



**San Francisco**  
**Planning**

# 570 MARKET STREET

## FINAL MITIGATED NEGATIVE DECLARATION APPEAL

**Ryan Shum**

*Senior Planner, Environmental Planning Division*

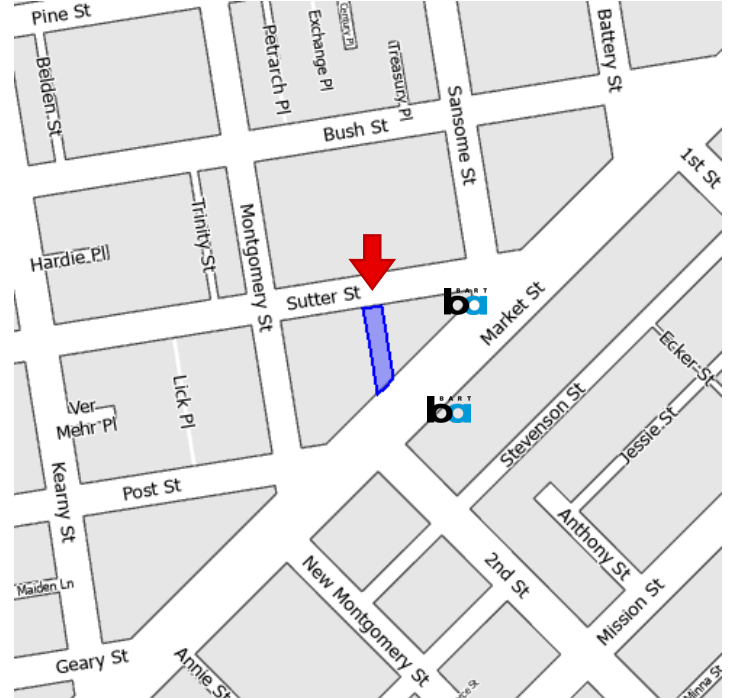
November 18, 2025

## BACKGROUND

- The decision before the Board is whether to affirm or reverse the Planning Commission's decision to approve the MND.
- **Timeline:**
  - October 20, 2024 – Department published the PMND
  - May 1, 2025 – Planning Commission heard two appeals filed on the PMND and denied the appeals
  - September 11, 2025 – Planning Commission approved the project
  - October 10, 2025 – Two appeals were filed on the FMND by the same appellants
  - November 7, 2025 – Mr. Flynn submitted a supplemental appeal letter.
- Planning Department conclusion remains that a MND is appropriate for the project and recommends affirming the Commission's decision to approve the MND.

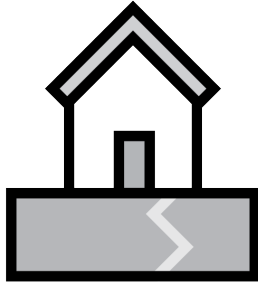
# PROJECT SUMMARY

- Demolition of two existing two-story-over-basement commercial buildings
- Construction of a 29-story, approximately 300-foot-tall hotel with 211 guest rooms
- New 4,200-gsf outdoor POPOS on the 15<sup>th</sup> floor
- No vehicle parking
- Replacement of existing commercial loading zone on Sutter St. with passenger loading
- Project construction: ~24 months

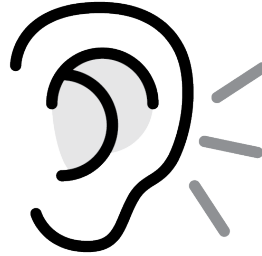


PROJECT SITE AND VICINITY

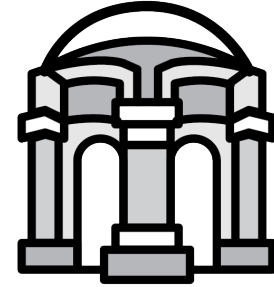
# PRIMARY APPEAL TOPICS



**GEOLOGY & SOILS**



**NOISE & VIBRATION**



**HISTORIC PRESERVATION**

## NO SIGNIFICANT GEOLOGY & SOILS IMPACTS

- Environmental review addresses whether the proposed development is structurally feasible. The project's Geotechnical Report concluded that it is.
- DBI structural review ensures that buildings are safely constructed pursuant to applicable state and local codes.
- AB 82 specifies review procedures for assessing a project's foundation system and its appropriateness for the ground conditions and surroundings.
- AB 111 requires an independent engineering review of the geotechnical and structural design by a 4-person panel of experts.



# CONTEXT OF CEQA AND DEVELOPMENT REVIEW PROCESS

**DETAILED PERMIT-LEVEL  
REVIEW IS NOT EXPECTED,  
NOR REQUIRED**



**ADDITIONAL REVIEW IS  
SUBSEQUENTLY CONDUCTED  
BY THE OTHER DEPARTMENTS  
(DBI, SFDPH, SFFD, ETC.)**



**RELIANCE ON CITY PROCESSES IS  
NOT DEFERRAL OF MITIGATION;  
IT'S THE LAW**



**PERMIT CONDITIONS  
MUST BE COMPLIED  
WITH PRIOR TO PERMIT  
ISSUANCE**



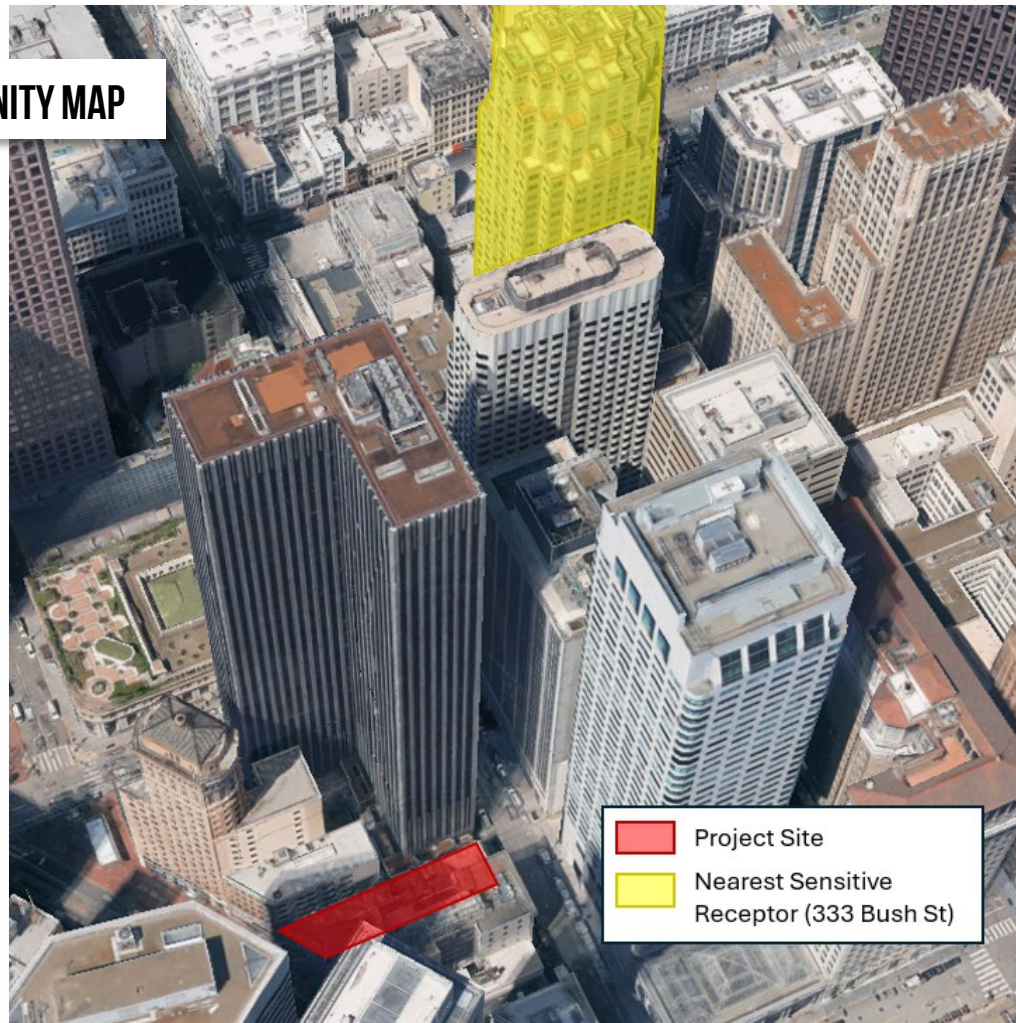
## NO SIGNIFICANT CONSTRUCTION NOISE IMPACTS

- The FMND properly assessed the project's construction noise impacts in accordance with noise evaluation guidelines
- Office uses are not considered sensitive receptors unless the commercial receptor is exposed to noise levels 100 dBA or higher. The noise analysis confirmed this would **not** be the case.
- The presence of mid- to high-rise buildings downtown is unlikely to result in a canyoning effect for sound





## VICINITY MAP





# NO SIGNIFICANT UNAVOIDABLE CONSTRUCTION VIBRATION IMPACTS

- Mitigation Measure M-NO-2 outlines steps and performance measures for the monitoring and potential repair of any vibration-induced damage to nearby structures
- All feasible means to avoid damage to potentially affected buildings would be identified and employed - already occurs successfully throughout the City for similar projects
- Caltrans standards are guidelines for assessing potential vibration damage and *not* brightline thresholds



## NO HISTORIC RESOURCE IMPACTS

- All nearby historic buildings were documented and evaluated in the project Historic Resources Evaluation Report
- The HRER evaluated the potential for the immediate project vicinity to be included in a historic district
- The project would not demolish or materially impair nearby historic resources



## CONCLUSION

- ❖ The appellants have not provided substantial evidence based on facts that support a fair argument that the proposed project would have significant impacts on the environment
- ❖ An environmental impact report is not required. The FMND determinations are fully supported and additional studies would not alter the FMND conclusions
- ❖ Based on substantial evidence in the record, the proposed project would not have significant impacts with implementation of mitigation measures
- ❖ **Recommendation:**  
*Affirm the Planning Commission's decision to approve the MND*



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# THANK YOU

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