



San Francisco
Planning

570 MARKET STREET

FINAL MITIGATED NEGATIVE DECLARATION APPEAL

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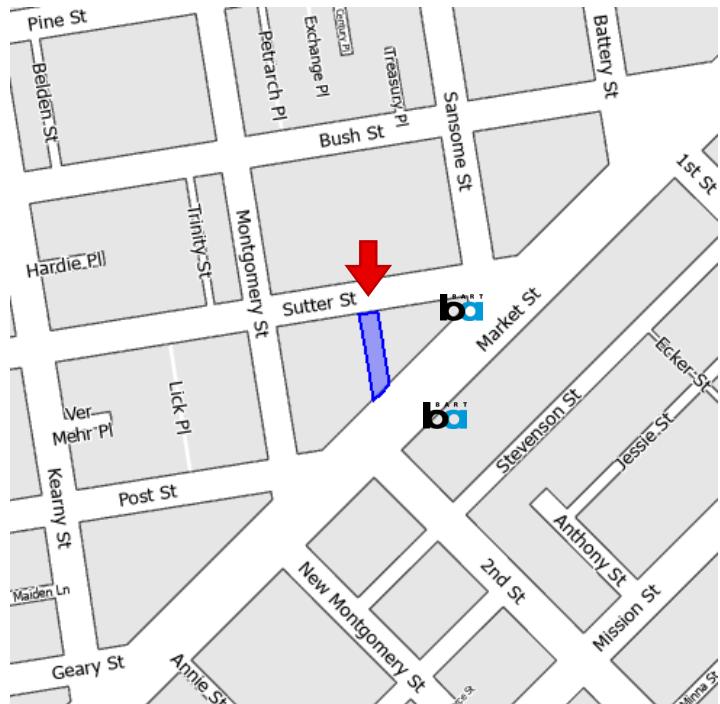
November 18, 2025

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.

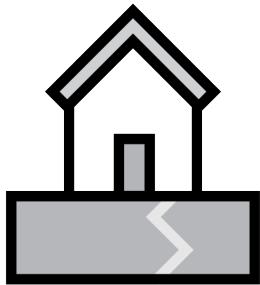
PROJECT SUMMARY

- 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 15th 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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