR Hearing Transcript
CHAPTER 2

Project Description Revisions

This chapter describes the changes that the project sponsor has made to the 1546-1564 Market Street project design since publication of the Draft Environmental Impact Report (EIR), and explains how these changes do not affect the analysis and conclusions of the Draft EIR regarding the project’s impacts.

The project sponsor has made modifications to the project design based on refinements needed for compliance with various City of San Francisco codes. These modifications encompass changes in the square footage associated with the various project components—including roof level design changes to address mechanical and stormwater requirements, and changes to the sub-basement level. A description of the sub-basement level has been added to the project description. These modifications would require a minor reduction in the amount of soil to be excavated at the site, compared to that previously described for the project.

In summary, the revisions to the project would be an increase of approximately 8,801 total gross square feet, accounting for an increase of approximately 151 square feet of retail space, changes in the square footage of the individual residential units, and a slightly larger roof deck open space area (increase of approximately 1,851 square feet); a decrease in the amount of excavation by approximately 1,003 cubic yards; a decrease in the amount of soil off-haul by approximately 830 cubic yards; and an increase of three on-street Class 2 bicycle parking spaces along Oak Street.

The proposed building height would remain as described in the Draft EIR, and the number of residential units and number of retail spaces would not change. These minor revisions to the proposed project would not result in substantially different impacts from those analyzed in the Draft EIR, and would not change any of the conclusions of the environmental review. In addition, these changes would not require new or modified mitigation measures. Therefore, the project description revisions do not require recirculation of the EIR pursuant to California Environmental Quality Act Guidelines Section 15088.5.

Where the EIR has been revised to reflect these design changes, new text is shown as double-underlined, and deleted text is shown in strikethrough. These changes are described below, and updates to the project description are included as part of the revisions provided in Chapter 5, Draft EIR Revisions. These revisions do not change the analysis or conclusions presented in the Draft EIR.

Page 2-1 of the Draft EIR has been revised as follows (second paragraph under Project Overview):

The proposed building would have a total of 146,803 gross square feet (gsf), which would include 116,550 gsf of residential uses (109 dwelling units), 4,961 gsf for residential lobby/lounge uses, 4,961 gsf of retail (three retail spaces), and 12,512 gsf of parking (28 car parking spaces, primarily provided in vehicle stackers or lifts, and 110 bicycle parking spaces), and 11,665 gsf of mechanical/other uses.
Page 2-7 of the Draft EIR has been revised as follows (second paragraph under Project Characteristics):

As summarized in Table 2-2, the proposed building would have a total of 138,002-146,803 gsf, which would include 116,217-116,550 gsf of residential uses (109 dwelling units); 4,463-1,115 gsf for residential lobby/lounge uses; 4,810-4,961 gsf of retail (three retail spaces), and 12,512 gsf for parking (28 car parking spaces, primarily provided in vehicle stackers, and 110-113 bicycle parking spaces), and 11,665 gsf of mechanical/other uses. As shown on Figure 2-16, the proposed project would have two structures separated by an interior courtyard, and a narrow pedestrian walkway serving as a connection at each of the levels above the ground floor (see Figures 2-5 and 2-10). The two structures would be constructed above a common foundation and basement level: one structure would front onto Market Street, and the other would front onto Oak Street.

Residential parking would be provided below-grade and would be accessible from Oak Street. No off-street loading spaces are proposed. A sub-basement level would accommodate the fire water tank, elevator pit, and vehicle stackers. Ground-floor retail uses would primarily front onto Market Street and the residential lobby, and support uses, including a small retail space, would front onto Oak Street. The roof would have a 16-foot windscreen surrounding the common and private deck space. Additionally, a diesel powered emergency generator (200 kilowatts-480 volts, three-phase) would be located on the roof to serve as a back-up power supply.

Page 2-7 of the Draft EIR has been revised as follows (first paragraph under Residential):

There would be 109 residential units, composed of 11 studio units (10 percent); 74 one-bedroom units (68 percent); and 24 two-bedroom units (22 percent). Between the two structures, there would be a total of 9 to 11 units per floor. The units would range from approximately 490-476 square feet for a studio, to 655-740 to 1,180-824 square feet for a one-bedroom, and 1,135-1,099 to 1,610-1,447 square feet (two-bedroom). Figures 2-6 through 2-9 show the proposed floor plans for levels 2 through 12.

Table 2-2, Project Characteristics, on page 2-24 of the Draft EIR has been revised as follows:

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<thead>
<tr>
<th>Lot</th>
<th>Dimensions</th>
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<tbody>
<tr>
<td>Size</td>
<td>12,565 square feet</td>
</tr>
<tr>
<td>Width</td>
<td>81 feet (Market Street)</td>
</tr>
<tr>
<td></td>
<td>64 feet (Oak Street)</td>
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<tr>
<td>Length</td>
<td>167 – 214 feet</td>
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<table>
<thead>
<tr>
<th>Proposed Uses</th>
<th>Area (gsf)</th>
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<tr>
<td>Residential</td>
<td>116,217-116,550</td>
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<tr>
<td>Commercial (Retail)</td>
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<tr>
<td>Parking</td>
<td>12,512</td>
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<tr>
<td>Other (Residential Lobby/Lounge)</td>
<td>4,463-1,115</td>
</tr>
<tr>
<td>Other (Mechanical)</td>
<td>11,665</td>
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<tr>
<td>Total</td>
<td>138,002-146,803</td>
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### Table RTC 2-1 (Revised Table 2-2)

#### Project Characteristics (Continued)

<table>
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<tr>
<th>Proposed Units</th>
<th>Amount (Percent)</th>
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<tr>
<td>Dwelling Units</td>
<td>109 (100%)</td>
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<tr>
<td>Studio</td>
<td>11 (10%)</td>
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<tr>
<td>1-Bedroom</td>
<td>74 (68%)</td>
</tr>
<tr>
<td>2-Bedroom</td>
<td>24 (22%)</td>
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<tr>
<td>Retail</td>
<td>3 spaces</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>281</td>
</tr>
<tr>
<td>Bicycle Parking Spaces</td>
<td>110-113²</td>
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#### Open Space

<table>
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<th>Area (sf)</th>
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<tr>
<td>Public (ground floor)</td>
</tr>
<tr>
<td>Common (roof deck)</td>
</tr>
<tr>
<td>Courtyard (ground floor)</td>
</tr>
<tr>
<td>Private decks (level 11 and roof)</td>
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</table>

#### Building Characteristics

<table>
<thead>
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<th>Levels/Height</th>
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<tbody>
<tr>
<td>Oak Street portion</td>
</tr>
<tr>
<td>Market Street portion</td>
</tr>
<tr>
<td>Basement (Parking)</td>
</tr>
<tr>
<td>Sub-basement</td>
</tr>
</tbody>
</table>


Notes:

- gsf = gross square feet
- Car parking spaces: 28 parking spaces would be located in the basement level: two of which would be accessible to persons with disabilities, and one would be car-share.
- Bicycle parking spaces: 105 Class 1 bicycle parking spaces would be located in the basement level, and five eight Class 2 parking spaces would be located on Oak Street.
- Public open space: 850-241 square feet would be located along the proposed building’s Oak Street frontage, and 400-210 square feet would be located along the Market Street frontage. Provided in compliance with Planning Code Section 138.
- Provided in compliance with Planning Code Section 135 requirements for residential usable open space.

Page 2-25 of the Draft EIR has been revised as follows (first paragraph under Commercial):

The proposed project would have a total of 4,810-4,961 gsf of retail space, composed of 4,560-4,637 gsf of retail space along Market Street, provided as two retail spaces; and one 250-324 gsf retail space on Oak Street, adjacent to the residential lobby.

Page 2-25 of the Draft EIR has been revised as follows (first and second paragraphs under Parking Garage/Trash Storage and Mechanical Equipment):
Car access to the parking garage would be via a ramp from Oak Street; the garage would provide 28 parking spaces, two of which would be accessible to persons with disabilities, and one of which would be car-share (Figure 2-4). Except for the accessible and car share spaces, parking would be provided in car stackers or lifts. Access to the car-share spot would be from the elevator in the lobby. The garage would have 105 Class 1 bicycle parking spaces. Five Eight Class 2 bicycle parking spaces would be provided near the Oak Street residential entrance on the sidewalk.\(^7\)

Trash storage and mechanical equipment would also be located in the garage. The building’s maintenance staff would move the trash to the curb for pick up. The garage would be secured and accessible to residents and retailers only. A sub-basement level would accommodate the fire water tank, elevator pit, and vehicle stackers.

\(^7\) As defined in Planning Code Section 155.1, Class 1 spaces are spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees; Class 2 spaces are spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.

Page 2-26 of the EIR has been revised as follows:

The project would have a total of \(9,082 \text{ to } 9,691\) square feet of open space. The project includes a common roof deck measuring \(5,250 \text{ to } 7,101\) square feet, exceeding the amount of open space required by Planning Codes Section 135.\(^8\) This area would include landscape and hardscape areas. A 16-foot screenwall consisting of translucent material would provide wind protection and allow for views from the roof deck. This screenwall would comply with Planning Code Section 139, Standards for Bird-Safe Buildings. The project also would include \(1,339 \text{ to } 220\) square feet of private open space in the form of deck on level 11 and the roof, as well as an interior common courtyard measuring \(1,993 \text{ to } 1,916\) square feet. These spaces are intended as amenities for residents of the building, but are not required to meet the open space requirements of Section 135.

Planning Code Section 138 requires a minimum of 1 square foot of public-accessible open space for every 50 square feet of retail uses. The required public open space would be in the building setback along the frontages of Oak and Market streets, resulting in \(100 \text{ to } 244\) square feet and \(400 \text{ to } 210\) square feet of open space on Oak and Market streets, respectively. These spaces would serve as an extension of the public sidewalk that is predominantly hard pavement, but may also include seating or landscaping.

\(^8\) Planning Code Section 135 requires that a minimum of 36 square feet of private usable open space or 47.88 square feet of common usable open space be provided for each dwelling unit. Therefore, 5,219 square feet of common open space is required to serve the 109 dwelling units.

Page 2-27 of the EIR has been revised as follows (fourth paragraph under Construction Activities):

The site would be excavated up to approximately \(2021\) feet below grade (accounting for the 2.7-foot increase in grade from Market Street to Oak Street), except at the location of the vehicle stackers, below which excavation would extend an additional 6.5 feet which includes the vehicle stacker pit, elevator pit, and fire water tank. Approximately \(10,600 \text{ to } 9,597\) cubic yards (cy) of soil would be excavated at the site; up to \(1,900 \text{ to } 1,727\) cy would be reused on site, and \(8,700 \text{ to } 7,870\) cy would be removed from the site and disposed of at an appropriate facility, depending on soil quality. It is not anticipated that any soil would be imported to the site. A minimum of 75 percent of construction debris would be recycled.
CHAPTER 3

List of Persons Commenting

This chapter contains a list of the agencies, organizations, and individuals who submitted written comments during the public review period or who spoke at the public hearings on the Draft Environmental Impact Report (EIR). The San Francisco Planning Department received comments on the 1546-1564 Market Street Project Draft EIR during the public comment period from January 7, 2015, to March 2, 2015. A public meeting was held before the San Francisco Historic Preservation Commission on February 4, 2015 (12:30 pm), to receive the commission’s comments on the Draft EIR. In addition, a public hearing on the Draft EIR was held on February 26, 2015 (12:00 pm), at the San Francisco Planning Commission in Room 400, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco.

The comment letters are presented in their entirety in Attachment A of this Responses to Comments document, and the hearing transcripts are presented in Attachment B.

A. Agencies, Boards, and Commissions

The following agencies provided comments on the Draft EIR:

- Karl Hasz, President, Historic Preservation Commission, letter, February 10, 2015;
- Patricia Maurice, Caltrans District 4 Acting District Branch Chief, Local Development – Intergovernmental Review, letter, February 20, 2015;
- Christine D. Johnson, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015;
- Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015;
- Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015; and

B. Organizations

The following organization provided comments on the Draft EIR:

- San Francisco Heritage, Mike Buhler, Executive Director, email, March 2, 2015; and

C. Individuals

The following individual provided comments on the Draft EIR:

- Dennis Hong, email, February 23, 2015.
CHAPTER 4

Comments and Responses

This chapter provides the verbatim text of the substantive comments received on the Draft Environmental Impact Report (EIR), and the lead agency responses to those comments. This chapter is organized by environmental subject area, and follows the same order of topics presented in the Draft EIR (by chapter and section), followed by topics that were addressed in the Community Plan Exemption (CPE) Checklist. General comments on the EIR or the proposed project are grouped together at the beginning of this chapter. The outline of the comments and responses is shown below, with the environmental subject area abbreviations indicated in parentheses:

A. General Comments (GC)
B. Project Description (PD)
C. Plans and Policies (PP)
D. Cumulative Projects (CU)
E. Historic Architectural Resources (CP)
F. Alternatives (AL)
G. Aesthetics (AE)
H. Transportation and Circulation (TR)
I. Air Quality (AQ)
J. Wind and Shadow (WS)

Within each environmental topic, similar comments are grouped together beneath a heading that introduces the subject of the comments. Comments are transcribed verbatim, and may contain grammatical or typographical errors. After each comment, the name of the commenter, their organization (if applicable), type of comment (letter, e-mail, or public hearing transcript), and date of comment are shown in italics. Attachments A and B present the comment letters and hearing transcript in their entirety, respectively. Each comment letter/e-mail and transcript was assigned a correspondence code (A = agency; B = organization; C = individual; TR = transcript) and consecutive number for tracking purposes. Then the comments were delimited to show the corresponding environmental subject area code and number, which indicates where the reader can locate the responses to those comments in this chapter. Table RTC (Responses to Comments) 4-1 below lists each correspondence code, the commenter’s name, and the delimited comments within the letter.

Following each comment or group of comments, a comprehensive response is provided to address issues raised in the comment(s), and to clarify or augment information in the Draft EIR, as appropriate. The responses may also include revisions or additions to the Draft EIR. Portions of the Draft EIR that have been revised are shown as indented text. New or revised text is double-underlined; deleted material is shown in strikethrough. Revised graphics are shown with the word “Revised” next to the figure number. In cases where a comment addresses more than one topic, the response may provide a cross-reference to other comment responses. Response numbers correspond to the comment numbers; for example, the response to Comment AL-1 is referred to as Response AL-1.
### Table RTC 4-1

#### Comments on the Draft EIR

<table>
<thead>
<tr>
<th>Letter Code</th>
<th>Full Name</th>
<th>Comment Type</th>
<th>Topic Code</th>
<th>Topic Title</th>
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<tr>
<td>A.1</td>
<td>Karl Hasz, President, Historic Preservation Commission; February 10, 2015</td>
<td>Letter</td>
<td>CP-1</td>
<td>Loss of two historic resources, particularly 55 Oak Street.</td>
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<td>Additional partial preservation alternative</td>
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<td>A.2</td>
<td>Patricia Maurice, Caltrans District 4 Acting District Branch Chief Local Development – Intergovernmental Review; February 20, 2015</td>
<td>Letter</td>
<td>TR-1</td>
<td>Mitigation for project impacts.</td>
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<td>TR-2</td>
<td>Construction access and encroachment permits.</td>
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<td>B.1</td>
<td>Mike Buhler, Executive Director San Francisco Heritage; March 2, 2015</td>
<td>E-mail</td>
<td>AL-2</td>
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<td>PD-1</td>
<td>Description of project and historic status of buildings.</td>
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<td>Loss of two historic resources, particularly 55 Oak Street.</td>
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<td>Cumulative historic preservation impacts.</td>
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<td>CP-2</td>
<td>Alternative mitigation measures for historic resources.</td>
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<td>B.2</td>
<td>Laborers’ International Union of North America, Ramon Hernandez; March 20, 2015</td>
<td>Letter</td>
<td>GC-1</td>
<td>Support for and expediting of the project.</td>
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<td>C.1</td>
<td>Dennis Hong; February 23, 2015</td>
<td>E-mail</td>
<td>GC-1</td>
<td>Support for and expediting of the project.</td>
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<td>WS-1</td>
<td>Wind in the project area.</td>
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<td>PP-1</td>
<td>Other City plans.</td>
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<td>Project design details – floor plans.</td>
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<td>GC-2</td>
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<td></td>
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<td>Circulate comments and add commenter to distribution list.</td>
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## Table RTC 4-1
### Comments on the Draft EIR (Continued)

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<td>Kathrin Moore, Commissioner, San Francisco Planning Commission; February 26, 2015</td>
<td>Transcript</td>
<td>GC-4</td>
<td>Findings of the Market-Octavia EIR.</td>
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<td>Cumulative historic preservation impacts.</td>
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<td>PD-4</td>
<td>Aggregation of parcels.</td>
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<td>Michael J. Antonini, Commissioner, San Francisco Planning Commission; February 26, 2015</td>
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<td>Christine D. Johnson, Commissioner, San Francisco Planning Commission; February 26, 2015</td>
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<td></td>
<td>Transcript</td>
<td>TR-4</td>
<td>Oak Street as a two-way street.</td>
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</tbody>
</table>
A. General Comments

Comment GC-1: Support for and expediting of the project.

“On behalf of the brothers and sisters of Laborer’s Local 261, I am writing to voice our strong support for Trumark Urban’s proposed mixed-use, residential development at 1554 Market Street.

The development will greatly improve the pedestrian experience, and provide much needed housing in the area, including onsite affordable units. Additionally, both direct and indirect local construction-related jobs will be created from the proposed development.

We have enjoyed participating in an exciting program established by Trumark Urban and United Playaz – the S0MA Pathways program – and commend Trumark for their ongoing commitment to educate and support local at-risk youth.

The Laborer’s Local 261, strongly supports the development at 1554 Market Street as proposed, and urges you to support the development in order to create local jobs and provide needed housing to the City.”  

“I would like to comment on the proposed Project, Case Number 2012-0877E -1546-1550 Market Street – I am in strong support of this Project. It is an enhancement to both the City and this area. The environment (West) of Van Ness Ave is getting much better. The developer and the Planning Department has done a nice job working together on this DEIR.”  
(C.1, Dennis Hong, e-mail, February 23, 2015)

“8. As with any other Project I would like to see this project expedited.”  
(C.1, Dennis Hong, e-mail, February 23, 2015)

Response GC-1

The commenters’ support for the project and desire to have the proposed project expedited is noted. This comment does not address the adequacy or accuracy of the EIR, and this response is provided for information purposes only.

Comment GC-2: Affordable housing.

“How does this project impact the city’s Affordable Housing Meter or if any other entitlements?”  
(C.1, Dennis Hong, e-mail, February 23, 2015)

“I don’t think this is the moment to recall that a few minutes ago we talked about the effect that this project—we were primarily focused on building housing, which is not necessarily in the category of—affordable housing, whether that is not part of the this, I think, of what this EIR has to account on anyway.”  
(TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission; transcript, February 26, 2015)
Response GC-2

As described in Chapter 2, Project Description, of the Draft EIR on page 2-7, the proposed project would be subject to Planning Code Sections 415.1 through 415.9 (Inclusionary Affordable Housing Program), and Section 416 (Market and Octavia Area Plan and Upper Market Neighborhood Commercial District Affordable Housing Fee). The proposed project would comply with these Planning Code sections by providing approximately 12 percent of the total units (13 units) as below-market-rate units on site. This comment does not address the adequacy or accuracy of the EIR, and this response is provided for information purposes only.

Comment GC-3: Circulate comments and add commenter to distribution list.

“If for some reason I had left anyone off this list, please share this email with them. Thanking all of you in advance for your attention to this Project. Please include my comments to the Final EIR and place me on the distribution list for the Comments-Response to this DEIR.” (C.1, Dennis Hong, e-mail, February 23, 2015)

Response GC-3

The commenter will be kept on the RTC distribution mailing list, and will be provided with public updates regarding the proposed project. This comment does not address the adequacy or accuracy of the EIR, and this response is provided for information purposes only.

Comment GC-4: Findings of the Market-Octavia EIR.

“The EIR is interesting in the way it’s set up. It’s very clear. There are just a number of areas where I believe there are missing pieces. Partially, as information pieces, I would say there should be a summary of the Market-Octavia EIR findings, which deal particularly with these sites.

The Market-Octavia plan for these sites was rather vague. And we commented on that and had lots of discussions. In most cases, there were indications of taller buildings which were depicted as little asterisks and never went much further than that.” (TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response GC-4

As described on pages 1-2 through 1-4 of the Draft EIR, and as summarized in Section 1.B, Environmental Review Process, of this RTC, the rezoning of the project site was addressed at a program level in the Market and Octavia Neighborhood Plan EIR (PEIR). The CPE Checklist prepared for the proposed project addressed each of the resource topics listed in Appendix G of the California Environmental Quality Act (CEQA) State Guidelines, and demonstrated that all of the proposed project’s impacts were adequately addressed in the PEIR or through project specific studies cited in the CPE Checklist. The proposed project would not result in new significant impacts, nor would it result in more severe adverse impacts to these resources than were identified in the PEIR, with the exception of impacts to historic architectural resources. Pursuant to the CEQA State Guidelines Section 15183, which allows streamlining environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies and for which an EIR was previously certified, a Focused EIR was prepared. The Focused EIR is to address the project’s impacts to historic architectural resource impacts that were not
analyzed as significant effects in the PEIR. Therefore, the Draft EIR prepared for the project was focused on a single topic, historic architectural resources. This comment does not address the adequacy or accuracy of the EIR, and this response is provided for information purposes only.

See Response AE-1 for a discussion about visual impacts.
B. Project Description

Comment PD-1: Description of project and historic status of buildings.

“A. Project description and objectives.

Located within the Market and Octavia Area Plan boundaries, the proposed project would demolish three existing buildings at the 1546-1564 Market Street site for construction of a 12-story, 120-foot-tall residential building with ground-floor retail uses. The preferred alternative would construct a 138,002-square-foot building, including 116,217 square feet of residential uses (109 dwelling units), 4,463 square feet for residential lobby/lounge uses, 4,810 square feet of retail (three retail spaces), and 12,512 square feet of parking.

The Draft EIR lists five project objectives, including, “Construct a sufficient number of dwelling units to generate a return on investment adequate to attract investment capital and construction financing.” (DEIR at 2-2.) In defining reasonable investment-backed expectations — and gauging the feasibility of preservation alternatives — it is important to note that the project sponsor and the city were aware of the historic status of buildings before the properties were purchased for development.” (B1. Mike Buhler, Executive Director, San Francisco Heritage, e-mail, March 2, 2015)

Response PD-1

As the commenter notes, the project sponsor has five objectives for the proposed project, listed in Chapter 2, Project Description of the Draft EIR, on page 2-2. In addition, as described in Chapter 2 of the Draft EIR, two of the three existing buildings on the project site, 55 Oak Street and 1554-1564 Market Street, are considered individual historical resources under CEQA (see also pages 4-8 through 4-14 of the Draft EIR). The time of purchase of the buildings relative to the Market Octavia Plan or historic resource surveys is not pertinent to CEQA review, and not considered in the EIR.

Comment PD-2: Project design details – floor plans.

“3. Minor details: On floors 7-10 and 12 in each of the unit/s A it shows a stairwell inside each of these units. Where do these stairs go to?” (C.1, Dennis Hong, e-mail, February 23, 2015)

Response PD-2

The stairwells inside Unit A on levels 7 through 10, and on level 12, are shown in error in the Draft EIR on Figure 2-7, and are shown in the incorrect location on Figure 2-10. Figure 2-7 of the Draft EIR has been revised to remove the interior stairwell on levels 7 through 10, and Figure 2-10 has been revised to show the correct location for the stairwell. The revised figures are provided in this document in Section 5.2, Figure Revisions. This revision does not change the analysis or conclusions presented in the Draft EIR.

Comment PD-3: Project design details – visual simulations.

“5. Other than the “Visual Simulation Pictures (fig 17 and 18) -could the final exterior finishes be shown, such as colors and materials?” (C.1, Dennis Hong, e-mail, February 23, 2015)
Response PD-3

As noted by the commenter, visual simulations are shown in Figure 2-17 and 2-18 of the Draft EIR, on pages 2-22 and 2-23, respectively. In addition, exterior finishes and materials are described under Building Design, on pages 2-26 and 2-27 of the Draft EIR, as follows: the building façades along Market and Oak streets would have full-height glazing, punctuated with aluminum vertical and horizontal elements consisting of anodized-aluminum-frame fixed windows at each story, with each story separated by a simple aluminum panel belt cornice. At street level, the Market Street façade would include two fully glazed storefronts, and the Oak Street façade would include a fully glazed residential entrance and lobby. The eastern and western elevations would have façades clad in corrugated and perforated aluminum rainscreen, with minimal glazing (narrow horizontally oriented aluminum-frame-fixed windows). Additional details regarding the materials, colors, and exterior finishes will be provided for review during the project approvals for the Section 309 Downtown Project Authorization, which would occur subsequent to certification of the EIR.

As noted in the CPE Checklist on page 25, aesthetics is no longer to be considered in determining whether a project has the potential to result in significant environmental effects for this and other projects that meet certain criteria; in addition, building material is only relevant to the extent that it affects impact determination under CEQA. During the project approval hearing, although not related to the CEQA analysis, the project sponsor will present details relevant to the design of the proposed project. The presented material will show design details such as colors and finishing materials. Therefore, this comment does not address the adequacy or accuracy of the EIR, and this response is provided for information purposes only.

Comment PD-4: Aggregation of parcels.

“I’d like to pose one additional challenge. And I think it goes hand in hand with the preservation alternative. I’d like to see a project which can function without aggregating parcels. By aggregating parcels and taking both historic buildings down, you’re basically only maximizing what is, even in the most extreme, potential developable in this land.

Tying two structures together with a pedestrian way in order to maximize the number of units, to me, is a very dangerous precedent because you’re creating a north-south wall effect and a clumsy massing, which only serves the person who builds the building but creates more problems than we can even possibly throw a stick at at this moment.

So I’d like to see a clear justification and an examination in this EIR why, for this particular project, the parcels need to be aggregated.” (TR.1 Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“One last question, I guess, parlaying on Commissioner Moore. I’m kind of a child of the Market-Octavia Plan. And, again, I don’t have my material in front of me, but the lot size—one of the things we did when we actually worked on it with the Planning Department and came up with the final plan was discourage combination of lots.

And here we do have two lots being combined for probably more than 10,000 square feet, which is something that we really did not want to have happen in the Market-Octavia Plan. So here we have a
project that’s combining lots. I’m trying to understand why. And it goes against the spirit of everything we tried to do in the plan.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response PD-4

The comments questioning the need for the aggregation of the two existing parcels is noted. As described in Table 2-1 on page 2-4, and as shown in Figure 2-2 on page 2-5 of the Draft EIR, the project site would consist of two parcels (Assessor’s Parcel Numbers 0836-006 and 0836-007). Lot 007 is a 10,491-square-foot through parcel fronting on both Market and Oak streets that ranges in length from approximately 166 feet to 214 feet deep. Both 55 Oak Street and 1554-1564 Market Street buildings are located on this lot. Lot 006 is a 2,074-square-foot parcel, approximately 27 feet in length, that fronts only on Market Street. 1546-1550 Market Street is located on Lot 006. The merging of Lots 006 and 007 creates a uniform through parcel with street frontage on Market and Oak streets that is generally similar to the width of adjacent parcels on the block.

Policy 1.2.9 of the Market and Octavia Area Plan states: “Discourage land assembly where there is a pattern of individual buildings on small lots.” In addition, page 6 of the Market and Octavia Area Plan states: “The established pattern of development in the Market and Octavia neighborhood is one of individual buildings on small lots...New buildings should respond to this established pattern, especially where they interact with the public space of the street.”

As described in Chapter 1, Introduction, on page 1-3 of the Draft EIR, as part of the consideration of the proposed project’s eligibility for streamlined review per CEQA State Guidelines Section 15183, the Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is consistent with the requirements (i.e., development density) of the Area Plan, as evaluated in the Market and Octavia PEIR.1,2

Additionally, as described in Chapter 3, Plans and Policies, on page 3-1 of the Draft EIR, project-related policy conflicts and inconsistencies do not constitute, in and of themselves, significant environmental impacts. The consistency of the proposed project with plans, policies, and regulations that do not relate to physical environmental issues or result in physical environmental effects will be considered by City decision-makers as part of their determination on whether to approve, modify, or disapprove the proposed project. Therefore, this comment does not address the adequacy or accuracy of the EIR, and this response is provided for information purposes only.

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C. Plans and Policies

Comment PP-1: Other City plans.

“One. This Project is has an overlap (area) of several other City Master Plans, such as: the “Better Market Street Plan-2014.0012E,” the Mid/Central Market Street Plan-5th St. to Van Ness Ave,” and the SoMa Plan. They may or may not be fully covered under this Project but should be considered in the final EIR.” (C.1, Dennis Hong, e-mail, February 23, 2015)

Response PP-1

Chapter 3, Plans and Policies, of the Draft EIR describes the applicable land use plans and policies, and analyzes the project’s consistency with these plans and policies. The Draft EIR describes the environmental conditions, including plans and policies, in effect at the time of the publication of the Notice of Preparation for the proposed project.

The plans mentioned by the commenter are not reviewed in Chapter 3, because they either are not final approved plans or policies, or are not applicable to the proposed project, as described below.

• The Better Market Street project is undergoing environmental review as of March 2015, and has not been approved by City decision-makers. The Better Market Street project extends along Market Street from Octavia Boulevard to the Embarcadero—and potentially along Mission, McCoppin, and Otis streets between Valencia Street and the Embarcadero—and does not include the project site.

• The commenter refers to a “the Mid/Central Market Street Plan-5th St. to Van Ness Ave,” which does not exist. If the commenter was referring to the Central Market Economic Strategy, which covers the area bounded by 5th Street on the east and Van Ness Avenue on the west, it is in draft form and has not been completed as of March 12, 2015. The project site is located west of Van Ness Avenue, and the economic strategy is not applicable to the proposed project.

• The Western SoMa Community Plan generally covers an area south/east of Mission and north of 13th Street, and does not cover the project site.

• The Central SoMa Plan covers an area between Market and Townsend streets, between 6th and 2nd streets, and does not cover the project site. The plan is currently under environmental review, and has not been adopted.
D. Cumulative Projects

Comment CU-1: Cumulative historic preservation impacts.

“C. The DEIR understates cumulative impacts related to demolition of 55 Oak Street

The CEQA Guidelines state: “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.” The cumulative study area for the DEIR appropriately includes the project site and the areas within the Market and Octavia Area Plan Historic Survey and the Van Ness Auto Row Support Structures Survey.

The DEIR’s cumulative impacts section lists only two projects recently approved and/or under construction, including 1634–1690 Pine Street Project (demolition of five contributing auto-related buildings) and 1527-1545 Pine Street Mixed-Use Project (demolition of three “tax-payer block” structures). Not included in the cumulative impacts section is 1575-1595 Bush Street (1450 Franklin), a “very fine example” of an historic auto-repair shop that was demolished in 2014 for high-rise construction, and 1641 Jackson Street, a historic garage which recently sold that is reportedly targeted for high-rise residential construction.”  (B.1, Mike Buhler, Executive Director, San Francisco Heritage, e-mail, March 2, 2015)

“2. Will the this project cover the Future; Honda/Boas Site 1535-1599 Market Street, the site of the Goodwill and 490 So Van Ness. I sort of recall several other Projects in this project area. can they be identified in the final EIR?”  (C.1, Dennis Hong, e-mail, February 23, 2015)

Response CU-1

As described under Response GC-4 above, the Draft EIR prepared for the proposed project was a single-topic Focused EIR, addressing the project’s impacts on historic architectural resources. Therefore, the cumulative analysis provided in the Draft EIR focused on cumulative historic architectural resource impacts. See Section 1.4, Environmental Review Process, of this RTC for additional information regarding the preparation of a Focused EIR for the project. As described in Response CU-2, below, cumulative construction impacts have been addressed in the Market and Octavia PEIR and CPE Checklist; there would be no significant impacts beyond those identified in the PEIR.

Section 4.A.2 of the Draft EIR, starting on page 4-2, defines the cumulative study area for the proposed project as the historic architectural resources addressed in the Market and Octavia Area Plan Historic Survey (2008) and the Van Ness Auto Row Support Structures Survey (2010) as they address the historic resources on the project site, as well as resources in the project vicinity. The cumulative analysis for the proposed project focuses on potential impacts to the two types of historic architectural resources that would be affected by the proposed project: 1) a post-Earthquake reconstruction “tax-payer block” commercial building type; and 2) a general automobile repair building type. As described in the Van Ness Auto Row Support Structures Survey, and summarized on page 4-12 of the Draft EIR, 55 Oak Street is categorized as a general automobile repair shop. Because the proposed project would affect this building type, other potential projects in the...
cumulative study area that would affect the general automobile repair shop building type are included in the cumulative projects list (see Draft EIR, Table 4.A-1, on page 4-3). As noted by the commenter, the 1634–1690 Pine Street project and the 1527-1545 Pine Street Mixed-Use project are included in the cumulative projects list; these projects would affect historic architectural resources of types similar to the proposed project.

The 490 South Van Ness property is not identified as a historic resource in the Market and Octavia Area Plan Historic Survey or the Van Ness Auto Row Support Structures Survey. The Van Ness Auto Row Support Structures Survey classifies 1575-1595 Bush Street as a multiple-use building type, and classifies 1641 Jackson Street as a public garage; both of these building types are distinct from the general automobile repair shop building type that would be affected by the proposed project. In addition, the Van Ness Auto Row Support Structures Survey classifies 1535-1599 Market Street as an automobile showroom, although it does not appear to be a historic resource per CEQA.\(^3\) Therefore, because these properties do not have building types similar to those affected by the proposed project, they are not considered in the cumulative list for the proposed project. However, the proposed project will be considered in the cumulative impacts analysis for other projects, as applicable.

**Comment CU-2: Construction timeline for cumulative projects.**

"4. The Project projects a 20 month construction period. Would it be possible to show a time line of this project and other projects in this area?" (C.1, Dennis Hong, e-mail, February 23, 2015)

**Response CU-2**

Cumulative construction impacts have been addressed in the Market and Octavia PEIR and CPE Checklist; there would be no significant impacts beyond those identified in the PEIR. Cumulative impacts associated with the construction of the proposed project are analyzed in the PEIR.

No proposed projects in the immediate vicinity of the project site were included in the cumulative projects list, because none of these projects would affect historic architectural resources. As described in Chapter 1 of the Draft EIR, on pages 1-3 and 1-4, this EIR is focused to address the proposed project’s significant impacts on historic architectural resources that are peculiar to the project site, and that were not identified in the Market and Octavia PEIR. As described in Section 4.A.2 of the Draft EIR, starting on page 4-2, and summarized in Response CU-1, above, the cumulative analysis in the Draft EIR is similarly a focused cumulative impact analysis associated with historic architectural resources. The EIRs for the two projects listed in the cumulative setting in Table 4.A-1, on page 4-3 of the Draft EIR, have been certified and these projects are in various stages of construction.


This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400.
E. Historic Architectural Resources

Comment CP-1: Loss of two historic resources, particularly 55 Oak Street.

“The HPC is concerned that the proposed project will result in the loss of two historic resources on the proposed project site. The HPC is most concerned with the loss of the 55 Oak Street building, which appears to be the more architecturally distinctive of the two historic resources on the proposed project site.” (A.1, Karl Hasz, President, Historic Preservation Commission, letter, February 10, 2015)

“B. The preferred project proposes to demolish two previously identified, individually-eligible historic resources.

The DEIR correctly concludes that the preferred project would result in significant and unavoidable impacts on historic resources. Two of the three buildings targeted for demolition had already been found individually eligible before the sponsor assembled the development parcel. These properties include: 1554-1564 Market Street (one-story brick building with commercial retail uses) and 55 Oak Street (one-story plus mezzanine reinforced-concrete automotive repair shop).

Of the two buildings slated for demolition, 55 Oak Street is a building type (low-rise auto-repair garages) particularly vulnerable to demolition. Built in 1929, 55 Oak Street is significant for its association with the automotive industry, having been occupied by a series of auto repair businesses up to the present day. It was originally identified as eligible for listing in the California Register in 2010 by the city-sponsored Van Ness Auto Row Support Structures Survey. In addition, the Planning Department has found that 55 Oak Street retains unusually high physical integrity.

As set forth in the Van Ness Auto Row Support Structures Survey, 55 Oak Street helps tell the story of one of the most influential automobile industry centers on the west coast in the early 1900s. In the years following the 1906 Earthquake and Fire, auto-related businesses moved to Van Ness Avenue and the surrounding blocks to take advantage of the ample space available to build large showrooms. The spacious showrooms of the era were often built in high-style architecture and served as the primary focus of the burgeoning Van Ness Auto Row. Other auto-related businesses, such as those operating at 55 Oak Street, followed the dealerships to the area in hopes of profiting from the new customer base in need of supplies, parts, tires, paint, repair services, and parking. In total, over 200 auto-related buildings were constructed on or near Van Ness Avenue between Market Street and Pacific Avenue during the 1910s.” (B.1, Mike Buhler, Executive Director, San Francisco Heritage, e-mail, March 2, 2015)

Response CP-1

As discussed in Section 4.B.4.c, Impact Evaluation, pages 4-19 through 4-22 of the Draft EIR, two of the three buildings at the project site—1554-1564 Market Street and 55 Oak Street—were identified as individual historical resources eligible for listing on the California Register of Historic Resources (CRHR) under Criterion 1 (Events) and Criterion 3 (Design/Construction). 1554-1564 Market Street was identified as eligible for listing under the CRHR Criterion 1 for its association with the immediate rebuilding efforts after the 1906 earthquake and fire; 55 Oak Street was identified under the same criterion for its association with early automotive repair facilities. Under CRHR Criterion 3, 1554-1564 Market Street was found eligible for embodying the distinctive characteristics of a single-
story, multiple-unit commercial building constructed on Market Street during commercial reconstruction efforts following the 1906 earthquake and fire. 55 Oak Street was found eligible under Criterion 3 for clarity of expression as an automotive repair shop.

As the comment above notes, the Draft EIR identified a significant unavoidable impact to both historic architectural resources as a result of the proposed project, even with the implementation of Mitigation Measure M-CP-1a: Documentation, Mitigation Measure M-CP-1b: Video Recordation, and Mitigation Measure M-CP-1c: Interpretation, described in Section 4.B.4.c of the Draft EIR. This comment pertains to the merits of the proposed project, and will be provided to the decision-makers for consideration as part of the decision to approve, modify, or disapprove this project.

Comment CP-2: Alternative mitigation measures for historic resources.

“E. The city should explore alternative mitigation measures for demolition of historic resources.

Mitigation measures identified within the DEIR for demolition of 1554-1564 Market Street and 55 Oak Street include Historic American Building Survey (HABS) documentation, video recordation, and interpretive displays (including a digital interpretive website and a temporary exhibition or interpretive display at a cultural institution). Although HABS documentation is a fairly common mitigation measure for demolition projects, it is well established under CEQA that documentation and interpretation does not meaningfully compensate for the loss of historic resources. Accordingly, Heritage urges the city to explore alternative mitigation strategies — for this and other projects — that could result in a better preservation outcome, such as diverting funds used for token mitigation and/or interpretive videos to actual bricks-and-mortar preservation projects.

1 As recognized by the court in League for Protection of Oakland’s Architectural and Historic Resources v. City of Oakland (1997) 52 Cal. App. 4th 896: ‘A large historical structure, once demolished, normally cannot be adequately replaced by reports and commemorative markers. Nor, we think, are the effects of the demolition reduced to a level of insignificance by a proposed new building with unspecified design elements which may incorporate features of the original architecture into an entirely different shopping center.’"

(B.1, Mike Buhler, Executive Director, e-mail, San Francisco Heritage, March 2, 2015)

Response CP-2

As noted by the commenter and as discussed in Section 4.B.4.c, Impact Evaluation, under Impact CP-1 and Impact CP-2 on pages 4-19 through 4-22 of the Draft EIR, the proposed project would have a substantial adverse effect on the individual historic architectural resources at 1554-1564 Market Street and 55 Oak Street. Even with implementation of Mitigation Measure M-CP-1a: Documentation, Mitigation Measure M-CP-1b: Video Recordation, and Mitigation Measure M-CP-1c: Interpretation, the impact to these two historic architectural resources would remain significant and unavoidable. The commenter suggests exploring alternative mitigation strategies, none of which would eliminate or substantially lessen the significant and unavoidable impacts associated with the proposed project. The diversion of funds or interpretative videos would not replace the loss of the historic resources. In addition, the Planning Department does not have a financial structure established to manage a monetary compensation fund.

The mitigation measures provided in the Draft EIR are adequate per CEQA State Guidelines Section 15126.4, and consistent with mitigation measures required for other projects with similar types of impacts.
Comment CP-3: Cumulative historic preservation impacts.

“And that is, for me, a very important question because what we have is cumulative effects and no discussion at all about buildings, which are close by—actually, the adjoining parcel has an additional other tall building—is not being discussed at all in context, even as a physical simulation for ideas which would have come out of the Market-Octavia plan. There is something amiss for me, which raises the issue of being very, very critical in terms of how we look at the necessity of historic preservation alternatives, how we need to look at massing relative to adjoining buildings and projects nearby, which is the Honda site as well as potentially the change of settings through the very large project which will be on the Goodwill site.

I believe that this transformation, which is not properly addressed when we look at this EIR, only focused on one building.” (TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“And particularly for Civic Center, we have an historic district. We used to use City Hall as a mark on the skyline which we needed to see. These tall buildings are now starting to affect the gateway at Market and Van Ness. This and adjoining buildings will effect how we look or don’t look towards City Hall anymore. So missing cumulative massing.” (TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“And all these new buildings that are going to be built along Market will sort of dominate the area there. And we have some historic districts, the Masonry District right near there, Hayes Valley, Civic Center. And I think, although this is only a massing study that comes in the EIR, it’s very important that this be carefully articulated and presented in such a way to be contextual as much as possible with what’s existing there. (TR.1, Michael J. Antonini, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“I’ve mentioned this on—I’m losing track of my addresses—1455 or 1545 Pine. We mentioned here taxpayer block structures. You know, I have no context if I vote to support a project to demolish one because I don’t understand what the census is on how many there are left.

So you talked in the DEIR about the one on Pine Street being knocked down and potentially this one being knocked down and them not having a cumulative effect, I guess, on each other, but are these the last two that are left in the city? I just don’t know.

So I really want to understand if there’s any data available on how many of these structures are left and how many are actually on soft sites with height limits that have, you know, many multiples of what they actually are now and slated to be probably redeveloped or demolished. That would really, really help me.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response CP-3

The Area Plan adopted for the project site and the vicinity created three new zoning districts: Downtown Residential (DTR), Residential Transit-Oriented (RTO), and Neighborhood Commercial-
Transit (NCT); and amended the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts (NCDs), generally allowing taller heights around the Van Ness Avenue and Market Street intersection, and in the Civic Center area (up to a maximum 400 feet at highest points compared to the existing 320-foot maximum height limit). The PEIR analyzed the impacts associated with the Area Plan, including an analysis of the proposed project’s impacts at a program level. The cumulative visual and aesthetic impacts were addressed in the PEIR, in Section 4.4, Urban Design and Visual Quality, of the Market and Octavia PEIR.

As described under Response GC-4 and CU-1 above, the Draft EIR prepared for the proposed project was a single-topic Focused EIR addressing the project-level and cumulative impacts to historic architectural resources, because the project’s other impacts were adequately addressed in the PEIR. See Section 1.4, Environmental Review Process, of this RTC for additional information regarding the preparation of a Focused EIR for the project. See Response AES-1, below, for a response regarding visual and aesthetics resource impacts.

The Draft EIR addresses the project’s offsite impacts to individual historical resources and historic districts under Impact CP-3, starting on page 4-22 of the Draft EIR. The indirect impacts of the proposed project—by altering the existing visual setting—on the three historic districts in the vicinity (the Market Street Masonry District, the Civic Center Historic District, and the Hayes Valley Residential Historic District) were evaluated, as were those on the nine CRHR–eligible individual historic resources within a one-block radius of the project site.

Regarding impacts to the Market Street Masonry District and the Civic Center Historic District, noted by the commenters, the Draft EIR, determined:

- Because the Market Street Masonry District is made up of elements that are spatially discrete, and because the space between the elements is not related to the significance of the district, visual continuity of the elements and uniformity with neighboring buildings are not factors in determining the significance of the district.

- The project site does not bear a strong thematic relationship to the historic significance of the Civic Center Historic District. The project site is a full city block from the southern boundary of the district, and does not have a clear physical or visual connection to the district.

Overall, the Draft EIR determined that the proposed project would not affect the ability of the buildings in each of these historic districts to convey their historic significance; nor would it affect the ability of any of the identified individual historic resources to convey their historic significance or their ability to be listed in the CRHR.

Cumulative impacts from the proposed project are evaluated in Section 4.B.5, Cumulative Impacts, pages 4-23 through 4-24 of the Draft EIR. In addition, Section 4.A.2 of the Draft EIR, starting on page 4-2, defines the cumulative study area and the cumulative projects considered in the Draft EIR. The cumulative analysis is based on the Market and Octavia Area Plan Historic Survey (2008) and the Van Ness Auto Row Support Structures Survey (2010), which address historic resources on the project site and in the project vicinity, and focus on other reasonably foreseeable projects that may affect the two types of historic architectural resources that would be affected by the proposed project. See Response CU-1, for additional information about the development of the cumulative projects list, and the use of the relevant previous historic surveys. An inventory of these types of resources throughout the City is beyond the scope of this EIR.
The cumulative analysis evaluated the proposed project’s impacts in combination with other past, present, and reasonably foreseeable future projects in the project vicinity, including 1545 Pine Street, noted by the commenter. As described in the Draft EIR, despite the similarity of building types on the project site (1554-1564 Market Street and 55 Oak Street) and the other register-eligible examples of these building types (1545 Pine Street and 1656 Pine Street), these buildings do not form a historic district—they have no functional relationship to each other and do not present as visually or historically connected within their urban contexts. Although they are linked to each other thematically as a similar property type, the thematic relationship does not contribute to their individual significance. Therefore, because these historic resources do not form a district, the projects under the cumulative setting, including the proposed project, would not affect the ability of the remaining post-Earthquake reconstruction “tax-payer block” commercial buildings, nor of the remaining general automobile repair shops, to express their historic significance and character. The Draft EIR determined that the cumulative impacts associated with historical resources would be less than significant.

The following revisions are added to the second paragraph on page 4-24 of the Draft EIR, Section 4.B.5, Cumulative Impacts:

Two projects in the cumulative setting are listed in Table 4.A-1. The planned 1527-1545 Pine Street Mixed-Use project would have significant impacts on a post-Earthquake reconstruction “tax-payer block” commercial building, resulting from the demolition of 1545 Pine Street. The planned 1634-1690 Pine Street project would have significant impacts on a general automobile repair structure, resulting from the demolition of 1656 Pine Street. The projects in the cumulative setting along with the proposed project would result in significant project-level impacts on two post-Earthquake reconstruction “tax-payer block” commercial buildings, and two general automobile repair structures. However, these “tax-payer block” (1545 Pine Street and 1554-1564 Market Street) and general automobile repair (1656 Pine Street and 55 Oak Street) historic resources do not form a historic district, as described further below.

These revisions do not change the analysis or conclusions presented in the Draft EIR.
F. Alternatives

Comment AL-1: Additional partial preservation alternative.

“The HPC recommends that the FEIR include an additional partial preservation alternative that incorporates larger-scale vertical additions on top of the historic buildings with substantial setbacks or similar projects. The HPC believe that such an alternative could allow for preservation of some features of the historic buildings on the site while providing for the development of a higher number of housing units than the alternatives included in the DEIR.” (A.1, Karl Hasz, President, Historic Preservation Commission, letter, February 10, 2015)

“And that is, I think—at this moment, these are my comments. I would support Historic Preservation in further elaborations on other alternatives which deal with the historic buildings. The one which was read into the record is a very interesting one. Alternative 3 is interesting, but I think there is more.” (TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“I would agree with much of what Commissioner Moore said. It looks like Alternative 4 might be close to what the Historic Preservation Commission was talking about, the partial preservation alternative. It seems to preserve 55 Oak and separates the buildings to some degree. But there might be further ramifications or alternatives of that preservation alternative which might be worth discussing in the responses to comments to see what they actually were interested in because I think this is a very important building.” (TR.1, Michael J. Antonini, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“But as far as the analysis so far, I would say the area that probably needs more attention is the partial preservation alternative.” (TR.1, Michael J. Antonini, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“I do support an additional preservation alternative as the HPC had asked for.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“Thank you very much. I think the other Commissioners have elucidated comments about the building alternatives pretty well.” (TR.1, Christine D. Johnson, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)
Response AL-1

Commenters note support for a partial preservation alternative, and a variation on a partial preservation alternative that incorporates larger-scale vertical additions on top of the historic buildings.

As described in Chapter 6, on page 6-1 of the Draft EIR, an EIR need not consider every conceivable alternative to the proposed project, but should evaluate a reasonable range of alternatives to the proposed project that would feasibly attain most of the project’s basic objectives, and would avoid or substantially lessen any significant adverse environmental effects of the project (CEQA Guidelines Section 15126.6(a)). As specified in Section 15126.6(f), it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. The EIR must evaluate the comparative merits of the alternatives and include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

In compliance with Section 15126.6, Chapter 6 of the Draft EIR analyzed three alternatives to the proposed project, in addition to the No Project Alternative. The three project alternatives evaluated in the Draft EIR included a Full Preservation Alternative, Market Partial Preservation Alternative, and Oak Partial Preservation Alternative. These alternatives represent a reasonable range of alternatives in compliance with CEQA, because they could attain many of the basic objectives of the project and would avoid (Full Preservation Alternative) or substantially lessen one or more of the significant effects (Market Partial Preservation Alternative, and Oak Partial Preservation Alternative) of the proposed project, as shown in Table 6-1 on page 6-19 of the Draft EIR.

The Market Partial Preservation Alternative would retain the historic resource at 1554-1564 Market Street, which would preserve that building’s ability to convey its individual historic significance and its ability to be listed in the local historic register. The building’s façades and its commercial use would be retained. Therefore, the Market Partial Preservation Alternative would have no impact on the 1554-1564 Market Street historic architectural resource, thus eliminating the proposed project’s significant and unavoidable impact on the resource. However, because this alternative would demolish the 55 Oak Street historic architectural resource, it would have significant and unavoidable impacts on that resource, similar to those of the proposed project.

The Oak Partial Preservation Alternative would retain the historic resource at 55 Oak Street, with alterations to the building that include the change of use from automotive repair to a mixture of commercial and residential; and the addition of a third story with a 15-foot setback from the building façade, and primary façade alterations to support the change of use. These alterations to 55 Oak Street would be designed and built in compliance with the Secretary of the Interior’s Standards for Treatment of Historic Properties; the character-defining features would be retained and the building would remain eligible for listing in the CRHR. Therefore, the Oak Partial Preservation Alternative’s impacts to the 55 Oak Street historic architectural resource would be less than significant, thus eliminating the proposed project’s significant and unavoidable impact on the resource. However, because this alternative would demolish the historic resource at 1554-1564 Market Street, it would have significant and unavoidable impacts on that resource, similar to those of the proposed project.

In addition, three other alternatives were considered but rejected because they were found to be infeasible, or because they failed to meet key project objectives of the project sponsor. One of these alternatives considered but rejected is the Partial Preservation – Single Tower. As described on page
4-21 of the Draft EIR, this alternative would retain the façades but demolish the majority of the historic resources. The total unit count would be 50 residential units. Because the historic resources are independent structures, the cost and engineering constraints of supporting the two historic structures, while constructing and supporting a 120-foot-tall tower, are prohibitive. Therefore, this alternative was considered and rejected.

A design variation on this alternative could preserve the 55 Oak Street building façade only, and demolish the entirety of the two other buildings on the site (1550 Market Street and 1554-1564 Market Street). The three demolished buildings could be replaced with a new 12-story, 120-foot-tall tower containing 109 residential units. In addition, on Oak Street, this alternative would include a 5-foot setback from the existing historic façade at the third level. The levels above the third level could extend to the front property line. Even though the 55 Oak Street façade would be preserved, this resource would be materially impaired, resulting in a significant impact, similar to the proposed project. See Section 4.B.4.a, Significance Thresholds, on page 4-18 of the Draft EIR, regarding the CEQA Guidelines § 15064.5[b], which establish the criteria for assessing a significant environmental impact on historical resources. As described therein, the significance of a historic architectural resource is considered to be “materially impaired” when a project demolishes or materially alters the physical characteristics that justify the inclusion of the resource in the CRHR, or that justify the inclusion of the resource in a local register, or that justify its eligibility for inclusion in the CRHR, as determined by the lead agency for the purposes of CEQA (Section 15064.5[b][2]). Therefore, this design variation would result in the same types and level of severity of impacts to the historic architectural resources as the proposed project.

Nevertheless, City decision-makers may consider this or other designs alternatives for the proposed project as part of the decision to approve, disapprove, or modify the proposed project.

Comment AL-2: Support for and feasibility of the partial preservation alternatives.

“Our comments focus on the adequacy of the DEIR in evaluating potential impacts on cultural resources and in considering potentially feasible project alternatives that would reduce or avoid those impacts. Heritage urges the city recommend against approval of the preferred alternative in favor of one of two partial preservation alternatives that significantly reduce historic impacts while achieving many of the stated project objectives.” (B.1, Mike Buhler, Executive Director, San Francisco Heritage, e-mail, March 2, 2015)

“D. Both partial preservation alternatives should be considered potentially feasible because they fully achieve or partially achieve most of the project objectives.

The California Environmental Quality Act (CEQA) ‘requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.’ If less harmful alternatives are identified that meet most project objectives, the lead agency should not approve the proposed project. ‘The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.’

As described in the DEIR, the Market Partial Preservation Alternative and the Oak Partial Preservation Alternative would retain one historic building each and leave the balance of the site for a high-rise residential tower, reducing impacts on historic resources by roughly half. Of the five stated project objectives in the DEIR, both partial preservation alternatives would fully achieve one and partially
achieve three project objectives. Heritage believes that both options are potentially feasible under CEQA based on reasonable investment-backed expectations that take into account the known presence of eligible historic resources.

1 Sierra Club v. Gilroy City Council (1990) 222 Cal. App. 3d 30, 41, italics added; also see Public Resources Code §§ 21002, 21002.1.

(B.1, Mike Buhler, Executive Director, San Francisco Heritage, e-mail, March 2, 2015)

“One thing that really struck me as odd was how conclusions were drawn on the financing availability of 58 units or 68 units. I mean, I come from the Upper Market, and there’s 50-unit projects all the time being built up there, and financing’s available.

So how and where did a financing conclusion enter into the discussion on the financing would not be available for either of the partial preservation alternatives? That concerns me. So I’d like to understand where that – those comments both came from on both of those.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“And the way things are, in my mind, leaning – and I know this is a comment on the DEIR, but I’m leaning toward supporting a partial preservation alternative for the project itself. Thank you.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response AL-2

Commenters’ support for the partial preservation alternatives is noted. See Response AL-1 above for a discussion regarding a reasonable range of alternatives to the proposed project.

The Draft EIR describes the ability of each of the alternatives to achieve the project objectives, and provides an overall rating (none; partial [very low, low, moderate, medium]; and all [high]), on page 6-2 of the Draft EIR. A summary of the alternatives and how they meet the project objectives is provided in Table 6-1, on page 6-19.

Both the Market and Oak Partial Preservation Alternatives are considered to be “feasible” alternatives to the proposed project. For purposes of CEQA, “feasible” is defined as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. The Market Partial Preservation Alternative would partially achieve (moderate) the project objectives, and the Oak Partial Preservation Alternative would partially achieve (medium) the project objectives. A medium rating is slightly higher than a moderate rating. However, both alternatives would construct substantially fewer dwelling units than the proposed project—approximately 40 percent fewer under the Market Partial Preservation Alternative (66 units versus 109 units under the proposed project), and 43 percent fewer units under the Oak Partial Preservation Alternative (62 units versus 109 units). The commenter’s observations regarding the financing feasibility and conclusions are noted, and
evidence regarding the relative financial feasibility of the project alternatives has been prepared and is included in the record.\textsuperscript{4}

City decision-makers will consider the range of alternatives presented, and may approve, disapprove, or modify the proposed project or one of the project alternatives through their approval actions on the proposed project.

\textsuperscript{4} Bixler, Kevin, 2015. Letter from Kevin Bixler, Land Acquisitions Manager, Trumark Urban, to Brett Bollinger, San Francisco Planning Department, Regarding 1546-1564 Market Street – Financial Feasibility of Alternatives Studied under CEQA.
G. Aesthetics

Comment AE-1: Visual simulations for project.

“The second part of what I’m missing is – and I’m not sure because it’s part of a larger EIR – there are no view simulations. I believe that the effect of aggregating two lots in a north-south direction could have potentially a visual effect I would be concerned about, together with no adjoining buildings, even in broad massing, being brought into this EIR. So lack of visual simulations looking in east-west – east direction and looking in western direction.” (TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“Oftentimes a building can be designed in such a way by the use of materials that are complimentary to what’s already there and make the building less offensive visually by the architect doing it the right way. And we have a very good architect, in my opinion, on this project. I think that’s the later stage.” (TR.1, Michael J. Antonini, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“I agree with what both Commissioners have already said. I’m really looking for kind of this building in context to all the other developments that have been mentioned. I’m having a hard time envisioning how it’s going to sit and what it’s going to look like. So some type of a 3D contextual of the area, with the proposed developments in the pipeline would really be helpful.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response AE-1

The commenter focuses on aesthetics, which is not a topic area covered in the Draft EIR pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC. Because this comment does not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

The commenter is directed to the CPE Checklist discussion regarding aesthetics. As noted in the CPE Checklist on pages 24 and 25, under Evaluation of Environmental Effects, the CPE Checklist examines the potential environmental impacts that would result from implementation of the proposed project, and indicates whether such impacts are addressed in the Market and Octavia PEIR. Section 4.4 of the Market and Octavia PEIR evaluated Urban Design and Visual Quality.

Subsequent to the certification of the PEIR, and as noted in the CPE Checklist, Public Resources Code Section 21099(d), effective January 1, 2014, provides that “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics is no longer to be considered in determining whether a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

a) The project is in a transit priority area;  
b) The project is on an infill site; and
c) The project is residential, mixed-use residential, or an employment center.

Because the proposed project meets each of the above criteria, aesthetics is not considered in determining the significance of project impacts under CEQA.

The proposed project’s indirect impacts to historic resources, including the Market Street Masonry District, the Civic Center Historic District, Hayes Valley Residential Historic District, and other individual historic resources in the project vicinity are evaluated in Section 4.B.4.c, under Impact CP-3. See Response CP-3, above.

Although not related to the CEQA analysis, note that details regarding the aesthetics of the proposed project and its relationship to existing and proposed buildings in the immediate vicinity will be considered during the project approvals hearing.
H. Transportation and Circulation

Comment TR-1: Mitigation for project impacts.

“Lead Agency

As the lead agency, City and County of San Francisco (City) is responsible for all project mitigation, including any needed improvements to State highways. The project’s fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The City should work with Caltrans to develop co-operative agreements to fund the future improvements of nearby State facilities to ensure that the Project’s direct and indirect traffic impacts, including contributive cumulative impacts, are mitigated to the extent feasible.

Impact to State Facilities

What mitigation is being proposed to address traffic impacts at the off-ramp leg of the US-101/Market Street/Octavia Boulevard intersection as a result of the project?

Bicycle and Pedestrian Impacts

Secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures should be analyzed. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.” (A.2, Patricia Maurice, Caltrans District 4 Acting District Branch Chief, Local Development – Intergovernmental Review, letter, February 20, 2015)

Response TR-1

The commenter focuses on impacts on traffic and bicycle and pedestrian safety, which is not a topic area covered in the Draft EIR. The commenter is directed to the CPE Checklist discussion regarding traffic and bicycle and pedestrian safety. As documented in the CPE Checklist, the proposed project would not result in significant impacts on transportation or bicycle and pedestrian safety that were not previously disclosed in the Market and Octavia PEIR. Therefore, pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC, no additional environmental review of these topics is required for the proposed project. Because this comment does not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

As described in the CPE Checklist on page 29, the Market and Octavia PEIR identified several significant traffic impacts at seven intersections, and one transit impact. The Market and Octavia PEIR did not identify any significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction; the Market and Octavia PEIR did not identify any secondary impacts to pedestrians or bicyclists. The Market and Octavia PEIR identified eight transportation mitigation measures—involving plan-level traffic management strategies; intersection and roadway improvements; and transit improvements—to be implemented by the Planning Department, the San Francisco Department of Public Works, and the San Francisco Municipal Transportation Agency (SFMTA). The Market and Octavia PEIR did not identify project-level transportation mitigation measures to be implemented by project sponsors for future development under the Market and Octavia Area Plan.
As determined by the transportation study prepared for the proposed project, the project would not contribute considerably to level of service (LOS) delay conditions, because its contribution of an estimated 59 new PM peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Market and Octavia Area Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions. No mitigation measures are required for the proposed project. However, the project sponsor has agreed to implement several transportation-related improvement measures, listed on pages 61 through 63 of the CPE Checklist, which would reduce the less-than-significant transportation impacts.

Comment TR-2: Construction access and encroachment permits.

“2. Pedestrian access through the construction zone of this project must be in accordance with American Disabilities Act (ADA) guidelines.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. Where traffic restrictions and detours affect State highways, a Transportation Management Plan (TMP) or construction TIS may be required. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. See the following website for more information: http://www.dot.ca.gov/hq/traffops/developserv/permits.” (A.2, Patricia Maurice, Caltrans District 4 Acting District Branch Chief, Local Development – Intergovernmental Review, letter, February 20, 2015)

Response TR-2

The commenter focuses on traffic, which is not a topic area covered in the Draft EIR. The commenter is directed to the CPE Checklist discussion regarding traffic. As documented in the CPE Checklist, the proposed project would not result in significant impacts on traffic that were not previously disclosed in the Market and Octavia PEIR. Therefore, pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC, no additional environmental review of this topic is required for the proposed project. Because this comment does not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

The proposed project would not require an encroachment permit from the California Department of Transportation, because all construction would take place outside of the state right-of-way. As described in the transportation study prepared for the proposed project, lane and sidewalk closures or diversions are subject to review and approval by the City’s Transportation Advisory Staff Committee (TASC), which consists of representatives from the Fire Department, Police Department, SFMTA Traffic Engineering Division, and the Department of Public Works. In addition, the contractor is required to follow “Regulations for Working in San Francisco Streets” (the Blue Book), including required permits for working in or modifying the public right-of-way. As noted in the Blue Book, any sidewalk closures necessitated by the construction of the project shall be in

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accordance with Americans with Disabilities Act guidelines. The Project Sponsor and/or contractor would be required to meet with the TASC to present their Construction Management Plan, which would determine feasible measures to reduce traffic congestion, including transit disruption and pedestrian circulation impacts during construction of individual development projects. In addition, as described on page 62 of the CPE Checklist, improvement measures related to construction activities that would be implemented by the project sponsor would keep the public informed of construction and closures.

Comment TR-3: Traffic and pedestrian circulation and safety in project vicinity.

“The increase of vehicle traffic and pedestrians created from this project are significant. This is a very busy intersection/area in the City – both in terms of vehicles, transit and pedestrians. There have been several accidents at this intersection. What controls are in place during and after construction. Would a traffic study with traffic control lights be of any benefit here?” (C.1, Dennis Hong, e-mail, February 23, 2015)

“What surprises me is, unfortunately, the intersection of Market and Van Ness is probably, from my experience, one of the worst intersections along two very powerful streets, one being Market, the other one being Van Ness. But what we have is, from a traffic point, is one of the most inefficient and almost non-workable intersections because the intersection is too large. There are too many modes, some of which are not very compatible.

Pedestrian safety and ease of pedestrian movement is at absolutely zero and there is nothing which any of these projects are doing to address improvements of that situation. But what they rather would do is make it even worse.

Access to public transportation, access to BART in front of these buildings is probably one of the worst places to get into the BART station itself. When I come to the Department, I walk down Van Ness. I sometimes come with BART. And each time I have to do it, it is absolutely horrible. And I believe the EIR needs to elaborate on this that particular aspect.” (TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response TR-3

The commenter focuses on traffic, transit, and pedestrian safety which are not topic areas covered in the Draft EIR. The commenter is directed to the CPE Checklist discussion regarding these topics (see also Response TR-1, above).

As documented in the CPE Checklist, the proposed project would not result in significant impacts on traffic, transit, and pedestrian safety that were not previously disclosed in the Market and Octavia PEIR. Therefore, pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC, no additional environmental review of these topics is required for the proposed project. Because this comment does not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

The Market and Octavia PEIR identified several significant traffic impacts, and one transit impact; no significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction were identified. As described in the CPE Checklist on pages 29 through 34, which found that the proposed
project would not result in significant impacts on transportation and circulation that were not identified in the Market and Octavia PEIR, and would not contribute considerably to LOS delay conditions or contribute considerably to 2025 cumulative conditions. The project would contribute a small portion of pedestrian, bicycle, or transit to the surrounding network, and would not contribute considerably to any worsening pedestrian, bicycle, or transit conditions as a result of the Market and Octavia Plan. Therefore, no mitigation measures are required for the proposed project. However, the project sponsor has agreed to implement several transportation-related improvement measures, listed on pages 61 through 63 of the CPE Checklist, which would reduce the less-than-significant transportation impacts.

In addition, the proposed project would not modify the intersection of Market and Van Ness streets; nor would it change the San Francisco Municipal Railway (Muni) Metro stop at Van Ness Avenue and Market Street, a half block east of the site, or the Bay Area Rapid Transit District (BART) stop at Civic Center, approximately 0.5 mile east of the site. The commenter does not provide specific concerns about the Muni entrance; therefore, it is not possible to respond with more specific information.

Comment TR-4: Oak Street as a two-way street.

“I’ll just focus on the transportation and one question in particular. The Market-Octavia plan in general calls for, as part of looking at some of the open space improvements, to make Oak Street two ways. And it’s currently depicted as one way, Oak Street, in the EIR. And I think that this severely impacts circulation issues that were mentioned before because it means that, in order to get to the parking, you have to come in off of Van Ness rather than being able to go up and around, which I think in many cases will alleviate some of the additional circulation impacts.

So I would like a discussion of why that is not included as part of the transportation assessment. And it needs to be—it would be great to see that updated in the Final EIR.”  (TR.1, Christine D. Johnson, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response TR-4

The commenter focuses on traffic circulation, which is not a topic area covered in the Draft EIR. The commenter is directed to the CPE Checklist discussion regarding traffic circulation. As documented in the CPE Checklist, the proposed project would not result in significant impacts on circulation that were not previously disclosed in the Market and Octavia PEIR. Therefore, pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC, no additional environmental review of this topic is required for the proposed project. Because this comment does not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

The transportation study prepared for the proposed project is based on the Market and Octavia Area Plan. Based on this assessment, the project would not generate enough traffic to significantly impact traffic operations with the one-way option as presented in the Area Plan.

The reconfiguration of Oak Street from a one-way street to a two-way street is proposed as part of the adjacent 1510-1540 Market Street project, which is currently under Planning Department review; the proposal would reconfigure Oak Street into a dead-end two-way street with a pedestrian plaza at Van Ness Avenue. The transportation study prepared for the proposed project also includes a review of traffic operations if the reconfiguration were to be implemented. Similar to the conditions under the Market and Octavia Area Plan, this two-way configuration would not result in significant impacts
to traffic operations at Oak and Franklin streets, and would not change the conclusions associated with the proposed project in the Market and Octavia PEIR or the CPE Checklist. Although no impacts are expected due to a two-way Oak Street as presented in the transportation study prepared for the proposed project, any impacts would be the responsibility of the adjacent project that is proposing those changes.

I. Air Quality

Comment AQ-1: Construction dust controls.

“As indicated in the report -”wind study” -in fact this is part of the city’s windiest part of town. Are there any additional controls in place to minimize the “construction dust” because there are several restaurants in this area.” (C.1, Dennis Hong, e-mail, February 23, 2015)

Response AQ-1

The commenter focuses on air quality, which is not a topic area covered in the Draft EIR. The commenter is directed to the CPE Checklist discussion regarding air quality. As documented in the CPE Checklist, the proposed project would not result in significant impacts on air quality that were not previously disclosed in the Market and Octavia PEIR. Therefore, pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC, no additional environmental review of this topic is required for the proposed project. Because this comment does not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

As discussed in the Air Quality section of the CPE Checklist on page 37, the project sponsor and contractor responsible for construction activities at the project site are required to comply with the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008), which supersedes the Market and Octavia PEIR Mitigation Measure E1 – Construction Mitigation Measure for Particulate Emissions. Compliance with the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant. See Response WS-1 for a discussion regarding wind.
J. Wind and Shadow

Comment WS-1: Wind in the project area.

“Hello, my name is Dennis Hong and I am a resident of San Francisco. For over forty years I worked in this area (windy). Specifically at One South Van Ness, 30 Van Ness and the 1455 Market Street complex. I know the area well. I worked on the original development of 1455 Market Street. I hope these comments and this email format address my concerns. With that said, I have the following comments to the (NOP) October 22, 2014 –DEIR.” (C.1, Dennis Hong, e-mail, February 23, 2015)

“I did have a question—and we’ve mentioned these kind of comments as well on—I think it was 1333 Gough, the wind cumulative effects, the traffic cumulative effects of all these other developments. So this is something, I think, we’ve already gone on record on the other DEIRs asking for.” (TR.1, Dennis Richards, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

“Cumulative wind effects. Each project in the general area of the intersection of Market and Mission is already in its current state at wind velocities which are bordering on being unsafe. I do not see a discussion about that.”(TR.1, Kathrin Moore, Commissioner, San Francisco Planning Commission, transcript, February 26, 2015)

Response WS-1

The commenters focus on wind, which is not a topic area covered in the Draft EIR. The commenters are directed to the CPE Checklist discussion regarding wind. As documented in the CPE Checklist, the proposed project would not result in significant wind or shadow impacts that were not previously disclosed in the Market and Octavia PEIR. Therefore, pursuant to CEQA Guidelines Section 15183, and as described in Section 1.B of this RTC, no additional environmental review of this topic is required for the proposed project. Because these comments do not address the adequacy or accuracy of the EIR, the following response is provided for information purposes only.

As discussed in the Wind and Shadow section of the CPE Checklist on pages 39 through 45, in compliance with the mitigation measures identified in the Market and Octavia PEIR—Mitigation Measure B1 – Buildings in Excess of 85 Feet in Height, and Market and Octavia PEIR Mitigation Measure B2 – All New Construction—a wind tunnel study was conducted for the proposed project. The study provided a qualitative evaluation of the potential wind impacts of the proposed project. Wind tunnel tests were conducted for the project site and vicinity using the following three scenarios: existing conditions; existing plus proposed project conditions; and cumulative conditions.

The analysis criteria used in the wind study were comfort and hazard criteria, as defined in the Planning Code Section 148. The comfort criterion requires that wind speeds not exceed 11 miles per hour (mph) in areas of substantial pedestrian use. The hazard criterion requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph, as averaged from a single full hour of the year.
Under existing plus proposed project conditions, winds were predicted to exceed the comfort criterion at 41 locations, including the 19 locations with comfort exceedances under the existing conditions. Two of the 41 locations are on the project site (locations 6 and 7), 25 are on pedestrian walkways, and 14 locations are in areas not frequented by pedestrians (roads and parking lots). Under existing plus proposed project conditions, none of the measurement locations would exceed the hazard criterion.

Under cumulative conditions, wind conditions are predicted to be similar to the existing plus proposed project conditions, with exceedances at a total of 42 locations. However, under cumulative conditions, the hazard criterion would be exceeded at a pedestrian crossing at the intersection of Market Street and Van Ness Avenue (location 34) (see CPE Checklist Figure 19). For 1 hour of the year, the wind speed would exceed 37 mph, which is 1 mph above the hazard criterion.\(^8\) As the wind analysis concluded, this exceedance would result from other projects anticipated under the cumulative conditions. Therefore, the proposed project does not contribute to this exceedance.

Overall, as described in the CPE Checklist, average wind speeds are expected to increase slightly from the existing conditions with the proposed project and cumulative projects. However, the proposed project would not have significant wind impacts, either individually or cumulatively, and would not result in significant impacts related to wind.

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\(^8\) Per Planning Code Section 148, the hazard criterion requires that buildings do not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph, as averaged from a single full hour of the year. The comfort criteria are based on wind speeds that are measured for 1 minute and averaged. When the hazard criterion is stated on the same basis as the comfort criteria wind speeds, the hazard criterion wind speed is a 1-minute average of 36 mph, the value used in this analysis.
CHAPTER 5

Draft EIR Revisions

The following changes to the 1546-1564 Market Street project Draft Environmental Impact Report (EIR) have been made by the project sponsor to clarify project design, as noted in Chapter 2, Project Description Revisions, or in response to comments received on the Draft EIR, as noted in Chapter 3, Comments and Responses. This chapter presents text revisions to the Draft EIR first, followed by revisions to figures in the Draft EIR.

This chapter identifies text changes by Draft EIR page number (or by the first page number if revisions have been made to multiple pages). Double-underlined text is used to represent language added or modified in the Draft EIR; strikethrough is used to represent language deleted from the Draft EIR. Revised graphics are shown with the word “Revised” next to the figure number. None of the changes or clarifications presented in this chapter alters the conclusions or findings of the Draft EIR.

A. Text Revisions

1. Summary

Pages S-1 and S-2 of the Draft EIR have been revised as follows (second paragraph under Project Synopsis):

The proposed building would have a total of 138,002 146,803 gross square feet (gsf), which would include 116,217 116,550 gsf of residential uses (109 dwelling units), 4,463 1,115 gsf for residential lobby/lounge uses, 4,810 4,961 gsf of retail (three retail spaces), and 12,512 gsf of parking (28 car parking spaces, primarily provided in vehicle stackers or lifts, and 110 113 bicycle parking spaces), and 11,665 gsf of mechanical/other uses.

Table S-3, Comparison of Alternatives for CEQA Analysis, on page S-13 of the Draft EIR, has been revised as follows:
### Table RTC 5-1 (Revised Table S-3)
Comparison of Alternatives for CEQA Analysis

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<tbody>
<tr>
<td>Building Height/Stories</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
<td>1 to 3 stories</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
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<tr>
<td>Residential Units</td>
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<td>—</td>
<td>13</td>
<td>66</td>
<td>62</td>
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<td><strong>Gross Square Feet by Use¹</strong></td>
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<td>Residential</td>
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<td>Other Residential Lobby/Lounge</td>
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<td>(Residential Lobby/Lounge)</td>
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<tr>
<td>Mechanical/Other</td>
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<td>—</td>
<td>—</td>
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<tr>
<td><strong>Total</strong></td>
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<td>14,937</td>
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**Parking**

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**Ability to Meet Project Sponsor’s Objectives**

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<tbody>
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<td>LS</td>
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<td>LS</td>
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<td>Impact C-CP-1: The proposed project, in combination with other past, present, and reasonably foreseeable future projects in the project vicinity, would not result in a significant cumulative impact on a historic architectural resources</td>
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Notes:
The ability of each of the alternatives to achieve the project objectives is assigned an overall rating based on the following categories: none; partial (very low, low, moderate, medium); and all (high).

¹ The comparison only shows new or redeveloped space and does not show existing uses or building space to be retained.

NI = No impact
LS = Less-than-significant impact, no mitigation required
SUM = Significant and unavoidable impact, with implementation of feasible mitigation
2. **Chapter 2, Project Description**

Page 2-1 of the Draft EIR has been revised as follows (second paragraph under Project Overview):

The proposed building would have a total of **138,002-146,803** gross square feet (gsf), which would include **116,217-116,550** gsf of residential uses (109 dwelling units), **4,463-1,115** gsf for residential lobby/lounge uses, **4,810-4,961** gsf of retail (three retail spaces), and **12,512** gsf of parking (28 car parking spaces, primarily provided in vehicle stackers or lifts, and **110-113** bicycle parking spaces), and **11,665** gsf of mechanical/other uses.

Page 2-7 of the Draft EIR has been revised as follows (second paragraph under Project Characteristics):

As summarized in Table 2-2, the proposed building would have a total of **138,002-146,803** gsf, which would include **116,217-116,550** gsf of residential uses (109 dwelling units); **4,463-1,115** gsf for residential lobby/lounge uses; **4,810-4,961** gsf of retail (three retail spaces); and **12,512** gsf for parking (28 car parking spaces, primarily provided in vehicle stackers, and **110-113** bicycle parking spaces); and **11,665** gsf of mechanical/other uses. As shown on Figure 2-16, the proposed project would have two structures separated by an interior courtyard, and a narrow pedestrian walkway serving as a connection at each of the levels above the ground floor (see Figures 2-5 and 2-10). The two structures would be constructed above a common foundation and basement level: one structure would front onto Market Street, and the other would front onto Oak Street.

Residential parking would be provided below-grade and would be accessible from Oak Street. No off-street loading spaces are proposed. A sub-basement level would accommodate the fire water tank, elevator pit, and vehicle stackers. Ground-floor retail uses would primarily front onto Market Street and the residential lobby, and support uses, including a small retail space, would front onto Oak Street. The roof would have a 16-foot windscreen surrounding the common and private deck space. Additionally, a diesel powered emergency generator (200 kilowatts-480 volts, three-phase) would be located on the roof to serve as a back-up power supply.

Page 2-7 of the Draft EIR has been revised as follows (first paragraph under Residential):

There would be 109 residential units, composed of 11 studio units (10 percent); 74 one-bedroom units (68 percent); and 24 two-bedroom units (22 percent). Between the two structures, there would be a total of 9 to 11 units per floor. The units would range from approximately **490-476** square feet for a studio, to **635-740** square feet for a one-bedroom, and **1,135-1,099** square feet (two-bedroom). Figures 2-6 through 2-9 show the proposed floor plans for levels 2 through 12.

Table 2-2, Project Characteristics, on page 2-24 of the Draft EIR has been revised as follows:
Table RTC 5-2 (Revised Table 2-2)

Project Characteristics

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<th>Dimensions</th>
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<tbody>
<tr>
<td>Size</td>
<td>12,565 square feet</td>
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| Width | 81 feet (Market Street)  
64 feet (Oak Street)  |
| Length | 167 – 214 feet |

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<th>Proposed Uses</th>
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<td>Other (Residential Lobby/Lounge)</td>
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<td>Other (Mechanical)</td>
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<td>Total</td>
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<table>
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<tr>
<th>Proposed Units</th>
<th>Amount (Percent)</th>
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<tr>
<td>Dwelling Units</td>
<td>109 (100%)</td>
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<td>Studio</td>
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<td>Private decks (level 11 and roof)</td>
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</thead>
<tbody>
<tr>
<td>Oak Street portion</td>
<td>12 levels (ground floor – lobby/retail/11 stories residential)/117 feet plus 16-foot screen wall for roof terrace</td>
</tr>
<tr>
<td>Market Street portion</td>
<td>12 levels (ground floor – commercial/11 stories residential)/120 feet plus 16-foot screen wall for roof terrace</td>
</tr>
<tr>
<td>Basement (Parking)</td>
<td>1 level below grade</td>
</tr>
<tr>
<td>Sub-basement</td>
<td>Fire water tank, elevator pit, and vehicle stackers</td>
</tr>
</tbody>
</table>


Notes:
- gsf = gross square feet
- ^1 Car parking spaces: 28 parking spaces would be located in the basement level: two of which would be accessible to persons with disabilities, and one would be car-share.
- ^2 Bicycle parking spaces: 105 Class 1 bicycle parking spaces would be located in the basement level, and five eight Class 2 parking spaces would be located on Oak Street.
- ^3 Public open space: 100-244 square feet would be located along the proposed building’s Oak Street frontage, and 400-210 square feet would be located along the Market Street frontage. Provided in compliance with Planning Code Section 138.
- ^4 Provided in compliance with Planning Code Section 135 requirements for residential usable open space.
Page 2-25 of the Draft EIR has been revised as follows (first paragraph under Commercial):

The proposed project would have a total of 4,810 gsf of retail space, composed of 4,560 gsf of retail space along Market Street, provided as two retail spaces; and one 250 gsf retail space on Oak Street, adjacent to the residential lobby.

Page 2-25 of the Draft EIR has been revised as follows (first and second paragraphs under Parking Garage/Trash Storage and Mechanical Equipment):

Car access to the parking garage would be via a ramp from Oak Street; the garage would provide 28 parking spaces, two of which would be accessible to persons with disabilities, and one of which would be car-share (Figure 2-4). Except for the accessible and car share spaces, parking would be provided in car stackers or lifts. Access to the car-share spot would be from the elevator in the lobby. The garage would have 105 Class 1 bicycle parking spaces. Five Class 2 bicycle parking spaces would be provided near the Oak Street residential entrance on the sidewalk.

Trash storage and mechanical equipment would also be located in the garage. The building’s maintenance staff would move the trash to the curb for pick up. The garage would be secured and accessible to residents and retailers only. A sub-basement level would accommodate the fire water tank, elevator pit, and vehicle stackers.

Page 2-26 of the EIR has been revised as follows:

The project would have a total of 9,082 square feet of open space. The project includes a common roof deck measuring 5,250 square feet, exceeding the amount of open space required by Planning Codes Section 135.8 This area would include landscape and hardscape areas. A 16-foot screenwall consisting of translucent material would provide wind protection and allow for views from the roof deck. This screenwall would comply with Planning Code Section 139, Standards for Bird-Safe Buildings. The project also would include 1,339 square feet of private open space in the form of deck on level 11 and the roof, as well as an interior common courtyard measuring 1,993 square feet. These spaces are intended as amenities for residents of the building, but are not required to meet the open space requirements of Section 135.

Planning Code Section 138 requires a minimum of 1 square foot of public-accessible open space for every 50 square feet of retail uses. The required public open space would be in the building setback along the frontages of Oak and Market streets, resulting in 400 square feet and 400 square feet of open space on Oak and Market streets, respectively. These spaces would serve as an extension of the public sidewalk that is predominantly hard pavement, but may also include seating or landscaping.

Page 2-27 of the EIR has been revised as follows (fourth paragraph under Construction Activities):

7 As defined in Planning Code Section 155.1, Class 1 spaces are spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees; Class 2 spaces are spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.

8 Planning Code Section 135 requires that a minimum of 36 square feet of private usable open space or 47.88 square feet of common usable open space be provided for each dwelling unit. Therefore, 5,219 square feet of common open space is required to serve the 109 dwelling units.
The site would be excavated up to approximately 2021 feet below grade (accounting for the 2.7-foot increase in grade from Market Street to Oak Street), except at the location of the vehicle stackers, below which excavation would extend an additional 6.5 feet which includes the vehicle stacker pit, elevator pit, and fire water tank. Approximately 10,600,959 cubic yards (cy) of soil would be excavated at the site; up to 1,900,1,727 cy would be reused on site, and 8,700,7,870 cy would be removed from the site and disposed of at an appropriate facility, depending on soil quality. It is not anticipated that any soil would be imported to the site. A minimum of 75 percent of construction debris would be recycled.

3. Chapter 3, Plans and Policies

Page 3-4 of the Draft EIR has been revised as follows (second paragraph under San Francisco Transit First Policy):

The City’s Transit First Policy provides that “6. Bicycling shall be promoted by encouraging safe streets for riding, convenient access to transit, bicycle lanes, and secure bicycle parking,” and “7. Parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation” (City Charter, Section 8A.115). The proposed project would provide 110,113 bicycle spaces and 28 auto parking spaces; the limited onsite vehicular parking would support transit trips, consistent with the Plan’s policies. No inconsistencies with the Transit First Policy were found.

Pages 5-1 and 5-2 of the Draft EIR have been revised as follows (third paragraph under Growth-Inducing Impacts):

The project site is located on an infill site, surrounded on all sides by urban uses; it would not result in the extension of infrastructure into undeveloped areas, or the construction of a residential project in an area that is undeveloped or lightly developed. The proposed project would increase population density in the project area, replacing 16,644 square feet of retail/office uses with 138,002,146,803 gross square feet (gsf) of primarily residential uses (109 new dwelling units) and 4,810,4,961 gsf ground-floor retail uses. This is consistent with the projected population growth assumed in the Market and Octavia Neighborhood Plan EIR (PEIR), which addressed the proposed project at a program level. As analyzed in Chapter 4.14, Growth Inducement, of the PEIR, the Market and Octavia Area Plan was expected to result in the addition of 4,440 units of housing between 2004 and 2025, or approximately 210 units per year.1 Because the proposed project would add 109 dwelling units, its potential for inducing population growth has already been adequately covered by the PEIR. In addition, this growth would be consistent with the projections of Association of Bay Area Governments’ Plan Bay Area, which predicts an average of 3,083 new housing units per year in San Francisco between 2010 and 2040;2 the 1546-1564 Market Street project would account for 3.5 percent of this projected growth.

1 San Francisco Planning Department, 2007. Market and Octavia Neighborhood Plan Final EIR. Case No.#2003.0347E; State Clearinghouse No.#2004012118, p.44-353. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400.


Table 6-1, Comparison of Alternatives for CEQA Analysis, on page 6-19 of the Draft EIR, has been revised as follows:
### Table RTC 5-3 (Revised Table 6-1)
Comparison of Alternatives for CEQA Analysis

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Height/Stories</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
<td>1 to 3 stories</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
<td>12 stories/120 feet plus 16-foot screen wall</td>
</tr>
<tr>
<td>Residential Units</td>
<td>109</td>
<td>--</td>
<td>13</td>
<td>66</td>
<td>62</td>
</tr>
<tr>
<td><strong>Gross Square Feet by Use</strong>¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>116,217,116,550</td>
<td>--</td>
<td>13,000</td>
<td>48,123</td>
<td>48,924</td>
</tr>
<tr>
<td>Commercial</td>
<td>4,810,4,961</td>
<td>--</td>
<td>1,425</td>
<td>1,585</td>
<td>2,985</td>
</tr>
<tr>
<td>Parking</td>
<td>12,512</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Other Residential Lobby/Lounge</strong></td>
<td>4,463,1,115</td>
<td>(Residential Lobby/Lounge)</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Mechanical/Other</td>
<td>11,665</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>138,002,146,803</td>
<td>--</td>
<td>14,937</td>
<td>80,411</td>
<td>74,469</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle</td>
<td>28</td>
<td>--</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bike</td>
<td>440,113</td>
<td>--</td>
<td>13</td>
<td>66</td>
<td>62</td>
</tr>
</tbody>
</table>

**Ability to Meet Project Sponsor’s Objectives**

- Achieves All Goals (High)
- None
- Partially Achieves (Very Low)
- Partially Achieves (Moderate)
- Partially Achieves (Medium)

**Impacts**

| Impact CP-1: Demolition of a historic resource (1554-1564 Market Street) | SUM | NI | NI | NI | SUM |
| Impact CP-2: Demolition of a historic resource (55 Oak Street) | SUM | NI | LS | SUM | LS |
| Impact CP-3: Impacts to individual offsite historical resources or historic districts | LS | NI | LS | LS | LS |
| Impact C-CP-1: The proposed project, in combination with other past, present, and reasonably foreseeable future projects in the project vicinity, would not result in a significant cumulative impact on a historic architectural resources | LS | LS | LS | LS | LS |


Notes:

- The ability of each of the alternatives to achieve the project objectives is assigned an overall rating based on the following categories: none; partial (very low, low, moderate, medium); and all (high).
- ¹ The comparison only shows new or redeveloped space and does not show existing uses or building space to be retained.
- NI = No impact
- LS = Less-than-significant impact, no mitigation required
- SUM = Significant and unavoidable impact, with implementation of feasible mitigation.
4. **Chapter 4, Environmental Setting, Impacts, and Mitigation Measures**

Page 4-24 of the Draft EIR has been revised as follows (second paragraph under Cumulative Impacts):

Two projects in the cumulative setting are listed in Table 4.A-1. The planned 1527-1545 Pine Street Mixed-Use project would have significant impacts on a post-Earthquake reconstruction “tax-payer block” commercial building, resulting from the demolition of 1545 Pine Street. The planned 1634-1690 Pine Street project would have significant impacts on a general automobile repair structure, resulting from the demolition of 1656 Pine Street. The projects in the cumulative setting along with the proposed project would result in significant project-level impacts on two post-Earthquake reconstruction “tax-payer block” commercial buildings, and two general automobile repair structures. **However, these “tax-payer block” (1545 Pine Street and 1554-1564 Market Street) and general automobile repair (1656 Pine Street and 55 Oak Street) historic resources do not form a historic district, as described further below.**

B. **Figure Revisions**

Revisions to figures in the Draft EIR have been made in response to comments received. These revisions are listed below and shown on the following pages. These revisions do not change the analysis or conclusions presented in the Draft EIR.

- Figure 2-7, Proposed Floor Plan – Levels 7 through 10, on page 2-12, in Chapter 2, Project Description, has been revised to remove the interior stairwell inside Unit A on levels 7 through 10 and show the study in that location, as shown in Figure RTC 5-1.

- Figure 2-10, Proposed Floor Plan – Roof 1, on page 2-15, in Chapter 2, Project Description, has been revised to relocate the interior stairwell inside Unit A, as shown in Figure RTC 5-2.
PROPOSED FLOOR PLAN – LEVELS 7 THROUGH 10

1546–1564 Market Street Project
San Francisco, California

FIGURE RTC 5-1 (REVISED FIGURE 2-7)

Attachment A

Draft EIR Comment Letters and Emails
February 10, 2015

Sarah B. Jones
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones,

On February 4, 2015, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed project at 1546-1564 Market Street (2012.0877E). After discussion, the HPC arrived at the questions and comments below:

- The HPC is concerned that the proposed project will result in the loss of two historic resources on the proposed project site. The HPC is most concerned with the loss of the 55 Oak Street building, which appears to be the more architecturally distinctive of the two historic resources on the proposed project site.

- The HPC recommends that the FEIR include an additional partial preservation alternative that incorporates larger-scale vertical additions on top of the historic buildings with substantial setbacks or similar projects. The HPC believe that such an alternative could allow for preservation of some features of the historic buildings on the site while providing for the development of a higher number of housing units than the alternatives included in the DEIR.

The HPC appreciates the opportunity to participate in review of this environmental document.

Sincerely,

Karl Hasz, President
Historic Preservation Commission
February 20, 2015

Mr. Brett Bollinger
Planning Division
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Bollinger:

**1546-1564 Market Street Project – Draft Environmental Impact Report**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the Draft Environmental Impact Report and have the following comments to offer.

**Lead Agency**

As the lead agency, City and County of San Francisco (City) is responsible for all project mitigation, including any needed improvements to State highways. The project’s fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. The City should work with Caltrans to develop co-operative agreements to fund the future improvements of nearby State facilities to ensure that the Project’s direct and indirect traffic impacts, including contributive cumulative impacts, are mitigated to the extent feasible.

**Impact to State Facilities**

What mitigation is being proposed to address traffic impacts at the off-ramp leg of the US-101/Market Street/Octavia Boulevard intersection as a result of the project?

**Bicycle and Pedestrian Impacts**

1. Secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures should be analyzed. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.

2. Pedestrian access through the construction zone of this project must be in accordance with American Disabilities Act (ADA) guidelines.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"
Encroachment Permit
Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. Where traffic restrictions and detours affect State highways, a Transportation Management Plan (TMP) or construction TIS may be required. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. See the following website for more information:
<http://www.dot.ca.gov/hq/traffops/developserv/permits>

Should you have any questions regarding this letter, please call Sherie George at 510-286-5535 or sherie.george@dot.ca.gov.

Sincerely,

PATRICIA MAURICE
Acting District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse
March 2, 2015

Submitted by email
Sarah B. Jones
Environmental Review Officer
1650 Mission Street, Suite 400
San Francisco, CA 94103
Email: sarah.b.jones@sfgov.org

RE: DEIR for 1546-1564 Market Street (Case No. 2012.0877E)

Dear Ms. Jones,

On behalf of San Francisco Heritage (Heritage), thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed project at 1546-1564 Market Street. Our comments focus on the adequacy of the DEIR in evaluating potential impacts on cultural resources and in considering potentially feasible project alternatives that would reduce or avoid those impacts. Heritage urges the city recommend against approval of the preferred alternative in favor of one of two partial preservation alternatives that significantly reduce historic impacts while achieving many of the stated project objectives.

A. Project description and objectives

Located within the Market and Octavia Area Plan boundaries, the proposed project would demolish three existing buildings at the 1546-1564 Market Street site for construction of a 12-story, 120-foot-tall residential building with ground-floor retail uses. The preferred alternative would construct a 138,002-square-foot building, including 116,217 square feet of residential uses (109 dwelling units), 4,463 square feet for residential lobby/lounge uses, 4,810 square feet of retail (three retail spaces), and 12,512 square feet of parking.

The Draft EIR lists five project objectives, including, “Construct a sufficient number of dwelling units to generate a return on investment adequate to attract investment capital and construction financing.” (DEIR at 2-2.) In defining reasonable investment-backed expectations — and gauging the feasibility of preservation alternatives — it is important to note that the project sponsor and the city were aware of the historic status of buildings before the properties were purchased for development.
B. The preferred project proposes to demolish two previously identified, individually-eligible historic resources

The DEIR correctly concludes that the preferred project would result in significant and unavoidable impacts on historic resources. Two of the three buildings targeted for demolition had already been found individually eligible before the sponsor assembled the development parcel. These properties include: 1554-1564 Market Street (one-story brick building with commercial retail uses) and 55 Oak Street (one-story plus mezzanine reinforced-concrete automotive repair shop).

Of the two buildings slated for demolition, 55 Oak Street is a building type (low-rise auto-repair garages) particularly vulnerable to demolition. Built in 1929, 55 Oak Street is significant for its association with the automotive industry, having been occupied by a series of auto repair businesses up to the present day. It was originally identified as eligible for listing in the California Register in 2010 by the city-sponsored Van Ness Auto Row Support Structures Survey. In addition, the Planning Department has found that 55 Oak Street retains unusually high physical integrity.

As set forth in the Van Ness Auto Row Support Structures Survey, 55 Oak Street helps tell the story of one of the most influential automobile industry centers on the west coast in the early 1900s. In the years following the 1906 Earthquake and Fire, auto-related businesses moved to Van Ness Avenue and the surrounding blocks to take advantage of the ample space available to build large showrooms. The spacious showrooms of the era were often built in high-style architecture and served as the primary focus of the burgeoning Van Ness Auto Row. Other auto-related businesses, such as those operating at 55 Oak Street, followed the dealerships to the area in hopes of profiting from the new customer base in need of supplies, parts, tires, paint, repair services, and parking. In total, over 200 auto-related buildings were constructed on or near Van Ness Avenue between Market Street and Pacific Avenue during the 1910s.

C. The DEIR understates cumulative impacts related to demolition of 55 Oak Street

The CEQA Guidelines state: “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.” The cumulative study area for the DEIR appropriately includes the project site and the areas within the Market and Octavia Area Plan Historic Survey and the Van Ness Auto Row Support Structures Survey.

The DEIR’s cumulative impacts section lists only two projects recently approved and/or under construction, including 1634–1690 Pine Street Project (demolition of five contributing auto-related buildings) and 1527-1545 Pine Street Mixed-Use Project (demolition of three “tax-payer block” structures). Not included in the cumulative impacts section is 1575-1595 Bush Street (1450 Franklin), a “very fine example” of an historic auto-repair shop that was demolished in 2014 for high-rise construction, and 1641 Jackson Street, a historic garage which recently sold that is reportedly targeted for high-rise residential construction.
D. Both partial preservation alternatives should be considered potentially feasible because they fully achieve or partially achieve most of the project objectives

The California Environmental Quality Act (CEQA) “requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.”¹ If less harmful alternatives are identified that meet most project objectives, the lead agency should not approve the proposed project. “The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.”²

As described in the DEIR, the Market Partial Preservation Alternative and the Oak Partial Preservation Alternative would retain one historic building each and leave the balance of the site for a high-rise residential tower, reducing impacts on historic resources by roughly half. Of the five stated project objectives in the DEIR, both partial preservation alternatives would fully achieve one and partially achieve three project objectives. Heritage believes that both options are potentially feasible under CEQA based on reasonable investment-backed expectations that take into account the known presence of eligible historic resources.

E. The city should explore alternative mitigation measures for demolition of historic resources

Mitigation measures identified within the DEIR for demolition of 1554-1564 Market Street and 55 Oak Street include Historic American Building Survey (HABS) documentation, video recordation, and interpretive displays (including a digital interpretive website and a temporary exhibition or interpretive display at a cultural institution). Although HABS documentation is a fairly common mitigation measure for demolition projects, it is well established under CEQA that documentation and interpretation does not meaningfully compensate for the loss of historic resources.³ Accordingly, Heritage urges the city to explore alternative mitigation strategies — for this and other projects — that could result in a better preservation outcome, such as diverting funds used to for token mitigation and/or interpretive videos to actual bricks-and-mortar preservation projects.

¹ Sierra Club v. Gilroy City Council (1990) 222 Cal.App.3d 30, 41, italics added; also see Public Resources Code §§ 21002, 21002.1.
³ As recognized by the court in League for Protection of Oakland’s Architectural and Historic Resources v. City of Oakland (1997) 52 Cal.App.4th 896: “A large historical structure, once demolished, normally cannot be adequately replaced by reports and commemorative markers. Nor, we think, are the effects of the demolition reduced to a level of insignificance by a proposed new building with unspecified design elements which may incorporate features of the original architecture into an entirely different shopping center.”
On behalf of San Francisco Heritage, thank you for the opportunity to comment on the DEIR for 1546-1564 Market Street. Please do not hesitate to contact me directly at mbuhler@sfheritage.org or (415) 441-3000 x15 should you have any questions or need additional information.

Sincerely,

Mike Buhler
Executive Director
San Francisco Heritage

cc: Brett Bollinger, San Francisco Planning Department
    Tim Frye, Preservation Coordinator, San Francisco Planning Department
    San Francisco Historic Preservation Commission
City of San Francisco
Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: 1554-64 Market Street / Case #2012.0877U

Dear Planning Commissioners,

On behalf of the brothers and sisters of Laborer’s Local 261, I am writing to voice our strong support for Trumark Urban’s proposed mixed-use, residential development at 1554 Market Street.

The development will greatly improve the pedestrian experience, and provide much needed housing in the area, including onsite affordable units. Additionally, both direct and indirect local construction-related jobs will be created from the proposed development.

We have enjoyed participating in an exciting program established by Trumark Urban and United Playaz – the SoMA Pathways program -- and commend Trumark for their ongoing commitment to educate and support local at-risk youth.

The Laborer’s Local 261, strongly supports the development at 1554 Market Street as proposed, and urges you to support the development in order to create local jobs and provide needed housing to the City.

Sincerely,

[Signature]
RAMON HERNANDEZ
Business Manager
From: Dennis Hong [mailto:dennisj.gov88@yahoo.com]
Sent: Monday, February 23, 2015 12:58 PM
To: Bollinger, Brett (CPC)
Cc: Jones, Sarah (CPC); Kim, Jane (BOS); Christensen, Julie (BOS); Board of Supervisors (BOS); Pereira, Monica (CPC); Secretary, Commissions (CPC); Lee, Mayor (MYR)
Subject: CASE 2012.0877E - 1546-1550 Market St.

Mr. Brett Bollinger, Lead Planner
SF Planning Department
1650 Mission Street Suite #400
San Francisco, CA. 94103

February 23, 2015

Dear Mr. Bollinger, Members of the Board of Supervisors, Planning Commissioners,

I would like to comment on the proposed Project, Case Number 2012-0877E - 1546-1550 Market Street - I am in strong support of this Project. It is an enhancement to both the City and this area. The environment (West) of Van Ness Ave is getting much better. The developer and the Planning Depart has done a nice job working together on this DEIR. Hello, my name is Dennis Hong and I am a resident of San Francisco. For over forty years I worked in this area (windy). Specifically at One South Van Ness, 30 Van Ness and the 1455 Market Street complex. I know the area well. I worked on the original development of 1455 Market Street. I hope these comments and this email format address my concerns. With that said, I have the following comments to the (NOP) October 22, 2014 - DEIR:

1. This Project is has an overlap (area) of several other City Master Plans, such as: the "Better Market Street Plan-2014.0012E," the Mid/Central Market Street Plan-5th St to Van Ness Ave" and the SoMa Plan. They may or may not be fully covered under this Project but should be considered in the final EIR.

2. Will the this project cover the Future; Honda/Boas Site 1535-1599 Market Street, the site of the Goodwill and 490 So Van Ness. I sort of recall several other Projects in this project area. can they be identified in the final EIR?

3. Minor details: On floors 7-10 and 12 in each of the unit/s A it shows a stairwell inside each of these units. Where do these stairs go to?

4. The Project projects a 20 month construction period. Would it be possible to show a time line of this project and other projects in this area?

5. Other than the "Visual Simulation Pictures (fig 17 and 18) - could the final exterior finishes be shown, such as colors and materials?

6. The increase of vehicle traffic and pedestrians created from this project are significant. This is a very busy intersection/area in the City - both in terms of vehicles, transit and pedestrians. There have been several accidents at this intersection. What controls are in place during and after construction. Would a traffic study with traffic control lights be of any benefit here?

7. As indicated in the report - "wind study" - in fact this is part of the city's windiest part of town. Are there any additional controls in place to minimize the "construction dust" because there are several restruants in this area.

8. As with any other Project I would like to see this project expedited.

9. How does this project impact the city's Affordable Housing Meter or if any other entitlements?

If for some reason I had left anyone off this list, please share this email with them.

Thanking all of you in advance for your attention to this Project. Please include my comments to the Final EIR and place me on the distribution list for the Comments-Response to this DEIR.
I appreciate the opportunity to review and comment on this Project. If you have any question to my comments, I can be reached at dennisj.gov88@yahoo.com

Best regards, Dennis Hong

Dennis Hong
101 Marietta Drive
San Francisco, CA. 94127
Attachment B

Draft EIR Hearing Transcript
BEFORE THE
SAN FRANCISCO PLANNING COMMISSION

---o0o---

AGENDA ITEM 10, CASE NO. 2012.0877E
PUBLIC HEARING ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT
1546-1564 MARKET STREET

February 26, 2015 - 12:00 o'clock p.m.
San Francisco Planning Commission Chambers
1 Carlton B. Goodlett Place, Room 400
San Francisco, California

REPORTED BY: DEBORAH FUQUA, CSR #12948
APPEARANCES

SAN FRANCISCO PLANNING COMMISSION:

Rodney Fong, President
Cindy Wu, Vice President
Michael Antonini, Commissioner
Richard Hillis, Commissioner
Christine Johnson, Commissioner
Kathrin Moore, Commissioner
Dennis Richards, Commissioner

Commission Secretary: Jonas P. Ionin
Planning Department Staff:

Brett Bollinger, EIS Coordinator
Chris Kern, Senior Environmental Planner

COMMISSIONER COMMENTS

PAGE

Commissioner Moore.......................... 7, 14
Commissioner Antonini.......................... 10
Commissioner Richards......................... 12, 15
Commissioner Johnson........................... 14

---o0o---
SECRETARY IONIN: Very good, Commissioners. That would put us on Item 10 for Case No. 2012.0877E, 1546-1564 Market Street. This is a draft environmental impact report. Please note that written comments will be accepted at the Planning Department until 5:00 p.m. on March 2nd, 2015.

BRETT BOLLINGER: Good afternoon, President Fong, Members of the Commission. I'm Brett Bollinger, Planning Department Staff and EIS Coordinator for 1546-1564 Market Street project. Joining me is Chris Kern, Senior Environmental Planner. Members of the project sponsor's team are also present.

The item before you is review and comment on the 1546-1564 Market Street Draft EIR, Case No. 2012.0877E.

The proposed project would develop residential and ground floor commercial uses on the project site located in the Market and Octavia Neighborhood Plan area. The project would demolish three existing buildings and construct a new 12-story 120-foot-tall mixed-use building. The proposed building would contain 109 residential units, 4,810 square feet of
ground floor commercial space, 28 parking spaces and 110 bicycle parking spaces and a below-grade parking garage.

The Notice of Availability for community planning exemption and Notice of Preparation of an EIR were issued on October 22nd, 2014. The Planning Department determined that an EIR must be prepared for the proposed project since the community plan exemption identified potential significant physical environmental effects related to historical architectural resource impacts that were not previously identified in the Market-Octavia Plan EIR.

Other environmental impacts of the proposed project were adequately disclosed in the Market-Octavia Area Plan Final EIR, as documented in the community plan exemption that was attached to the Notice of Preparation.

The Draft EIR found that the proposed project would result in significant unavoidable impacts on individual and historical resources. The Draft EIR analyzed four alternatives: the no project alternative; the full preservation alternative; the Market partial preservation alternative; and the Oak partial preservation alternative.

The no project alternative and the full
preservation alternative would avoid the project's significant and unavoidable historic resource impacts. The two reduced preservation alternatives would reduce the project impacts on historical resources compared with the proposed project but not to a less-than-significant level.

The Draft EIR was published on January 7th, 2015, and the public review period closes on March 2nd, 2015.

On February 4th, 2015, the Historic Preservation Commission, HPC, held a public hearing and took public comment on the Draft Environmental Impact Report. After discussion at the hearing, the HPC arrived at the following questions and comments.

The first one is the HPC is concerned that the proposed project will result in the loss of two historic resources on the proposed project site. The HPC is most concerned with the loss of the 55 Oak Street building which appears to be more architecturally distinctive of the two historic resources on the proposed project site.

The second: The HPC recommends that the FEIR include an additional partial preservation alternative that incorporates large scale vertical additions on top of the historical buildings with substantial set backs
or similar projects. The HPC believes that such an alternative could allow for preservation of some of the features of the historic buildings on the site while providing for the development of a higher number of housing units than the alternatives included in the Draft EIR.

Staff is not here to respond to any comments at today's Draft EIR hearing. Comments will be transcribed and responded to in writing in the comments and responses document which will respond to all verbal and written comments received and make revisions to the Draft EIR as appropriate.

Comments today should be directed towards the adequacy and accuracy of the information contained the Draft EIR. For members of the public who are here today, please state your name for the record. For those who are interested in commenting on the Draft EIR in writing by mail or e-mail, they may submit their comments to the environmental review officer at 1650 Mission Street, Suite 400 by 5:00 p.m. on March 2nd.

When the response to comments document is complete, the Planning Department will provide copies to those who have commented on the Draft EIR. We will then return to the Commission to request certification of the EIR. If the EIR is certified, the Planning
Commission may consider approval of the project.

This concludes my presentation, and unless Commissioners have questions, I would recommend that the Commission open public hearing on the item.

Thank you.

COMMISSION PRESIDENT FONG: Thank you.

Is there any public comment?

Seeing no public comment, Commissioner Moore?

COMMISSIONER MOORE: The EIR is interesting in the way it's set up. It's very clear. There are just a number of areas where I believe there are missing pieces. Partially, as information pieces, I would say there should be a summary of the Market-Octavia EIR findings, which deal particularly with these sites.

The Market-Octavia plan for these sites was rather vague. And we commented on that and had lots of discussions. In most cases, there were indications of taller buildings which were depicted as little asterisks and never went much further than that.

And that is, for me, a very important question because what we have is cumulative effects and no discussion at all how buildings, which are close by -- actually, the adjoining parcel has an additional other tall building -- is not being discussed at all in context, even as a physical simulation for ideas which
would have come out of the Market-Octavia plan. There is something amiss for me, which raises the issue of being very, very critical in terms of how we look at the necessity of historic preservation alternatives, how we need to look at massing relative to adjoining buildings and projects nearby, which is the Honda site as well as potentially the change of settings through the very large project which will be on the Goodwill site.

I believe that this transformation, which is not properly addressed when we look at this EIR, only focused on one building.

I don't think this is the moment to recall that a few minutes ago we talked about the effect that this project -- we were primarily focused on building housing, which is not necessarily in the category of -- affordable housing, whether that is not part of the this, I think, of what this EIR has to account on anyway.

The second part of what I'm missing is -- and I'm not sure because it's part of a larger EIR -- there are no view simulations. I believe that the effect of aggregating two lots in a north-south direction could have potentially a visual effect I would be concerned about, together with no adjoining buildings, even in
broad massing, being brought into this EIR. So lack of visual simulations looking in east-west -- east direction and looking in western direction.

And particularly for Civic Center, we have an historic district. We used to use City Hall as a mark on the skyline which we needed to see. These tall buildings are now starting to affect the gateway at Market and Van Ness. This and adjoining buildings will effect how we look or don't look towards City Hall anymore.

So missing cumulative massing.

What surprises me is, unfortunately, the intersection of Market and Van Ness is probably, from my experience, one of the worst intersections along two very powerful streets, one being Market, the other one being Van Ness. But what we have is, from a traffic point, is one of the most inefficient and almost non-workable intersections because the intersection is too large. There are too many modes, some of which are not very compatible.

Pedestrian safety and ease of pedestrian movement is at absolutely zero and there is nothing which any of these projects are doing to address improvements of that situation. But what they rather would do is make it even worse.
Access to public transportation, access to BART in front of these buildings is probably one of the worst places to get into the BART station itself. When I come to the Department, I walk down Van Ness. I sometimes come with BART. And each time I have to do it, it is absolutely horrible. And I believe the EIR needs to elaborate on this that particular aspect.

Cumulative wind effects. Each project in the general area of the intersection of Market and Mission is already in its current state at wind velocities which are bordering on being unsafe. I do not see a discussion about that.

And that is, I think -- at this moment, these are my comments. I would support Historic Preservation in further elaborations on other alternatives which deal with the historic buildings. The one which was read into the record is a very interesting one. Alternative 3 is interesting, but I think there is more.

COMMISSION PRESIDENT FONG: Commissioner Antonini?

COMMISSIONER ANTONINI: I would agree with much of what Commissioner Moore said. It looks like Alternative 4 might be close to what the Historic Preservation Commission was talking about, the partial preservation alternative. It seems to preserve 55 Oak
and separates the buildings to some degree. But there might be further ramifications or alternatives of that preservation alternative which might be worth discussing in the responses to comments to see what they actually were interested in because I think this is a very important building.

And all these new buildings that are going to be built along Market will sort of dominate the area there. And we have some historic districts, the Masonry District right near there, Hayes Valley, Civic Center. And I think, although this is only a massing study that comes in the EIR, it's very important that this be carefully articulated and presented in such a way to be contextual as much as possible with what's existing there.

Oftentimes a building can be designed in such a way by the use of materials that are complimentary to what's already there and make the building less offensive visually by the architect doing it the right way. And we have a very good architect, in my opinion, on this project. I think that's the later stage.

But as far as the analysis so far, I would say the area that probably needs more attention is the partial preservation alternative.

COMMISSION PRESIDENT FONG: Commissioner Richards?
COMMISSIONER RICHARDS: I actually left my DEIR in my airplane bag. I read this on the airplane when I came back from the East Coast. I read it cover to cover, but I'll cover the major points and send the rest of my comments in via e-mail.

I agree with what both Commissioners have already said. I'm really looking for kind of this building in context to all the other developments that have been mentioned. I'm having a hard time envisioning how it's going to sit and what it's going to look like. So some type of a 3D contextual of the area, with the proposed developments in the pipeline would really be helpful.

I did have a question -- and we've mentioned these kind of comments as well on -- I think it was 1333 Gough, the wind cumulative effects, the traffic cumulative effects of all these other developments. So this is something, I think, we've already gone on record on the other DEIRs asking for.

One thing that really struck me as odd was how conclusions were drawn on the financing availability of 58 units or 68 units. I mean, I come from the Upper Market, and there's 50-unit projects all the time being built up there, and financing's available.

So how and where did a financing conclusion
enter into the discussion on the financing would not be available for either of the partial preservation alternatives? That concerns me. So I'd like to understand where that -- those comments both came from on both of those.

I've mentioned this on -- I'm losing track of my addresses -- 1455 or 1545 Pine. We mentioned here taxpayer block structures. You know, I have no context if I vote to support a project to demolish one because I don't understand what the census is on how many there are left.

So you talked in the DEIR about the one on Pine Street being knocked down and potentially this one being knocked down and them not having a cumulative effect, I guess, on each other, but are these the last two that are left in the city? I just don't know.

So I really want to understand if there's any data available on how many of these structures are left and how many are actually on soft sites with height limits that have, you know, many multiples of what they actually are now and slated to be probably redeveloped or demolished. That would really, really help me.

I do support an additional preservation alternative as the HPC had asked for. And the way things are, in my mind, leaning -- and I know this is a
comment on the DEIR, but I'm leaning toward supporting a partial preservation alternative for the project itself. Thank you.

COMMISSION PRESIDENT FONG: Commissioner Moore.

COMMISSIONER MOORE: I'd like to pose one additional challenge. And I think it goes hand in hand with the preservation alternative. I'd like to see a project which can function without aggregating parcels. By aggregating parcels and taking both historic buildings down, you're basically only maximizing what is, even in the most extreme, potential developable in this land.

Tying two structures together with a pedestrian way in order to maximize the number of units, to me, is a very dangerous precedent because you're creating a north-south wall effect and a clumsy massing, which only serves the person who builds the building but creates more problems than we can even possibly throw a stick at at this moment.

So I'd like to see a clear justification and an examination in this EIR why, for this particular project, the parcels need to be aggregated.

COMMISSION PRESIDENT FONG: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you very much.

I think the other Commissioners have
elucidated comments about the building alternatives pretty well. I'll just focus on the transportation and one question in particular.

The Market-Octavia plan in general calls for, as part of looking at some of the open space improvements, to make Oak Street two ways. And it's currently depicted as way, Oak Street, in the EIR. And I think that this severely impacts circulation issues that were mentioned before because it means that, in order to get to the parking, you have to come in off of Van Ness rather than being able to go up and around, which I think in many cases will alleviate some of the additional circulation impacts.

So I would like a discussion of why that is not included as part of the transportation assessment. And it needs to be -- it would be great to see that updated in the Final EIR.

COMMISSION PRESIDENT FONG: Commissioner Richards?

COMMISSIONER RICHARDS: One last question, I guess, parlaying on Commissioner Moore. I'm kind of a child of the Market-Octavia Plan. And, again, I don't have my material in front of me, but the lot size -- one of the things we did when we actually worked on it with the Planning Department and came up with the final plan was discourage combination of lots.
And here we do have two lots being combined for probably more than 10,000 square feet, which is something that we really did not want to have happen in the Market-Octavia Plan. So here we have a project that's combining lots. I'm trying to understand why. And it goes against the spirit of everything we tried to do in the plan.

COMMISSION SECRETARY IONIN: Commissioners, that would conclude this item. And I believe you will be taking a break.

COMMISSION PRESIDENT FONG: Yes. Commission will now take a break.

(Proceedings concluded at 2:35 o'clock p.m.)
STATE OF CALIFORNIA  )
COUNTY OF MARIN  ) ss.

I, DEBORAH FUQUA, a Certified Shorthand Reporter of the State of California, do hereby certify that the foregoing proceedings were reported by me, a disinterested person, and thereafter transcribed under my direction into typewriting and is a true and correct transcription of said proceedings.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceeding and caption named, nor in any way interested in the outcome of the cause named in said caption.

Dated the 2nd day of March, 2015.

DEBORAH FUQUA
CSR NO. 12948