



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion EIR Certification

HEARING DATE: SEPTEMBER 27, 2018

*Record No.:* 2015-010013ENV  
*Project Address:* 30 OTIS STREET  
*Zoning:* C-3-G (Downtown – General) Zoning District  
NCT-3 Moderate-Scale Neighborhood Commercial Transit Zoning District  
85/250-R-2 Height and Bulk District  
85-X Height and Bulk District  
Van Ness & Market Downtown Residential Special Use District  
*Block/Lot:* Block 3505; Lots 010, 012, 013, 016, and 018  
*Project Sponsor:* Jessie Stuart, Align Real Estate  
255 California Street, Suite 525  
San Francisco, CA 94111  
*Staff Contact:* Julie Moore – (415) 575-8733  
[julie.moore@sfgov.org](mailto:julie.moore@sfgov.org)

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**ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR A PROPOSED MIXED USE PROJECT WITH A 9-STORY (85-FOOT TALL) PODIUM ACROSS THE ENTIRE SITE AND A 26-STORY (250-FOOT TALL) TOWER WITH 416 DWELLING UNITS, APPROXIMATELY 2,199 SQUARE FEET OF GROUND FLOOR RETAIL, APPROXIMATELY 15,993 SQUARE FEET OF ARTS AND ACTIVITIES SPACE, APPROXIMATELY 31,290 SQUARE FEET OF USEABLE OPEN SPACE, 256 BICYCLE PARKING SPACES (224 CLASS 1, 32 CLASS 2), AND 95 VEHICULAR PARKING SPACES AND THREE CAR-SHARE SPACES WITHIN THE DOWNTOWN-GENERAL (C-3-G) ZONING DISTRICT, THE MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT (NCT-3), THE 85/250-R-2 AND 85-X HEIGHT AND BULK DISTRICTS, AND THE VAN NESS AND MARKET DOWNTOWN RESIDENTIAL SPECIAL USE DISTRICT.**

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the final Environmental Impact Report identified as Case No. 2015-010013ENV, for the "30 Otis Project" at 30 Otis Street and various other parcels (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 February 9, 2018.
  - 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 June 13, 2018.
  - C. The Department posted notices of availability of the DEIR and of the date and time of the public hearing near the project site on June 13, 2018.
  - 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 June 13, 2018.
  - E. The Department filed a Notice of Completion with the State Secretary of Resources via the State Clearinghouse on June 13, 2018.
2. The Commission held a duly advertised public hearing on said DEIR on Thursday, July 19, 2018, 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 July 27, 2018.
  3. The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 45-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 to Comments on DEIR document ("RTC"), published on September 13, 2018, 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 RTC 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 September 27, 2018, 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.

7. The project sponsor has indicated that the presently preferred project is the Preferred Project, analyzed in Chapter 2 of the RTC document, and as further refined and described in the various proposed approvals for the 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. 2015-010013ENV reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the RTC 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 would cause a substantial adverse change in the significance of a historical resource as defined in the California Environmental Quality Act (CEQA) Guidelines section 15064.5, denoted in the DEIR as Impact CR-1. Despite implementing Mitigation Measures M-CR-1a: Documentation of the Historic Resource, M-CR-1b: Interpretation of the Historic Resource, and M-CR-1c: Video Recordation of the Historic Resource, the Project may not feasibly reduce that impact to a less-than-significant level.

In addition, in certifying the completion of said FEIR, the Commission does hereby find that the project described in the EIR would result in substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially significant delays to transit. Despite implementing Mitigation Measure M-TR-1a: Pedestrian, Bicycle, and Transit Access during Construction, and Mitigation Measure M-TR-1b: Coordinated Construction Traffic Management Plan, the Project may not feasibly reduce that impact to a less-than-significant level.

In certifying the completion of said FEIR, the Commission also does hereby find that the project described in the EIR, in combination with other past, present, and reasonably foreseeable future projects, would contribute considerably to significant cumulative construction-related transportation impacts, with substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and would result in potentially hazardous conditions and significant delays to transit. Despite implementing Mitigation Measures M-TR-1a: Provision for Adequate Pedestrian, Bicycle, and Transit Access during Construction, and M-TR-1b: Coordinated Construction Traffic Management Plan, the Project may not feasibly reduce that impact to a less-than-significant level.

Finally, in certifying the completion of said FEIR, the Commission also does hereby find that the project described in the EIR, in combination with other past, present, and reasonably foreseeable future projects, would alter wind in a manner that would substantially affect public areas in the

vicinity of the project site. Despite implementing Mitigation Measure M-C-WI-1, the Project may not feasibly reduce that impact 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 September 27, 2018.

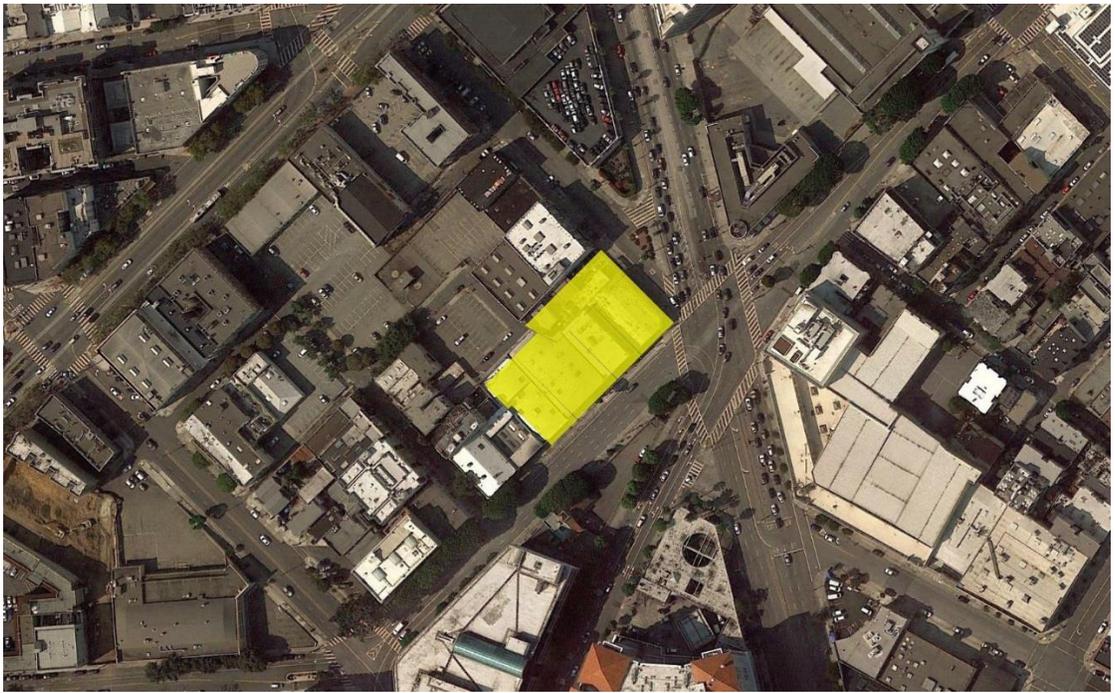
Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 27, 2018



# RESPONSES TO COMMENTS ON THE DRAFT EIR

## 30 Otis Street Project

PLANNING DEPARTMENT  
CASE NO. 2015-010013ENV

STATE CLEARINGHOUSE NO. 2018022024

Draft EIR Publication Date:	JUNE 13, 2018
Draft EIR Public Hearing Date:	JULY 19, 2018
Draft EIR Public Comment Period:	JUNE 13, 2018 - JULY 27, 2018
Final EIR Certification Hearing Date:	SEPTEMBER 27, 2018



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# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

DATE: September 13, 2018  
TO: Members of the Planning Commission and Interested Parties  
FROM: Lisa Gibson, Environmental Review Officer  
Re: **Responses to Comments on Draft Environmental Impact Report for the 30 Otis Street Project, Case No. 2015-010013ENV**

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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 San Francisco Planning Commission for Final EIR certification on September 27, 2018.** The planning commission will receive public testimony on the Final EIR certification at the September 27, 2018 hearing. Please note that the public review period for the Draft EIR ended on July 27, 2018; 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 Julie Moore at 415- 575-8733 or [julie.moore@sfgov.org](mailto:julie.moore@sfgov.org).

Thank you for your interest in this project and your consideration of this matter.

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# RESPONSES TO COMMENTS ON THE DRAFT EIR

## 30 Otis Street Project

CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT

CASE NO. **2015-010013ENV**

STATE CLEARINGHOUSE NO. 2017022026

Draft EIR Publication Date:	JUNE 13, 2018
Draft EIR Public Hearing Date:	JULY 19, 2018
Draft EIR Public Comment Period:	JUNE 13, 2018 - JULY 27, 2018
Final EIR Certification Hearing Date:	SEPTEMBER 27, 2018



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# 30 Otis Street Project

## Responses to Comments on the Draft EIR

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- Attachment A: Draft EIR Comment Letters
- Attachment B: Draft EIR Hearing Transcript

## A. INTRODUCTION

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### A.1 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 (Draft EIR) for the proposed 30 Otis Street Project, to respond in writing to comments on environmental issues, and to revise the Draft EIR as necessary to provide additional clarity. Additionally, this RTC document presents minor changes to the project that occurred since publication of the Draft EIR but do not alter the findings and conclusions of the Draft EIR. Pursuant to the California Environmental Quality Act (CEQA) section 21091(d)(2)(A) and (B), the San Francisco Planning Department (planning department) has considered the comments received on the Draft EIR, evaluated the issues raised and is providing written responses that address each substantive environmental issue that has been raised by the commenters. In accordance with CEQA, the responses to comments focus on clarifying the project description and setting, and addressing physical environmental issues associated with the proposed project. Such effects include physical impacts or changes attributable to the proposed project rather than any social or financial implications of the proposed project. Therefore, this document focuses primarily on responding to comments that relate to physical environmental issues in compliance with CEQA.

None of the comments received provide new information that warrants recirculation of the Draft EIR. The comments do not identify new significant impacts or a substantial increase in the severity of previously identified impacts. Further, they do not identify any feasible project alternatives or mitigation measures that are considerably different from those analyzed in the Draft EIR and/or that the project sponsor has not agreed to implement.

The Draft EIR together with this RTC document constitutes the Final EIR for the proposed project in fulfillment of CEQA requirements and consistent with CEQA Guidelines section 15132. The Final EIR has been prepared in compliance with CEQA, including the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code. It is an informational document for use by (1) governmental agencies (such as the City and County of San Francisco) and the public to aid in the planning and decision-making process by disclosing the physical environmental effects of the project and identifying possible ways of reducing or avoiding the potentially significant impacts and (2) the San Francisco Planning Commission (planning commission) and other City entities (such as the Board of Supervisors), where applicable, prior to their decisions to approve, disapprove, or modify the proposed project. If the planning commission and other City entities approve the proposed project, they would be required to adopt CEQA findings and a mitigation monitoring and reporting program (MMRP) to ensure that mitigation measures identified in the Final EIR are implemented.

## A.2 ENVIRONMENTAL REVIEW PROCESS

### *Notice of Preparation*

The planning department, as lead agency responsible for administering the environmental review of projects within the City and County of San Francisco under CEQA, published a Notice of Preparation (NOP) of an Environmental Impact Report on February 9, 2018, to inform agencies and the general public that the Draft EIR would be prepared based upon the criteria of the state CEQA Guidelines, sections 15064 (Determining Significant Effects) and 15065 (Mandatory Findings of Significance). A Notice of Availability of the NOP and/or the NOP was sent to the State Clearinghouse, responsible agencies, interested individuals, and organizations, occupants of the project site and adjacent properties, and owners of property within a 300-foot radius of the project site.

### *Draft EIR Public Review*

The San Francisco Planning Department published a Draft EIR for the proposed project on June 13, 2018, and circulated the Draft EIR to the State Clearinghouse, responsible agencies, and to interested organizations and individuals for a 45-day public review period. Paper copies of the Draft EIR were made available for public review at the following locations: (1) San Francisco Planning Department, 1650 Mission Street, and Planning Information Counter, 1660 Mission Street and (2) the San Francisco Main Library, 100 Larkin Street. The planning department also distributed notices of availability of the Draft EIR to local, state, and federal agencies, interested organizations and individuals, and owners and occupants of property within a 300-foot radius of the project site; published notification of its availability in a newspaper of general circulation in San Francisco (San Francisco Examiner); posted the notice of availability at the San Francisco County Clerk's office; and posted notices at multiple locations on the project site.

During the Draft EIR public review period, the planning department received written comments from two individuals. Attachment A of this RTC document includes copies of the comment letters submitted to the planning department on the Draft EIR. As there is a historic resource located on the project site, a public hearing was held before the Historic Preservation Commission (HPC) on June 20, 2018, in order for the HPC to provide comments on the Draft EIR for consideration by the planning commission.

During the public review period, the planning commission conducted a public hearing to receive oral comments on July 19, 2018, at San Francisco City Hall. A court reporter was present at the public hearing to transcribe the oral comments verbatim and provide a written transcript (see Attachment B). After the close of the public review period, one additional comment was received.

### *Responses to Comments Document and Final EIR*

The comments received on the Draft EIR during the public review period are the subject of this RTC document, which addresses all substantive written and oral comments on the Draft EIR.

Under CEQA Guidelines section 15201, members of the public may comment on any aspect of the project. Further, CEQA Guidelines section 15204(a) states that the focus of public review should be “on the sufficiency of the [Draft EIR] in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.” In addition, “when responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.” CEQA Guidelines section 15088 specifies that the lead agency is required to respond to the comments on the major environmental issues raised in the comments received during the public review period. Therefore, this RTC document is focused on the sufficiency and adequacy of the Draft EIR in disclosing the significance of the environmental impacts of the proposed project that was evaluated in the Draft EIR.

The planning department distributed this RTC document for review to the planning commission, as well as to the agencies and persons who commented on the Draft EIR. The planning commission will consider the adequacy of the Final EIR—consisting of the Draft EIR and the RTC document—in complying with the requirements of CEQA. If the planning commission finds that the Final EIR complies with CEQA requirements, it will certify the Final EIR under CEQA and will then consider the associated MMRP and requested approvals for the proposed project.

Consistent with CEQA Guidelines section 15097, the MMRP is designed to ensure implementation of the mitigation measures identified in the Final EIR and adopted by decision-makers to mitigate or avoid the project’s significant environmental effects. CEQA also requires the adoption of findings prior to approval of a project for which a certified EIR identifies significant environmental effects (CEQA Guidelines sections 15091 and 15092). Because this EIR identifies four significant adverse impacts that cannot be mitigated to less than-significant levels, the planning commission must adopt findings that include a statement of overriding considerations for those significant and unavoidable impacts (CEQA Guidelines section 15093(b)). The project sponsor is required to implement the MMRP as a condition of project approval.

### A.3 DOCUMENT ORGANIZATION

This RTC document consists of the following sections, plus supplemental attachments, as described below:

- A. **Introduction** – This section discusses the purpose of the RTC document, the environmental review processes, and the organization of the RTC document.
- B. **Project Description Revisions and Draft EIR Analysis:** – This section includes a description of the revisions to the original proposed project that have been proposed by the project sponsor since publication of the Draft EIR (the Revised Proposed Project). A

discussion of the impacts identified in the Draft EIR and for the Revised Proposed Project is also included in this section.

- C. **List of Persons Commenting** – This section presents the names of persons who provided comments on the Draft EIR. The list is organized into the following groups: agencies, boards, and commissions; organizations; and individuals.
- D. **Comments and Responses** – This section presents the substantive comments excerpted verbatim from the public hearing transcript and comment letters. Similar comments are grouped together by topic area. Following each comment or group of comments on a topic are the City’s responses.
- E. **Draft EIR Revisions** – This section includes all of the changes to the Draft EIR text and graphics and cites the page number where the change is made to the text or graphics.

**Attachment A** – Draft EIR Comment Letters

**Attachment B** – Draft EIR Hearing Transcript

## **B. PROJECT DESCRIPTION REVISIONS AND DRAFT EIR ANALYSIS**

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Since publication of the Draft EIR, the project sponsor has made revisions to the proposed project as it was described in Draft EIR Chapter 2, Project Description, (referred to herein as the “Original Proposed Project”). This RTC chapter describes these revisions, referred to in this RTC document as the “Revised Proposed Project.” As summarized below, the Revised Proposed Project would have the same height and footprint, a slightly smaller square footage, and a reduced unit count as compared to the Original Proposed Project. These revisions would not result in any new significant impacts that were not already identified in the Draft EIR, nor would these changes increase the severity of any of the impacts identified in the Draft EIR. Mitigation measures identified in the Draft EIR would continue to be required in order to reduce or avoid significant environmental impacts. No new or modified mitigation measures would be required to mitigate the significant impacts of the Revised Proposed Project.

### **B.1 CEQA CONSIDERATIONS**

The Revised Proposed Project would result in minor changes to the Original Proposed Project, as summarized under the “Revised Proposed Project” subsection below, and more fully in Section E, Revisions to the Draft EIR, but would not result in new or more significant environmental impacts than those identified in the Draft EIR. Per CEQA Guidelines section 15088.5, recirculation of a Draft EIR prior to certification is required only when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under section 15087 but before certification.” Pursuant to CEQA Guidelines section 15088.5, “significant new information” requiring recirculation includes, for example:

1. A new significant environmental impact that would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact that would result, unless mitigation measures are adopted to reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure that would be considerably different from others previously analyzed clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

CEQA Guidelines section 15088.5(d) states that recirculation is not required if “new information in the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” The proposed changes associated with the Revised Proposed Project described below would not result in significant new information, as defined in CEQA Guidelines section 15088.

## B.2 REVISED PROPOSED PROJECT

The Revised Proposed Project would result in minor modifications to the Original Proposed Project. The modifications were required due to an adjustment of the location for height measurement from Chase Court to Otis Street. Due to the 13-foot elevation difference between these two locations, the Revised Proposed Project has one less story in the podium and tower levels, although retaining the same height and building envelope as the Original Proposed Project. The Revised Proposed Project would be substantially similar to the Original Proposed Project: it would have the same height and building footprint, about a 10,254-square-foot decrease in total building square footage; and seven fewer units compared with the Original Proposed Project. The Revised Proposed Project includes a modest increase in the number of automobile, motorcycle, and scooter parking spaces. In general, except for the total square footage of residential, retail, arts uses, open space and the dwelling unit types, the Revised Proposed Project would result in the same pattern of mixed-use development as the Original Proposed Project. As shown in Table RTC-1, the Revised Proposed Project would include 416 residential units, compared to 423 units with the Original Proposed Project. The building footprint and height would be the same as analyzed in the Draft EIR. The Revised Proposed Project would require the same approvals as identified in the Draft EIR pp. 2-25 and 2-26.

A summary comparison of the Original Proposed Project and the Revised Proposed Project is provided in Table RTC-1, below. The minor differences between the two project designs are summarized in the final column of Table RTC-1. Updated project description figures and revisions to the Draft EIR based upon the sponsor's project description revisions are presented in Section E, Draft EIR Revisions.

**Table RTC-1: Comparison of Original Proposed Project and Revised Proposed Project**

Proposed Use	Original Proposed Project		Revised Proposed Project		Difference
	Description	Approximate Area	Description	Approximate Area	
Retail	3 spaces	5,585 sf (650 gsf)	3 spaces	2,199 sf (0 gsf)	-3,386 sf (-650 gsf)
Arts Activities (City Ballet School)	6 studios (2 of which can be combined into a theater)	16,600 sf (11,400 gsf)	6 studios (2 of which can be combined into a theater)	15,993 sf (15,947 gsf)	-607 sf (+4,547 gsf)
Residential	423 units 42 studios, 261 one-bedroom units, 111 two-bedroom units, 9 three-bedroom units	295,400 sf (295,400 gsf)	416 units 212 studios, 98 one-bedroom units, 106 two-bedroom units	287,738 sf (287,738 gsf)	-7 units +170 studios, -163 one-bedroom units, -5 two-bedroom units, -9 three-bedroom units  (-7,662 gsf)
Parking and Loading	71 auto, 3 car share  1 freight, 2 service, 2 residential loading	43,215 sf (1,650 gsf)	95 auto, 3 car share, 6 motorcycle, 3 scooter bike  1 freight, 2 service, 2 residential loading	51,101 sf (2,448 gsf)	+24 auto, +6 motorcycle, +3 scooter bike,
Bicycle Parking	361 class 1, 32 class 2	4,310 sf (0 gsf)	224 class 1, 32 class 2	2,454 sf (0 gsf)	-137 class 1, 0 class 2-1,856 sf
Open Space	Private, common, and publicly accessible	22,760 sf (exterior open space not included in totals below)	Private, common, and publicly accessible	31,290 sf (exterior open space not included in totals below)	+8,530 sf
Residential Lobby and Amenity Space	Lobbies, workshop, lounge, creative studio, co-working, fitness studio, gaming theater, mail room, reservable kitchen,	15,550 sf (11,300 gsf)	Lobbies, workshop, lounge, creative studio, co-working, fitness studio, gaming	17,433 sf (14,192 gsf)	+1,883 sf (+2,892 gsf)

Proposed Use	Original Proposed Project		Revised Proposed Project		Difference
	Description	Approximate Area	Description	Approximate Area	
	bar/club		lounge, mail room, solarium		
Leasing	Leasing Area	1,260 sf (1,260 gsf)	Leasing Area	1,660 sf (1,660 gsf)	+400 sf (+400 gsf)
Mechanical/Circulation		102,715 sf (83,110 gsf)		96,349 sf (76,880 gsf)	-6,366 sf (-6,230 gsf)
<b>Total</b>		<b>484,635 sf (404,770 gsf)</b>		<b>474,381 sf (398,365 gsf)</b>	<b>-10,254 sf (6,405 gsf)</b>
Project Component	Original Proposed Project		Revised Proposed Project		Difference
Building Height	85 feet to 250 feet		85 feet to 250 feet		None
Podium Structure	10 stories		9 stories		-1 story
Tower	27 stories		26 stories		-1 story

Source: Align Otis LLC, 2018

sf = square foot; gsf = gross square foot per San Francisco planning code

### B.3 ENVIRONMENTAL EFFECTS OF THE REVISED PROPOSED PROJECT

As discussed above, the Revised Proposed Project would be substantially similar to the Original Proposed Project: it would have the same height and building footprint, about a 10,254-square-foot decrease in total building square footage; and seven fewer units compared with the Original Proposed Project. The Revised Proposed Project includes a modest increase in the number of automobile, motorcycle, and scoot bike parking spaces. However, those changes would not result in new or substantially more severe operation-related transportation impacts than the Original Proposed Project because the reduction in residential units would slightly reduce the person- and vehicle-trip generation associated with the project. Construction-related transportation impacts would be the same as for the Original Proposed Project because the construction scenario also would require demolition, relocation, or delay of the planned Otis Street bus-boarding island, and construction maneuvers on Otis Street would create substantial interference to pedestrians, bicycles, and potentially significant delays to transit vehicles. Similarly, as the building design and height of the Revised Proposed Project and the Original Proposed Project would be the same, the Revised Proposed Project would have the same significant and unavoidable impacts related to historic resource and cumulative wind effects.

Under the Revised Proposed Project with its slightly reduced development, project impacts such as population and housing, recreation, utilities and service systems, and public services would be correspondingly reduced as compared to the Original Proposed Project and would remain less than significant. Impacts related to operational transportation, noise, air quality, greenhouse gas emissions, and energy also would be slightly reduced given the reduced building square footage, compared with the Original Proposed Project, and also would be less than significant. Because the excavation and footprint of the building would be the same, impacts for environmental topics related to the footprint and location of the proposed development, such as land use and land use planning, hazards and hazardous materials, mineral resources, agricultural/forest resources would be the same as the impacts of the Original Proposed Project.

Construction-related activity associated with development of the project site would result in comparable impacts with the Revised Proposed Project, for environmental topics such as archeological resources, noise, air quality, geology and soils, hydrology and water quality. This is because excavation and construction methods would be similar to the Original Proposed Project; these impacts would be less than significant with implementation of applicable mitigation measures identified in the IS/CPE, which would be applicable to the Revised Proposed Project.

In summary, the environmental effects of the Revised Proposed Project would be the same as the Original Proposed Project for all environmental topics. Similar to the Original Proposed Project, the Revised Proposed Project would result in significant unavoidable historic architectural resources impacts, project-level and cumulative construction-related transportation impacts, and cumulative wind impacts. The Revised Proposed Project would not create any new significant impacts or increase the severity of identified significant impacts. In all cases, the same mitigation and improvement measures identified for the Original Proposed Project would apply to the Revised Proposed Project, as modified in Section E, Draft EIR Revisions.

Minor revisions to Draft EIR that reflect the revisions to the square footage of building uses, parking, and residential unit counts are presented in Section E, Draft EIR Revisions. These revisions do not change the findings and conclusions of the Draft EIR.

## C. LIST OF PERSONS COMMENTING

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This RTC document responds to all comments received on the Draft EIR, including written comments submitted by letter or email, as well as oral comments presented at the public hearing that was held on July 19, 2018. This section lists all agencies, organizations, and individuals who submitted comments on the Draft EIR. Commenters are grouped according to whether they commented as individuals or represented a public agency or non-governmental organization. Table RTC-2, Persons Commenting on the Draft EIR, lists the commenters' names, along with the corresponding commenter codes used in Section C, Comments and Responses, to denote each set of comments, the comment format, and the comment date. The complete set of written and oral comments received on the Draft EIR is provided in Attachment A, Draft EIR Comment Letters, and Attachment B, Draft EIR Hearing Transcript.

Table RTC-2 presents the agencies, organizations, and individuals that commented on the Draft EIR during the public comment period. In this RTC document, the commenters are identified as follows:

- Comments from agencies are designated by "A-" and the agency's name or acronym. Where several commenters from the same agency provided comments, the acronym is followed by a number.
- Comments from organizations are designated by "O-" and the organization's name or acronym
- Comments from individuals are designated by "I-" and the commenter's last name

Within each of the three categories described above, commenters are listed in the order they were received or spoken during the hearing. Each commenter is given an identifier, and each comment is numbered.

**Table RTC-2: Persons Commenting on the EIR during the Public Review Period**

<b>Commenter Codes</b>	<b>Name and Title of Commenter</b>	<b>Agency/Organization</b>	<b>Format</b>	<b>Dates</b>
<i>Federal, State, Regional, and Local Agencies, Boards, and Commissions</i>				
A-HCP	Andrew Wolfram, President	Historic Preservation Commission	Letter	July 11, 2018
A-CPC1	Kathrin Moore, Commissioner	San Francisco Planning Commission	Public Hearing Transcript	July 19, 2018
A-CPC2	Dennis Richards, Commissioner	San Francisco Planning Commission	Public Hearing Transcript	July 19, 2018
A-CPC3	Rodney Fong, Commissioner	San Francisco Planning Commission	Public Hearing Transcript	July 19, 2018
<i>Organizations</i>				
O-YIMBY	Laura Clark	YIMBY Action	Public Hearing Transcript	July 19, 2018
O-City Ballet	Ken Patsel, Administrative Director	City Ballet–San Francisco	Public Hearing Transcript	July 19, 2018
<i>Individuals</i>				
I-Peacock	Rebecca Peacock	-	Email	June 27, 2018
I-Schunk	Jeff Schunk	-	Email	July 27, 2018

## D. COMMENTS AND RESPONSES

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This section presents the substantive comments received on the Draft EIR and responses to those comments. The comments and responses are organized by subject and are generally in the same order as presented in the Draft EIR, with general comments on the EIR, including comments on the merits of the proposed project and project alternatives, grouped together at the end of the section. Comments unrelated to an environmental topic are also classified as general comments. Comments on specific mitigation measures are included under the comments regarding the relevant topical section of the Draft EIR. The order of the comments and responses in this section is shown below, along with the prefix to the topic codes (indicated in square brackets):

Project Setting [PS]	Wind and Shadow [WS]	Project Merits [ME]
Historical Architectural Resources [HR]	Alternatives [AL]	General Comments [GC]

Within each subsection under each topic area, similar comments are grouped together and identified using the topic code prefix and sequential numbering for each subtopic. For example, Project Setting comments [PS] are listed as PS-1, PS-2, PS-3, and so on. Each topic code has a corresponding heading that introduces the comment subject; these subsections present quotes of comments and include the commenter's name and the comment identifier described in Section B, *List of Persons Commenting*. The reader is referred to Attachments A and B for the full text and context of each comment letter or email, as well as the public hearing transcript. In those attachments, the comment code and response code are provided in the margin of each comment, allowing the reader to locate the response to an individual comment.

Following each comment or group of comments, a comprehensive response is provided to address issues raised in the comment and to clarify or augment information in the Draft EIR, as appropriate. Response numbers correspond to the topic code; for example, the response to comment PS-1 is presented under Response PS-1. The responses may clarify the Draft EIR text or revise or add text to the EIR. Revisions to the Draft EIR are shown as indented text. New or revised text, including text changes initiated by Planning Department staff, is double underlined; deleted material is shown in ~~strikethrough~~.

### D.1 PROJECT SETTING

The comments and corresponding responses in this section cover topics in Draft EIR Chapter 3, *Plans and Policies*, and Chapter 4, *Project Setting*. These include topics related to:

- Comment PS-1: Market Street Hub Plan

#### ***Comment PS-1: Market Street Hub Plan***

This response addresses the following comments, quoted in full below:

A-CPC1-1, PS-1

A-CPC2-1, PS-1

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“So commenting on the DEIR, the DEIR is set up in its typical way and many aspects of it feel very good. There's one particular subject matter I am very concerned about. And that is something to do, that the project is not put into the context of the Hub. The Hub is a major new intervention, a district that we have spent relatively little time on except when focusing on buildings within the Hub.

However, the context of the Hub is not discussed nor is really the already-approved nature of some of the major buildings, which are supposed to give character form as well as architectural flavor into the Hub. And I believe that that is a major omission, because this is a critical site in this very complicated intersection where every building really depends on each other in order to create heights, which I think is a prerequisite in which this building is featured. We cannot just continue to look at buildings as islands. The buildings need to indeed create a larger context when we are transforming a major portion of the city.

I believe that the EIR as a draft as it's written falls short of giving us a broader overview. One, about the 3D context in which this building will occur. Two, reflecting on the larger principles of the Hub enabled plan pedestrian connections, the open space, light rail etcetera. It has to all work with each other including the simple functioning of the where crosswalks are, where visual relationships and markers are.

And I would suggest that we add a little bit more in that description, so that we when this building -- when the EIR comes forward and ultimately we would be asked to approve the building, the EIR has carefully reflected and described that particular aspect of the project.” (Commissioner Kathrin Moore, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, A-CPC1-1, PS-1)

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“That's not something I actually thought of, what Commissioner Moore just said, honestly. But I do agree with her that I don't think we should slow the project down, but I would like to actually see more context in relationship to the Hub, because we are going to be doing an EIR for the Hub itself.

This is probably a project from the case number that's been in the hopper for quite some time and will be moving forward.” (Commissioner Dennis Richards, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, A-CPC2-1, PS-1)

### **Response PS-1**

The comments request additional information on the proposed project's context within the Market Street Hub Plan, including status of nearby projects, height and character of

developments, proposed pedestrian connections, open space, and transit improvements. In response to this request, Figure RTC-1, Hub Project Status, below, depicts the cumulative setting along with the Hub Plan boundary, and includes development projects that are consistent with current zoning as well as those that would be reliant upon the proposed Hub Plan rezoning.

Figure RTC-2, Hub Plan Public Realm, depicts proposed improvements in the 30 Otis Street project vicinity. Those include:

- 12th Street Plaza (to be developed as part of the proposed project)
- 12th Street streetscape improvements between Market and Otis streets
- Brady Park open space
- Upgrades of alleys for pedestrian use
- Improved crosswalks at South Van Ness-Otis-Mission streets
- Bus island on Otis Street at Mission Street

Not all of the improvements listed above would rely on the adoption and implementation of the Hub Plan. Draft EIR Figure 4-9, 30 Otis Street Frontage – Future Baseline Condition, p. 4-45, illustrates approved transportation changes, including bicycle lanes, bus lanes, a bus boarding island, and pedestrian bulb-outs that are consistent with Hub Plan objectives. Draft EIR pp. 4-46 to 4-48 also describe transportation improvements that are part of the approved Van Ness Bus Rapid Transit project and the Muni Forward Program.

In addition, various sections of the Draft EIR discuss the Market Street Hub Plan, and identify development projects for the cumulative setting and in the relevant impact analyses:

The Draft EIR Chapter 3, Plans and Policies, p. 3-4, describes the Market Street Hub Plan, centered on the Market Street-Van Ness Avenue-Mission Street-South Van Ness Avenue area, and its objectives to “encourage housing, including affordable housing; create safer and more walkable streets as well as welcoming and active public spaces; increase transportation options; and create a neighborhood with a range of uses and services to meet neighborhood needs. The Hub Plan would pursue changes to height and bulk districts for select parcels to allow more housing, including more affordable housing, and to allow development of a taller, larger, and more diverse array of buildings and heights within the Hub Plan area.” The Draft EIR p. 3-4 notes that the planning department has released a NOP of an EIR for the Hub Plan, with a draft environmental impact report expected in spring 2019.<sup>1</sup>

Draft EIR p. 3-4 states that “Potential development under the Market Street Hub plans is included in the cumulative projects considered in the cumulative impact analysis, where

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<sup>1</sup> The NOP is available at [http://sfmea.sfplanning.org/2015-000940ENV\\_2017-008051ENV\\_2016-014802ENV\\_Hub\\_NOA\\_of\\_NOP.pdf](http://sfmea.sfplanning.org/2015-000940ENV_2017-008051ENV_2016-014802ENV_Hub_NOA_of_NOP.pdf)

relevant for the specific environmental topics addressed in this EIR (refer to Section 4.A.7, p. 4-5).”

Draft EIR Section 4.A.7, Cumulative Impacts, includes the Hub Plan, among other cumulative plans and projects incorporated in the EIR analyses. Table 4-1, Cumulative Development Projects, Draft EIR p. 4-7, list projects and their proposed uses and approximate heights, most of which are within the Hub Plan area. Figure 4-1, Cumulative Projects, Draft EIR p. 4-8, show those project locations. The Draft EIR thus presents information on the development context of the proposed project, including future surrounding building heights.

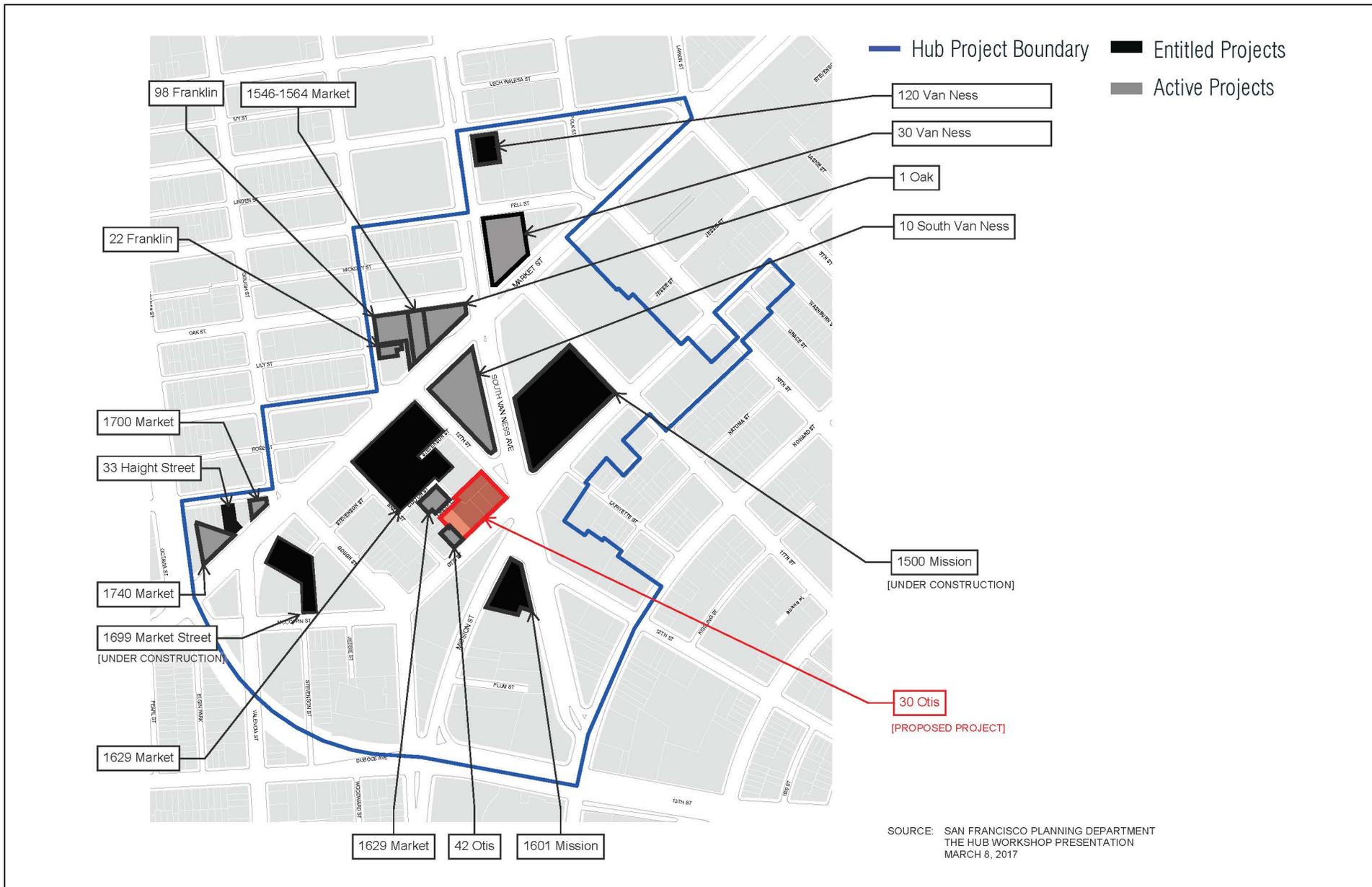
Draft EIR p. 4-9 notes “It is anticipated that if all of the parcels in the Hub Plan area were to be developed to the proposed maximum height and bulk limits, these changes would result in approximately over 2,000 new residential units (over 5,000 new residents) in addition to new commercial space.”

Draft EIR Section 4.C, Construction-Related Transportation and Circulation, under Approach to Cumulative Analysis, pp. 4-48, notes “development projects in the project site vicinity are now under construction, or would be expected to be under construction during the proposed project construction period, and are therefore considered in the cumulative construction-period transportation impacts analysis.” Those projects are within the Hub Plan area.

Draft EIR Section 4.D., Wind, under Approach to Cumulative Analysis, pp. 4-62, notes that “Table 4-1: Cumulative Development Projects and Figure 4-1: Cumulative Projects, p. 4-8 depict the location of these projects considered in the cumulative conditions, with their approximate heights.” Those projects are within the Hub Plan area.

Further information on the Hub Plan is available at <http://sf-planning.org/market-street-hub-project>. The Draft Public Realm Plan is at [http://default.sfplanning.org/plans-and-programs/in-your-neighborhood/hub/Hub\\_Public\\_Realm\\_Plan\\_Final\\_Web.pdf](http://default.sfplanning.org/plans-and-programs/in-your-neighborhood/hub/Hub_Public_Realm_Plan_Final_Web.pdf) and provides draft visions of streetscape and open space improvements within the Hub Plan area, including in the vicinity of the project site.

The information provided about the proposed project’s context within the Hub Plan is presented for information purposes, as the comments do not address the adequacy or accuracy of the Draft EIR.



SOURCE: SAN FRANCISCO PLANNING DEPARTMENT. MARCH 2017

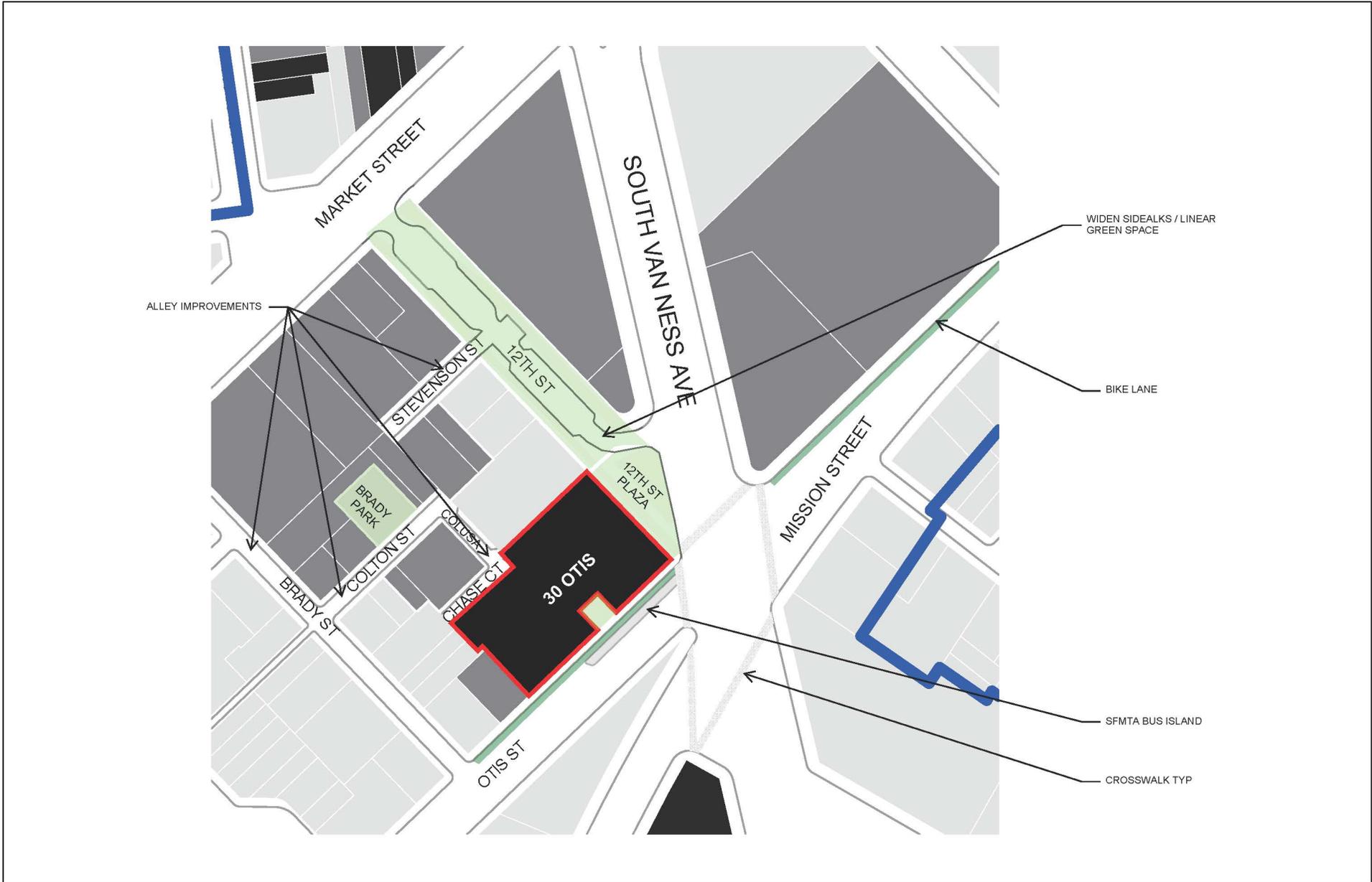
FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

RTC-16

FIGURE RTC-1: HUB PROJECT STATUS



SOURCE: SAN FRANCISCO PLANNING DEPARTMENT. MARCH 2017

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE RTC-2: HUB PLAN PUBLIC REALM**

## D.2 HISTORIC ARCHITECTURAL RESOURCES

The comments and corresponding responses in this section cover topics in Draft EIR Section 4.B, *Historical Architectural Resources*. Those include topics related to:

- Comment HR-1: Historic Resource Impacts and Mitigation Measures
- Comment HR-2: Definition of a Historic Resource
- Comment HR-3: Light Industrial Loft Buildings

### *Comment HR-1: Historic Resource Impacts and Mitigation Measures*

This response addresses the following comments, quoted in full below this list:

A-HPC-1, HR-1

A-HPC-4, HR-1

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“The HPC concurs with the findings that the proposed project does not meet the Secretary of the Interior's Standards and will result in a significant, unavoidable impact to the identified historic resource, 14-18 Otis Street.” (Historic Preservation Commission, Letter, July 11, 2018, A-HPC-1, HR-1)

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“The HPC agreed with the proposed Mitigation Measures, with a recommendation for expanded scope for the Historic Documentation Mitigation Measure. In addition to documentation of the building at 14-18 Otis Street, based on the subject block's historic connection to the Western SoMa neighborhood street grid prior to the southern extension of Van Ness Avenue, the historic context of the block and its original setting shall be captured in the documentation and interpretation Mitigation Measures for the Project. With this one additional recommendation, the HPC found the Mitigation Measures to be adequate in relation to the unavoidable impact.” (Historic Preservation Commission, Letter, July 11, 2018, A-HPC-4, HR-1)

### **Response HR-1**

The comments generally relate to the adequacy of the information and historic architectural resources analysis and provide a recommendation to include additional historic context of the project site in the Documentation, Interpretation and Historical Report Mitigation Measures proposed in the Draft EIR. The comments concur with the findings in Draft EIR Section 4.B, *Historic Architectural Resources*, pp. 4-35 and 4-36, in which demolition of the 14-18 Otis Street building, even with implementation of Mitigation Measure M-CR-1a: Documentation of the Historic Resource, Mitigation Measure M-CR-1b: Interpretation of the Historic Resource, and Mitigation Measure M-CR-1c: Video Recordation of the Historic Resource, would result in a significant and unavoidable impact on a historic architectural resource.

The comments also agree with the proposed mitigation measures, and recommend that the documentation required by Mitigation Measure M-CR-1a: Documentation of the Historic Resource be expanded to include the subject block's historic relationship to the Western SoMa street grid, prior to the development of South Van Ness Avenue. Even with this revision to the mitigation measures identified in the Draft EIR, however, the impact of the demolition of 14-18 Otis Street would remain significant and unavoidable.

In response to these comments, the following revisions to Mitigation Measure M-CR-1a would include documentation of the historic context of the project block before and after the development of South Van Ness Avenue.

### **Mitigation Measure M-CR-1a: Documentation of the Historic Resource**

Prior to the issuance of demolition or site permits, the project sponsor shall undertake Historic American Building Survey (HABS) documentation of the building, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:

- **Measured Drawings:** A set of measured drawings that depict the existing size, scale, and dimensions of the building at 14-18 Otis Street. The Planning Department Preservation staff will accept ~~the~~ legible, archival reproduction of the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.) printed to meet HABS standards. The Planning Department's Preservation staff will assist the consultant in determining the appropriate level of measured drawings;
- **HABS-Level Photography:** Digital photographs of the interior and ~~the~~ exterior of the building at 14-18 Otis Street. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and
- **HABS Historical Report:** A written historical narrative and report, per HABS Historical Report Guidelines. The scope of the historical narrative shall be reviewed by Planning Department Preservation staff, to include discussion of the project block's historic connection to the Western SoMa street grid prior to development of South Van Ness Avenue. The report shall also include a discussion of the context of extant light industrial buildings in other areas of San Francisco.

- The qualified professional shall prepare the documentation and submit it for review and approval by the planning department's preservation ~~specialist~~ staff prior to the issuance of demolition or site permits. The documentation shall be disseminated to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.

### *Comment HR-2: Definition of a Historic Resource*

A-CPC2-2, HR-2

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"The comments I have are on at least the -- and I find myself asking these same questions from prior DEIRs. Here's a new one, because it's eligible to be on the California Register in order to apply, is it a sure thing? It's a rhetorical question. Does the State Historic Preservation Office just list it, because the seven criteria have been met?"

"I don't understand that, because we had 150 Eureka here last week and it's also eligible. When I actually got into a discussion with the project sponsor that they said it's not a historic resource, but it's eligible. Yeah, so what is the definition of actually a historic resource? So that's one." (Commissioner Dennis Richards, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018)

### **Response HR-2**

The comment requests clarification of the definition of a historic resource.

As stated on Draft EIR p. 4-10, "a 'historical resource' is defined, under CEQA section 21084.1, as a resource that is listed in, or determined eligible for listing in, the California Register of Historical Resources (CRHR). A resource that (i) is identified as significant in a local register of historical resources, such as Article 10 and Article 11 of the San Francisco Planning Code (Planning Code), or (ii) is deemed significant due to its identification in a historical resources survey meeting the requirements of the California Public Resources Code (PRC) section 5024.1(g), is also presumed to be historically significant 'unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant.' Under CEQA Guidelines section 21084.1 a lead agency can also determine that a resource constitutes a historical resource even if the resource does not meet the foregoing criteria."

As further noted on Draft EIR p. 4-29, under Regulatory Framework – California Register of Historical Resources, the resources eligible for the National Register of Historic Places (NRHP) are automatically listed on the CRHR, and the criteria for the CRHR closely parallel the NRHP criteria. In order for a property to be eligible for listing in the CRHR, it must meet one or more of the four criteria described on p. 4-29.

The 14-18 Otis Street building, evaluated on Draft EIR pp. 4-14 to 4-18, is eligible for the CRHR under Criterion 3 (Design/Construction), as it “embodies the distinctive characteristics of a type, period, region, or method of construction,” and is therefore an historical resource under CEQA.

***Comment HR-3: Light Industrial Loft Buildings***

A-CPC2-3, HR-3

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“The other one is, and I've had this on other projects. I understand this building, in and of itself, has the seven elements of integrity. However, how many other buildings like this still exist in San Francisco with the seven elements of integrity intact?”

So we've had the same gray issue with taxpayer block buildings erected after the 1906 earthquake that were still around. And I kept saying, “Well, we're going to have to demolish these ones on Pine Street. We'll demolish some Market Street, how many are left?” I mean when I drive through South of Market, I see a lot of these buildings that look the same. So is this one of a thousand, one of five hundred?”

I know if there were [an] historic district of these types of structures even if it's not continuous, we'd get statistics that said this is 1 of 468 in the Tenderloin Uptown Neighborhood or, you know, historic district and would kind of put it into context. I just can't put this one in context, because we're just looking at this one building.” (Commissioner Dennis Richards, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018)

**Response HR-3**

The comment notes that the project would demolish a structure, 14-18 Otis Street, which retains integrity as an historic resource. The comment seeks to quantify the loss of this resource in relation to the other remaining structures of this building type.

Draft EIR Section 4.B, Historic Architectural Resources, pp. 4-14 to 4-18, discusses the 14-18 Otis Street building, and found that “[t]he 14-18 Otis Street building is an excellent and well-preserved example of a light-industrial loft building as expressed in San Francisco during the 1920s,” and that “[b]ased on an evaluation of the building under CRHR Criteria 1 through 4, as well as an assessment of its integrity, 14-18 Otis Street is eligible for individual listing in the CRHR under Criterion 3 at a local level of significance for its architecture.”

Draft EIR pp. 4-12 to 4-13 describes the historic resource survey that identified the “NRHP-eligible Western SoMa Light Industrial and Residential Historic District. The project site is about 500 feet west of the boundary of the adopted Western SoMa Light Industrial and Residential Historic District. That district extends generally from Mission and Seventh streets to Mission and 11th streets on the north and to Harrison Street to the south. The district encompasses about 721 properties, of which 478 are identified as contributory. The Western SoMa Light Industrial and Residential Historic District developed primarily between the years 1906 and ca. 1936, and consists of a group of resources that are cohesive in regard to scale,

building typology, materials, architectural style, and relationship to the street. Contributors to the Western SoMa Light Industrial and Residential Historic District are mostly light industrial and residential properties, with some commercial properties.”

The Western SoMa Light Industrial and Residential Historic District record, completed in 2009 and cited on Draft EIR p. 4-13, identified the timeframe spanning 1920-1929 as a building boom, and states: “There are about 202 contributing light industrial buildings and warehouses in the Western SoMa Light Industrial and Residential Historic District.”

Draft EIR p. 4-13 notes that the “project site is not within a historic district, and none of the buildings on the project site is a contributor to any locally designated or potential historic districts. The project site is located outside of the National Register of Historic Places (NRHP)-eligible Western SoMa Light Industrial and Residential District, approximately one block west of the district boundary and is not a contributor to the district.”

While the 14-18 Otis Street building is not within this district, it is part of the development period that encompasses a relatively large number of existing light-industrial buildings in the SoMa neighborhood.

The project site is within the Market and Octavia Area Plan, as described on Draft EIR p. 3-3. The Draft EIR includes a discussion of the Market and Octavia Plan historic resources survey on p. 4-12, which states: “Four of the five properties on the project site were documented on 523A and B forms in the Market and Octavia Survey and assigned California Historical Resource Status Codes (Status Codes). Those findings are discussed under the discussion of each building on the project site.”

The historic context statement completed as part of that plan, noted on Draft EIR p. 4-12, stated:

“Although there are significant concentrations of residential, commercial, religious, and civic buildings throughout the South of Market area, the predominant character of the district after the quake remained overwhelmingly industrial. In addition, close to 80 percent of the rebuilding took place between 1907 and 1925, giving much of the South of Market area its cohesive character. Although at heart these buildings are functional utilitarian structures, many of the industrial buildings constructed during this period display spare Renaissance or Classical Revival, Gothic Revival, or Art Deco detailing.”<sup>2</sup>

The Market and Octavia historic context statement describes the prevalence of industrial loft buildings in the South of Market area:

“Within the Market and Octavia Plan Area, the industrial loft is found primarily in the South of Market area and along the Market Street Corridor. Simply defined, the term

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<sup>2</sup> Page & Turnbull, Inc., *Historic Context Statement - Market and Octavia Neighborhood Plan Area, San Francisco, California*. December 7, 2007, p. 106.

“loft” refers to a building containing open, unpartitioned space—and often high ceilings—used for commercial or light industrial purposes. The pervasiveness and longevity of the loft-style building is rooted in its suitability for an almost unlimited range of uses. Lofts were typically designed to withstand the heavy structural loads required for manufacturing and bulk storage, while also providing versatile interior space and large window openings for manufacturing uses.”<sup>3</sup>

For information, light industrial buildings typically constructed circa 1918-1938 in San Francisco are found, in addition to the Western SoMa and SoMa neighborhoods, in the Northeast Mission-North Potrero (Showplace Square), Dogpatch, and Bayview-Hunters Point areas. The latter two areas have primarily larger-scale industrial buildings.

### D.3 WIND AND SHADOW

The comment and corresponding response in this section cover topics in Draft EIR Section 4.D, *Wind* and in Initial Study – Community Plan Evaluation Section 8, *Wind and Shadow*. This comment includes the topic related to:

- Comment WS-1: Blockage of Light and Increased Wind

#### *Comment WS-1: Blockage of Light and Increased Wind*

I-Schunk, WS-1

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“The proposed 27-story tower seems extremely tall given the height of other buildings in this area. I am concerned about blockage of light as well as increased wind on the ground level near the building. Given that this is only two stories shorter than Fox Plaza, I assume there would be a similar “wind tunnel” effect with a building of this size being erected.” (Jeff Schunk, Email, July 27, 2018)

#### **Response WS-1**

The comment states concern about the proposed project’s effects on blockage of light, and wind effects.

The 30 Otis Street Initial Study/Community Plan Exemption (IS/CPE, Draft EIR Appendix A pp. 44-47), discusses potential shadow effects. The IS/CPE found that the proposed project would not cast shadows on existing parks under Recreation and Park Commission jurisdiction and subject to Planning Code section 295. The IS/CPE further discussed that the project would not substantially affect the use of planned Brady Park. Brady Park would not be under Recreation and Park Commission jurisdiction. The project’s shading on the planned Natoma and 11th

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<sup>3</sup> Ibid., p. 107.

Street Park, under Recreation and Park Commission jurisdiction, would not be expected to substantially affect the use of this proposed park. The project would have extremely minimal shadow effects on existing McCoppin Hub park and would not be expected to have a significant impact on the use of this open space.

As noted on IS/CPE p. 47, “the proposed project would also shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA.”

Draft EIR Section 4.D, Wind, Draft EIR pp. 4-59 to 4-76, discusses project effects on street-level wind conditions, including existing-plus-project conditions, cumulative conditions, cumulative-plus-project conditions, and cumulative-plus-project with several wind-reduction measures. With respect to the significance criteria based on the wind hazard criteria in Planning Code section 148, the analysis found that existing-plus-project conditions would have less-than-significant wind effects. Under cumulative-plus project conditions, the analysis found that project would make a considerable contribution to a significant cumulative wind impact. As discussed on Draft EIR p. 4-70, “preliminary evaluation of potential on- and off-site wind reduction measures demonstrated that such measures would be effective in reducing the contribution to cumulative wind hazard exceedances attributable to the project, but neither would reduce the project’s contribution to cumulative wind impacts to a less-than-significant level. Further wind modeling could refine the combination of wind reduction measures needed to reduce the project’s contribution to cumulative wind impacts to a less-than-significant level.”

Draft EIR p. 4-73 notes that “[d]ue to the uncertainty regarding cumulative development in the project vicinity and in order to identify measures to reduce cumulative wind impacts based upon the most current available information on cumulative projects, Mitigation Measure M-C-WI-1: Design Measures to Reduce Cumulative Off-Site Wind Impacts would be implemented. The mitigation measure would require development and implementation of wind reduction measures based on performance standards to reduce off-site wind hazards in the cumulative plus project setting based on best available information. As discussed above, wind tunnel studies have demonstrated reductions in off-site winds with various wind reduction measures, and Mitigation Measure M-C-WI-1 would require further testing and refinement of wind reduction measures. However, the effectiveness of Mitigation Measure M-C-WI-1 is considered uncertain because landscaping such as street trees is considered an ‘impermanent’ feature that may change over time or through the seasons and therefore may not consistently perform in the manner assumed in the wind model. In addition, the feasibility of Measure M-C-WI-1 assumes installation of wind screens on an off-site property not fully under the project sponsor’s control.”

Thus, the Draft EIR conservatively identified the project’s contribution to cumulative effects on hazardous wind conditions as significant and unavoidable with mitigation.

## D.4 ALTERNATIVES

The comments and corresponding responses in this section cover topics in Draft EIR Chapter 6, *Alternatives*. These include topics related to:

- Comment AL-1: Range of Alternatives

### *Comment AL-1: Range of Alternatives*

This response addresses the following comments quoted in full below:

A-HPC-2, AL-1

A-CPC2-4, AL-1

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“The HPC agreed that the DEIR analyzed an appropriate range of preservation alternatives to address historic resource impacts. Further, the HPC appreciated that the visual graphics and project data details provided in the matrix of preservation alternatives were presented in a very clear and concise manner. The studies conducted for the EIR, which resulted in less than desirable outcomes for retention of the historic resource, were felt to have been very honest in their undertaking and analysis.” (Historic Preservation Commission, Letter, July 11, 2018, A-HPC-2, AL-1)

“The visual graphics are great. I do agree with the Historic Preservation Commission. I wish we had the same visual graphics [for] 150 Eureka. I think when we do historic preservation alternatives we should shade the building in a different way, so that we can see the new addition versus what we're told is the old addition, the old building, I'm sorry, and this did that very well.” (Commissioner Dennis Richards, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, A-CPC2-4, AL-1)

### **Response AL-1**

The comments concur with the range of alternatives, including the graphics, in Draft EIR Chapter 6, *Alternatives*, to address historic resource impacts.

The HPC noted alternatives would not retain the historic resource in a meaningful way - given how the surrounding new development would alter its integrity of setting - and felt the alternatives provided an honest analysis of the impact to the historic resource. The comments are noted and will be transmitted to City decision-makers for consideration in their deliberations on the project.

## D.5 PROJECT MERITS

The comments and corresponding responses in this section cover topics in Draft EIR Chapter 2, *Project Description*. These include topics related to:

- Comment ME-1: Support for the Project
- Comment ME-2: Support for the Project and the Hub

*Comment ME-1 Support for the Project*

This response addresses comments from the commenters listed below; each comment on this topic is quoted in full below this list:

I-Peacock-1, ME-1

A-HPC-3, ME-1

O-YIMBY-1, ME-1

O-City Ballet-1, ME-1

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“My name is Rebecca Peacock, and I am a district 6 resident. Let the record show that I strongly support the project at 30 Otis St.

“423 units would go a long way and the streetscape redesign would be a welcome addition to the area. Please add this to the public record.

“Commissioners, I urge you to support this project for the betterment of our neighborhoods.” (Rebecca Peacock, Email, June 27, 2018, I-Peacock-1, ME-1)

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“The HPC agreed that they recommend adoption of the Project as proposed, due to overriding considerations, as outlined in the DEIR.” (Historic Preservation Commission, Letter, July 11, 2018, A-HPC-3, ME-1)

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“Yeah, this is a great project. This has the potential to -- sorry, my name is Laura Clark for the court record. I run YIMBY Action, Y-I-M-B-Y, Yes In My Back Yard. It's a great project. It has the potential to do a lot of good.” (Laura Clark, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, O-YIMBY-1, ME-1)

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“Hi. My name is Ken Patsel. I'm the Administrative Director of the City Ballet. We're the second largest ballet school in San Francisco. And I'd just like to bring to light, in an economic environment where the arts are just going by the wayside we've just had two long-term ballet schools close and leave San Francisco, because they couldn't afford to make it.

This group has made a commitment to the arts that we at City Ballet appreciate more than I can even say here. We have a long-term home thanks to this 30 Otis Group and we're proud to be a part of it. And I just wanted to bring that to light. Thank you.” (Ken Patsel, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, O-City Ballet-1, ME-1)

**Response ME-1**

The comments state support for the proposed project and proposed beneficial changes for the ballet school and the additional residential units. The comments are noted but do not address the adequacy or accuracy of the Draft EIR and will be transmitted to City decision-makers for consideration in their deliberations on the proposed project.

***Comment ME-2 Support for the Project and the Hub***

A-CPC3-1, ME-2

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“Yeah, I’m supportive of this project and the path that it’s on right now and will make this a vote in support.

But I do want to just pick up a little bit on Commissioner Moore’s comment in that it’s exciting, the Hub is coming together, right? This is one of the pieces of it. I’m curious, if there’s some other opportunities that maybe the Unified School District site. I’m not sure what’s going to happen there.

The Plumbers Union is coming together. Hopefully that whole back alley of the Plumbers Union abuts this particular property and it has the opportunity to be charming back there. I think we look at it right now and say, “Hey, we want to change this.” But I want to make sure that we are all on the same page about changing it for the better and making it charming and then have a great street activation mixed along with just housing, which I know Laura is excited about.

So anyway, I just kind of paused for a mere second just to scratch our heads and say we’ve got a cool opportunity here, let’s make sure we maximize it.” (Commissioner Rodney Fong, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, A-CPC3-1, ME-2)

**Response ME-2**

The comment states support for the proposed project and enthusiasm for the Hub Plan, noting that the rear of the UA Local 38 Plumbers & Pipefitters building (the 1629 Market Street project which includes Brady Park) borders the project site at Colusa Place and appears promising. The comments are noted but do not address the adequacy or accuracy of the Draft EIR and will be transmitted to City decision-makers for consideration in their deliberations on the proposed project.

**D.6 GENERAL COMMENTS*****Comment GC-1: Project Review Process***

O-YIMBY-1, GC-1

“I would like for us to like take a moment for this EIR and reflect on how much time and money and very elaborate bureaucracy is being spent on this. And is that going to get us the quantity of housing that we need? This seems like a great project and yet we are spending a lot of bureaucratic time on these kinds of discretionary processes, because of the way that we have constructed our bureaucracy.

And there is an ability that we have to make a lot of these things nondiscretionary and avoid these kinds of hearings. Thank you.” Laura Clark, San Francisco Planning Commission, Public Hearing Transcript, July 19, 2018, O-YIMBY-1, GC-1)

### **Response GC-1**

The comment provides an opinion regarding project reviews in San Francisco and the discretionary process. The comments are noted but do not address the adequacy or accuracy of the Draft EIR and will be transmitted to City decision-makers for consideration in their deliberations on the proposed project.

### ***Comment GC-2: Proposed Plaza and Homeless***

I-Schunk-2, GC-2

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“While the public plaza theoretically sounds nice, given that this neighborhood is ground zero for homeless services and, thus, homeless encampments, what this really will become is a homeless camp, with tents, human waste, used syringes, and desperate people. Given that there has still been no significant amelioration in the homeless situation in San Francisco, despite well meaning but ineffective plans, I cannot help but wonder how much worse the City is trying to make this area. Does the City learn nothing from past experience? The little park that was put at McCoppin and Valencia a few years ago when the Central Freeway construction was completed soon needed to have a metal fence put around it to keep the homeless out.” (Jeff Schunk, Email, July 27, 2018, I-Schunk-2, GC-2)

### **Response GC-2**

The comment states that the proposed public plaza could become a homeless camp. The comment does not address the content or adequacy of the Draft EIR.

Draft EIR Chapter 2, Project Description, p. 2-1, notes that “[t]he project would expand the existing 15-foot-wide sidewalk on the west side of 12th Street to create an approximately 7,200-sf public plaza, ranging from 17 to 77 feet wide, at the corner of 12th Street and South Van Ness Avenue.” Figure 2-1: Proposed Site Plan, Draft EIR p. 2-7, shows the location of this “12th Street Plaza” that would adjoin the west frontage of the 30 Otis Street building.

The project sponsor would develop the plaza through an in-kind agreement with the City, and the agreement would include project sponsor responsibility for plaza maintenance. The main entrance to the building for residents, retail, and the City Ballet School and theater would be

from the plaza, and the plaza would also be programed as a performance space. This level of activity and maintenance would be expected to avoid disruptive conditions or homeless use at the plaza.

***Comment GC-3: Draft EIR Shortcomings***

The following comment was received after the close of the Draft EIR public review period and provides no specific substantive comments on the Draft EIR; thus, no response is provided:

O-LIUNA, GC-3

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“I am writing on behalf of Laborers International Union of North America, Local Union No. 261 and its members living and working in San Francisco (collectively “Commenters”) regarding the Draft Environmental Impact Report (“DEIR”) prepared for the 30 Otis Street Project, 2015-010013ENV (“Project”).

After reviewing the DEIR, we conclude that it fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project’s impacts. Commenters request that the City of San Francisco Planning Commission, City Council, and your staffs address these shortcomings in a revised draft environmental impact report (“RDEIR”) and recirculate the RDEIR prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).” (Laborers International Union of North America, Email, August 2, 2018, O-LIUNA, GC-3)

## E. DRAFT EIR REVISIONS

The following changes to the text of the Draft EIR are made in response to comments on the Draft EIR or as a result of minor modifications to the project description. The revisions reflect changes identified in Section B, Project Description Revisions and Draft EIR Analysis and Section D, Comments and Responses, all of which clarify, expand, or update information and/or graphics presented in the Draft EIR. For each change, new language is double underlined, while deleted text is shown in ~~strike through~~. The changes are organized in the order of the Draft EIR table of contents.

As described above under Section B.3 Environmental Effects of the Revised Proposed Project, p. RTC-8, these revisions do not result in any changes in the analysis or conclusions prepared pursuant to CEQA, and thus do not constitute “new information of substantial importance” within the meaning of CEQA Guidelines section 15162(a)(3). Therefore, recirculation of the Draft EIR is not required.

### E.1 SUMMARY

On p. S-4, the following revision is made to Mitigation Measure M-CR-1a, Documentation of the Historic Resource:

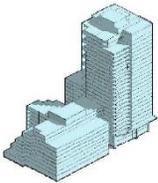
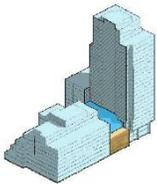
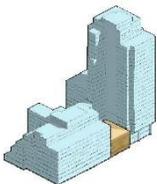
**Table S-1: Summary of Environmental Effects and Mitigation Measures Identified in EIR**

Environmental Impacts	Significance prior to Mitigation	Improvement / Mitigation Measures	Significance after Mitigation
<i>Historic Architectural Resources</i>			
<p><b>Impact CR-1:</b> The proposed project would demolish the 14-18 Otis Street building and cause a substantial adverse change in the significance of a historical resource as defined in the California Environmental Quality Act (CEQA) Guidelines section 15064.5.</p>	Significant	<p><b>Mitigation Measure M-CR-1a: Documentation of the Historic Resource</b></p> <p>Prior to the issuance of demolition or site permits, the project sponsor shall undertake <i>Historic American Building Survey</i> (HABS) documentation of the building, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior’s Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:</p> <ul style="list-style-type: none"> <li>• <u>Measured Drawings:</u> A set of measured drawings that depict the existing size, scale, and dimensions of the building <u>at 14-18 Otis Street</u>. The Planning Department Preservation staff will accept <del>the</del> <u>legible, archival reproduction of the</u> original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.) <u>printed to meet HABS standards</u>. The Planning Department’s Preservation staff will assist the consultant in determining the appropriate</li> </ul>	Significant and Unavoidable

		<p>level of measured drawings;</p> <ul style="list-style-type: none"> <li>• HABS-Level Photography: Digital photographs of the interior and <del>the</del> exterior of <u>the building at 14-18 Otis Street</u>. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and</li> <li>• HABS Historical Report: A written historical narrative and report, per HABS Historical Report Guidelines. <u>The scope of the historical narrative shall be reviewed by Planning Department Preservation staff, to include discussion of the project block's historic connection to the Western SoMa street grid prior to development of South Van Ness Avenue. The report shall also include a discussion of the context of extant light industrial buildings in other areas of San Francisco.</u></li> </ul> <p>The <u>qualified</u> professional shall prepare the documentation and submit it for review and approval by the planning department's preservation <del>specialist</del> <u>staff</u> prior to the issuance of demolition or site permits. The documentation shall be disseminated to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.</p>	
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On p. S-22 the Draft EIR, the following changes have been made to Table S-3: Comparison of Alternatives for CEQA Analysis:

Table S-2: Comparison of Alternatives for CEQA Analysis

	Proposed Project 	No Project Alternative 	Full Preservation Alternative 	Partial Preservation Alternative 
<b>Description</b>				
Project Height (Tower/Podium) (feet)	250/85	39	250/85	250/85
Number of stories	<del>27</del> <u>26</u> stories/10 stories	1 story typical, 3 stories max	26 stories/9 stories	26 stories/9 stories
Total number of residential units	<del>423</del> <u>416</u>	0	257	294
<b>Total Building Area (square feet)</b>				
Residential (including amenity and lobby)	<del>414,925</del> <u>387,922</u>	0	294,073	313,756
Retail	<del>5,885</del> <u>2,199</u>	6,575	8,903	8,441
Office/Industrial	0	37,725	0	0
Arts Activities (Ballet School)	<del>16,600</del> <u>15,993</u>	10,060	14,365	15,006
Parking	<del>43,215</del> <u>51,101</u>	0	26,433	35,378
Residential Spaces	<del>71</del> <u>95</u>	0	37	41
Car-share Spaces	3	0	3	3
Commercial Spaces	0	0	0	0
Bicycle Parking	2,454	0	3,523	4,009
Class 1 Spaces	<del>361</del> <u>224</u>	0	282	332
Class 2 Spaces	32	0	30	30

## E.2 INTRODUCTION

### Project Summary

On p. 1-1 of Draft EIR, the following revisions have been made:

The 36,042-square-foot (sf) rectangular project site comprises five adjacent lots (Assessor's Parcel Numbers 3505-010, 3505-012, 3505-013, 3505-016, and 3505-018) with frontage along Otis Street, 12th Street, Colusa Alley, and Chase Court, and is within the area plan boundaries. Five commercial buildings, ranging from one to three stories, currently exist on the project site and occupy the entire extent of their respective five lots.

The project sponsor, Align Otis, LLC, proposes to merge the five lots into one lot, demolish the existing buildings, and construct a residential building with ground-floor retail and arts activity uses. The proposed building would comprise a ~~9~~ 10-story podium structure extending across the entire site and a ~~27~~-26 story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets. The proposed building would be 85 to 250 feet tall, and would be approximately ~~484,635~~ 474,381 sf (~~404,770~~ 387,365 gross square feet [gsf] per the San Francisco Planning Code). The ground floor would contain approximately ~~5,585~~ 2,199 sf of retail space in three separate spaces;<sup>4</sup> ~~16,600~~ 15,993 sf of arts activities space<sup>5</sup> with studios and a theater; approximately ~~23,000~~ 32,702 sf of open space, and ~~423~~-416 residential units. The two basement levels would provide approximately ~~71~~-95 residential parking spaces, three car-share spaces, and ~~361~~-224 *class 1* and 32 *class 2* bicycle spaces.

Streetscape improvements would include new street trees and landscaped areas in the Otis and 12th streets' public rights-of-way, removal of one existing tree on the Otis Street frontage, and planting of four to five new street trees along the Otis and 12th streets frontages. Streetscape improvements would create a 960-sf plaza fronting the building on Otis Street. In addition, the proposed project would include an in-kind agreement between the project sponsor and the City that would expand the existing 15-foot-wide sidewalk on the west side of 12th Street to create a public plaza. The 7,200-sf plaza would range from 17 to 77 feet wide at the corner of 12th Street and South Van Ness Avenue (the 12th Street Plaza).

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<sup>4</sup> The majority of this space would be exempt from gross floor area. Each of the retail spaces in the C-3-G district are proposed to be less than 5,000 sf. Only 650 sf of retail space in the NCT-3 district is not exempt.

<sup>5</sup> The arts activity space would be occupied by the City Ballet School, which currently operates onsite in approximately 10,000 gsf of the 30 Otis Street building.

### E.3 PROJECT DESCRIPTION

On p. 2-1 of the Draft EIR, the following changes have been made to the subsection A, Project Overview:

The project sponsor, Align Otis, LLC, proposes to merge the five lots into one lot, demolish the existing buildings, and construct a residential building with ground-floor retail and arts activity use. The proposed project would include a ~~10-9~~-story podium structure extending across the entire site and a ~~27~~ 26-story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets. The proposed building would range from 85 to 250 feet in height, and would be approximately ~~484,635-474,381~~ square feet (sf) (~~404,770-398,365~~ gross square feet [gsf] per the San Francisco Planning Code). The proposed building would include ~~416~~ 423 residential units, ranging from studios to ~~three-two~~-bedroom units; ~~5,585-2,199~~ sf of ground-floor retail space in three separate spaces; ~~16,600~~ 15,993 sf of arts activities space (occupied by the City Ballet School, which currently operates on the site in the 30 Otis Street building) with studios and a theater; and approximately ~~23,000~~ 32,702 sf of open space provided on the ground floor and residential terraces. The project would expand the existing 15-foot-wide sidewalk on the west side of 12th Street to create an approximately 7,200-sf public plaza, ranging from 17 to 77 feet wide, at the corner of 12th Street and South Van Ness Avenue. The proposed project would provide ~~74~~ 95 residential parking spaces and three car-share spaces in two basement levels. The proposed project would include ~~364~~224 *class 1* bicycle parking spaces and 32 *class 2* spaces.<sup>6</sup> Project construction would span approximately 22 months.

On p. 2-6 of the Draft EIR, the following changes have been made to Subsection D. Project Characteristics:

The project would merge five lots into one lot, demolish the existing buildings, and construct a residential building with ground-floor retail and arts activity use with frontages along Otis Street, 12th Street, Colusa Alley, and Chase Court. South Van Ness Avenue is at the eastern corner of the site. The proposed building would comprise a single structure with two cores: a ~~910~~-story podium structure extending across the entire site and a ~~27~~ 26-story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets...

On p. 2-6 of the Draft EIR, the following changes have been made to Subsection D.1, Proposed Uses:

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<sup>6</sup> Planning Code section 155.1(a) defines *class 1* bicycle spaces as “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.”

The proposed building would be approximately ~~484,635~~ 474,381 sf (or ~~404,770~~ 398,365 gsf per San Francisco Planning Code), which would include ~~295,400~~ 287,738 sf of residential units (~~416~~ 423 residential units ranging from studios to ~~three~~ two-bedroom units); ~~5,585~~ 2,199 sf of ground-floor retail space in three separate spaces;<sup>7</sup> ~~16,600~~ 15,993 sf of arts activities space<sup>8</sup> for the City Ballet School with studios and a theater; and approximately ~~23,000~~ 32,702 sf of open space on the ground floor and residential terraces...

On p. 2-7 of the Draft EIR, Figure 2-2, Proposed Site Plan has been replaced with the figure on p. RTC-39.

On p. 2-8 of the Draft EIR, Figure 2-3, Proposed South (Otis Street) Elevation has been replaced with the figure on p. RTC-40.

On p. 2-9 of the Draft EIR, Figure 2-4, Proposed North Elevation has been replaced with the figure on p. RTC-41.

On p. 2-10 of the Draft EIR, the following changes have been made to Table 2-2, Project Characteristics:

**Table 2-2: Project Characteristics**

Proposed Use	Description	Approximate Area
Retail	3 spaces	<del>5,585</del> <u>2,199</u> sf ( <del>650</del> <u>0</u> gsf)
Arts Activities (City Ballet School)	6 studios (2 of which can be combined into a theater)	<del>16,600</del> <u>15,993</u> sf ( <del>11,400</del> <u>15,947</u> gsf)
Residential	<del>423</del> <u>416</u> units 42 <u>212</u> studios, <del>261</del> <u>98</u> one-bedroom units, <del>111</del> <u>106</u> two-bedroom units, <del>9</del> <u>three</u> <del>bedroom</del> <del>units</del>	<del>295,400</del> <u>287,738</u> sf ( <del>295,400</del> <u>287,738</u> gsf)
Parking and Loading	<del>74</del> <u>95</u> auto, 3 car share, <u>6</u> motorcycle, <u>3</u> scoot <u>bike</u> 1 freight, 2 service, 2 residential loading	<del>43,215</del> <u>51,101</u> sf ( <del>1,650</del> <u>2,448</u> gsf)
Bicycle Parking	<del>361</del> <u>224</u> class 1, 32 class 2	<del>4,310</del> <u>2,408</u> sf (0 gsf)
Open Space	Private, common, and publicly accessible	<del>22,760</del> <u>32,702</u> sf (exterior open space not included in totals below)
Residential Lobby and Amenity Space	Lobbies, workshop, lounge, creative studio, co-working, fitness studio, gaming theater, mail room, reservable kitchen, bar/club	<del>15,550</del> <u>17,433</u> sf ( <del>11,300</del> <u>14,192</u> gsf)

<sup>7</sup> The majority of this space would be exempt from gross floor area. Each of the retail spaces in the C-3-G district are proposed to be less than 5,000 sf. Only 650 sf of retail space in the NCT-3 district would not be exempt.

<sup>8</sup> The arts activity space would be occupied by the City Ballet School, which currently operates on the site in the 30 Otis Street building, using approximately 10,000 gsf.

Proposed Use	Description	Approximate Area
Leasing	Leasing Area	<del>4,260</del> <u>1,160</u> sf ( <del>4,260</del> <u>1,160</u> gsf)
Mechanical/Circulation		<del>102,715</del> <u>96,349</u> sf ( <del>83,110</del> <u>76,880</u> gsf)
<b>Total</b>		<del>484,635</del> <u>474,381</u> sf ( <del>404,770</del> <u>398,365</u> gsf)

Source: Align Otis LLC, 2018

On page 2-10 of the Draft EIR, the following changes have been made to Subsection D.2, Ground Floor:

... Off-street bicycle parking would be at the ~~ground~~ second floor, ~~accessible from Otis Street~~. Access to the off-street parking and loading spaces would be via a single 15-foot, 6-inch-wide curb cut along 12th Street leading to an off-street loading bay and a single lane garage ramp providing access to the below-grade parking and service vehicle loading....

On p. 2-11 of the Draft EIR, Figure 2-5, Proposed Ground Floor Plan has been replaced with the figure on p. RTC-42.

On p. 2-12 of the Draft EIR, the following changes have been made to Subsection, D.3, Levels 2 through 27:

...There would be ~~84~~ 224 bicycle parking spaces, accessed from the street level via Chase Court, due to the site slope...the typical fourth through ~~ninth~~ eighth floors include residential units and private balconies, the ninth floor includes residential units, private balconies, and a 530-sf common terrace and **Figure 2-9, p. 2-16, Proposed 10th Floor Plan** shows the top level of the podium structure, with residential units, a fitness center, 4,662 sf of common terrace and a 4,959 sf pool deck.

The tower portion of the proposed project would start at the ~~11th~~ 10th floor. ~~As shown on Figure 2-10, p. 2-17, Proposed 11th Floor Plan, the 11th floor would include residential units, and a 3,670-sf outdoor common terrace, and a podium rooftop private residential bar/lounge.~~ As shown on **Figures 2-11 and 2-12, pp. 2-18 and 2-19**, typical floor plans for levels ~~12~~ 11 through ~~27~~ 26 of the tower would consist of residential units and private balconies, and a solarium and 2,330-1,200-sf common terrace on the 26th 27th floor.

On p. 2-12 of the Draft EIR, the following changes have been made to Subsection D.4, Parking:

The proposed project would provide ~~957~~ 1 residential parking spaces and three car-share spaces in two basement levels...

The proposed project would include ~~361~~ 224 *class 1* bicycle parking spaces on the second floor interior located among the ground floor, basement floors, and second floor along

~~Chase Court, which would be at grade at Level 2 and 32 class 2 spaces would be located along the Otis and 12th streets frontages along 12<sup>th</sup> Street and Otis Street at grade.~~ Level 2 near the Chase Court entry would include a bicycle workshop/lounge.

On p. 2-13 of the Draft EIR, Figure 2-6, Proposed Second Floor Plan has been replaced with the figure on p. RTC-43.

On p. 2-14 of the Draft EIR, Figure 2-7, Proposed Third Floor Plan has been replaced with the figure on p. RTC-44.

On p. 2-15 of the Draft EIR, Figure 2-8, Floors 4 Through 9 Typical Floor Plan has been replaced with the figure on p. RTC-45, Figure 2-8 Floors 4 Through 6 Typical Floor Plan.

On p. 2-16 of the Draft EIR, Figure 2-9, Proposed 10th Floor Plan has been replaced with the figure on p. RTC-46.

On p. 2-17 of the Draft EIR, Figure 2-10, Proposed 11th Floor Plan has been deleted.

On p. 2-18 of the Draft EIR, Figure 2-11, Floors 12 Through 25 Typical Floor Plan has been replaced with the figure on p. RTC-47, Figure 2-11, Floors 11 Through 26 Typical Floor Plan.

On p. 2-19 of the Draft EIR, Figure 2-12, Proposed 26th and 27th Floor Plan has been replaced with the figure on p. RTC-48, Figure 2-12, Proposed 27th Floor Plan.

On p. 2-20 of the Draft EIR, Figure 2-13, Proposed Basement Level 1 Plan has been replaced with the figure on p. RTC-49.

On p. 2-21 of the Draft EIR, Figure 2-14, Proposed Basement Level 2 Plan has been replaced with the figure on p. RTC-50.

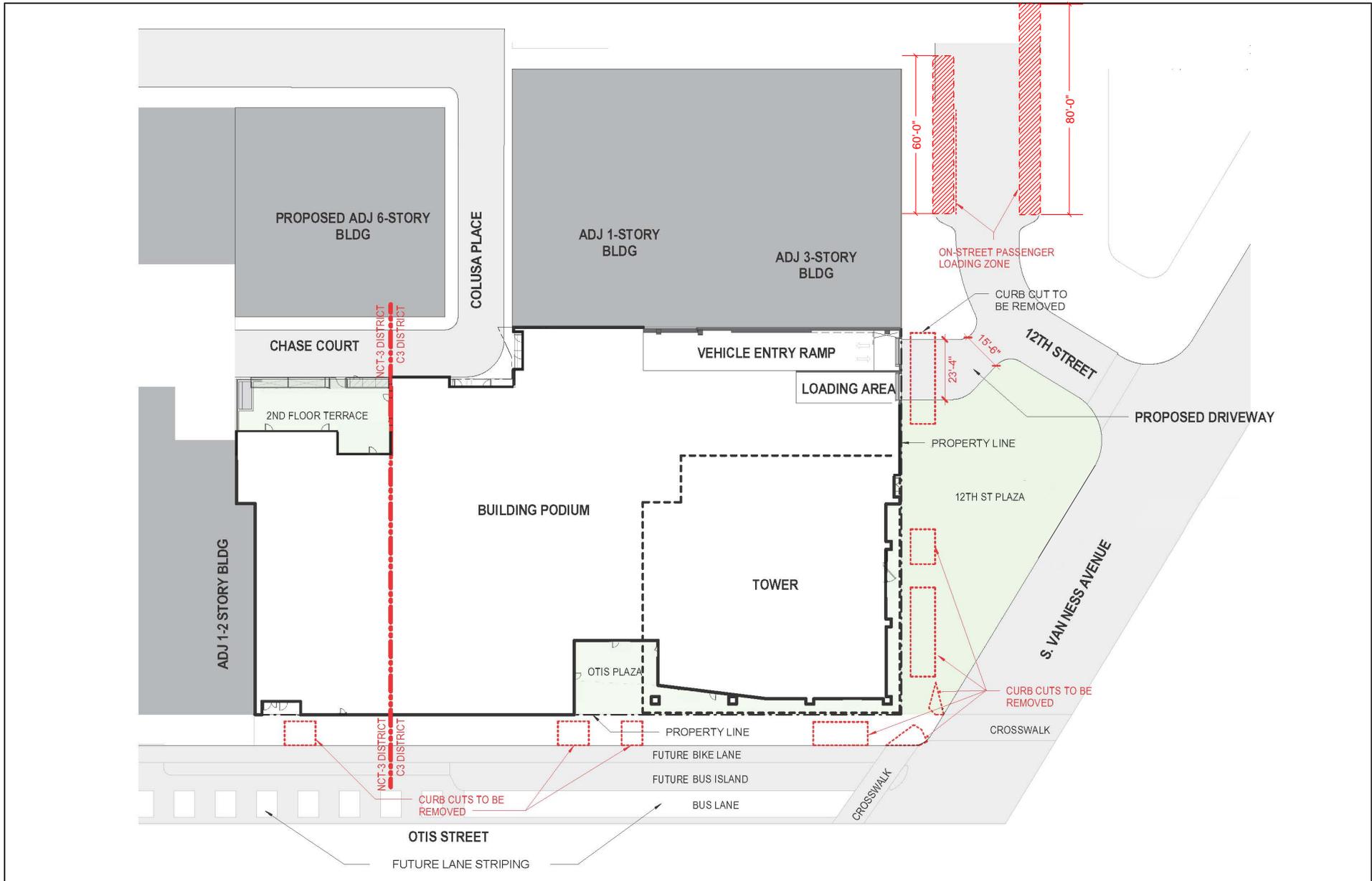
On p. 2-24 of the Draft EIR, Figure 2-15, View of Proposed Project Looking West from Mission Street and South Van Ness Avenue has been replaced with the figure on p. RTC-51.

On p. 2-22 of the Draft EIR, the following changes have been made Subsection D.6, Proposed Open Space:

The proposed project would include approximately ~~4,060~~ 12,327 sf of private open space as private terraces and balconies, and ~~18,080~~ 18,171 sf of common open space. The common open space is provided in a series of terraces located at the 2nd, 3rd, ~~10<sup>th</sup>~~, and ~~11~~ 10th floors, and a solarium on the 10th floor, including approximately 6,600 sf of outdoor terraces and a pool deck on the 11 10th floor. Additional common open space would also include ~~two~~ the terrace and solariums on the ~~26th~~ 27th floor, totaling approximately ~~2,330~~ 2,775 square feet...

On p. 2-23 of the Draft EIR, the following changes have been made to Subsection D.7, Proposed Building Form and Design:

The proposed building would comprise a single structure with two cores: the 10-story podium structure extending across the entire site and the ~~27~~ 26-story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets. The ground-level façade would be solid-panel stone finish and lobby storefront glazing systems on frontages along Otis Street, 12th Street, Colusa Alley, and Chase Court. Levels two through ~~27~~ 26 would have unitized glass fiber reinforced concrete panel wall assembly with aluminum window openings on the podium, and window wall assembly between expressed concrete floor slabs at the tower, with a unitized curtain wall assembly at the southeast tower corner...



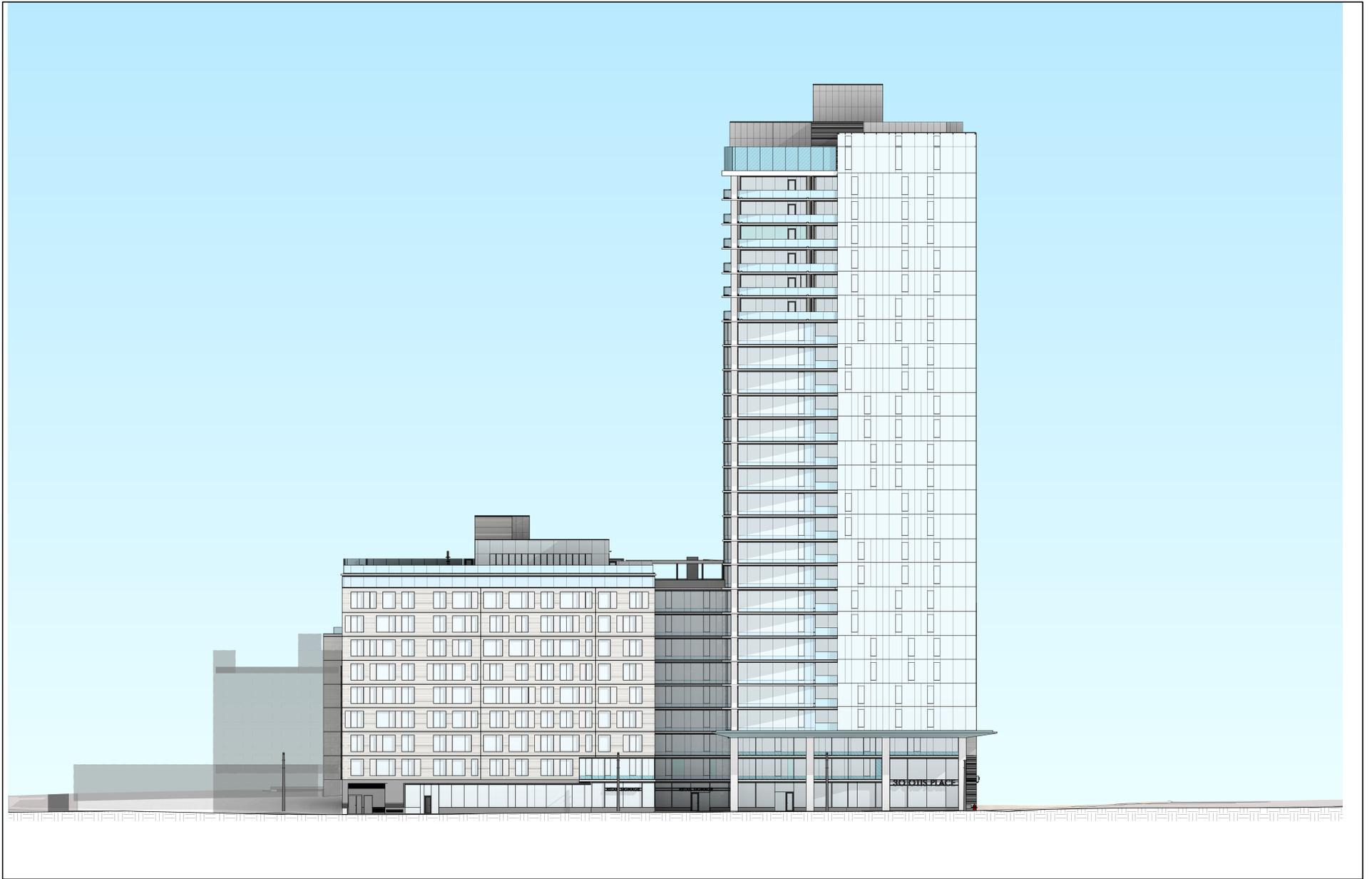
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2-2: PROPOSED SITE PLAN**



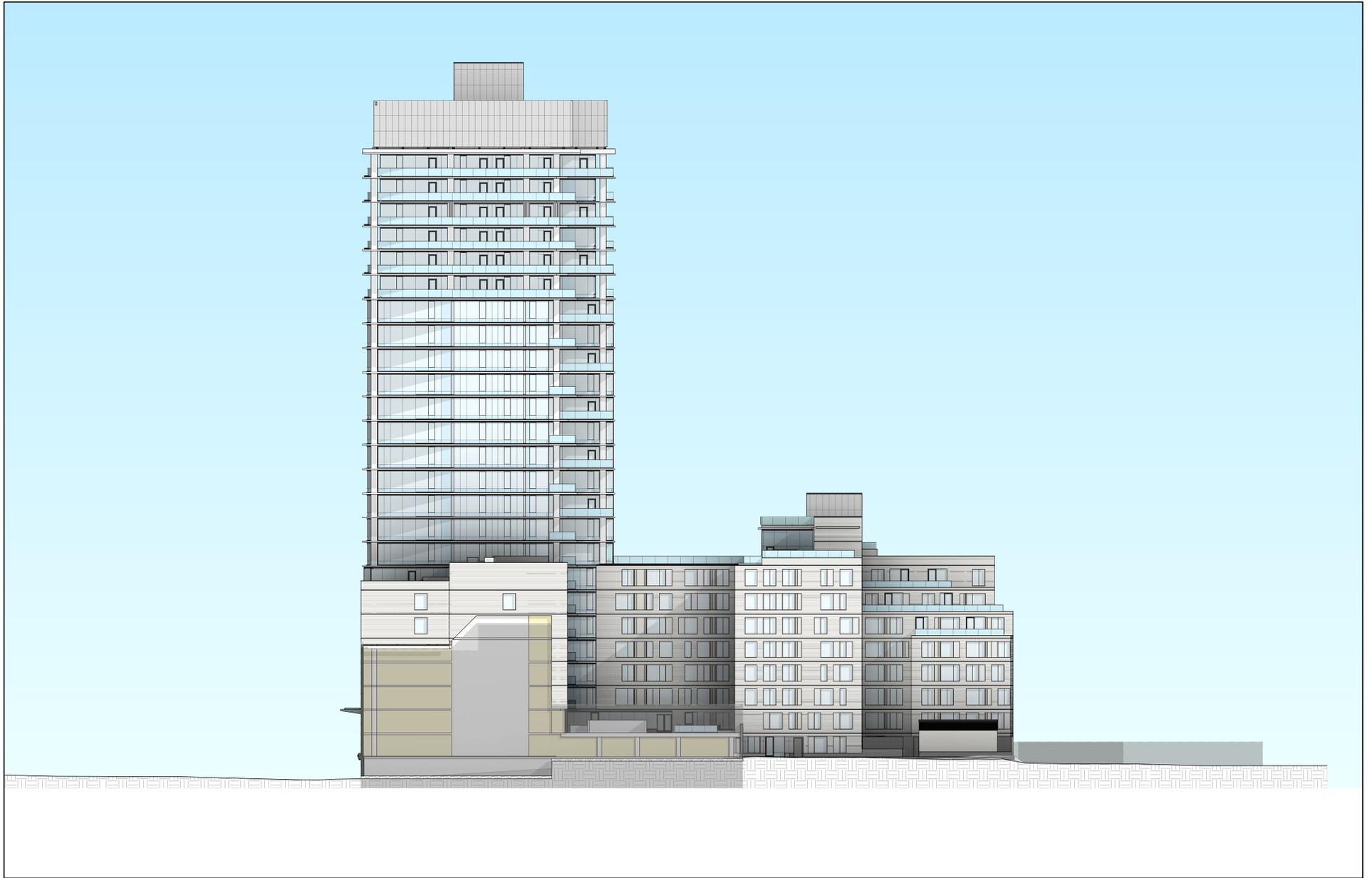
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2-3: PROPOSED SOUTH (OTIS STREET) ELEVATION**



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

## 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2-4: PROPOSED NORTH ELEVATION**





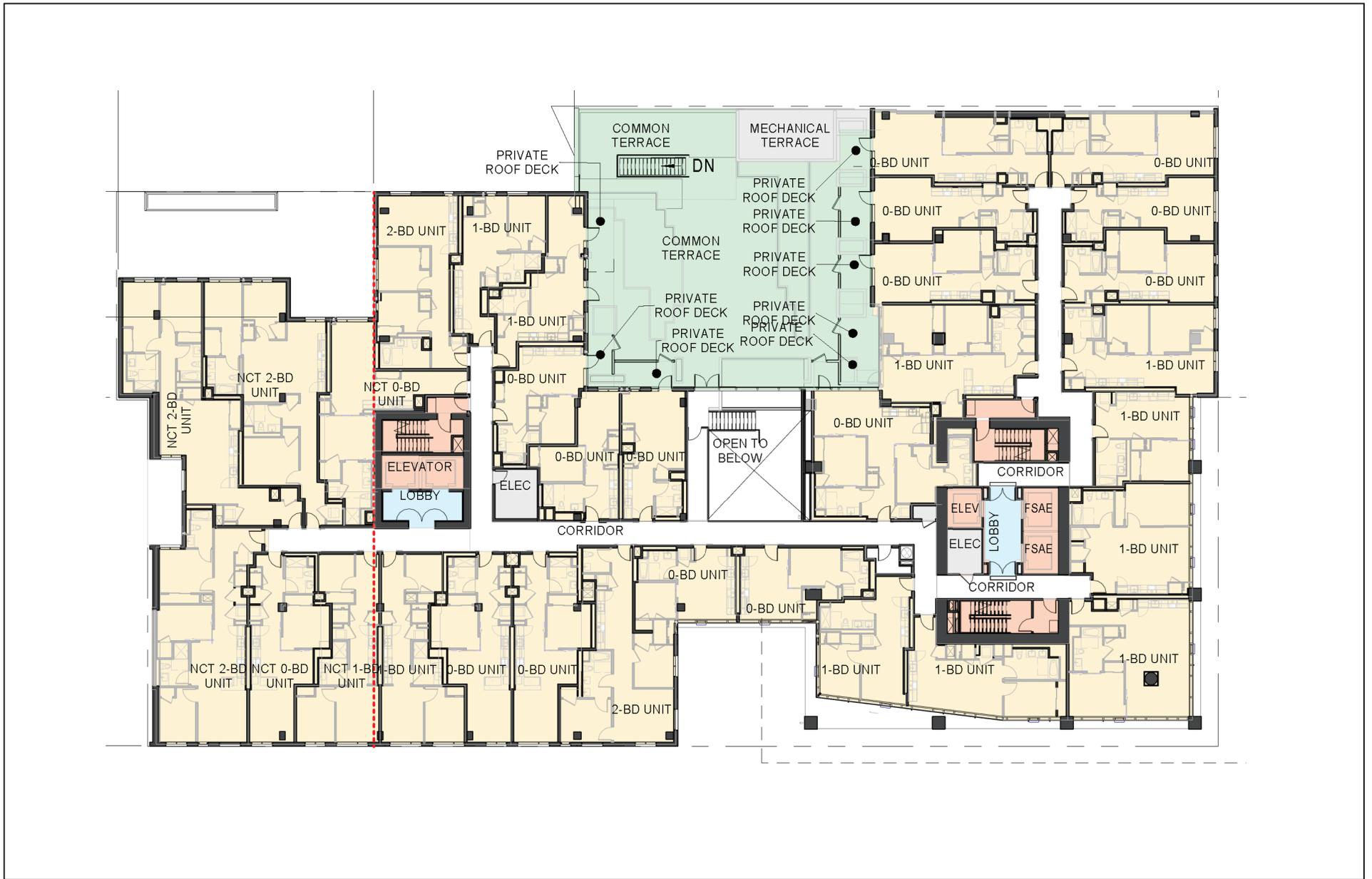
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

FIGURE 2-6: PROPOSED SECOND FLOOR PLAN



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

FIGURE 2-7: PROPOSED THIRD FLOOR PLAN



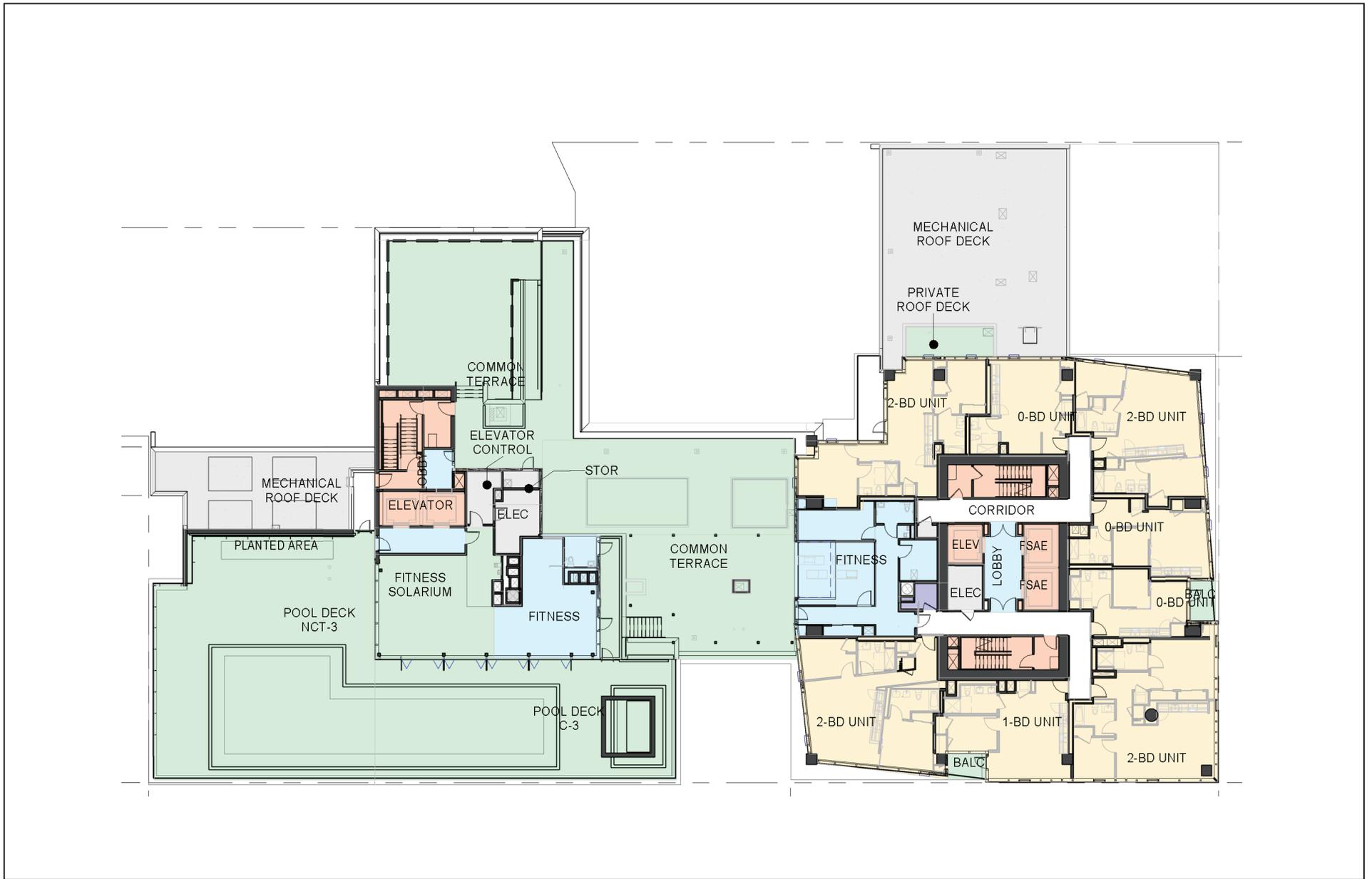
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2-8: FLOORS 4 THROUGH 6 TYPICAL FLOOR PLAN**



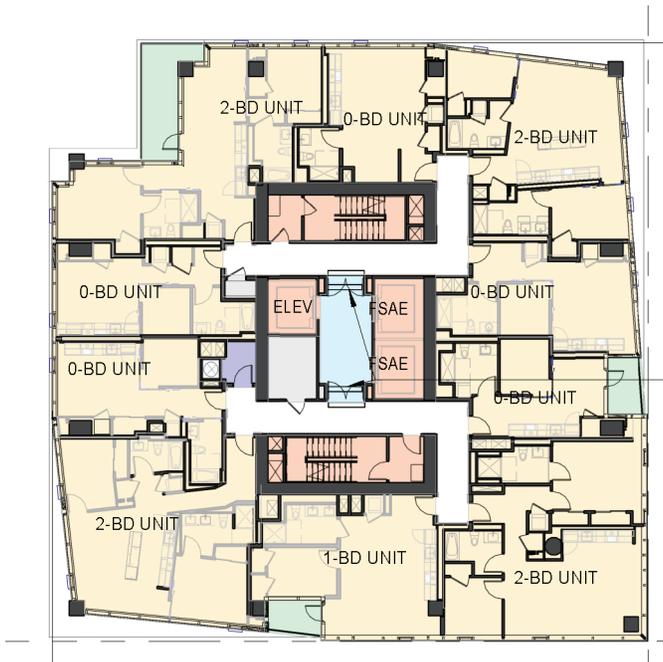
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

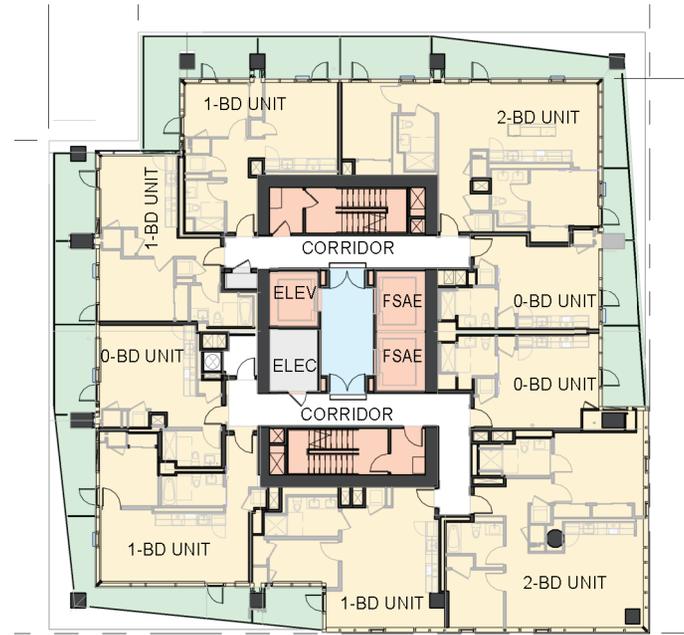
**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 2-9: PROPOSED 10th FLOOR PLAN**



FLOORS 11-21



FLOORS 22-26

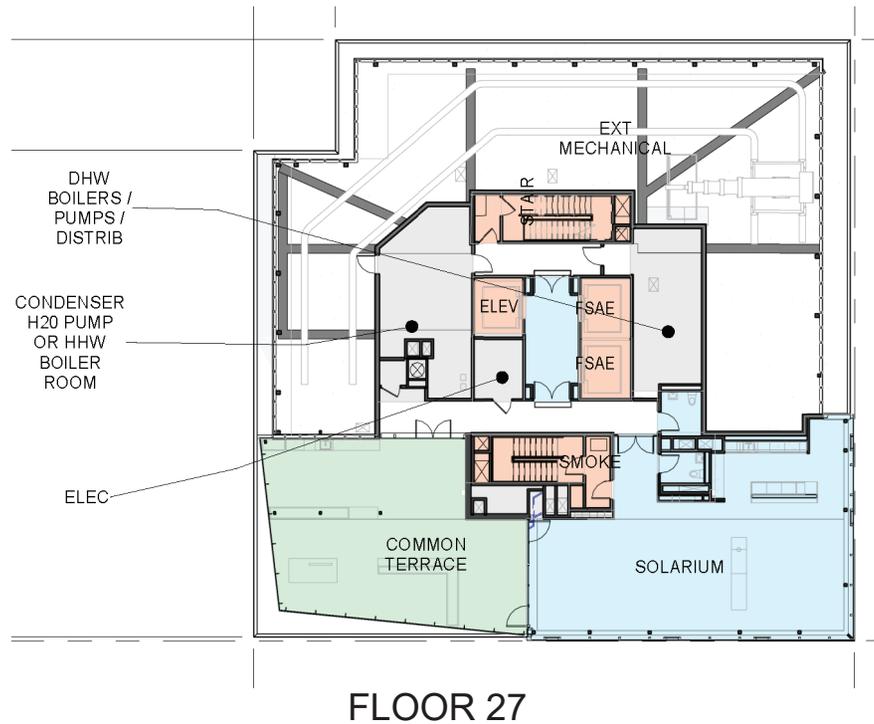
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 2-11: FLOORS 11 THROUGH 26 TYPICAL FLOOR PLAN**



FLOOR 27

SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 2-12: PROPOSED 27th FLOOR PLAN**



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2-13: PROPOSED BASEMENT LEVEL 1 PLAN**



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

FIGURE 2-14: PROPOSED BASEMENT LEVEL 2 PLAN



source: Gould Evans

X:\SF Planning Dept\30 Otis St\30 Otis St\30 Otis St\Figure 2-15 View of Proposed Project Looking West from Mission Street and South Van Ness Avenue.mxd 6/5/2018

## 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2-15: VIEW OF PROPOSED PROJECT LOOKING WEST FROM MISSION STREET AND SOUTH VAN NESS AVENUE**

#### E.4 HISTORICAL ARCHITECTURAL RESOURCES

On pp. 4-35 and 4-36, the following revisions are made to Mitigation Measure M-CR-1a, Documentation of the Historic Resource:

##### **Mitigation Measure M-CR-1a: Documentation of the Historic Resource**

Prior to the issuance of demolition or site permits, the project sponsor shall undertake Historic American Building Survey (HABS) documentation of the building, structures, objects, materials, and landscaping. The documentation shall be undertaken by a qualified professional who meets the standards for history, architectural history, or architecture (as appropriate), as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The documentation shall consist of the following:

- Measured Drawings: A set of measured drawings that depict the existing size, scale, and dimensions of the building at 14-18 Otis Street. The Planning Department Preservation staff will accept ~~the~~ legible, archival reproduction of the original architectural drawings or an as-built set of architectural drawings (plan, section, elevation, etc.) printed to meet HABS standards. The Planning Department's Preservation staff will assist the consultant in determining the appropriate level of measured drawings;
- HABS-Level Photography: Digital photographs of the interior and the exterior of the building at 14-18 Otis Street. Large format negatives are not required. The scope of the digital photographs shall be reviewed by Planning Department Preservation staff for concurrence, and all digital photography shall be conducted according to the latest National Park Service standards. The photography shall be undertaken by a qualified professional with demonstrated experience in HABS photography; and
- HABS Historical Report: A written historical narrative and report, per HABS Historical Report Guidelines. The scope of the historical narrative shall be reviewed by Planning Department Preservation staff, to include discussion of the project block's historic connection to the Western SoMa street grid prior to development of South Van Ness Avenue. The report shall also include a discussion of the context of extant light industrial buildings in other areas of San Francisco.

The qualified professional shall prepare the documentation and submit it for review and approval by the planning department's preservation ~~specialist~~ staff prior to the issuance of demolition or site permits. The documentation shall be disseminated to the Planning Department, San Francisco Main Library History Room, Northwest Information Center-California Historical Resource Information System, and San Francisco Architectural Heritage.

## E.5 WIND

On p. 4-63 of the DEIR the following changes have been made to Impact WI-1:

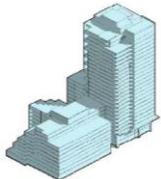
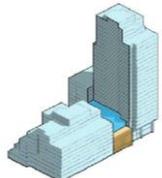
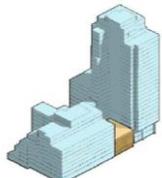
**Impact WI-1 The proposed project would not alter wind in a manner that substantially affects public areas in the vicinity of the project site. (*Less than significant*)**

The proposed building would comprise a single structure with two cores: a 10-story podium structure extending across the entire site and a ~~27~~26-story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets. The proposed building would be 85 to 250 feet tall with additional building elements, such as parapets, wind screens, planters, and mechanical penthouses, extending up to approximately 25 feet and 21 feet above the 85- and 250-foot-tall rooflines respectively. Improvements in the Otis and 12th streets public rights-of-way would include new publicly accessible open spaces, and new street trees and landscaped areas.

## E.6 ALTERNATIVES

On pp. 6-3 of the Draft EIR, the following changes have been made to the first page of Table 6-1: Comparison of Alternatives for CEQA Analysis:

Table 6-3: Comparison of Alternatives for CEQA Analysis

	Proposed Project 	No Project Alternative 	Full Preservation Alternative 	Partial Preservation Alternative 
<b>Description</b>				
Project Height (Tower/Podium) (feet)	250/85	39	250/85	250/85
Number of stories	<del>27</del> <u>26</u> stories/ <del>40</del> <u>9</u> stories	1 story typical, 3 stories max	26 stories/9 stories	26 stories/9 stories
Total number of residential units	<del>423</del> <u>416</u>	0	257	294
<b>Total Building Area (square feet)</b>				
Residential (including amenity and lobby)	<del>414,925</del> <u>387,922</u>	0	294,073	313,756
Retail	<del>5,885</del> <u>2,199</u>	6,575	8,903	8,441
Office/Industrial	0	37,725	0	0
Arts Activities (Ballet School)	<del>16,600</del> <u>15,933</u>	10,060	14,365	15,006
Parking	<del>43,215</del> <u>51,101</u>	0	26,433	35,378
Residential Spaces	<del>71</del> <u>95</u>	0	37	41
Car-share Spaces	3	0	3	3
Commercial Spaces	0	0	0	0
Bicycle Parking	<del>4,310</del> <u>2,408</u>	0	3,523	4,009
Class 1 Spaces	<del>361</del> <u>224</u>	0	282	332
Class 2 Spaces	32	0	30	30

On p. 6-11 of the Draft EIR, the following changes have been made:

With the Full Preservation Alternative, however, there would be no ballet school auditorium. The auditorium would require 50-foot clear spans and such spans would not be possible because the structural columns to support the tower and the podium sections would have to be inserted into that space. The basement of the building would have 40 vehicle parking spaces (37 residential spaces and three car-share spaces) and 282 *class 1* and 30 *class 2* bicycle parking spaces. Compared to the proposed project, this would be ~~34~~ 58 fewer vehicle parking spaces, ~~and 150 *class 1* and one *class 2* fewer bicycle parking~~ 58 additional *class 1* bike parking spaces, and two fewer *class 2* spaces. As with the proposed project, garage access would be from 12th Street, with a single off-street loading space on 12th Street. Loading operations for the City Ballet School would be identical to the proposed project. The 12th Street plaza would be slightly smaller and would include fewer amenities compared to the proposed project.

On p. 18 of the Draft EIR, the following change has been made:

The increase floor-to-floor ceiling heights along the second- and third-floors would result in the Full Preservation Alternative having nine stories in the podium building (one less than the proposed project), and 26 stories in the tower (~~one less than~~ the same as the proposed project).

On p. 6-23 of the Draft EIR, the following changes have been made:

By reducing the size of the residential building, the Full Preservation Alternative would provide ~~466~~ 159 fewer units (~~40~~ 38 percent fewer) as compared to the proposed project, with a corresponding reduction in affordable housing units. As a result, this alternative would not fully meet the project sponsor's ability to meet project objectives of developing the site at an intensity and density that takes advantage of the area's transit resources. In addition, the cost to construct the Full Preservation Alternative would be only slightly lower than the proposed project, but the reduction in units would result in a roughly 40 percent lower economic return, which would not fully meet the project objective related to economic feasibility, which in turn, would reduce the project sponsor's funding for high-quality architectural and landscape design, subsidization of the reconstructed City Ballet School, and in-kind payments for the 12th Street plaza.

The Full Preservation Alternative would meet most of the project sponsor's basic objectives; however, it would not meet the objective of providing a performance space. Besides not meeting this objective, the ability to meet five of the 11 project objectives would be lessened for the Full Preservation Alternative relative to the proposed project due to the ~~40~~ 38 percent reduced unit count and architectural design changes. See Chapter 2, Project Description, Section 2.B, Project Sponsor Objectives, p. 2-1, for a complete description of the project objectives.

On p. 6-24 of the Draft EIR, the following changes have been made:

The City Ballet School would occupy about 15,006 gsf on the first floor. The school entrance would be on 12th Street; a box office and four ballet studios would be within the new podium building. The ballet theater with this alternative would be somewhat smaller than the ballet theater with the proposed project. The rear 40 feet of the 14-18 Otis Street building space would become part of the ballet school theater, reception room, and restrooms. The basement of the new building would have 44 vehicle parking spaces (41 residential spaces and 3 car-share spaces) and 332 *class 1* and 30 *class 2* bicycle parking spaces. Compared to the proposed project, this is ~~30~~ 54 fewer vehicle parking spaces, ~~and 100 *class 1* and one~~ 108 additional *class 1* bike parking spaces, and two fewer *class 2* fewer bicycle parking spaces.

On page 6-31 of the Draft EIR, the following changes has been made:

To integrate the two buildings, the podium portion of the proposed project would need to align with the existing floor-to-floor ceiling heights of the retained portion of the 14-18 Otis Street building. To create this alignment, higher floor-to-floor ceiling heights would be required in the second and third-floor levels of the podium. Thus, the Partial Preservation Alternative would have nine stories in the podium building (~~one less than the proposed project~~), and 26 stories in the tower (~~one less than~~ same as the proposed project),

On p. 6- 35 of the Draft EIR, the following changes have been made:

By reducing the size of the residential building, the Partial Preservation Alternative would provide ~~129~~ 122 fewer units (~~30~~ 29 percent fewer) as compared to the proposed project, with a corresponding reduction in affordable housing units...

## **ATTACHMENTS**

- A. Draft EIR Comment Letters and Emails**
- B. Draft EIR Public Hearing Transcript**

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# **ATTACHMENT A**

## **Draft EIR Comment Letters and Emails**

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**From:** Rebecca Peacock [<mailto:rlhpeacock@gmail.com>]

**Sent:** Wednesday, June 27, 2018 6:00 PM

**To:** Secretary, Commissions (CPC); Richards, Dennis (CPC); Moore, Kathrin (CPC); Koppel, Joel (CPC); "[planning@rodnevfong.com](mailto:planning@rodnevfong.com)"; Melgar, Myrna (CPC); [richhillssf@gmail.com](mailto:richhillssf@gmail.com)"

**Subject:** SUPPORT 30 Otis St

Hello,

My name is Rebecca Peacock, and I am a district 6 resident. Let the record show that I strongly support the project at 30 Otis St.

423 units would go a long way and the streetscape redesign would be a welcome addition to the area. Please add this to the public record.

Commissioners, I urge you to support this project for the betterment of our neighborhoods.

- Rebecca Peacock  
[rlhpeacock@gmail.com](mailto:rlhpeacock@gmail.com)  
(267) 663-8648

I-Peacock-1  
(ME-1)



# SAN FRANCISCO PLANNING DEPARTMENT

Letter  
A-HCP

July 11, 2018

Ms. Lisa Gibson  
Environmental Review Officer  
San Francisco Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Dear Ms. Gibson,

On June 20, 2018, the Historic Preservation Commission (HPC) held a public hearing and took public comment on the Draft Environmental Impact Report (DEIR) for the proposed 30 Otis Street Project (2015-010013ENV). After discussion, the HPC arrived at the comments below:

- The HPC concurs with the findings that the proposed project does not meet the Secretary of the Interior’s Standards and will result in a significant, unavoidable impact to the identified historic resource, 14-18 Otis Street. A-HPC-1  
(HR-1)
- The HPC agreed that the DEIR analyzed an appropriate range of preservation alternatives to address historic resource impacts. Further, the HPC appreciated that the visual graphics and project data details provided in the matrix of preservation alternatives were presented in a very clear and concise manner. The studies conducted for the EIR, which resulted in less than desirable outcomes for retention of the historic resource, were felt to have been very honest in their undertaking and analysis. A-HPC-2  
(AL-1)
- The HPC agreed that they recommend adoption of the Project as proposed, due to overriding considerations, as outlined in the DEIR. A-HPC-3  
(ME-1)
- The HPC agreed with the proposed Mitigation Measures, with a recommendation for expanded scope for the Historic Documentation Mitigation Measure. In addition to documentation of the building at 14-18 Otis Street, based on the subject block’s historic connection to the Western SoMa neighborhood street grid prior to the southern extension of Van Ness Avenue, the historic context of the block and its original setting shall be captured in the documentation and interpretation Mitigation Measures for the Project. With this one additional recommendation, the HPC found the Mitigation Measures to be adequate in relation to the unavoidable impact. A-HPC-4  
(HR-1)

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

Sincerely,

Andrew Wolfram, President  
Historic Preservation Commission

**From:** Jeff Schunk [<mailto:jeffsinfo@comcast.net>]  
**Sent:** Friday, July 27, 2018 4:09 PM  
**To:** Moore, Julie (CPC)  
**Subject:** Comment on case 2015-010013ENV

As someone who both lives and works in this neighborhood, I would like to express two concerns about this project:

1. The proposed 27-story tower seems extremely tall given the height of other buildings in this area. I am concerned about blockage of light as well as increased wind on the ground level near the building. Given that this is only two stories shorter than Fox Plaza, I assume there would be a similar "wind tunnel" effect with a building of this size being erected.

I-Schunk-1  
(WS-1)

2. While the public plaza theoretically sounds nice, given that this neighborhood is ground zero for homeless services and, thus, homeless encampments, what this really will become is a homeless camp, with tents, human waste, used syringes, and desperate people. Given that there has still been no significant amelioration in the homeless situation in San Francisco, despite well meaning but ineffective plans, I cannot help but wonder how much worse the City is trying to make this area. Does the City learn nothing from past experience? The little park that was put at McCoppin and Valencia a few years ago when the Central Freeway construction was completed soon needed to have a metal fence put around it to keep the homeless out.

I-Schunk-2  
(GC-2)



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F 510.836.4205

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Oakland, Ca 94607

www.lozeaudrury.com  
richard@lozeaudrury.com

*Via Email*

August 2, 2018

Julie Moore  
Senior Environmental Planner  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103  
Julie.Moore@sfgov.org

**Re: Comment on 30 Otis Street Project (2015-010013ENV) Draft  
Environmental Impact Report**

Dear Ms. Moore:

I am writing on behalf of Laborers International Union of North America, Local Union No. 261 and its members living and working in San Francisco (collectively “Commenters”) regarding the Draft Environmental Impact Report (“DEIR”) prepared for the 30 Otis Street Project, 2015-010013ENV (“Project”).

After reviewing the DEIR, we conclude that it fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project’s impacts. Commenters request that the City of San Francisco Planning Commission, City Council, and your staffs address these shortcomings in a revised draft environmental impact report (“RDEIR”) and recirculate the RDEIR prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

O-LIUNA-1  
GC-3

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Drury".

Richard Drury

# **ATTACHMENT B**

## **Draft EIR Public Hearing Transcript**

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BEFORE THE  
SAN FRANCISCO  
PLANNING COMMISSION

In the Matter of )  
 )  
Regular Meeting: Item 9 )  
30 Otis Street Project Draft )  
EIR Comment & Review )  
\_\_\_\_\_ )

COMMISSION CHAMBERS, ROOM 400  
CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE  
SAN FRANCISCO, CA 94102-4689

Thursday, July 19, 2018

1:00 P.M.

Reported by:  
Gigi Lastra

APPEARANCES

COMMISSION MEMBERS

Myrna Melgar, Vice President

Rodney Fong, Commissioner

Milicent Johnson, Commissioner

Joel Koppel, Commissioner

Kathrin Moore, Commissioner

Dennis Richards, Commissioner

STAFF

Richard Sucre, Acting Commission Secretary

Julie Moore, Senior Environmental Planner & EIR Coordinator  
30 Otis Street Project

Eiliesh Tuffy, Preservation Technical Specialist

PUBLIC SPEAKERS:

Laura Clark, YIMBY Action

Ken Patsel, City Ballet School

INDEX

**E. REGULAR CALENDAR**

9. 2015-010013ENV (J. MOORE: (415) 575-8733)  
30 OTIS STREET - Draft Environmental Impact Report -  
 The 36,042-square-foot (sf) project site comprises five lots (Assessors Block 3505, Lots 10, 12, 13, 16, and 18) along Otis Street, 12th Street, Colusa Alley, and Chase Court in the South of Market neighborhood. Five commercial buildings, ranging from one to three stories, currently exist on the site. The proposed project would merge the lots, demolish the existing buildings, and construct a residential building with ground-floor retail and arts activity uses. The proposed building would comprise a 10-story podium structure extending across the entire site and a 27-story single tower in the southeastern portion of the building, at the corner of Otis and 12th Streets. The proposed building would be 85 to 250 feet tall and approximately 404,770 gsf. The project includes approximately 423 residential units, 5,585 sf of retail space in three ground floor spaces, 16,600 sf of arts activities space with studios and a theater for the City Ballet School, and approximately 23,000 sf of open space on the ground floor and residential terraces. Streetscape improvements include a 7,200-sf public plaza at the corner of 12th Street and South Van Ness Avenue and 960-sf plaza on Otis Street. Two basement levels would provide 71 residential parking spaces and three car-share spaces. The building at 14-18 Otis Street has been determined individually eligible for the California Register of Historic Resources. The project site is located in the Downtown General Commercial (C-3-G) and Neighborhood Commercial Transit (NCT) Districts and 85/250 R-2 and 85-X Height and Bulk Districts.

*Preliminary Recommendation: Review and Comment*

Public Comment

1

P R O C E E D I N G S

2

1:59 p.m.

1                   **9. 2015-010013ENV    30 OTIS STREET**

2                   MR. SUCRE:   Okay, Commissioners.   So we will move  
3 on with our next item, Item Number 9, Case No. 2015-  
4 010013ENV, for the Draft Environmental Impact Report at 30  
5 Otis Street.

6                   MS. MOORE:   Okay.   Good afternoon, Commissioner  
7 Members.   I'm Julie Moore, Senior Environmental Planner and  
8 EIR Coordinator for the 30 Otis Street Project.   I'm joined  
9 today by my colleague, Eiliesh Tuffy, Preservation  
10 Technical Specialist.

11                  MS. MOORE:   Members of the consultant team and  
12 project sponsor team are also present.   The item before you  
13 is to review and comment on the 30 Otis Street Project  
14 Draft Environmental Impact Report or Draft EIR.

15                  The purpose of today's hearing is to take public  
16 comments on the adequacy, accuracy and completeness of the  
17 Draft EIR pursuant to the California Environmental Quality  
18 Act or CEQA and San Francisco's local procedures for  
19 implementing CEQA.   No approval action on this document is  
20 requested at this time.

21                  The public review period for the proposed  
22 project's Draft EIR began on June 13th and will continue  
23 until 5:00 p.m. on Friday July 27th, 2018.

24                  I'll now provide a brief overview of the proposed  
25 project.   The project site is currently developed with five

1 buildings from one to three stories in height. The project  
2 would demolish the five buildings, merge the five lots into  
3 one lot, and construct a residential building with ground-  
4 floor retail and arts activity use.

5           The building would include a 10-story podium  
6 structure extending across the entire site, and a 27-story  
7 single tower near the corner of Otis and 12th Street. It  
8 would range from 85 to 250 feet in height and would be  
9 approximately 485,000 square feet. The building would  
10 include 423 residential units, 3 ground-floor retail  
11 spaces, a new studio and performance space for the City  
12 Ballet School, which currently operates on the site.

13           One of the site buildings, the 14-18 Otis Street  
14 Building, is individually eligible for inclusion on the  
15 California Register of Historical Places under Criterion 3  
16 at a local level of significance for its architecture.

17           The Draft EIR concluded that demolition of this  
18 building would be a significant and unavoidable impact.  
19 Other impacts to historical architectural resources were  
20 found to be less than significant or less than significant  
21 with mitigation.

22           The Draft EIR found that project construction  
23 would result in substantial interference with pedestrian,  
24 bicycle, or vehicle circulation and accessibility to  
25 adjoining areas. And potentially significant delays to

1 transit due to the demolition, relocation or delay of a key  
2 feature of the Muni/Forward Transit Project and the  
3 location of the staging area adjacent to the transit lane  
4 along Otis Street for approximately a two-year period.

5 Construction of the proposed project also may  
6 overlap with the construction of other nearby projects.

7 With mitigation, this was determined to be a  
8 significant and unavoidable project level and cumulative  
9 transportation impact.

10 Finally, the Draft EIR found that project-level  
11 wind impacts would be less than significant. However, with  
12 the development of foreseeable projects in the vicinity  
13 cumulative wind impacts would be significant. While design  
14 measures could substantially reduce cumulative wind  
15 impacts, this impact was determined to be significant and  
16 unavoidable.

17 A hearing to receive the Historic Preservation  
18 Commission's comments on the Draft EIR was held on June  
19 20th, 2018 and provided to you with a copy of the HPC's  
20 letter. At the hearing the HPC concurred with the  
21 conclusion of the Draft EIR that the proposed project would  
22 result in a significant and unavoidable impact on the  
23 historic resource of 14-18 Otis Street.

24 Further, the HPC found that the alternatives  
25 analyzed are adequate and honest in their undertaking and

1 analysis and agreed that they recommend adoption of the  
2 proposed project due to overriding considerations.

3           The HPC also agreed with the proposed mitigation  
4 measures of the recommendation for expanding the scope of  
5 the historic documentation to include the context of the  
6 block in its original setting.

7           Today the Planning Department is seeking comments  
8 on the adequacy and accuracy of the information contained  
9 in the Draft EIR. For members of the public who wish to  
10 speak, please state your name for the record. Please speak  
11 slowly and clearly, so the court reporter can make an  
12 accurate transcript of today's proceedings.

13           Staff is not here to answer questions today.  
14 Comments will be transcribed and responded to in writing in  
15 the Comments and Responses Document, which will respond to  
16 all relevant written and verbal comments received during  
17 the public comments period.

18           Those who are interested in commenting on the  
19 Draft EIR in writing by mail or email may submit their  
20 comments to me, Julie Moore, EIR Coordinator at 1615  
21 Mission Street, Suite 400, by 5:00 p.m. on July 27th.  
22 There's a handout there if you need that written down.

23           We anticipate publication of the Comments and  
24 Responses Document this fall followed by the EIR  
25 Certification Hearing.

1 Unless the Commissioners have questions I  
2 respectfully suggest that the public hearing on this item  
3 begin.

4 VICE PRESIDENT MELGAR: Thank you very much.

5 With that, we will hear public comment on this  
6 item. Anyone who wishes to submit public comment on the  
7 Draft EIR please come up and do so now.

8 Ms. Clark?

9 MS. CLARK: Yeah, this is a great project. This  
10 has the potential to -- sorry, my name is Laura Clark for  
11 the court record. I run YIMBY Action, Y-I-M-B-Y, Yes In My  
12 Back Yard. It's a great project. It has the potential to  
13 do a lot of good.

14 I would like for us to like take a moment for  
15 this EIR, and reflect on how much time and money and very  
16 elaborate bureaucracy is being spent on this. And is that  
17 going to get us the quantity of housing that we need? This  
18 seems like a great project and yet we are spending a lot of  
19 bureaucratic time on these kinds of discretionary  
20 processes, because of the way that we have constructed our  
21 bureaucracy.

22 And there is an ability that we have to make a  
23 lot of these things nondiscretionary and avoid these kinds  
24 of hearings. Thank you.

25 VICE PRESIDENT MELGAR: Thank you.

O-YIMBY-1  
(ME-1)

O-YIMBY-2  
(GC-1)

1 Next speaker, please?

2 MR. PATSEL: Hi. My name is Ken Patsel. I'm the  
3 Administrative Director of the City Ballet. We're the  
4 second largest ballet school in San Francisco. And I'd  
5 just like to bring to light, in an economic environment  
6 where the arts are just going by the wayside we've just had  
7 two long-term ballet schools close and leave San Francisco,  
8 because they couldn't afford to make it.

9 This group has made a commitment to the arts that  
10 we at City Ballet appreciate more than I can even say here.  
11 We have a long-term home thanks to this 30 Otis Group and  
12 we're proud to be a part of it. And I just wanted to bring  
13 that to light. Thank you.

14 VICE PRESIDENT MELGAR: Thank you.

15 Any other public comments on the Draft EIR,  
16 please come up. Okay. Well seeing none, public comment is  
17 now closed.

18 Commissioners, Commissioner Moore?

19 COMMISSIONER MOORE: So commenting on the DEIR,  
20 the DEIR is set up in its typical way and many aspects of  
21 it feel very good. There's one particular subject matter I  
22 am very concerned about. And that is something to do, that  
23 the project is not put into the context of the Hub. The  
24 Hub is a major new intervention, a district that we have  
25 spent relatively little time on except when focusing on

O-City  
Ballet-1  
(ME-1)

A-CPC1-1  
(PS-1)

1 buildings within the Hub.

2           However, the context of the Hub is not discussed  
3 nor is really the already-approved nature of some of the  
4 major buildings, which are supposed to give character form  
5 as well as architectural flavor into the Hub. And I  
6 believe that that is a major omission, because this is a  
7 critical site in this very complicated intersection where  
8 every building really depends on each other in order to  
9 create heights, which I think is a prerequisite in which  
10 this building is featured. We cannot just continue to look  
11 at buildings as islands. The buildings need to indeed  
12 create a larger context when we are transforming a major  
13 portion of the city.

14           I believe that the EIR as a draft as it's written  
15 falls short of giving us a broader overview. One, about  
16 the 3D context in which this building will occur. Two,  
17 reflecting on the larger principles of the Hub enabled plan  
18 pedestrian connections, the open space, light rail  
19 etcetera. It has to all work with each other including the  
20 simple functioning of the where crosswalks are, where  
21 visual relationships and markers are.

22           And I would suggest that we add a little bit more  
23 in that description, so that we when this building -- when  
24 the EIR comes forward and ultimately we would be asked to  
25 approve the building, the EIR has carefully reflected and

A-CPC1-1  
(PS-1)  
cont.

A-CPC1-1  
(PS-1)  
cont.

1 described that particular aspect of the project.

2 VICE PRESIDENT MELGAR: Thank you, Commissioner.  
3 Commissioner Richards?

4 COMMISSIONER RICHARDS: That's not something I  
5 actually thought of, what Commissioner Moore just said,  
6 honestly. But I do agree with her that I don't think we  
7 should slow the project down, but I would like to actually  
8 see more context in relationship to the Hub, because we are  
9 going to be doing an EIR for the Hub itself.

A-CPC2-1  
(PS-1)

10 This is probably a project from the case number  
11 that's been in the hopper for quite some time and will be  
12 moving forward.

13 The comments I have are on at least the -- and I  
14 find myself asking these same questions from prior DEIRs.  
15 Here's a new one, because it's eligible to be on the  
16 California Register in order to apply, is it a sure thing?  
17 It's a rhetorical question. Does the State Historic  
18 Preservation Office just list it, because the seven  
19 criteria have been met?

A-CPC2-2  
(HR-2)

20 I don't understand that, because we had 150  
21 Eureka here last week and it's also eligible. When I  
22 actually got into a discussion with the project sponsor  
23 that they said it's not a historic resource, but it's  
24 eligible. Yeah, so what is the definition of actually a  
25 historic resource? So that's one.

1           The other one is, and I've had this on other  
2 projects. I understand this building, in and of itself,  
3 has the seven elements of integrity. However, how many  
4 other buildings like this still exist in San Francisco with  
5 the seven elements of integrity intact?

A-CPC2-3  
(HR-3)

6           So we've had the same gray issue with taxpayer  
7 block buildings erected after the 1906 earthquake that were  
8 still around. And I kept saying, "Well, we're going to  
9 have to demolish these ones on Pine Street. We'll demolish  
10 some Market Street, how many are left?" I mean when I  
11 drive through South of Market, I see a lot of these  
12 buildings that look the same. So is this one of a  
13 thousand, one of five hundred?

14           I know if there were historic district of these  
15 types of structures even if it's not continuous, we'd get  
16 statistics that said this is 1 of 468 in the Tenderloin  
17 Uptown Neighborhood or, you know, historic district and  
18 would kind of put it into context. I just can't put this  
19 one in context, because we're just looking at this one  
20 building.

A-CPC2-4  
(AL-1)

21           The visual graphics are great. I do agree with  
22 the Historic Preservation Commission. I wish we had the  
23 same visual graphics as we had at 150 Eureka. I think when  
24 we do historic preservation alternatives we should shade  
25 the building in a different way, so that we can see the new

A-CPC2-4  
(AL-1)  
cont.

1 addition versus what we're told is the old addition, the  
2 old building, I'm sorry, and this did that very well.

3 Let me see if there are any other things. I  
4 think that's it. Thank you.

5 VICE PRESIDENT MELGAR: Thank you.

6 And Commissioner Fong?

7 COMMISSIONER FONG: Thank you. Yeah, I'm  
8 supportive of this project and the path that it's on right  
9 now and will make this a vote in support.

10 But I do want to just pick up a little bit on  
11 Commissioner Moore's comment in that it's exciting, the Hub  
12 is coming together, right? This is one of the pieces of  
13 it. I'm curious, if there's some other opportunities that  
14 maybe the Unified School District site. I'm not sure  
15 what's going to happen there.

A-CPC3-1  
(ME-2)

16 The Plumbers Union is coming together. Hopefully  
17 that whole back alley of the Plumbers Union abuts this  
18 particular property and it has the opportunity to be  
19 charming back there. I think we look at it right now and  
20 say, "Hey, we want to change this." But I want to make  
21 sure that we are all on the same page about changing it for  
22 the better and making it charming and then have a great  
23 street activation mixed along with just housing, which I  
24 know Laura is excited about.

25 So anyway, I just kind of paused for a mere

A-CPC3-1  
(ME-2)  
cont.

1 second just to scratch our heads and say we've got a cool  
2 opportunity here, let's make sure we maximize it.

3 VICE PRESIDENT MELGAR: Is that a motion?

4 COMMISSIONER FONG: That is a motion.

5 MR. SUCRE: There is no action on this.

6 VICE PRESIDENT MELGAR: Okay. Did you -- okay.

7 MR. SUCRE: Okay, Commissioners. We'll move on  
8 to the next item.

9 (Item 9 Presentation ends.)

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**REPORTER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of July, 2018.



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Eduwiges Lastra  
CER-915

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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of July, 2018.



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Myra Severtson  
Certified Transcriber  
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