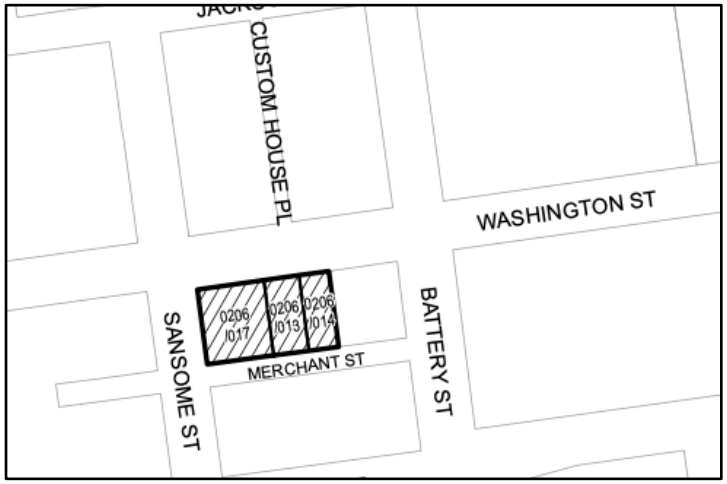
APPEAL OF PMND
530 SANSOME STREET

Alana Callagy
Planning Commission Hearing – July 29, 2021

San Francisco Planning

Project Site

- The western portion of the block bounded by Sansome, Washington, Battery, and Merchant streets
- Occupied by:
  - A vacant three-story office building (425 Washington Street),
  - A vacant two-story commercial building (439– 445 Washington Street), and
  - The two-story San Francisco Fire Department Station 13 (530 Sansome Street)



Project Overview

- Demolition of the three existing buildings
- Construction of a four-story replacement fire station and an approximately 218-foot-tall building (236 feet total, including rooftop mechanical equipment)
- Three below-grade levels
- The 218-foot-tall building would contain either:
  - Hotel with 200 rooms, ground floor retail/restaurant use, 40,490 sf office use and 35,230 sf gym use; or
  - 256 residential units

Environmental Review

- PMND published April 28, 2021
  - No significant impacts
- 20-day public review period
- Appeal filed May 18, 2021

CEQA

pronounced “SEE-kwuh”

The San Francisco Planning Department (SF Planning) reviews projects for potential environmental impacts. This is CEQA, which stands for the **California Environmental Quality Act**, a state law created in 1970.

Appellant's Claims

- **Noticing**: Department did not provide adequate notice of the PMND
- **Project Description**: Not stable
- **Historic Resources**: Analysis of project's impact on historical resources, specifically the building at 447 Battery Street, is inadequate
- **Mitigation Measures**: Inappropriately deferred mitigation of potential impacts

Department's Response: Noticing

- 20-day public review period
  - April 28 to May 18, 2021
  - Notice of Availability sent (447 Battery Street was one of the addressee)
  - Notice in SF Examiner
  - County Clerk Office posted
  - Posters of the notice along project site frontages
- The Department provided legally adequate notice of the availability of the PMND

Department's Response: Project Description

- CEQA documents may describe/analyze multiple options or variants
- The PMND analyzes a single project with two different potential programs of use (one primarily hotel and the other primarily residential)
- The PMND concludes that under either the hotel or residential use, environmental impacts are essentially the same and applies the same mitigation measures
- The project description in the PMND is stable

Department's Response: Historic Resources

- 447 Battery Street
  - Eligible for listing in the California Register
  - Undergoing the landmarking process
  - The significance is not tied to surrounding development patterns or relationship with nearby properties
- No substantial evidence that the 530 Sansome Street project would result in alteration to the significance of 447 Battery Street
- The Department's analysis is supported by substantial evidence in the record

Department's Response: Mitigation Measures

- PMND mitigation measures:
  - Detailed performance standards that ensure their effectiveness
  - Specify the timing of any required actions

Subsequent Appeal Letter (July 23, 2021)

- Geotechnical investigation
  - Makes recommendations considering the existing building and the proposed 447 Battery Street project
- Effects on traffic, circulation, and pedestrian safety
  - Removal of parking along Washington was considered
  - Project would adequately serve freight and passenger loading

Conclusion

- Through the PMND and appeal response, the Department has addressed all issues raised in appeal
- PMND adequately analyzes all required topics in CEQA checklist
- Appellant has not provided substantial evidence supporting fair argument that the project would result in significant impacts

- RECOMMENDATION: Reject appeal and uphold MND

Additional support slides

Mitigation Measure M-NO-3, Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction Prior to issuance of any demolition or building permit, the project sponsor shall submit a project-specific Pre-construction Survey and Vibration Management and Monitoring Plan to the Environmental Review Officer (ERO) or the ERO's designee for approval. The plan shall identify all feasible means to avoid damage to potentially affected buildings, which are 423 Washington Street and 447 Battery Street. Should demolition on the building at 447 Battery Street occur, this measure is no longer applicable to that structure; however, to the extent a new structure exists or is under construction at 447 Battery Street, the Pre-construction Survey and Vibration Management and Monitoring Plan shall meet the requirements of this mitigation measure for non-historic buildings to avoid damage to such new structure. The project sponsor shall ensure that the following requirements of the Pre-Construction Survey and Vibration Management and Monitoring Plan are included in contract specifications, as necessary.				
• ***Pre-construction Survey.*** Prior to the start of any ground-disturbing activity, the project sponsor shall engage a consultant to undertake a pre-construction survey of the potentially affected historic building at 447 Battery Street and the non-historic building 423 Washington Street. The project sponsor shall engage a structural engineer or other professional with similar qualifications to undertake a pre-construction survey of both buildings, provided that if the historic building at 447 Battery Street has not been demolished, then the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake (in coordination with the structural engineer) the pre-construction survey of 447 Batter Street. If the historic building at 447 Batter Street has not been demolished, the pre-construction survey shall include descriptions and photograph of 447 Battery Street, including all facades, roofs, and details of the character-defining features that could be damaged during construction, and shall document existing damage such as cracks and loose or damaged features (as allowed by the property owner). The report shall also include pre-construction drawings that record the pre-construction condition of the buildings and identify cracks and other features to be monitored during construction. If the historic building at 447 Battery Street has not been demolished, the historic architect or qualified historic preservation professional shall be the lead author of the pre-construction survey for 447 Battery Street. These reports shall be submitted to the ERO and planning department preservation staff for review and approval prior to the start of vibration-generating construction activity.	Project sponsor, structural engineer, historic architect or qualified historic preservation professional	Prior to issuance of demolition or building permit	Project sponsor, structural engineer, historic architect or qualified historic preservation professional to submit a Pre-construction Survey to the Environmental Review Officer and Planning Department Preservation Staff	Considered complete upon approval of the Pre-construction Survey by the Environmental Review Officer and Planning Department Preservation Staff

• ***Vibration Management and Monitoring Plan.*** The project sponsor shall	Project sponsor/	Prior to issuance of	Project sponsor to	Considered

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Mitigation Measure M-NO-3, Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction

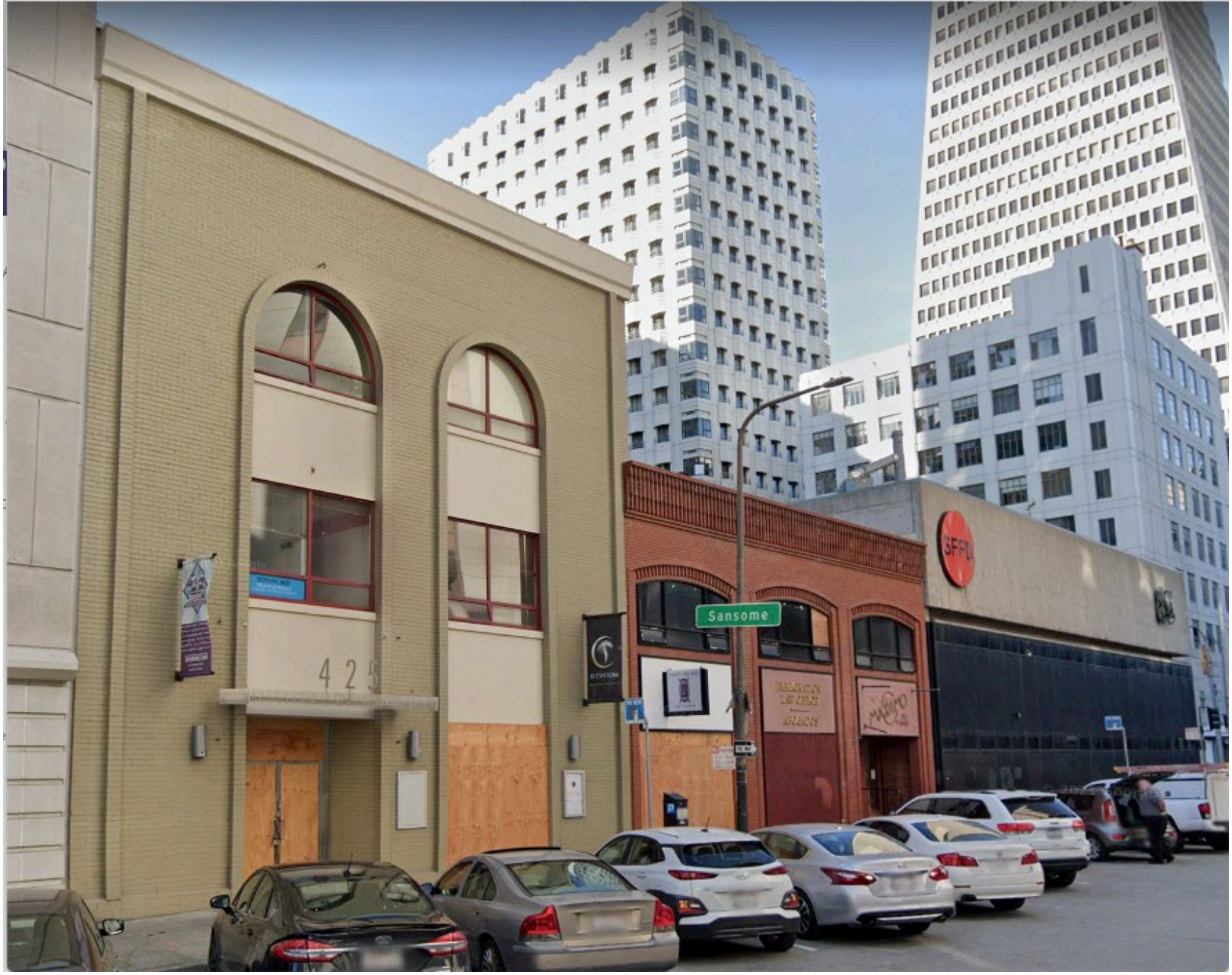
Prior to issuance of any demolition or building permit, the project sponsor shall submit a project-specific Pre-construction Survey and Vibration Management and Monitoring Plan to the Environmental Review Officer (ERO) or the ERO's designee for approval. The plan shall identify all feasible means to avoid damage to potentially affected buildings, which are 423 Washington Street and 447 Battery Street. Should demolition on the building at 447 Battery Street occur, this measure is no longer applicable to that structure;

The Vibration Management and Monitoring Plan shall include, at a minimum, the following components, as applicable:

- *Maximum Vibration Level.* Based on the anticipated construction and condition of the affected buildings and/or structures, a qualified acoustical/vibration consultant in coordination with a structural engineer (or professional with similar qualifications) and, in the case the historic building at 447 Battery Street has not been demolished, a historic architect or qualified historic preservation professional, shall establish a maximum vibration level that shall not be exceeded based on existing conditions, soil conditions, anticipated construction practices, and in the event the historic building at 447 Battery Street has not been demolished, character-defining features of that building (common standards are a peak particle velocity [PPV] of 0.25 inch per second for historic and some old buildings, a peak particle velocity [PPV] of 0.3 inch per second for older residential structures, and a peak particle velocity [PPV] of 0.5 inch per second for new residential structures and modern industrial/commercial buildings).
- *Vibration-Generating Equipment.* The plan shall identify all vibration-generating equipment to be used during construction (including, but not limited to site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction).
- *Alternative Construction Equipment and Techniques.* Should construction vibration levels be observed in excess of the established standard, the contractor(s) shall halt construction and put alternative construction techniques into practice, to the extent feasible (e.g., non-vibratory compaction equipment). Following incorporation of the alternative construction techniques, vibration monitoring shall recommence to ensure that vibration levels at each affected building and/or structure on adjacent properties are not exceeded.

- *Vibration Monitoring.* The plan shall identify the method and equipment for vibration monitoring. To ensure that construction vibration levels do not exceed the established standard, the acoustical/vibration consultant shall monitor vibration levels at each affected building and/or structure on adjacent properties (as allowed by property owners) and prohibit vibratory construction activities that generate vibration levels in excess of the standard.
    - Should construction vibration levels be observed in excess of the standards established in the plan, the contractor(s) shall halt construction and put alternative construction techniques identified in the plan into practice, to the extent feasible.
    - The historic architect or qualified historic preservation professional (for effects on the historic building at 447 Battery Street if it has not been demolished) and/or structural engineer shall inspect each affected building and/or structure (as allowed by property owners) in the event the construction activities exceed the established standards.
    - If vibration has damaged nearby buildings and/or structures that are not historic, the structural engineer shall immediately notify the ERO and prepare a damage report documenting the features of the building and/or structure that has been damaged.
    - If vibration has damaged the historic building at 447 Battery Street, the historic preservation consultant shall immediately notify the ERO or the ERO's designee and preservation staff and prepare a damage report documenting the features of the building and/or structure that has been damaged.
    - If no damage has occurred to the buildings at 447 Battery Street and Washington Street, then the historic preservation professional (if the historic building at 447 Battery Street has not been demolished) and/or structural engineer shall submit a monthly report to the ERO (and preservation staff, if needed) for review. This report shall identify and summarize the vibration level exceedances and describe the actions taken to reduce vibration.
    - Following incorporation of the alternative construction techniques and/or planning department review of the damage report, vibration

Adopted Mitigation Measures	Responsibility	Responsibility	Responsibility	Responsibility
monitoring shall recommence to ensure that vibration levels at 447 Battery Street and 423 Washington Street are not exceeded. – *Periodic Inspections.* The plan shall identify the intervals and parties responsible for periodic inspections. The historic architect or qualified historic preservation professional (if the historic building at 447 Battery Street has not been demolished) and/or structural engineer shall conduct regular periodic inspections of each building and/or structure (as allowed by property owners) during vibration-generating construction activity on the project site. The plan will specify how often inspections and reporting shall occur. – *Repair Damage.* The plan shall also identify provisions to be followed should damage to any building and/or structure occur due to construction-related vibration. The building(s) and/or structure(s) shall be remediated to their pre-construction condition (as allowed by property owners) at the conclusion of vibration-generating activity on the site. Should damage occur at the historic building at 447 Battery Street, the building and/or structure shall be restored to its pre-construction condition in consultation with the historic architect or qualified historic preservation professions and planning department preservation staff.				
– *Vibration Monitoring Results Report.* After construction is complete the project sponsor shall submit a final report from the historic architect or qualified historic preservation professional (if the historic building at 447 Battery Street has not been demolished) and/or structural engineer to the planning department. The report shall include, at a minimum, collected monitoring records, building and/or structure condition summaries, descriptions of all instances of vibration level exceedance, identification of damage incurred due to vibration, and corrective actions taken to restore damaged buildings and structures. The planning department shall review and approve the Vibration Monitoring Results Report.	Project sponsor, structural engineer, and, historic architect or qualified historic preservation professional.	Following end of construction activities	Project sponsor and structural engineer, historic architect, or qualified historic preservation professional to submit a Vibration Monitoring Results Report to planning department	Considered complete after approval of the Vibration Monitoring Results Report by the planning department.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