

omits analysis of the impact of wind on the thousands of cyclists using Market Street and other nearby streets. Thus, the DEIR fails as an informational document. The One Oak Project EIR must be revised to include a thorough analysis of wind impacts on bicyclists.

Loading Demand and Transportation Network Companies (TNCs): The EIR analysis of loading demand is inadequate and does not reflect present-day trends in retail delivery and TNCs such as Uber and Lyft. It does not consider the localized swarming of TNC's that may occur at the One Oak site. TNC's are omitted from the city's transportation analysis despite upwards of 45,000 operating in the city on a daily basis. Lack of understanding of TNC impacts on cyclists, pedestrians, and transit means the EIR is inadequate in identifying impacts and necessary mitigation. The EIR must discuss stronger mitigation for loading impacts for residential online shopping and TNC passengers.

Cumulative Impacts: The proposed 10 Van Ness project (Notice of Preparation issued 7/12/17), is directly across Market Street from the One Oak Project. The cumulative impacts study in the One Oak EIR is inadequate because it does not include the VMT/ traffic, wind impacts on bicycles, and TNC/delivery impacts on pedestrians, bicyclists and transit that will occur with both projects cumulatively, especially with 518 parking spaces proposed at 10 Van Ness.

For the reasons above, the San Francisco Board of Supervisors should overturn the San Francisco Planning Commission certification of the EIR for One Oak and direct the city planning staff to conduct a more realistic analysis of impacts.

Sincerely,



Jason Henderson
300 Buchanan Street, #503
San Francisco, CA
94102
(415)-255-8136
Jhenders@sonic.net

Attached: Motion 19938 - Planning Commission certification of One Oak EIR
referenced letters on One Oak EIR and project

Cc: Lisa Gibson, Acting Environmental Review officer, San Francisco Planning Department



**SAN FRANCISCO
PLANNING DEPARTMENT**

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SAN FRANCISCO

JUL 17 PM 2:40

BY _____ *ll*

Planning Commission Motion No. 19938

HEARING DATE: June 15, 2017

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Case No.: 2009.0159E
Project Address: 1500-1540 Market Street (One Oak Street)
Zoning: C-3-G - DOWNTOWN
120-R-2 and 120/400-R-2 Height and Bulk Districts
Van Ness & Market Downtown Special Use District
Block/Lot: Block 836, Lots: 001,002, 003, 004, and 005
Project Sponsor: Steve Kuklin, Build Inc.
315 Linden Street
San Francisco, CA 94102
(415)-551-7627
Staff Contact: Diane Livia -- (415) 575-8758
diane.livia@sfgov.org

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED USE PROJECT WITH 310 RESIDENTIAL UNITS, APPROXIMATELY 4,025 GROSS SQUARE FEET OF COMMERCIAL SPACE, AND IMPROVEMENTS TO PORTIONS OF THE ADJACENT OAK STREET AND VAN NESS AVENUE PUBLIC RIGHTS-OF-WAY CREATING AN APPROXIMATELY 14,000-GROSS SQUARE FOOT PUBLIC PLAZA. THE PROJECT WOULD INCLUDE PRIVATE VEHICULAR PARKING IN AN ON-SITE GARAGE AND BICYCLE PARKING IN THE BUILDING MEZZANINE AND ALONG PUBLIC SIDEWALKS. A NEW ENCLOSURE WOULD BE PROVIDED AROUND THE EXISTING STREET-LEVEL ELEVATOR THAT PROVIDES ACCESS TO THE MUNI METRO-VAN NESS STATION CONCOURSE. WIND CANOPIES WOULD BE INSTALLED IN THE PLAZA AND ON SIDEWALKS TO ENSURE ACCEPTABLE WIND CONDITIONS IN PUBLIC AREAS ADJACENT THE PROJECT SITE.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the final Environmental Impact Report identified as Case No. 2009.0159E, the "One Oak Project" at 1500 - 1540 Market Street and various other parcels, above (hereinafter 'Project'), based upon the following findings:

1. The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - A. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on June 17, 2015.

- B. The Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR in a newspaper of general circulation on November 16, 2016. Notice was mailed to the Department's list of persons requesting such notice and to property owners and occupants within a 300-foot radius of the site on November 18, 2016.
 - C. The Department posted notices of availability of the DEIR and of the date and time of the public hearing near the project site by Department staff on November 18, 2016.
 - D. The Department mailed or otherwise delivered copies of the DEIR to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse on November 16, 2016.
 - E. The Department filed Notice of Completion with the State Secretary of Resources via the State Clearinghouse on November 17, 2016.
2. The Commission held a duly advertised public hearing on said DEIR on Thursday, January 5, 2017 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on January 10, 2017.
 3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 55-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Comments and Responses document, published on June 1, 2017, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.
 4. The Department has prepared a Final Environmental Impact Report (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document all as required by law.
 5. The Department has made available project EIR files for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, Suite 400, and are part of the record before the Commission.
 6. On June 15, 2017, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.
 7. The project sponsor has indicated that the presently preferred alternative is the Revised Project, analyzed in Chapter 2 of the Comments and Responses document, and as further refined as described


in the various proposed approvals for the One Oak Street project, as detailed in revisions to the DEIR and other staff reports.

8. The Planning Commission hereby does find that the FEIR concerning File No. 2009.0159E reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said FEIR in compliance with CEQA and the CEQA Guidelines.

The Commission, in certifying the completion of said FEIR, hereby does find that the project described in the EIR, in combination with past, present, and reasonably foreseeable future development in the project vicinity would contribute considerably to cumulative construction-related transportation impacts, denoted in the DEIR as Impact C-TR-7. Despite implementing Mitigation Measure M-C-TR-7 the project may not feasibly reduce effects to a less-than-significant level.

9. The Planning Commission reviewed and considered the information contained in the FEIR prior to approving the Project.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of June 15, 2017.



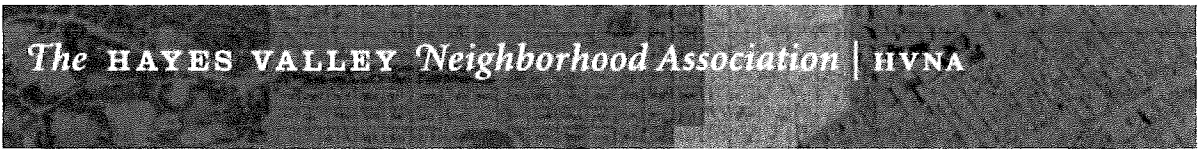
Jonas Ionin
Commission Secretary

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

NOES:

ABSENT: Commissioner Fong

ADOPTED: June 15, 2017



January 4th, 2017

Lisa Gibson
Acting Environmental Review officer
San Francisco Planning Department
Lisa.gibson@sfgov.org

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2017 JUL 17 PM 2:39
JL

RE: Comments on the Adequacy of One Oak Street Project Draft Environmental Impact Report and Mitigations

Dear Ms. Gibson

The Hayes Valley Neighborhood Association (HVNA), based on our longstanding support for the Market and Octavia Better Neighborhoods Plan, has the following concerns regarding the proposed One Oak Street Project, because the Draft Environmental Impact Report (DEIR) is inadequate. It fails as an informational document and does not adequately analyze the following issues (presented in order of Table S-1: *Summary of Impacts*):

TR-1 (VMT & Traffic): The DEIR does not adequately analyze per capita daily vehicle miles travel (VMT) and localized impacts of VMT. The transportation data used in the DEIR is uninformative about present day trip distribution and underestimates car commuting to the South Bay. The location of One Oak is a unique transportation corridor of citywide importance. It has exceptionally high transit, pedestrian, and bicycle traffic that will be negatively impacted by car circulation to and from One Oak. The relationship between VMT and local car circulation and impacts on pedestrians, bicycles, and transit must be thoroughly studied, understood, and mitigated. The DEIR proposes transportation demand management (TDM) to reduce per capita daily VMT, but no information is provided to benchmark VMT in the project. Since VMT is not adequately analyzed, understanding the success of failure of TDM is not possible.

TR-4 (Bicycle Impacts): The DEIR fails to adequately analyze impacts of One Oak on bicycling, especially on Market Street. It ignores hazards to bicycling from on-street loading and wind. New analysis is needed of loading and wind impacts on bicycling, with mitigations to ensure safe bicycling. Mitigation in the form of fully-separated, wide cycle tracks on Market Street and other bicycle infrastructure must be considered.

TR-5 (Loading Demand): The DEIR analysis of loading demand is inadequate and does not reflect present-day trends in retail delivery and transportation network companies (TNCs). The

DEIR must discuss stronger mitigation for loading impacts for residential online shopping and TNC passengers and re-orient all loading to the Oak Street side of the project.

W-1 (Wind Impacts): The DEIR wind analysis completely ignores bicycling. It also underestimates negative impacts of wind hazards on seniors, on adjacent buildings, and on how the proposed wind canopies will deflect winds. Without understanding wind impacts on bicycling, appropriate mitigation, such as wide, safe, separated cycle tracks, are omitted.

S-1 (Shadows): DEIR does not adequately analyze shadow impacts on Patricia’s Green and Koshland Park. The DEIR fails to consider that usage patterns are changing and that morning sun draws people to parks.

Below Market Rate Housing and CEQA: The DEIR omits discussion and analysis of the environmental impact of market rate housing on below market rate housing (BMR) and on gentrification and displacement. The DEIR also omits a discussion of the environmental impacts of the proposed off-site housing on Octavia Boulevard, which should be part of the analysis.

Below is a detailed elaboration of why the One Oak DEIR is inadequate:

TR-I and Chapter 4.C-1: VMT and Traffic Impacts

The One Oak DEIR dismisses the very real traffic circulation and safety impacts of the project. The LCW (2016) *One Oak Transportation Impact Study*, which is the basis for the DEIR analysis, uses antiquated and inadequate methods for analysis of traffic impacts. The DEIR’s reliance on the regional-scale threshold of significance for VMT results in inadequate analysis because **the location provides a unique transportation corridor that needs to be thoroughly studied.**

Nine important Muni bus lines, five Muni light rail lines, and one Muni streetcar line traverse the corridor, carrying almost 14,000 passengers in the weekday am peak hour and 13,500 in the weekday pm peak hour (DEIR, Table 4.C.3.)¹. Every weekday there are thousands of cyclists using Market Street, with 1,400 in the two- hour pm peak period alone (DEIR, 4.C.22).

Car and transit capacity is strained at this location. At the Market and Van Ness Intersection, 3,700 motor vehicles cross in every direction in the am peak hour, and almost 4,000 traverse the intersection in the pm peak hour (LCW, 2016, Figures 7a and 7b). At peak times cars frequently block crosswalks and also accelerate at yellow light phases. Transit capacity, as demonstrated in the capacity utilization metric exhibited in Table 4.C.3 in the DEIR, is at capacity or approaching capacity.

The Market and Van Ness intersection is a top “Vision Zero” location identified by the city as a priority to make safer for pedestrians and cyclists. The SFMTA plans to invest considerable resources in Van Ness Bus Rapid Transit well as the Mission 14 bus as part of

¹ Figures for peak am and pm Muni ridership calculated by adding inbound and outbound ridership columns in table 4.C.3.

Muni Forward. Bicycle and pedestrian conditions are to be addressed in Vision Zero, the San Francisco Bicycle Plan, and Better Market Street Plans. All of these will involve reducing roadway capacity for automobiles and trucks, meaning less room to add additional cars from One Oak and other nearby new development. Most transportation demand from development like One Oak must be oriented towards walking and bicycling. The DEIR acknowledges none of this.

The DEIR lacks a detailed analysis of the site's circulation and traffic safety impacts, ostensibly because the site is located in TAZ 588 (see attachment 1), with daily per capita VMT (3.5 miles per day) that is lower than the regional per capita VMT threshold. TAZ 588 is a five city block triangle bounded by Oak Street to the North, Market Street to the South, Gough to the West, and Van Ness to the East. This TAZ, like the Market and Octavia Better Neighborhoods Plan, is characterized by mostly older, pre-automobile era buildings and rental housing, with low rates of car ownership and buildings with little to no parking. In the Market and Octavia Plan Area, per capita daily VMT is roughly 4 miles.²

The LCW transportation study shows that cars are still the biggest mode share of the project, adding 131 new car trips in the am peak, and 171 car trips in the pm weekday peak (LCW, 2016, Table 11, p. 53). This is despite being in a dense, transit rich location, suitable for utilitarian cycling, walkable, and near an array of urban services and jobs. It is a substantial increase in car trips over existing conditions, in a very congested part of the city with 1,400 cyclists on Market in the afternoon peak time and tens of thousands of transit passengers.

The analysis says nothing about how car trips generated by One Oak will circulate, nor how the excess parking (0.5:1 (155 spaces) is accentuating these car trips. Even if the car trips were at a per capita VMT of 3 or 4 miles per day, this would be a significant impact on the immediate area. **This is a part of the city where the tolerance for more VMT is zero, and this needs to be considered.**

The inadequacy of the analysis is aggravated by the trip distribution discussion (LCW, 2016, p.54). **Based on data from 1990**, LCW's transportation report downplays the volume of car traffic that would likely go to Silicon Valley using the nearby 101 Freeway. **Using 1990 data does not reflect two tech booms and the internet-based economy to the South of the City.** Based on existing patterns of development in this part of San Francisco, a substantial portion of the residents of One Oak will be employed in high-paying tech jobs in Silicon Valley. This means more commuting to Silicon Valley, with the largest mode share by car. **1990 data is inadequate for this analysis.**

The analysis fails to consider the negative impact on VMT by Transportation Network Companies (TNCs) like Uber or Lyft. It does not consider the localized swarming of TNC's that will occur the One Oak site, and TNC's are omitted from the city's transportation analysis despite upwards of 45,000 operating in the city on a daily basis. Lack of understanding of TNC

² Foletta and Henderson (2016) Low Car(bon) Communities, pp. 64-65 (based on SFCTA SF-Champ model)

impacts on cyclists, pedestrians, and transit means the DEIR is inadequate in identifying impacts and necessary mitigation.

The DEIR circulation and safety analysis is wholly inadequate and needs a thorough revision that includes more accurate, up-to-date data and methods, and that captures TNCs. The DEIR must include a fine-grained analysis of One Oak's VMT impacts on cyclists, pedestrians, and public transit in the immediate vicinity of the project.

In addition, the way the city currently considers the VMT thresholds of significance is inappropriate. Right now the city defines the threshold of significance at 15 percent less than the regional per capita VMT (17.2 miles per day x 0.15 = 14.6 miles per day). Since the VMT in TAZ 588 is below the regional threshold (14.6 miles per day), it is assumed no significant impact and so no further analysis is required. This does not adequately reflect the impacts new car trips will have on the immediate area, or on the city, which will be significant.

The DEIR should be using the new VMT metric in a more useful and beneficial way that acknowledges that car trips, even short local car trips, are a significant environmental impact. Instead of a regionally defined threshold (14.6 miles per day), the significance threshold of daily per capita VMT should reflect the Market and Octavia neighborhoods (4 miles per day) in which this project is located.

It should be noted that the State's CEQA guidelines recommend but do not require the regional VMT as the benchmark. The city can use VMT analysis more robustly if it lowers the threshold to neighborhood-scale such as Market and Octavia.

THE DEIR must analyze how parking impacts VMT. The DEIR must analyze One Oak with residential off-street parking alternatives of 0.25:1 and zero parking.

Additionally, the DEIR does not discuss the VMT impacts of valet parking for residents. With excess parking above what is permitted (155 spaces instead of 73) and easy access to cars via Valet and two elevators, there could be much more driving because of the ease of access to cars by residents (*see valet parking discussion below*).

The DEIR TR-1 impact section also proposes a TDM mitigation focused on reducing VMT but does not ever state what the project's per capita daily VMT will be. The success or failure of the TDM cannot be evaluated because proper data about VMT is not provided by the DEIR. Without proper data, it is not possible to know how to mitigate and how to evaluate the TDM strategies, whatever they might be.

A project within a low per capita daily VMT TAZ can still have significant impacts locally. The DEIR needs to analyze the impacts of additional cars from the One Oak Project on this corridor and benchmarked against the per capita VMT in the Market Octavia Plan area. **Standards MUST be appropriate to the site.** Concomitantly a detailed transportation analysis

should be undertaken that analyzes an off-street residential parking scenario of zero parking, and compared with residential parking ratios of 0.25:1 (73 spaces) and 0.5:1 (155 spaces).

The DEIR needs finer-grained, higher resolution analysis of VMT and localized circulation impacts. **Mitigation in the form of wide, safe cycle tracks, wider and safer crosswalks and sidewalks, stronger transit lane separation or enforcement must be included in the study. Elimination of private automobiles and TNCs from Market Street between 10th Street and Franklin Street must also be analyzed and part of the DEIR mitigations.**

If the off-street residential parking is permitted at One Oak, mitigation should include restricting the operation of the valet and elevators. Cars should not be allowed access or egress to One Oak on weekdays between 7am-9am peak hours and between 4pm and 7pm peak hours to limit the impacts of peak car trips on the surrounding area.

Off-Street Parking Ratios

The One Oak Project is in an area of the Market and Octavia Plan where the permitted parking is 0.25:1 but zero parking is also permitted. If the project follows the rules, it would have no more than 73 parking spaces. Yet the DEIR for One Oak includes a residential off-street parking ratio that is double what is permitted as of right (0.5:1, or 155 parking spaces).

The project sponsor has ignored repeated requests by the adjacent community to consider a building with zero parking. In January of 2015 HVNA explicitly objected to excess parking in a letter to Build, Inc. Two Initial Study letters, available from the planning department, asked for reduced parking, and the public comments at several “HUB” planning meetings included requests to develop One Oak with zero parking.

One Oak’s residential parking at 0.5:1 is excessive and no compelling reason has been given to justify allowing it to be doubled from 73 to 155 spaces. The One Oak DEIR discusses residential off-street parking without considering alternatives with less parking. There is considerable evidence, based on the groundbreaking work of Professor Donald Shoup, that parking generates car trips.³ The SFMTA acknowledges this: <https://www.sfmta.com/about-sfmta/blog/growing-case-new-approach-sfs-parking-problem>. The Market and Octavia Better Neighborhood Plan acknowledges this and permits zero parking throughout the plan for that reason.

The project also proposes valet parking without analyzing how valet parking might increase VMT and other traffic impacts. **An analysis of valet parking must be part of the DEIR.** Residents might order their cars in advance and easily access them. Residents will also find it easy to drop their cars off and not have to worry about queues or waiting times. The LCW Transportation study suggests Oak Street loading zones will be used by Valets to store cars as residents come and go. New Apps and other methods will be used by residents to have easy

³ Shoup (2005) *The High Cost of Free Parking*

access to their cars. **The valet renders parking stackers and dependently-accessible parking a useless deterrent to driving.**

The DEIR must include analysis of transportation impacts with zero parking. The DEIR must include revised transportation analysis methods that are responsive to the sensitivity of parking provision (not the 2002 SF Planning approach, which ignores the impacts of off street parking in residential buildings). The analysis must also include the impacts of valet parking on VMT and trip generation.

The DEIR must also acknowledge that based on the planning department's own estimate, the current foreseeable projects in the "Hub" are estimated at ***1,682 parking spaces***. Like One Oak many of these future projects will be requesting a CU for more than the permitted parking. This geographically-small, transit rich, bicycle and pedestrian neighborhood will be overwhelmed with more cars. The DIER analysis must include cumulative impacts of all of this potential future parking on VMT, and on pedestrian, bicycle, and transit systems in the area.

The City is currently studying the Hub, but this DEIR shows One Oak does nothing the Hub promises, and is completely unlinked to that Hub study.

TR-4 Hazardous Conditions for Bicyclists

The DEIR fails to consider that the proposed on-street loading zone on Market Street and the impacts of winds will have a hazardous impact in bicycles. The impacts of the loading zones and winds are described below using the same sub headings of the DEIR summary table.

TR-5: Loading Demand & Impact on Bicycles

The DEIR for One Oak discusses a 130-foot recessed loading zone on westbound Market Street but **mischaracterizes the loading zone as an existing condition**. The loading zone has been inactive for at least a decade, with very few trucks using the zone. **On page 47 of the LCW transportation report it is noted that no trucks currently use the loading zone.** Meanwhile cycling has increased dramatically on Market Street, and notably, in a physical environment where this loading zone has been inactive. Today during weekday pm peak commute hours, 1,400 cyclists use this part of Market Street, and existing conditions are such that these 1,400 cyclists do NOT presently cross paths with delivery trucks or TNCs. **The activation of this loading zone will be a significant change to the physical environment and present hazards to cyclists. The DEIR needs to analyze this.**

The DEIR for One Oak underestimates the volume of daily deliveries to One Oak and the methodology for estimating deliveries must be updated to reflect change. The DEIR and LCW Report suggest One Oak's 700 residents will receive approximately 27 deliveries per day (based on the antiquated SF Transportation Guidelines of 2002) (see page 69, LCW Report). If there are 700 residents in One Oak, and each receives one delivery per month, on business days only (22 days), that amounts to almost 32 deliveries per day. This does not acknowledge the rapid proliferation of internet retail goods and household items, as well as food deliveries to residential buildings.

The Draft EIR needs to update the calculation of delivery to reflect present-day reality, and to reveal how many delivery trucks and vehicles will potentially **cross and impede** the Market Street bike lane. This includes analyzing deliveries at similar existing towers. This must also include a cumulative analysis of deliveries for 1554 Market, which is sharing the loading zone on Market Street.

The DEIR proposes removing bicycle-safety measures (flexible bollards or “safe-hit” posts) on Market Street in order to make truck deliveries and loading easier for trucks on Market Street. It fails to discuss the negative impact this will have on the 1,400 cyclists using Market during the weekday pm commute.

The 130-foot loading zone must be considered a new loading zone because it will go from inactive to active, and will be a very real change to the physical environment. The loading zone will present new hazards to incumbent cyclists on Market Street, and will further degrade conditions for cyclists if safe-hit posts are removed.

The Draft EIR should be revised to analyze an alternative with no loading on Market Street, and a shift of all loading to the Oak Street side of the project. It should also analyze more creative loading strategies, such as loading further off site (westward on Oak and on Franklin) and deploying the use of human-powered push carts and cargo bicycles to service One Oak.

The curb for the inactive loading zone must be repurposed to wider sidewalks and fully separated cycle tracks for pedestrian and bicycle safety, and this should be analyzed as mitigation for One Oak.

W-1: Wind Impacts on Bicycles:

The One Oak Project Draft EIR needs to be revised to include a thorough analysis of impacts on bicyclists. The DEIR contains an extensive discussion of potential impacts of wind on pedestrians and public transit passengers waiting for buses at nearby bus stops, but it completely omits analysis of the impact of wind on the thousands of cyclists using Market Street and other nearby streets. Thus, the DEIR fails as informational document.

The existing conditions, especially in spring and summer afternoons, are both uncomfortable and hazardous to cyclists. The DEIR provides no acknowledgement of this. Nor does it elaborate on how One Oak wind impacts will make conditions more hazardous for cyclists. The EIR should find that the increased wind a significant impact. The One Oak DEIR needs to analyze the following:

- impacts of wind on bicycles, especially down-wash winds
- impact of One Oak downwash wind and wind canopies on bicyclists on Market Street and surrounding streets.

- impact of the proposed canopies deflecting wind directly into Market Street and into bike lanes on Market Street and Polk Street.
- adequate mitigations to make cycling safe and comfortable on Market Street, such as fully-separated cycle tracks and other infrastructure that make it less likely a cyclist collides with motor vehicles or buses when wind conditions are hazardous for bikes. Mitigation must include restricting private cars on Market between 10th Street and Franklin Street.

Market and Van Ness is probably one of the windiest intersection in the city. The City does not understand wind impacts on cycling, because the EIR does not even address these impacts. Consequently, the DEIR does not analyze how the increased wind might deter from other citywide goals seeking to increase bicycle mode share and make cycling safer. The Market and Octavia Better Neighborhoods Plan, the Better Market Street Plan, and the SFMTA's strategic plans all seek to increase cycling, especially on Market Street. This DEIR does not analyze how these citywide goals might be undermined by wind hazards from One Oak.

Failure to analyze the wind impacts and identify them as significant, means that the DEIR fails to even consider possible mitigation. The DEIR has no discussion of wind mitigation to cyclists. This is a major omission rendering this part of the DEIR inadequate. The EIR must include a thorough discussion of wind impacts on cyclists – especially on the busiest cycling corridor in the city.

The DEIR improperly turns the cumulative impacts analysis for wind on its head. The DEIR considers One Oak Project in the context of other future projects but then improperly subtracts out its impact. Since the cumulative impact of this and other buildings creates a significant impact for pedestrians and Muni passengers, the EIR must find the cumulative wind impacts significant and provide mitigation

There is precedent for revising an EIR based on an EIR ignoring safety impacts on cyclists. In Danville CA, bicycles were ignored in an EIR for the proposed Magee Ranch development. The EIR was appealed and a decision directed the town of Danville to analyze bicycle safety. The decision document is attached at the end of this comment letter.

Mitigation for wind impacts on bicyclists must be considered. These must include substantially wider, fully separated cycle tracks on Market Street between 10th Street and Franklin to make room for error and sudden gusts pushing cyclists off-course. The mitigation must also consider restricting private cars and TNCs on Market Street between 10th Street and Franklin Street in order to reduce collisions in windy situations.

S-1: Shadows

The DEIR for One Oak discusses that there will be brief shadows in the early morning on Patricia's Green during March and September. It also discusses morning shadows on Koshland Park playground during Late June. The DIER suggests these are less than significant, based on historic uses of parks. However, with increased density and residential development in Hayes Valley, these parks are experiencing rapidly increasing use, and much of this also takes place in

the morning. For example, exercise and meditation are common in Koshland in summer mornings. The DEIR fails to consider that usage patterns are changing and that morning sun draws people to parks. The DEIRs analysis of shadows is inadequate.

Impact of Market Rate Housing on demand for BMR Housing.

The DEIR must consider the impact that market rate housing has on demand for below market rate housing, and the related environmental impacts.

The current proposal for One Oak has no onsite affordable housing and the DEIR points out that the project sponsor intends to pay an in-lieu fee, with no guarantee that any affordable housing gets built in the vicinity of the Market and Octavia Plan Area. The DEIR includes a vague expression by the project sponsor for a desire to direct the in-lieu fee to an “Octavia BMR Project” on former freeway parcels (between Haight and Oak) which would be overseen by MOH and built by a non-profit. But this is not guaranteed.

All of this raises important issues not addressed in the DEIR and making it inadequate. The following analysis must be part of the revised DEIR.

- The physical impact of new market rate development on local housing prices and housing affordability.
- demand for affordable housing created by market-rate housing, and environmental impacts
- The extent in which market rate housing cause gentrification and displacement, leading to increased longer-distance commuting by lower income households, specifically the impact of One Oak.
- Using the city’s nexus study, the true BMR impact of the market rate housing. The DEIR does not describe if the nexus is closer to the 12 percent/ 20 percent on site/off site requirements pre-Prop C (2015) or if the nexus is closer to the 25 percent/ 33 percent on-site/off site ratio established by Prop C.

The One Oak project's affordable housing proposal is coming in far short of the actual need that is created by the project, and this needs to be acknowledged and analyzed in the DEIR.

There is precedent in considering market rate housing impacts on BMR, including a November 2016 CEQA appeal of the 1515 South Van Ness project. The appeal asked what is the environmental impact of displacement in the Mission caused by market rate housing proposed by Lennar Corp.

The One Oak Project DEIR must consider the nexus of how many BMR are needed due to proliferation of market-rate housing, and then consider the environmental consequences of the BMR demand.

The DEIR must consider the environmental impact of zero parking on housing affordability, especially since parking adds considerable cost to housing production.

The DEIR must include analysis of the proposal for the off-site BMR on Octavia. There is much uncertainty about this scheme. The intent is to direct in lieu fee to Octavia BMR Project on parcels R, S, and U (between Haight and Oak) which would be overseen by MOH and built by a non-profit. The project sponsor claims this might bring up to 72 BMR units. Yet is the project sponsor expected to finance all of the units, or just a portion? How will the 72 units reflect the Market and Octavia unit size requirements? Will these 72 units be micro units? If so, that does not reflect the proper unit-mix required in the Market and Octavia Plan.

Jason Henderson
Chair, Transportation and Planning Committee,
Hayes Valley Neighborhood Association
300 Buchanan Street, #503
San Francisco, CA
94102
(415)-255-8136
Jhenders@sonic.net

Attachment 1: TAZ 588



The HAYES VALLEY Neighborhood Association | HVNA

May 26th, 2017

Rich Hillis, President, San Francisco Planning Commission
Dennis Richards, Vice President, San Francisco Planning Commission
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Comments on One Oak Street Proposal

Cc: Tina Chang tina.chang@sfgov.org

Dear President Hillis, Vice President Richards, and San Francisco Planning Commissioners,

The Hayes Valley Neighborhood Association (HVNA), based on our longstanding support for the Market and Octavia Better Neighborhoods Plan, endorses the concept of dense infill housing at the intersection of Market Street and Van Ness Avenue. Yet we have the following **four concerns** regarding the proposed One Oak Street Project.

- 1) **Parking:** We wholly object to the request for a CU for excess parking above the permitted 0.25:1. The proposed project must respect the Market and Octavia Plan, and the CU request disregards the plan.
- 2) **Plaza:** We welcome the proposed plaza, but urge that it include streetscape design elements and enforcement mechanisms to impede vehicles from stopping within the alignment of the plaza. It should also include creation of a drop-off zone to the west of the project on Oak Street. This should be a condition of the proposed in-kind agreement for the plaza.
- 3) **Wind impact on bicycles:** The project ignores wind impacts on cyclists on Market Street. This is a significant omission and needs remedy. We suggest mitigations including fully-separated, wide cycle tracks built on Market Street in conjunction with the project.
- 4) **Inclusionary Housing:** There is a proposal to direct the inclusionary housing required of One Oak to Octavia Parcels R, S, and U. This should be memorialized and synchronized with the construction of One Oak such that affordable housing is assured and available when One Oak is completed.

The remainder of this letter provides details on each of our four concerns.

Parking

The One Oak Project is in an area of the Market and Octavia Plan where the permitted parking is 0.25:1 but zero parking is also permitted. If the project follows the rules, it would have no more than 73 parking spaces. Yet proposal for One Oak includes a residential off-street parking ratio that is almost double what is permitted as of right (0.45:1, or 136 parking spaces).

The project sponsor has ignored repeated requests by the adjacent community to consider a building that respects the Market and Octavia permitted parking of 0.25:1. In January 2015 HVNA objected to excess parking in a letter to Build, Inc. Two Initial Study letters, available from the planning department, asked for reduced parking, and the public comments at several “HUB” planning meetings included requests to develop One Oak with zero parking. HVNA’s comment letter in the DEIR (January 2017, see attached) also raised objections to excess parking. Lastly, the Market and Octavia Community Advisory Committee adopted a resolution (6/20/2016) asking the Planning Commission to deny all requests for CU’s for excess parking in the Hub area. The resolution is attached.

One Oak’s residential parking at 0.45:1 is excessive and no compelling reason has been offered to justify allowing it to be almost doubled from 73 to 136 spaces. This is a bad precedent for the area known as the “Hub” were an estimated ***1,682 parking spaces might be in the pipeline.*** Like One Oak many of these future projects will be requesting a CU for more than the permitted parking, and this geographically-small, transit rich, bicycle and pedestrian neighborhood will be overwhelmed with more cars. Nine important Muni bus lines, five Muni light rail lines, and one Muni streetcar line traverse the corridor, carrying almost 14,000 passengers in the weekday am peak hour and 13,500 in the weekday pm peak hour. Every weekday there are thousands of cyclists using Market Street, with 1,400 in the two- hour pm peak period alone. This project, if approved with excess parking, will degrade transit, walking, and cycling, and set bad precedent.

The project also proposes valet parking which will make it easier for residents to drive. Residents might order their cars in advance and easily access them. Residents will also find it easy to drop their cars off and not have to worry about queues or waiting times. The Transportation study suggests Oak Street loading zones will be used by valets to store cars as drivers come and go. New Apps and other methods will be used by residents to have easy access to their cars. **The valet renders parking stackers and dependently-accessible parking a useless deterrent to driving.**

HVNA would prefer that this project, like many others, have zero parking. This is a part of the city where the tolerance for more cars is zero. However the hard-fought compromises in the Market and Octavia Plan resulted in a 0.25:1 ratio. There is no public benefit to increasing the parking above the level of 0.25:1.

Plaza

The One Oak proposal includes a new plaza at the intersection of Oak and Van Ness, and the project sponsor requests roughly \$2.3 million in in-kind donations to build parts of the plaza.

Such a plaza is a welcomed improvement, and we recognize the project sponsor's effort to garner public support. Yet as HVNA has pointed out in the comments on the DEIR for One Oak, TNCs may swarm the area, including the plaza. Moreover, the contemporary nature of commercial deliveries is not what it was even a few years ago, and multiple vehicles may stop and obstruct the plaza. If there are 700 residents in One Oak (estimated in DEIR), and each receives one delivery per month, on business days only (22 days), that amounts to almost 32 deliveries per day.

To make sure the plaza works as the project sponsor is marketing to the public, the following conditions must be obligated to One Oak:

- Incorporate streetscape designs that make it impossible to stop for drop-off or pick-up on any part of the plaza. HVNA suggests clear signage and enforcement mechanisms as well as creative designs to keep vehicles from stopping in the plaza. This must be a condition of the proposed in-kind agreement, which withdraws complete streets funds from other important Market and Octavia needs.
- Allocation of an adequate loading and unloading zone for both passengers and deliveries on Oak Street, west of the plaza. This requires removal of some curbside parking.
- Closing the plaza to vehicles regularly certain times of the day, for pop-up markets/amenities or events, and to accommodate thousands of peak hour pedestrians including Muni passengers.

Wind impacts on cyclists

Market and Van Ness is probably one of the windiest intersection in the city. The existing conditions for thousands of daily cyclists at Market and Van Ness, especially in spring and summer afternoons, are both uncomfortable and hazardous. The DEIR for One Oak provided no acknowledgement of this. There is no understanding on how downwashed winds and the proposed canopies at One Oak will impact cyclists.

There must be adequate mitigations to make cycling safe and comfortable on Market Street, such as fully-separated cycle tracks and other infrastructure that make it less likely a cyclist collides with motor vehicles or buses when wind conditions are hazardous for bikes. Mitigation in the form of fully-separated, wide cycle tracks on Market Street and other bicycle infrastructure should be built in conjunction with the project. Elimination of private automobiles and TNCs from Market Street between 10th Street and Franklin Street would provide the best opportunity to create safe space for cyclists while also accommodating transit.

Inclusionary Housing

The current proposal for One Oak has no onsite inclusionary affordable housing and the project sponsor intends to pay an in-lieu fee. There is no legally binding guarantee that any affordable housing gets built within the vicinity of the Market and Octavia Plan Area. There is an

expression by the project sponsor for a desire to direct the in-lieu fee to an "Octavia BMR Project" on former Central Freeway parcels R, S, and U (between Haight and Oak Streets), which would be overseen by MOH and built by a non-profit. This concept might be welcomed but needs a firm guarantee because too often inclusionary housing fees are spent elsewhere in the city and Market and Octavia becomes even more unaffordable.

HVNA asks that a binding agreement is memorialized between the developer and the city to guarantee that all inclusionary housing is built within the Market and Octavia Plan area, including but not limited to Parcels R, S, and T (we do welcome inclusionary housing within the actual One Oak project if feasible). We also ask the memorialization include that construction of the BMR units synchronize with the construction of One Oak such that affordable housing is assured and available when One Oak is completed.

In summary, HVNA welcomes new, dense infill to this site. However, this is a centrally located development where the city needs to be encouraging as little parking as possible (preferably zero) and as much affordable housing as possible. The site is adjacent to some of the best cycling and walking spaces on the west coast, and near an array of high capacity public transit. The proposed plaza is welcome but if funded with Market and Octavia community impact fees it should be designed to make vehicle loading and unloading impossible within the plaza. The project should also include adequate mitigation of the negative impact winds will have on cyclists on Market Street.

We urge you to make this an excellent development that truly reflects the city's sustainable transportation and affordability goals.

Sincerely,



Jason Henderson
Chair, Transportation and Planning Committee,
Hayes Valley Neighborhood Association
300 Buchanan Street, #503
San Francisco, CA
94102
(415)-255-8136
Jhenders@sonic.net

Gail Baugh
President, Hayes HVNA
700 Hayes Street
San Francisco CA
94102
gailbaugh40@gmail.com

Market & Octavia Community Advisory Committee

RESOLUTION REQUESTING NO FURTHER GRANTING OF CONDITIONAL USE AUTHORIZATIONS FOR ACCESSORY OFF STREET PARKING WITHIN THE “HUB” AREA OF THE MARKET & OCTAVIA PLAN AREA

WHEREAS, a primary goal of the Market & Octavia plan is to balance the needs of bicycles, mass transit, pedestrians and automobiles in the plan area and to lessen dependence on cars in the vicinity; and,

WHEREAS, the M & O Plan provides a schedule of maximum permitted off-street parking and conditionally permitted off-street parking in the several zoning districts contained within the Plan Area; and,

WHEREAS, the “Market Street Hub” is an area contained with the M & O Plan Area that includes roughly the blocks immediately to the northwest of Market Street from Larkin/9th St to Octavia Boulevard and the blocks to the southeast of Market Street extending to the Central Freeway, Howard Street, and Mission Street south of 10th Street.

WHEREAS, M & O plan area is located on multiple high-capacity mass transit lines, and studies indicate that car ownership rates in the neighborhood are well below the citywide average; and,

WHEREAS, The SFMTA plans to invest considerable resources in Van Ness transit improvements as well as the Mission 14 bus and bicycle facilities on Market Street,

WHEREAS, the best available current estimate is that 1,075 off-street parking spaces are proposed in the pipeline for the area known as the Hub.

WHEREAS these new parking spaces would add traffic to the Hub’s already congested streets thus reducing neighborhood safety and livability, undermining SFMTA investments; and,

WHEREAS, these parking spaces will dramatically increase the cost of housing in the Hub, further undermining city affordable housing goals,

WHEREAS, granting of the accessory off-street parking dishonors the spirit of the Market and Octavia Plan, and further, is not supportive of the current discussion about the Hub rezoning proposal led by the Planning Department

WHEREAS, despite these negative aspects of excess parking, the Planning Commission approved a CU for accessory parking for 1601 Mission in April 7th 2016, which allowed more parking than allowed by-right of 0.25:1. The permitted parking for this 210-unit development is 55 off-street spaces. The developer was granted a CU for 97 spaces at a ratio of 0.44: therefore

BE IT RESOLVED, that the M & O CAC requests that the Planning Commission no longer grant Conditional Use Authorizations for accessory parking for projects located within in the Hub area; and be it

BE IT FURTHER RESOLVED, that the M & O CAC asks for the Planning Department, Planning Commission, and Board of Supervisors to consider expediting a revision to the Planning Code that eliminates Conditional Use Authorizations for accessory off-street parking for zoning districts contained with the Hub area

BE IT FURTHER RESOLVED that the M & O CAC directs the M & O CAC Planning Staff to forward this resolution to appropriate City officials.

Approved by the Market and Octavia CAC June 20th 2016

Yea – Henderson, Singa, Levitt, Olsson, Olsen, Soriano-Bilal

Nay - none

Abstaining – Vasquez

Absent – Marker, Wingard

SUE C. HESTOR
329 HIGHLAND AVE. (415) 824-1167
SAN FRANCISCO, CA 94110

7127

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