BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
BCAL 44 MONTGOMERY PROPERTY LLC,)
Appellant(s))
)
vs.)
)
PLANNING COMMISSION,)
Respondent

Appeal No. **25-042**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on September 26, 2025, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on September 11, 2025 to Frontier Group LLC, of Planning Commission Motion No. 21806 (adopting findings to approve a Downtown Project Authorization pursuant to Planning Code Sections 210.2 and 309, to allow the demolition of an existing approximately 16,000 square-foot, two-story commercial building and construction of a new 126,333 gross-square foot, twenty-nine story over basement hotel structure that includes 211 hotel rooms, 3,386 square feet of lower level retail, a 4,211 square foot Privately Operated Public Open Space (POPOS) and eight Class 1 and eight Class 2 bicycle parking spaces) at 570 Market Street.

RECORD NO. 2019-017622DNX

FOR HEARING ON November 19, 2025

Address of Appellant(s):	Address of Other Parties:
BCal 44 Montgomery Property LLC, Appellant(s) c/o Brian Flynn, Attorney for Appellant(s) Lozeau Drury LLP 1939 Harrison Street, Suite 150 Oakland, CA 94612	Frontier Group LLC, Determination Holder(s) c/o Melinda Sarjapur, Attorney for Determination Holder(s) Reuben Junius & Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104

Date Filed: September 26, 2025

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT FOR APPEAL NO. 25-042

I / We, **BCal 44 Montgomery Property LLC**, hereby appeal the following departmental action: **ISSUANCE** of **Planning Commission Motion No. 21806** (**Record No. 2019-017622DNX; Downtown Project Authorization Pursuant to PC Section 309)** by the **Planning Commission** which was issued or became effective on: **September 11, 2025**, to: **Frontier Group LLC,** for the property located at: **570 Market Street**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **October 30, 2025**, **(no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, Natalia.fossi@sfgov.org, and msarjapur@reubenlaw.com

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **November 13, 2025**, **(no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, Natalia.fossi@sfgov.org, and brian@lozeaudrury.com

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, November 19, 2025, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place.** The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:
See attachment to the Preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Brian Flynn, attorney for appellant

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September 26, 2025

Via Email

Board of Appeals
City and County of San Francisco
49 S. Van Ness Ave., Suite 1475 (14th floor)
San Francisco, CA 94103
boardofappeals@sfgov.org

Re: Appeal of Downtown Project Authorization
570 Market Street Project (2019-017622DNX)
Planning Commission Approval Date: September 11, 2025

To the San Francisco Board of Appeals:

This letter is submitted on behalf of BCal 44 Montgomery Property LLC ("44 Montgomery") to appeal the Planning Commission's decision on September 11, 2025, to approve the Downtown Project Authorization ("DNX") for the 570 Market Street Project (Record No. 2019-017622DNX), which granted code exceptions pursuant to Planning Code Section 309. A copy of the Planning Commission's Motion No. 21806 approving 2019-017622DNX and an agency letter authorizing Lozeau Drury LLP to file this appeal on behalf of 44 Montgomery were included with the email submitting this appeal.

The Planning Commission abused its discretion by approving the DNX before completing adequate review under the California Environmental Quality Act ("CEQA"). Proper CEQA review must be complete *before* the City approves the Project's entitlements.[1] 44 Montgomery maintains that the Project's Mitigated Negative Declaration ("MND") is inadequate under CEQA and intends to separately appeal the MND's approval to the Board of Supervisors. For that reason and any further reasons discussed in the forthcoming brief, 44 Montgomery respectfully requests that the Board of Appeals overturn the Planning Commission's approval of 2019-017622DNX.

Sincerely,

Brian B. Flynn
Lozeau Drury LLP

[1] *Orinda Ass'n v. Bd. of Supervisors* (1986) 182 Cal.App.3d 1145, 1171 ["No agency may approve a project subject to CEQA until the entire CEQA process is completed and the overall project is lawfully approved."].

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

PLANNING COMMISSION MOTION NO. 21806

HEARING DATE: September 11, 2025
CORRECTED DATE: September 30, 2025

Record No.:	2019-017622DNX
Project Address:	570 Market Street
Zoning:	Downtown Office (C-3-O) Zoning District 300-S Height and Bulk District Priority Equity Geographies Special Use District
Block/Lot:	0291/013
Project Sponsor:	Melinda Sarjapur; Reuben, Junius & Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104
Property Owner:	Frontier Group, LLC / c/o 229 Ellis Holdings, LLC (Attn: Frank Chiu) 795 Folsom Street, Floor 1, San Francisco, CA 94107
Staff Contact:	Jonathan Vimr – (628) 652-7319 jonathan.vimr@sfgov.org

ADOPTING FINDINGS TO APPROVE A DOWNTOWN PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.2 AND 309, TO ALLOW THE DEMOLITION OF AN EXISTING APPROXIMATELY 16,000 SQUARE-FOOT, TWO-STORY COMMERCIAL BUILDING AND CONSTRUCT A NEW 126,333 GROSS-SQUARE-FOOT, TWENTY NINE-STORY OVER BASEMENT HOTEL STRUCTURE THAT INCLUDES 211 HOTEL ROOMS, 3,386 SQUARE FEET OF LOWER LEVEL RETAIL, A 4,211 SQUARE FOOT POPOS AND EIGHT CLASS 1 AND EIGHT CLASS 2 BICYCLE PARKING SPACES FOR THE PROPERTY LOCATED AT 570 MARKET STREET, BLOCK 0291 LOT 013 WITHIN THE C-3-O (DOWNTOWN-OFFICE) ZONING DISTRICT AND A 300-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 1, 2019 Melinda Sarjapur of Reuben, Junius & Rose, LLP (hereinafter "Project Sponsor") filed Application 2019-017622DNX (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for a Downtown Project Authorization to construct a new 29-story, 300-ft tall, hotel building with 211 rooms, a POPOS, and lower level retail space (hereinafter “Project”) at property generally referred to as 570 Market Street, Block 0291 Lot 013 (hereinafter “Project Site”).

On October 30, 2024, a Preliminary Mitigated Negative Declaration (PMND) for the Project was prepared and published for public review; and

The PMND was available for public comment until November 20, 2024; and

On November 20, 2024, an appeal of the Preliminary Mitigated Negative Declaration was filed with the Department.

On February 27, 2025 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization Application No. 2019-017622DNX and the Appeal of the Mitigated Negative Declaration, 2019-01766APL and continued the items to April 3, 2025.

On April 3, 2025, the Commission held a regularly scheduled meeting and continued the items to May 1, 2025.

On May 1, 2025, the Commission held a regularly scheduled meeting on Downtown Project Authorization Application No. 2019-017622DNX and the Appeal of the Mitigated Negative Declaration, 2019-01766APL.

On May 1 2025, the Commission upheld the MND [as amended, and that the summary of comments and responses contained no significant revisions to the Preliminary MND,] as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines, and San Francisco Administrative Code Chapter 31.

On May 1, 2025, the Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

The Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of San Francisco Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the Preliminary MND,] and adopted the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

With mitigation incorporated, the proposed project would not result in a significant effect on the environment and the mitigation measures are provided in the Mitigation Monitoring and Reporting program (MMRP), which was made available to the public and this Commission for review, consideration, and action. On May 1, 2025, the Commission adopted the MMRP (attached as Exhibit C) as conditions of project approval.

On May 1, 2025, following denial of the PMND appeal, the Commission continued the project entitlements to July 10, 2025.

On July 10, 2025, the Commission held a regularly scheduled meeting and continued the project entitlements to September 11, 2025.

The Planning Department Commission Secretary is the Custodian of Records; the Files for Record Nos. 2019-017622DNX and 2019-017622APL are located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Downtown Project Authorization as requested in Application No. 2019-017622DNX subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **The above recitals are accurate and constitute findings of this Commission.**

2. **Project Description.** The Project would demolish the existing two-story, approximately 16,000 square foot retail building and construct a new 29-story over basement, 300-foot tall (excluding rooftop penthouses and screening) tourist hotel with 211 guest rooms occupying a total of 126,333 gross square feet with 3,386 square feet of retail at the first and second floors, and a 4,211 square-foot Privately Operated Public Open Space (POPOS) with ground level entry and a 15th floor view terrace. The Project would not include any off-street parking spaces, and would contain 8 Class 1 and 8 Class II bicycle parking spaces. The project requires Downtown Project Authorization with exceptions from Planning Code Section 132.1 (interior lot setbacks), Sections 152.1 and 161 (freight loading), and Section 162 (tour bus loading).

3. **Site Description and Present Use.** The existing site is a narrow (for this part of the city) through-lot with frontage along Market Street and Sutter Street at the rear. It is currently developed with a two-story commercial building. The storefronts along Market appear to be vacant while Jack's Shoe Repair operates out of the Sutter Street storefront.

4. **Surrounding Properties and Neighborhood.** The Project Site is a through lot fronting along Market Street and continuing to Sutter Street at the rear. Cross streets include Montgomery to the west and Sansome to the northeast. It is at or near the heart of the downtown area, surrounded by a variety of commercial and mixed-use structures that vary in height but are generally at least of mid-rise height. While the subject site is non-historic and not located in a historic district, historic structures (both locally designated and not) abound nearby. The area is immensely well served by both above and below ground transit as well as pedestrian and bicycle options. Other zoning districts in the vicinity include: P (Public), C-3-R (Downtown-Retail), and the C-3-O(SD) (Downtown-Office [Special Development]) Zoning Districts.

5. **Public Outreach and Comments.** At the date of publication, the Department has received two letters in opposition to the project, one from representatives of the east neighboring Chancery building (562-566 Market Street) and the other from representatives of 44 Montgomery Street (at the northwesterly corner of the block). Please note that the letter for 44 Montgomery is specific to the CEQA appeal and for that reason is not included in this project approvals/entitlements packet. Three letters in support of the project have been provided from labor groups and downtown organizations.

    - Broadly speaking, opposition to the project is centered around a sizeable development between two historic buildings that would obscure side property line windows and potentially create difficulties for leasing spaces within these neighboring buildings. Opposition also focuses on the site's frontage, satisfaction of exception requirements, and market demand for the proposed use. More detailed summaries are provided within Exhibit H and the Preliminary Mitigated Negative Declaration (PMND) appeal documents. The PMND appeal was denied as detailed above and the CEQA document is therefore the Final MND.

6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

    A. **Use.** Per Planning Code Section 210.2, Retail Sales & Service is a principally permitted use while a Hotel use requires Conditional Use Authorization.

    The project proposes retail use at the lower levels and otherwise entails a 29-story hotel. Findings associated with the Conditional Use Authorization for said hotel use are limited to those required by Planning Code Section 303 and any applicable subsections. Conformance with these findings is detailed in Motion No. 21807 for Case No. 2019-017622CUA.

    B. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 300-S Height and Bulk District, with a 300-foot height limit.

    The Project would result in structure reaching its maximum height limit, exclusive of exempted items such as rooftop mechanical and associated rooftop screening. The Zoning Administrator will separately consider, after conducting a public hearing, whether to allow the height of the elevator penthouse to exceed 16 feet (for a total of 18 feet and 8 inches) pursuant to Planning Code Section 260(b)(1)(B).

    C. **Bulk.** Planning Code Section 270(d) contains limitations for buildings within the subject Bulk District (S) around the base (lowest portion of the building), Lower Tower and Upper Tower.

    The Project has been designed to and has demonstrated compliance with the subject bulk controls, though exceptions are allowed pursuant to Section 309 (Downtown Project Authorization).

    D. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must

achieve a target of 13 points.

The Project submitted a completed Environmental Evaluation Application after January 1, 2018. Therefore, the Project must achieve 100% of the point target established in the TDM Program Standards, resulting in a required target of 13 points. As currently proposed, the Project will achieve its required 13 points (a total of 14 points are provided) through the following TDM measures:

- Parking Supply
- Bicycle Parking (Option B)
- Multimodal Wayfinding Signage

7. **Downtown Project Authorization Exceptions.** Planning Code Section 309 allows exceptions for Large Projects in the Downtown Districts:

   A. **Setbacks and Street wall Articulation in C-3 Districts.** Exceptions for Separation of Towers/interior lot line setbacks, pursuant to the requirements of Section 132.1(d)(2). This section of the Planning Code provides potential exceptions to tower separation requirements through a menu of three options, each of which have specific qualifications and findings. In this instance, the applicable exception is (C) as detailed below.

   132.1(d)(2)(C). Exceptions may be allowed on lots with frontage of less than 75 feet provided that overall access to light and air will not be impaired and the granting of the exception will not result in a group of buildings with total street frontage of 125 feet or more without a separation between buildings that is compliant with Section 132(d)(1).

   570 Market Street is an irregularly shaped through lot with a frontage of 50 feet along Market Street and 40 feet along Sutter Street at the rear. Its eastern neighbor (the 7-story Chancery Building) has approximately 72 feet of frontage along Market, with the western neighbor (the Finance Building, a 6-story extension of the Hobart Building) having approximately 47.5 feet of such frontage. Both they and 44 Montgomery (a 43-story tower to the northwest) are unlikely to see any meaningful increase in height or bulk due to a combination of already exceeding the maximum Floor to Area Ratio (FAR) or nearly exceeding it and not being able to substantially expand due to existing size and previous sale of air/transferable development rights (TDR). All neighboring structures have substantial fenestration along their front, rear, and side elevations. Further, above the ground floor 44 Montgomery Street already includes a setback of at least 15 from its shared property line with the subject site. And though 570 Market Street will not necessarily provide a base Code-compliant interior lot line setback with its eastern and western neighbors, the proposed project does include some level of relief throughout and allows for a development that would otherwise be reduced to such a limited extent as to be infeasible. Given this, overall access to light and air would be sufficiently retained pursuant to 132.1(d)(2)(C)(i). Due to its setback from 44 Montgomery above the ground level, the relatively limited heights of the Finance and Chancery Buildings, and the width of Market (as well as Sutter) Street, there would also not be a group of buildings greater than 125 linear feet without at least one instance of compliant separation pursuant to 132.1(d)(2)(C)(ii).

   B. **Freight Loading.** Exceptions for Freight Loading, pursuant to the requirements of Section 152.1

and 161.

Hotel uses between 100,001 gross square feet and 200,000 square feet (like the proposed project) must provide 1 off street freight loading space. The Project is seeking an exception to instead provide one on-street loading space along Sutter due to the constrained site area (50 linear feet at the lot's widest point) and the prohibition against curb cuts to allow off-street loading along Market Street. Providing freight loading and service vehicle spaces is therefore impractical and undesirable, meeting the Planning Code exemption criteria in Section 161(e) as detailed below:

(i). Provision of freight loading and service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety.

Given the property's narrow street frontage and location directly above the Montgomery Street BART and Muni station, freight loading underground cannot be achieved.

(ii). Provision of the number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses.

Given the limited area of the property's lot, provision of off-street freight loading space would utilize an impractical percentage of the ground floor, inhibiting the more desirable use of the ground floor for retail, pedestrian, and circulation spaces.

(iii). A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the building involved, cannot be provided.

Given the property's location above the Montgomery Street BART and Muni station, providing freight loading underground cannot be achieved.

(iv). Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.

An appropriate on-street color curb loading space along Sutter Street will be pursued through the Municipal Transportation Agency. Sutter Street currently possesses three lanes of travel with a single lane of on-street parking on its southern end. As the proposed freight loading space currently serves as on-street parking, its use for loading will not adversely affect pedestrian circulation, transit operation or general traffic circulation.

C. **Off-Street Tour Bus Loading.** Exceptions for Tour Bus Loading, pursuant to the requirements of Section 162.

Hotel uses with between 201-350 rooms (like the proposed project) must provide one off-street

tour bus loading space. The project seeks an exception due to the various site constraints detailed above.

Given the particulars of the project site and its various constraints, a tour bus loading space is not achievable. The site lacks the proper size to accommodate the configuration of spaces needed for such a space, and doing so would also occupy an unreasonable percentage of the ground floor, thereby eliminating a portion of the more desirable retail, pedestrian, and circulation spaces at that level.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

Policy 1.3
Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

OBJECTIVE 2
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1
Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

OBJECTIVE 3
PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1
Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

OBJECTIVE 8
ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

Policy 8.1
Guide the location of additional tourist related activities to minimize their adverse impacts on existing residential, commercia, and industrial activities.

DOWNTOWN AREA PLAN

Land Use
Objectives and Policies

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

OBJECTIVE 4
ENHANCE SAN FRANCISCO'S ROLE AS A TOURIST AND VISITOR CENTER.

Policy 4.1
Guide the location of new hotels to minimize their adverse impacts on circulation, existing uses, and scale of development.

OBJECTIVE 6
WITHIN ACCEPTABLE LEVELS OF DENSITY, PROVIDE SPACE FOR FUTURE OFFICE, RETAIL, HOTEL, SERVICE AND RELATED USES IN DOWNTOWN SAN FRANCISCO.

Policy 6.1
Adopt a downtown land use and density plan which establishes subareas of downtown with individualized controls to guide the density and location of permitted land use.

OBJECTIVE 9
PROVIDE QUALITY OPEN SPACE IN SUFFICIENT QUANTITY AND VARIETY TO MEET THE NEEDS OF DOWNTOWN WORKERS, RESIDENTS, AND VISITORS.

Policy 9.1
Require usable indoor and outdoor open space, accessible to the public, as part of new downtown development.

Policy 9.2
Provide different kinds of open space downtown.

OBJECTIVE 10
ASSURE THAT OPEN SPACES ARE ACCESSIBLE AND USABLE.

Policy 10.3
Keep open space facilities available to the public.

Policy 9.2
Provide open space that is clearly visible and easily reached from the street or pedestrian way.

The Project is a high-density commercial development, providing 211 new hotel rooms with a combination of lower-level retail and clear, accessible access to the POPOS in a mixed-use area. The Project also has some of the best access to transit of anywhere in the city.

At a time when the downtown area continues to struggle, the project represents a substantial investment along the city's historically primary commercial corridor. It would help attract numerous visitors to the area, who would then patronize other businesses within the vicinity. The design complies with height and bulk controls and qualifies for exceptions as offered through Section 309, which in part exists just for these types of developments facing site constraints in an area where structures generally have a footprint occupying most or all of their lot. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

    a) That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

    The Project would retain retail sales and service use at the lower two levels and then otherwise provide a tourist hotel with all the employment opportunities that come with it.

    b) That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

    The project site does not possess any existing housing and none is proposed.

    c) That the City's supply of affordable housing be preserved and enhanced,

    The Project does not currently possess any existing affordable housing as it is confined to a commercial (Hotel) use.

    d) That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project site is located along Market Street in the Downtown area and is immensely well served by transit as numerous bus lines have stops just outside, as well as the underground Montgomery Street station that is served by MUNI underground as well as BART.

e) That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would have no effect on industrial sectors, and would provide additional employment opportunities in the commercial/service sectors.

f) That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.

g) That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

h) That our parks and open space and their access to sunlight and vistas be protected from development.

A shadow analysis was completed, and it was found the project would not cast any net new shadows on public parks and open spaces.

10. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would constitute a beneficial development.

12. The Commission hereby finds that approval of the Downtown Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Downtown Project Authorization Application No. 2019-017622DNX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 10, 2024 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

The Planning Commission has reviewed and considered the MND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project.

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C as well as the FMND and incorporated herein as part of this Resolution/Motion by this reference thereto. All mitigation measures contained in the MMRP and identified in the FMND are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 309 Downtown Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. Any appeal shall be made to the Board of Appeals~~, unless an associated entitlement is appealed to the Board of Supervisors, in which case the appeal of this Motion shall also be made to the Board of Supervisors (see Charter Section 4.135).~~ For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, San Francisco, CA 94103, or the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 11, 2025 and corrected on September 30, 2025.

Jonas P. Ionin
Commission Secretary

AYES:	Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS:	None
ABSENT:	None
ADOPTED:	September 11, 2025
CORRECTED:	September 30, 2025

EXHIBIT A

Authorization

This authorization is for a Downtown Project Authorization to allow demolition of an existing two-story commercial building and construction of a new 29-story, 300-foot tall tourist hotel with 211 rooms occupying 126,333 gross square feet with 3,386 square feet of retail, and a 4,211 square foot POPOS for the property located at 570 Market Street, Block 0291, and Lot 013 pursuant to Planning Code Section(s) 210.2 and 309 within the C-3-O (Downtown-Office) Zoning District and a 300-S Height and Bulk District; in general conformance with plans, dated May 10, 2024, and stamped "EXHIBIT B" included in the docket for Record No. 2019-017622DNX and subject to conditions of approval reviewed and approved by the Commission on September 11, 2025 under Motion No 21806. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the Planning approval of the building permit or commencement of use for the Project, the property owner must record a Notice of Special Restrictions prepared by the Planning Department with the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 11, 2025, under Motion No 21806.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Downtown Project Authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

6. **Additional Project Authorization.** The Project Sponsor must obtain Conditional Use Authorization pursuant to Sections 210.2 and 303 to establish a Hotel use. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

7. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

8. **Transferable Development Rights.** Pursuant to Section 128, the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development which exceeds the base FAR of 9.0 to 1, up to an FAR of 18.0 to 1. The net addition of gross floor area subject to this requirement shall be determined based on drawings submitted with the Building Permit Application.

   For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Design – Compliance at Plan Stage

9. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

   For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

10. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

11. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof

plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

12. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

13. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

14. **Open Space Provision - C-3 Districts.** Pursuant to Planning Code Section 138, the Project Sponsor shall continue to work with Planning Department staff to refine the design and programming of the public open space so that the open space generally meets the standards of the Downtown Open Space Guidelines in the Downtown Plan of the General Plan.

    For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Open Space Plaques - C-3 Districts.** Pursuant to Planning Code Section 138, the Project Sponsor shall install the required public open space plaques at each building entrance including the standard City logo identifying it; the hours open to the public and contact information for building management. The plaques shall be plainly visible from the public sidewalks along the property's Sutter and/or Market Street frontage and shall indicate that the open space is accessible to the public via the elevators in the lobby. Design of the plaques shall utilize the standard templates provided by the Planning Department, as available, and shall be approved by the Department staff prior to installation.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319 www.sfplanning.org

16. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once

approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

17. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415.701.4500, www.sfmta.org

18. **Color of Building at East Elevation.** The portion of the proposed structure's eastern elevation as it faces the Chancery Building (its eastern neighbor) will be composed of a material and/or finish with a light, traditional color.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Parking and Traffic

19. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

20. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than 8 Class 1 and 8 Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

21. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

22. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

23. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

    For information about compliance, contact the First Source Hiring Manager at 415.581.2335, www.onestopSF.org

24. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

25. **Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

26. **Child-Care Requirements for Office and Hotel Development.** In lieu of providing an on-site child-care facility, the Project has elected to meet this requirement by providing an in-lieu fee, as applicable, pursuant to Planning Code Section 414.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

27. **Art.** The Project is subject to the Public Art Fee, as applicable, pursuant to Planning Code Section 429.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

28. **Art Plaques.** Pursuant to Planning Code Section 429(b), the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

29. **Art.** Pursuant to Planning Code Section 429, the Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the submittal of the first building or site permit application.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

30. **Art.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Monitoring - After Entitlement

31. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

32. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project

Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 350 and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

33. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Operation

34. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublicworks.org

35. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

36. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

570 MARKET ST.

570 Market Street
San Francisco, CA 94104

CONFORMANCE SET
05/10/2024

Danny Forster & Architecture

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VT Consultant

PROJECT INFORMATION

ADDRESS:	570 MARKET STREET SAN FRANCISCO, CA 94104
BLOCK:	0291
LOT:	013
LOT AREA:	7,045 SQ.FT. (GROSS)
ZONING DISTRICT:	C-3-0 - DOWNTOWN-OFFICE
HEIGHT AND BULK DISTRICTS	300-S
PROPOSED BUILDING HEIGHT	300" AT SUTTER AND 150' AT MARKET STREET
ZONING MAP:	ZN1
HEIGHT DISTRICT MAP	HT1
SPECIAL USE DISTRICT:	WITHIN 1/4 MILE OF AN EXISTING FRINGE FINANCIAL SERVICE
HISTORIC RESOURCE STATUS:	C

PROJECT DESCRIPTION

THE PROPOSED PROJECT WILL DEMOLISH AN EXISTING 2-STORY, 14,000 SF RETAIL BUILDING AND CONSTRUCT A NEW, 29 STORY HOTEL WITH APPROXIMATELY 222 GUESTROOMS AND 2 BASEMENT LEVELS.

THE SITE IS A LEVEL THROUGH LOT WITH 50'-0" OF FRONTAGE ALONG MARKET STREET AND 40'-0" OF FRONTAGE ALONG SUTTER STREET. THE SITE IS LOCATED WITH CLOSE PROXIMITY TO TRANSIT HUBS

THE PROPOSED HOTEL WILL BE APPROXIMATELY 300'-0" IN HEIGHT AND 126,333 IN F.A.R. AREA.

REQUIRED POPOS WILL BE PROVIDED ON THE 15TH FLOOR WHICH WILL BE OPEN TO THE AIR WITH A DEDICATED ELEVATOR.

THE PROJECT PROPOSES APPROXIMATELY 15 FEET OF EXCAVATION FOR A FULL LOT BASEMENT LEVEL.

CODE NOTES

EXISTING USE:
COMMERCIAL/RETAIL SALES AND SERVICES

PROPOSED USE:
COMMERCIAL/RETAIL SALES AND SERVICES

CONSTRUCTION CLASSIFICATION: (TABLE 601)
TYPE 1A - FIREPROOFED

FIRE RATED SEPARATION AND ENCLOSURES:

PRIMARY STRUCTURAL FRAME - 3 HRS
BEARING WALLS AND PARTITIONS: (TABLE 602)
EXTERIOR - 2 HRS, #1 PC 403.2.1.1
INTERIOR - 2 HRS, #1 PC 403.2.1.1
NON BEARING WALLS AND PARTITIONS:
EXTERIOR LESS THAN 5 FEET - 1 HR
INTERIOR - 0 HRS
FLOOR CONSTRUCTION: 2 HRS
ROOF CONSTRUCTION: 1.5 HRS

ENERGY CODE INFORMATION

THE PROPOSED PROJECT WILL COMPLY WITH THE CALIFORNIA 2019 BUILDING ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL AND NONRESIDENTIAL BUILDINGS

CLIMATE ZONE: 3 (APPENDIX JA2)
SUB-TYPE: C

PRIVATELY-OWNED PUBLIC OPEN SPACE (POPOS) REQUIREMENTS (TABLE 138)

RATIO OF SQUARE FEET OF OPEN SPACE TO GROSS FLOOR AREA IN C-3-O DISTRICTS IS 1:50

PROPOSED FLOOR AREA: 156,044 SF
REQUIRED POPOS AREA (1:50 FEET): 3,120,88 SF
PROVIDED POPOS AREA (INCLUDING SUPPORT SPACES):

POPOS OUTDOOR TERRACE:	2,364 SF
POPOS INDOOR SUPPORT SPACE:	1,702 SF
TOTAL POPOS AREA:	4,066 SF

THE POPOS WILL BE LOCATED ON THE 15TH FLOOR OPEN AIR TERRACE GIVEN THE LIMITED GRADE LEVEL OPPORTUNITIES.

PARKING REQUIREMENTS

REQUIRED PARKING IN C-3-O DISTRICT: 0 SPACES
PROVIDED PARKING: 0 SPACES

BICYCLE PARKING REQUIREMENTS

CLASS I: ONE PARKING SPOT PER 30 GUESTROOMS
REQUIRED PARKING: 8 CLASS I SPOTS
PROPOSED PARKING: 8 CLASS I SPOTS AT LEVEL 03

CLASS II: MINIMUM OF TWO SPACES, ONE PARKING SPOTS PER 30 ROOMS, ONE PARKING SPACE PER EVERY 5,000 SF OF G.S.F. MEETING ROOMS.

REQUIRED PARKING: 8 CLASS II SPOTS
PROPOSED PARKING: 8 CLASS II SPOTS AT GRADE LEVEL

VOLUMETRIC MODULAR BUILDING APPROACH

DF&A, THE NEW ARCHITECT OF RECORD ON 570 MARKET STREET, IS A WORLD EXPERT ON VOLUMETRIC HIGH-RISE MODULAR CONSTRUCTION. WE HAVE LARGE-SCALE MODULAR PROJECTS UNDERWAY IN MANHATTAN (AN AC BY MARRIOTT), BROOKLYN, FLORIDA, AND THE ISLAND OF NEVIS. WE HAVE DEVELOPED PROPRIETARY TECHNOLOGY TO CAPITALIZE ON THE ADVANTAGES OF MODULAR CONSTRUCTION AND MITIGATE THE DIFFICULTIES; DESIGNED MODULAR STANDARDS AND FIRE TESTS THAT WERE OTHERWISE NONEXISTENT; AND CONTINUE TO TRY TO IMPROVE EVERY STEP OF THE MODULAR PROCESS, FROM LENDING TO MANUFACTURING TO BUILDING MANAGEMENT.

SUSTAINABLE PRINCIPLES AND PRACTICES IN BUILDING DESIGN

THE FOLLOWING ARE STRATEGIES FOR INTEGRATING SUSTAINABLE PRINCIPLES AND PRACTICE IN BUILDING DESIGN FOR THE PROJECT:

THE PLANTING STRATEGY DEVELOPED IN CONJUNCTION WITH THE LANDSCAPE ARCHITECT DWG EMPLOYS NATIVE FOLIAGE AT THE GROUND FLOOR AND POPOS.

BY EMPLOYING MODULAR CONSTRUCTION RATHER THAN CONVENTIONAL, WE ARE ABLE TO TRACK, QUANTIFY AND LIMIT THE AMOUNT OF MATERIAL WASTE THROUGHOUT THE CONSTRUCTION PROCESS.

BIRD SAFE BUILDING REQUIREMENTS

THE FOLLOWING ARE STRATEGIES FOR COMPLYING WITH BIRD SAFE BUILDING REQUIREMENTS:

THE PROJECT COMPLIES WITH ALL FEATURE RELATED BIRD SAFE BUILDING STANDARDS PER PC SECTION 139. AT ALL GUARDRAILS ON THE 15TH FLOOR POPOS, 16TH FLOOR TERRACE, AND 18TH FLOOR YOGA TERRACE GLASS WITH A HORIZONTAL CERAMIC FRIT 1/8" WIDE SPACED EQUALLY 2" APART.

ZONING CALCULATIONS

PARCEL AREA	7,045
ALLOWABLE FAR	18
BUILDABLE FLOOR AREA	126,810

LEVEL	USE	SQUARE FOOTAGE	DEDUCTIONS				GROSS FLOOR AREA	KEYS
			MECH.	VOID/ CIRC.	POPOS/ SUPPORT	RETAIL		
29	ROOF - MECHANICAL	930	930	-	-	-	-	-
28	GUESTROOMS	4,415	178	-	-	-	4,248	8
27	GUESTROOMS	4,415	178	-	-	-	4,248	8
26	GUESTROOMS	4,415	178	-	-	-	4,248	8
25	GUESTROOMS	4,415	178	-	-	-	4,248	8
24	GUESTROOMS	4,415	178	-	-	-	4,248	8
23	GUESTROOMS	4,415	178	-	-	-	4,248	8
22	GUESTROOMS	4,415	178	-	-	-	4,248	8
21	GUESTROOMS	4,415	178	-	-	-	4,248	8
20	GUESTROOMS	4,415	178	-	-	-	4,248	8
19	GUESTROOMS	4,415	178	-	-	-	4,248	8
18	GUESTROOMS / FITNESS	4,415	178	-	-	-	4,248	5
17	GUESTROOMS / MECH.	4,838	1,030	78	-	-	3,730	5
16	AMENITY	4,838	137	-	-	-	4,701	-
15	POPOS / BAR	6,421	215	-	4,211	-	2,205	-
14	GUESTROOMS	5,763	256	-	-	-	5,507	11
13	GUESTROOMS	5,763	256	-	-	-	5,507	11
12	GUESTROOMS	5,763	256	-	-	-	5,507	11
11	GUESTROOMS	5,763	256	-	-	-	5,507	11
10	GUESTROOMS	5,763	256	-	-	-	5,507	11
9	GUESTROOMS	5,763	256	-	-	-	5,507	11
8	GUESTROOMS	5,763	256	-	-	-	5,507	11
7	GUESTROOMS	5,763	256	-	-	-	5,507	11
6	GUESTROOMS	5,763	256	-	-	-	5,507	11
5	GUESTROOMS	5,763	256	-	-	-	5,507	11
4	GUESTROOMS	5,763	256	-	-	-	5,507	11
3	BOH / OPERATIONS / GYM	5,763	216	-	-	-	5,547	-
2	MECHANICAL	6,815	4,591	2,224	-	-	-	-
1.5	RETAIL MEZZANINE	720	-	-	-	720	-	-
1	RETAIL / LOBBY	6,863	101	920	-	2,666	3,176	-
-1	BASEMENT - MECHNICAL	6,898	6,898	-	-	-	0	-
TOTAL		**156,044**	**18,892**	**3,222**	**4,211**	**3,386**		
						29,711	**126,333**	**211**
						REMAINING BUILDABLE FLOOR AREA	**477**	

DRAWING INDEX

DRAWING INDEX

SHEET NO.	SHEET NAME	ISSUANCE 1	ISSUANCE 2	ISSUANCE 3	ISSUANCE 4
01 GENERAL					
T-002	DRAWING INDEX AND PROJECT INFORMATION	●			●
02 ZONING					
Z-001	EXISTING SURVEY	●			●
Z-002	STREETSCAPE PLAN	●			●
Z-100	ZONING PLANS	●			●
Z-101	ZONING PLANS	●			●
03 CODE ANALYSIS					
G-100	EXISTING PHOTOS	●			●
05 ARCHITECTURAL					
A-001	SITE PLAN	●			●
A-050	EXISTING FLOOR PLAN - SUB-CELLAR & CELLAR LEVEL	●			●
A-051	EXISTING FLOOR PLAN - LEVEL 01 & MEZZANINE	●			●
A-052	EXISTING FLOOR PLAN - LEVEL 02 & ROOF	●			●
A-100	FLOOR PLAN - SUB-CELLAR & BASEMENT LEVELS	●		●	●
A-101	FLOOR PLAN - LEVEL 01 & LEVEL 02	●		●	●
A-102	FLOOR PLAN - LEVEL 03 & LEVEL 04	●		●	●
A-103	FLOOR PLAN - LEVEL 15 & LEVEL 16	●		●	●
A-104	FLOOR PLAN - LEVEL 17 & LEVEL 18	●		●	●
A-105	FLOOR PLAN - LEVEL 19 & ROOF	●		●	●
A-200	BUILDING ELEVATIONS	●		●	●
A-201	BUILDING ELEVATIONS	●		●	●
A-300	BUILDING SECTIONS	●			●
A-301	BUILDING SECTIONS	●			●
A-400	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-401	ENLARGED PLANS, SECTIONS & ELEVATIONS	●	●		●
A-402	ENLARGED PLANS, SECTIONS & ELEVATIONS	●	●		●
A-403	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-404	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-405	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-406	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-900	EXTERIOR RENDERING	●	●	●	●
A-901	EXTERIOR RENDERING	●	●	●	●
A-902	EXTERIOR RENDERING	●			●
A-903	EXTERIOR RENDERING	●			
A-904	DETAIL RENDERINGS	●	●		
A-905	POPOS ENTRY RENDERING	●	●		●
A-906	POPOS ENTRY RENDERING	●			
A-907	POPOS RENDERING	●			●
A-908	POPOS RENDERING	●			●
A-909	POPOS RENDERING	●			●
A-910	POPOS RENDERING	●			●
A-911	POPOS RENDERING	●			●
A-912	POPOS RENDERING	●			●
A-913	POPOS RENDERING	●			●
A-914	POPOS RENDERING	●			●
A-915	POPOS RENDERING	●			●
A-916	POPOS RENDERING	●			●

VICINITY MAP

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NO. DATE REVISION/ISSUANCE
1 10-30-20 RESPONSE TO PLAN CHECK LETTER
4 05-10-24 CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

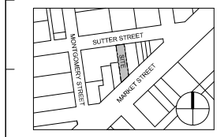
B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT DANIEL KEITH FORSTER C-32858 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

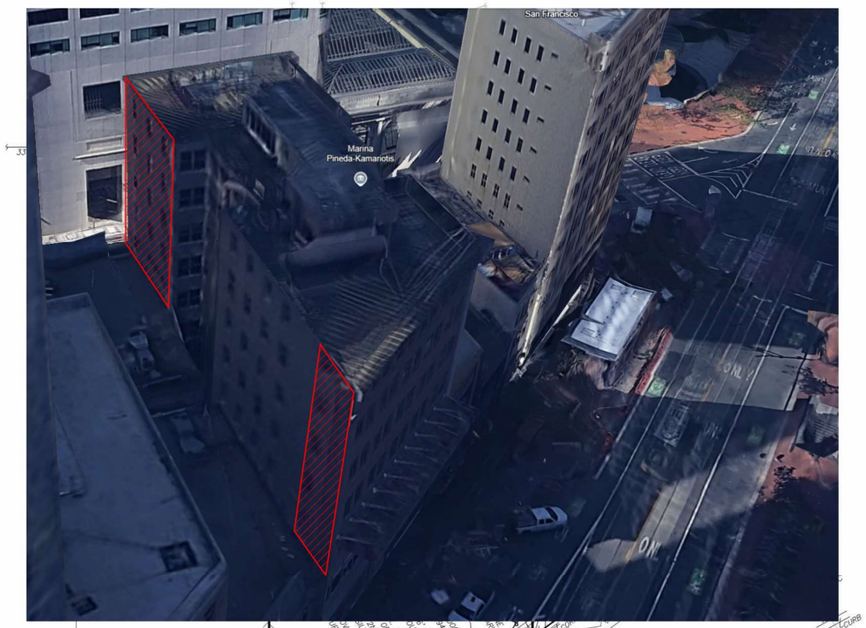


Date: 05/10/2024
Scale: 1" = 200'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
DRAWING INDEX AND PROJECT INFORMATION

Sheet Number:
T-002.01

Sheet No: of



DETAIL B

0 5 10 20
GRAPHIC SCALE

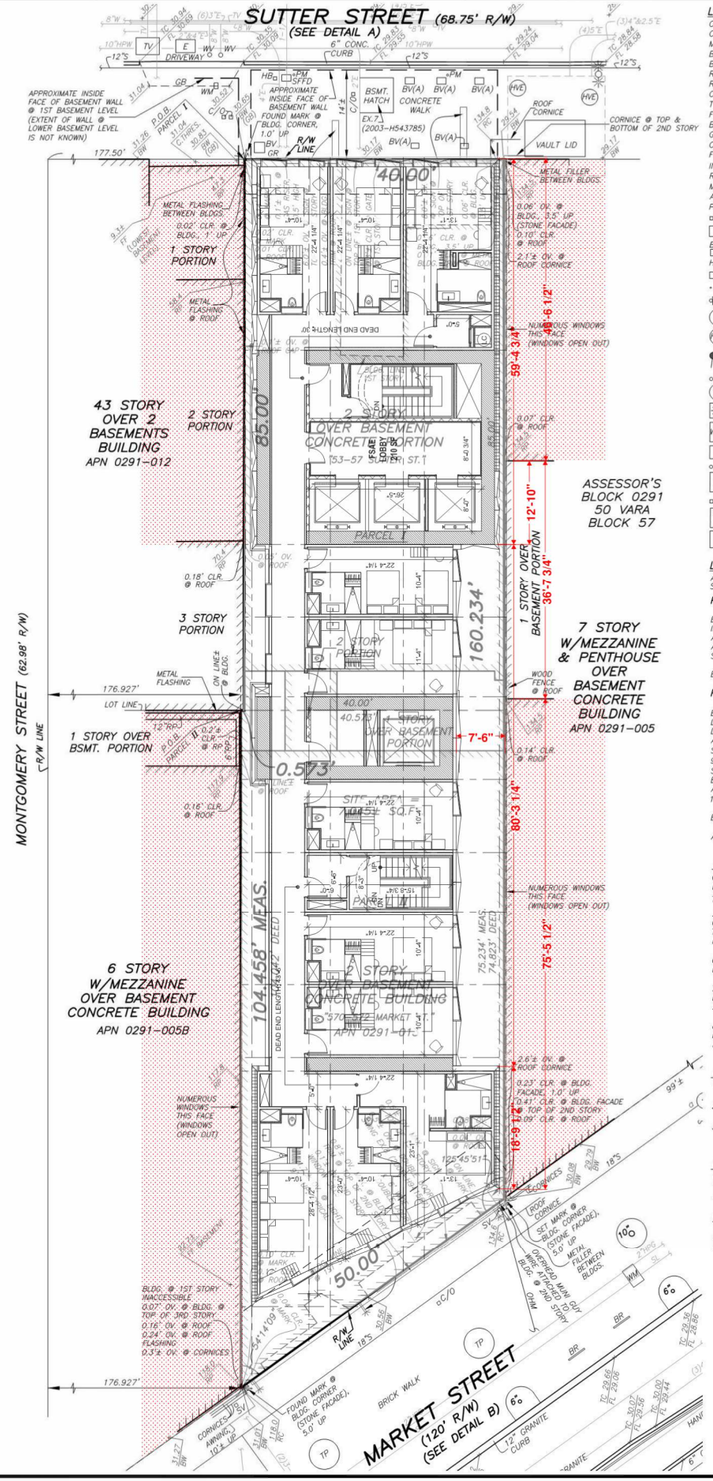
UTILITY NOTE

1. THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.

2. DUE TO THE PROLIFERATION OF TELECOMMUNICATION COMPANIES, NOT ALL UNDERGROUND RECORDS ARE AVAILABLE. THEREFORE, THERE MAY BE TELECOMMUNICATION LINES NOT SHOWN HEREON.

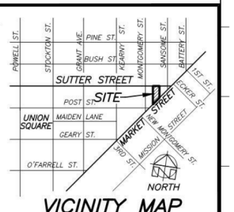
3. MUNI UNDERGROUND DUCT INFORMATION IS NOT AVAILABLE. THERE IS NO SURFACE EVIDENCE OF UNDERGROUND MUNI LINES FRONTING THE SUBJECT PROPERTY.

4. UNDERGROUND TRAFFIC SIGNAL RECORDS ARE NOT AVAILABLE.



LEGEND

CLR.	CLEAR OF PROPERTY LINE
OV.	OVER PROPERTY LINE
MAX.	MAXIMUM
BLDG.	BUILDING
BSMT.	BASEMENT
RP	ROOF PARAPET
RC	ROOF CORNICE
CONC.	CONCRETE
TC	TOP OF CURB
FL	FLOW LINE
BW	BACK OF WALK
GB	GRADE BREAK
C.THRES	CONCRETE THRESHOLD
FF	FINISHED FLOOR
INV.	INVERT
R/W	RIGHT OF WAY
MEAS.	MEASURED
APN	ASSESSOR'S PARCEL LINE
P.O.B.	POINT OF BEGINNING
⊐C/O	SEWER CLEANOUT
BV	BASEMENT VENT
BV(A)	ABANDONED BASEMENT VENT
HB	HOSEBIB COVER
SFFD	SFFD VALVE (GAS)
GR	GAS RISER, 0.5'± HIGH
BUS	BUS STOP SIGN
T	TELEPHONE MANHOLE
HVE	HIGH VOLTAGE ELECTRIC MANHOLE
	HIGH PRESSURE FIRE HYDRANT
WV	WATER VALVE
S	SEWER MANHOLE
	CATCH BASIN
WM	WATER METER
WM	WATER METER
GV	GAS VALVE
E	ELECTRIC PULLBOX
SV	SEWER VENT
TS	TRAFFIC SIGNAL PULLBOX
TV	TELEVISION PULLBOX
T	TELEPHONE PULLBOX
	ELECTROLIER
M	ELECTROLIER W/MUNI GUY WIRE
BR	BIKE RACK
TRASH CAN	TRASH CAN
6"	TREE PIT W/TREE & DIAMETER
10"	TREE PIT W/TREE & DIAMETER
TP	TREE PIT (NO TREE)
SFPUC	SAN FRANCISCO PUBLIC UTILITY COMMISSION PULLBOX
PM	PARKING METER
HPFS	HIGH PRESSURE WATER COVER
	TRAFFIC SIGNAL
E	ELECTRIC LINE
G	GAS LINE
HPG	HIGH PRESSURE GAS LINE
S	SEWER LINE
SL	STREET LIGHT LINE
STM	STEAM LINE
T	TELEPHONE LINE
W	WATER LINE
HPW	HIGH PRESSURE WATER LINE
OHM	OVERHEAD MUNI GUY WIRE



VICINITY MAP
NO SCALE

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL I:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SUTTER STREET DISTANT THEREON 177 FEET, 6 INCHES EASTERLY FROM THE EASTERLY LINE OF MONTGOMERY STREET; RUNNING THENCE EASTERLY AND ALONG SAID LINE OF SUTTER STREET 40 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 85 FEET; THENCE AT A RIGHT ANGLE WESTERLY 40 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 85 FEET TO THE SOUTHERLY LINE OF SUTTER STREET AND THE POINT OF BEGINNING.

BEING PART OF 50 VARA BLOCK NO. 57.

PARCEL II:

BEGINNING AT A POINT WHICH IS DISTANT 176 FEET AND 11-1/8 INCHES EASTERLY FROM THE EASTERLY LINE OF MONTGOMERY STREET MEASURED ON A LINE DRAWN AT RIGHT ANGLES THERETO AND ALSO DISTANT 85 FEET SOUTHERLY FROM THE SOUTHERLY LINE OF SUTTER STREET MEASURED ON A LINE DRAWN AT RIGHT ANGLES THERETO; RUNNING THENCE EASTERLY AND PARALLEL WITH SAID SOUTHERLY LINE OF SUTTER STREET, 40 FEET AND 6-7/8 INCHES; THENCE AT A RIGHT ANGLE SOUTHERLY 74 FEET AND 9-7/8 INCHES TO THE NORTHWESTERLY LINE OF MARKET STREET; THENCE SOUTHWESTERLY AND ALONG SAID LINE OF MARKET STREET 50 FEET TO A POINT WHICH IS DISTANT 176 FEET AND 11-1/8 INCHES EASTERLY FROM THE EASTERLY LINE OF MONTGOMERY STREET MEASURED ON A LINE DRAWN AT RIGHT ANGLES THERETO; THENCE NORTHERLY AND PARALLEL WITH SAID EASTERLY LINE OF MONTGOMERY STREET 104 FEET AND 1/2 OF AN INCH TO THE POINT OF BEGINNING.

BEING PART OF VARA BLOCK NO. 57.

ASSESSOR'S PARCEL NUMBER: LOT 013, BLOCK 0291

SURVEY REFERENCE

COMMONWEALTH LAND TITLE COMPANY UPDATED PRELIMINARY REPORT #1, ORDER NO. 09220395-917-BLB-JMO DATED JUNE 30, 2017.

THE FOLLOWING ARE EXCEPTIONS TO TITLE WITHIN THE ABOVE REFERENCED PRELIMINARY REPORT:

2. A POSSIBLE OVERLAP OF RECORD OF UNDISCLOSED LOCATION AS DISCLOSED BY THAT CERTAIN GRANT DEED RECORDED NOVEMBER 14, 1952, IN BOOK 6040, PAGE 421, OFFICIAL RECORDS AND BY THAT CERTAIN GRANT DEED RECORDED JULY 22, 1953, IN BOOK 6197, PAGE 70, OFFICIAL RECORDS. NOTE: NO OVERLAP OF RECORD WAS FOUND. NOT PLOTTABLE.

6. "HAZARDOUS SUBSTANCES CERTIFICATE AND INDEMNITY AGREEMENT" RECORDED JUNE 18, 2002, DOCUMENT NO. 2002-H185988, OFFICIAL RECORDS. NOT PLOTTABLE.

7. "DECLARATION OF USE" - MINOR SIDEWALK ENCROACHMENT PERMIT TO REPLACE THE EXISTING BASEMENT HATCH WITH A NEW HATCH, RECORDED SEPTEMBER 19, 2003, DOCUMENT NO. 2003-H543785, OFFICIAL RECORDS. PLOTTED HEREON.

8. "DECLARATION OF USE" - MINOR SIDEWALK ENCROACHMENT PERMIT FOR A NEW DOOR SWING ENCROACHING 6 INCHES INTO THE PUBLIC RIGHT-OF-WAY FRONTING THE SUBJECT PROPERTY RECORDED APRIL 21, 2005, DOCUMENT NO. 2005-H941557, OFFICIAL RECORDS. PLOTTED HEREON.

BASIS OF SURVEY

1. CITY OF SAN FRANCISCO MONUMENT MAP NO. 5 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
2. BLOCK DIAGRAM OF 50 VARA BLOCK 57 DATED JUNE 21, 1910 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
3. "RECORD OF SURVEY MAP OF 50 VARA BLOCK 57" FILED JUNE 18, 1947 IN LICENSED SURVEYORS PLATS AT PAGE 40, SAN FRANCISCO COUNTY RECORDER.

BENCHMARK

CITY OF SAN FRANCISCO BENCHMARK NO. BM11331, STEEL SCREW IN WASHER STAMPED "CCSF CONTROL" LOCATED AT THE NORTHEASTERLY CORNER OF MONTGOMERY AND SUTTER STREETS, ELEVATION 35.42 FEET, CCSF 2013 NAVD88 VERTICAL DATUM.

GENERAL NOTES

1. DETAILS NEAR PROPERTY LINES MAY NOT BE TO SCALE.
2. ALL PROPERTY LINE ANGLES ARE 90 DEGREES UNLESS NOTED OTHERWISE.
3. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

PROFESSIONAL LAND SURVEYOR — BENJAMIN — PLS 9244 — STATE OF CALIFORNIA

NORTH

SITE SURVEY
OF A PORTION OF ASSESSOR'S BLOCK NO. 0291
FOR
DANNY FOSTER ARCHITECTURE
SAN FRANCISCO CALIFORNIA

SCALE: 1" = 10'	MARTIN M. RON ASSOCIATES LAND SURVEYORS 859 HARRISON STREET, SUITE 200 SAN FRANCISCO, CA 94107 (415) 543-4500	SURV: RS
DATE: 11/13/20		DES:
SHEET: 1		DRW: JP
OF: 1		CHK: DR
JOB NO. S-9454		REV. NO.

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www.adsce.com

NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
4	05-10-24	CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT — JASON BUDHRAM — C-32858 — 10-31-2025 RENEWAL DATE — STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

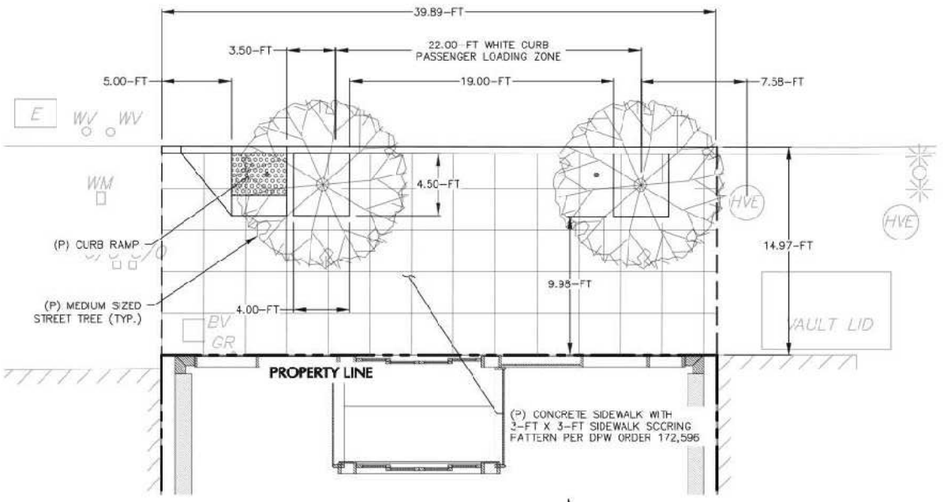
Date: 05/10/2024
Scale: 3/32" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING SURVEY

Sheet Number:
Z-001.00

Sheet No: of

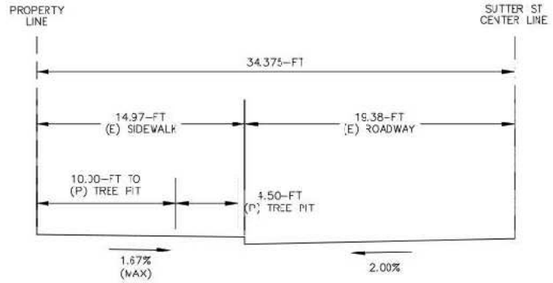
SUTTER STREET
(68.75-FT ROW)



SUTTER STREET FRONTAGE

SCALE: 1" = 5'

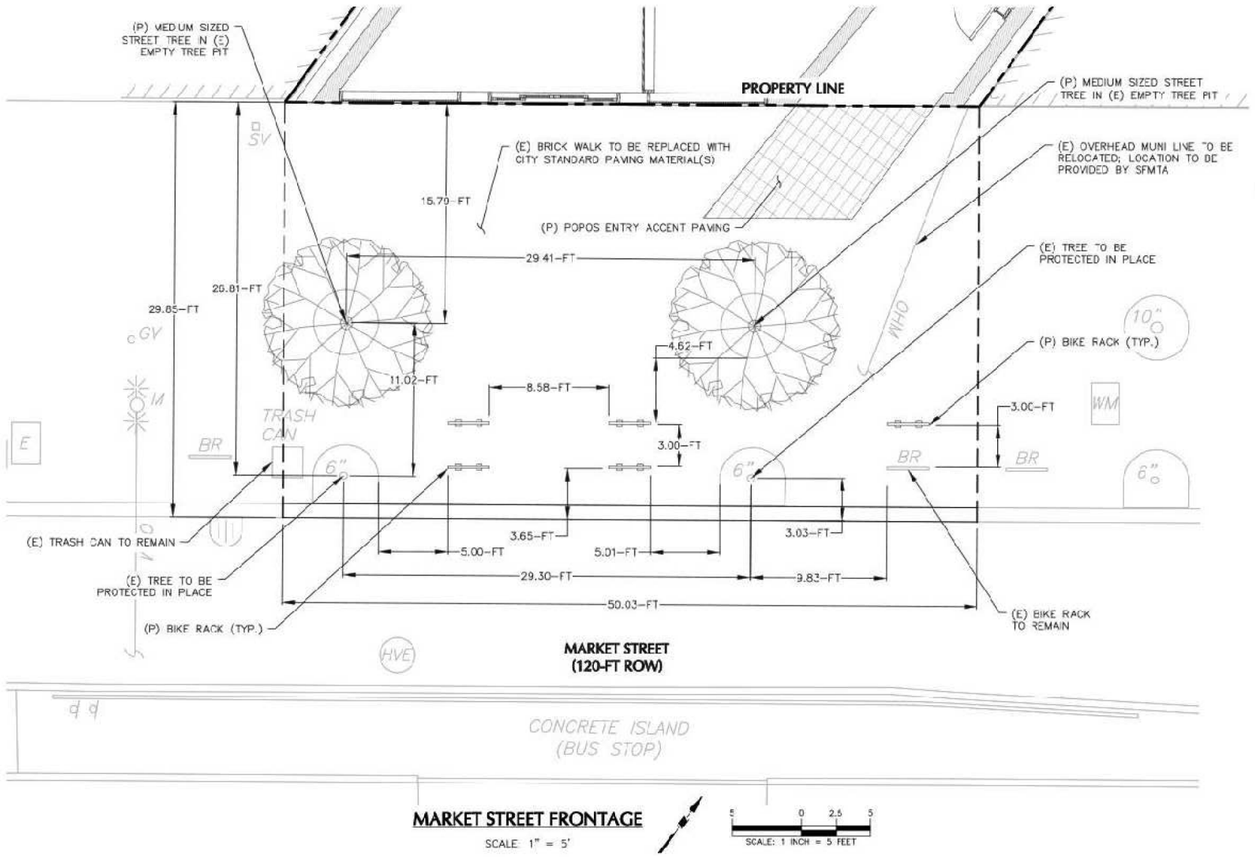
SCALE: 1 INCH = 5 FEET



SUTTER STREET SECTION

SCALE: 1" = 5'

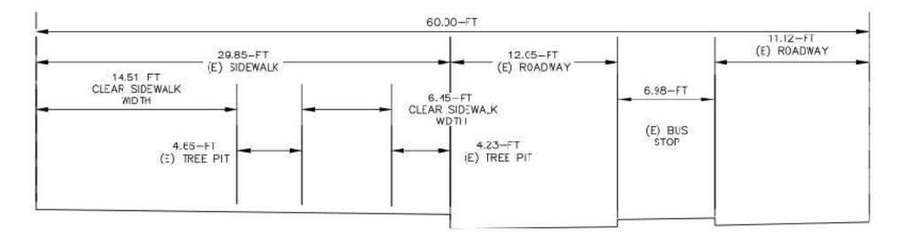
SCALE: 1 INCH = 5 FEET



MARKET STREET FRONTAGE

SCALE: 1" = 5'

SCALE: 1 INCH = 5 FEET



MARKET STREET SECTION

SCALE: 1" = 5'

SCALE: 1 INCH = 5 FEET

NOTES:

1. PROJECT WILL COORDINATE WITH THE CITY'S BETTER MARKET STREET PROJECT FOR PROPOSED STREETSCAPE IMPROVEMENTS ALONG MARKET STREET

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NO. DATE REVISION/ISSUANCE

1 10-30-20 RESPONSE TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
ANDREW BUSHNELL
C-32858
10-31-2023
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

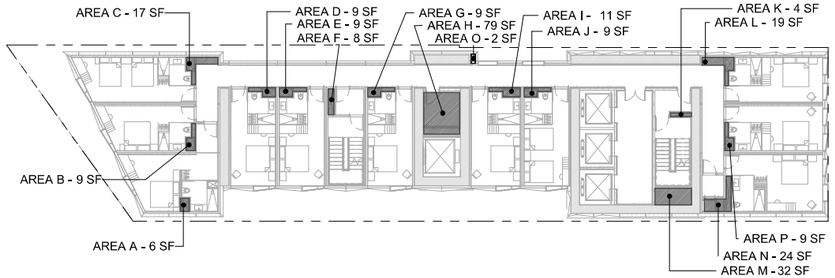
Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
STREETSCAPE PLAN

Sheet Number:
Z-002.00

Sheet No: of

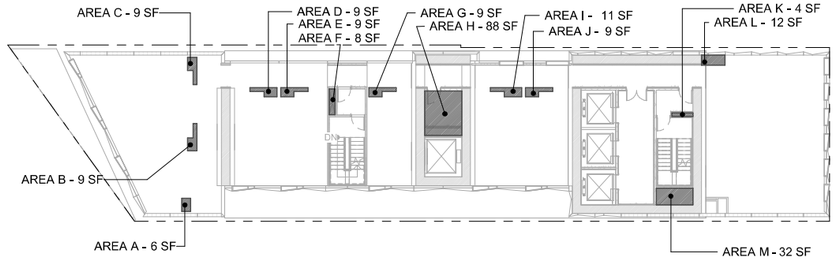


ZONING DEDUCTIONS TABLE - LEVEL 04		
NAME	TYPE	AREA
AREA A	MEP	6 SF
AREA B	MEP	9 SF
AREA C	MEP	17 SF
AREA D	MEP	9 SF
AREA E	MEP	9 SF
AREA F	MEP	8 SF
AREA G	MEP	9 SF
AREA H	MEP	79 SF
AREA I	MEP	11 SF
AREA J	MEP	9 SF
AREA K	MEP	4 SF
AREA L	MEP	19 SF
AREA M	MEP	32 SF
AREA N	MEP	24 SF
AREA O	MEP	2 SF
AREA P	MEP	9 SF
		256 SF

ZONING CALCULATIONS - LEVEL 04	
GFA	5,763 SF
DEDUCTIONS	256 SF
FAR	5,507 SF

LEVEL 04 - TYPICAL GUESTROOM - DEDUCTIONS
1/16" = 1'-0"

06



DEDUCTIONS PLAN

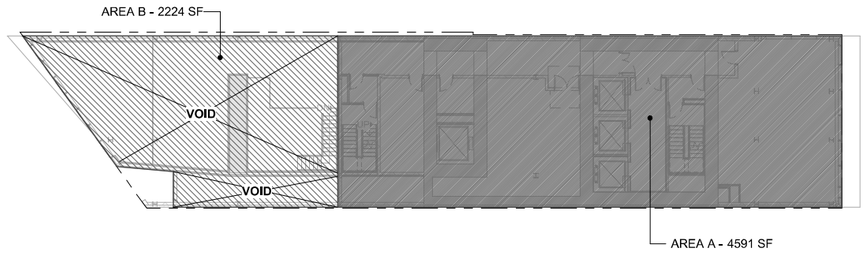
ZONING DEDUCTIONS TABLE - LEVEL 03		
NAME	TYPE	AREA
AREA A	MEP	6 SF
AREA B	MEP	9 SF
AREA C	MEP	9 SF
AREA D	MEP	9 SF
AREA E	MEP	9 SF
AREA F	MEP	8 SF
AREA G	MEP	9 SF
AREA H	MEP	88 SF
AREA I	MEP	11 SF
AREA J	MEP	9 SF
AREA K	MEP	4 SF
AREA L	MEP	12 SF
AREA M	MEP	32 SF
		216 SF

ZONING CALCULATIONS - LEVEL 03	
GFA	5,763 SF
DEDUCTIONS	216 SF
FAR	5,547 SF

GROSS FLOOR AREA PLAN

LEVEL 03 - BOH / OPERATIONS / GYM - DEDUCTIONS
1/16" = 1'-0"

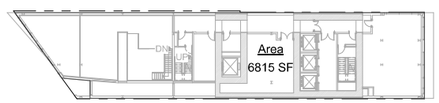
05



ZONING DEDUCTIONS TABLE - LEVEL 02		
NAME	TYPE	AREA
AREA A	MEP	4591 SF
AREA B	Void	2224 SF
		6815 SF

ZONING CALCULATIONS - LEVEL 02	
GFA	6,815 SF
DEDUCTIONS	6,815 SF
FAR	0 SF

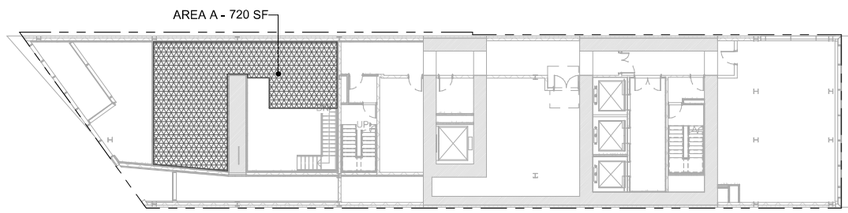
DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 02 - MEZZ & MEP - DEDUCTIONS
1/16" = 1'-0"

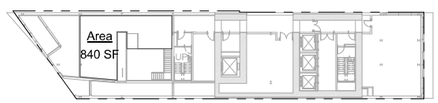
04



ZONING DEDUCTIONS TABLE - LEVEL 1.5 MEZZ.		
NAME	TYPE	AREA
AREA A	Retail	720 SF
		720 SF

ZONING CALCULATIONS - LEVEL 1.5 MEZZ.	
GFA	720 SF
DEDUCTIONS	720 SF
FAR	0 SF

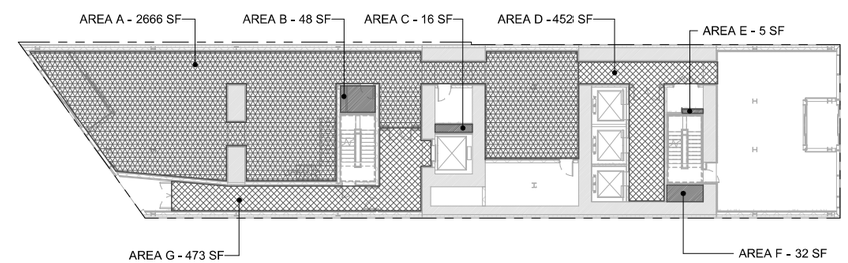
DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 1.5 MEZZANINE - DEDUCTIONS
1/16" = 1'-0"

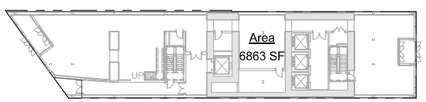
03



ZONING DEDUCTIONS TABLE - LEVEL 01		
NAME	TYPE	AREA
AREA A	Retail	2666 SF
AREA B	MEP	48 SF
AREA C	MEP	16 SF
AREA D	Circulation	447 SF
AREA E	MEP	5 SF
AREA F	MEP	32 SF
AREA G	Circulation	473 SF
		3687 SF

ZONING CALCULATIONS - LEVEL 01	
GFA	6,863 SF
DEDUCTIONS	3,687 SF
FAR	3,176 SF

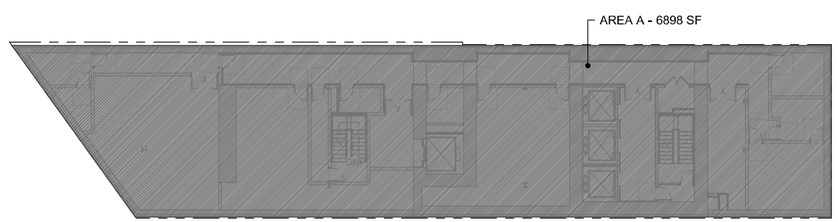
DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 01 - LOBBY - DEDUCTIONS
1/16" = 1'-0"

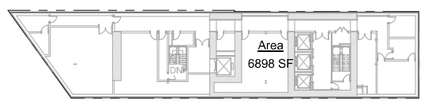
02



ZONING DEDUCTIONS TABLE - CELLAR		
NAME	TYPE	AREA
AREA A	MEP	6898 SF
		6898 SF

ZONING CALCULATIONS - CELLAR	
GSF	6,898 SF
DEDUCTIONS	6,898 SF
ZFA	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

BASEMENT - DEDUCTIONS
1/16" = 1'-0"

01

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1 10-30-20 RESPONSE TO PLAN CHECK LETTER
4 05-10-24 CONFORMANCE SET

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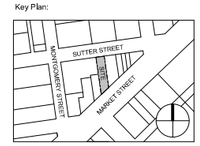
Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
DANIEL FORSTER
C-32858
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



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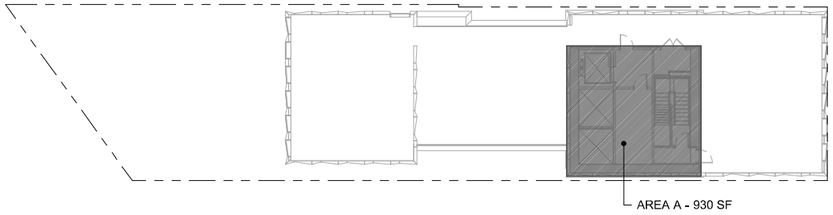
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ZONING PLANS

Sheet Number:
Z-100.01

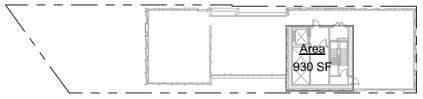
Sheet No: of



ZONING DEDUCTIONS TABLE - LEVEL 29 ROOF		
NAME	TYPE	AREA
AREA A	MEP	930 SF
		930 SF

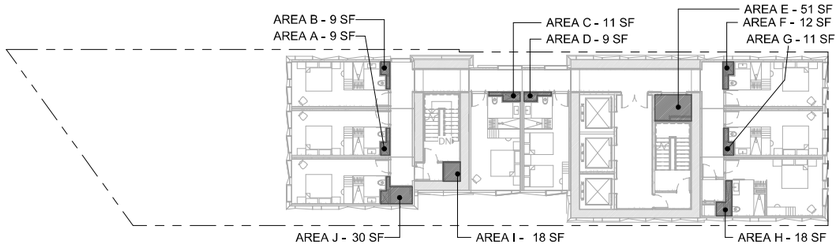
ZONING CALCULATIONS - LEVEL 29	
GFA	930 SF
DEDUCTIONS	930 SF
FAR	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

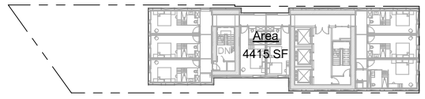
LEVEL 29 - ROOF - DEDUCTIONS 06
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 19-28		
NAME	TYPE	AREA
AREA A	MEP	9 SF
AREA B	MEP	9 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	51 SF
AREA F	MEP	12 SF
AREA G	MEP	11 SF
AREA H	MEP	18 SF
AREA I	MEP	18 SF
AREA J	MEP	30 SF
		178 SF

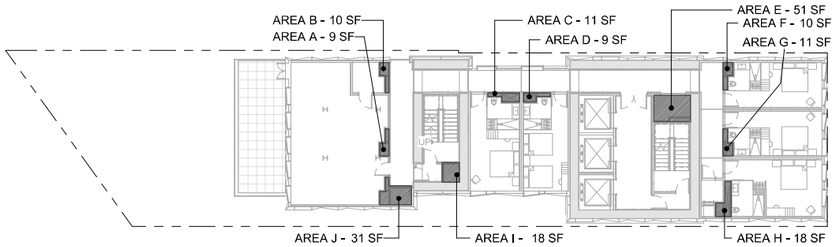
ZONING CALCULATIONS - LEVEL 19-28	
GFA	4,415 SF
DEDUCTIONS	178 SF
FAR	4,237 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

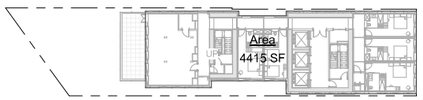
LEVEL 19 - TYP. GUESTROOM - DEDUCTIONS 05
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 18		
NAME	TYPE	AREA
AREA A	MEP	9 SF
AREA B	MEP	10 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	51 SF
AREA F	MEP	10 SF
AREA G	MEP	11 SF
AREA H	MEP	18 SF
AREA I	MEP	18 SF
AREA J	MEP	31 SF
		178 SF

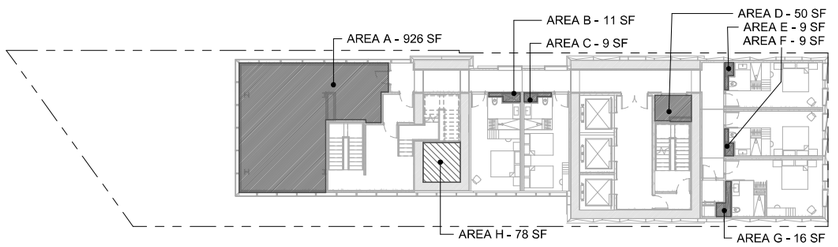
ZONING CALCULATIONS - LEVEL 18	
GFA	4,415 SF
DEDUCTIONS	178 SF
FAR	4,237 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

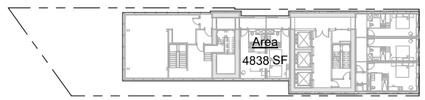
LEVEL 18 - GUESTROOMS / FITNESS - DEDUCTIONS 04
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 17		
NAME	TYPE	AREA
AREA A	MEP	926 SF
AREA B	MEP	11 SF
AREA C	MEP	9 SF
AREA D	MEP	50 SF
AREA E	MEP	9 SF
AREA F	MEP	9 SF
AREA G	MEP	16 SF
AREA H	Void	78 SF
		1108 SF

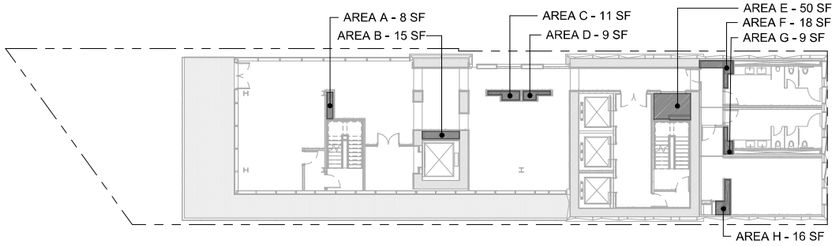
ZONING CALCULATIONS - LEVEL 17	
GFA	4,838 SF
DEDUCTIONS	1,108 SF
FAR	3,730 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

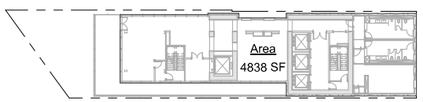
LEVEL 17 - GUESTROOMS / MECH - DEDUCTIONS 03
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 16		
NAME	TYPE	AREA
AREA A	MEP	8 SF
AREA B	MEP	15 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	50 SF
AREA F	MEP	18 SF
AREA G	MEP	9 SF
AREA H	MEP	16 SF
		137 SF

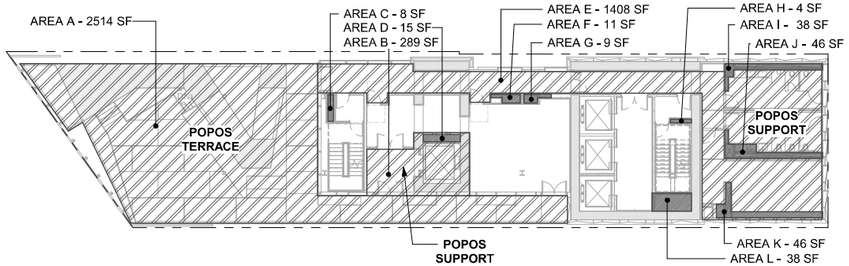
ZONING CALCULATIONS - LEVEL 16	
GFA	4,838 SF
DEDUCTIONS	137 SF
FAR	4,701 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 16 - BAR - DEDUCTIONS 02
1/16" = 1'-0"

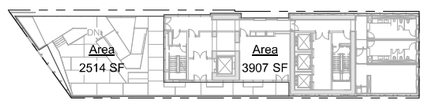


ZONING DEDUCTIONS TABLE - LEVEL 15		
NAME	TYPE	AREA
AREA A	POPOS	2514 SF
AREA B	POPOS	289 SF
AREA C	MEP	8 SF
AREA D	MEP	15 SF
AREA E	POPOS	1408 SF
AREA F	MEP	11 SF
AREA G	MEP	9 SF
AREA H	MEP	4 SF
AREA I	MEP	38 SF
AREA J	MEP	46 SF
AREA K	MEP	46 SF
AREA L	MEP	38 SF
		4426 SF

ZONING CALCULATIONS - LEVEL 15	
GFA	6,421 SF
DEDUCTIONS	4,426 SF
FAR	1,995 SF

*GFA INCLUDES OUTDOOR POPOS TERRACE

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 15 - POPOS - DEDUCTIONS 01
1/16" = 1'-0"

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LICENSED ARCHITECT DANIEL FORSTER C-32858 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ZONING PLANS

Sheet Number:
Z-101.01

Sheet No: of

SUTTER STREET SOUTHWEST **04**

SUTTER STREET SOUTHEAST **03**

MARKET STREET SOUTHWEST **02**

MARKET STREET SOUTHEAST **01**

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LICENSED ARCHITECT
DANIEL DEVONSHIRE FORSTER
C-32858
10-31-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING PHOTOS

Sheet Number:
G-100.00

Sheet No: of

582 MARKET STREET
PODIUM APPROX. 158FT TALL

576-580 MARKET STREET
APPROX. 88FT TALL

44 MONTGOMERY STREET
APPROX. 562FT TALL

3-STORY BLDG.

2-STORY BLDG.

1-STORY BLDG.

189' - 5 1/2"

15' - 0"

ELECTRICAL VAULT BELOW SIDEWALK, FULL WIDTH OF SITE TO BE COORDINATED & ENGINEERED WITH PG&E

MARQUEE

HOTEL ENTRY

40' - 0"

19' - 0"

15' - 0 1/2" SIDEWALK

SUTTER STREET
(68.75 R/W)

48' - 7"

50' - 0"

MIN. 9 CLASS II BIKE SPACES

LEVEL 15 - POPOS TERRACE

LEVEL 16 BALCONY

LEVEL 18 BALCONY

LEVEL 29 MECHANICAL ROOF

LEVEL 29 MECHANICAL ROOF

STAIR BULKHEAD ROOF

LEVEL 29 MECHANICAL ROOF

LEVEL 16 BALCONY

29' - 10 1/4" SIDEWALK

POPOS ENTRY

EXISTING BIKE RACK TO REMAIN

160' - 2 3/4"

LIGHT WELL

MARKET STREET
(120 R/W)

70' - 10"

562 MARKET STREET
APPROX. 102FT TALL

57' - 6"

LIGHT WELL

N

SITE PLAN
1/8" = 1'-0"

01

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LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32858
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

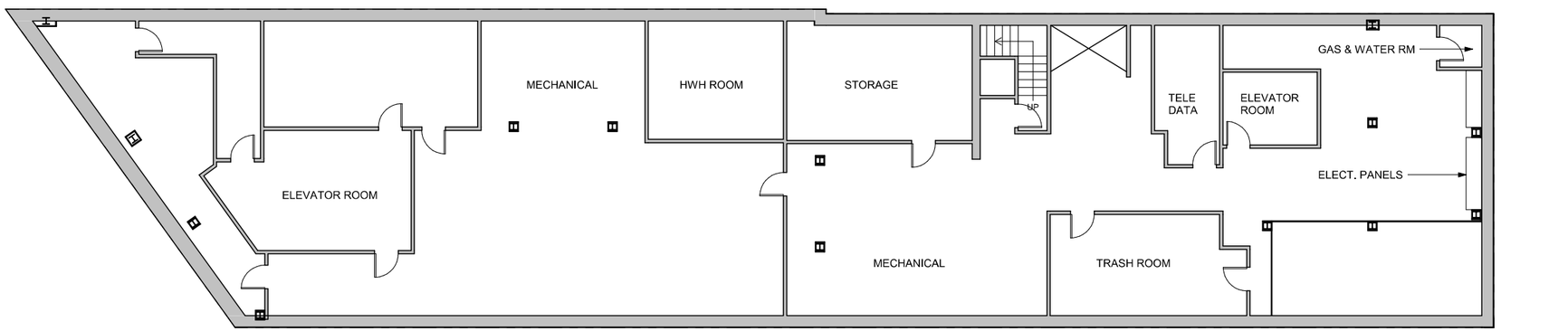
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
SITE PLAN

Sheet Number:
A-001.01

Sheet No: of



EXISTING FLOOR PLAN - CELLAR 01
1/8" = 1'-0"

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Project Title:
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570 MARKET STREET
SAN FRANCISCO, CA

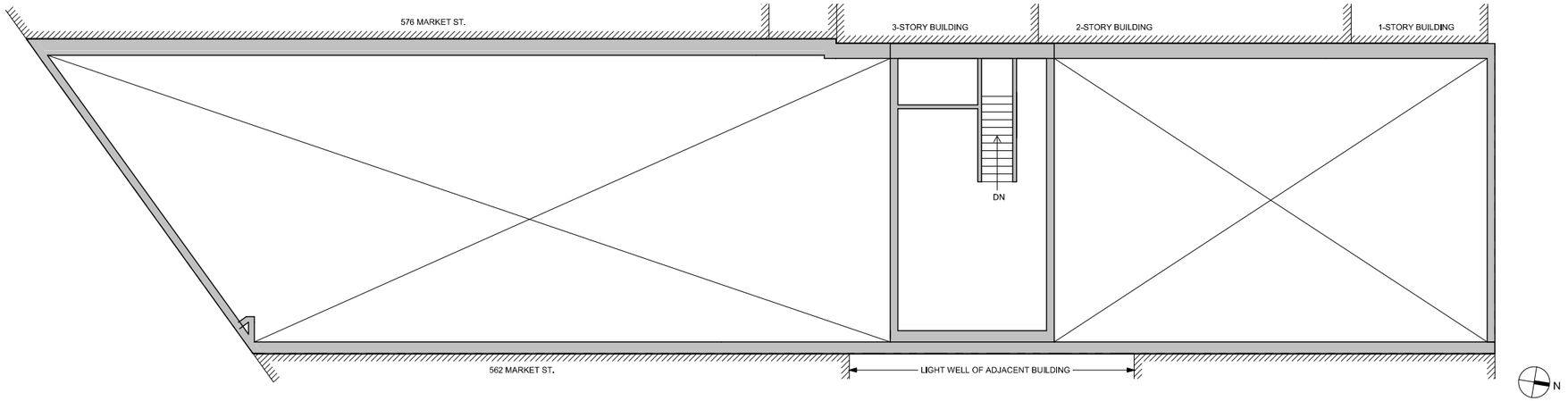
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

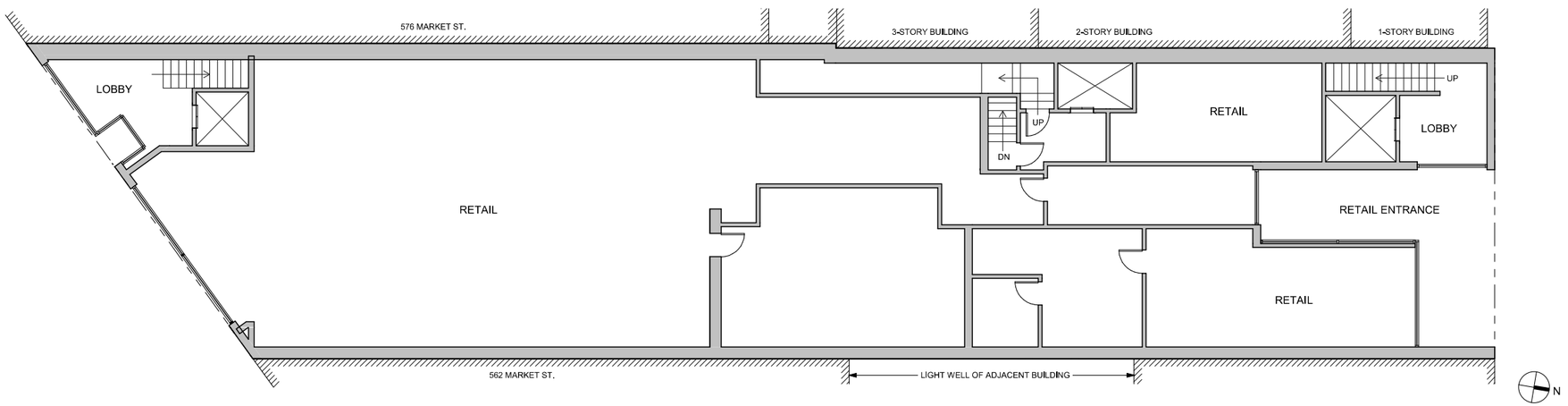
Drawing Title:
EXISTING FLOOR PLAN - SUB-CELLAR & CELLAR LEVEL

Sheet Number:
A-050.00

Sheet No: of



EXISTING FLOOR PLAN - MEZZANINE LEVEL **02**
1/8" = 1'-0"



EXISTING FLOOR PLAN - LEVEL 01 **01**
1/8" = 1'-0"

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Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

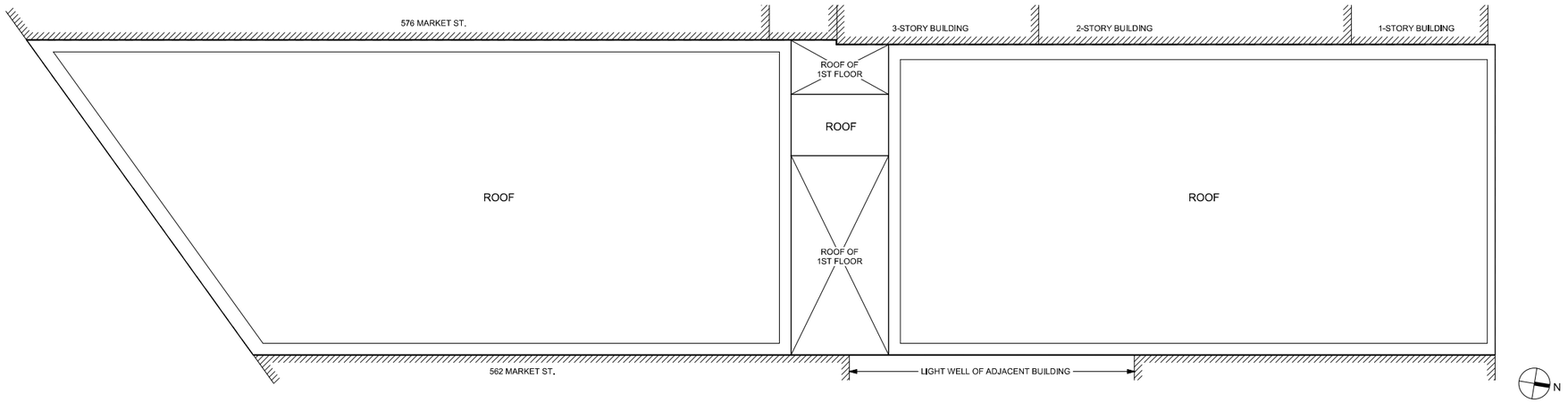
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING FLOOR PLAN - LEVEL 01 & MEZZANINE

Sheet Number:
A-051.00

Sheet No: of



EXISTING FLOOR PLAN - ROOF **02**
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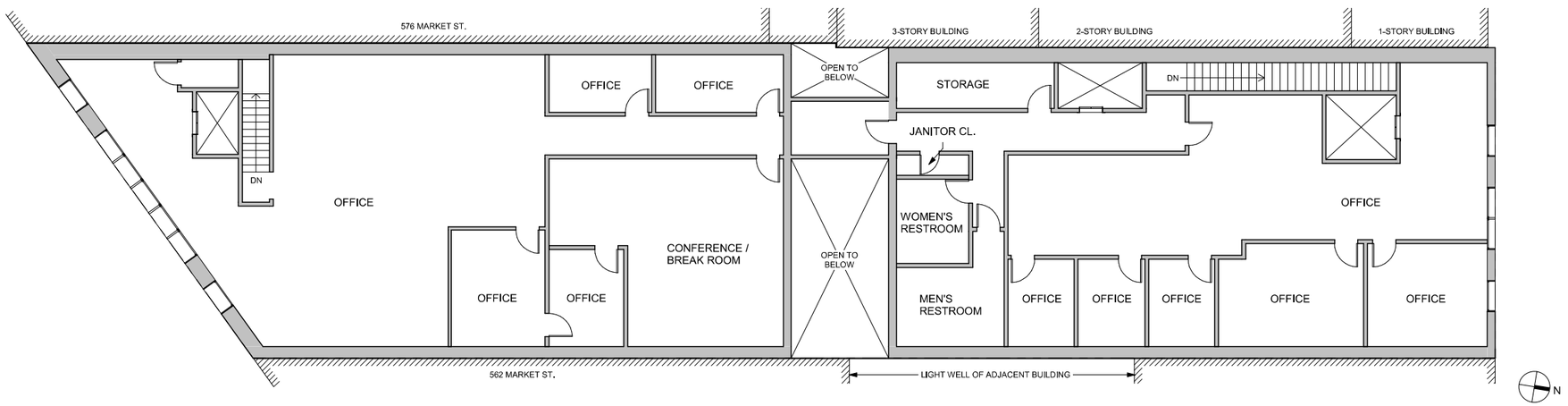

EXISTING FLOOR PLAN - LEVEL 02 **01**
1/8" = 1'-0"

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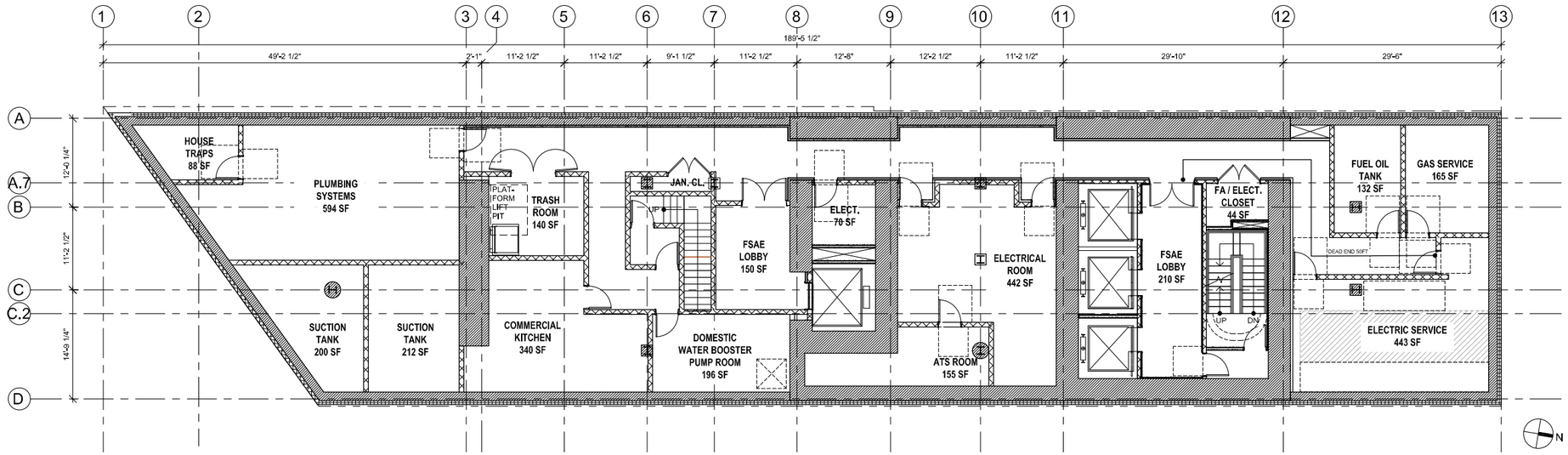
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING FLOOR PLAN - LEVEL 02 & ROOF

Sheet Number:
A-052.00

Sheet No: of



FLOOR PLAN - BASEMENT 01
1/8" = 1'-0"

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3	04-09-21	REV. MASSING ADDENDUM TO PJ23
4	05-10-24	CONFORMANCE SET

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
AARON W. CUSHNER
C-32858
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

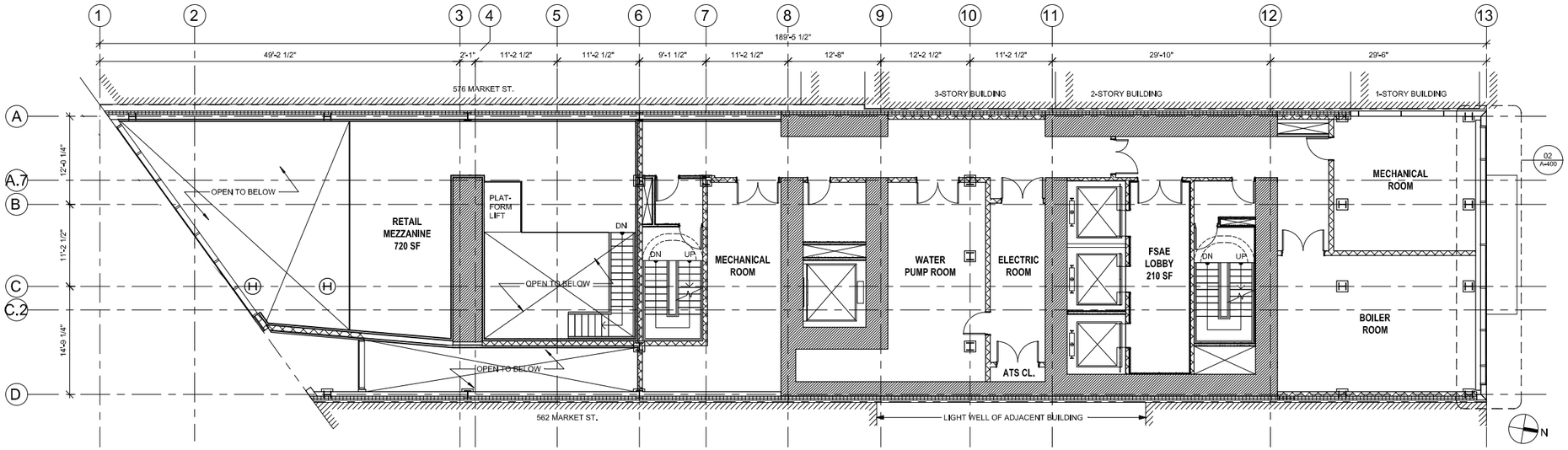
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - BASEMENT LEVEL

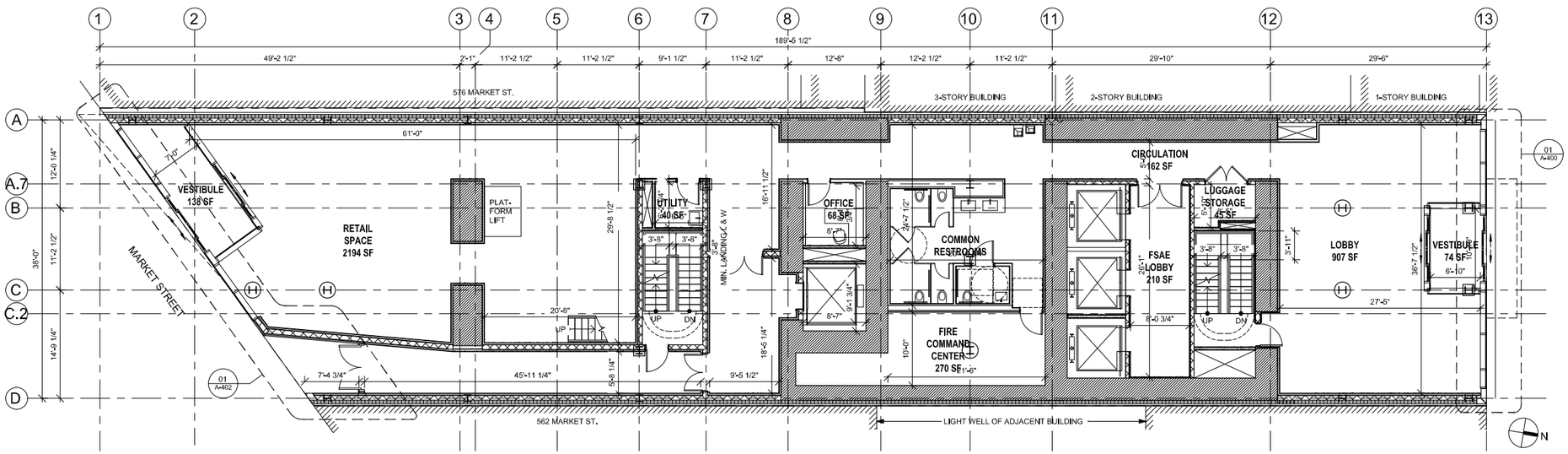
Sheet Number:
A-100.02

Sheet No: of



FLOOR PLAN - LEVEL 02
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 01
1/8" = 1'-0"

01

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3	04-02-21	REV. MASSING ADDENDUM TO PJ-3
4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON SUSHKIN
C-32855
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

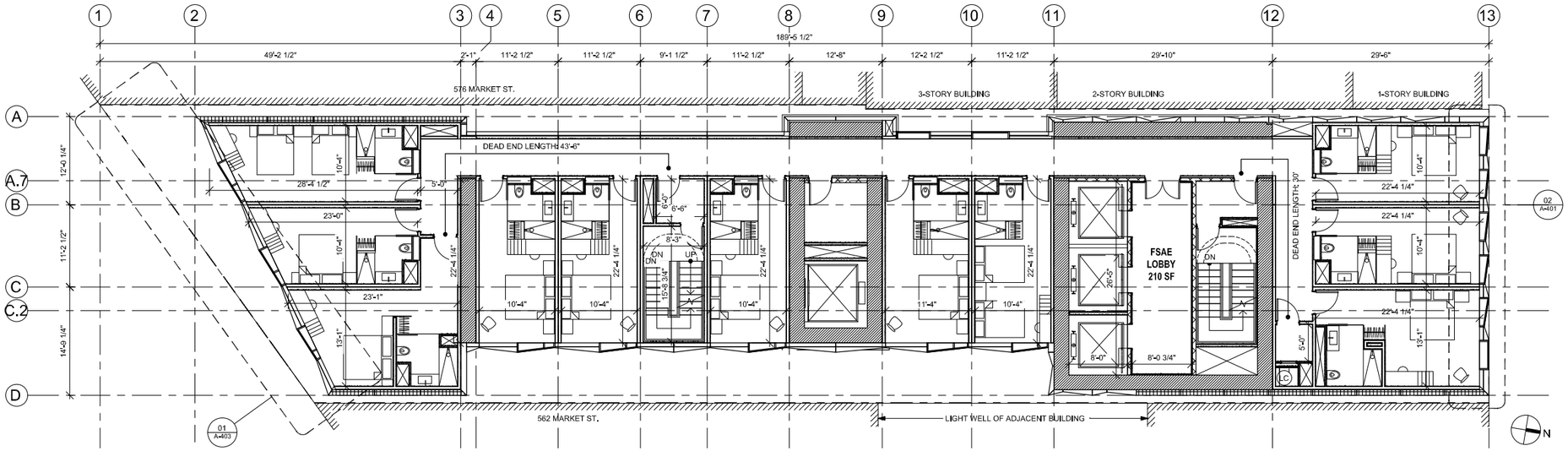
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 01 & LEVEL 02

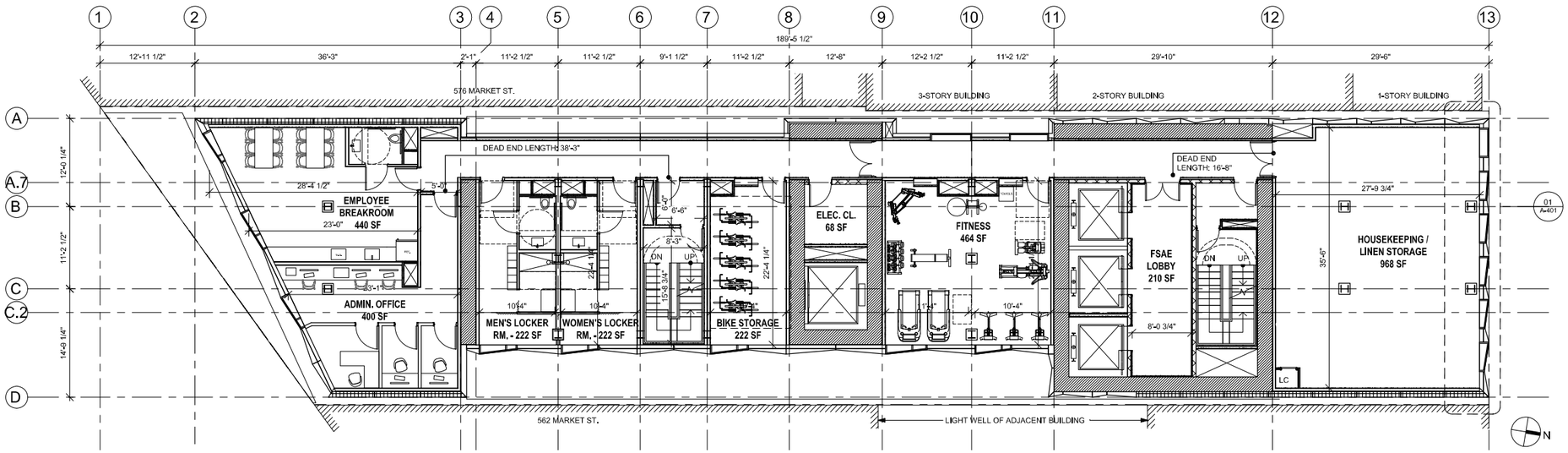
Sheet Number:
A-101.02

Sheet No: of



FLOOR PLAN - LEVEL 04
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 03
1/8" = 1'-0"

01

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LICENSED ARCHITECT
JASON BUCKHEIT
C-32858
10-31-2026
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

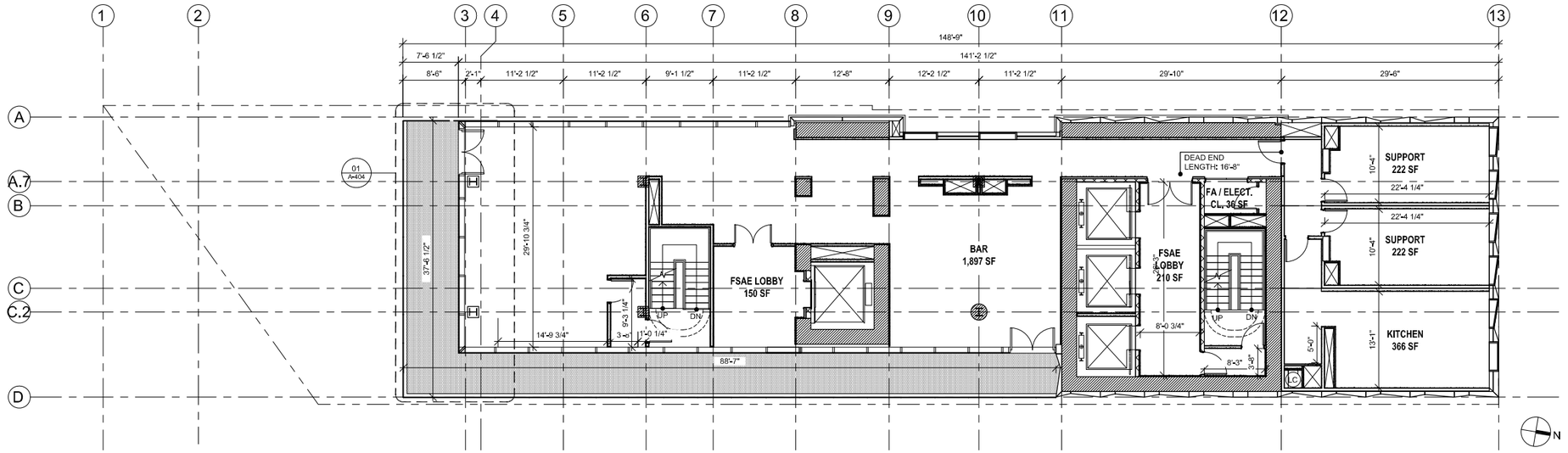
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 03 & LEVEL 04

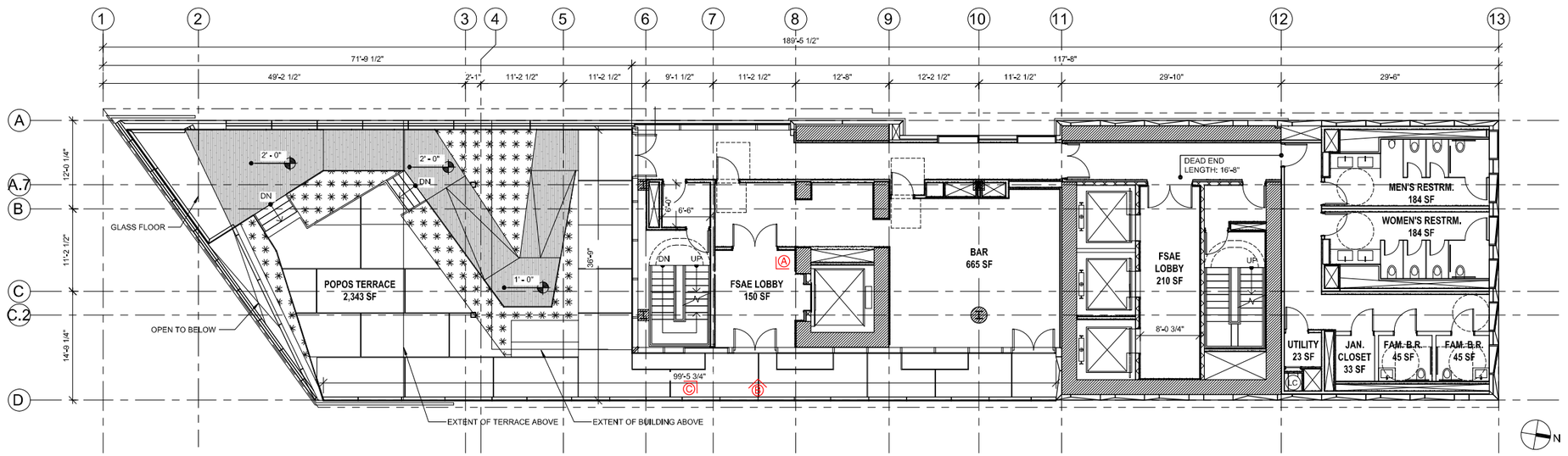
Sheet Number:
A-102.02

Sheet No: of



FLOOR PLAN - LEVEL 16
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 15
1/8" = 1'-0"

01

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3	04-02-21	REV. MASSING ADDENDUM TO PJ03_
4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON BUCHERT
C-32858
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

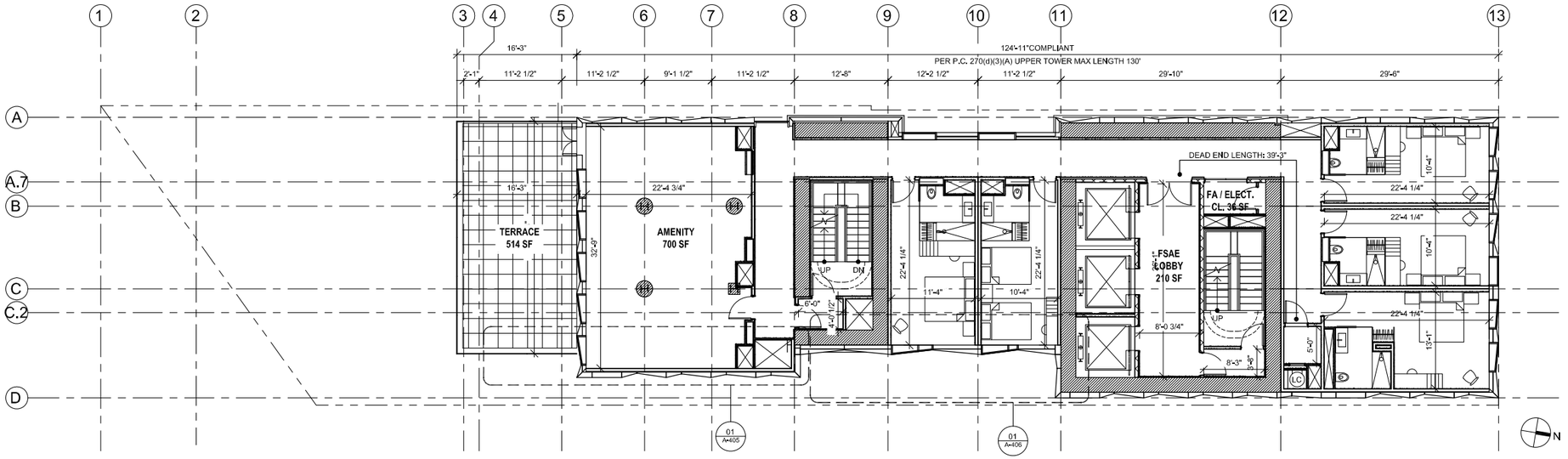
Key Plan:

Date:	05/17/2021
Scale:	1/8" = 1'-0"
Drawing By:	DFA
Checked By:	DFA
Project No:	177

Drawing Title:
FLOOR PLAN - LEVEL 15 & LEVEL 16

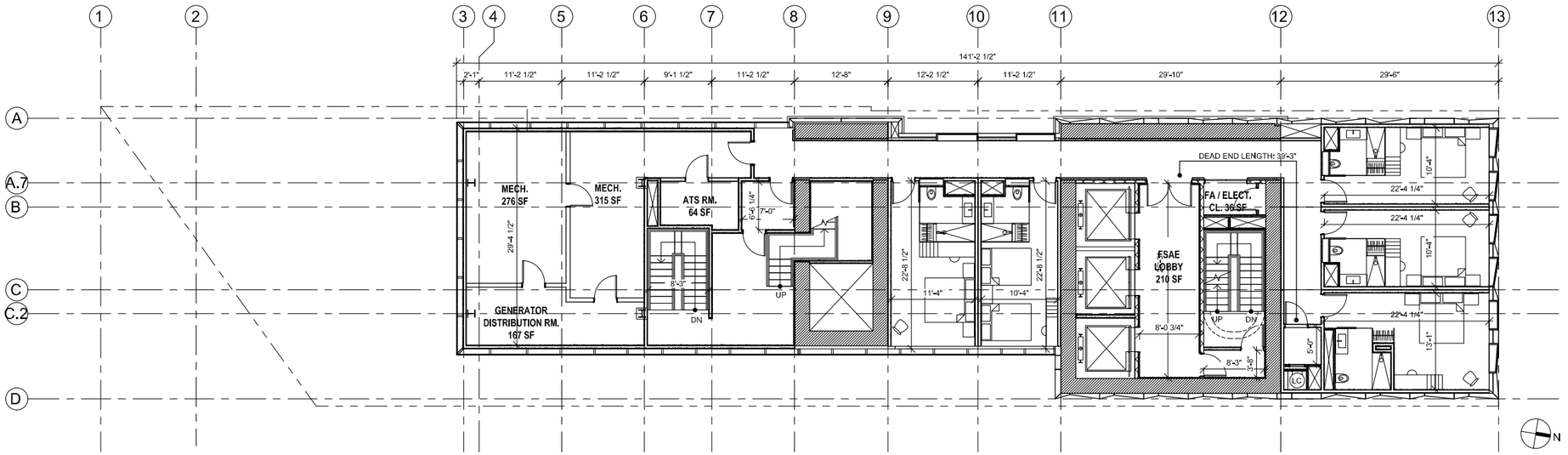
Sheet Number:
A-103.02

Sheet No: of



FLOOR PLAN - LEVEL 18
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 17
1/8" = 1'-0"

01

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3	04-02-21	REV. MASSING ADDENDUM TO P.C.U.
4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON SUCHMAN
C-32658
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

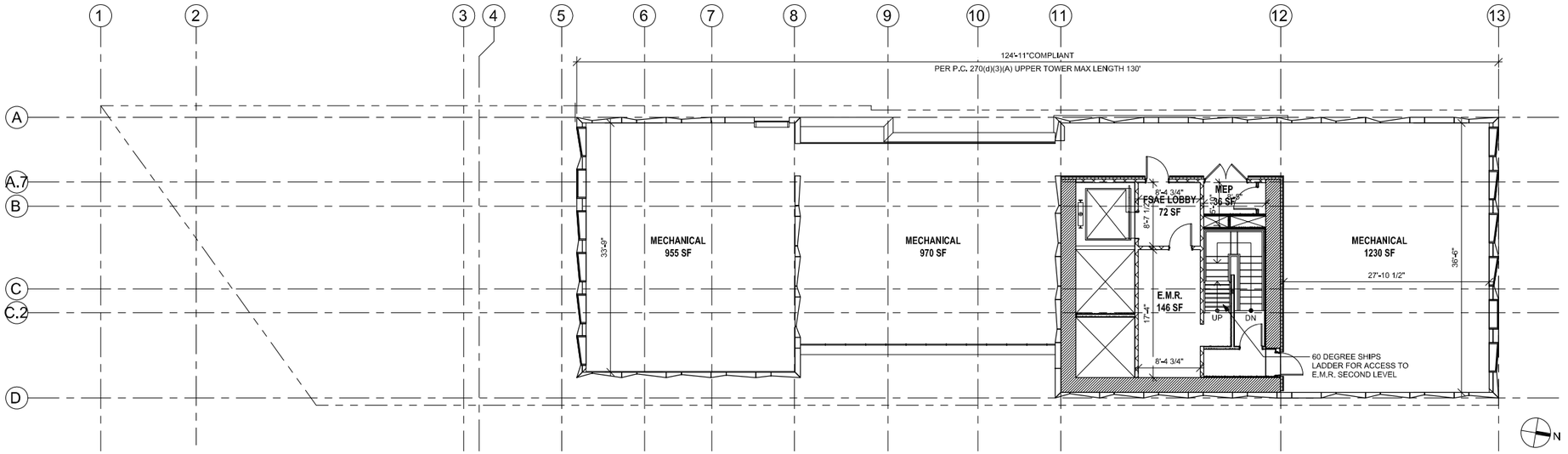
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

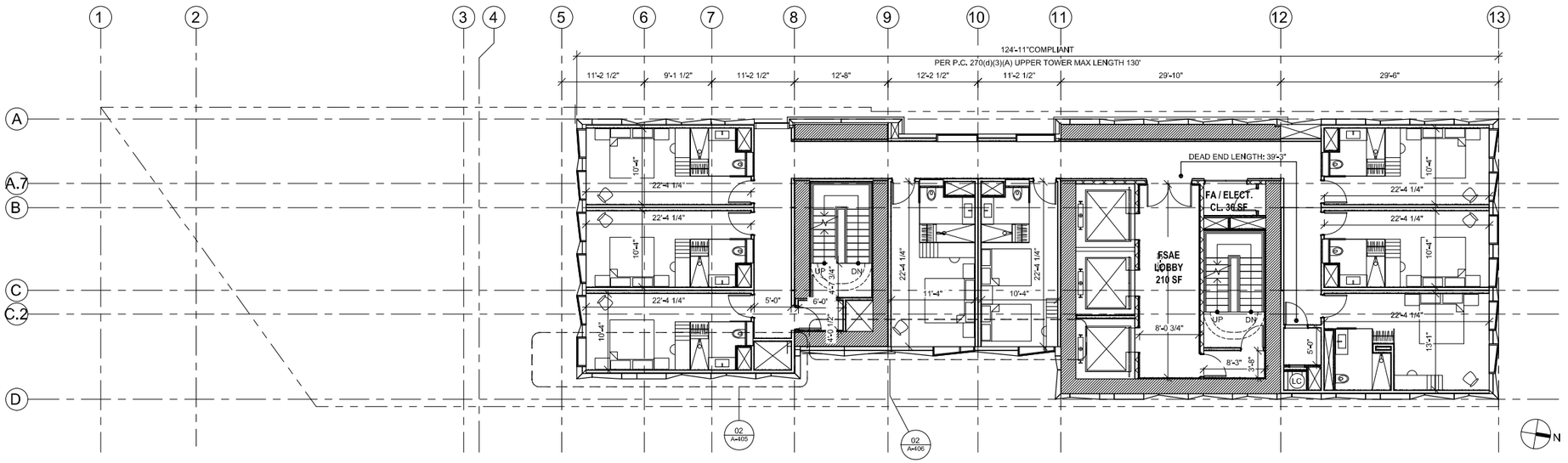
Drawing Title:
FLOOR PLAN - LEVEL 17 & LEVEL 18

Sheet Number:
A-104.02

Sheet No: of



FLOOR PLAN - ROOF 02
1/8" = 1'-0"



FLOOR PLAN - LEVEL 19 THRU 28 01
1/8" = 1'-0"

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LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

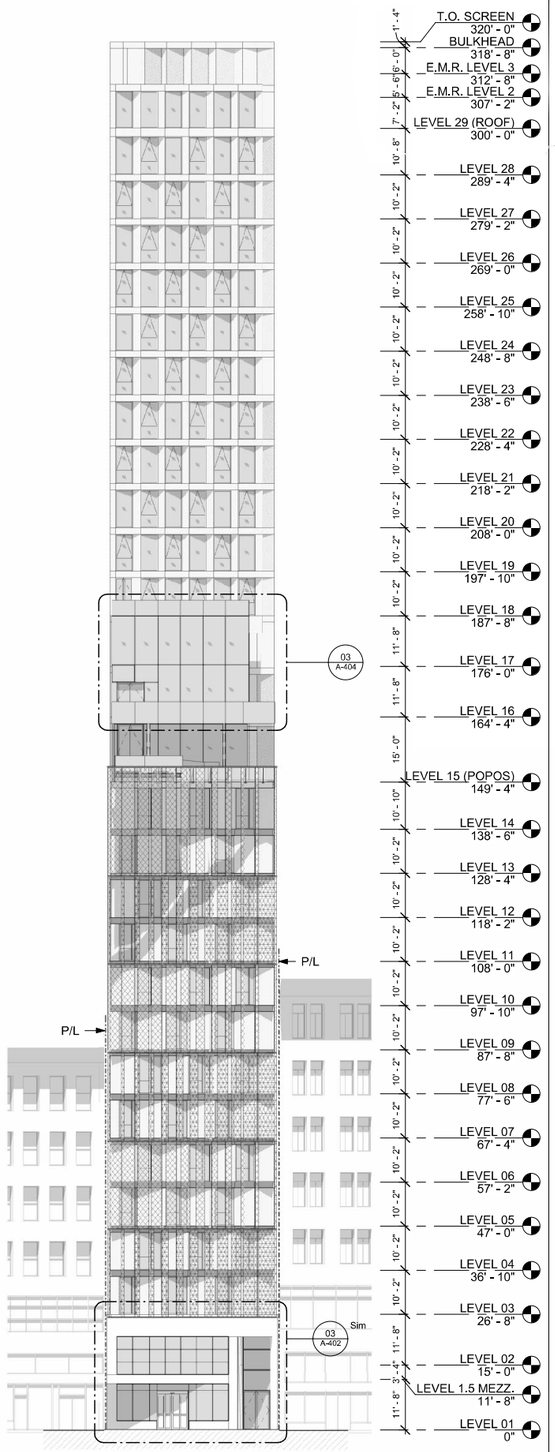
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 19 THRU LEVEL 28 & ROOF

Sheet Number:
A-105.02

Sheet No: of



BUILDING ELEVATION - SOUTH 03
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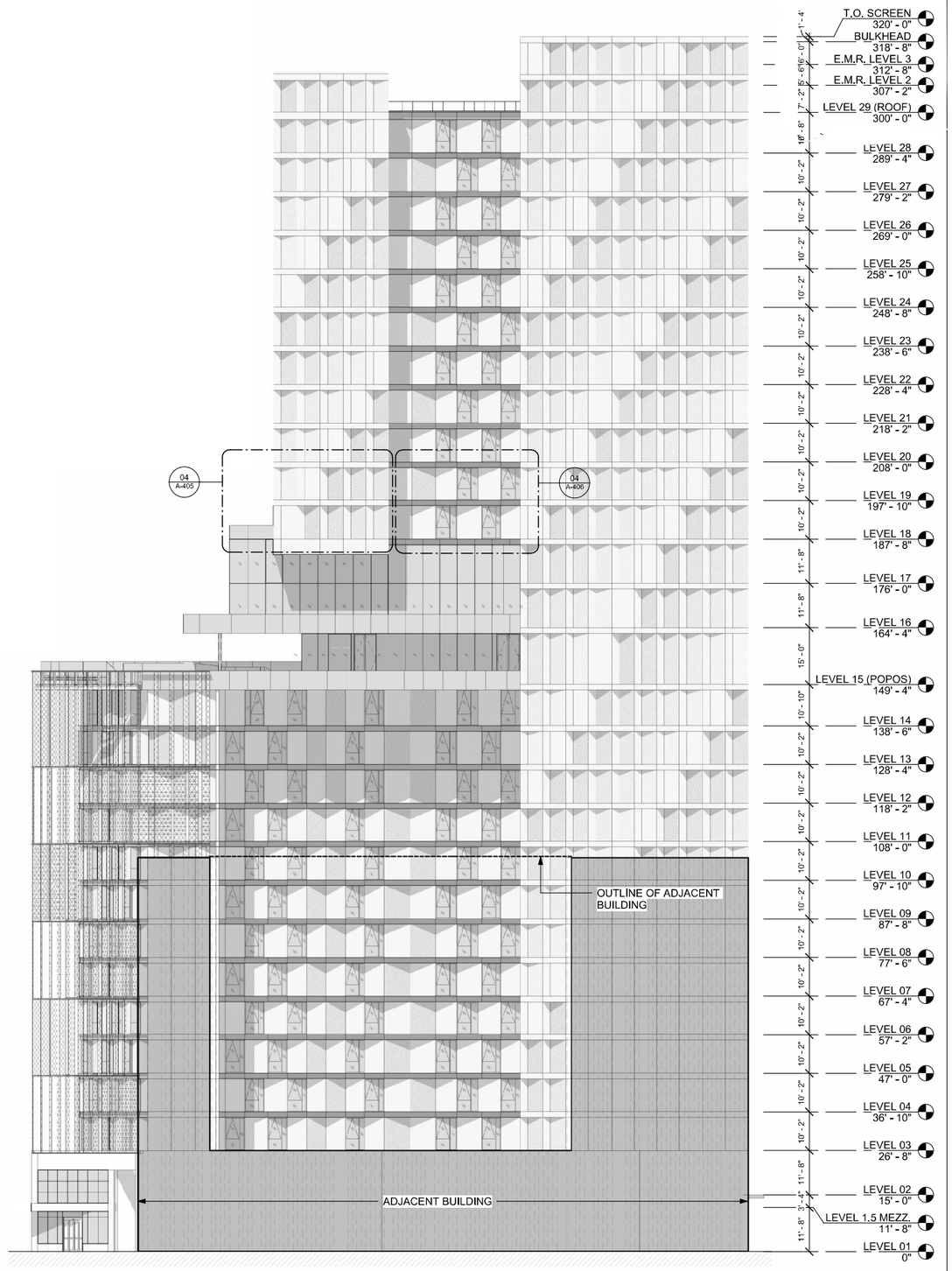

BUILDING ELEVATION - EAST 02
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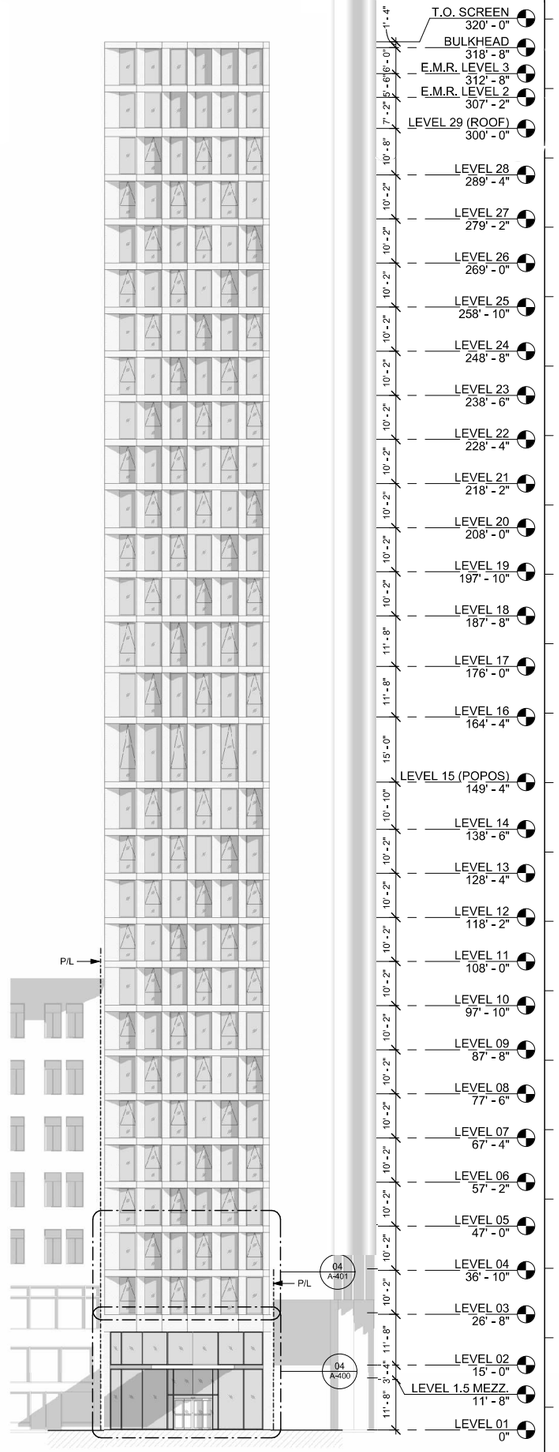

BUILDING ELEVATION - NORTH 01
1/16" = 1'-0"

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4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON ELLINGHOUSE
C-32858
10-31-2025
RENEWAL
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

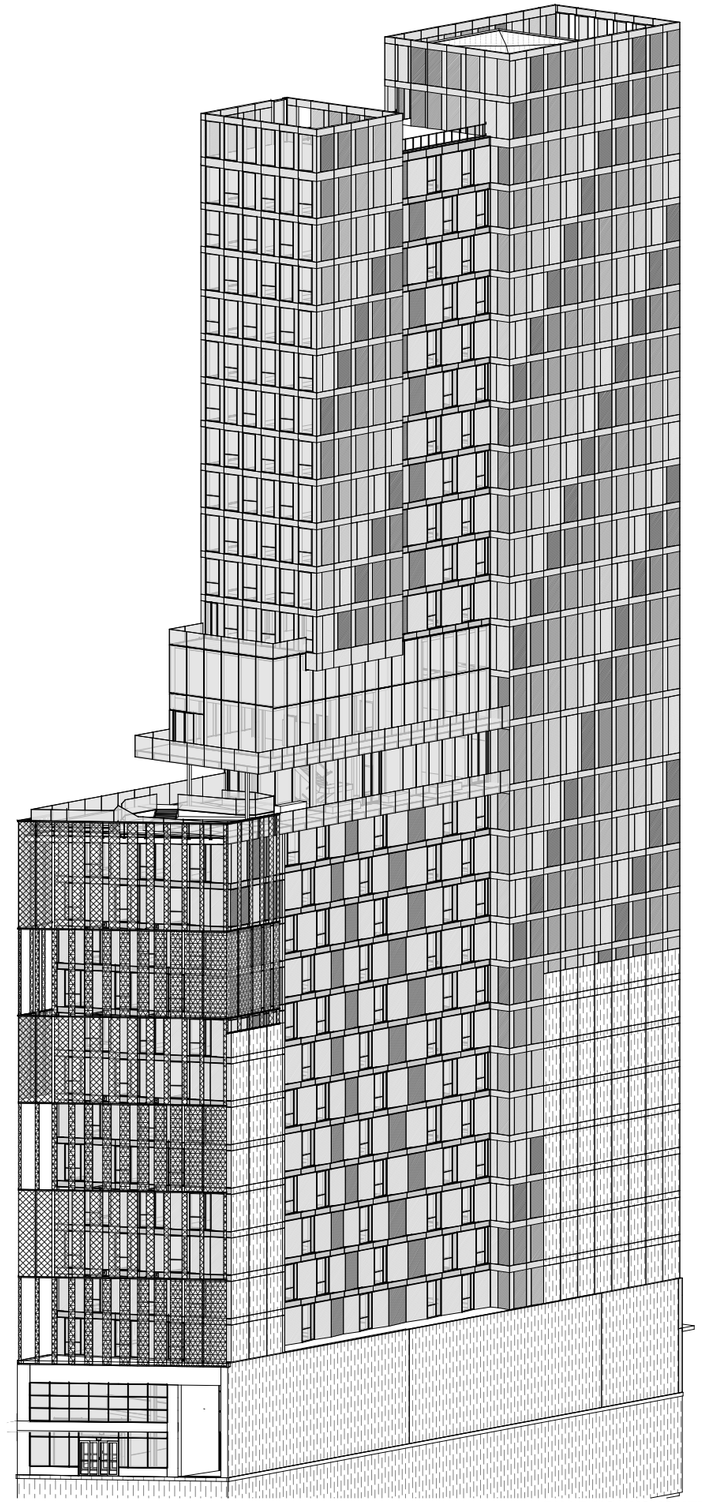
Key Plan:

Date:	05/10/2024
Scale:	1/16" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

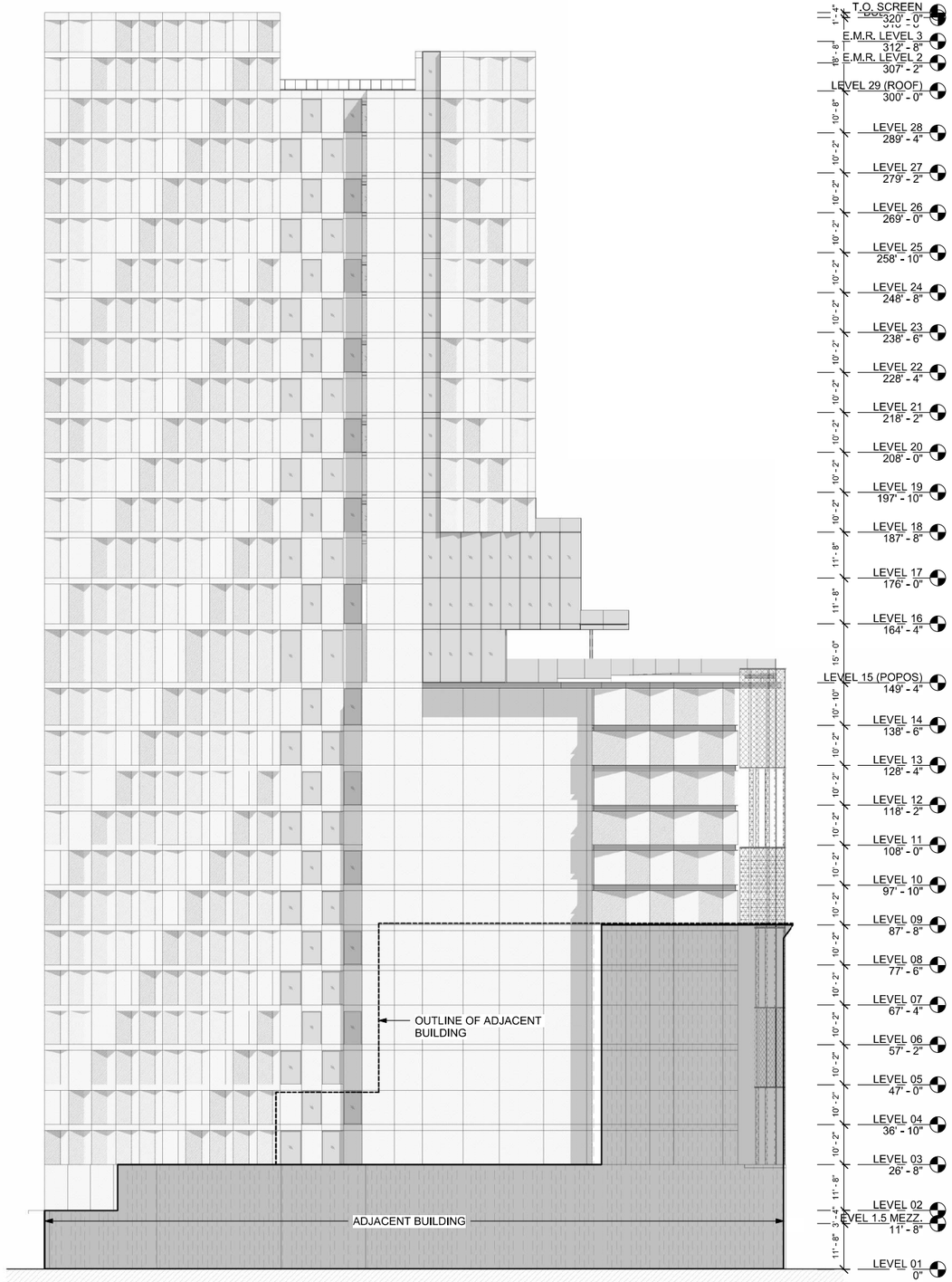
Drawing Title:
BUILDING ELEVATIONS

Sheet Number:
A-200.02

Sheet No: of



BUILDING AXONOMETRIC 02



BUILDING ELEVATION - WEST
1/16" = 1'-0" 01

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LICENSED ARCHITECT
JASON BURKHART
C-32555
12-31-2021
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

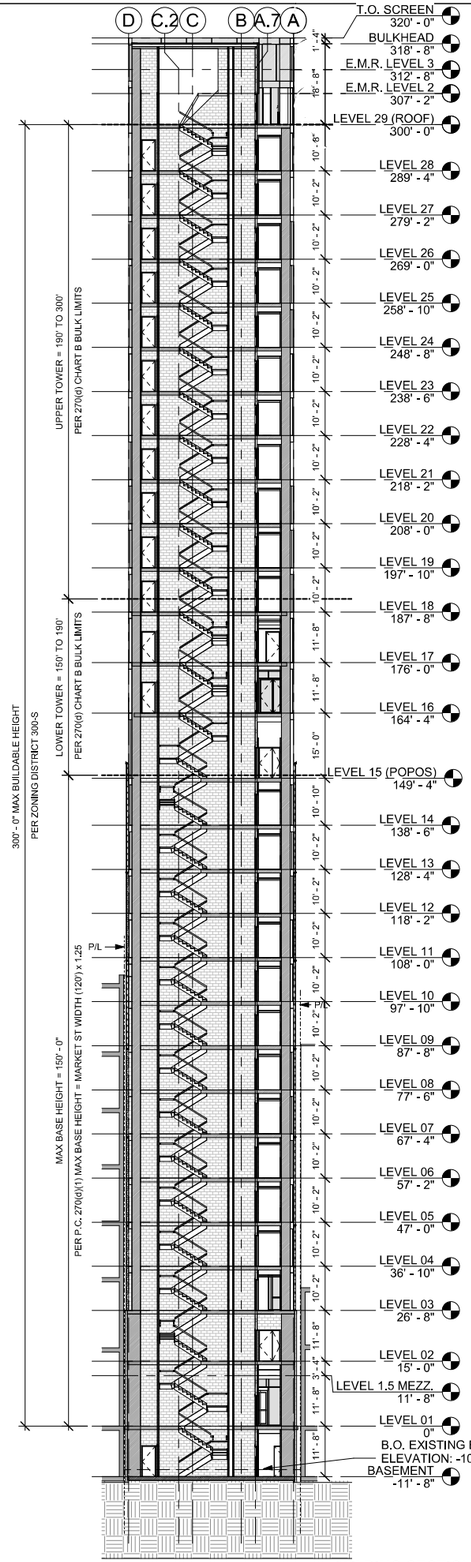
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
BUILDING ELEVATIONS

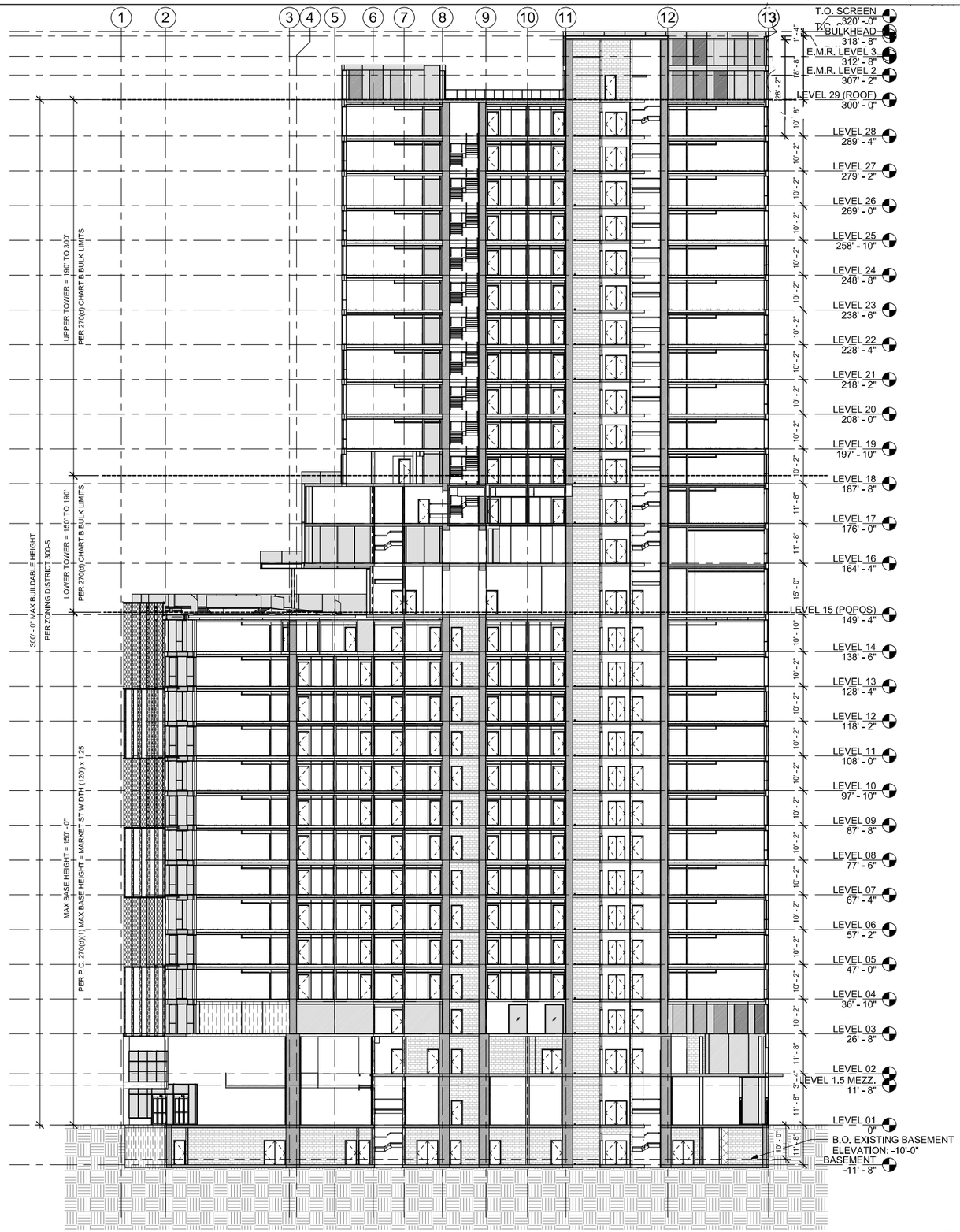
Sheet Number:
A-201.01

Sheet No: of



BUILDING SECTION E/W 01
1/16" = 1'-0"

02



BUILDING SECTION N/S 01
1/16" = 1'-0"

01

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LICENSED ARCHITECT
JASON BUCHHOLZ
C-32558
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

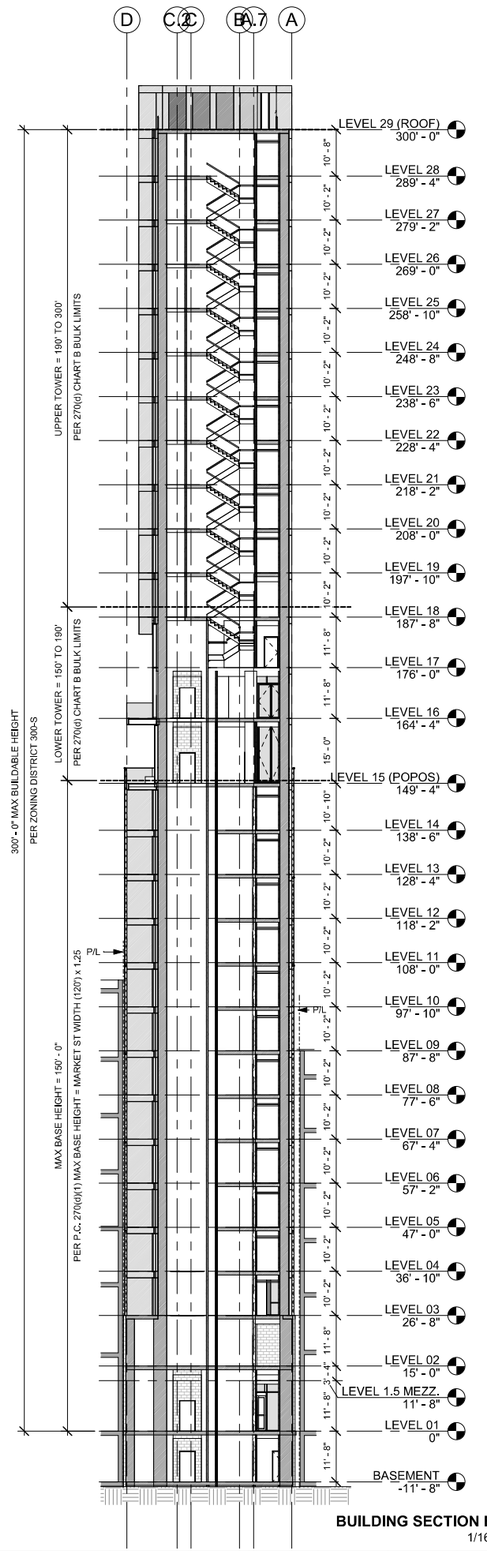
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
BUILDING SECTIONS

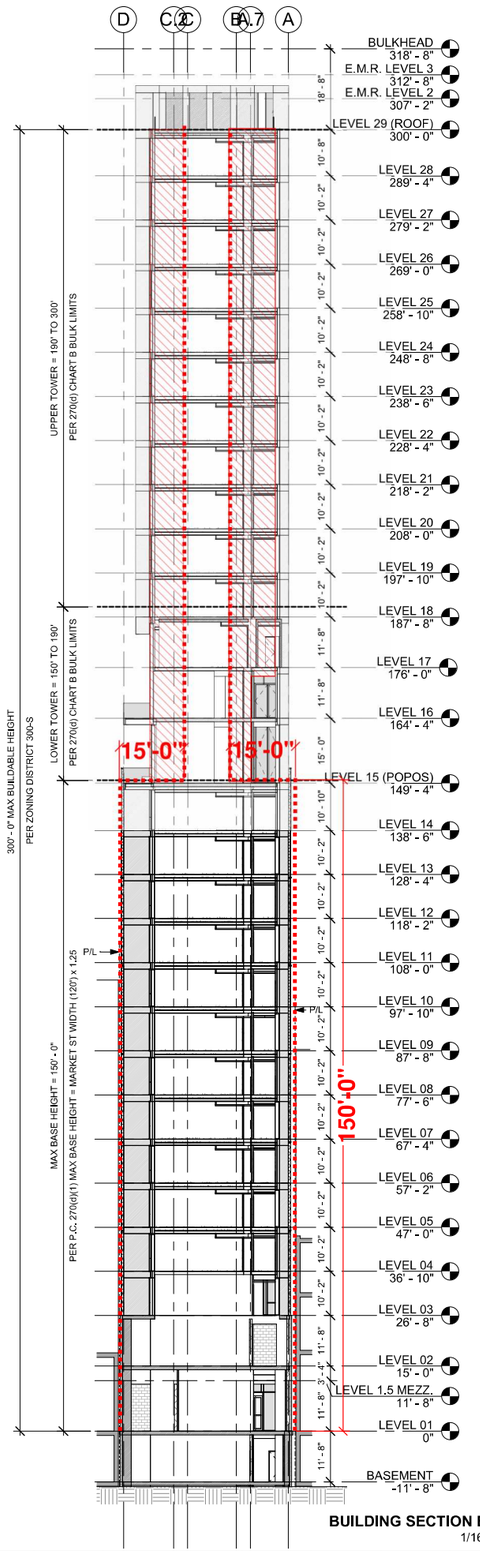
Sheet Number:
A-300.01

Sheet No: of



BUILDING SECTION E/W 03
1/16" = 1'-0"

02



BUILDING SECTION E/W 02
1/16" = 1'-0"

01

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NO. DATE REVISION/ISSUANCE
1 10-30-20 RESPONSE TO PLAN CHECK LETTER
4 05-10-24 CONFORMANCE SET

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

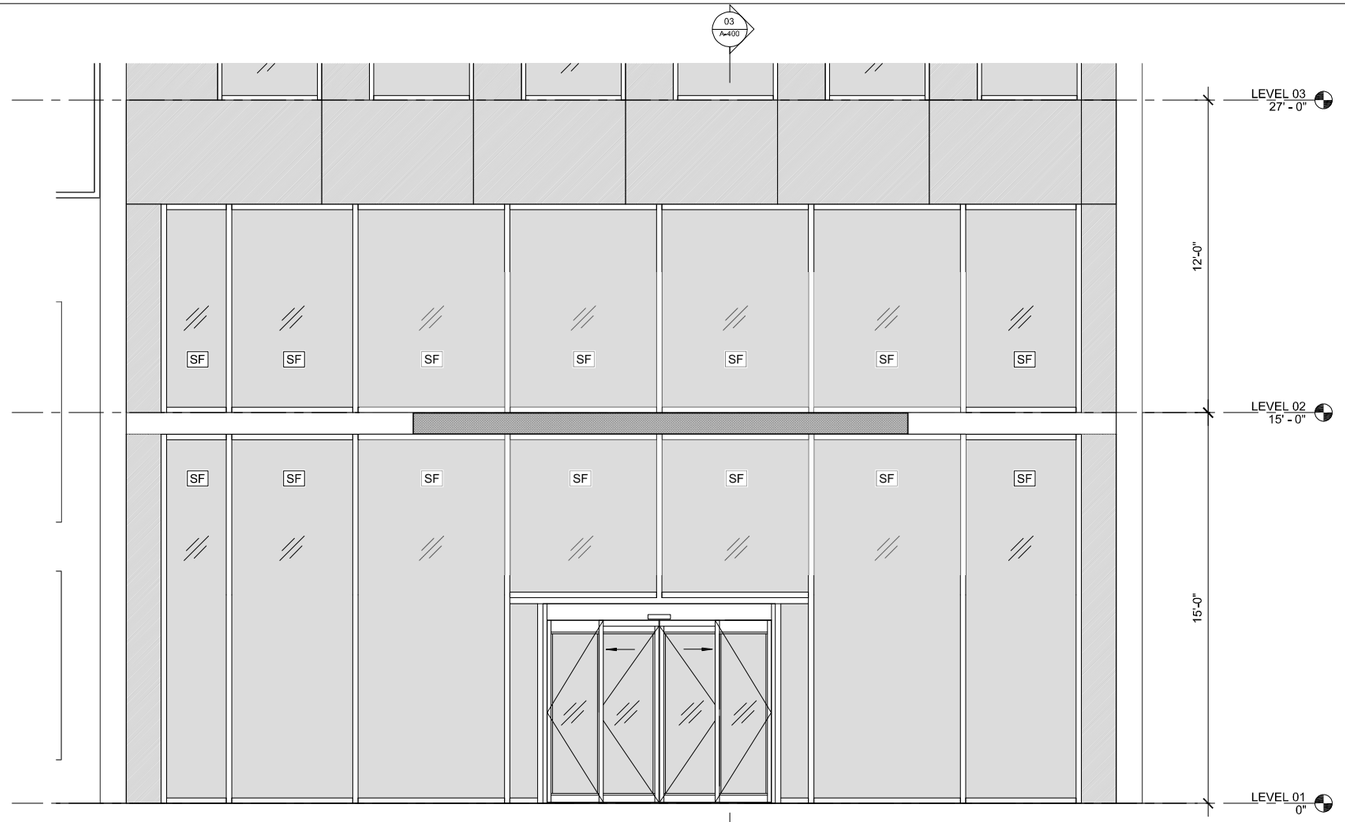
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

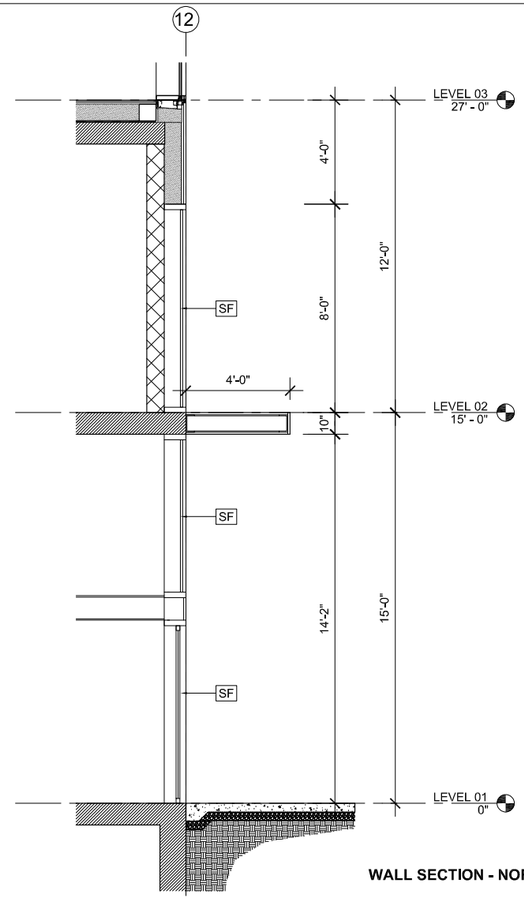
Drawing Title:
BUILDING SECTIONS

Sheet Number:
A-301.01

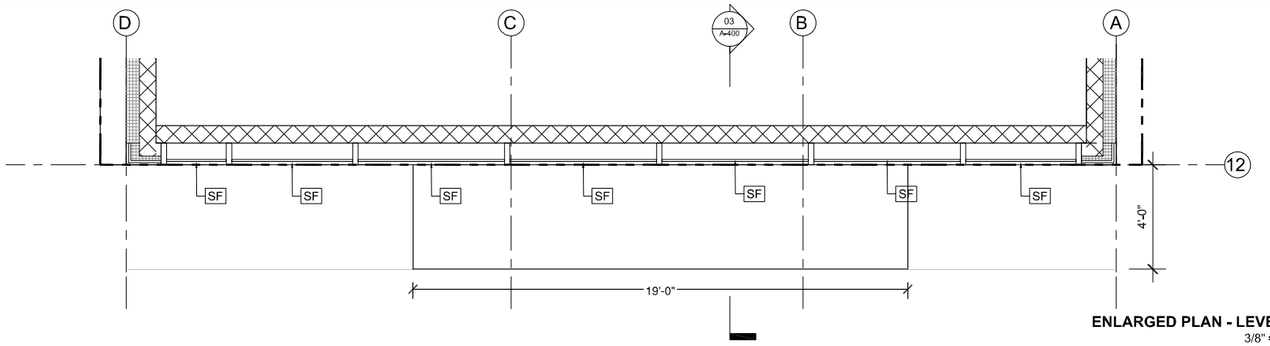
Sheet No: of



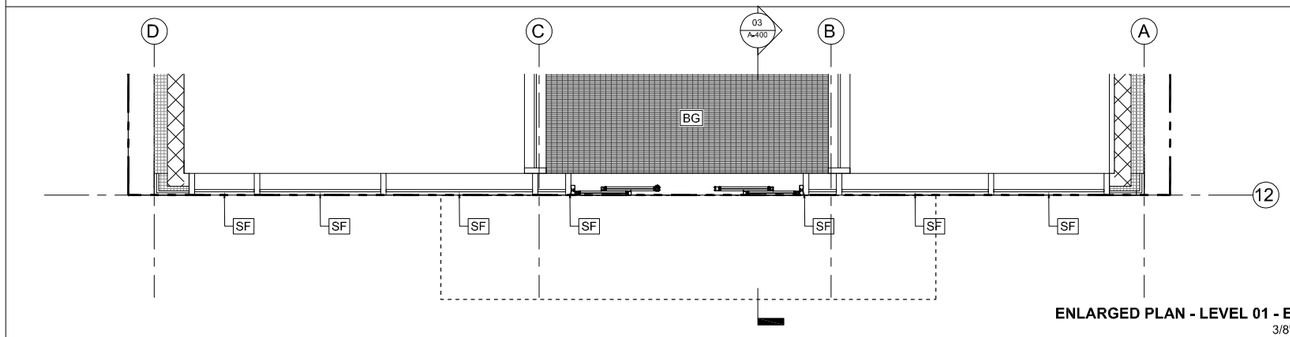
ENLARGED BUILDING ELEVATION - NORTH - ENTRY
3/8" = 1'-0"
04



WALL SECTION - NORTH - ENTRY
3/8" = 1'-0"
03



ENLARGED PLAN - LEVEL 02
3/8" = 1'-0"
02



ENLARGED PLAN - LEVEL 01 - ENTRY
3/8" = 1'-0"
01

BG
BAR GRATING

SF
STOREFRONT GLASS

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LICENSED ARCHITECT
JASON BUCHHOLZ
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

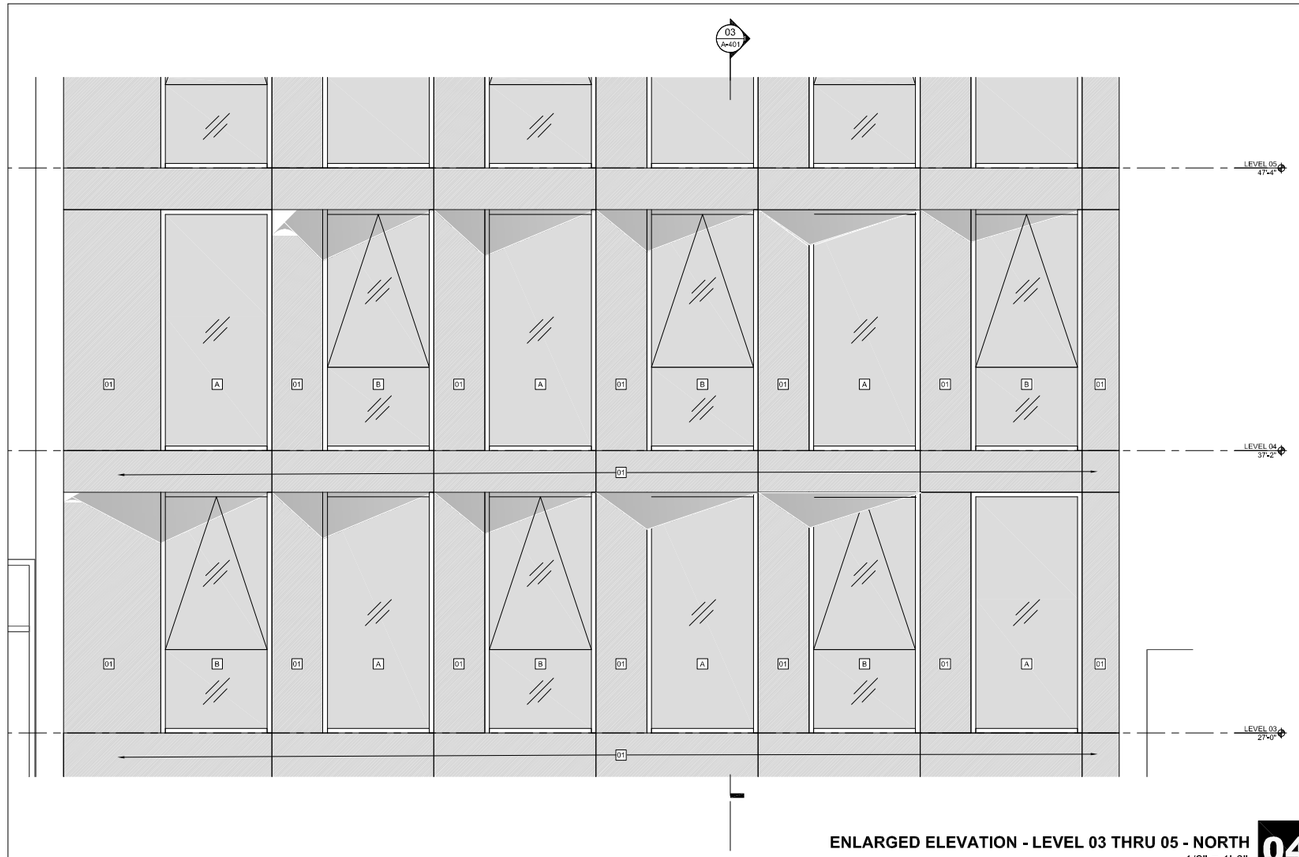
Key Plan:

Date: 05/10/2024
Scale: 3/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

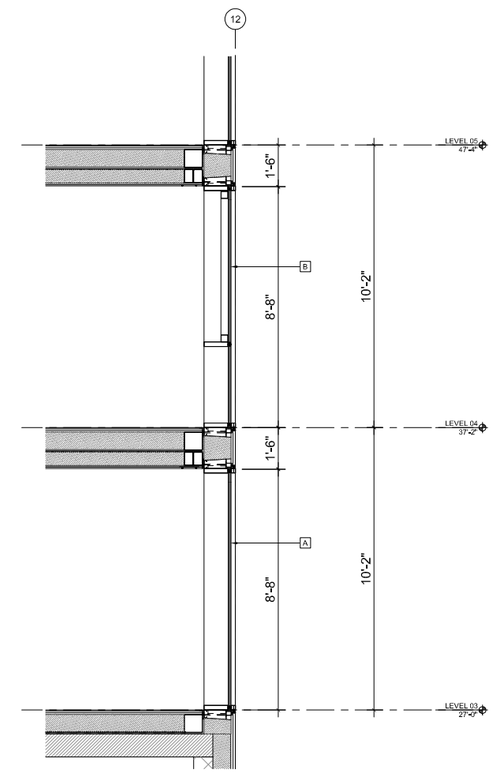
Sheet Number:
A-400.01

Sheet No: of



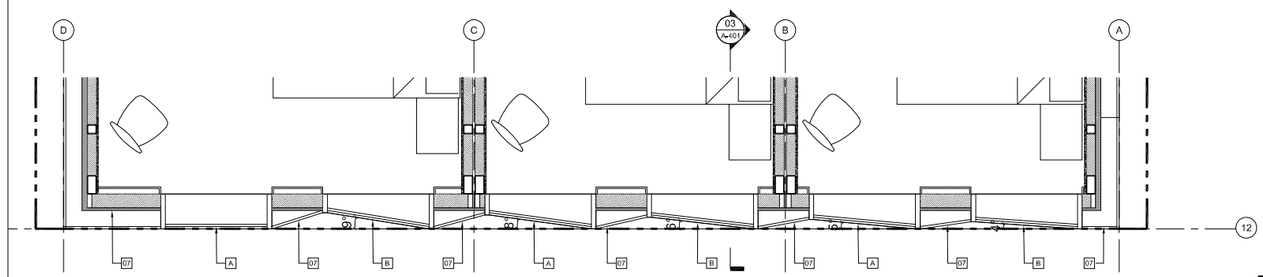
ENLARGED ELEVATION - LEVEL 03 THRU 05 - NORTH
1/2" = 1'-0"

04



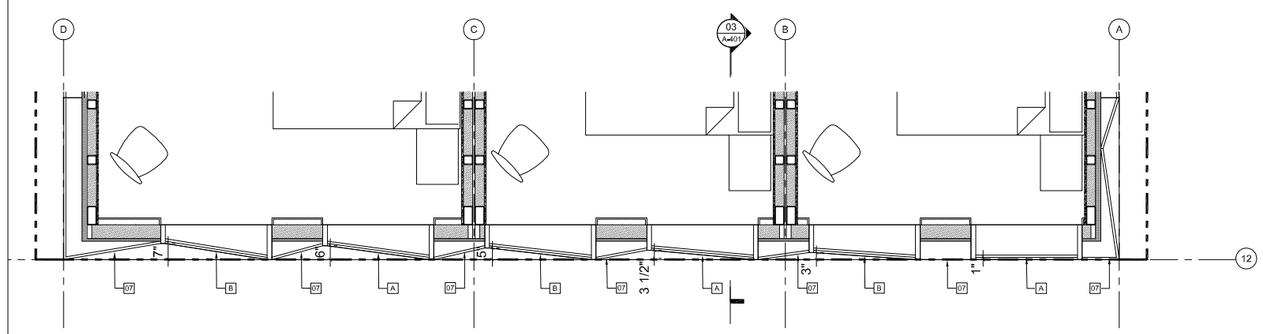
WALL SECTION - LEVEL 03 THRU 05 - NORTH
1/2" = 1'-0"

03



ENLARGED PLAN - LEVEL 04 - NORTH
1/2" = 1'-0"

02



ENLARGED PLAN - LEVEL 03 - NORTH
1/2" = 1'-0"

01

01
EQUITONE
NATURA N164

B
TILT WINDOW WITH FIXED
BOTTOM PANEL

A
FIXED WINDOW

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El Segundo, CA 90245
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www.codeconsultantsinc.com

Facade Consultant

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2	03/07/24	ADDENDUM TO PLAN CHECK LETTER

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32868
RENEWAL 08/31/2025
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

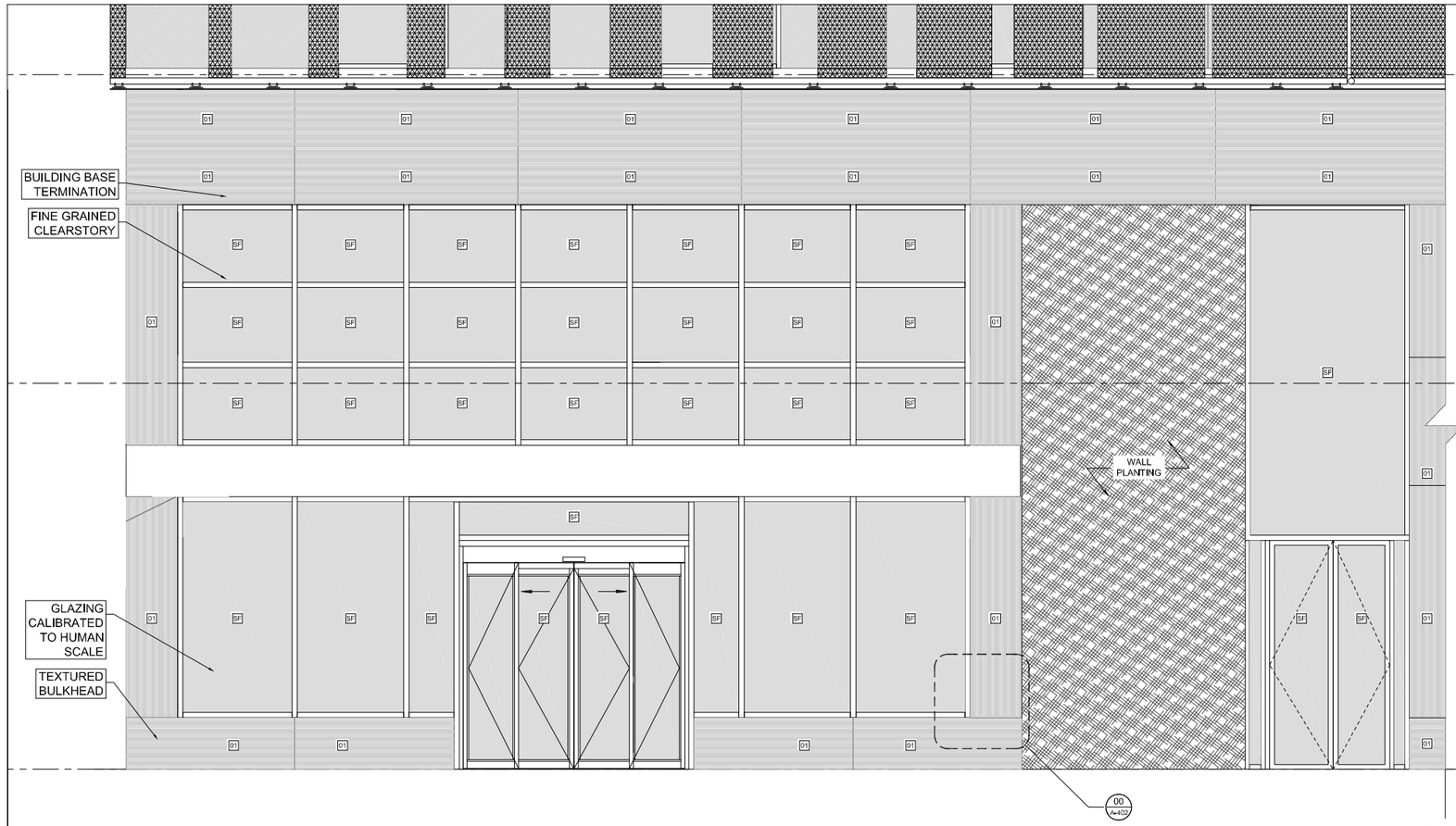
Key Plan:

Date:	05/10/2024
Scale:	1/2" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

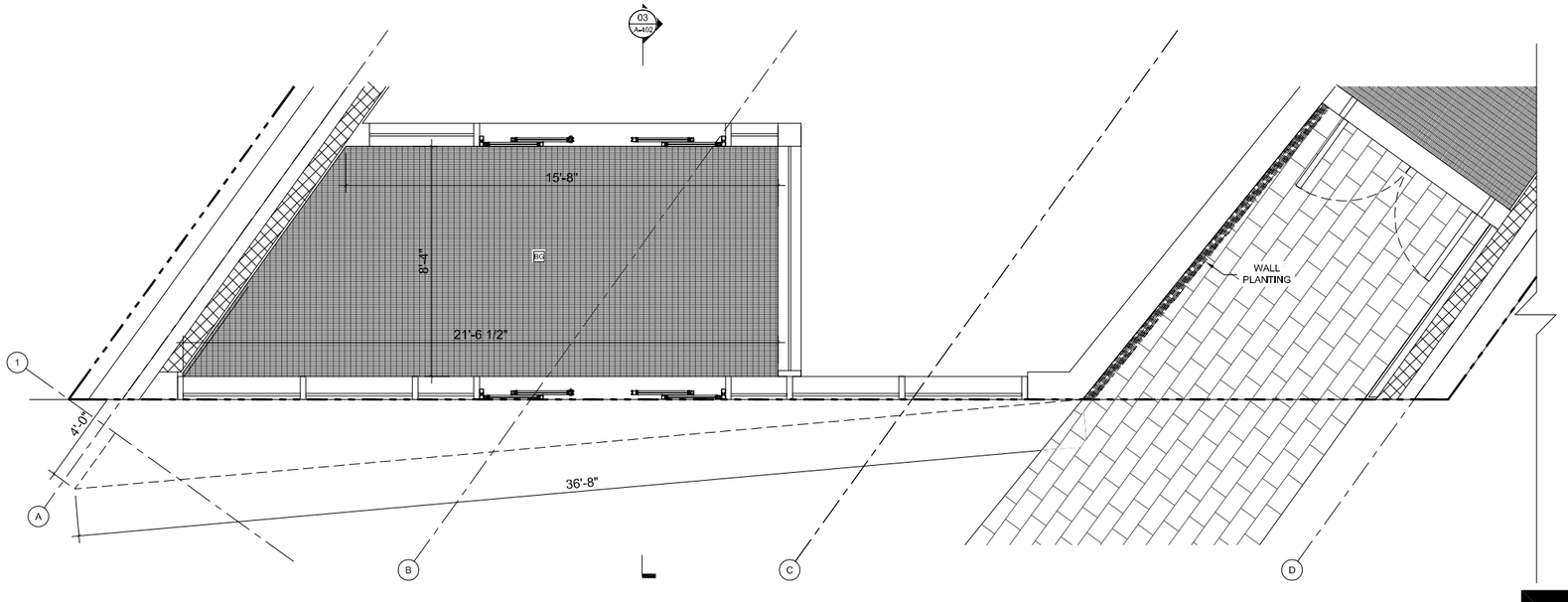
Sheet Number:
A-401.01

Sheet No: of

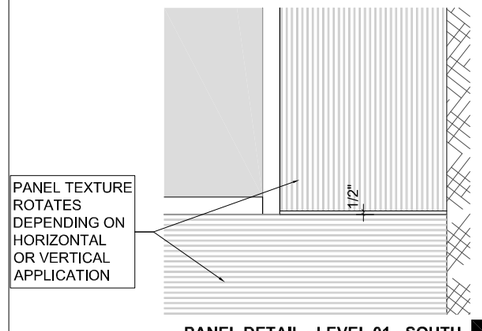


ENLARGED ELEVATION - LEVEL 01 - SOUTH
1/2" = 1'-0" **03**

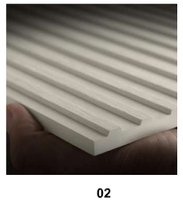
WALL SECTION - LEVEL 01 - SOUTH
1/2" = 1'-0" **02**



ENLARGED PLAN - LEVEL 01 - SOUTH
1/2" = 1'-0" **01**



PANEL DETAIL - LEVEL 01 - SOUTH
1 1/2" = 1'-0" **00**



02
EQUITONE
LINEA LT 90

SF
STOREFRONT
GLASS

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2	03/07/2024	ADDENDUM TO PLAN CHECK LETTER

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LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32858
12-31-2025
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

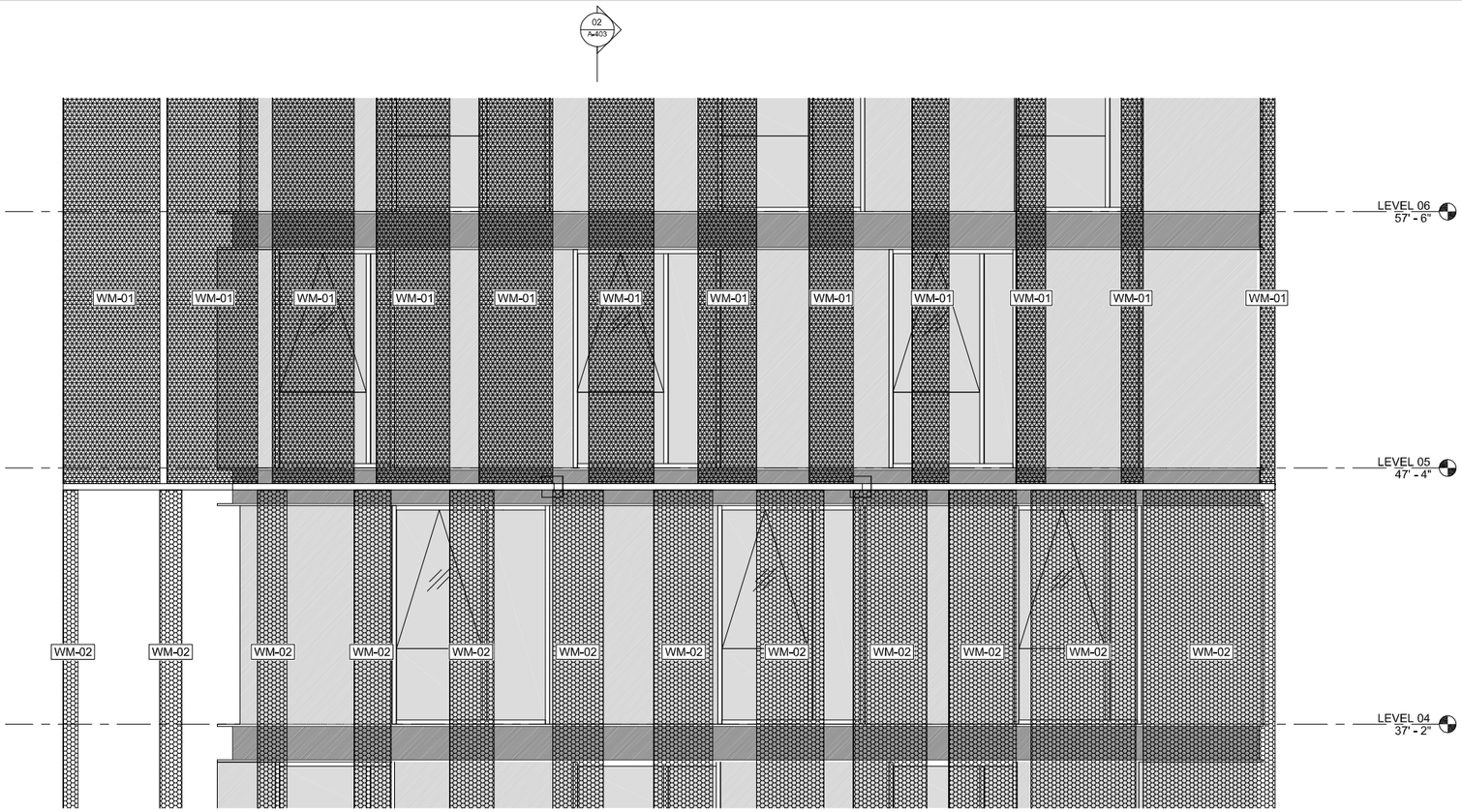
Key Plan:

Date:	05/10/2024
Scale:	1/2" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

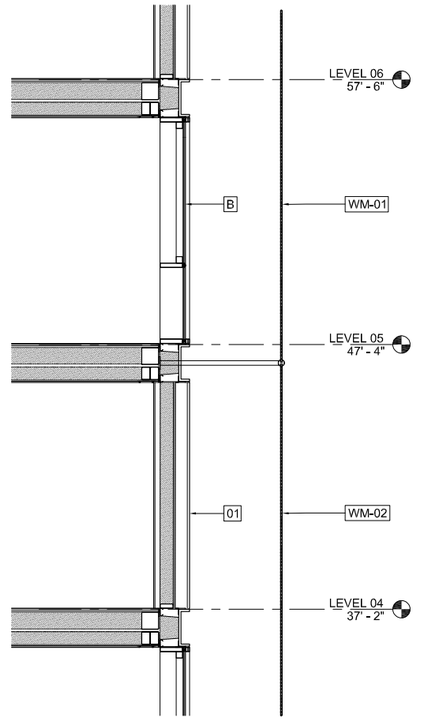
Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-402.01

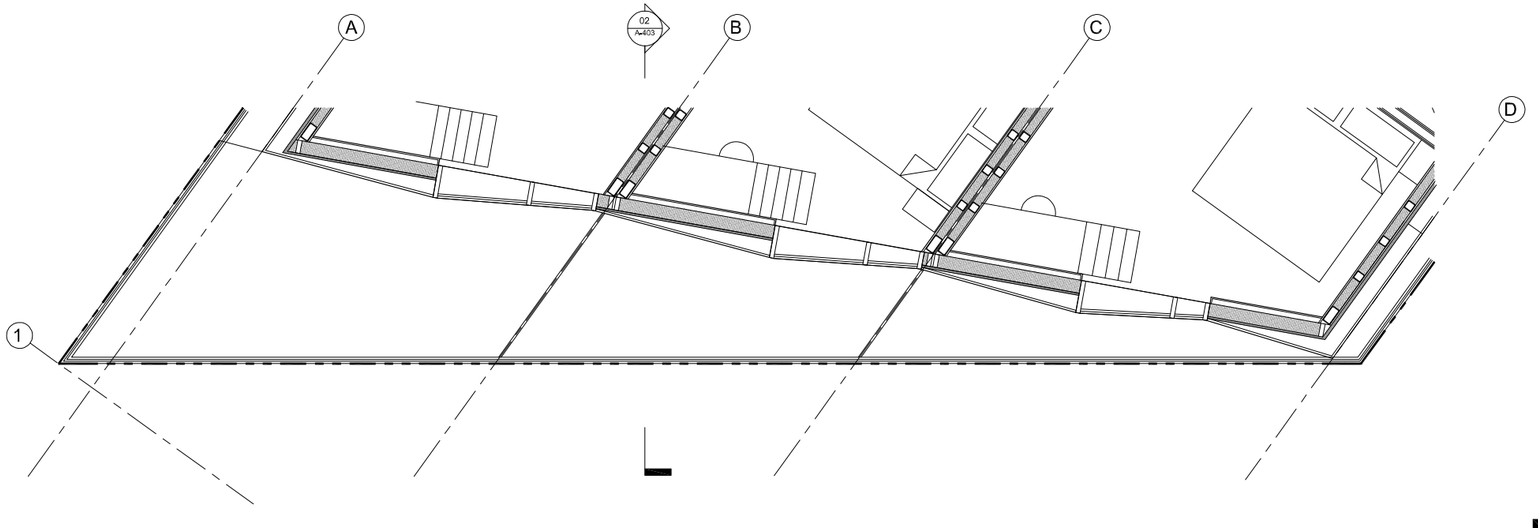
Sheet No: of



ENLARGED ELEVATION - LEVEL 04 THRU 06 - SOUTH
3/8" = 1'-0"
03



WALL SECTION - LEVEL 04 THRU 06 - SOUTH
3/8" = 1'-0"
02



ENALRGED PLAN - LEVEL 04 - SOUTH
01

WM-01
WIRE MESH - 59%
TRANSPARENCY

WM-02
WIRE MESH - 80%
TRANSPARENCY

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DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BURKHART
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

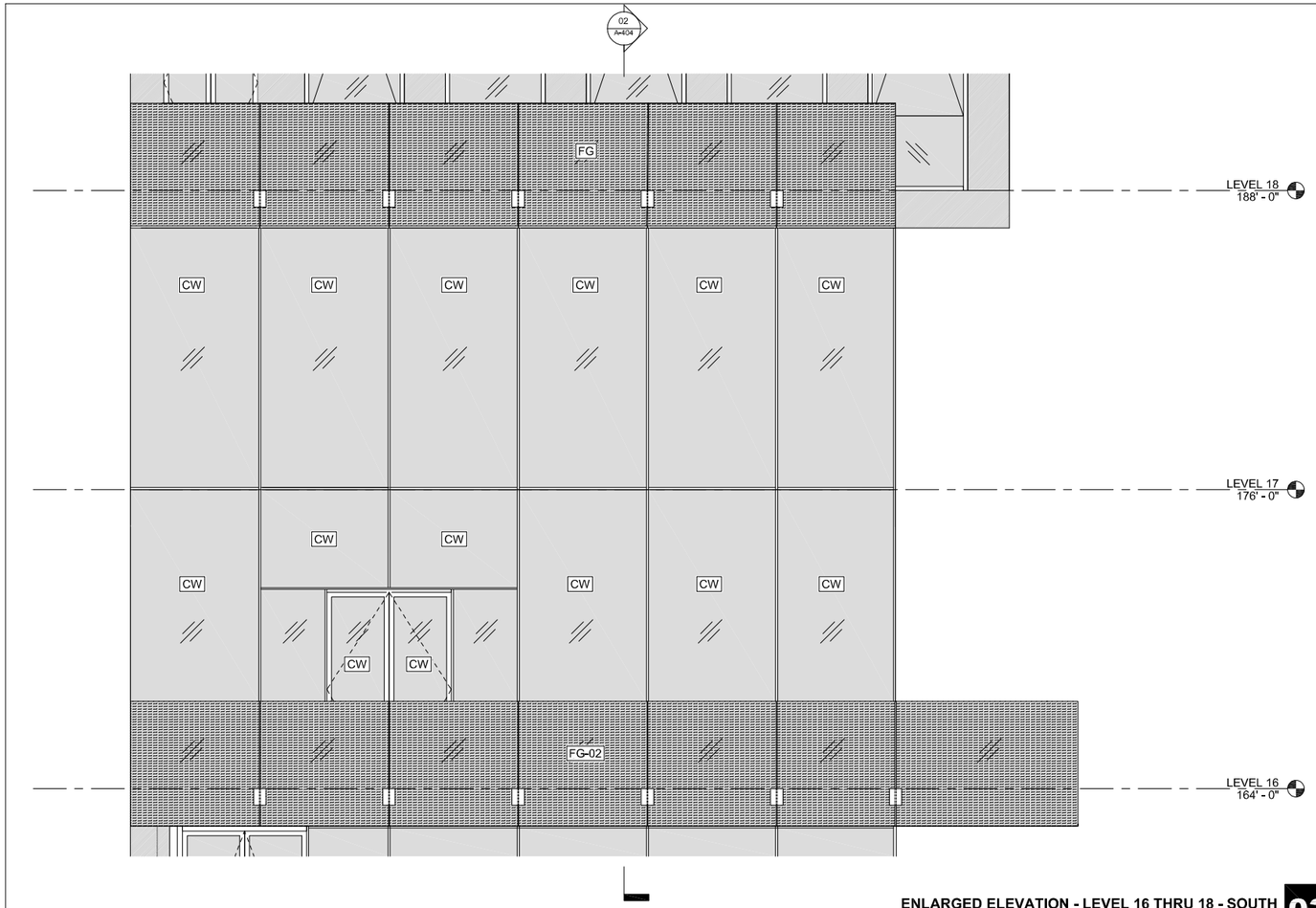
Key Plan:

Date:	05/10/2024
Scale:	3/8" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

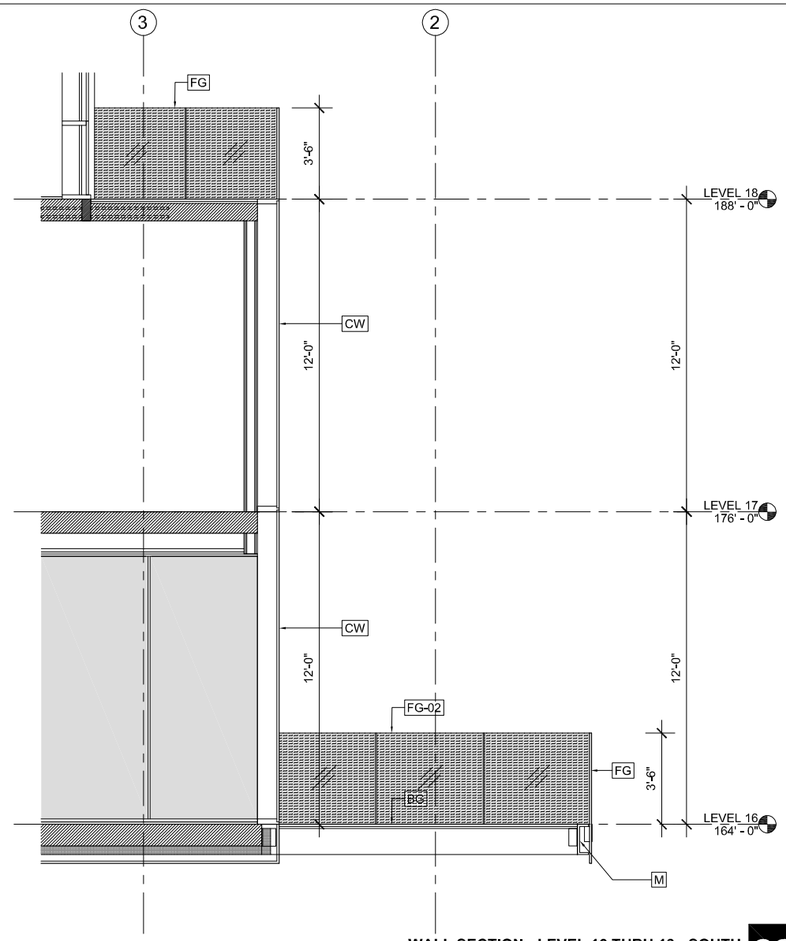
Sheet Number:
A-403.00

Sheet No: of



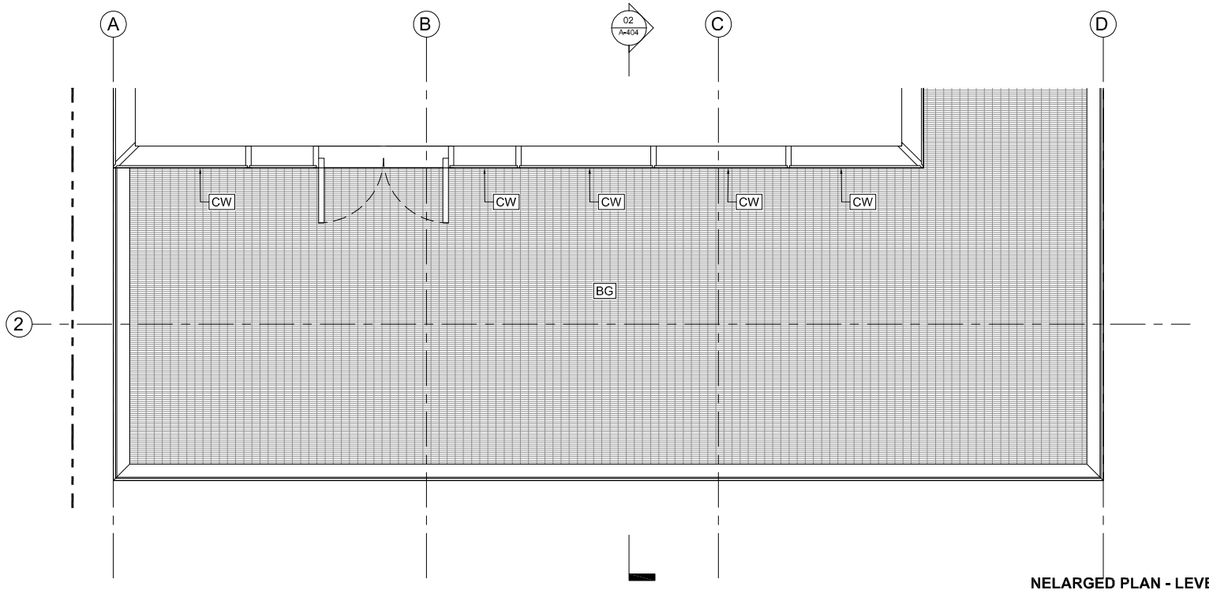
ENLARGED ELEVATION - LEVEL 16 THRU 18 - SOUTH
3/8" = 1'-0"

03



WALL SECTION - LEVEL 16 THRU 18 - SOUTH
3/8" = 1'-0"

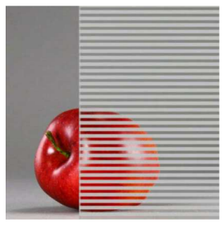
02



NELARGED PLAN - LEVEL 16 - SOUTH
3/8" = 1'-0"

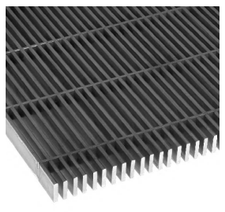
01

M
SLAB EDGE CAP
GREY STEEL
C-CHANNEL



FG-02
BIRD SAFE
FRITTED GLASS

CW
SSG CURTAIN WALL



BG
BAR GRATING

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LICENSED ARCHITECT
JASON BUCHANAN
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
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ENLARGED PLANS, SECTIONS & ELEVATIONS

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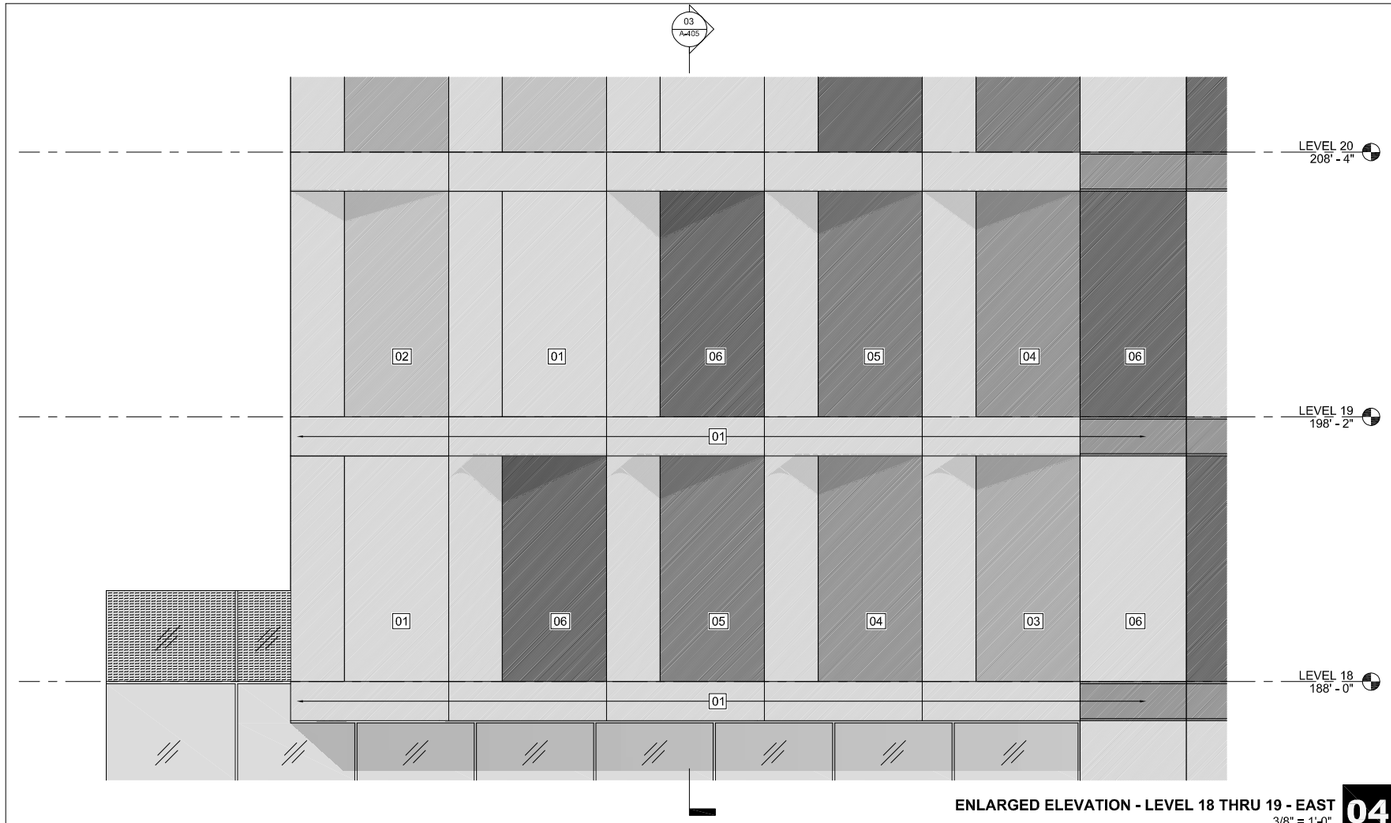
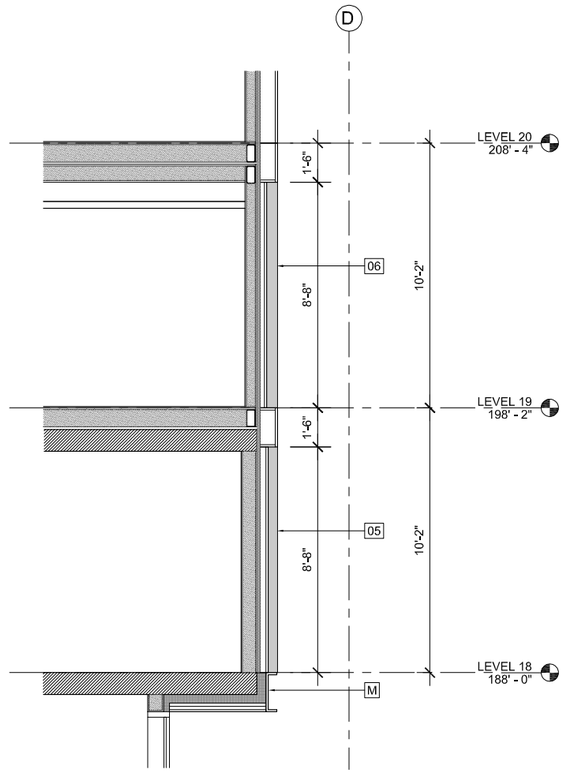


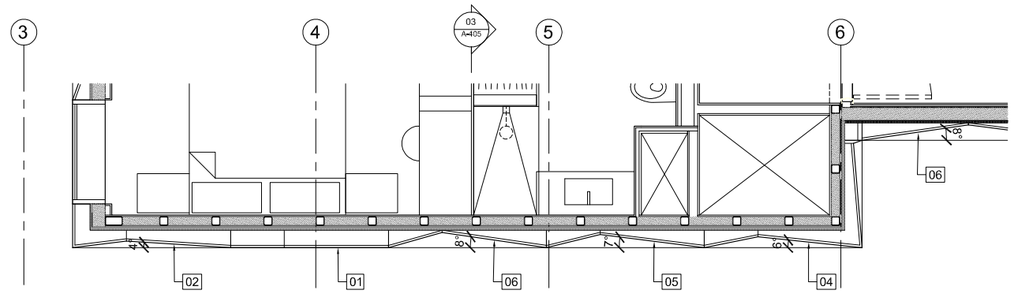
ENLARGED ELEVATION - LEVEL 18 THRU 19 - EAST
3/8" = 1'-0"

04



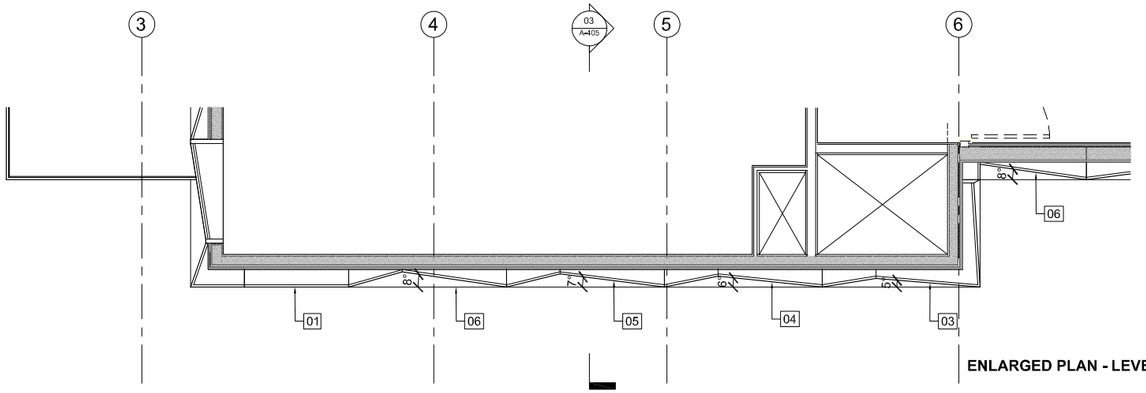
WALL SECTION - LEVEL 18 THRU 19 - EAST

03



ENLARGED PLAN - LEVEL 19 - EAST
3/8" = 1'-0"

02



ENLARGED PLAN - LEVEL 18 - EAST
3/8" = 1'-0"

01

06
EQUITONE
NATURA N281

05
EQUITONE
NATURA N252

04
EQUITONE
NATURA N211

03
EQUITONE
NATURA N163

02
EQUITONE
NATURA N161

01
EQUITONE
NATURA N164

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JASON BUCHHOLZ
C-32555
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

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570 MARKET STREET
SAN FRANCISCO, CA

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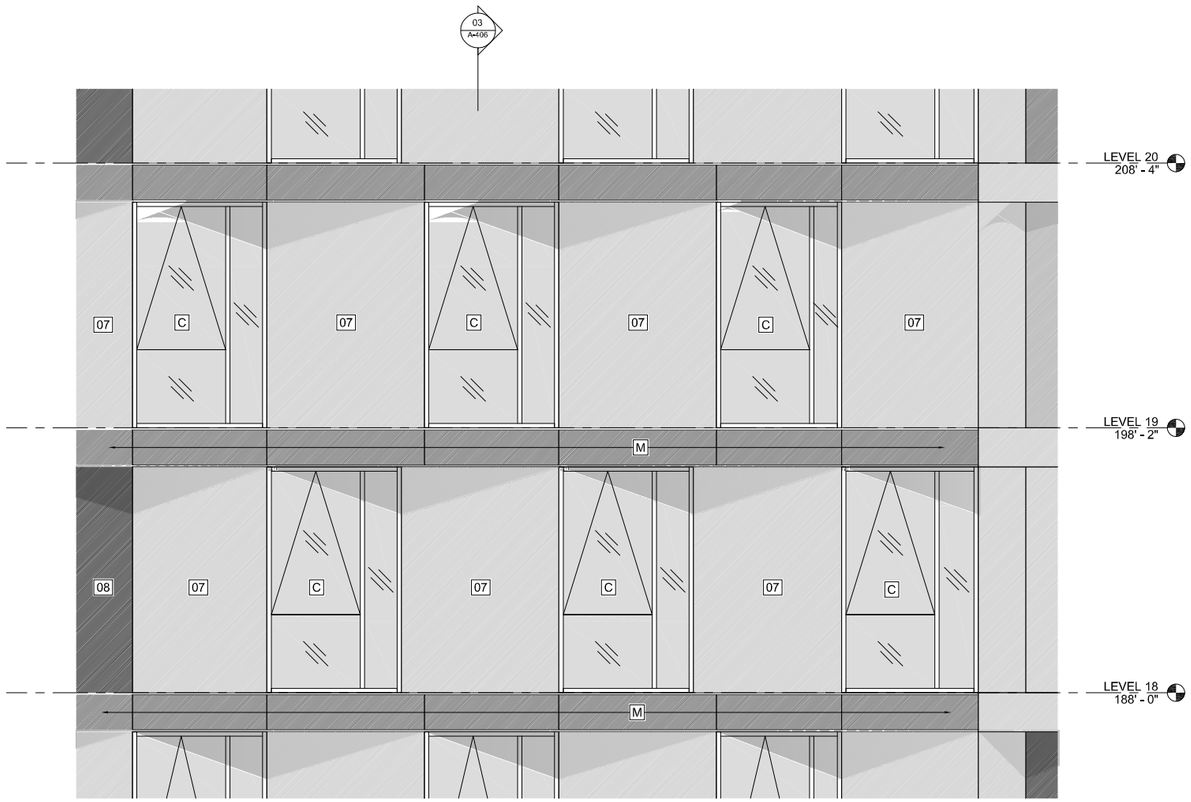
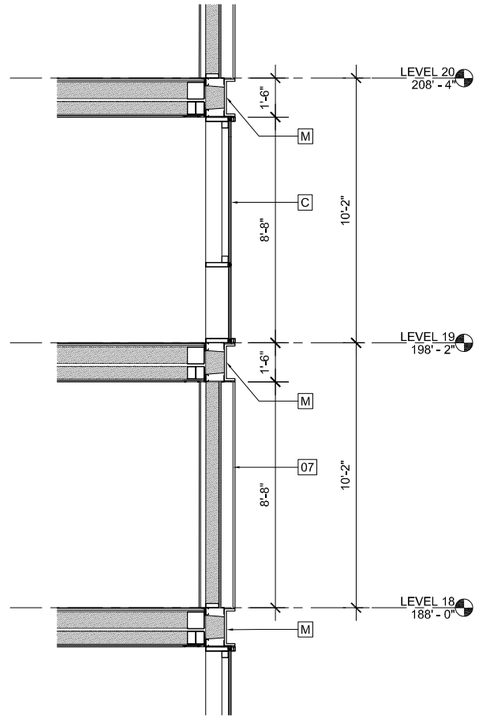


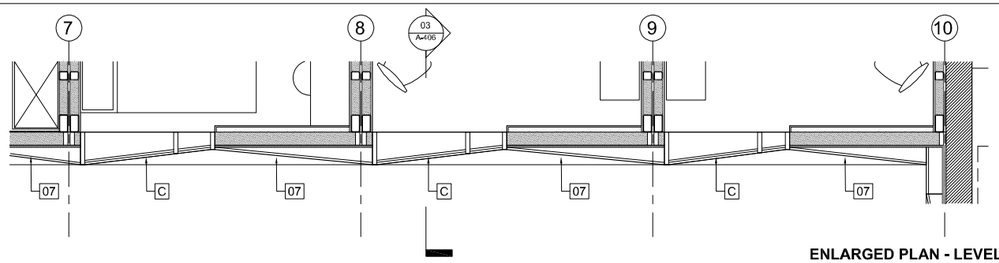
ENLARGED ELEVATION - LEVEL 18 THRU 20 - EAST 02
3/8" = 1'-0"

04



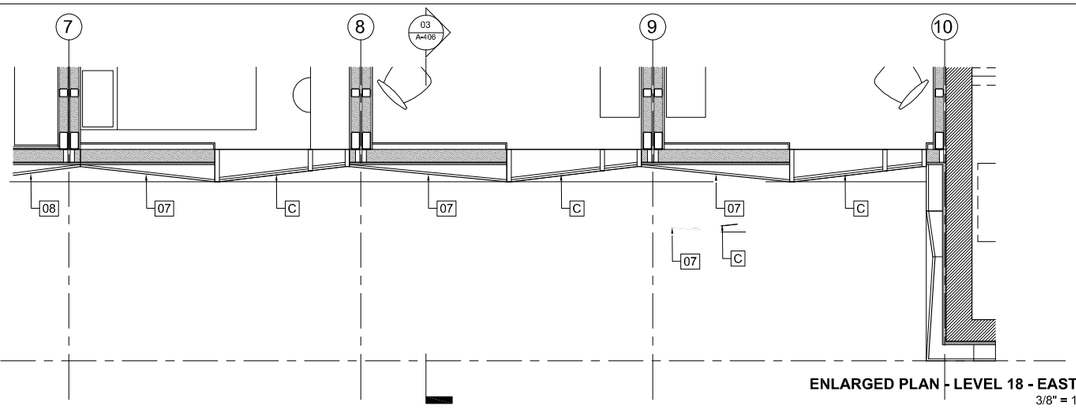
WALL SECTION - LEVEL 18 THRU 20 - EAST 02
3/8" = 1'-0"

03



ENLARGED PLAN - LEVEL 19 - EAST 02
3/8" = 1'-0"

02



ENLARGED PLAN - LEVEL 18 - EAST 02
3/8" = 1'-0"

01

M
SLAB EDGE CAP
GREY STEEL CHANNEL

C
TILT WINDOW WITH
FIXED SIDE AND
BOTTOM PANEL

08
EQUITONE
NATURA N074

07
EQUITONE
NATURA N251

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
SHARON BUCHANAN
C-32858
10-31-2020
RENEWAL
DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	3/8" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-406.00

Sheet No: of

MARKET STREET VIEW LOOKING WEST - REVISED MASSING 01

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER
2	03-04-21	ADDENDUM TO PLAN CHECK LETTER
3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONSOLIDATED RESPONSE TO PLAN CHECK LETTER

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BLOCKWITZ
C-32555
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-900.02

Sheet No: of

MARKET STREET VIEW LOOKING WEST - REVISED MASSING 01

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2	03-04-21	ADDENDUM TO PLAN CHECK LETTER
3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONSOLIDATED RESPONSE TO PLAN CHECK LETTER

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT JASON BUDWORTH C-32558 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

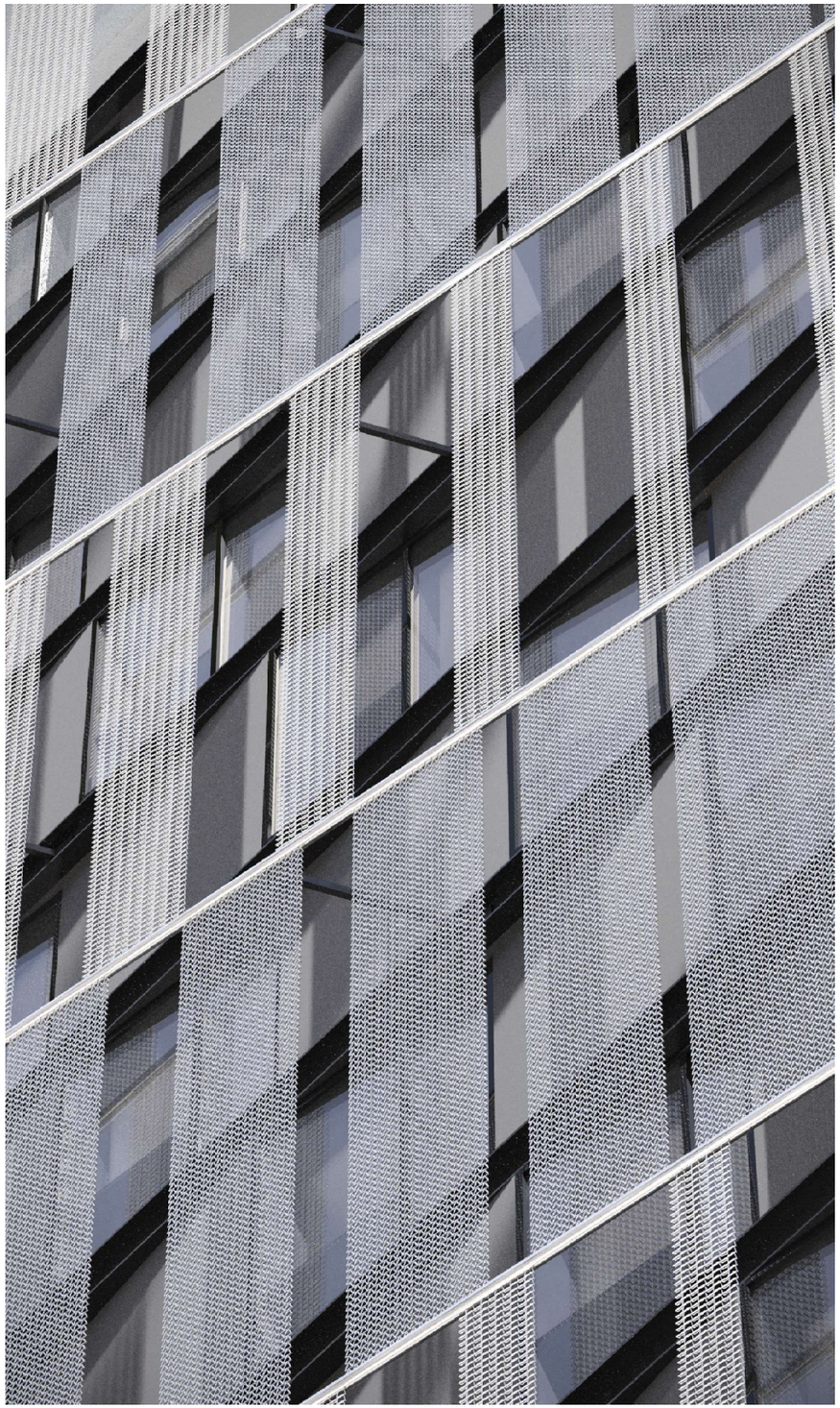
Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-901.02

Sheet No: of



MARKET STREET SCREEN WALL **02**

MARKET STREET VIEW LOOKING EAST **01**

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER
4	05-10-24	CONFORMANCE SET

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Seal & Signature:
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LICENSED ARCHITECT
JASON BUCHANAN
C-32555
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

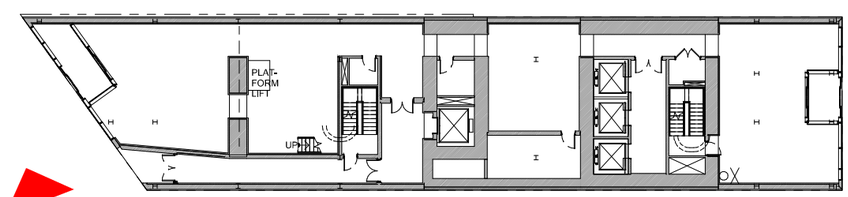
Key Plan:

Date: 05/10/2024
Scale: 6" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-902.01

Sheet No: of



KEY PLAN - LEVEL 01 **02**

POPOS ENTRY LOOKING WEST **01**

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2	03-04-21	ADDENDUM TO PLAN CHECK LETTER

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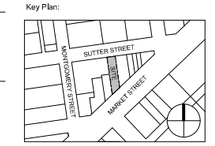
Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHHOLZ
C-32555
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS ENTRY RENDERING

Sheet Number:
A-905.01

Sheet No: of

POPOS PLAN 01

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER

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LICENSED ARCHITECT
JASON BUCKHOUT
C-32555
12-31-2023
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

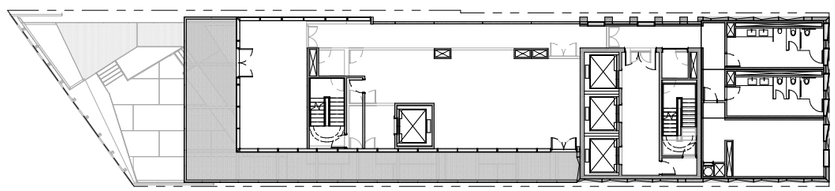
Key Plan:

Date: 05/10/2024
Scale: 6" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
A-907.00

Sheet No: of



KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

POPOS PERSPECTIVE
3" = 1'-0"

01

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LICENSED ARCHITECT
JASON BUCHHOLZ
C-32555
10 - 31 - 2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

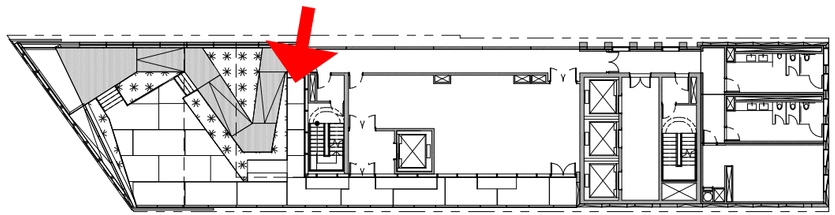
Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
A-908.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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LICENSED ARCHITECT
JASON BUCKHEIT
C-32555
10-31-2023
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
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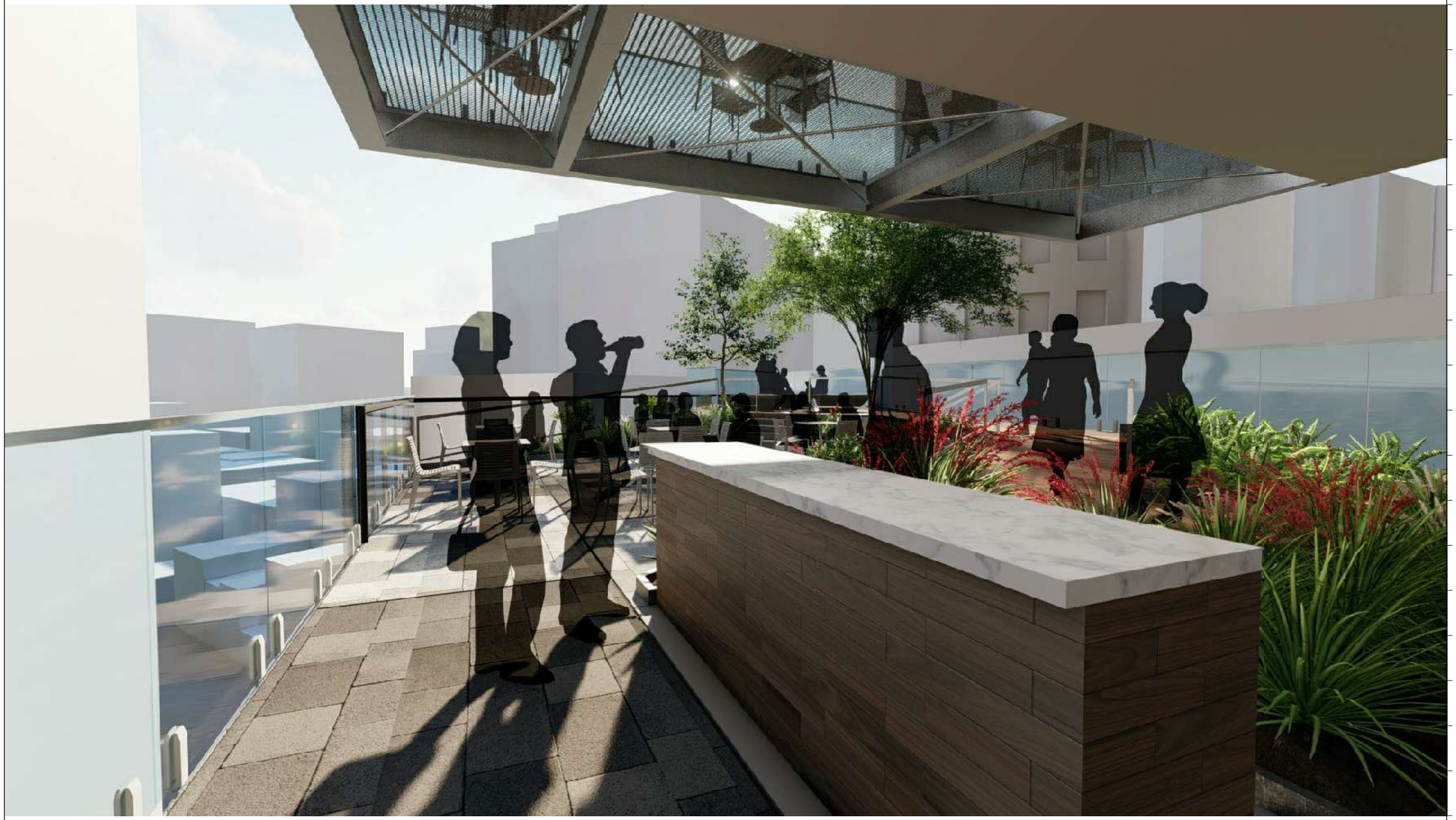
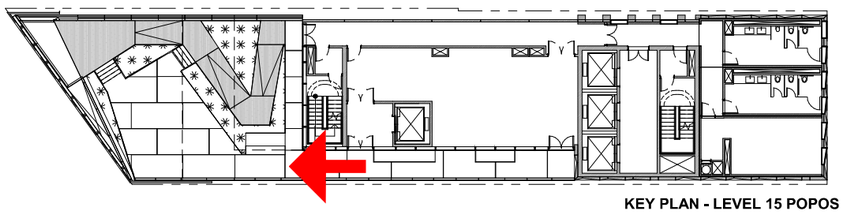
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
A-909.00

Sheet No: of





KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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LICENSED ARCHITECT
JASON M. SHARPE
C-32658
10-31-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

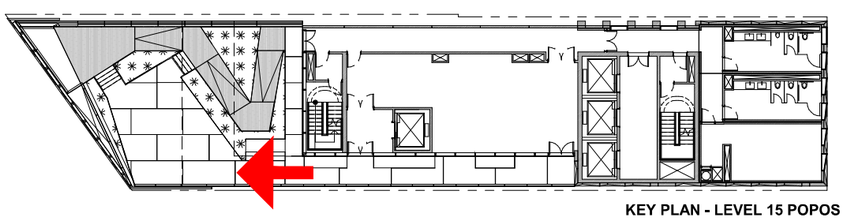
Drawing Title:

POPOS RENDERING

Sheet Number:

A-910.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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1 10-30-20 RESPONSE TO PLAN CHECK LETTER

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Seal & Signature:
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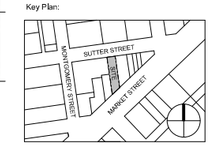
LICENSED ARCHITECT
SHARON BUCHANAN
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

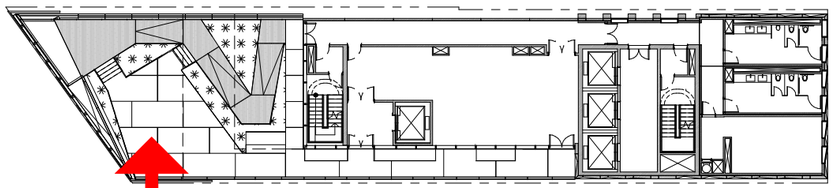


Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
A-911.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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LICENSED ARCHITECT
JASON BUCHHOLZ
C-32558
10-31-2022
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

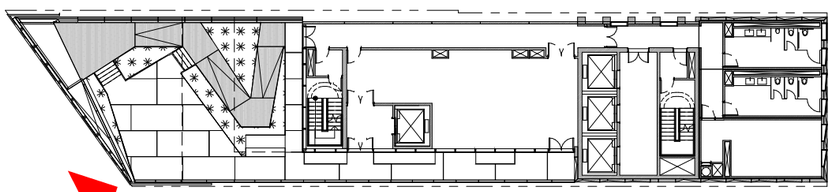
Drawing Title:

POPOS RENDERING

Sheet Number:

A-912.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS PERSPECTIVE

01

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

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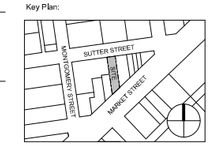
Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHHOLZ
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



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Scale: As indicated
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Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
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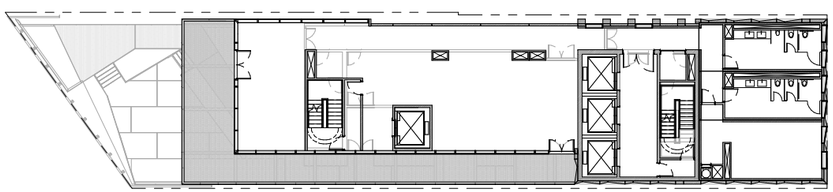
Sheet No: of



KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

POPOS PERSPECTIVE

01

Danny Forster & Architecture

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LICENSED ARCHITECT
JASON BUDWORTH
C-32555
10-21-2021
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
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Project No: 177

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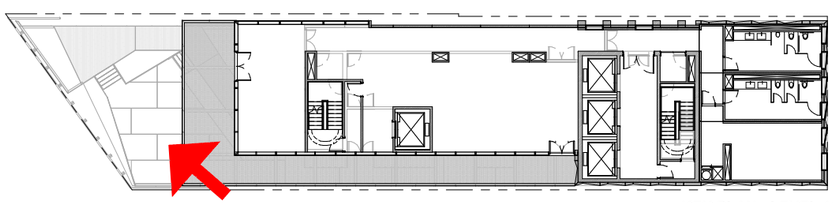

KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

VIEW OF POPOS FROM 16TH FL TERRACE

01

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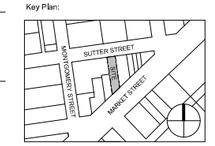
LICENSED ARCHITECT
JASON BLICKHOFF
C-32555
12 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



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Checked By: Checker
Project No: 177

Drawing Title:

POPOS RENDERING

Sheet Number:

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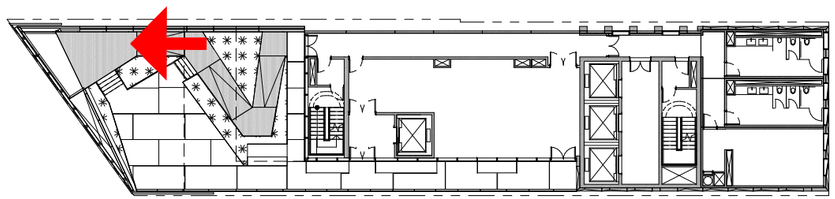
Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POV OF POPOS OVERLOOK

01

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LICENSED ARCHITECT
JASON M. SUGIMOTO
C-32658
10-31-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	As indicated
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:

POPOS RENDERING

Sheet Number:

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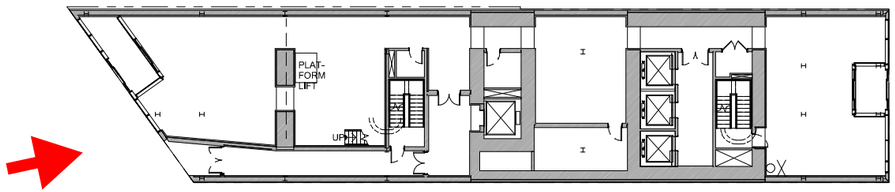
Sheet No: of



KEY PLAN - LEVEL 01 **02**

POPOS ENTRY LOOKING NORTH **01**

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NO.	DATE	REVISION/ISSUANCE
1	08/18/2025	ADDITIONAL INFORMATION

NOT APPROVED FOR CONSTRUCTION

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LICENSED ARCHITECT
JASON BUCKHOUT
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
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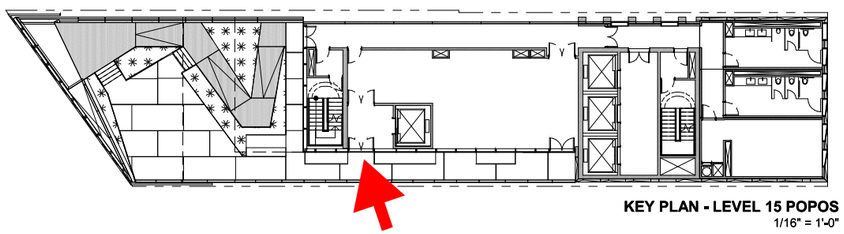
Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS ENTRY LOOKING NORTH

01

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LICENSED ARCHITECT
JASON BLUEMNER
C-32855
10-31-2026
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
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Checked By:	Checker
Project No:	177

Drawing Title:
POPOS RENDERING

Sheet Number:
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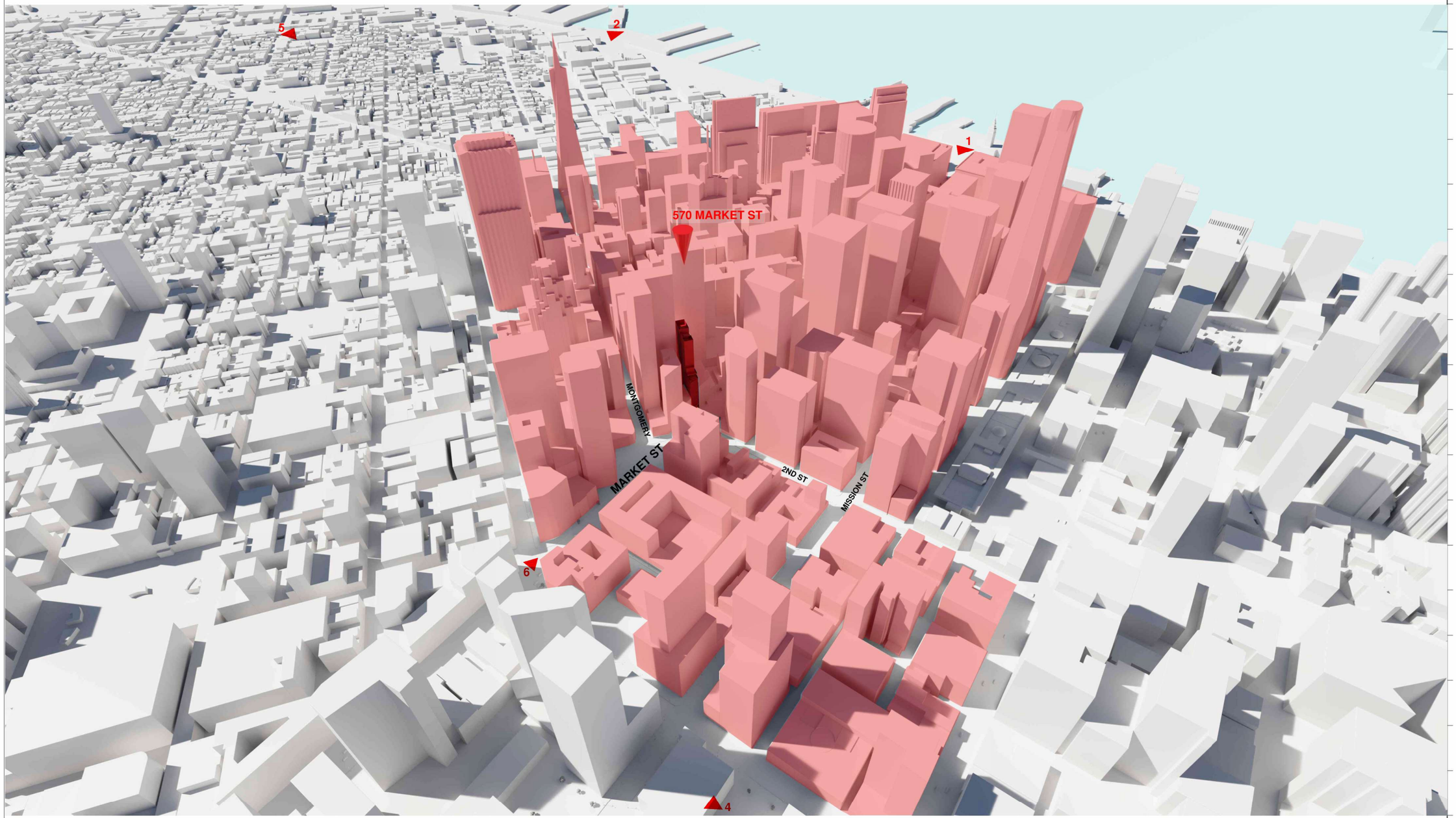
Sheet No: of



TOWER LOCATION 01

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NO.	DATE	REVISION/ISSUANCE
1	08/18/2025	ADDITIONAL INFORMATION

NOT APPROVED FOR CONSTRUCTION

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DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHHOLZ
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
TOWER LOCATION

Sheet Number:
A-920.00

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TOWER FORM - FROM FERRY BUILDING

01

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NO.	DATE	REVISION/ISSUANCE
1	08/18/2025	ADDITIONAL INFORMATION

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DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BLACKNELL
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:

TOWER FORM

Sheet Number:

A-921.00

Sheet No: of

TOWER FORM - FROM PIER 27

01

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LICENSED ARCHITECT
JASON BUCHANAN
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
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Checked By: Checker
Project No: 177

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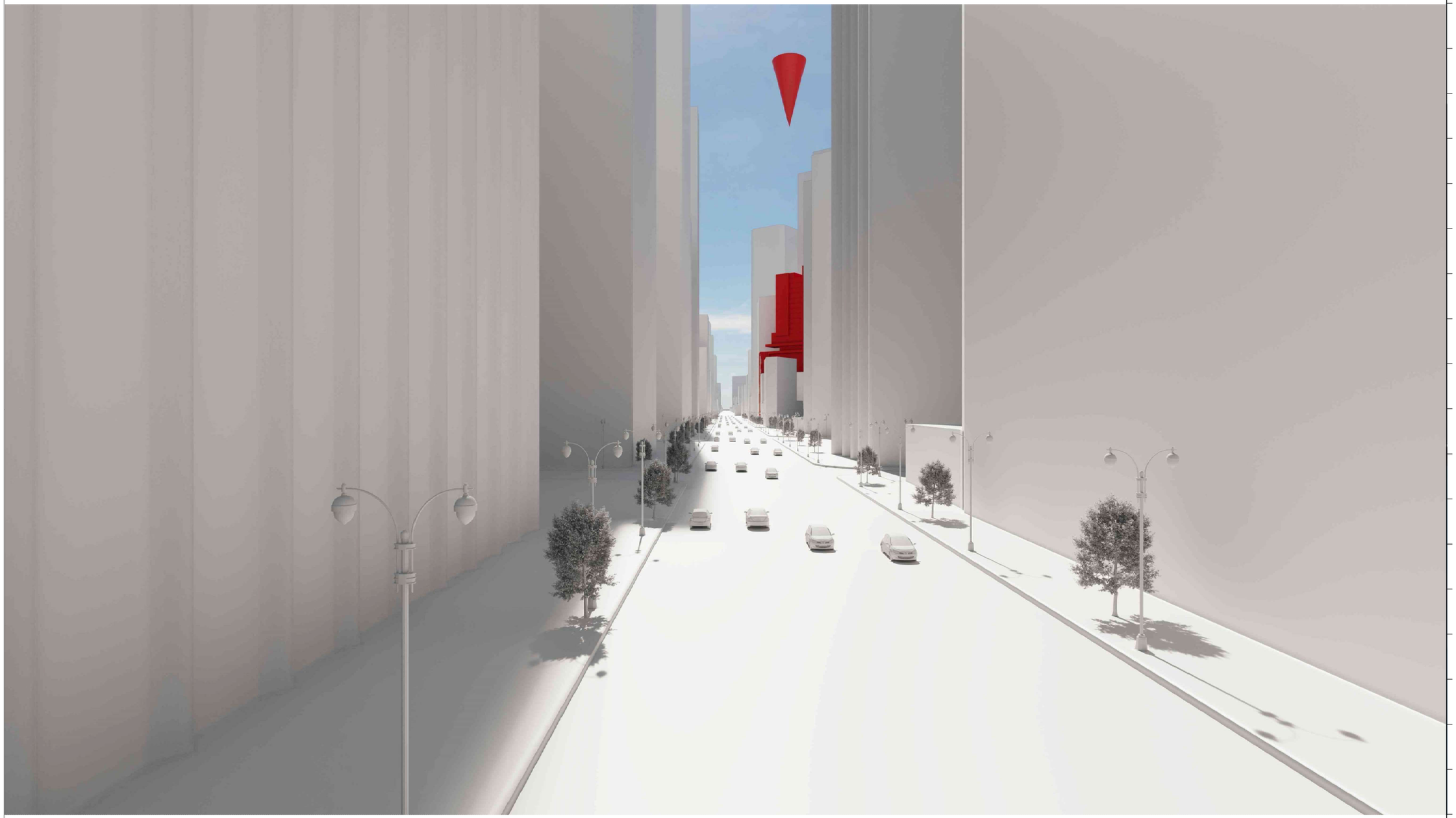

TOWER FORM - FROM EMBARCADERO BART STOP ON MARKET ST

01

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LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32558
10-31-2026
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
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Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:

TOWER FORM

Sheet Number:

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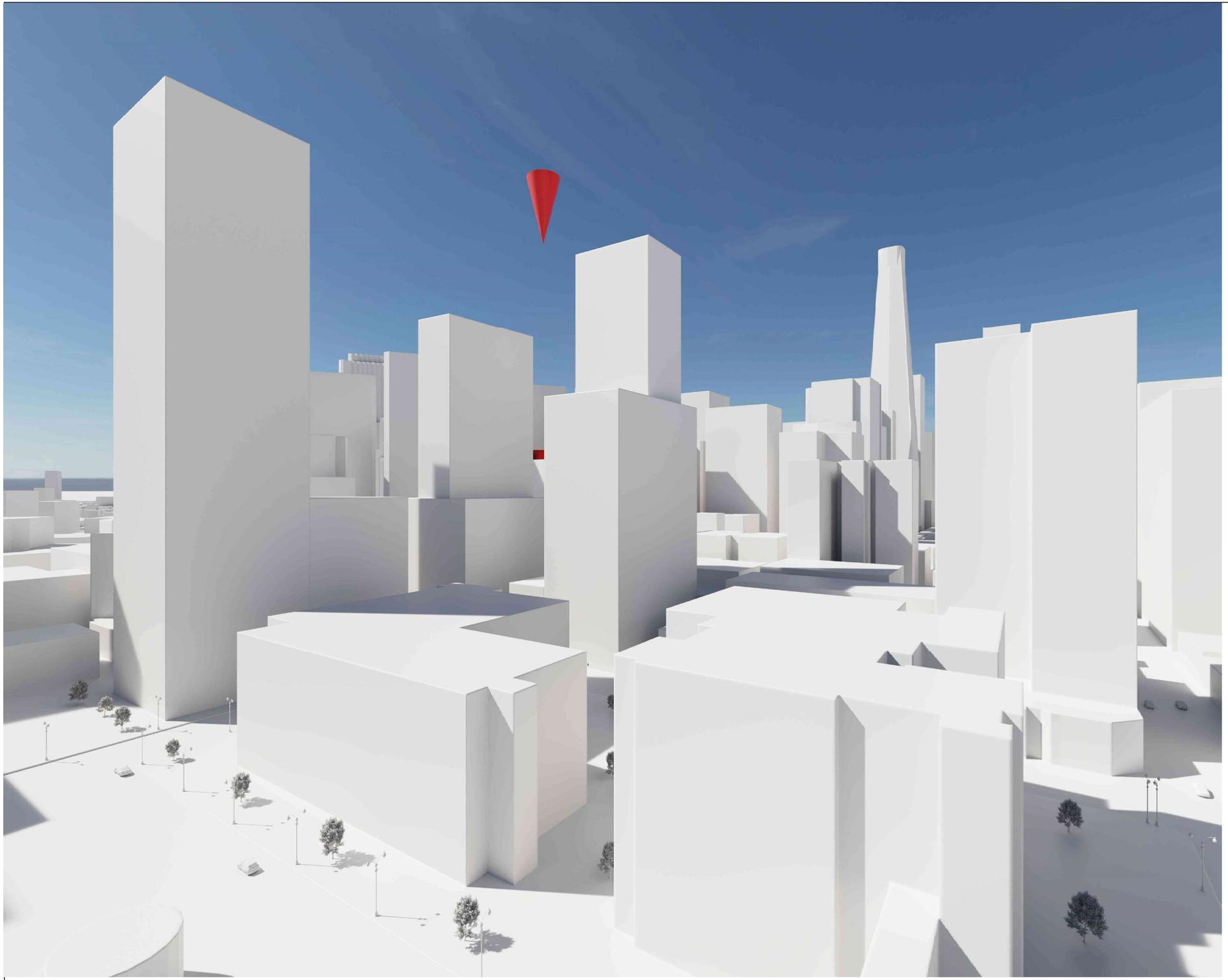

TOWER FORM - FROM DOLORES PARK 01

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LICENSED ARCHITECT
SHARON BUCHANAN
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
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Drawing By:	Author
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Project No:	177

Drawing Title:
TOWER FORM

Sheet Number:
A-924.00

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TOWER FORM - FROM FISHERMAN'S WHARF

01

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1 08/16/2025 ADDITIONAL INFORMATION

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LICENSED ARCHITECT
SHARON BUCKWALTER
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

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570 MARKET STREET
SAN FRANCISCO, CA

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Date: 05/10/2024
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Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
TOWER FORM

Sheet Number:
A-925.00

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TOWER FORM - FROM MARKET/KEARNY STS

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LICENSED ARCHITECT
JASON BUCKHOUT
C-32555
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:

TOWER FORM

Sheet Number:

A-926.00

Sheet No: of

ATTACHMENT B

San Francisco Planning

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.:	2019-017622ENV	*Block/Lot:*	0291/013
Project Title:	570 Market Street	*Lot Size:*	7,045 square feet
BPA Nos:	Not applicable	*Project Sponsor:*	229 Ellis Holdings, LLC
Zoning:	C-3-O Downtown-Office Use District 300-S Height and Bulk District	*Lead Agency:* *Staff Contact:*	San Francisco Planning Department Megan Calpin - 628.652.7508

The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure's requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Please note that the City will not accept the building permit application for this project until a Pre-Construction Environmental Compliance Letter has been issued. If you have questions about the monitoring status of your project, please contact the staff listed above, or email CPC.EnvironmentalMonitoring@sfgov.org. Generally, if the mitigation measure has prior to the start of construction requirements (see the Period of Compliance Table below), these measures will require compliance prior to the issuance of the Pre-Construction Environmental Compliance Letter.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure M-CR-2: Archeological Testing	X	X		
Mitigation Measure M-TCR-1: Tribal Cultural Resources Archeological Resource Preservation Plan and/or Interpretive Program		X		
Mitigation Measure M-NO-1: Fixed Mechanical Equipment Noise Control for Building Operations	X			
Mitigation Measure M-NO-2: Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction	X	X		
Mitigation Measure M-AQ-4a: Clean Off-road Construction Equipment	X	X		
Mitigation Measure M-AQ-4b: Clean Diesel Generators for Building Operations			X	

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure M-GE-5: Implement Appropriate Measures in Case of Inadvertent Discovery of Paleontological Resources	X	X		

NOTES:

* Prior to any ground disturbing activities at the project site.
** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

X I agree to implement the attached mitigation measure(s) as a condition of project approval.

Property Owner or Legal Agent (Signature)

Daniel Lee

Printed Name

10/24/24

Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection. **Note:** A building permit application cannot be submitted for this project until a Pre-Construction Environmental Compliance letter has been received.

ATTACHMENT B

San Francisco Planning

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
CULTURAL RESOURCES				
Mitigation Measure M-CR-2: Archeological Testing Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archeological consultant from the rotational qualified archeological consultants list maintained by the planning department's archeologist who specializes in geoarchaeology and maritime resources. After the first project approval action or as directed by the Environmental Review Officer, the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the qualified archeological consultants list. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer for review and comment and shall be considered draft reports subject to revision until final approval by the Environmental Review Officer. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the Environmental Review Officer, the suspension of construction can be extended beyond four weeks only if such a suspension is the	Project sponsor's qualified archeological consultant and construction contractor	Prior to issuance of construction permits and throughout the construction period	Environmental Review Officer / project sponsor	Considered complete after Archeological Resources Report is approved.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
only feasible means for reducing potential effects on a significant archeological resource, as defined in CEQA Guidelines sections 15064.5 (a) and (c) to a less-than-significant level. Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative of the descendant group and the Environmental Review Officer shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the Environmental Review Officer regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the final archeological resources report shall be provided to the representative of the descendant group. **Archeological Testing Program**. The archeological consultant shall prepare and submit to the Environmental Review Officer for review and approval an archeological testing plan. The archeological testing program shall be conducted in accordance with the approved archeological testing plan. Testing shall include monitoring of basement demolition, trenching from the base of basement to 20 feet for historical resources and coring to Old Bay Clay to test for submerged resources. The archeological testing plan shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the Environmental Review Officer. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the Environmental Review Officer in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include preservation in place, additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior	Project sponsor's qualified archeological consultant and construction contractor	Prior to issuance of construction permits and throughout the construction period	Planning Department	Considered complete after approval of Archeological Testing Plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
approval of the Environmental Review Officer or the planning department archeologist. If the Environmental Review Officer determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the Environmental Review Officer, in consultation with the project sponsor shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be redesigned so as to avoid any adverse effect on the significant archeological resource. If preservation in place is not feasible, a data recovery program shall be implemented, unless the Environmental Review Officer determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. **Archeological Monitoring Program.** If the Environmental Review Officer in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall include, at a minimum, the following provisions: • The archeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archeological monitoring program reasonably prior to any project-related soils disturbing activities commencing. The Environmental Review Officer in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context; • The archeological consultant shall undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the Environmental Review Officer until the Environmental Review Officer has, in consultation with project archeological consultant, determined that project	Project sponsor archeological consultant and ERO	Prior to issuance of construction permits and throughout the construction period	Environmental Review Officer / project sponsor	Considered complete after approval of the Archeological Monitoring Program.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/eco-factual material as warranted for analysis; • If an intact archeological deposit is encountered, irrespective of whether an archeologist is present, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. The archeological consultant shall immediately notify the Environmental Review Officer of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the Environmental Review Officer. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the Environmental Review Officer. **Archeological Data Recovery Program**. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan. The archeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archeological data recovery plan prior to preparation of a draft archeological data recovery plan. The archeological consultant shall submit a draft archeological data recovery plan to the Environmental Review Officer. The archeological data recovery plan shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the archeological data recovery plan will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the archeological data recovery plan shall include the following elements:	Project sponsor's qualified archeological consultant	Upon ERO's determination that data recovery is required in the event an archaeological resource is discovered	Planning Department /project sponsor	Considered complete after ERO's approval of Archeological Data Recovery Plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
• Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations. • Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures. • Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies. • Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • Final Report. Description of proposed report format and distribution of results. • Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. **Human Remains Associated or Unassociated Funerary Objects**. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and, in the event of the medical examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a most likely descendant. The most likely descendant will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The Environmental Review Officer also shall be notified immediately upon the discovery of human remains. The project sponsor and Environmental Review Officer shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the most likely descendant, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary	Project sponsor / archeological consultant in consultation with the San Francisco Medical Examiner, NAHC, and MLD.	In the event that human remains are uncovered during the construction period	Planning Department / project sponsor	Considered complete after approval of Archeological Results Report and disposition of human remains has occurred as specified in Agreement.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the most likely descendant agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.				
Mitigation Measure M-TCR-1: Tribal Cultural Resources Archeological Resource Preservation Plan and/or Interpretive Program				
Preservation in place. In the event of the discovery of an archaeological resource of Native American origin, the Environmental Review Officer (ERO), the project sponsor, and the tribal representative, shall consult to determine whether preservation in place would be feasible and effective. If it is determined that preservation-in-place of the tribal cultural resource (TCR) would be both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to planning for review and approval.	Project sponsor archeological consultant, and ERO, in consultation with the local Native American representatives	If significant archeological resource of Native American origin is present, during implementation of the project	Planning Department / project sponsor	Considered complete upon completion and approval of the preservation plan and project redesign.
Public Interpretation and Land Acknowledgement. If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall, in consultation with local Native American representative's, design and install public interpretation at the project site that shall address the tribal values represented by the resource and acknowledge that this project is built on traditional Ohlone land. Coordination for interpretive program and land acknowledgement shall take place with local Native American representatives, particularly the Association of Ramaytush Ohlone. The interpretive program may include a combination of artwork, preferably by local Native American artists, educational panels or other informational displays, a plaque, or other interpretative elements. The project sponsor shall prepare an interpretation plan in consultation with affiliated local Native American representatives and the ERO to guide the interpretive and	Project sponsor in consultation with the local Native American representative	After determination that preservation in place is not feasible, and subsequent to archeological data recovery, as relevant	Planning Department / project sponsor	Sponsor or archeological consultant shall submit the interpretive program to the ERO for review and approval. Complete upon sponsor verification to ERO that interpretive program was

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
acknowledgment program. The plan shall identify, as appropriate, proposed locations for the interpretation as outlined above, the proposed content and materials of the interpretation, the producers or artists of the displays or installation, and a long-term maintenance program. If Native American cultural resources are found during project construction, interpretation of these resources may be included in the interpretative program in consultation with the local Native American representatives and the ERO. As feasible, local Native American representatives will coordinate with the project sponsor on the use of and the interpretation of native and traditional plants in proposed landscaping at the project site.				implemented.
Mitigation Measure M-NO-1: Fixed Mechanical Equipment Noise Control for Building Operations Prior to approval of a building permit, the project sponsor shall submit documentation to the Environmental Review Officer (ERO) or the officer's designee, demonstrating with reasonable certainty that the building's fixed mechanical equipment meets the noise limits specified in Section 2909(b) of the noise ordinance (i.e., an 8 dBA increase above the ambient noise level at the property plane). The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would not adversely affect nearby noise-sensitive uses, would not substantially increase ambient noise levels, and would not result in a noise level in excess of any applicable standards, such as those in section 2909 (b) and (d) of the noise ordinance. All recommendations from the acoustical analysis necessary to ensure that noise sources would meet applicable requirements of the noise ordinance and/or not result in substantial increases in ambient noise levels shall be incorporated into the building design and operations. Noise reduction methods required to meet the noise ordinance may include, but are not limited to: • Select exhaust/supply fans on Levels 2 and 17 with a sound power level no more than 77 dBA to meet the code requirement of 59 dBA at the south property plane. If this noise reduction measure level is not feasible, implement noise attenuating features, such as silencers and/or acoustical louvers to achieve the necessary amount of noise reduction to meet the noise ordinance requirements.	Project sponsor and construction contractor	Prior to issuance of building permit	Planning Department	Considered complete upon Planning Department review and acceptance selected mechanical equipment

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
• Select the rooftop cooling towers with a maximum sound power level of 84 dBA to meet the noise ordinance requirement of 53 dBA at the east and west property planes. If this noise reduction measure is not feasible, incorporate additional noise attenuation features (e.g., intake/discharge silencers, low sound fan) OR add a sound-rated barrier on all sides that extends one-foot higher than the equipment to achieve the necessary amount of noise reduction to meet the noise ordinance requirements.				
Mitigation Measure M-NO-2: 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 ERO or the ERO's designee for approval. The plan shall identify all feasible means to avoid damage to potentially affected buildings. 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 potentially affected buildings. For the building at 44 Montgomery Street, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of the potentially affected building. For the two buildings at 566 Market Street and 576 Market Street, the pre-construction survey should be prepared by a qualified historic preservation professional and a structural engineer or other professional with similar qualifications. The pre-construction survey for the two buildings at 566 Market Street and 576 Market Street shall include descriptions and photographs of all identified historic buildings including all façades, 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 property owners). 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. The project sponsor shall submit the surveys to the ERO or the officer's designee for review and approval prior to the start of vibration-generating construction activity.	Project sponsor's qualified historic preservation professional and structural engineer	Prior to issuance of any demolition or building permit	Planning Department	Considered complete upon Planning Department approval of pre-construction survey.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Vibration Management and Monitoring Plan. The project sponsor shall undertake a monitoring plan to avoid or reduce project-related construction vibration damage to the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street, and to ensure that any such damage is documented and repaired. Prior to issuance of any demolition or building permit, the project sponsor shall submit the Plan to the ERO for review and approval. The Vibration Management and Monitoring Plan shall include, at a minimum, the following components, as applicable: • Maximum Vibration Level. The plan shall indicate the following maximum vibration levels that could not be exceeded during construction: ○ 0.5 in/sec PPV: For construction activities near the building at 44 Montgomery Street. ○ 0.25 in/sec PPV: For construction activities near the two buildings at 566 Market Street and 576 Market Street. • 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. The plan shall identify potential alternative equipment and techniques that could be implemented if construction vibration levels are observed in excess of the established standard. • Buffer Distances. The plan shall identify buffer distances that shall be confirmed during site monitoring. The buffer distances shall be maintained based on vibration levels and site constraints between the operation of vibration-generating construction equipment and the potentially affected building and/or structure to avoid damage to the extent possible. • Vibration Monitoring. The plan shall identify the method and equipment for vibration monitoring to ensure that construction vibration levels do not exceed the established standards identified in the plan. ○ Should construction vibration levels be observed in excess of the standards established in the plan, the contractor(s) shall halt	Project sponsor's qualified historic preservation professional and structural engineer	Prior to issuance of any demolition or building permit	Planning Department	Considered complete upon Planning Department approval of vibration management and monitoring plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
construction and put alternative construction techniques identified in the plan into practice, to the extent feasible. ○ The qualified historic preservation professional (for effects on the two buildings at 566 Market Street and 576 Market Street) and structural engineer (for effects on the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street) shall inspect each affected building and/or structure (as allowed by property owners) in the event the construction activities exceed the vibration levels identified in the plan. ○ The structural engineer and historic preservation professional shall submit monthly reports to the ERO during vibration-inducing activity periods that identify and summarize any vibration level exceedances and describe the actions taken to reduce vibration. ○ 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 nearby buildings and/or structures that are historic, the historic preservation consultant shall immediately notify the ERO and prepare a damage report documenting the features of the building that has been damaged. ○ Following incorporation of the alternative construction techniques and/or planning department review of the damage report, vibration monitoring shall recommence to ensure that vibration levels at each affected building on adjacent properties are not exceeded. • Periodic Inspections. The plan shall identify the intervals and parties responsible for periodic inspections. The qualified historic preservation professional (for effects on the two buildings at 566 Market Street and 576 Market Street) and structural engineer (for effects on the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street) shall conduct regular periodic inspections of each affected building and/or structure on adjacent properties (as allowed by property owners) during vibration-				

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
generating construction activity on the project site. The plan will specify how often inspections shall occur. • Repair Damage. The plan shall also identify provisions to be followed should damage to any of the three adjacent buildings occur due to construction-related vibration. The building(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 to any of the two buildings at 566 Market Street and 576 Market Street, the building(s) shall be restored to its pre-construction condition in consultation with the qualified historic preservation professional and planning department preservation staff.				
Vibration Monitoring Results Report. After construction is complete the project sponsor shall submit to the ERO a final report from the qualified historic preservation professional (for effects on the two buildings at 566 Market Street and 576 Market Street) and structural engineer (for effects on the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street). 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 ERO shall review and approve the Vibration Monitoring Results Report.	Project sponsor's qualified historic preservation professional and structural engineer	After construction is complete	Planning Department	Considered complete upon Planning Department approval of final vibration monitoring report.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Mitigation Measure M-AQ-4a: Clean Off-road Construction Equipment The project sponsor or the project sponsor's contractor shall comply with the following: **A. Engine Requirements.** 1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed U.S. Environmental Protection Agency (EPA) Tier 4 Interim or Tier 4 Final off-road emission standards. 2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited. 3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The project sponsor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit. 4. The project sponsor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications. **B. Waivers.** 1. The planning department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the project sponsor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1). 2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of Tier 4 off-road equipment is technically not feasible; the equipment would not produce desired emissions reduction due to	Project sponsor and construction contractor	Prior to issuance of demolition or building permits project sponsor to submit: 1. Construction emissions minimization plan for review and approval, and Signed certification statement	Planning Department	Considered complete upon Planning Department review and acceptance of construction emissions minimization plan, implementation of the plan, and submittal of final report summarizing use of construction equipment pursuant to the plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
expected operating modes; or there is a compelling emergency need to use off-road equipment that is not Tier 4 compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment, according to the following, or another alternative that results in comparable reductions of diesel particulate matter. C. **Construction Emissions Minimization Plan.** Before starting on-site construction activities, the project sponsor shall submit a Construction Emissions Minimization Plan (plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the project sponsor will meet the requirements of Section A: 1. The plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. As reasonably available, the description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. 2. The project sponsor shall ensure that all applicable requirements of the plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the project sponsor agrees to comply fully with the Plan. 3. The project sponsor shall make the plan available to the public for review onsite during working hours. The project sponsor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The project sponsor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.				

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
D. **Monitoring.** After start of construction activities, the project sponsor shall submit quarterly reports to the ERO documenting compliance with the plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the plan.				
Mitigation Measure M-AQ-4b: Clean Diesel Generators for Building Operations All diesel generators shall have engines that meet EPA (1) Tier 4 Final or Tier 4 Interim emission standards, or (2) Tier 2 or Tier 3 emission standards and are equipped with a California air board level 3 Verified Diesel Emissions Control Strategy. For each new diesel generator submitted for the project, including any associated generator pads, engine and filter specifications shall be submitted to the ERO for review and approval prior to issuance of a permit for the generator from the San Francisco Department of Building Inspection. Once operational, all diesel generators and verified diesel emissions control strategy shall be maintained in good working order in perpetuity and any future replacement of the diesel generator, and level 3 verified diesel emissions control strategy shall be required to be consistent with these emissions specifications. The operator of the facility shall maintain records of the testing schedule for each diesel generator for the life of that diesel generator and provide this information for review to the ERO within three months of requesting such information.	Project sponsor and construction contractor	Prior to issuance of permit for each new diesel generator	Planning Department	Considered complete upon Planning Department review and acceptance of diesel generator.
Mitigation Measure M-GE-5: Implement Appropriate Measures in Case of Inadvertent Discovery of Paleontological Resources Before ground disturbance, the project sponsor shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology, to instruct construction personnel involved with earthmoving activities regarding the possibility of encountering fossils, the appearance of fossils that may be unearthed during construction, and proper notification procedures should fossils be encountered. A qualified paleontologist shall monitor construction activities in the areas where construction activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Construction shall be halted within 50 feet of any potential fossil find and a qualified paleontologist notified,	Project sponsor's qualified paleontologist	Prior to issuance of construction permits and throughout ground disturbing activities	Environmental review officer/project sponsor	Considered complete upon end of ground disturbing activities, or, if necessary, approval of implemented paleontologist's recommendations regarding treatment and

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
who shall evaluate the significance. If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the resource and notify the project sponsor and San Francisco Planning Department. There shall be no construction work in the area to allow for the recovery of the resource in a timely manner. A qualified paleontologist shall evaluate the resource and prepare a recovery plan compliant with the standards of the Society for Vertebrate Paleontology. The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. The City and County of San Francisco shall determine which of the recommendations in the recovery plan are necessary and feasible, and these recommendations shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. The City shall be responsible for ensuring that the qualified paleontologist's recommendations regarding treatment and reporting are implemented.				reporting.

NOTES:

[a] Definitions of MMRP Column Headings:

Adopted Mitigation and Improvements Measures: Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

Implementation Responsibility: Entity who is responsible for implementing the mitigation measure. In most cases this is the project sponsor and/or project's sponsor's contractor/consultant and at times under the direction of the planning department.

Mitigation Schedule: Identifies milestones for when the actions in the mitigation measure need to be implemented.

Monitoring/Reporting Responsibility: Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the Planning Department who is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor, their contractor, or consultant are responsible for any reporting requirements.

Monitoring Actions/Completion Criteria: Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.

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BRIEF(S) SUBMITTED BY APPELLANT(S)

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BOARD OF APPEALS

CITY AND COUNTY OF SAN FRANCISCO

	Appeal No.: 25-042
BCAL 44 MONTGOMERY PROPERTY LLC v. SAN FRANCISCO PLANNING COMMISSION	**BRIEF OF APPELLANT BCAL 44 MONTGOMERY PROPERTY LLC** Subject Property 570 Market Street Determination Type Downtown Project Authorization (PC 309) Record No. 2019-017622DNX (Motion No. 21806) Hearing Date : November 19, 2025 Hearing Time: 5 p.m. Location: SF City Hall, Room 416

INTRODUCTION

This brief is filed on behalf of Appellant BCal 44 Montgomery Property LLC regarding the Planning Commission's approval of the Downtown Project Authorization ("DNX") for a proposed 29-story, 200+-room hotel at 570 Market Street ("Project"). Appellant is the owner of 44 Montgomery Street, which directly abuts the western side of the Project site. The Project attempts to shoehorn a 29-story hotel into two narrow parcels connecting Market Street to Sutter Street, sandwiched between 44 Montgomery Street, the Chancery Building, the Finance Building, and the Hobart Building, all of which are recognized historical resources.

44 Montgomery respectfully requests that the Board of Appeals grant this appeal to over turn the Planning Commission's approval of the Project's DNX because: (1) the Planning Commission failed to adequately consider how the Project will exacerbate congestion on Sutter Street; (2) the Planning Commission improperly designated Market Street as the "principal street" for determining the Project's setbacks instead of Sutter Street; and (3) the Planning Commission failed to adequately consider that the Project will have significant adverse environmental consequences.

PROJECT DESCRIPTION

The 570 Market Street Hotel Project proposes a 29-story (~ 300-feet), 211-room hotel with a 1,000 square-foot lobby opening to Sutter Street and ground-floor retail opening to Market Street. The 7,045 square-foot Project site is a narrow through lot with frontages on both Market Street and Sutter Street. The site is located on the north side of Market Street within the triangular block bound by Market Street to the southeast, Sutter Street to the north, and Montgomery Street to the west. (See **Exhibit A** [site map].)[1] The site is currently developed with two 2-story commercial buildings (one on Market Street, one on Sutter Street), which would be demolished. The Project site is adjacent to—and will be constructed within one foot of—three historical resources: (1) Chancery Building at 562-566 Market Street; (2) Finance Building at 576-580 Market Street; (3) and 44 Montgomery Street. The Project, as approved by the Planning Commission, provides no setbacks from interior lot lines, effectively blocking out an entire side of the Chancery Building and the Finance Building. (See

[1] All exhibits are bookmarked in the pdf version of this brief.

Exhibit B [overhead site plan].)

Construction of the Project is expected to last approximately 2 years. Demolition would take approximately 10 weeks. Excavation and shoring would last approximately eight weeks. Foundation and below-grade construction would last about 10 weeks. The base building (ground floor to Level 14) would last approximately nine weeks. The remaining core construction of the building would last for approximately 30 weeks.

The main access for the 1,000-square-foot hotel lobby, located on the ground floor on the north side of the site, is Sutter Street. Hotel guests, visitors, and employees and retail customers arriving/leaving by taxi, tour bus, Uber, Lyft, etc. will load/unload on Sutter Street due to restrictions on Market Street. Freight loading for the Project will primarily occur on Sutter Street, utilizing the existing 340-foot loading zone between Sansome and Montgomery. The Market Street side of the ground floor would have approximately 2,700 square feet of retail space. The hotel lobby and retail space would be connected by a corridor that would provide indirect access to the hotel lobby from Market Street.

PROCEDURAL BACKGROUND

In addition to environmental review under the California Environmental Quality Act ("CEQA"), the Project required the following entitlements: (1) Downtown Large Project Authorization ("DNX") under Section 309[2]; (2) Conditional Use Authorization ("CUA") to permit the hotel use under Section 303; and (3) an administrative variance from the Zoning Administrator pursuant to Section 260(b)(1)(B) to allow the height of the penthouse elevator to exceed 16 feet above the height limit.

On May 1, 2025, the Planning Commission first considered the Project's DNX, CUA, and mitigated negative declaration ("MND"). At the May 1 hearing, the Commission denied the appeals of 44 Montgomery and the owners of the Chancery Building and determined that the MND fulfilled the City's obligations under CEQA. However, the Commission voted (5-2) to continue consideration of the DNX and CUA based on numerous concerns, including: (1) mismatched lightwells with the

[2] All citations are to the San Francisco Planning Code unless otherwise noted.

neighboring Chancery building; (2) lack of setbacks from neighboring buildings; (3) location and functionality of the privately-owned public open space; and (4) façade design.

On September 11, 2025, the Planning Commission again considered the DNX and CUA. The applicant made no changes to the Project. Instead, the applicant submitted a memorandum that discussed lightwell alignment and massing reductions. The applicant's argument was simple: this Project cannot be built without blocking the Chancery Building's lightwells or without nearly abutting neighboring buildings. The memorandum also rejected a height reduction, claiming, without any in-depth analysis, that the loss of 15 rooms would reduce the financial viability of the hotel. Over the objections of 44 Montgomery and the Chancery Building that the project before them was the same project they had concerns about previously, the Planning Commission approved the DNX and CUA.

On September 26, 2025, 44 Montgomery filed a timely appeal of the Project's DNX to this Board. On October 10, 2025, 44 Montgomery filed a timely appeal of the Project's MND to the Board of Supervisors. The Board of Supervisors' hearing on the MND appeal is currently calendared for the Board's November 18, 2025 meeting.

PLANNING CODE SECTION 309 (DNX)

Planning Code Section 309 governs the DNX process for projects zoned in C-3 districts, such as this Project. Section 309 enumerates nineteen (19) exceptions from the Planning Code that the Planning Commission can grant upon request from the applicant. (Section 309(a).) As relevant here, the Planning Commission granted the following exceptions for the Project: (1) setback requirements for separation of towers and interior lot lines (Section 132.1(d)(2)); (2) off-street freight loading (Section 152.1); and (3) off-street tour bus loading (Section 162). (Section 309(a)(1), (6), (7).)

Section 309 grants the Planning Commission broad discretion to impose conditions "to achieve the objectives and policies of the General Plan or the purposes of this Code." (Section 309(b).) Section 309 lists ten (10) categories that the imposed conditions can be designed to address, including, as relevant here: (1) "[a]spects of the project affecting parking, traffic circulation and transit operation and loading points" (Section 309(b)(3)); (2) "[a]spects of the design of the project which have significant adverse environmental consequences" (Section 309(b)(8)); and (3) "[o]ther

aspects of the project for which modifications are justified because of its unique or unusual location, environment, topography or other circumstances" (Section 309(b)(10).

Section 309 provides for an appeal of the Planning Commission's approval of a DNX to the Board of Appeals. (Section 309(d)(3).) On appeal, "the Board of Appeals may approve, disapprove or modify the decision appealed from. If the determination of the Board differs from that of the Commission it shall, in a written decision, specify the error in interpretation or abuse of discretion on the part of the Commission and shall specify in the findings, as part of the written decision, the facts relied upon in arriving at its determination." (Section 309(d)(4).) Generally, an abuse of discretion is established if the respondent has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence. (See Cal. Code of Civil Procedure § 1094.5(b).)

ARGUMENT

I. The Planning Commission Failed to Adequately Consider How the Project Will Exacerbate Congestion on Sutter Street.

The Planning Commission granted two exceptions for the Project under Section 309 for off-street spaces for freight loading (Section 309(a)(6)) and tour buses (Section 309(a)(7)) along Sutter Street. Instead of the one (1) off-street freight loading space required by Code, the Project will rely on an existing yellow-curbed loading area on Sutter Street, which is already in daily heavy use by 44 Montgomery and others along Sutter Street. Instead of the off-street parking space for tour buses required by Code, the Project will provide nothing—with no assurance Sutter Street can absorb the impact of tour buses idling or searching for parking. In addition, the Project does not provide any loading areas for hotel guests, visitors, or employees arriving by taxi, Lyft, Uber, etc. on Sutter Street, where all taxi/rideshare rides will begin/end due to restrictions on Market Street.

Sutter Street is one-way with two travel lanes and a bus/taxi-only lane in the northernmost lane. Street parking, with designations for commercial loading, is provided along both sides of the street. Congestion on Sutter Street is a serious issue. As explained in the Project's MND, "Sutter Street is a one-way westbound street ***designated as a transit conflict street in the general plan's transportation element***. The transportation element defines transit conflict streets as 'streets with a

primary transit function which are not classified as major arterials but ***experience significant conflicts with automobile traffic***.'" (570 Market Street MND, p. 22 [emph. added].)

Pursuant to Section 309, conditions can be imposed on a DNX in order to address "aspects of the project affecting parking, traffic circulation and transit operation and loading points." (Section 309(b)(3).) Here, the Planning Commission failed to adequately consider the cumulative impacts on parking, traffic, and loading on Sutter Street that will result from the Project's exceptions for loading and tour buses.

44 Montgomery submitted a written comment to the Planning Commission on September 9, 2025 prior to the Commission's approval of the DNX ("September 9, 2025 Comment"). A copy of the September 9, 2025 comment is attached as **Exhibit C**. As explained in comment, 44 Montgomery and others already receive deliveries on Sutter Street. Adding in additional deliveries for the Project's hotel and commercial uses will only lead to trucks idling while waiting for curb space. Photographs of congestion on Sutter Street due to deliveries are attached as Attachment 1 to **Exhibit C**. Furthermore, ever since the increase in federal ICE agents in San Francsico, Sutter Street has been heavily parked with unmarked vans and vehicles. Additionally, the Planning Commission failed to consider that every taxi/rideshare to/from the hotel will also be loading and unloading on Sutter Street. By failing to consider and properly condition the Project's impacts on traffic and loading, the Planning Commission erred in approving the DNX and in finding that the Project was consistent with General Plan, Objective 4, Policy 4.1 which instructs the City to "[g]uide the location of new hotels ***to minimize their adverse impacts on circulation***." (DNX Motion, p. 9.)

Because there was no consideration of these cumulative impacts to Sutter Street and no conditions imposed to ensure that Sutter Street can absorb the impacts of this Project, 44 Montgomery respectfully requests that the Board grant the appeal to ensure that the Planning Commission has considered all relevant factors prior to granting the Project's exceptions under Section 309.

II. The Planning Commission Improperly Designated Market Street as the "Principal Street" for Determining the Project's Setbacks Instead of Sutter Street.

The City's Planning Code requires that the Project's tower be set back a minimum of 15 feet

"beginning at a height which is 1.25 times the width of the principal street on which the building faces." (Section 132.1(d)(1).) However, the Planning Commission incorrectly determined that the "principal street" is Market Street (120 feet wide) and not Sutter Street (~70 feet wide). Everything about this Project indicates that Sutter Street is the "principal street," requiring that the Project be redesigned with setbacks beginning at lower elevations.

Sutter Street is clearly the "primary street" because every aspect of the Project's principal use (the hotel) will utilize Sutter Street for access. The entrance to the hotel and lobby are on Sutter Street. Freight loading, deliveries, service vehicles, and tour buses will all use Sutter Street to access the Project. In contrast, the Project's frontage on Market Street is limited to the retail entrance and POPOS access. Other than the fact that the Project is labeled "570 Market Street Project," there is nothing indicating that Market Street is the "primary" street. That simply makes no sense when the destination of every hotel guest, visitor, or employee taking a taxi/rideshare to the hotel will be the Sutter Street entrance due to restrictions on Market Street.

44 Montgomery respectfully requests that the Board grant this appeal so that the Project, including any exceptions under Section 309, can be processed and considered by the Planning Commission using the proper height determinations for setbacks.

III. The Planning Commission Failed to Adequately Consider that the Project Will Have Significant Adverse Environmental Consequences.

Pursuant to Section 309, conditions can be imposed on a DNX in order to address "[a]spects of the design of the project which have significant adverse environmental consequences." (Section 309(b)(8).) The Planning Commission was provided with ample evidence, including a historical expert, a noise expert, and geotechnical experts, that the Project would have significant impacts that had not been adequately addressed or mitigated.

44 Montgomery submitted written correspondence to the Planning Commission on March 19, 2025, enumerating the significant impacts that will result from this Project. ("March 19 Letter"). A copy of the March 19 Letter, including reviews of the Project by a historical expert and noise expert, is attached as **Exhibit D** and summarized below.

As explained in 44 Montgomery's March 19 Letter, the Project could result in numerous

significant impacts due to vibration impacts to adjacent historical structures, including 44 Montgomery (Ex. D, pp. 5-7), noise (Ex. D, pp. 7-10), historical resources (Ex. D, pp. 11-14), and geotechnical risks (Ex. D, pp. 14-15).

For vibration impacts, the Project's MND explained,

> Jackhammering and excavation could occur up to 1 foot from the property lines at 566 Market Street, 576 Market Street, and 44 Montgomery Street. Drilling and compaction activities could occur as close as 6 feet from the adjacent buildings. . . . [T]emporary groundborne vibration levels from the caisson drill could reach a peak particle velocity (PPV) as high as approximately 0.428 in/sec (inch per second) if drilling occurs within 6 feet of the adjacent buildings. Temporary groundborne vibration from jackhammering could reach as high as approximately 1.207 in/sec PPV if these activities were to occur within one foot of the adjacent buildings.

(MND, p. 46.) The Planning Commission did not impose any conditions to ensure that significant vibration impacts from jackhammers/excavation would not occur. Instead, the City imposed a condition for the preparation of a Vibration Management and Monitoring Plan ("Management Plan"), which only addressed the measures to be taken ***after*** a vibration exceedance/damage occurs. (See Ex. D, pp. 6-7.)

44 Montgomery's historical resources expert concluded that the Project "risks causing substantial adverse changes to the significance of adjacent and nearby CEQA historical resources" due to: (1) structural/vibration risks; (2) visual/contextual alterations; and (3) shadow/spatial relationships. (Ex. D, pp. 13-14.) By failing to ensure that impacts to historical resources, including 44 Montgomery, would not be significant, the Planning Commission failed to condition the Project to address "significant adverse environmental consequences." (See Section 309(b)(8).)

For noise impacts, 44 Mongomery's expert found that the Project's Noise Analysis made improper assumptions about how construction noise would attenuate over distances that did not accurately reflect the conditions surrounding the Project site. (Ex. D, pp. 8-9.) Correcting for that error, the expert calculated that the Project's construction-related noise would exceed applicable significance thresholds. (Ex. D, p. 9; **Exhibit E**, Correspondence from 44 Montgomery's Noise Expert (Oct. 27, 2025), p. 2.)

44 Montgomery's noise expert also criticized the Project for failing to adequately analyze the

Project's construction-related noise on nearby office workers. The Project was analyzed using a significance threshold of 100 dB for nearby offices—which is ***a full 15 dB over the level at which OSHA and NIOSH require worker hearing protection***. (Ex. D, p. 3.) That threshold is unreasonable and a threat to the office workers abutting this construction site for at least two years. 44 Montgomery's expert found that even with a more reasonable threshold of twice the threshold used for residential receptors, office workers would still be subjected to significant noise impacts. (Ex. D, pp. 3-4; see Ex. E, p. 2.) The noise impacts of this Project are significant not only because they will exceed reasonable thresholds, but also because they will materially impact the ability of adjacent buildings, including 44 Montgomery, to attract and retain tenants. By failing to ensure that noise impacts would not be significant, the Planning Commission failed to condition the Project to address "significant adverse environmental consequences." (See Section 309(b)(8).)

For geotechnical risks, 44 Montgomery is extremely concerned about the extensive excavation (~15 feet) and deep, 6-foot diameter piles (160 feet) required for this Project. (See Ex. D, pp. 14-16.) The Project's MND conceded that "***[s]ettlement*** from the new building loads would occur beyond the perimeter of the site, and ***could affect adjacent structures***, including the adjacent streets and the existing buildings east and west of the site." (MND, p. 87 [emph. added].) A geotechnical report prepared for the Project in 2019 identified numerous potential issues including: strong ground shaking and seismic hazards; underground elements of the existing basement and foundations; presence of shallow groundwater; BART ZOI; appropriate foundation system for the proposed structure; and shoring of basement and foundation excavation and support for adjacent improvements. (Ex. D, p. 15.)

Rather than address and rectify these issues, the Project was conditioned on compliance with ***future*** geotechnical studies and existing regulations. Although future studies and regulatory compliance are important, they are no substitute for ensuring that extent of the Project's impacts were known and considered by the Planning Commission. (See *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275 [evaluation of the Project's impacts and formation of conditions should not be deferred to later studies]; see also *Save Our Capitol! v. Dept. of Gen. Servs.* (2023) 87 Cal.App.5th 655, 696 [reliance on regulatory compliance is inadequate absent a demonstration of

how compliance assures less-than-significant impacts].)

For each of the significant impacts discussed above (vibration, noise, historical resources, and geotechnical risks), the Planning Commission ignored its duty to condition the Project to avoid "significant adverse environmental consequences." (Section 309(a)(8).) 44 Montgomery respectfully requests that the Board grant this appeal to ensure that the Planning Commission fully considers all relevant factors regarding the Project's significant environmental impacts prior to approving the Project's DNX.

CONCLUSION

The Planning Commission abused its discretion by (1) failing to adequately consider how the Project will exacerbate congestion on Sutter Street; (2) improperly designating Market Street as the "principal street" for determining the Project's setbacks instead of Sutter Street; and (3) failing to adequately consider that the Project's significant adverse environmental consequences and to condition the Project accordingly. For those reasons, 44 Montgomery respectfully requests that the Board of Appeals GRANT this appeal to ensure that the Planning Commission considers all relevant factors prior to issuing the DNX.

Respectfully submitted,

Dated: October 30, 2025

LOZEAU DRURY LLP

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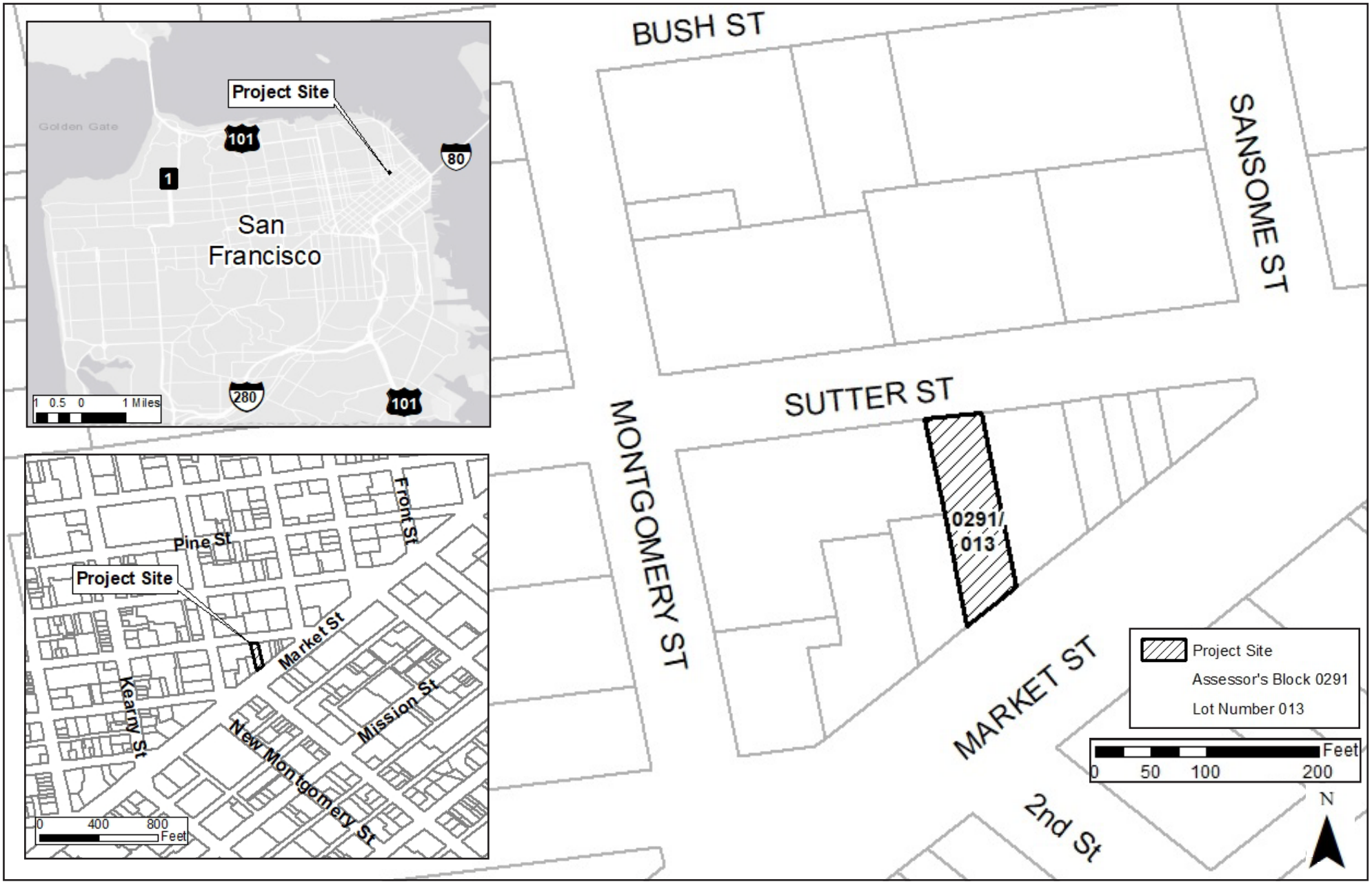
List of Exhibits

Exhibit A: Site Map
Exhibit B: Site Plan
Exhibit C: Correspondence from 44 Montgomery to the Planning Commission (Sept. 9, 2025)
Exhibit D: Correspondence from 44 Montgomery to the Planning Commission (March 19, 2025) **Exhibit E:** Correspondence from Noise Expert Jack Meighan (Oct. 27, 2025)

EXHIBIT A

I. Figures

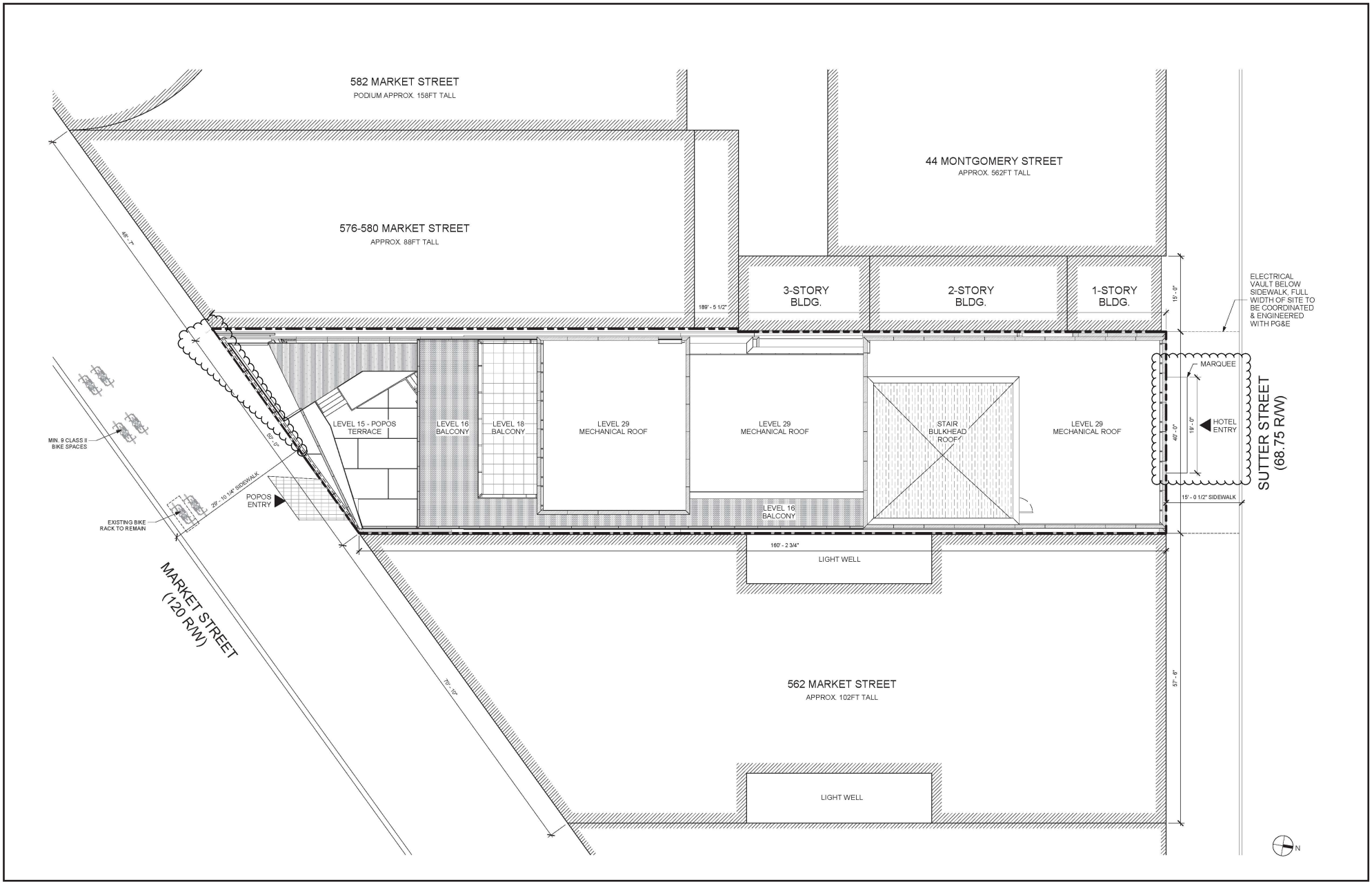


SOURCE: City of San Francisco, 2020; ESRI, et al., 2021; Impact Sciences, 2021.

570 Market Street; Case No. 2019-017622ENV

FIGURE 1
SITE LOCATION

EXHIBIT B



SOURCE: Danny Forster & Architecture, 2024.

570 Market Street; Case No. 2019-017622ENV

FIGURE 4

PROPOSED SITE PLAN

EXHIBIT C

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Re: 570 Market Street Project
Case No. 2019-017622DNXCUAVAR
Planning Commission Agenda Items F.13a, F.13b, F.13c

To the San Francisco Planning Commission:

This comment is submitted on behalf of BCal 44 Montgomery Property LLC ("44 Montgomery"), the owner of 44 Montgomery Street, which directly abuts the project site on the western side, in opposition to the 570 Market Street Hotel Project (Case No. 2019-017622DNXCUAVAR) ("Project"), to be heard as Agenda Items F.13a, F.13b, and F.13c at the Planning Commission's September 11, 2025 meeting.

This is not the first time that the Planning Commission has considered the Project. On May 1, 2025, the Commission conducted a thorough hearing on the Project and ultimately decided to continue further consideration until the applicant redesigned the Project. Now, four months later, the applicant has returned to the Commission ***with the same exact Project*** as before— ***no*** changes, ***no*** redesign, ***no*** alterations. Because the Project is the same as it was

in May when the Commission declined to approve it, the Commission should not approve the Project now.

In addition to the applicant's failure to redesign the Project as requested by the Commission, 44 Montgomery is also concerned that: (1) there is insufficient market demand for the hotel; (2) the Project's parking waivers will exacerbate traffic issues on Sutter Street; and (3) the City has chosen Market Street as the "principal street" rather than Sutter Street.

For those reasons, 44 Montgomery respectfully requests that the Planning Commission either (1) continue further consideration of the Project until it has been redesigned or (2) deny the Project outright.

PROJECT DESCRIPTION

The Project proposes the construction and operation of a 29-story, approximately 300-foot-tall building for use as an approximately 211-room hotel with 3,400 square feet of retail space on the ground floor. The 7,045-square-foot Project site, which is a through lot with frontages on both Market Street and Sutter Street, is located on the north side of Market Street within the triangular block bound by Market Street to the southeast, Sutter Street to the north, and Montgomery Street to the west. The site is currently developed with a two-story commercial building, which would be demolished as part of the Project. The Project site is adjacent to three historical resources: (1) the Chancery Building at 562-566 Market Street; (2) the Hobart Building at 582-590 Market Street; (3) and 44 Montgomery Street.

Construction of the Project is expected to last approximately 2 years. Demolition would take approximately 10 weeks. Excavation and shoring would last approximately eight weeks. Foundation and below-grade construction would last about 10 weeks. The base building (ground floor to Level 14) would last approximately nine weeks. The remaining core construction of the building would last for approximately 30 weeks.

The ground floor would include an approximately 1,000-square-foot hotel lobby accessible from Sutter Street. The Market Street side of the ground floor would have approximately 2,700 square feet of retail space. The hotel lobby and retail space would be connected by a corridor that would provide indirect access to the hotel lobby from Market Street. The Project would be set back on the Market Street side by 72 feet at the 15th floor, 48 feet at the 16th and 17th floors, and 64 feet at the18th floor.

In addition to its CEQA clearance, the Project requires two discretionary approvals from the Planning Commission: (1) Conditional Use Authorization ("CUA") to permit hotel uses under SF Planning Code section 303 and (2) Downtown Large Project Authorization ("DNX") under SF Planning Code section 309. The Zoning Administrator will separately an administrative variance pursuant to Planning Code section 260(b)(1)(B) to allow the height of the penthouse elevator to exceed 16 feet above the height limit.

DISCUSSION

I. Despite the Planning Commission's Requests at the May, 1, 2025 Hearing, the Applicant Has Not Made *Any* Changes to the Project.

On May 1, 2025, the Planning Commission held a hearing on the Project and voted (5-2) to continue the Project based on numerous concerns, including: (1) mismatched lightwells with the neighboring Chancery building; (2) distance from neighboring buildings; (3) location and functionality of the POPOS; and (4) façade design. The applicant has not meaningfully addressed any of the Commission's concerns. As a result, the Commission should continue/deny the Project for that reason alone.

The applicant has submitted a memorandum that discusses the constraints on lightwell alignment and massing reductions. The memorandum's conclusions are simple: this Project cannot be built without blocking the Chancery Building's lightwells or without nearly abutting neighboring buildings. (Forster Memorandum, pp. 6 ["Even with all elements minimized to the **lowest acceptable functional and code-compliant dimensions** , the **structural core remains misaligned by 13'-4 ½"** from the adjacent Chancery Building lightwell"], 7 ["While we share the Commission's interest in minimizing impacts to adjacent properties, the **physical constraints of the site** , combined with **code structural** , and **hospitality standards** , leave **little flexibility** to meaningfully realign the core without incurring unacceptable tradeoffs"].) The memorandum also rejects reducing the height of the building, claiming, without any in-depth analysis, that the loss of 15 rooms would reduce the financial viability of the hotel. (*Id*., pp. 2, 8.) The memorandum completely ignores the Commission's other concerns (POPOS location/functionality and façade design). In short, the memorandum asks the Commission to approve the same exact project that was before it on May 1, 2025 with no alterations whatsoever.

Because the applicant is conceding that the Project cannot be realigned, reduced, and redesigned to address the Commission's concerns, the Commission is well within its rights to deny the Project's CUA. The issuance of a CUA requires that the Commission find that "[t]he proposed use or feature, ***at the size and intensity contemplated and at the proposed location***, will provide a development that is ***necessary or desirable for, and compatible with, the neighborhood*** or the community." (SF Planning Code § 303(c)(1).) The Commission lacks evidence to conclude that the Project, as currently proposed, is "necessary or desirable." Blocking lightwells and putting hotel rooms a mere 12 inches away from existing offices cannot be construed as a desirable use of the parcel or desirable for the adjacent buildings. The Commission should not attempt to shoehorn a project into this location that was not adequately designed from the get-go and that cannot be adequately redesigned to address the Commission's concerns. Furthermore, the Commission should not overlook the fact that the applicant has completely ignored the Commission's request to address the location/functionality of POPOS and façade redesign. For those reasons, 44 Montgomery respectfully requests that the Commission not grant the Project's CUA at this time.

II. There Is Insufficient Market Demand for a New Hotel.

In order to grant the Project's CUA, the Commission must consider whether there is market demand for the new hotel. (SF Planning Code § 303(g)(3).) Given the recent defaults and foreclosures of hotels in San Francisco, it is unlikely there is sufficient market demand for a new hotel.[1] The Chancery Building has submitted a hotel market demand report prepared Cayuga Hospitality Consultants. Cayuga Hospitality found that the demand for a hotel like this Project is unlikely to exist for at least another five years and that the Project would only weaken the market for the hotels already existing in San Francisco. (Cayuga Report, p. 1 ["[I]t is our professional opinion that developing a new hotel property within the next 3-5-years (2025-2030) poses a high risk of underperformance and market metric cannibalization."].) As the Cayuga Report explains,

> . . . [T]he overall trajectory [of the SF hotel market] remains fragile and far behind peer gateway markets. Introducing new hotel supply in this environment would not only dilute occupancy and revenue potential for existing assets but could materially delay the city's path to recovery. In a market where hotel loan delinquencies are among the highest nationally, where supply continues to outpace demand, and where key segments like convention and international travel remain well below prepandemic levels, caution is not just warranted, it is imperative. Any future development decisions must be grounded in data, not optimism, and aligned with the long-term health and sustainability of San Francisco's hospitality sector.

(*Id*.) The factors contributing to the infeasibility of a new hotel include: international travel lag, reduced group/corporate/convention travel, urban conditions/perception, and federal tariff/immigration policies. (*Id*. at p. 3.)

Furthermore, even if/when market demand does increase, this Project will not meet evolving consumer preferences for hotels. As the Cayuga Report explains,

> . . . [M]acro traveler preferences are shifting away from large-scale branded properties to boutique lifestyle hotels. The post-pandemic visitor to San Francisco increasingly seeks value, flexibility, and experience-oriented lodging. Large, standardized hotels with limited differentiation are losing appeal, particularly among younger and leisure-driven demographics. Travelers now gravitate toward boutique hotels, lifestyle brands, and

[1] See, e.g., *Value of San Francisco's largest hotel complex drops by $1 billion*, SAN FRANCISCO BUSINESS TIMES (July 1, 2024) https://www.bizjournals.com/sanfrancisco/news/2024/07/01/hilton-sf-union-square-parc-55-valuation-eastdil.html; *This stylish hotel perched atop S.F.'s Nob Hill is facing a foreclosure lawsuit*, SAN FRANCISCO CHRONICLE (January 16, 2025), https://www.sfchronicle.com/realestate/article/sf-stanford-court-hotel-closure-20038830.php; *San Francisco Hotels Collapsing, Record Vacancy*, NEWSMAX.COM (August 13, 2024), https://www.newsmax.com/newsfront/san-francisco-tourism-hotels/2024/08/13/id/1176297.

> extended stay options that offer character, local authenticity, and functionality for hybrid work-leisure stays ("bleisure" travel).

(Cayuga Report, p. 6.)

When the low market demand for this Project is taken into account, the evidence before the Commission roundly supports a finding that the Project is neither necessary nor desirable. In addition, the Commission should give due weight to the fact that this Project will adversely affect neighboring office buildings that are still struggling to recover from the lingering effects of COVID. As a result, the Commission should not grant the Project's CUA at this time. (SF Planning Code §§ 303(c)(1), (g)(3).)

III. The Project's Proposed Parking Waivers Will Result in Congestion on Sutter Street.

44 Montgomery is concerned that the Commission has not given due weight to the parking/congestion issues that will occur on Sutter Street as a result of the Project. The Project is seeking waivers from parking requirements for freight loading, deliveries, and tour buses. Although the proposed DNX looks at each of these waivers individually, it fails to consider the cumulative impacts on Sutter Street when combined with existing uses.

44 Montgomery already receives deliveries on Sutter Street. Adding in additional deliveries for the Project's hotel and commercial uses will only lead to trucks idling while waiting for curb space. Photographs of congestion on Sutter Street due to deliveries are attached hereto as **Attachment 1**. Furthermore, ever since the increase in federal ICE agents in San Francsico, Sutter Street has been heavily parked with unmarked vans and vehicles. Additionally, due to restrictions on Market Street and the location of the hotel lobby on Sutter Street, every hotel guest that takes a taxi/Uber/Lyft/Waymo to/from the hotel will also be loading and unloading on Sutter Street. There has been no consideration of these cumulative impacts on Sutter Street, which are clearly undesirable for congestion on Sutter Street and for the neighboring buildings. For that reason, the Commission should not approve the CUA or DNX at this time.

IV. Sutter Street should be the designated "principal street" for determining the Project's setbacks.

The City's Planning Code requires that the Project's tower be set back a minimum of 15 feet "beginning at a height which is 1.25 times the width of the principal street on which the building faces." (SF Planning Code § 132.1(d)(1).) Here, the Project has been designed assuming that the "principal street" is Market Street (120 feet wide) and not Sutter Street (~70 feet wide). However, everything about this Project indicates that Sutter Street is the "principal street," requiring that the Project be redesigned with setbacks beginning at lower elevations.

Sutter Street should be considered the "primary street" because every aspect of the Project's principal use (the hotel) will utilize Sutter Street for access. The entry to the hotel entry and lobby are on Sutter Street. Every hotel guest taking a taxi/Uber/Lyft/Waymo to the hotel will go to the Sutter Street entrance. Freight loading, deliveries, service vehicles, and tour buses will all use Sutter Street to access the Project. In contrast, the Project's frontage on Market Street is limited to the retail entrance and POPOS access. The balance of these uses tips heavily in favor of designating Sutter Street as the primary street and requiring setbacks at lower elevations in accordance with Planning Code section 132.1.

CONCLUSION

The applicant has taken no steps to address the Planning Commission's prior concerns about (1) mismatched lightwells with the neighboring Chancery building; (2) distance from neighboring buildings; (3) location and functionality of the POPOS; and (4) façade design. For that reason alone, the Commission should not approve the Project at this time. Furthermore, the Commission should not approve the Project due to: (1) the lack of market demand for a hotel; (2) the congestion that will result on Sutter Street; and (3) the improper designation of Market Street as the "primary street" instead of Sutter Street. 44 Montgomery respectfully requests that the Commission either continue the Project until the concerns in this comment have been addressed or deny the Project outright.

Any correspondence or questions regarding this comment can be directed to Brian Flynn of Lozeau Drury LLP by email at brian@lozeaudrury.com or by phone at (510) 836-4200.

Sincerely,

Brian Flynn
Lozeau Drury LLP

ATTACHMENT 1

Photos of Congestion on Sutter Street

Let us save you the trip.
Coming right up.
amazon
ups
NO PARKING
Ride happy
NDPIPE CONNECTION
HIND THIS DOOR
Sutter Street 7/10/2025 02:12:19.052 PM (GMT-7:00)

ups
01-16159
Sutter Street 7/29/2025 01:26:08.780 PM (GMT-7:00)

ais
Advanced Installation Services
SPEED PACK
Sutter Street 9/9/2025 05:19:57.942 AM (GMT-7:00)

EXHIBIT D

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March 19, 2025

Via Email

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Re: Appeal of 570 Market Street Preliminary MND
Case No. 2019-017622-ENV

To the San Francisco Planning Commission:

This correspondence is submitted on behalf of Appellant BCal 44 Montgomery Property LLC ("44 Montgomery"), the owner of 44 Montgomery Street, which directly abuts the project site on the western side, regarding their appeal of the preliminary mitigated negative declaration ("PMND") prepared for the proposed project at 570 Market Street (Case No. 2019-017622-ENV) ("Project"). The appeal is scheduled for the Planning Commission's April 3, 2025 meeting.

Pursuant to the California Environmental Quality Act ("CEQA"), a mitigated negative declaration ("MND") is improper—and an environmental impact report ("EIR") is required—if there is a fair argument that a project may have a significant environmental impact or if the MND's conclusions are not supported by substantial evidence. Here, based

on 44 Montgomery's review of the PMND with assistance from noise experts from the environmental consulting firm Wilson Ihrig and historical resource expert Katherine Petrin,[1] CEQA requires EIR for this Project, not an MND, due to a fair argument that the Project may have significant impacts related to construction-related vibration, construction-related noise, and historical resources. The PMND is further deficient because it fails to provide substantial evidence to support its conclusions that the Project's impacts related to vibration, noise, historical resources, building settlement, traffic and circulation, air quality, and shadows will be less than significant.

For those reasons, 44 Montgomery respectfully requests that the Planning Commission grant their appeal and direct the Planning Department to prepare an EIR prior to taking any further action on the Project.

PROJECT DESCRIPTION

The Project proposes the construction and operation of a 29-story, approximately 300-foot-tall building for use as an approximately 211-room hotel with 3,400 square feet of retail space on the ground floor. The 7,045-square-foot Project site, which is a through lot with frontages on both Market Street and Sutter Street, is located on the north side of Market Street within the triangular block bound by Market Street to the southeast, Sutter Street to the north, and Montgomery Street to the west. The site is currently developed with a two-story commercial building, which would be demolished as part of the Project. The Project site is adjacent to three historical resources: (1) the Chancery Building at 562-566 Market Street; (2) the Hobart Building at 582-590 Market Street; (3) and 44 Montgomery Street.

Construction of the Project is expected to last approximately 2 years. Demolition would take approximately 10 weeks. Excavation and shoring would last approximately eight weeks. Foundation and below-grade construction would last about 10 weeks. The base building (ground floor to Level 14) would last approximately nine weeks. The remaining core construction of the building would last for approximately 30 weeks.

The proposed building would have a hybrid foundation that would consist of a four-foot mat slab supporting the southern half of the building with the remaining building portion supported on a 6- to 10-foot foundation bearing on 6-foot-diameter piles that would be drilled approximately 40 feet into bedrock, Construction of the basement and mat slab would require excavation of the total site footprint, removing approximately 3,900 cubic yards of soil.

In addition to its CEQA clearance, the Project will also require discretionary approvals for a Conditional Use Authorization ("CUA") from the Planning Commission to permit hotel uses under SF Planning Code section 303 and a Downtown Project Authorization ("DPA") under SF Planning Code section 309. The CUA will require the

[1] Wilson Ihrig's report on the Project's noise impacts and CV are attached as **Exhibit A**. Katherine Petrin's report on the Project's impacts to historical resources and CV are attached hereto as **Exhibit B**.

Commission to find that the Project is "necessary or desirable for, and compatible with, the neighborhood or the community" and to consider "[t]he market demand for a hotel or motel of the type proposed." (SF Planning Code § 301(c)(1), (g)(3).) Given the recent defaults and foreclosures of hotels in San Francisco,[2] it is unlikely that a *new* hotel is "necessary" or that there is sufficient market demand for a new hotel. Although the Planning Commission will consider the CUA and DPA at a later date, the Project's lack of necessity and demand weighs heavily in favor of ensuring that the Project's environmental impacts are adequately disclosed, analyzed and mitigated to the extent feasible.

LEGAL STANDARD FOR NEGATIVE DECLARATIONS

As the California Supreme Court held, "[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR." (*Communities for a Better Env't v. South Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310, 319-20.) "Significant environmental effect" is defined very broadly as "a substantial or potentially substantial adverse change in the environment." (Pub. Res. Code ["PRC"] § 21068; see also 14 CCR § 15382.) An effect on the environment need not be "momentous" to meet the CEQA test for significance; it is enough that the impacts are "not trivial." (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 83.) "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Communities for a Better Env't v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 109.)

The EIR is the very heart of CEQA. (*Bakersfield Citizens for Local Control v. City of Bakersfield (*2004) 124 Cal.App.4th 1184, 1214 (*Bakersfield Citizens*); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927.) The EIR is an "environmental 'alarm bell' whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return." (*Bakersfield Citizens, supra*, 124 Cal.App.4th at 1220.) The EIR also functions as a "document of accountability," intended to "demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action." (*Laurel Heights Improvements Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392.) The EIR process "protects not only the environment but also informed self-government." (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927.)

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[2] See, e.g., *Value of San Francisco's largest hotel complex drops by $1 billion*, SAN FRANCISCO BUSINESS TIMES (July 1, 2024) https://www.bizjournals.com/sanfrancisco/news/2024/07/01/hilton-sf-union-square-parc-55-valuation-eastdil.html; *This stylish hotel perched atop S.F.'s Nob Hill is facing a foreclosure lawsuit*, SAN FRANCISCO CHRONICLE (January 16, 2025), https://www.sfchronicle.com/realestate/article/sf-stanford-court-hotel-closure-20038830.php; *San Francisco Hotels Collapsing, Record Vacancy*, NEWSMAX.COM (August 13, 2024), https://www.newsmax.com/newsfront/san-francisco-tourism-hotels/2024/08/13/id/1176297.

An EIR is required if "there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment." (PRC § 21080(d); see also *Pocket Protectors, supra,* 124 Cal.App.4th at 927.) An MND instead of an EIR is proper only if project revisions would avoid or mitigate the potentially significant effects identified in the initial study "to a point where clearly no significant effect on the environment would occur, and . . . there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment." (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331 [quoting PRC §§ 21064.5, 21080(c)(2)].) In that context, "may" means a reasonable possibility of a significant effect on the environment. (PRC §§ 21082.2(a), 21100, 21151(a); *Pocket Protectors, supra,* 124 Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Res. v. City of Oakland* (1997) 52 Cal.App.4th 896, 904-05.)

An EIR must be prepared rather than an MND "whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact." (*No Oil, Inc. v City of Los Angeles* (1974) 13 Cal.3d 68, 75.) Under this "fair argument" standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency's decision. (14 CCR § 15064(f)(1); *Pocket Protectors, supra,* 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-51; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602.) The "fair argument" standard creates a "low threshold" favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. (*Pocket Protectors, supra,* 124 Cal.App.4th at 928.)

The "fair argument" standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

> This 'fair argument' standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency's decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

(Kostka & Zischke, *Practice Under CEQA,* § 6.29.) The courts have explained that "it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency's determination. Review is de novo, with a preference for resolving doubts in favor of environmental review." (*Pocket Protectors, supra,* 124 Cal.App.4th at 928.)

DISCUSSION

I. An EIR Is Required Because the Project May Result in Significant Construction-Related Vibration Impacts on the Chancery Building, Finance Building, and 44 Montgomery Street.

The PMND found that, without mitigation, construction-related vibration impacts from jackhammers and excavators would result in significant impacts to the Chancery Building at 562-566 Market Street (1 foot away), Finance Building at 576-580 Market Street (1 foot away), and 44 Montgomery Street (1 foot away). (PMND, pp. 45-46.) As explained in the PMND,

> Jackhammering and excavation could occur up to 1 foot from the property lines at 566 Market Street, 576 Market Street, and 44 Montgomery Street. Drilling and compaction activities could occur as close as 6 feet from the adjacent buildings. . . . [T]emporary groundborne vibration levels from the caisson drill could reach a peak particle velocity (PPV) as high as approximately 0.428 in/sec (inch per second) if drilling occurs within 6 feet of the adjacent buildings. Temporary groundborne vibration from jackhammering could reach as high as approximately 1.207 in/sec PPV if these activities were to occur within one foot of the adjacent buildings.

(PMND, p. 46.)

As a preliminary matter, although the PMND found significant impacts to all three buildings, it applied different significance thresholds to the Chancery Building and Finance Building (which it classifies as historical resources) than to 44 Montgomery Street (which it classifies as a "modern industrial/commercial building"). (PMND, p. 46.) However, the Planning Department's own procedures classify 44 Montgomery as a Category A historical resource, which means it must be considered a historic resource for the purposes of CEQA analysis. (Ex. A, pp. 8-9.) The PMND should be revised to ensure that 44 Montgomery is evaluated as a historic resource with the proper significance thresholds.

The PMND claims that implementation of Mitigation Measure M-NO-2 (Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction) will reduce vibration impacts to less-than-significant levels. (PMND, p. 46.) However, while M-NO-2 might *reduce* vibration impacts, by its own terms it does not ensure that the impacts would be less than significant. Because the vibration impacts to the Chancery Building, Finance Building, and 44 Montgomery Street remain possibly significant, CEQA requires the preparation of an EIR, not an MND.

M-NO-2 consists of three components (pre-construction surveys, a Vibration Management and Monitoring Plan, and a Vibration Monitoring Results Report), none of which ensure that vibration impacts to the Chancery Building, Finance Building, and 44 Montgomery will be less than significant. (MMRP, pp. 10-13.) M-NO-2 fails to classify 44

Montgomery Street as a historical resource and applies different mitigation standards to 44 Montgomery than to the Chancery Building and Finance Building. To the extent that M-NO-2 fails to treat 44 Montgomery as a historical resource, M-NO-2 cannot be relied upon to ensure that vibration impacts to 44 Montgomery are less than significant.

Putting aside whether the PMND failed to properly classify 44 Montgomery as a historical resource, M-NO-2 still fails to ensure that vibration impacts will be less than significant. The pre-construction surveys required by M-NO-2 do nothing to prevent vibration damage to the adjacent buildings. For 44 Montgomery, M-NO-2 merely requires that "a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions ***of the potentially affected building***." (MMRP, p. 10 [emph. added].) For the Chancery Building and Finance Building, M-NO-2 requires a survey by a historic preservation professional and a structural engineer that "include[s] descriptions and photographs of all identified historic buildings including all façades, roofs, and details of the character-defining features that ***could be damaged during construction***." (*Id*. [emph. added].) While the surveys may be helpful to document future damage to the buildings, they will have no impact on reducing the impacts in the first instance.

M-NO-2's requirement for the preparation of a Vibration Management and Monitoring Plan ("Management Plan") similarly fails to ensure that vibration impacts will be less than significant. M-NO-2 requires that the Management Plan establish maximum vibration levels, which mirror the CalTrans significance thresholds: (1) 0.5 in/sec PPV for 44 Montgomery Street and (2) 0.25 in/sec PPV for the Chancery Building and Finance Building. (MMRP, p. 11.) However, aside from identifying "all vibration generating equipment to be used during construction" and implementing buffer distances "to avoid damage ***to the extent possible***," the Management Plan is not required to contain any measures to ensure that impacts are less than significant. (MMRP, pp. 11-13.)

Instead of implementing measures that ensure compliance with the significance thresholds, the Management Plan will consist of measures to be taken ***after*** a threshold exceedance has occurred (i.e. ***after*** a significant impact has occurred), including:

- "Identify[ing] potential alternative equipment and techniques" but only "***if construction vibration levels are observed in excess of the established standard***."
- Implementing alternative equipment and techniques "[s]hould ***construction vibration levels be observed in excess of the standards established in the plan***."
- Requiring inspection by a historic preservation professional and structural engineer for "each affected building and/or structure (as allowed by property owners) ***in the event the construction activities exceed the vibration levels identified in the plan***."

- Requiring monthly reports to "***identify and summarize any vibration level exceedances***."
- Requiring preparation of a damage report "***[i]f vibration has damaged nearby buildings and/or structures***."
- Requiring repair "***should damage to any of the three adjacent buildings occur due to construction related vibration***."

(MMRP, pp. 11-13 [emph. added].) Similarly, M-NO-2's requirement for a Vibration Monitoring Results Report ("Results Report") only addresses impacts after they occur by requiring the Report to include "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." (MMRP, p. 13.)

To be clear, the significance thresholds adopted in the PMND and incorporated into M-NO-2 are the CalTrans brightline thresholds of 0.5 in/sec PPV for 44 Montgomery Street and 0.25 in/sec PPV for the Chancery Building and Finance Building. (PMND, pp. 44-46; MMRP, p. 11.) Any exceedance of those thresholds constitutes a significant impact. (PMND, p. 46.) M-NO-2's requirements for the Management Plan and Report Plan listed above confirm that the PMND assumes that exceedances of the thresholds (i.e. significant impacts) ***may*** occur and, in fact, plans for such exceedances to occur. This alone establishes a fair argument that this Project may have significant vibration impacts on the Chancery Building, Finance Building, and 44 Montgomery, which, in turn, requires an EIR. If vibration levels cannot be reduced beneath the applicable thresholds, CEQA requires that the City identify vibration impacts as significant and unavoidable in an EIR (not a MND), and then adopt a statement of overriding considerations.

II. An EIR Is Required Because the Project May Result in Significant Noise Impacts.

The PMND and its associated Noise and Vibration Technical Analysis (Appendix A of the PMND) ("Noise Analysis") conclude that construction-related noise impacts from demolition, site preparation, grading, building construction, and architectural coating would be less than significant and would not require mitigation. (PMND, pp. 39-40.) Specifically, the PMND concludes that construction-related noise would not result in a 10 dB increase over current ambient noise levels, which the PMND adopts as the relevant significance threshold for noise, at the nearest sensitive receptor (the residential building at 333 Bush Street approximately 450 feet away). (PMND, pp. 35, 39-40.)

The expert noise and acoustical firm Wilson Ihrig reviewed the PMND and Noise Analysis. Wilson Ihrig's review of the Project, which is attached hereto as **Exhibit A**, found that the PMND failed to accurately calculate construction-related noise levels and failed to evaluate noise impacts on neighboring commercial buildings. (Ex. A, pp. 1-3.) As discussed below, after correcting for the PMND's inaccuracies, Wilson Ihrig found that construction-related noise would result in significant impacts to 333 Bush Street, 580 Market Street, and

44 Montgomery Street. Because Wilson Ihirg expert opinion establishes a fair argument that the Project may result in significant noise impacts, CEQA requires that the City prepare an EIR for this Project instead of an MND.

A. The Project may result in significant construction-related noise impacts at the nearest residential receptor at 333 Bush Street.

To calculate the Project's construction-related noise levels, the PMND's Noise Analysis relied on the general assessment criteria from the Federal Transit Administration Transit Noise and Vibration Assessment Manual ("FTA Manual'). (PMND, p. 38; Noise Analysis, p. 5.) Wilson Ihrig's review found that the Noise Analysis failed to properly apply the FTA Manual's criteria, thereby underestimating the Project's construction noise impacts and failing to identify and disclose the Project's significant noise impacts. (Ex. A, pp. 1-2.)

First, Wilson Ihrig found that the Noise Analysis failed to apply the proper "usage factor" for construction equipment, which is "[t]he percent of time a piece of equipment typically operates." (Ex. A, pp. 1-2.) Under the FTA Manual's criteria, a proper noise assessment assumes simultaneous, full-power operation (i.e. a usage factor of 100 percent) of the two loudest pieces of construction equipment for each construction phase. (FTA Manual, pp. 177-78, *available at* https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf; Ex. A, p. 2.) However, instead of applying a 100 percent usage factor, the PMND's Noise Analysis applied usage factors of 16 to 50 percent (Noise Analysis, Table 4, pp. 7-8), which "underestimates and, therefore, misrepresents expected construction noise levels." (Ex. A, p. 2.)

Second, Wilson Ihrig found that the Noise Analysis's assumptions for how construction noise would attenuate over distance do not accurately reflect the conditions surrounding the Project site. (Ex. A, p. 2.) The Noise Analysis assumed that construction noise would attenuate at 6 dB per doubling of distance. (Ex. A, p. 2.) However, as Wilson Ihrig explains, sound would attenuate at a far lesser rate due to conditions in the Financial District:

> An adjustment of 6 dB per doubling of distance is only appropriate for calculations in the "free field." As described by Egan, "free-field conditions occur when sound waves are free from the influence of reflective surfaces (e.g., open areas outdoors, anechoic rooms)." The project site is located within the Financial District of San Francisco and is surrounded by six- to 43-story tall buildings. The facades of these buildings are all acoustically reflective, thereby making use of a "free field" calculation erroneous. On the contrary, the "canyons" of built-up downtowns can act as waveguides for noise, by reflecting and constraining sound to travel along them. This will lead to higher noise levels at receivers than would be calculated using free field conditions. At a minimum, a more conservative approach to attenuation over distance,

> such as 3 dBA per doubling of distance, should be used account for the reverberant nature of the Financial District.

(Ex. A, p. 2 [citation omitted].) By relying on an overestimation of sound attenuation around the Project site, the Noise Analysis again underestimates the construction-related noise impacts of the Project.

Correcting for the two errors discussed above, Wilson Ihrig calculated the Project's noise levels using a 100 percent usage factor and an attenuation factor of 3dBA. (Ex. A, pp. 2-3.) The table below shows a comparison between the noise levels reported in the PMND's Noise Analysis and Wilson Ihirig's updated calculations with proper usage and attenuation factors:

Construction Phase	**Appendix A**			**FTA General Assessment with 3 dB per doubling of distance attenuation**		
	Reported Calculated Level*	Resultant Noise at 450 ft	Increase Over Existing Level	Calculated Level**	Resultant Noise at 450 ft	Increase Over Existing Level
Demolition	61	67	2	74	74	9
Site Preparation	65	68	3	79	79	**14**
Grading	60	66	1	71	72	7
Building Construction	59	66	1	73	74	9
***Usage factors of 16% - 50%, 6 dB attenuation per doubling of distance ** Usage factors of 100%, 3 dB attenuation per doubling of distance**						

(Ex. A, p. 3.) As shown above, with proper usage and attenuation factors, the noise levels at 333 Bush Street (450 feet away) during site preparation would increase by 14 dBA over the existing ambient level, which exceeds the 10 dB significance threshold and represents a significant impact requiring an EIR. (*Id*.) Because Wilson Ihrig has established a fair argument that the Project may result in a significant construction-related noise impact to 333 Bush Street, the Planning Commission should grant the appeal and direct the Planning Department to prepare an EIR.

B. The Project may result in significant construction-related noise impacts at the nearest commercial receptors at 580 Market Street and 44 Montgomery Street.

Although the PMND addresses noise impacts at the nearest residential receptor at 333 Bush Street (450 feet away), the PMND makes no attempt to address noise impacts on the commercial uses at nearby buildings, including the Chancery Building, Finance Building, and 44 Montgomery Street. The omission of impacts on these nearby commercial buildings

from the PMND's noise analysis is improper. As stated in the PMND, the standard for evaluating noise impacts is whether "[t]he proposed project could generate a substantial temporary or permanent increase in ambient noise levels ***in the project vicinity*** in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies." (PMND, p. 37 [emph. added.]; see CEQA Guidelines, Appx. G.) The standard to evaluate noise impacts "in the project vicinity" does not differentiate between residential and commercial uses or otherwise limit a proper CEQA noise analysis to impacts on residential receptors.

To calculate the Project's construction noise impacts to the surrounding buildings, Wilson Ihrig applied the FTA Manual criteria for a distance of 20 feet, as shown in the table below. (Ex. A, pp. 3-4.)

Phase	**Existing noise at 570 Market St***	**Estimated construction noise level at 20 ft**	**Exceed 100 dBA FTA criteria?**	**Resultant Noise level at nearest sensitive use**	**Increase over existing noise level**	**Exceed ambient + 10 dB Standard?**
Demolition	71 dBA	94 dBA	No	94 dBA	**23 dBA**	**Yes**
Site Preparation	71 dBA	99 dBA	No	99 dBA	**28 dBA**	**Yes**
Grading	71 dBA	92 dBA	No	92 dBA	**21 dBA**	**Yes**
Building Construction	71 dBA	94 dBA	No	94 dBA	**23 dBA**	**Yes**
* Highest minimum hourly Leq noise level from Appendix A.						

(Ex. A, p. 4.)

As shown above, noise levels during all phases of project construction would increase by 21-28 dBA over existing ambient levels. Therefore, even if a much more lenient significance threshold of 20 dBA were applied to commercial uses rather than the 10 dBA residential threshold, the Project will still result in significant noise impacts to the Chancery Building, Finance Building, and 44 Montgomery Street. Because Wilson Ihrig has established a fair argument that the Project may result in significant construction-related noise impacts to the Chancery Building, Finance Building, and 44 Montgomery Street, the Planning Commission should grant the appeal and direct the Planning Department to prepare an EIR.

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III. An EIR Is Required Because the Project May Result in Significant Impacts to Historical Resources.

As noted in the PMND, the standard for evaluating impacts to historical resources is whether the Project would "[c]ause a substantial adverse change in the significance of a historical resource pursuant to [CEQA Guideleines] §15064.5." (PMND, p. 14.) The CEQA Guidelines define "substantial adverse change in the significance of an historical resource" as the "physical demolition, destruction, relocation, or alteration of the resource ***or its immediate surroundings*** such that the significance of an historical resource would be materially impaired." (14 CCR § 15064.5(b)(1) [emph. added].) The Guidelines further define "materially impaired" as:

> (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
>
> (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
>
> (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

(14 CCR § 15064.5(b)(2).)

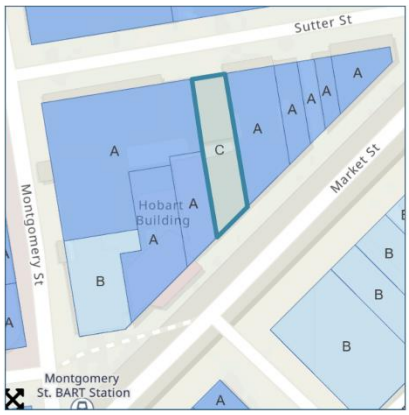
Although the current two-story commercial building on the Project site is not a historical resource, the area immediately surrounding the Project site is abundant with historical resources. Therefore, the question is whether development of the Project would alter the immediate surroundings of the nearby/adjacent historical resources such that resources would be materially impaired. As discussed below, review of the Project by historical expert Katherine Petrin found that the PMND fails to account for all the historical resources in the vicinity of the Project and failed to identify potentially significant impacts to those resources. As a result, the PMND fails to support its conclusion of less-than-significant impacts with substantial evidence. Furthermore, Ms. Petrin's expert findings that the Project may have significant impacts on surrounding historical resources establishes a fair argument that the City must prepare an EIR, not an MND.

A. The PMND fails to account for all historical resources in the vicinity of the Project site.

According to the PMND's analysis of historical resources, which is based in part on a Historical Resources Evaluation Report prepared by Brewster Historic Preservation ("HRE"), there are eight (8) historical resources on the same block as the Project site, including:

- Chancery Building at 562-566 Market Street
- Finance Building at 576-580 Market Street
- Hobart Building at 582-590 Market Street
- Flatiron Building at 540-548 Market Street
- Three commercial buildings at 550, 554, and 560 Market Street
- Crocker Bank Building at 1 Sansome Street

(PMND, p. 16.) The Project site's block, which is bounded by Market, Sutter, and Montgomery Streets, consists entirely of historic resources, except for the current commercial building on the Project site and the building at 2-8 Montgomery Street, as shown below:



(Ex. B, pp. 8-9.)

Despite its concentration of historical resources, Ms. Petrin explains that "this block has never been evaluated as a potential historic district, though the area shares characteristics with both the nearby Article 11 New Montgomery-Mission-Second Street Conservation District and the Article 11 Pine-Sansome Conservation District. Both districts are in close proximity of the subject block and share many of the same characteristics as the Sutter Street side of the triangular block bounded by Market, Montgomery, and Sutter: composition and massing, scale, materials, and detailing and ornamentation." (Ex. B, p. 9.) In other words, the block contains all the necessary elements such that it could be designated as a conservation district. (Ex. B, p. 13.)

Notably, the PMND and HRE fail to classify 44 Montgomery Street as a historic resource, even though the Planning Department has classified 44 Montgomery as a Category A historical resource, which means it must be considered a historic resource under CEQA and be analyzed for impacts in the PMND. (Ex. B, pp. 8-9; San Francisco Property Information Map, https://sfplanninggis.org/pim/; San Francisco Preservation Bulletin No. 16 City and County of San Francisco Planning Department: CEQA Review Procedures for Historic Resources, pp. 7-8, *available at* https://sfplanning.org/sites/default/files/documents/preserv/bulletins/HistPres_Bulletin_16.PDF.)

Because the PMND omits 44 Montgomery from consideration of the Project's impacts to historical resources, the PMND does not provide the required substantial evidence to conclude that historical impacts will be less than significant. Indeed, as explained by Ms. Petrin, "[w]ithout adequate evaluation and identification of all nearby and adjacent CEQA historical resources, the City cannot assess when proposed alterations to a historical resource cross the threshold into substantial adverse change." (Ex. B, p. 13.) At the very least, the PMND should be revised to include *all* historical resources in the vicinity of the Project, including 44 Montgomery Street, to ensure that the Project's potential impacts are fully disclosed and analyzed.

B. Expert review of the Project establishes a fair argument that the Project may have significant impacts to historical resources

Ms. Petrin, with over 25 years of experience as a historical preservation expert in San Francisco, found that "[t]he HRE and PMND inadequately assess the impacts of the proposed project on the character-defining features of CEQA-recognized historical resources." (Ex. B, p. 15.)

First, as discussed above in Section II.A, the PMND fails to consider the potential for designating the block bounded by Market, Montgomery, and Sutter Streets as a historic district despite its concentration of historical resources and similarities to the nearby New Montgomery-Mission-Second Street Conservation District and the Pine-Sansome Conservation District. (Ex. B, pp. 11, 15.)

Second, Ms. Petrin found that the Project, at a height of 320 feet in comparison to the 2-story structure currently on the site, "risks causing substantial adverse changes to the significance of adjacent and nearby CEQA historical resources." (Ex. B, p. 15.) Ms. Petrin lists the following as potentially significant impacts that require the preparation of an EIR:

- Visual and contextual alterations: The scale, massing, and height of the proposed tower disrupt the architectural cohesion of the Market Street side of the subject block.

- Shadows and spatial relationships: The project's height introduces shadow impacts that may diminish the public perception and historical setting of neighboring properties.
- Structural and vibrational risks: Demolition and construction activities adjacent to fragile historic structures raise concerns about physical impacts on foundational integrity.

(Ex. B, pp. 15-16.)

Based on the above impacts, Ms. Petrin concludes that "the project as currently proposed does not comply with CEQA's requirements for historical resource protection. An EIR is necessary to: Fully evaluate visual, contextual, and structural impacts on adjacent and nearby historical resources; Consider the potential historic district significance of the block; Identify mitigation strategies and project alternatives that adhere to the Secretary of the Interior's Standards." (Ex. B, p. 16.) As an eminently qualified expert, Ms. Pertrin's conclusion that the Project may result in significant impacts to adjacent and nearby by historical resources establishes the requisite fair argument to require the preparation of an EIR for this Project. Therefore, the Planning Commission should grant the appeal and direct the Planning Department to prepare an EIR prior to any further consideration of the Project.

IV. The PMND Fails to Ensure that Geotechnical Risks to Adjacent Buildings Will Be Less Than Significant.

The Project's basement and foundation will require extensive excavation (~15 feet) and deep, 6-foot diameter piles (160 feet). (PMND, pp. 83-84.) As described in the PMND,

> The proposed building would include a basement beneath the entire site. The basement would be supported on a hybrid foundation that would consist of a 4-foot mat slab supporting the approximate southern half of the building. Ground improvement would extend at or below 15.5 feet and below the BART ZOI of 18.5 feet, as needed. The northern half of the building which would include the tower core would be supported on a 6- to 10-foot mat slab bearing on 6-foot-diameter piles that would be socketed approximately 40 feet into bedrock, for a total length of around 160 feet under the mat slab.

(*Id*.) The PMND then concedes that "***[s]ettlement*** from the new building loads would occur beyond the perimeter of the site, and ***could affect adjacent structures***, including the adjacent streets and the existing buildings east and west of the site." (*Id*., p. 87.) However, rather discuss the potential impacts to adjacent structures, including 44 Montgomery Street, and the ways to mitigate those impacts, the PMND relies on measures that *might* be taken or that *might* be required at a later time. (*Id*.) As a result, the PMND fails to disclose the extent of the possible impacts to adjacent structures and fails to ensure that impacts are less than significant.

For example, the PMND claims that the Chancery Building and Finance Building "would be retained with a stiff shoring system designed to limit the shoring deflections," but in the same paragraph states that "[a]lternatively, the neighboring buildings can be underpinned prior to site excavation, " which would involve "extending the depth and breadth of the foundation." (PMND, p. 87.) If stiff shoring is inadequate to protect 564 and 580 Market Street, the PMND should require underpinning as a binding mitigation measure and also fully disclose the extent of the foundation expansion required for underpinning.

The PMND is similarly vague about impacts to 44 Montgomery Street, claiming, "To avoid surcharging adjacent basement of the 44 Montgomery Street building, the top two feet of the drilled shafts ***may need*** to be constructed with a permanent gap." (PMND, p. 87.) If there are possible impacts to 44 Montgomery that can be mitigated or avoided by requiring a gap on drilled shafts, the PMND should require the permanent gap as a binding mitigation measure prior to concluding that the impact will be less than significant.

The PMND makes a generalized reference to a geotechnical report prepared for the Project, stating, "the geotechnical report includes recommendations for the following aspects of construction: demolition and site preparation; grading; excavation; foundation; and shoring." (PMND, p. 87.) The PMND references and relies upon a document titled "Geotechnical Investigations" prepared by Langan dated September 2, 2021. (PMND, pp. 82-83.) No document attached to the PMND is titled "Geotechnical Investigations." The only publicly available geotechnical report is a report titled "Preliminary Geotechnical Evaluation" prepared by Langan dated August 27, 2019. To the extent that the PMND relies on a report prepared in 2021, that report should be made available for public review prior to further consideration of the PMND. Regardless, the recommendations of a geotechnical report are not binding on the Project and cannot be relied upon to conclude that impacts will be less than significant. If the recommendations of the geotechnical report are necessary to mitigate impacts to the Chancery Building , Finance Building, and 44 Montgomery Street, the PMND must adopt the recommendations as binding mitigation prior to concluding that the impacts will be less than significant.

To the extent that the PMND is relying on the 2019 Langan Preliminary Geotechnical Evaluation ("2019 Evaluation"), that Evaluation fails to provide substantial evidence of the Project's impacts. The 2019 Evaluation identified numerous potential issues for the Project including: strong ground shaking and seismic hazards; underground elements of the existing basement and foundations; presence of shallow groundwater; BART ZOI; appropriate foundation system for the proposed structure; and shoring of basement and foundation excavation and support for adjacent improvements. (2019 Evaluation, p. 3.) However, rather than fully investigate and mitigate any potential impacts, the 2019 Evaluation merely recommends further studies, concluding:

> A design level geotechnical investigation should be performed to address geotechnical aspects of the proposed development and develop geotechnical parameters for foundation design. Seismic studies including development of

> site specific response spectra and time histories will also be required and included in the design level report. The design level investigation should address feasible foundation options for the proposed structure, and within the BART ZOI. The design level report should provide shoring pressures for feasible shoring system(s) and underpinning. To address BART issues, BART drawings should be obtained for the Montgomery Street station adjacent to the site. Basement depths and foundation types and layout of the adjacent buildings should also be determined by others so they can be addressed in the design level geotechnical investigation report.

(2019 Evaluation, pp. 5-6.) To the extent that the PMND and 2019 Evaluation defer evaluation of the Project's impacts and formation of mitigation measures to later studies, the PMND is inadequate under CEQA and must be revised. (See *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275.)

The PMND also claims that compliance with the California Building Code, San Francisco Building Code, and BART permitting process (for the portions of the foundation work that extend into BART's zone of influence) "would further ensure" that impacts would be less than significant. (PMND, p. 87.) However, relying on regulatory compliance is insufficient if the PMND does not analyze and disclose the potential impacts and demonstrate *how* regulatory compliance will ensure that impacts are less than significant. (See *Save Our Capitol! v. Dept. of Gen. Servs.* (2023) 87 Cal.App.5th 655, 696.) The PMND makes no attempt to disclose the full extent of possible impacts to adjacent buildings, makes no attempt to adopt a standard of significance for those possible impacts, and fails to show how regulatory compliance would ensure that the Project does not exceed that standard.

At the very least, the PMND should be revised as described above to further elaborate on the potential impacts to adjacent buildings and to require binding mitigation measures to reduce those impacts to the extent feasible. If potential impacts still remain after imposing all feasible mitigation measures, CEQA requires an EIR, not an MND.

V. The PMND Relies on Non-Existent Off-Street Parking for Freight and Delivery Loading.

According to the PMND, "[t]he daily service vehicle activity associated with the proposed project would include small vehicles such as light trucks and panel vans that ***could be accommodated within the off-street parking space***." (PMND, p. 3 [emph. added].) However, the PMND and available Project plans do not show any off-street parking for loading. In fact, the Project is specifically seeking an exception from the City's off-street freight loading space requirements as a part of its Downtown Large Project Authorization (DNX) entitlement. (DNX Application, 570 Market Street, Attachment B, p. 2.) The Project's DNX Application explicitly states,

> With 126,824 sf proposed hotel use, [City Code] requires one (1) off-street freight loading space. The Project requires an exception from this standard to instead provide ***one on-street loading space*** along Sutter.

(DNX Application, 570 Market Street, Attachment B, p. 7.)

In addition to not providing any off-street loading spaces, the Project would "replace approximately 22 feet of the existing 40-foot commercial loading zone fronting the project site along Sutter Street with a 22-foot passenger loading zone." (PMND, p. 29.) The PMND then claims that the loss of a commercial loading zone on Sutter Street would simply be "accommodated within other nearby on-street commercial loading spaces" without any discussion of the resulting impacts on traffic or the impacts on those that rely on the Sutter Street commercial loading zone. (*Id*.)

The PMND should be revised to accurately reflect that the Project will not provide any off-street loading spaces and to accurately disclose the impacts on traffic, circulation, and pedestrian safety resulting from the loss of the Sutter Street commercial loading zone and the Project's failure to provide the off-street parking required by City Code.

VI. The PMND Fails to Demonstrate that the Cancer Risks from Construction Emissions Will Be Less than Significant .

The PMND concedes that, without mitigation, construction-related emissions of carcinogenic toxic air contaminants, including diesel particulate matter ("DPM"), would result in a significant increased cancer risk for the closest sensitive receptors. As the PMND explains,

> The California Air Resources Board (air board) identified DPM as a toxic air contaminant in 1998, primarily based on evidence demonstrating cancer effects in humans.67 The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.
> . . .
> The proposed project would require construction activities over an approximate 24-month construction period. Project construction activities would result in short-term emissions of diesel particulate matter and other toxic air contaminants. ***The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact***.

(PMND, pp. 51, 58 [epmh. added.)

The PMND then claims that the significant cancer risk will be mitigated to less than significant with the incorporation of Mitigation Measure M-AQ-4, which requires the

Project's heavy-duty construction equipment to meet the EPA's Tier 4 emissions standards. (*Id*.) However, even if Tier 4 equipment might reduce or fully mitigate the impact of DPM emissions, the PMND fails to analyze or describe the extent of the impact before or after mitigation is applied. (See *City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 901 [proposed mitigation must contain sufficient information to enable the public to discern the analytic route traveled from evidence to action].) In other words, while the PMND discloses that the cancer risk may be significant impacts, it does not disclose *how* significant the impact will be. As a result, the public cannot understand and evaluate the extent of the impacts or the effectiveness of the proposed mitigation.

Notably, the PMND does not include a health risk assessment ("HRA"), which is the standard procedure for quantifying the increased cancer risk of a Project and comparing the risk to established significance thresholds. Although the PMND concedes that "[a] health risk assessment is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks," the PMND makes no attempt to quantify the impact. (PMND, pp. 51, 57-58.) Further, the PMND does not discuss any numerical significance threshold for the increased cancer risks from DPM, such as the 10 in one million threshold established by the Bay Area Air Quality Management District.

The PMND should be revised to clearly establish significance thresholds for the increased cancer risk from DPM emissions. The revised PMND should include an HRA to quantify the increased cancer risk and compare that risk to the significance threshold before and after application of Tier 4 equipment. Without the above revisions, the PMND fails to disclose the extent of the impact of DPM emissions and fails to provide substantial evidence that the increased cancer risk resulting from the Project's construction will be less than significant.

VII. The PMND Fails to Demonstrate that Shadow Impacts on Privately-Owned Public Open Spaces Will Be Less than Significant.

The PMND concedes that the Project will cast shadows on numerous privately-owned public open spaces ("POPOS"), including the One Sansome Street courtyard, One Bush Plaza, the plaza at 333 Market Street, and the plazas at 425 and 525 Market Street. (PMND, p. 67.) Notably, at One Bush Plaza, the Project would cast a shadow for a full hour between 2pm and 3pm during the fall, winter and spring. (*Id*.) At 333 Market Street and the 425 Market Street plaza, the Project would cast a shadow for a full hour before sunset during winter. (*Id*.)

The PMND does not provide a significance threshold for these impacts but instead claims that the impacts are less than significant because only "passive users of these parks may notice additional shadow" and the shadows would occur "after the midday hours." (PMND, p. 67.) First, it is entirely unclear what the PMND means by "passive users." While sitting on a bench and enjoying being outside may appear "passive," it is certainly an active use of an open space that the PMND should not so easily dismiss. Second, the fact that the

shadow impacts occur after the midday hours does not necessarily mean that the shadows will not significantly impact the use and enjoyment of the POPOSs.

The PMND should be revised to adopt a clear significance threshold for shadow impacts on POPOSs. The PMND should then compare the specific impacts to the POPOSs to the adopted significance threshold. Such revisions are necessary to ensure that the public and decisionmakers are informed of the extent of the Project's shadow impacts and to ensure that the PMND's conclusion is supported by substantial evidence.

CONCLUSION

Due to a fair argument that the Project may have significant impacts as well as the PMND's failure to provide substantial evidence to support its conclusions that impacts will be less than significant, 44 Montgomery respectfully requests that the Planning Commission grant the appeal to ensure that the Project complies with CEQA. 44 Montgomery requests that the Commission direct the Planning Department to prepare an EIR for the Project that addresses the concerns and deficiencies raised in this letter.

Any correspondence or questions regarding this appeal can be directed to Brian Flynn of Lozeau Drury LLP by email at brian@lozeaudrury.com or by phone at (510) 836-4200.

Sincerely,

Brian Flynn
Lozeau Drury LLP

EXHIBIT A

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #23-002.25

December 20, 2024

Brian B. Flynn
Lozeau | Drury LLP
1939 Harrison Street, Suite 150
Oakland, California 94612

SUBJECT: Comments on 570 Market St MND Noise Analysis

Dear Mr. Flynn,

Per your request, I have reviewed the noise analysis in the Preliminary Mitigated Negative Declaration (PMND) for the proposed development project at 570 Market Street in the City of San Francisco, California. The following document was reviewed:

> *570 Market Street Project, Environmental Case: 2019-017622ENV*
> *Preliminary Mitigated Negative Declaration*
> *October 30, 2024*

Both noise sections - Section 6 and Appendix A - were reviewed, with an emphasis on Section 6.

The proposed project involves the demolition of two commercial buildings and the construction of a new commercial building. The proposed development would include retail space on the ground floor and mezzanine levels, and a hotel space that would accommodate about 211 guest rooms. The PMND only considers receivers in the vicinity that include sleeping quarters, the nearest two being a hotel at 2 New Montgomery St, 395 ft from the project, and a residential building at 333 Bush St, 450 ft from the project. Other buildings in the area house offices, a courthouse, and retail stores adjacent to the project. Several of the nearby buildings are classified as historical. The buildings in closest proximity to the project site are the Finance Building at 576-580 Market St, the Hobart Building at 582-590 Market St, the Chancery Building at 562-566 Market St, and 44 Montgomery St. The façades of the Finance Building and the Chancery Building both abut the project property line. Tenants of the buildings surrounding the project include psychotherapists and physiotherapists; there are other office uses, as well. Other neighbors of note are the San Francisco Immigration Court, the US Securities and Exchange Commission, the Consulate General of the Republic of Singapore, and the Royal Norwegian Consulate General.

Construction Noise Levels Calculated Incorrectly

Appendix A claims that the methodology used to calculate construction noise levels is the FTA General Assessment methodology. This simplified methodology estimates noise levels considering only the loudest two pieces of equipment per phase but assuming that they are both operating 100%

of the time.[1] The percent of time a piece of equipment typically operates is called its *usage factor*; it typically ranges from 20% to 50%. The FTA Manual clearly states that a usage factor of 100% is required for General Assessment calculations. However, the values of calculated construction noise levels in PMND Appendix A indicate that usage factors of 16% to 50% were used to adjust equipment noise levels. Inclusion of usage factors below 100% when using the General Assessment method underestimates and, therefore, misrepresents expected construction noise levels. The misapplication of the FTA method results in construction noise levels presented in Table 5 of Appendix A being 5 to 8 dBA lower than they should be.

Additionally, the noise calculations use an attenuation-with-distance factor of 6 dB per doubling of distance. This is a typical adjustment factor for many construction sites, but it is inappropriate for use here. An adjustment of 6 dB per doubling of distance is only appropriate for calculations in the "free field." As described by Egan, "free-field conditions occur when sound waves are free from the influence of reflective surfaces (e.g., open areas outdoors, anechoic rooms)."[2] The project site is located within the Financial District of San Francisco and is surrounded by six- to 43-story tall buildings. The facades of these buildings are all acoustically reflective, thereby making use of a "free field" calculation erroneous. On the contrary, the "canyons" of built-up downtowns can act as waveguides for noise, by reflecting and constraining sound to travel along them. This will lead to higher noise levels at receivers than would be calculated using free field conditions. At a minimum, a more conservative approach to attenuation over distance, such as 3 dBA per doubling of distance, should be used account for the reverberant nature of the Financial District. Better still, a sophisticated computer program such as SoundPLAN could be used for highly accurate modeling of the sound radiation away from the project site.

Table 1 compares the results of the noise calculations provided in PMND Appendix A with the same calculations made with 100% usage factor and only 3 dB per doubling of distance attenuation. The Appendix A estimates are 11 to 14 dBA lower than those made using the FTA General Assessment correctly and the more realistic rate of attenuation. Importantly, the revised calculations indicate that noise from the Site Preparation phase will exceed the baseline ambient noise level by more than 10 dBA which, according to the PMND thresholds of significance, would constitute a significant impact.

[1] Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, FTA Report No. 0123, September 2018, pp. 177-178.
[2] M. David Egan, Architectural Acoustics, 2007, p 39.

Table 1: Comparison of Appendix A Calculations to FTA General Assessment Calculations (450 ft)

Construction Phase	Appendix A			FTA General Assessment with 3 dB per doubling of distance attenuation		
	Reported Calculated Level*	Resultant Noise at 450 ft	Increase Over Existing Level	Calculated Level**	Resultant Noise at 450 ft	Increase Over Existing Level
Demolition	61	67	2	74	74	9
Site Preparation	65	68	3	79	79	**14**
Grading	60	66	1	71	72	7
Building Construction	59	66	1	73	74	9
***Usage factors of 16% - 50%, 6 dB attenuation per doubling of distance ** Usage factors of 100%, 3 dB attenuation per doubling of distance**						

Neighboring Commercial Buildings are Not Evaluated for Impacts

While commercial and retail buildings are not typically treated as noise-sensitive receivers because they lack sleep quarters, excess noise at these uses can cause severe disruption and provoke adverse reactions. The CEQA checklist asks if the project would result in "Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies." This does not immediately limit analysis to "residential" receivers.

For Appendix A, Table 1, the PMND adopts the FTA general assessment criteria for commercial receivers but does not evaluate noise at this receiver type. However, the FTA Manual states that their "guidelines can be considered reasonable criteria for assessment. If these criteria are exceeded, there may be adverse community reaction."[3] This is an understatement because the daytime criterion for commercial areas is 100 dBA, a full 15 dB over the level at which OSHA and NIOSH require worker hearing protection.[4,5] The FTA Detailed Analysis criteria include the much more sensible 85 dBA for daytime construction in a commercial district.

The noise study also adopted an increase-over-ambient limit of 10 dBA for sensitive receivers. If one were to apply a similar increase-over-ambient limit of 10 dBA or even 20 dBA at adjacent commercial receivers, calculated noise levels would indicate impacts at these receivers for most phases of construction.

The following calculations use the FTA general assessment methodology and FHWA RCNM equipment reference noise level. The distance from the center of the site to the property line and nearest commercial receivers is approximately 20 ft, and the usage factor is 1. The highest reported existing minimum hourly Leq noise level from Appendix A has been chosen for illustrative purposes.

[3] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Sep. 2018, p 179.
[4] https://www.osha.gov/noise
[5] https://www.cdc.gov/niosh/noise/about/noise.html

Estimated construction noise levels exceed the highest reported local ambient by more than 20 dBA in the four construction phases summarized in Table 2. Under any reasonable consideration, a 20+ dBA increase in noise levels in a professional office (such as those at 580 Market St and 44 Montgomery St that overlook the project site), should be identified as a significant environmental noise impact.

Table 2: Calculated noise levels at nearest off-site commercial use from daytime construction.

Phase	Existing noise at 570 Market St*	Estimated construction noise level at 20 ft	Exceed 100 dBA FTA criteria?	Resultant Noise level at nearest sensitive use	Increase over existing noise level	Exceed ambient + 10 dB Standard?
Demolition	71 dBA	94 dBA	No	94 dBA	**23 dBA**	**Yes**
Site Preparation	71 dBA	99 dBA	No	99 dBA	**28 dBA**	**Yes**
Grading	71 dBA	92 dBA	No	92 dBA	**21 dBA**	**Yes**
Building Construction	71 dBA	94 dBA	No	94 dBA	**23 dBA**	**Yes**
* Highest minimum hourly Leq noise level from Appendix A.						

Please feel free to contact me with any questions regarding this information.

Very truly yours,

WILSON IHRIG

Katie R Krainc

Katie Krainc,
Associate
wilson ihrig_570 market street mnd

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

KATIE R. KRAINC

Associate

A member of Wilson Ihrig's Seattle office, Katie works primarily on projects involving transit noise and vibration. She has experience with noise and vibration field measurements, data analysis, modal analysis, and report preparation. She has a deep understanding of waves in fluids and solids, as well as architectural acoustics, sound-structure interaction, and transducers.

Education

- MS Acoustics, The Pennsylvania State University, State College, PA
- BA, Physics and Music, Grinnell College, Grinnell, IA

Membership

- Acoustical Society of America, Associate
- INCE-USA Associate

Project Experience

EBMUD Quarry Site, San Leandro CA
Modeled potential project noise scenarios in a large area using CadnaA and GIS to determine compliance with local ordinance. Contributed to noise section of EIR report.

Houston Metro Next Program Management On-Call, Houston, TX
Conducted environmental noise and vibration assessment for a new 25-mile BRT project. Provided the client with a technical report outlining the assessment and recommended noise and vibration control measures.

Port of Grays Harbor Terminal 4 Expansion, Grays Harbor, WA
Provided analysis of potential noise and vibration impacts from construction activity. Contributed to noise section of EIR report.

Mercer Island Interceptor Vibration Monitoring, Seattle, WA
For more than two years created weekly vibration reports of construction activity for 3 vibration monitors placed near residences near construction.

Metropolitan Atlanta Rapid Transit Authority (MARTA) On-Call Task, Atlanta, GA
Analyzed noise and vibration measurements in residences near underground sections of track.

Downtown Redmond Link Extension Ballast Mat, Redmond, WA
Provided daily construction quality inspections during the installation of a high-performance ballast mat system. Quality issues identified during construction were resolved with the contractor and the completed installation was approved by the ballast mat manufacturer and Sound Transit. Conducted follow-up measurements to verify ballast mat performance.

MicroSurgical Technology, Redmond, WA
Analyzed data from a noise survey in a surgical instrument production facility. Developed a report assessing the workers daily noise exposure and provided noise control recommendations.

Sound Transit Northgate Link Vibration Support, Seattle, WA
Conducted quarterly analysis of vibration at 31 monitors in Sound Transit tunnels under University of Washington.

Sound Transit Wheel-Rail Noise Study, Seattle, WA
Provided noise and vibration measurements for validation of wheel-rail noise models. Performed extensive wheel roughness and rail roughness measurements. Also performed track decay rate testing.

MS Thesis: Vibrational Assessment of Ash and Composite Hurleys,
The Pennsylvania State University*
Conducted experimental modal analysis of sports equipment and compared vibration and damping behavior based on material properties. (*done prior to joining Wilson Ihrig)

VTA's BART Silicon Valley Extension Phase II (BSVII) (2020+)
Provided noise analysis of planned emergency ventilation system. Contributed to treatment and design recommendations.

EXHIBIT B

CEQA COMPLIANCE ANALYSIS
570 MARKET STREET, SAN FRANCISCO, CA

Prepared for:
Lozeau Drury LLP
Oakland, CA

Prepared by:
Katherine Petrin Consulting
San Francisco, CA

January 2025

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Executive Summary

This report evaluates the potential environmental impacts of the proposed 570 Market Street Project on nearby historical resources, focusing on compliance with the California Environmental Quality Act (CEQA). The project is located at 570 Market Street in San Francisco's Financial District, adjacent to properties identified with historical significance. On October 30, 2024, the City of San Francisco issued a Preliminary Mitigated Negative Declaration (PMND) for the project, concluding that the proposed development would not result in significant impacts on historical resources. However, a comprehensive review of the Historic Resource Evaluation (HRE) prepared by Brewster Associates and the City's PMND has identified critical gaps and deficiencies.

Key Findings

- Historic Resource Evaluation (HRE): The Brewster HRE overlooks significant historical and architectural characteristics of nearby properties. It fails to adequately assess the project's potential to cause substantial adverse changes to the significance of adjacent and nearby resources as defined under CEQA.
- Inadequate Analysis in the PMND: The City's PMND does not adequately address cumulative impacts on the historical context of the surrounding area. It also neglects to evaluate the possibility of an emerging or potential historic district encompassing the project site.
- Significance of Nearby Resources: A concentration of properties (8 of 10 parcels on the subject property block) are adjacent to or within close proximity to the project site and are recognized as historical resources under CEQA.

Recommendations

- Preparation of an Environmental Impact Report (EIR): Given the potential for significant impacts on CEQA historical resources, an EIR is warranted. A thorough, updated historic resource analysis must be conducted, including a comprehensive evaluation of cumulative impacts and district eligibility.
- Additional Research and Contextual Analysis: Further investigation into the historical significance of the block is necessary to inform the project's impact assessment. Consideration of eligibility for historic district designation should be undertaken..

Introduction

This Project Approval Analysis was prepared at the request of Lozeau Drury LLP by Katherine Petrin, principal of Katherine Petrin Consulting. With a master's degree in Historic Preservation of Architecture and over 25 years of experience in architectural and historical research and preservation planning, Ms. Petrin meets the Secretary of the Interior's Professional Qualification Standards for History and Architectural History. This analysis evaluates the proposed 570 Market Street Project (Case No. 2019-017622ENV), prepared by 229 Ellis Holdings, LLC, focusing on compliance with the California Environmental Quality Act (CEQA) and potential impacts on historical resources.

The project proposes demolishing two historic, two-story commercial buildings at 570-574 Market Street and 55-57 Sutter Street, originally designed in 1922 by prominent architects Willis Polk and James R. Miller. While these Classical Revival-style structures were extensively altered in 1972, their historical and architectural significance within San Francisco's early 20th-century commercial development merits careful review under CEQA and local preservation guidelines.

This report provides a comprehensive analysis of the project's design, environmental impact, and regulatory compliance. It begins with a detailed description of the proposed development, followed by an assessment of the historic significance of the existing buildings. The analysis then evaluates the project's conformance with CEQA standards, highlighting areas of compliance and non-conformance.

Proposed Project Description

The 7,045-square-foot project site is located on the north side of Market Street within the triangular block bound by Market Street to the southeast, Sutter Street to the north, and Montgomery Street to the west, in the Financial District. The project site is a through lot that has frontages on both Market and Sutter streets. It is located within the C-3-O Downtown-Office district. The project site is currently occupied by two separate two-story commercial buildings over a shared one-story basement level of approximately 16,195-gross-square feet.[1]

Existing buildings on the subject property are 570-574 Market Street, a two-story Classical Revival style commercial building designed by Willis Polk, completed in 1922; and 55-57 Sutter Street, a two-story commercial building designed by James R. Miller, completed in 1922.[2] The pair of buildings were joined in 1952 and now share a basement. In 1972, both Market and

[1] Historic Sanborn maps show that the two buildings were originally disconnected.
[2] San Francisco Planning Department, Historic Resource Evaluation Response for 570 Market Street (Record No.: 2019-017622ENV) (September 1, 2020), 2-3.

Sutter Street facades were altered in a renovation project that removed all traces of the original buildings and introduced the nearly identical late Modern-style facades that exist today.

On July 11, 2019, project sponsor Frontier Group, LLC / 229 Ellis Holdings, LLC (Project Sponsor) presented preliminary plans for a proposed project at 570 Market Street (see 2019-006704PPA).[3] The proposed project would include the demolition of both historic buildings and construction of a 29-story, approximately 320-foot-tall building fronting both Market and Sutter Streets. The plans were completed by architect Danny Forster & Architecture of New York, NY.

The following proposed project description was prepared by the applicant in October 2024 and is available in the City of San Francisco's Property Information Map database[4]:

> Date: October 30, 2024
> Project Title: 570 Market Street Project
> Case No.: 2019-017622ENV
> Project Sponsor: 229 Ellis Holdings, LLC
>
> *The proposed project would include the demolition of both two-story-over-basement buildings and construction of a 29-story, approximately 300-foot-tall building (320 feet total, including rooftop mechanical equipment and screening). The new building, which would extend over the entire parcel, would provide approximately 3,400 gross square feet of retail space on the ground floor and mezzanine levels fronting Market Street and an approximately 123,000-square-foot, 211 room hotel fronting Sutter Street. The proposed project would provide eight class I bicycle parking spaces on the third floor of the new building and eight class II bicycle parking spaces on Market Street near the project site. The proposed project would provide approximately 4,211 gross square feet of privately owned public open space (POPOS), which would include a 2,343-square-foot outdoor terrace and 1,868 square feet of indoor support space for the dedicated POPOS entrance and elevator lobby. The POPOS outdoor terrace would be located on the 15th floor on the south (Market Street) side.*

[3] "Project Description - 570 Market Street Project." Prepared for City of San Francisco by 229 Ellis Holdings, LLC, October 1, 2024. Accessible at https://sfplanninggis.org/PIM/
[4] "Project Description - 570 Market Street Project." Prepared for City of San Francisco by 229 Ellis Holdings, LLC, October 30, 2024. Accessible at https://sfplanninggis.org/PIM/

570 Market Street Project Rendering (2020)

570 Market Street Project Rendering (2024)

CEQA Historical Resource Analysis

Under CEQA, the first step in the environmental review process is to prepare a Historic Resource Evaluation (HRE) to allow a lead agency to make a determination about a property's historical significance.[5] Lead agencies have a responsibility to evaluate potential historical resources for eligibility under California Register of Historical Resources (California Register) significance criteria before making a finding as to a proposed project's impacts on historical resources (PRC § 21084.1, 14 CCR § 15064.5(3)).[6] Following CEQA guidelines, it is necessary to establish the significance of a historical resource in an HRE in order to prepare a Project Impacts Analysis (PIA) that assesses when proposed alterations to a historical resource cross the threshold into substantial adverse change.[7]

Historic Resource Evaluation Findings (October 2019)
Brewster Historic Preservation Planning prepared a Historic Resource Evaluation of the subject property in October 2019. The HRE determines that there is *no historical resource present* for the purposes of CEQA.[8] The following analysis is excerpted from the Planning Department's Historic Resource Evaluation Response (HRER) Part I:

> ***Analysis:***
> *According to the HRE prepared by Brewster Historic Preservation, (dated October 2019) and information in the Planning Department files, the subject property does not appear historically or architecturally significant such that it would rise to a level of individual eligibility. No historic events (Criterion 1) are associated with the property. 55-57 Sutter Street, originally a separate building and property, was associated with prominent real estate developers John Bricknell between 1921-1922, then Louis R. Lurie between 1922-1923. In 1923, Lurie sold the building to Colbert Coldwell, Bruce Cornwall, and B.A. Banker of the Coldwell, Cornwall & Banker Company (now Coldwell Banker).*
>
> *However, the property is not significantly associated with their professional careers. The real estate developers only briefly owned portions of the subject property. Similarly,*

[5] State of California, California Code of Regulations. "Section 15064.5 - Determining the Significance of Impacts to Archaeological and Historical Resources." Current through Register 2024 Notice Reg. No. 21, May 24, 2024. Accessible at https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study/section-150645-determining-the-significance-of-impacts-to-archaeological-and-historical-resources.
[6] State of California, Office of Historic Preservation. "California Office of Historic Preservation Technical Assistance Series #1: California Environmental Quality Act (CEQA) and Historical Resources." No date. Accessible at https://ohp.parks.ca.gov/pages/1054/files/ts01ca.pdf.
[7] State of California,"Technical Assistance Series #1."
[8] San Francisco Planning Department, Historic Resource Evaluation Response for 570 Market Street (Record No.: 2019-017622ENV) (September 1, 2020), 1.

Coldwell, Cornwall & Banker was founded at another property where it operated for two decades before relocating to 55-57 Sutter Street. Therefore, the property is ineligible for associations with a significant person (Criterion 2).

The subject property was originally two separate parcels. Willis Polk designed the south two-story building (570-574 Market Street) in the Classical Revival style in 1922 and James R. Miller designed the north two-story building (55-57 Sutter Street), presumably in a same architectural style, also in 1922.

The buildings were physically connected in 1952. Although Polk and Miller are considered master architects, the 1972 remodel by unknown architect and/or builder removed all traces of the original buildings and created nearly identical modern facades at Market and Sutter Streets.

The wider Market Street frontage contains two aluminum-framed storefronts while the narrower Sutter Street frontage contains one. Similarly, there are seven windows facing Market Street and four windows facing Sutter Street. Each façade is predominantly clad in uniform granite with a portion of the second story clad with brick veneer. The second stories contain a center grouping of segmental arch windows flanked by individual windows, all framed with molded concrete.

Both buildings are capped by standing-seam metal parapets. The remodel is not a great example of any particular style nor is it known to be the work of a master architect. Therefore, the property is ineligible under Criterion 3.

Based upon a review of information in the Departments records, the subject property is not significant under Criterion 4 since this significance criterion typically applies to rare construction types when involving the built environment. The subject property is not an example of a rare construction type.

Archeological assessment is outside the scope of this review.

Additionally, the subject property does not appear to be part of a significant concentration of historically or architecturally unified buildings such that it would rise to the level of an eligible historic district.

The HRE notes the existence of **three** Adjacent or Nearby Historic Resources:

- 562-566 Market Street: Chancery Building was constructed in 1923 and designed by Willis Polk. The property is Article 11 (Category I) designated and National Register-eligible.

- 576-580 Market Street: Finance Building was constructed in 1923 and designed by John H. Powers and John H. Ahnden. The property is Article 11 (Category I) designated and National Register-eligible.
- 44 Montgomery Street: 43-story commercial tower constructed in 1966 and three-story commercial office building constructed in 1967. Both buildings were designed by John Graham & Co. in the Miesian International/Corporate Modern style.

City's Historic Resource Evaluation Response (September 1, 2020)
The City of San Francisco published a Historic Resource Evaluation Response (HRER) (Record No.: 2019-017622ENV) in which Planning Department Staff concur with the determination in the HRE that the subject property is ineligible for inclusion in the California Register of Historical Resources (CRHR) as an individual resource or as a contributor to a CRHR historic district and therefore not a CEQA historical resource.[9] The San Francisco Planning Department assigned the subject property a historical resource status of "C," defined as "No Historical Resource Present."[10]

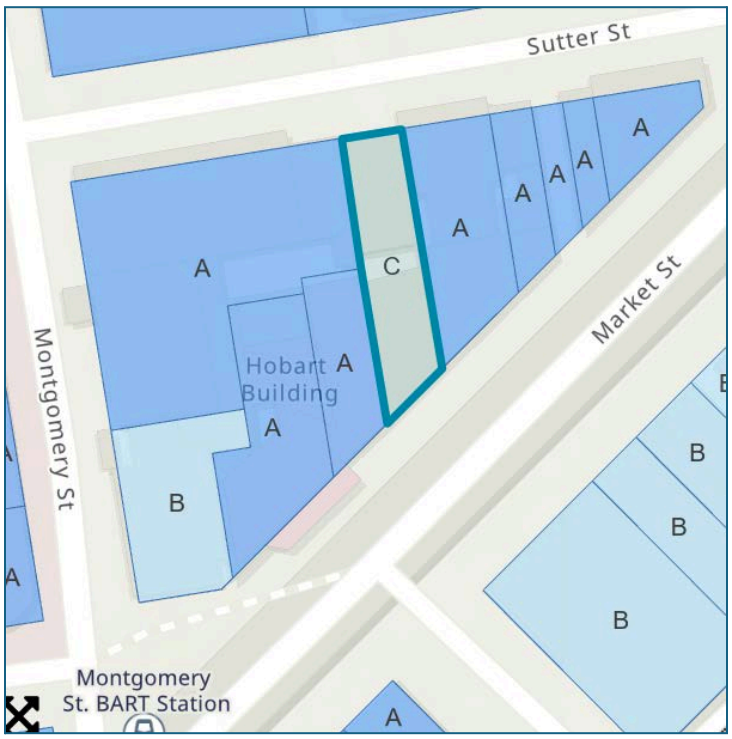
Peer Review of HRE and HRER
Regarding historical resource eligibility as defined by CEQA, we concur with certain findings of the Draft Historic Resources Evaluation Report for 570 Market Street (2019) prepared by Brewster Historic Preservation. The subject property at 570 Market Street does not appear to be individually eligible for listing in the CRHR.

However, there are certain other findings and lack of analysis in both the PMND and the Brewster evaluation.The PMND and HRE fail to mention all adjacent/nearby historical resources potentially impacted by this project. On page 17 of the PMND, it states that the project site is not within a historic district and construction of the proposed project would not affect the historical significance of the "above adjacent historical resources or the buildings within the nearby conservation district." The City and the HRE fail to define, analyze, or determine potential impacts on character-defining features of the adjacent/nearby historical resources including the surrounding Article 11 Conservation Districts.

As is stated in the PMND, numerous buildings on the same block as the project site have been previously identified as historical resources. The 10 buildings that comprise the triangular block bounded by Market, Montgomery and Sutter Streets have been evaluated individually over time. Of the 10 properties, 8 are A-rated historical resources, 1 is a B-rated historical resource, and 1, the subject property, is a C-rated historical resource. Every property on the block, with the exception of the subject property and one other, are A-rated resources.

[9] San Francisco Planning Department, Historic Resource Evaluation Response for 570 Market Street (Record No.: 2019-017622ENV) (September 1, 2020), 1.
[10] San Francisco Planning Department, Historic Resource Evaluation Response for 570 Market Street (Record No.: 2019-017622ENV) (September 1, 2020), 3.

The figure and table below show the current Planning Department Historic Resource Status of each building on the subject block. A majority of the properties on the subject block have been identified with the status code “A,” which means a historical resource is present. However,this block has not been evaluated for significance as a potential historic district.[11]



Address	APN	Current S.F. Planning Department Historic Resource Status
540-548 Market Street 1-17 Sutter Street	0291/001	A - Historic Resource Present
550 Market Street 19-21 Sutter Street	0291/002	A - Historic Resource Present

[11] San Francisco Planning Department, “San Francisco Preservation Bulletin No. 16 City and County of San Francisco Planning Department CEQA Review Procedures for Historic Resources.” Accessible at https://archives.sfplanning.org/documents/5340-PresBulletin16CEQA.pdf. In summary, The City of San Francisco uses a system to rate buildings’ status for purposes of CEQA. Category A is the highest rating. If a building is rated as a Category A Building, it must be considered a historic resource under CEQA. A building rated as Category B requires further consultation and evaluation to determine its status as a historic resource. Status unknown at present. A building rated as a Category C has been evaluated and has been found not to be a historic resource.

554 Market Street 25-27 Sutter Street	0291/003	A - Historic Resource Present
560 Market Street 33 Sutter Street	0291/004	A - Historic Resource Present
562-566 Market Street 39-43 Sutter Street	0291/005	A - Historic Resource Present
570-574 Market Street	0291/013	C - No Historic Resource Present
576A-580 Market Street	0291/005B	A - Historic Resource Present
582-590 Market Street	0291/006	A - Historic Resource Present
2-8 Montgomery Street	0291/007	B - Unknown, age eligible
44 Montgomery Street	0291/012	A - Historic Resource Present

It appears that this block has never been evaluated as a potential historic district, though the area shares characteristics with both the nearby Article 11 New Montgomery-Mission-Second Street Conservation District and the Article 11 Pine-Sansome Conservation District. Both districts are in close proximity of the subject block and share many of the same characteristics as the Sutter Street side of the triangular block bounded by Market, Montgomery, and Sutter: composition and massing, scale, materials, and detailing and ornamentation. Due to the triangular shape and narrow depth of the parcels on the east end of the block, a unique through-block passage on the ground floor exists in several buildings.

The concentration of A-rated buildings that comprise the subject block, especially on the Sutter Street side, appear to retain a high level of integrity. As such, there is sufficient reason to determine whether a potential historic district or conservation district exists and further evaluation is necessary.

Updated Adjacent & Nearby CEQA Historical Resources

In addition to the historical resources shown in the table above, the subject property is adjacent to or within view of other CEQA historical resources, including properties listed individually in the National Register of Historic Places and designated City of San Francisco Article 11 Conservation Districts. A summary of nearby and/or adjacent historical resources follows. Properties listed in or determined eligible for the National Register are noted with an asterisk (*).

Article 10 San Francisco Landmarks

Flatiron Building*
540-548 Market Street / 1-17 Sutter Street (APN 0291/001)
San Francisco Landmark #155 (Article 10)

Hobart Building*
582-590 Market Street / 4 Montgomery Street (APN 0291/006)
San Francisco Landmark #162 (Article 10)

Crocker Bank Building
1-25 Montgomery Street (APN 0292/002 & 0292/001A)
San Francisco Landmark #297 (Article 10)

Article 11 Individual Buildings

Chancery Building*
562-566 Market Street / 39-43 Sutter Street (APN 0291/005)
Article 11, Category I: Significant Building

Finance Building*
576A-580 Market Street (APN 0291/005B)
Article 11, Individual Property

Hunter-Dulin Building*
41-45 Montgomery Street (APN 0292/001)
Article 11, Category I - Significant Building, No Alterations

San Francisco Planning Department Category A Properties

Wells Fargo Building
2-8 & 44 Montgomery Street (APN 0291/012 & 0291/007)
Eligible under Crit. 3 (architecture) in HRE (February 1, 2018, Case 2018-011742ENV)

Unnamed building
120-124 Montgomery Street (APN 0289/005)
Determined eligible in HRE (December 5, 2006, Case 2007.0327E)

Holbrook Building
58 Sutter Street (APN 0289/004)
Historical Resource Present (individual and district); See Planning App. No.: 2006.0659E (2/22/2007)

Bank of California*
1 Sansome Street (APN 0289/003)
Historical Resource Present (individual and district); See Planning App. No.: 2019-000446ENV (10/6/2010)

Article 11 Conservation Districts

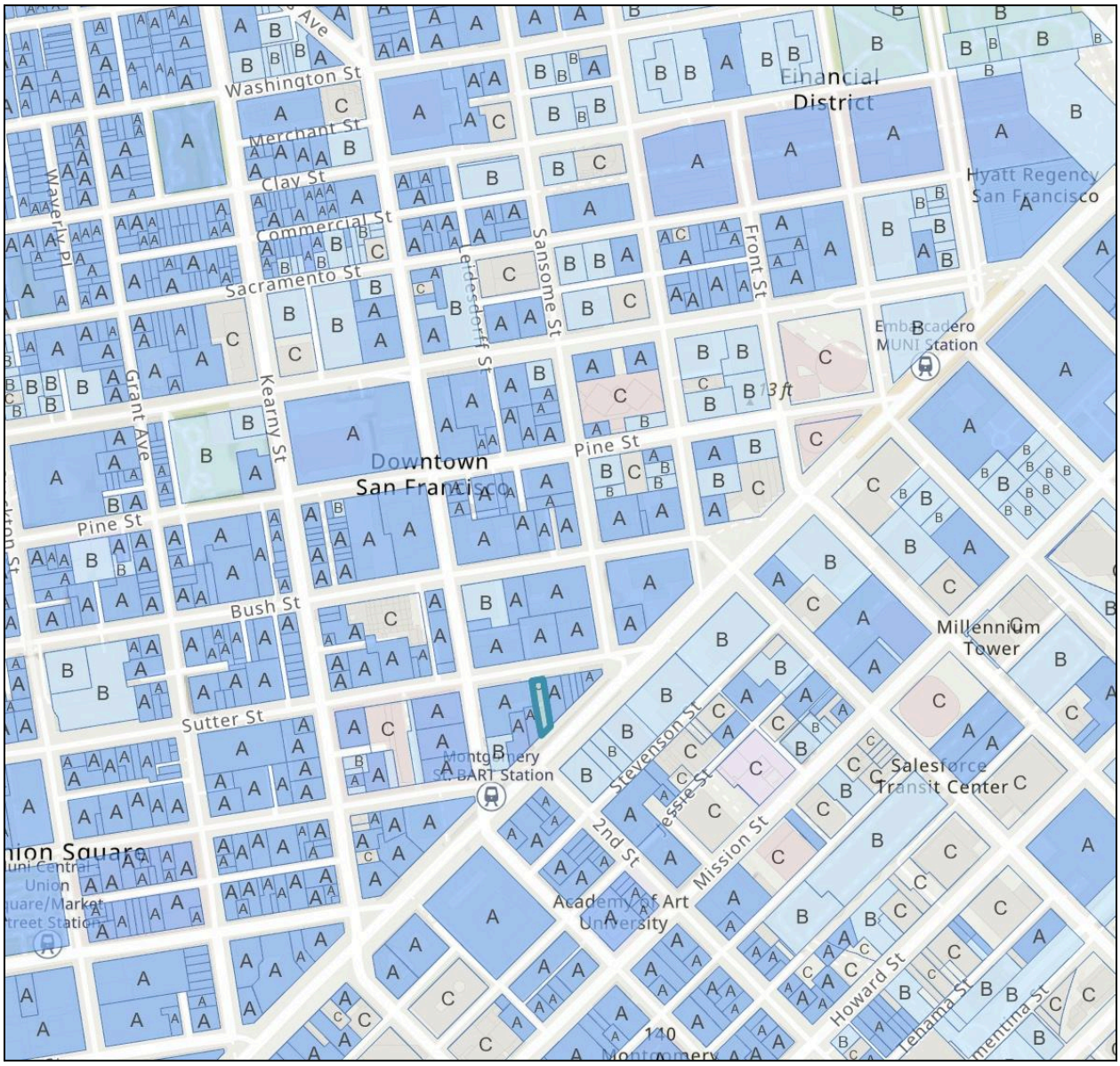
The subject property is adjacent to or within blocks of two City of San Francisco Article 11 Conservation Districts:

- New Montgomery-Mission-Second Street:
    - The New Montgomery-Mission-Second Street Conservation District in San Francisco is an architecturally and historically significant area established under Article 11 of the City Planning Code. The district encompasses a portion of the C-3 District, generally bounded by Market Street to the north, Howard Street to the south, Second Street to the east, and Annie Street to the west. It was created to preserve and maintain the architectural integrity, scale, and character of its unique building stock while allowing for thoughtful, compatible development.

- Pine-Sansome:
    - The Pine-Sansome Conservation District in downtown San Francisco is an architecturally and historically significant area established under Article 11 of the City Planning Code. The district is located within the C-3 District, bounded by Pine Street to the south, Sansome Street to the east, Leidesdorff Street to the west, and sections of Montgomery Street to the north. It was created to preserve the architectural integrity, scale, and character of its unique collection of early twentieth-century office and financial buildings while allowing for compatible, thoughtful development.

For further information on these conservation districts, including guidelines for new construction, please see the Appendix.

The map that follows shows the subject property highlighted in green and the current San Francisco Planning Department Historic Resource Status of all surrounding properties within a several block radius.



(Source: San Francisco Property Information Map, January 2025)

Potential for Historic District Designation

As described in the Introduction, the first step in the CEQA environmental review process is to evaluate potential historical resources for significance before making a finding as to a proposed project's impacts on historical resources (PRC § 21084.1, 14 CCR § 15064.5(3)).[12] A Project Impacts Analysis (PIA) assesses when proposed alterations to a historical resource cross the threshold into substantial adverse change.[13]

The HRE prepared for 570 Market Street determines that there is *no historical resource present* for the purposes of CEQA.[14] The HRE mentions three adjacent/nearby historical resources potentially impacted by the proposed project: 562-566 Market Street, 576-580 Market Street, and 44 Montgomery Street. The City's HRER concurred with the HRE that the subject property is ineligible for inclusion in the CRHR as an individual resource or as a contributor to a CRHR historic district and therefore *not* a CEQA historical resource.[15]

The HRE and HRER *do not* evaluate the subject block for significance as a potential historic district even though a majority of the properties have been identified as CEQA historical resources and share characteristics with two nearby Article 11 Conservation Districts.

Preliminary research for this report demonstrates that there is enough evidence of a cohesive collection of buildings constructed during the same period on the subject block that further evaluation is necessary to determine whether a potential historic district or conservation district exists.

The PMND prepared by the City to study the proposed project's potential physical impacts determined that the proposed project *could not* have a significant adverse effect on the environment.

Without adequate evaluation and identification of all nearby and adjacent CEQA historical resources, the City cannot assess when proposed alterations to a historical resource cross the threshold into substantial adverse change.

[12] State of California, Office of Historic Preservation. "California Office of Historic Preservation Technical Assistance Series #1: California Environmental Quality Act (CEQA) and Historical Resources." No date. Accessible at https://ohp.parks.ca.gov/pages/1054/files/ts01ca.pdf.
[13] State of California,"Technical Assistance Series #1."
[14] San Francisco Planning Department, Historic Resource Evaluation Response for 570 Market Street (Record No.: 2019-017622ENV) (September 1, 2020), 1.
[15] San Francisco Planning Department, Historic Resource Evaluation Response for 570 Market Street (Record No.: 2019-017622ENV) (September 1, 2020), 1.

City's Project Review & Approval

Design Review
On September 30, 2019, the Project Sponsor submitted drawings to the Planning Department for review.[16] On April 8, 2020, the Planning Department hosted a meeting to discuss the drawings and design review.

According to the San Francisco Planning Department, the proposed project demonstrates conformance with many elements of the City of San Francisco's design guidelines. (See Appendix for a summary of the comments and responses between S.F. Planning and the project architect related to the proposed project drawings.) Key areas of compliance include site design strategies that recognize urban patterns (S1), harmonize relationships between buildings and streets (S2), and organize uses to enhance the public realm (S6). The architectural design adheres to guidelines emphasizing vertical and horizontal modulation (A2), active building fronts (A8), and sustainable practices (A9).

The San Francisco Planning Department identified areas of non-conformance that required further refinement. The ground-floor frontage along Market and Sutter Streets (S5) aligns with the property line as recommended, but the recessed POPOS entry may still need additional justification to fully meet guidelines for a defined and active streetwall.

Architectural adjustments addressed concerns about clarity (A1), contextually appropriate materials (A3), and facade depth (A6). The Planning Department recommended the shift to a volumetric design. The revised facade now features angled patterns to enhance texture and shadow, aligning with adjacent terracotta buildings but potentially needing further depth refinement. Additional storefront revisions on Market Street enhance verticality and balance, and future detailing of the screen element is anticipated to improve its depth and layering.

Preliminary Mitigated Negative Declaration
The subject property was the subject of a Preliminary Mitigated Negative Declaration (PMND) prepared by San Francisco Planning as required under the California Environmental Quality Act (CEQA) to study the proposed project's potential physical environmental effects. The determination of the PMND is that the proposed project could not have a significant adverse effect on the environment.

On October 24, 2024, the Planning Department published an "Agreement to Implement Mitigation Monitoring and Reporting Program" for the 570 Market Street project.

[16] San Francisco Planning Department, Plan Check Letter for 570 Market Street, Planning Record Number: 2019-017622PRJ (April 22, 2020).

Conclusion & Recommendations

Based on the analysis of the proposed 570 Market Street Project and its proximity to significant historical resources, it is recommended that an Environmental Impact Report (EIR) be prepared instead of relying on the PMND. This recommendation is driven by the need for a thorough evaluation of the project's potential impacts on the surrounding historic environment, in compliance with CEQA.

CEQA Appendix G establishes that a project has a significant environmental effect if it: "Would cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5." Section 15064.5 defines "substantial adverse change" as: "Physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

Material impairment occurs when:

- (A) The demolition or material alteration of physical characteristics convey the historical significance of a resource and justify its eligibility for the California Register of Historical Resources;
- (B) Alterations materially impair characteristics of resources included in local registers or historic surveys unless contrary evidence demonstrates a lack of significance;
- (C) Changes materially impair characteristics that justify eligibility for the California Register as determined by a lead agency.

Additionally, projects following the Secretary of the Interior's Standards for the Treatment of Historic Properties generally mitigate impacts to a less-than-significant level.

The HRE and PMND inadequately assess the impacts of the proposed project on the character-defining features of CEQA-recognized historical resources. These documents fail to analyze the broader potential for the block bounded by Market, Montgomery, and Sutter Streets to qualify as a historic district, despite nearly all other properties on the block being rated as historical resources. This oversight is significant given the district-like cohesiveness and similarities to nearby Article 11 Conservation Districts.

The proposed 29-story, 320-foot-tall project, as designed, risks causing substantial adverse changes to the significance of adjacent and nearby CEQA historical resources. Potential impacts may include:

- Visual and contextual alterations: The scale, massing, and height of the proposed tower disrupt the architectural cohesion of the Market Street side of the subject block.
- Shadows and spatial relationships: The project's height introduces shadow impacts that may diminish the public perception and historical setting of neighboring properties.

- Structural and vibrational risks: Demolition and construction activities adjacent to fragile historic structures raise concerns about physical impacts on foundational integrity.

Without an EIR, these direct, indirect, and cumulative impacts cannot be adequately analyzed, disclosed, or mitigated.

Based on my professional assessment, the project as currently proposed does not comply with CEQA's requirements for historical resource protection. An EIR is necessary to:

- Fully evaluate visual, contextual, and structural impacts on adjacent and nearby historical resources.
- Consider the potential historic district significance of the block.
- Identify mitigation strategies and project alternatives that adhere to the Secretary of the Interior's Standards.

Preparation of an EIR will ensure a comprehensive and legally compliant review process, protecting San Francisco's irreplaceable architectural and cultural heritage.

Appendix

Relevant Article 11 Conservation District Summaries

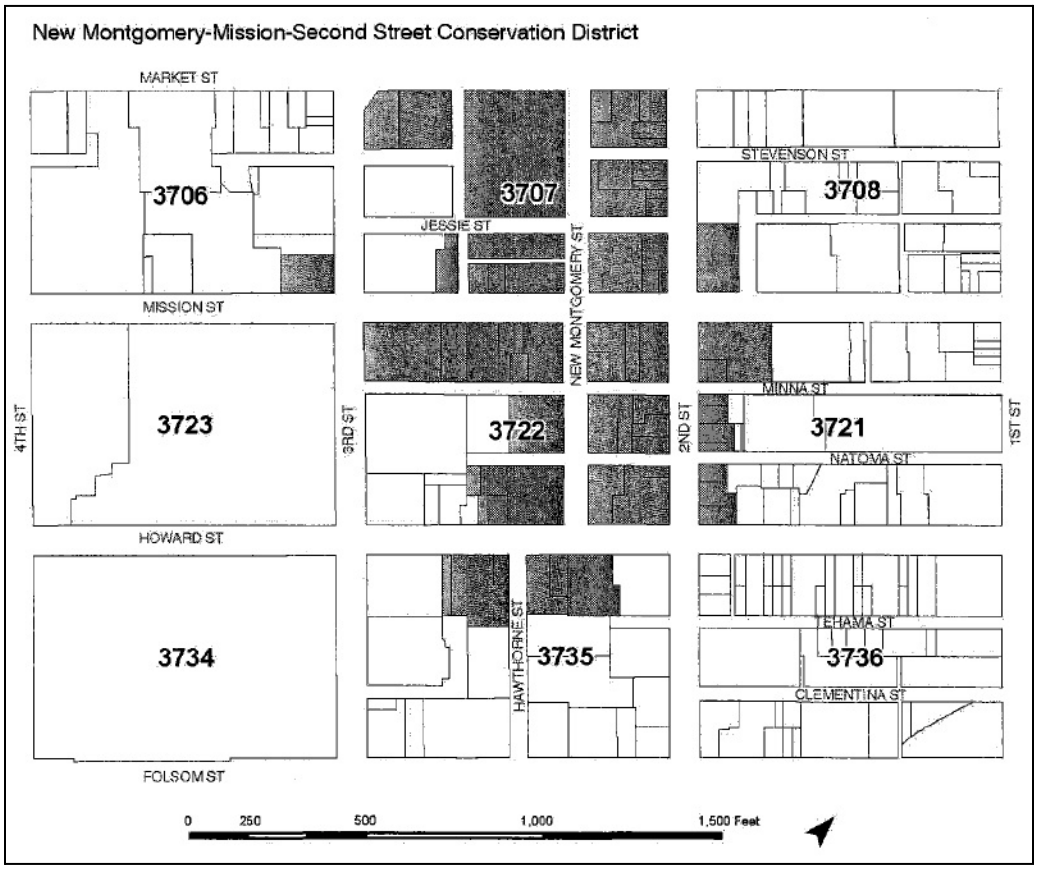
New Montgomery-Second Street Conservation District

Historical Overview
The district's core was largely developed during the post-1906 earthquake reconstruction era, between 1906 and 1933, as a cohesive collection of masonry commercial loft buildings. These structures exhibit consistent architectural features such as tripartite facades, fenestration patterns, and classical ornamentation. New Montgomery Street, originally intended as a southern extension of the Financial District, became a showcase for monumental buildings, including the Palace Hotel and the Pacific Telephone and Telegraph Building, despite barriers that hindered its full extension to the Bay.

In contrast, Second Street evolved primarily as a warehousing and support service corridor. Its development was shaped by logistical challenges, such as the Second Street Cut, which limited its integration into the retail and office expansions north of Market Street. Together with Mission and Howard Streets, this area developed a mixture of industrial, commercial, and smaller-scale office buildings that supported downtown growth.

Architectural Character & Features
The district's architecture reflects American Commercial Style influences, marked by Renaissance-Baroque, Gothic Revival, and Art Deco elements. Buildings typically range from two to eight stories, constructed from earth-tone masonry materials like brick, terra cotta, and stone. Large structures along New Montgomery Street exhibit horizontal massing, while Second Street features smaller buildings with vertical orientations. Common compositional elements include two- and three-part facades, rhythmic bays, rusticated bases, and elaborate cornices. The district’s materials palette consists of light and medium earth tones, with details often rendered in stucco, terra cotta, or glazed brick. Architectural details emphasize depth and weight through textured surfaces, creating a human-scaled environment. Significant structures include the Pacific Telephone Building and the Veronica Building, which illustrate the range of commercial architecture present in the area.

Guidelines for New Construction & Alterations
The New Montgomery-Mission-Second Street Conservation District aims to safeguard its architectural heritage while promoting vibrant, compatible development. Standards for new construction and alterations emphasize maintaining existing building rhythms, scale, and detailing. New structures must complement, but not replicate, historical styles, ensuring continuity with the district's character. Guidelines address setbacks, materials, fenestration, and ornamentation to harmonize modern interventions with historic fabric.



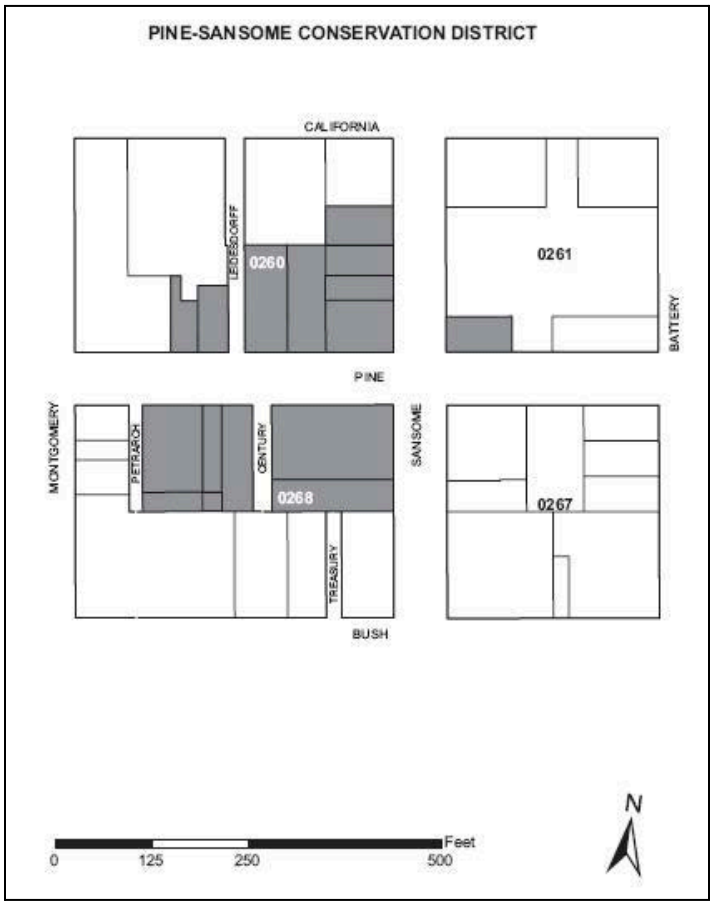
(Source: San Francisco Planning Department)

Pine-Sansome Conservation District

Historical Overview
Originally flat, land-filled terrain east of Montgomery Street, the area became a center for household furnishings on Pine Street and hotels on Sansome Street during the mid-nineteenth century. By 1875, financial institutions from Montgomery Street expanded into the area, forming a stock exchange subdistrict that included the Stock and Exchange Board, Pacific Exchange, and California Stock Exchange. Though the 1906 Earthquake and Fire disrupted the district, it regained prominence in the 1920s as banks and insurance companies clustered around Pine and Sansome Streets. A major transformation occurred with the construction of a 12-story addition to the U.S. Subtreasury Building, later replaced by the Pacific Coast Stock Exchange in the 1930s, solidifying the district's identity as a key financial hub. Today, the district remains vital to the city's financial life.

Architectural Characters & Features
The Pine-Sansome Conservation District is characterized by a dynamic street and alley network that creates a human-scaled streetscape with intimate open spaces, exemplified by the Pacific Coast Stock Exchange's forecourt. The district features a rich architectural mix of early 20th-century styles, including Classical Moderne, Skyscraper Gothic, and Georgian Revival, with high-quality masonry and detailed ornamentation enhancing its visual character. Consistent building heights, interconnected alleys, and harmonious material palettes of masonry, terra cotta, and brick contribute to its unified aesthetic. Buildings typically display vertically stacked compositions with narrow bays and articulated façades that reflect historic rhythms. The district balances historic preservation with vibrant commercial use, integrating pre-1930 office structures with contemporary functionality while maintaining architectural integrity and scale.

Guidelines for New Construction & Alterations
New buildings and major alterations must adhere to standards set forth in Sections 1110–1113 of the Planning Code, emphasizing compatibility with the district's character. Design elements should align with prevailing composition, massing, and scale. Contemporary designs are encouraged, provided they harmonize with historic structures through thoughtful use of materials, colors, and proportions. Large glass areas must be divided by mullions to maintain appropriate scale, and lot consolidation should be minimized to preserve the traditional lot pattern. Architectural details from surrounding buildings may inspire new interpretations, ensuring continuity between old and new.



(Source: San Francisco Planning Department)

Summary of Planning Department Comments & Responses on Proposed Project Design

On April 22, 2020, the San Francisco Planning Department responded to the Project Application with a Plan Check Letter indicating the following:

> (1) any information required to proceed with environmental analysis,
>
> (2) any missing information or modifications that must be provided to demonstrate compliance with the Planning Code and proceed with environmental analysis, and
>
> (3) any other modifications the Department is seeking in order to support the project.

The Design Review Comment letter (Appendix B) identifies additional recommended modifications to project design to achieve conformity with all applicable design guidelines. In order to advance the review process, the Project Sponsor was instructed to provide a written response to this letter indicating how the items marked as non-conforming would be remedied.

Aspects of the Proposed Project Determined Not-Applicable to Design Guidelines

- Site Design S3: Recognize and Enhance Unique Conditions
- Site Design S4: Create, Protect, and Support View Corridors
- Site Design S8: Respect and Exhibit Natural Systems and Features

Aspects of Proposed Project *Conforming* with City Design Guidelines

- Site Design S1: Recognize and Respond to Urban Patterns
- Site Design S2: Harmonize Relationships between Buildings, Streets, and Open Spaces
- Site Design S6: Organize Uses to Complement the Public Environment
- Architecture A2: Modulate Buildings Vertically and Horizontally
- Architecture A4: Design Buildings from Multiple Vantage Points
- Architecture A5: Shape the Roofs of Buildings
- Architecture A7: Coordinate Building Elements
- Architecture A8: Design Active Building Fronts

Aspects of Proposed Project *Non-Conforming* with City Design Guidelines

- Site Design S5: Create a Defined and Active Streetwall
    - Planning comment: *Shift ground-floor frontage to property-line along Market and Sutter Streets; recess entries only*.[17]
    - Architect response: *Sutter Street ground floor frontage aligned with property line, vestibule provided at the interior of hotel lobby. Market Street retail storefront aligned with property line, vestibule provided at the interior. POPOS entry*

[17] San Francisco Planning Department, Plan Check Letter for 570 Market Street, Planning Record Number: 2019-017622PRJ (April 22, 2020), Appendix B.

recessed 8'-0" with a double height space in order to invite pedestrians into the promenade up to the POPOS on the 15th Floor. See dimension of POPOS entry recess on Floor Plan, detail 01 on A-101[18]

- Site Design S7: Integrate Common Open Space and Landscape with Architecture
    - Planning comment: *If a POPOS is proposed above the ground level, it should be open to the sky, and be landscaped / programmed for comfort and to invite active use.*

    - Architect response: *The POPOS has been designed with rich native foliage lining programmed zones. See sheet A-907 for a rendered POPOS plan, and the detailed perspectives and POV renderings from A-908 through A-916. Upon exiting the dedicated POPOS elevator, a visitor may chose to acquire a beverage from the bar and rest in the seated zone with pavers underfoot, where conversation among friends abounds. If a more active experience is desired, the user may stroll up the wooden platform gradually ramping up to an overlook at the edge of the terrace. The overlook will also incorporate a structural glass floor, allow views down within the screen wall, or out east to Embarcadero.*

      Furthermore, there are three different relationships to the sky a visitor may chose from. Of the 2,365 SF of exterior POPOS area, 37% of it is fully open to the sky, 42% partially open to the sky with the 16th floor terrace above, and 21% is covered by the building above. The floor of the 16th floor terrace will be constructed of steel bar grating, allowing a significant portion of light and air to move down to the POPOS below. Additionally, the floor to floor of the 15th and 16th floor is 15'-0", which will provided the covered area with a generous head height

- Architecture A1: Express a Clear Organizing Architectural Idea
    - Planning comment: *Make architectural concepts clear, compelling, and compatible with the context. Provide a cohesive expression or composition, internally consistent to the architectural parti and compatible with character-defining neighborhood components.*

    - Architect response: *Architectural parti has been reconsidered from the largely 'surface' approach of the initial submission that treated the Sutter and Market facades as flat planes of glazing and the sidewalls as flat planes of opaque wall. Our intention is to take a 'volumetric' approach, where the patterns of the glazed zones turn the corner and continue onto the opaque walls. The building's internal*

[18] Danny Forster & Architecture, "570 Market Street - Plan Check Letter Response Log," prepared for San Francisco Planning Department (October 30, 2020).

logic now remains consistent regardless of the vantage it is viewed from. See exterior renderings on A-900 through A-904

- Architecture A3: Harmonize Building Designs with Neighboring Scale and Materials
    - Planning comment: *Reinterpret historic forms and elements, and/or integrate contextual materials using contemporary techniques. The adjacent buildings at 562 Market and 580 Market are instructive precedents for scale, vertical and horizontal modulation, articulation of depth, texture, materiality, and tonality.*

    - Architect response: *Our historical neighbors, the Hobart, Finance and Chancery buildings are hugely inspirational projects and it is our intention to respect them with our contemporary intervention. The primary facade material employed across the project is Equitone, a panelized fiber cement product providing a stone-like appearance more economically than traditional stone. See A-200 through A-201 for building elevations, and A-401, A-403, A-405 for enlarged elevations with material specifications*

- Architecture A6: Render Building Facades with Texture and Depth
    - Planning comment: *Integrate a rhythm of horizontal and vertical elements that provide deep relief in scale with adjacent facade systems. Metal Panel and butt-glazed curtainwall systems provide insufficient depth and texture*

    - Architect response: *We integrated subtle angling within our facade design, which gradually increases across the length of the facade. The pattern developed in combination with fiber cement facade provides depth, shadow and texture comparable to the terracotta masterpieces on our block. See facade renderings on A-900 through A-904*

- Architecture A9: Employ Sustainable Principles and Practices in Building Design
    - Planning comment: *Provide documentation demonstrating integration of Sustainable Principles and Practices in Building Design.*

    - Architect response: *The planting strategy at the ground floor and POPOS level developed in conjunction with the landscape architect dwg. employs native foliage throughout. Furthermore, by employing modular construction, as opposed to conventional construction, we are able to track, quantify and limit the amount of material waste throughout the construction process*

On October 27, 2020, the Planning Department released a second set of comments to which Danny Forster responded on October 30, 2020:

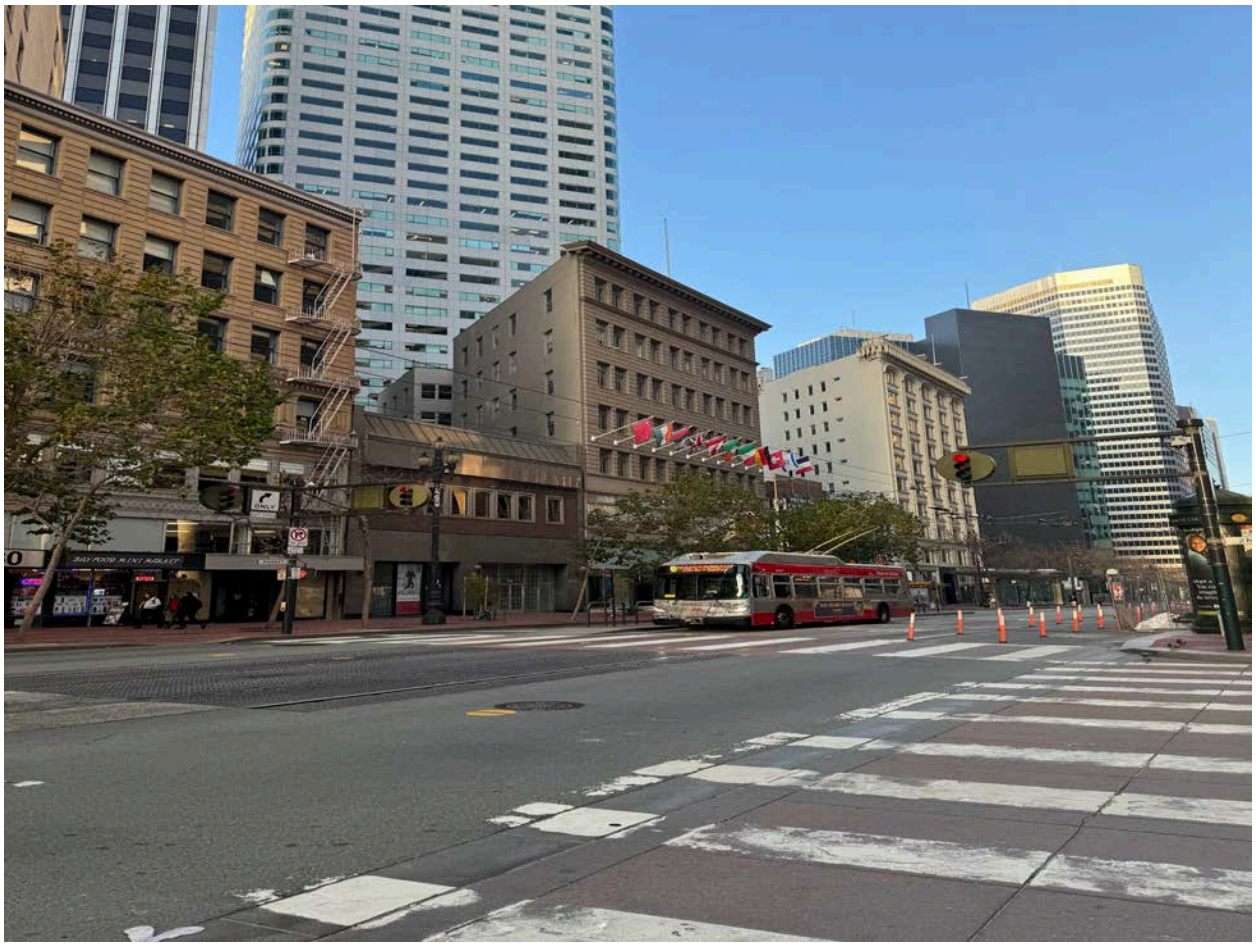
- Planning comment: *The storefront composition along Market Street requires further development. The attempt to align horizontal elements with the adjacent buildings is appreciated, but as executed, results in an awkward, roughly equal division between the first and second levels. A taller ground floor, with transom, and more-typical height mezzanine level is recommended. See Urban Design Guidelines pages 48-49 for examples of traditional storefront elements which may be reinterpreted in a contemporary architectural language.*

- Architect response: *The retail storefront has been revised, eliminating the alignment with the adjacent buildings, and emphasizing the verticality of the retail entry in a few different ways: the bulkhead has been increased from 18" to 24" tall; entry doors have been heightened from 8'-0" to 9'-0" tall; the marquee has been raised to it's maximum allowable height, 16'-0" above adjacent grade; three vertical mullions were added to solidify the glazing rhythm. The net result creates a much more balanced retail facade, see A-402 for enlarged elevation and A-900 & A-901 for renderings including the updated facade*

- Planning comment: *The detailing of the Screen Element should feature greater depth. Consider layering of surfaces, structure, attachments, and lighting to increase perceptible depth and shadow lines in both light and dark conditions.*

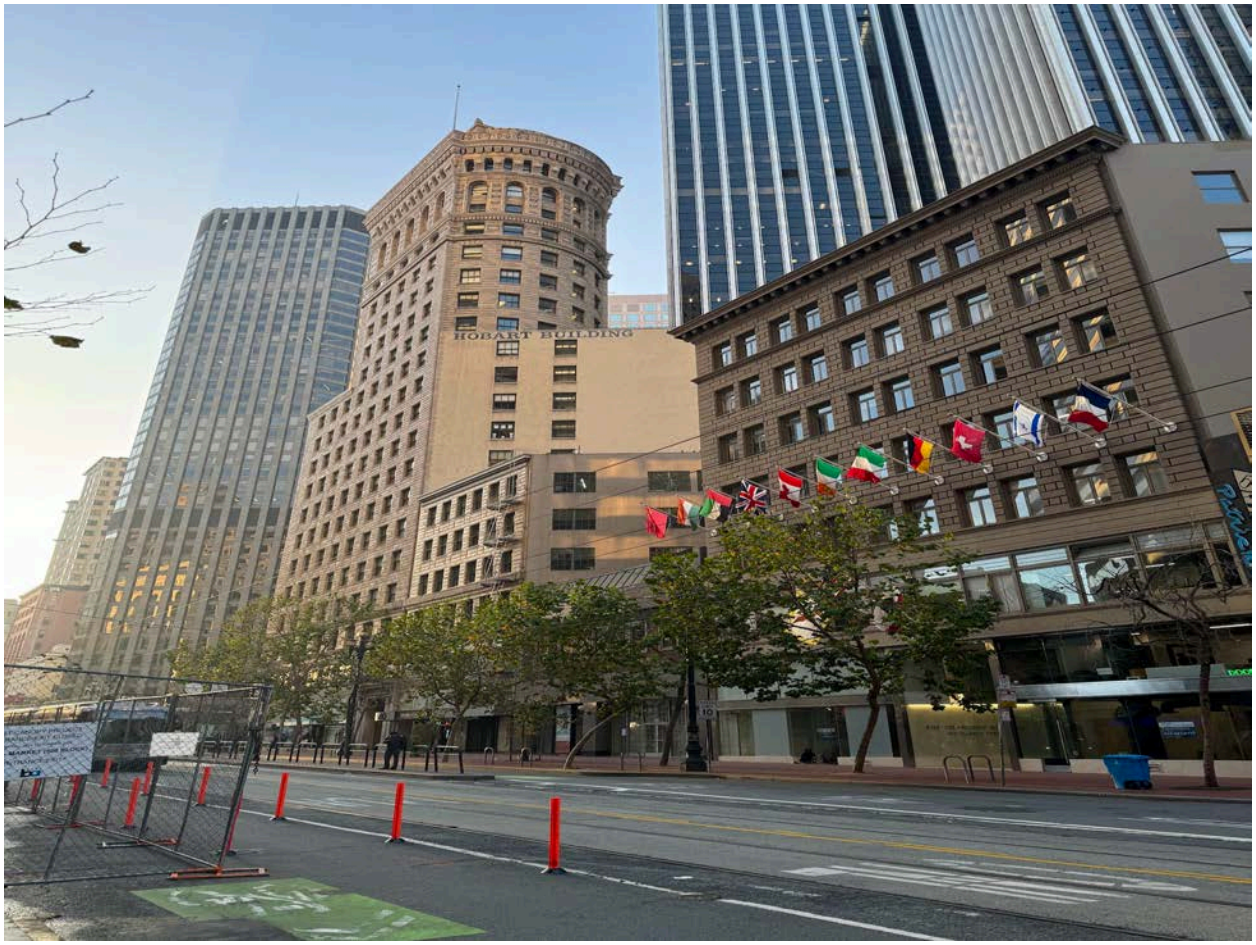
- Architect response: *The comment regarding the screen wall will be addressed with an addendum issued to the Planning Commission at a later date. The current screen wall design is at a SD level of development, and will be tuned and calibrated to a greater level of detail as documentation progresses. We acknowledge and agree with the request for additional depth and will deliver greater sense of it as the engineering of the screen develops and things like attachments, lighting, and fully developed structure become more technically integrated into the design*

Existing Conditions Photographs of Subject Block

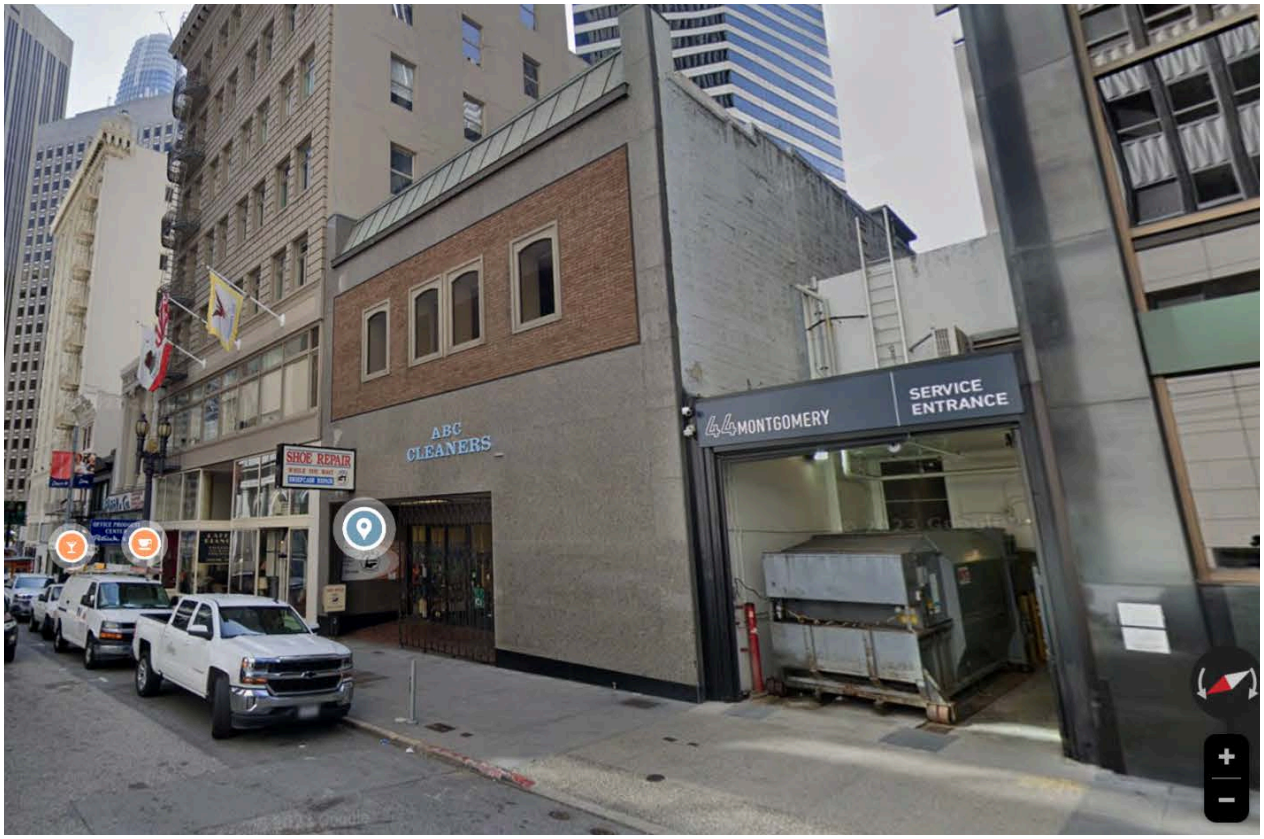


Subject property (570 Market Street) at center left (December 2024)

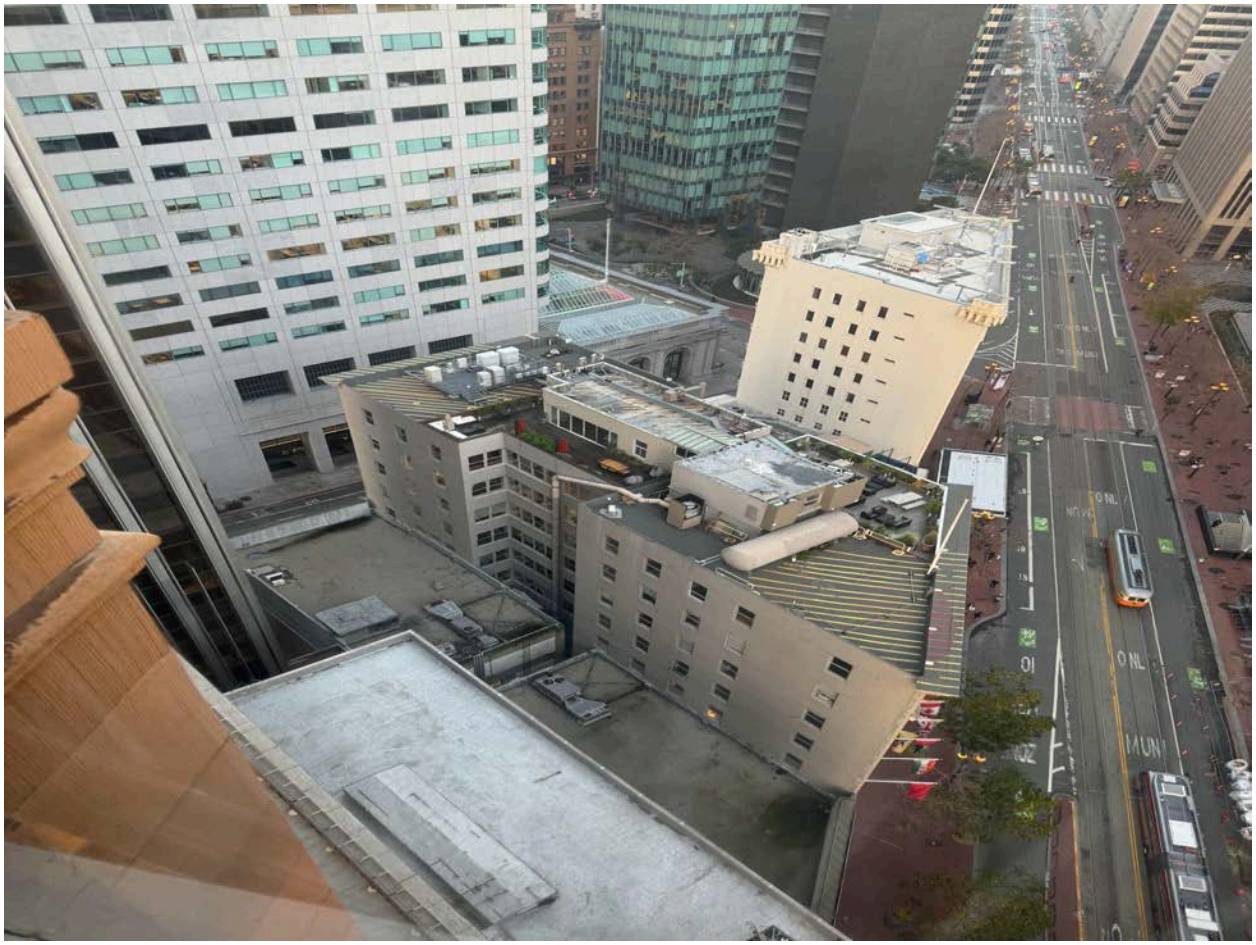
Subject block of Market Street with subject property (570 Market Street) at center (December 2024)



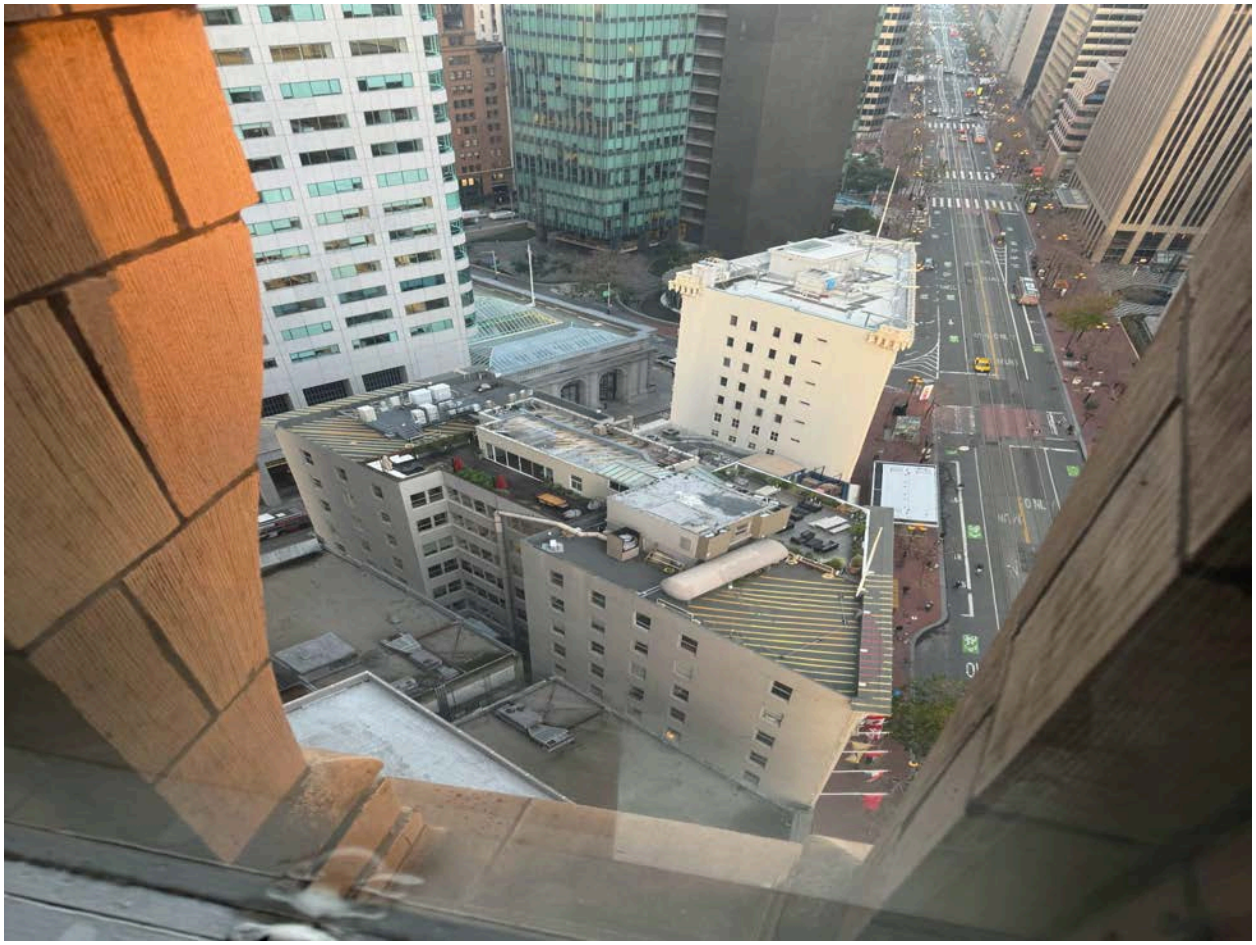
Subject block of Market Street with subject property (570 Market Street) at center (December 2024)



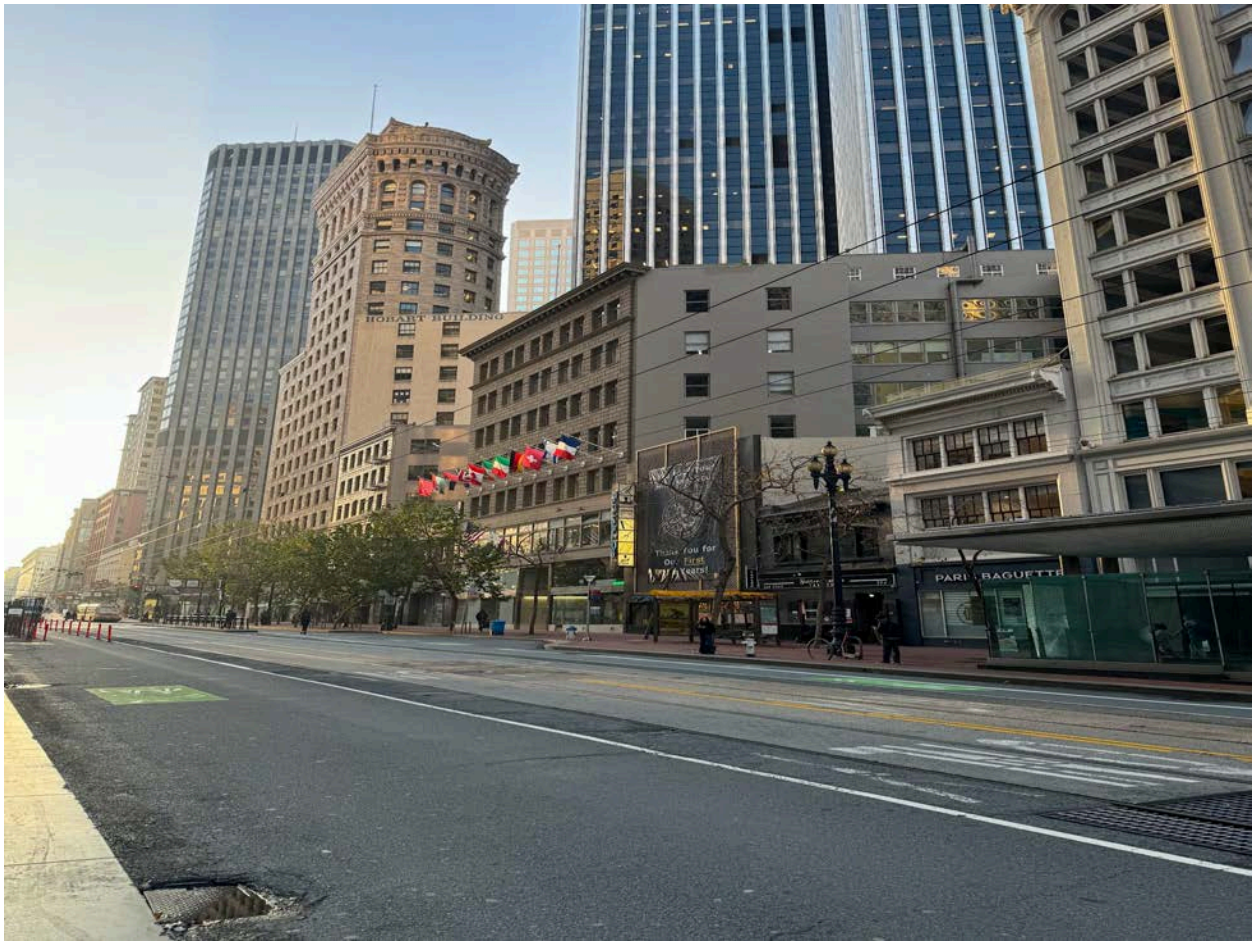
Subject property (Sutter Street side) (Source: Google, April 2023)



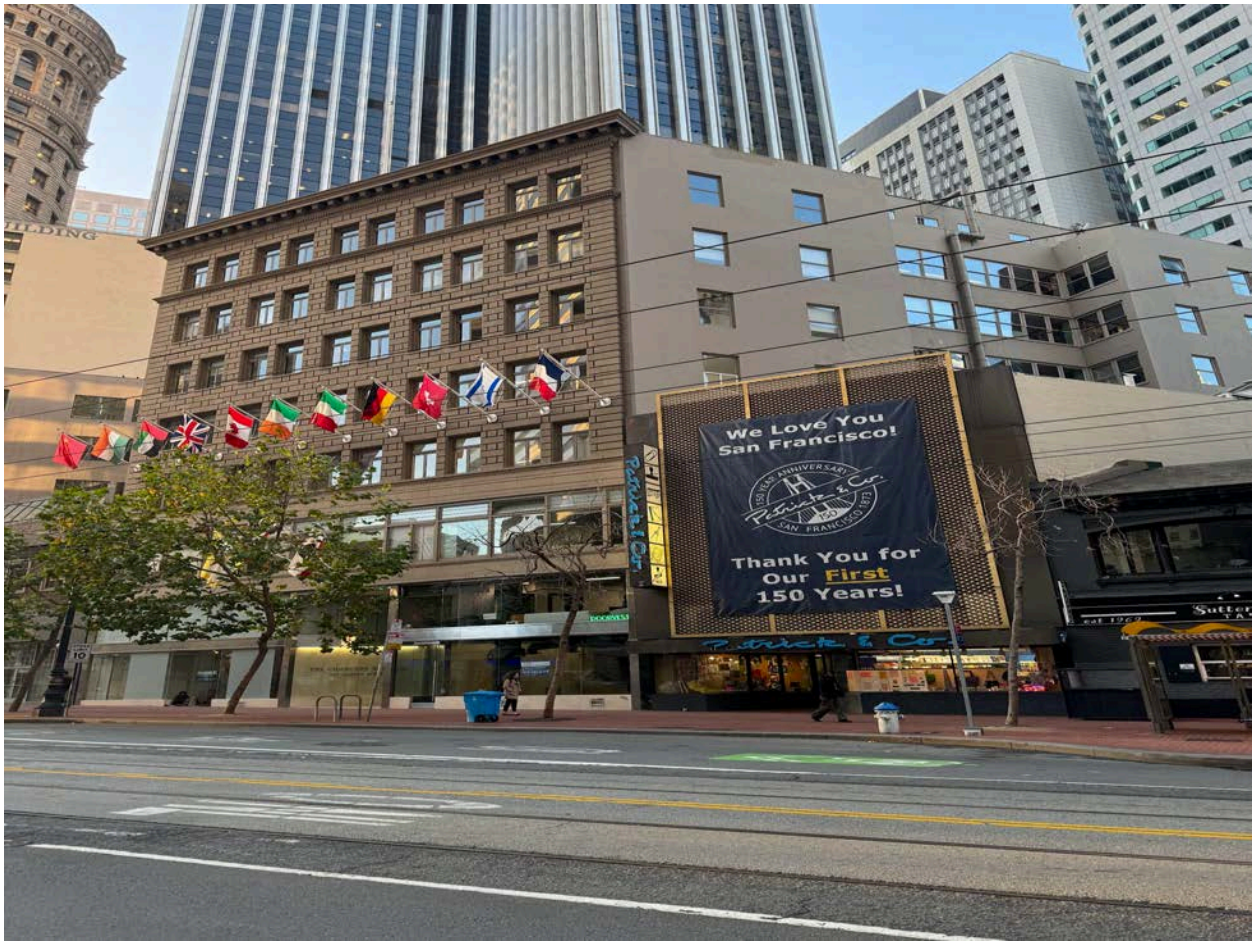
Aerial view of subject property (570 Market Street) at center (December 2024)



Aerial view of subject property (570 Market Street) at center (December 2024)



Subject block of Market Street (December 2024)



Subject block of Market Street (December 2024)

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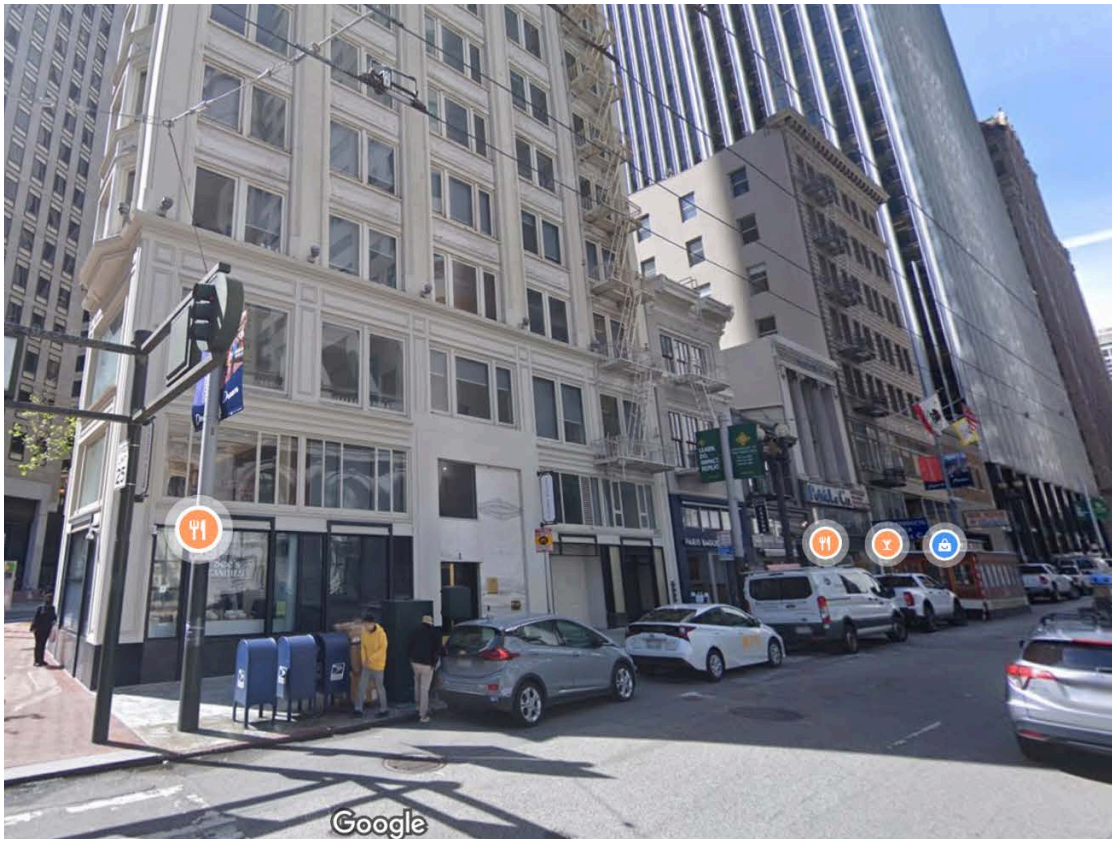
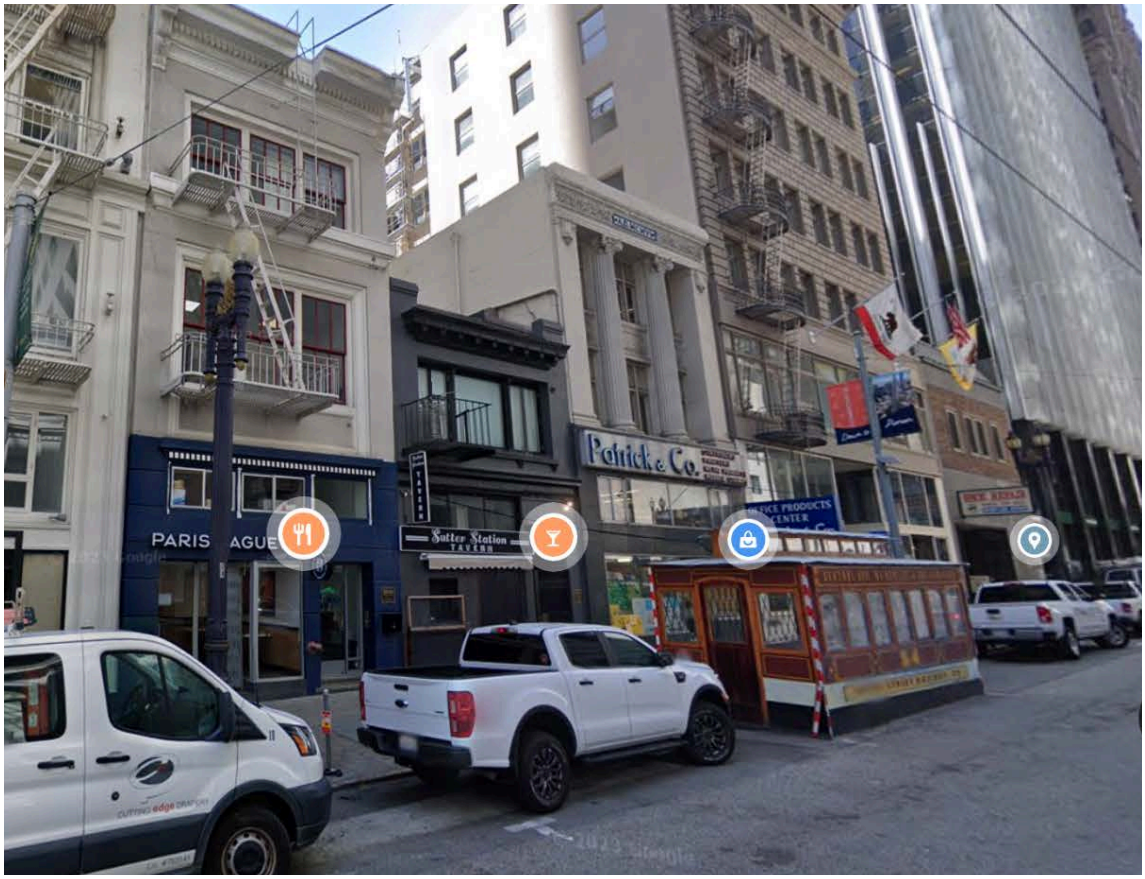
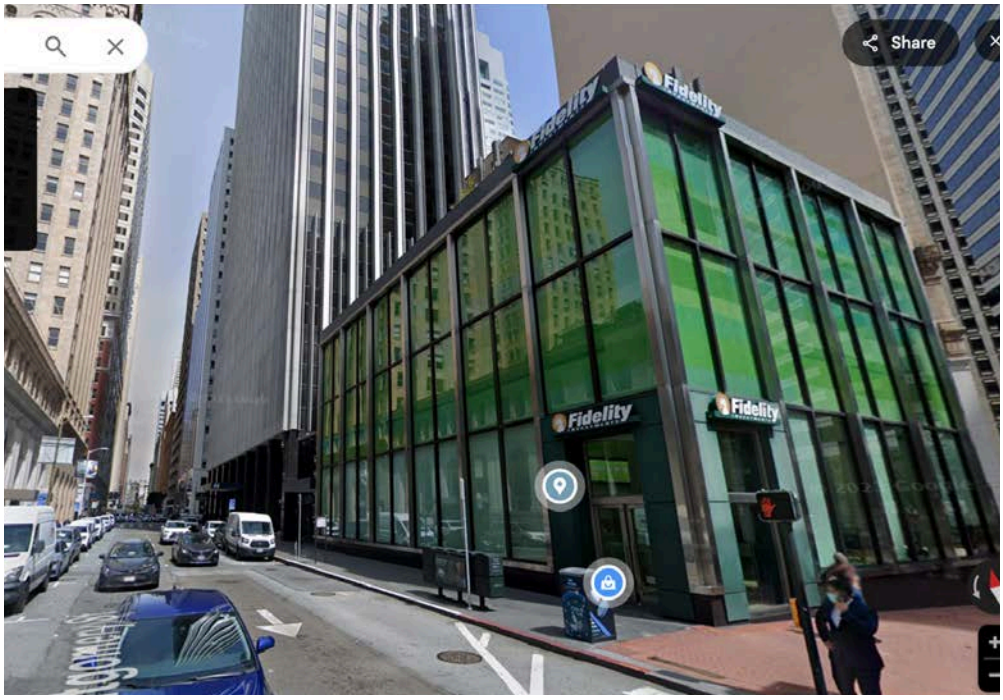


Subject block of Market Street (Source: Google, April 2023)



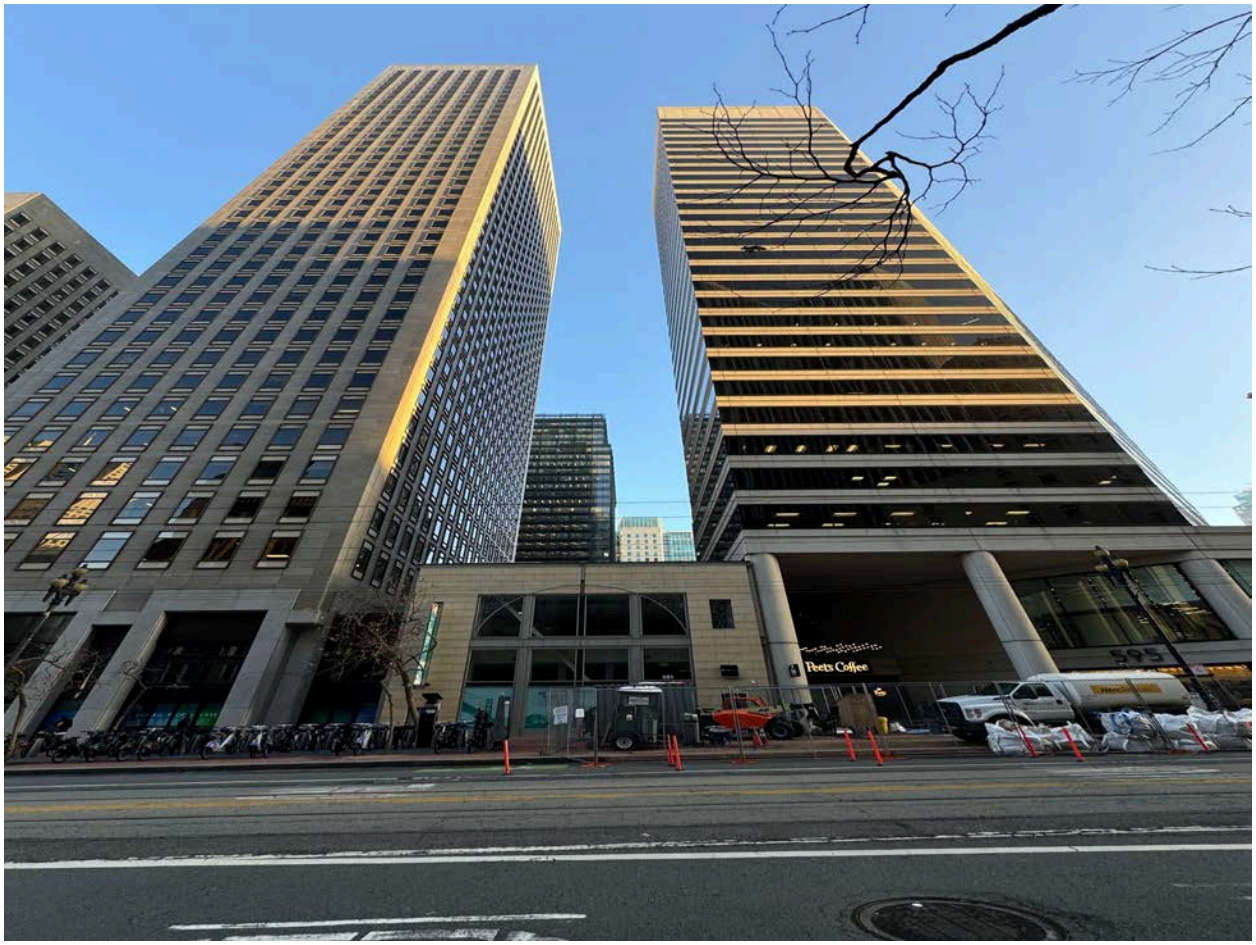
Subject block of Market Street (Source: Google, April 2023)

Subject block of Market Street showing 44 Montgomery Street (December 2024)

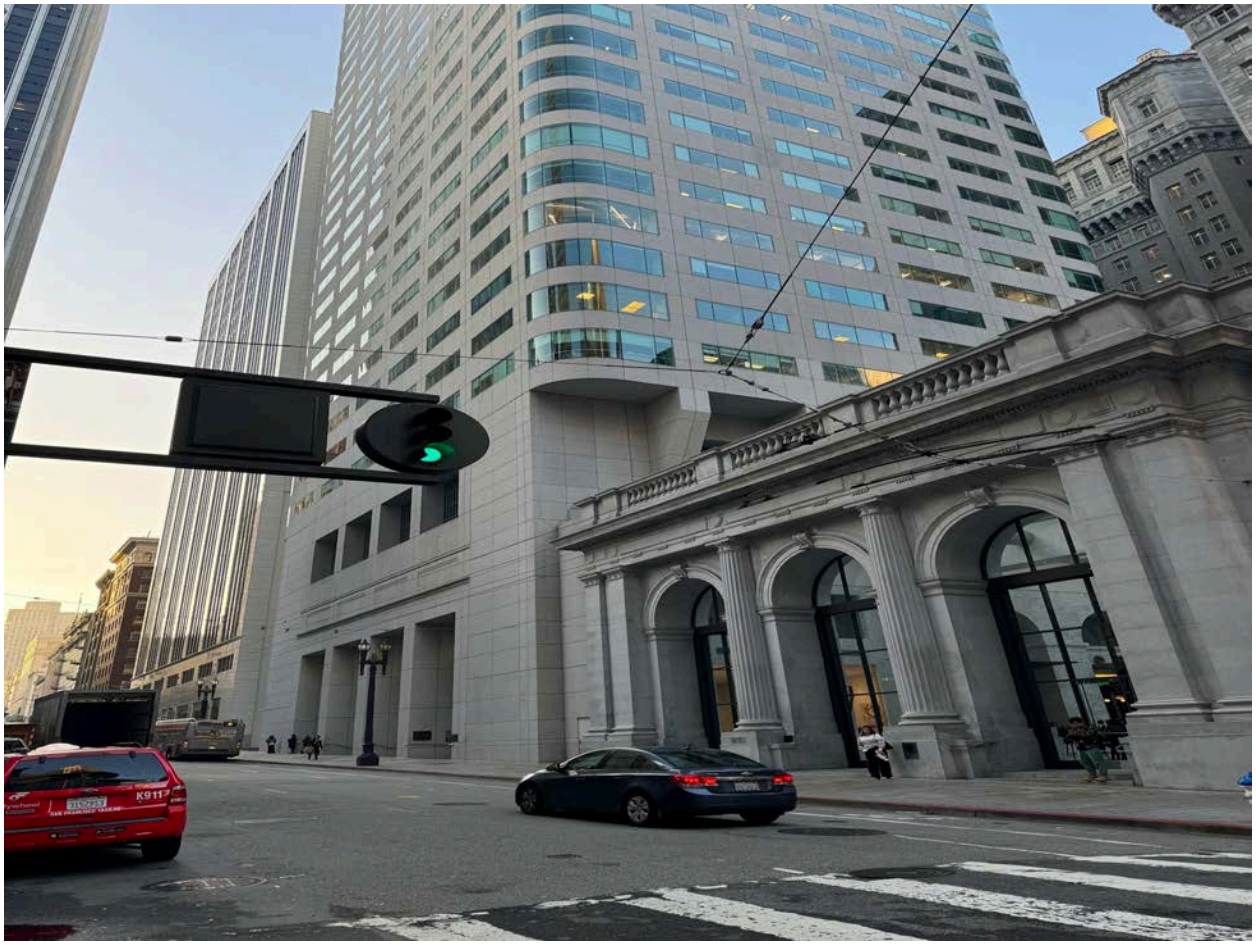


Montgomery Street side of subject block (2-44 Montgomery Street) (Source: Google, April 2023)

Buildings across the street (south) from the subject block of Market Street (December 2024)



Buildings across the street (south) from the subject block of Market Street (December 2024)

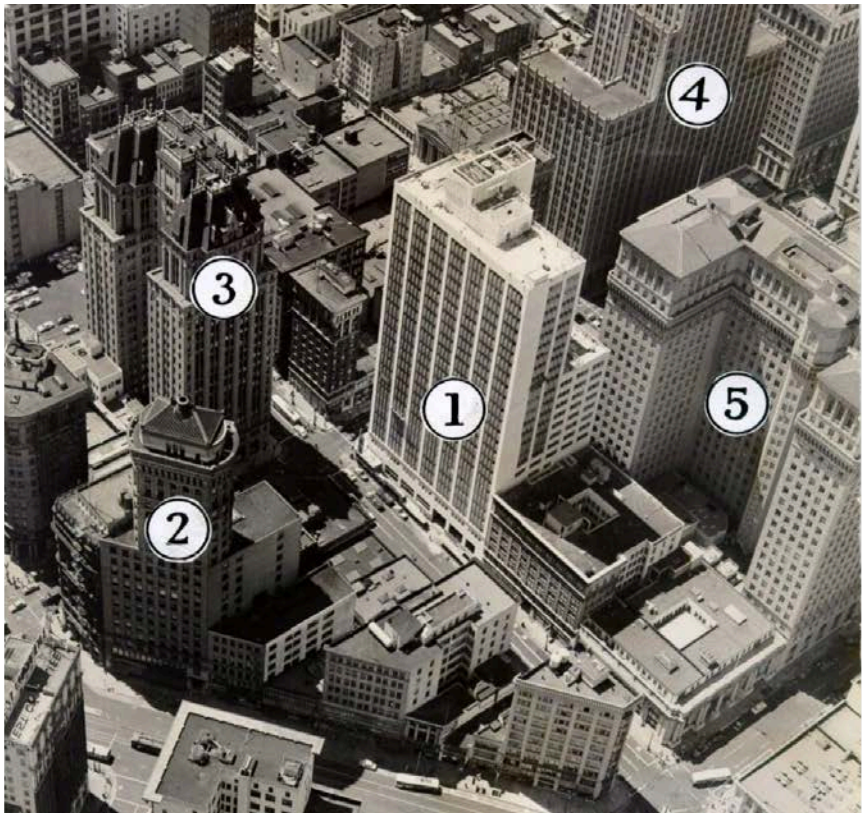


Buildings across the street (north) from the subject block of Sutter Street (December 2024)

Historic Photographs of Subject Property

500 block of Market Street, August 27, 1934 (Source: San Francisco Public Library, AAC-4928)

Sutter Street from Sansome, May 17, 1938 (Source: San Francisco Public Library, AAF-1080)



500 block of Market Street, July 6, 1955 (Source: San Francisco Public Library, AAB-8489)

Looking northeast toward 500 block of Market Street, October 1967 (Source: San Francisco Public Library, sfm005-10041)

Sutter Street from Montgomery Street, October 1973 (Source: San Francisco Public Library, AAB-5401)

PRINTER
STATIONER
RUBBER
STAMPS
CHANCERY BUILDING
2323
PEPSI DIET

KATHERINE T. PETRIN

Architectural Historian & Preservation Planner
petrin.katherine@gmail.com / 415.333.0342

EDUCATION

- Master of Science, Historic Preservation of Architecture, Columbia University, New York, 1996
- Bachelor of Arts, Humanities, University of California, Berkeley, 1986

PROFESSIONAL EXPERIENCE

- Katherine Petrin Consulting, San Francisco, CA
  Principal, April 2013 – present
- Architectural Resources Group, Inc., San Francisco, CA
  Senior Associate
  Architectural Historian and Preservation Planner, May 2000 - March 2013
- HOK International, London, UK
  Architectural Historian and Conservation Research, 1997 - 1999
- Fundacíon Casa Ducal de Medinaceli, Seville, Spain
  Documentation of Conservation Projects, 1992-1994

PROFESSIONAL QUALIFICATIONS

Exceeds the *Secretary of the Interior's Professional Qualifications Standards* in History, Preservation Planning, and Architectural History

SKILLS

- Preservation Planning Technical Expertise
- Cultural Resource Advocacy
- Spanish Language Proficiency

SELECTED PROJECT EXPERIENCE

- Old U.S. Mint Restoration Project, San Francisco, CA
- North Beach Historic Resources Evaluation and Survey, San Francisco, CA
- Buon Gusto Sausage Factory, National Register Nomination, San Francisco, CA
- Coit Memorial Tower, National Historic Landmark Nomination, San Francisco, CA (ongoing)
- Lakeside Residential Design Guidelines, San Francisco, CA
- Downtown Pleasanton Historic Resource Survey, City of Pleasanton, CA
- Presidio of San Francisco Barracks Building 105, Historic Structure Report, San Francisco, CA
- Old Mint Opportunity Feasibility Study for the California Historical Society, San Francisco, CA
- Villa Terrace, Modernist Residence, Historic Resource Evaluation, San Francisco, CA
- Santa Barbara County Courthouse, Historic Structure Report, Santa Barbara, CA*
- The Ahwahnee, Historic Structures Report, Yosemite National Park, CA*
- Preservation Element of the City of San Francisco General Plan, San Francisco, CA*
- Bayview Opera House, National Register Nomination, San Francisco, CA*
- Fort Mason Center, Cultural Landscape Report Part II, San Francisco, CA*
- The Old Mint, Historic Structure Report, San Francisco, CA*

**project completed at Architectural Resources Group*

RELATED PROFESSIONAL ACTIVITIES

Board Memberships

San Francisco Architectural Heritage, Board Member, 2018-present
San Francisco Neighborhood Theater Foundation, Vice President, Board Member, 2004-present
Friends of Mint Plaza, Board of Directors, San Francisco, 2018-2023
Save New Mission Theater, Founding Member, San Francisco, 2001-2016

Active Affiliations and Memberships

California Historical Society
Climate Heritage Network
Friends of Terra Cotta
International Council on Monuments and Sites, US National Committee (US / ICOMOS)
National Trust for Historic Preservation
Telegraph Hill Dwellers
Western Neighborhoods Project
World Monuments Fund

Selected Lectures, Community Events, Conferences and Publications

Invited Speaker, “The U.S. Mint + Advocating for Historic Buildings”, Economic Round Table of San Francisco, August 2024.

Invited Speaker, “The Alexandria Theater at 100, “a benefit for Western Neighborhoods Project, November 2023.

Invited Tour Leader, Jackson Square Historic District Walking Tour to benefit Shaping SF, San Francisco, CA, March 2022; a reprise of September 2019 event.

Invited Speaker, “The Old U.S. Mint, A National Treasure," a lecture for The Museum of the San Ramon Valley, July 2021.

Invited Speaker, “The Life and Work of Anne B. Bloomfield” for “Preservationists on Preservationists," a panel discussion organized by San Francisco Heritage, November 2020.

Invited Juror, California Preservation Foundation Design Awards, San Francisco, CA, June 2019.

Invited Guest Critic, ACE Mentor Program, San Francisco, CA, May 2019.

Co-organizer, Local Host Committee for the Cultural Heritage Network Mobilization, an affiliated event of the Global Climate Action Summit in San Francisco, September 2018.

Invited Speaker, “A Commissioner and Planner's Primer to the California Environmental Quality Act" at the California Preservation Foundation, San Francisco, CA, January 2018.

Peer Reviewer, *San Francisco LGBTQ Citywide Historic Context Statement*, 2013-2016.

Invited Speaker, “Discussing Historic Resource Integrity" at the Santa Clara County Historical Heritage Commission, San Jose, CA, November 2015.

Speaker, “Addressing Threats at Historic Seaports” at the National Preservation Conference, Spokane, WA, November 2012.

Co-organizer, “The Architecture of Julia Morgan and Sacred Spaces” a panel discussion organized by San Francisco Zen Center for the statewide program*, Julia Morgan 2012*, October 2012.

Invited Participant, SPUR/SF Architectural Heritage Historic Preservation Task Force, 2011-2013.

Contributing Author, “Palaces for the People: Architecture and the Cinematic Experience” in *Left in the Dark: Portraits of San Francisco Movie Theatres*. Charta, 2010.

Moderator, “Cinema Across Media: The 1920s,” at the First International Berkeley Conference on Silent Cinema, UC Berkeley, February 2011.

Speaker, Co-Author, “Glitz and Glam: Theatrics in the Historical Finishes of Timothy Pflueger,” International Architectural Paint Research in Building Conservation Conference, New York, NY, January 2008.

Steering Committee, 10th Annual International Symposium, International Council on Monuments and Sites, US National Committee (US/ICOMOS), San Francisco, CA, April 2007.

Invited Speaker, “Preserving Motion Picture Palaces,” Program of the National Trust for Historic Preservation and Museum of Modern Art, San Francisco, CA, February 2006.

Speaker, National Trust Conference Session on Modern Historic Resources, Portland, OR, October 2005.

Speaker, Palm Springs Desert Museum, “Building a Desert Oasis: Palm Springs Historic Resources Survey, Palm Springs, CA, May 2004.

Participant, TERRA Conference on Conservation of Earthen Architecture, Yazd, Iran (2003), and Bamako, Mali (2008).

Awards

California Preservation Foundation, Preservation Design Award for *Fort Mason Center Cultural Landscape Report*, 2010.

EXHIBIT E

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #25-002.13

October 27th, 2025

Brian Flynn
Lozeau | Drury LLP
1039 Harrison Street, Suite 150
Oakland, CA 94612

SUBJECT: Response to Comments on 570 Market St MND Noise Analysis

Dear Mr. Flynn,

Per your request, we have reviewed the response to comments on the noise analysis in the Preliminary Mitigated Negative Declaration (PMND) for the proposed development project at 570 Market Street in the City of San Francisco, California. The primary documents reviewed were the Memorandums entitled *570 Market Street Acoustical Response to Appeal of Preliminary MND* prepared by Salter and dated 16 April 2025 and Exhibit A to *Draft Motion Planning Department Response to Appeal of Preliminary Mitigated Negative Declaration 570 Market Street* prepared by the San Francisco Planning Department.

Response 3 of the City Planning document details the City's response to our concerns over construction noise and vibration. The noise response can be split into two basic parts. The first part of the response corrects errors within their calculations. The original calculations in the PMND did not include usage factors as recommended by the 'general assessment' procedure in the Federal Transit Administration (FTA) *Transit Noise and Vibration Assessment Manual* methodology for construction noise.

This response in the City Planning document states that "The FTA Manual general assessment methodology also allows for an adjustment of the usage factor based on the amount of time that construction equipment would be used during the day and based on more refined analysis and project." Additionally, the response argues that "usage factor is based on Federal Transit Administration methodology and reflects the fact that most construction equipment is generally used intermittently and is not used throughout the day, thereby reducing its noise levels over the course of a workday."

These statements that construction equipment is only used sporadically throughout the day, and thus a usage factor is recommended to not overestimate level are generally true. However, there is a process in the FTA manual for when Usage Factors (other than 1) are present, namely a 'detailed analysis' (FTA Manual, "Option B: Detailed analysis", Page 178). If these various Usage Factors are present, the 'detailed analysis' is more appropriate, which includes different thresholds of significance due to the differences in the underlying equations (Notably an 85 dBA threshold of commercial properties for the detailed method, in place of a 100 dBA threshold). If the 'detailed analysis' methodology is used, the detailed threshold should be used as well.

Calculations using a Usage Factor of 1 are included in Table 2 of the City Planning document. If this is used as the correct analysis, that modeled construction noise is 1 dB below the FTA guidelines used as significance thresholds.

The second part of the response discusses how to model sound attenuation within the air in the project vicinity. They consider modeling the area as a free field is appropriate because not using a free field calculation would be a "deviation from the FTA General Assessment method." However, this does not mean that special considerations do not require further study. Appendix G, page 237 of the FTA Manual states

> "*Professional judgment may be used to extend the basic methods to cover these cases, when appropriate. It is important to note that each project is unique and must be evaluated on a case-by-case basis.*"

Market Street in San Francisco has a high concentration of mid- and high-rise buildings, one of the highest such areas within the United States, especially in the Project vicinity. The unique situation we presented of the façades of these buildings being all acoustically reflective, thereby making use of a "free field" calculation erroneous is not addressed and we believe deserves more attention to 'extend the basic methods' used in the FTA analysis. Using a 3 dBA doubling of distance, as recommended in our original letter, would result in construction noise levels over the 100 dBA threshold, assuming a point source with a known sound power level.

Additionally, the response does not address other concerns we have about threshold levels. No comments were presented on our issue that significance thresholds for "commercial areas" are 100 dBA, a full 15 dB over the level at which OSHA and NIOSH require worker hearing protection." If anyone was outside the commercial building for a significant portion of the day, hearing damage might occur, which would presumably be considered a significant impact under California CEQA law. Also, the FTA Manual states on page 177 that

> *"A detailed analysis of construction noise is warranted when many noise sensitive sites are adjacent to a construction project … or heightened public concerns expressed in early outreach efforts."*

Both are the case for the Project. Similarly, the response does not consider increases over ambient levels. As detailed in our original letter, construction noise levels have the potential to be as high as 28 dBA over ambient levels. The California Environmental Quality Act Guidelines cited in MND state that impacts to noise would be significant if the proposed project would result in 'generation of a substantial temporary or permanent increase in ambient noise levels'. The MND lacks a significance threshold for 'substantial increase.' The Project must properly evaluate the noise increase over ambient levels at sensitive receptor locations, and if the increase is significant the Project must provide mitigation to reduce the impacts to less than significant.

Very truly yours,
WILSON IHRIG

Jack Meighan,
Associate

BRIEF SUBMITTED BY THE DETERMINATION HOLDER

REUBEN, JUNIUS & ROSE LLP

Melinda Sarjapur
msarjapur@reubenlaw.com

November 13, 2024

Delivered Via E-Mail

President John Trasviña
San Francisco Board of Appeals
49 South Van Ness
Suite 1475 (14th Floor)
San Francisco, CA 94103

Re: Project Sponsor Brief in Opposition to Appeal Nos. 25-041 & 25-042
570 Market Street- Downtown Large Project Authorization
BOA Hearing Date: November 19, 2025
Our File No.: 10738.02

Dear President Trasviña and Board Members:

Our office represents Frontier Group, LLC, the sponsor ("**Sponsor**") of a 29-story mixed-use hotel project in the heart of the city's Financial District (the "**Project**").

We submit this brief in opposition to appeals of Planning Commission's unanimous approval on September 11, 2025, of the Project's Downtown Project Authorization ("**DNX**") entitlement, filed by the owners of the adjacent 43-story office tower at 44 Montgomery (BCal 44 Montgomery Property, LLC) and 7-story office building at 562-566 Market Street (CPH 564, LP) (collectively, "**Appellants**") .

The Board should uphold the DNX because it appropriately authorizes development of a new mixed-use hotel that is compatible with the scale and character of development in the Downtown core. The DNX is supported by clear findings documenting the Commission's accurate interpretation of Planning Code provisions. Appellants provide no evidence that the Commission erred or abused its discretion.

A. PROJECT OVERVIEW

The Property is a narrow (40-50 foot wide), 7,000 sf through-lot with frontage on Market and Sutter Streets, in the Financial District. It currently contains a two-story commercial building that has been partially vacant since the former occupant (Daiso Japan) closed during the pandemic.

The Project will replace this underutilized commercial building with a vibrant new 29-story, 211-room hotel including neighborhood-serving retail at the ground and 15th floors. Approved Project plans are attached (**Exhibit A**).

Rendering, Street View along Market

Rendering, view north along Market

The Project will reach a maximum height of 300 feet. This is consistent with the scale of development in the Downtown core, but smaller in height and massing than Appellant's 43-story skyscraper at 44 Montgomery.

At 15th floor, the building will set back 71'10" Market Street, reducing visible massing and preserving views to the landmarked Hobart Building at 582-590 Market Street.

From the second to the 15th floors, the building will also incorporate a 7'6" deep by 80' wide lightwell along its north façade, partially overlapping and complementing an existing lightwell on the adjacent 7-story Chancery Building. This design maximizes preservation of existing property line windows on neighboring facade.

The Project will feature a 2,300-sf landscaped POPOS terrace on its 15th floor, with stunning views of Market Street and the Financial District. This area will be open to the public, creating new opportunities to access greenery and open space in the dense urban environment, with access to on-site retail. This POPOS will have a dedicated entrance and elevator access along Market Street, with clear signage and a dynamic living wall feature to attract visitors.

Rendering of proposed 15th floor POPOS.

The Project has no on-site parking or loading – it is conveniently located in the Downtown core with immediate access to multiple BART and MUNI lines. It is ideally situated, within easy

walking distance of downtown tourist destinations including the Embarcadero; Union Square; Moscone Center; and Civic Center.

B. DNX STANDARD OF REVIEW

Pursuant to Planning Code Section 309(d)(3), on an appeal of a DNX, the Board of Appeals considers two issues: (1) if the Planning Commission incorrectly interpreted any provision of the Planning Code; or (2) if the Planning Commission abused its discretion in unanimously approving the project. An abuse of discretion occurs when the decision is not supported by findings, if findings are not supported by evidence in the record, or if they are without reasonable or rational basis as a matter of law.[1]

C. THE PLANNING COMMISSION CORRECTLY INTERPRETED THE CODE AND DID NOTE ABUSE ITS DISCRETION IN APPROVING THE DNX.

On September 11, 2025, following a public hearing, the Planning Commission unanimously approved the Project's DNX under Motion No. 21086 (**Exhibit B**).

At this hearing, the Commission was presented with clear information in both the written record and presentation commentary supporting its decision to approve the DNX, which included exceptions from Planning Code Section 132.1 (interior lot setbacks), section 152.1 and 161 (freight loading), and Section 162 (tour bus loading).

1. Alleged Environmental Impacts are Misplaced and Unsupported

Appellants allege the Planning Commission erred by failing to adequately consider a range of speculative environmental impacts (ex: noise and vibration; geology and soils; preservation; construction-related noise and dust; air quality; and transportation).

[1] *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal. App.4th 656, 673-74.

However, the alleged impacts are entirely speculative and misplaced in the current DNX appeal. In asserting these claims, Appellants improperly conflate the Project's DNX design approval with environmental review, which is subject to a separate appeal process.

The Project's environmental impacts were fully and accurately analyzed through a Final Mitigated Negative Declaration ("**FMND**") document. The Planning Commission reviewed and upheld Project FMND following Appellants' initial appeal to that body on May 1, 2025, under Motion No. 21730 (**Exhibit C**).

The FMND is a 130-page document supported by several detailed technical studies which analyze – *in depth* – all potential Project impacts related to land use; population and housing; cultural resources; transportation and circulation; noise; air quality; greenhouse gas emissions; wind shadow; recreation; utilities; public services; biological resources; geology and soils; hydrology; hazardous materials; and energy. A supplemental study also fully evaluated potential for air quality hazards, incorporating new standards adopted during the project's lengthy review period. The final document includes several mitigation measures that effectively address all potential impacts to cultural resources; noise and vibration; and air quality. On the basis of this information, the FMND accurately finds that the Project will not result in significant environmental impacts.

Pursuant to Administrative Code Section 31.16(d), FMNDs may be appealed to the Board of Supervisors within 30 days of the first approval for the associated project. Appellants have each appealed the FMND as allowed by the Administrative Code, and the Board of Supervisors is scheduled to hear those items on Tuesday, November 18th.

This Board should disregard Appellants' allegations of environmental impacts as they exceed the scope of the current DNX appeal and will be addressed through a separate process.

2. Loading Exceptions Were Properly Approved

Appellants claim that the Planning Commission failed to adequately support approval of the Project's freight and tour bus loading exceptions. This is incorrect. Exceptions from these standards were clearly documented multiple times throughout the DNX approval motion and the Commission's action was adequately supporting by findings in the record. There is no indication that the Commission erred or abused its discretion in approving these exceptions.

Regarding freight loading, Section 7(b) of the DNX approval motion (**Exhibit B**) clearly and accurately cites to the requirements of Planning Code Sections 152.1 and 161, incorporating them by reference, and explains that hotel development of the Project's size would typically require one (1) off-street loading space. The approval motion then lists and responds to each finding requiring Commission consideration under Sections 152.1 and 161, including a local capacity finding under Section 161(e)(3): "Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building."

In response to this finding, the motion states: "An appropriate on-street color curb loading space along Sutter Street will be pursued through the Municipal Transportation Agency. Sutter Street currently possesses three lanes of travel with a single lane of on-street parking on its southern end. As the proposed freight loading space currently serves as on-street parking, its use for *loading will not adversely affect pedestrian circulation, transit operation or general traffic circulation*." This finding accurately describes adjacent site conditions consistent with numerous other materials in the record. Appellants provide no evidence to the contrary.

Regarding tour bus loading, Section 7(c) of the DNX approval motion clearly and accurately cites to the requirements of Planning Code Section 162, incorporating it by reference, and explains that hotel development of the Project's size would typically require one (1) off-street tour bus loading space. Notably, Section 162(b)(3) requires that the Commission consider a local capacity finding that is effectively identical to that required for freight loading under Section 161(e)(3)– that spaces for tour bus loading "can be provided at adjacent curbs or in the immediate vicinity without adverse effect on pedestrian circulation, transit operations or general traffic circulation."

The motion then references the "particulars of the project site and its various constraints" detailed with regard to freight loading under Section 7(b) in justification of required bus loading exception findings.

Appellants falsely suggest that the local street capacity finding made for freight loading is inapplicable to tour buses because they cannot park in loading or parking zones in front of the Project or on either side of it. However, the San Francisco Mass Transit Authority ("**SFMTA**") web page provides that tour buses may park in regular white passenger loading zones; yellow commercial loading zones; metered parking spots; or any other available curb space.[2]

The DNX approval motion adequately documents the Commission's approval of both freight and tour bus loading exceptions, each of which are supported by clear and accurate findings in the record.

Appellants further claim that the Commission erred in failing to adequately consider potential transportation impacts along Sutter Street associated related to loading. However, the

[2] SFMTA Web Site – Tour Bus Information, available online at: https://www.sfmta.com/getting-around/drive-park/commercial-vehicles/tour-bus-information

Board should disregard this allegation as it concerns speculative environmental impacts that exceed the scope of the DNX appeal.

3. Market Street is the Project's Primary Frontage

Appellants claim, without support, that the Planning Commission erred in designating Market Street as the "Principal Street' for determining the Project setbacks under Planning Code Section 132.1(d)(1). Appellants cite no Planning Code standard to support this assertion but instead assert erroneous perceptions of Project layout and operations.

By contrast, there is ample information in the record to support the Commission's treatment of Market Street as the Project's principal frontage. The term "primary frontage" is not defined under Planning Code Section 132.1(d)(1). However, as the Zoning Administrator explained in his comments at the Project's September 11th hearing, various factors make it "hard to make a case that Sutter is a more prominent street in terms of frontage" than Market.

The property's linear street frontage along Market Street is 10 feet longer than along Sutter; Market Street is the City's primary commercial corridor; Market Street is the larger right of way – 120' wide as compared to Sutter Street, which is 68' wide; the Project address is on Market Street; and there is an established pattern of buildings on through lots in this area providing primary commercial operations along Market Street. Further, the Project is designed with active frontages along both streets, featuring active-ground floor retail and dedicated POPOS entry along Market Street. While the hotel lobby will face Sutter, patrons can also access the building and lobby via the Market Street entrance, and the Market Street entrance will be directly accessible to patrons from multiple forms of public transportation including BART, MUNI, and rideshare services.

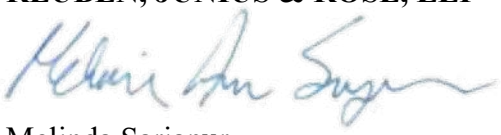
In short, Appellants provide no evidence that the Commission erred or abused its discretion in treating Market Street as the Project's primary frontage.

D. CONCLUSION

The Planning Commission did not err or abuse its discretion in approving the Project's DNX. We urge you to confirm the Planning Commission's unanimous determination, which was based on substantial evidence in the record, and deny this appeal.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Melinda Sarjapur

Enclosures:

Exhibit A - Approved Project plans
Exhibit B - Planning Commission Motion No. 21086
Exhibit C - Planning Commission Motion No. 21730

cc: Jose Lopez, Vice President
Rick Swig, Commissioner
Rebecca Saroyan, Commissioner
Julie Lamarre, Executive Director

EXHIBIT A

570 MARKET ST.

570 Market Street
San Francisco, CA 94104

CONFORMANCE SET
05/10/2024

Danny Forster & Architecture

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M/E/P Engineer
ads Engineers
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Landscape Architect
dwg.
912b Congress Ave.
Austin, TX 78701
512.320.0668
www.studiodwg.com

Zoning & Code Consultant
Code Consultants, Inc.
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213-622-5880
El Segundo, CA 90245
www.codeconsultants.com

Facade Consultant
dwg.
912B Congress Ave
Austin, TX 78701
512-320-9688
www.studiodwg.com

VT Consultant

PROJECT INFORMATION

ADDRESS:	570 MARKET STREET SAN FRANCISCO, CA 94104
BLOCK:	0291
LOT:	013
LOT AREA:	7,045 SQ.FT. (GROSS)
ZONING DISTRICT:	C-3-0 - DOWNTOWN-OFFICE
HEIGHT AND BULK DISTRICTS	300-S
PROPOSED BUILDING HEIGHT	300" AT SUTTER AND 150' AT MARKET STREET
ZONING MAP:	ZN1
HEIGHT DISTRICT MAP	HT1
SPECIAL USE DISTRICT:	WITHIN 1/4 MILE OF AN EXISTING FRINGE FINANCIAL SERVICE
HISTORIC RESOURCE STATUS:	C

PROJECT DESCRIPTION

THE PROPOSED PROJECT WILL DEMOLISH AN EXISTING 2-STORY, 14,000 SF RETAIL BUILDING AND CONSTRUCT A NEW, 29 STORY HOTEL WITH APPROXIMATELY 222 GUESTROOMS AND 2 BASEMENT LEVELS.

THE SITE IS A LEVEL THROUGH LOT WITH 50'-0" OF FRONTAGE ALONG MARKET STREET AND 40'-0" OF FRONTAGE ALONG SUTTER STREET. THE SITE IS LOCATED WITH CLOSE PROXIMITY TO TRANSIT HUBS

THE PROPOSED HOTEL WILL BE APPROXIMATELY 300'-0" IN HEIGHT AND 126,333 IN F.A.R. AREA.

REQUIRED POPOS WILL BE PROVIDED ON THE 15TH FLOOR WHICH WILL BE OPEN TO THE AIR WITH A DEDICATED ELEVATOR.

THE PROJECT PROPOSES APPROXIMATELY 15 FEET OF EXCAVATION FOR A FULL LOT BASEMENT LEVEL.

CODE NOTES

EXISTING USE:
COMMERCIAL/RETAIL SALES AND SERVICES

PROPOSED USE:
COMMERCIAL/RETAIL SALES AND SERVICES

CONSTRUCTION CLASSIFICATION: (TABLE 601)
TYPE 1A - FIREPROOFED

FIRE RATED SEPARATION AND ENCLOSURES:

- PRIMARY STRUCTURAL FRAME - 3 HRS
- BEARING WALLS AND PARTITIONS: (TABLE 602)
  - EXTERIOR - 2 HRS, #1 PC 403.2.1.1
  - INTERIOR - 2 HRS, #1 PC 403.2.1.1
- NON BEARING WALLS AND PARTITIONS:
  - EXTERIOR LESS THAN 5 FEET - 1 HR
  - INTERIOR - 0 HRS
- FLOOR CONSTRUCTION: 2 HRS
- ROOF CONSTRUCTION: 1.5 HRS

ENERGY CODE INFORMATION

THE PROPOSED PROJECT WILL COMPLY WITH THE CALIFORNIA 2019 BUILDING ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL AND NONRESIDENTIAL BUILDINGS

CLIMATE ZONE: 3 (APPENDIX JA2)
SUB-TYPE: C

PRIVATELY-OWNED PUBLIC OPEN SPACE (POPOS) REQUIREMENTS (TABLE 138)

RATIO OF SQUARE FEET OF OPEN SPACE TO GROSS FLOOR AREA IN C-3-O DISTRICTS IS 1:50

PROPOSED FLOOR AREA: 156,044 SF
REQUIRED POPOS AREA (1:50 FEET): 3,120.88 SF
PROVIDED POPOS AREA (INCLUDING SUPPORT SPACES):

POPOS OUTDOOR TERRACE:	2,364 SF
POPOS INDOOR SUPPORT SPACE:	1,702 SF
TOTAL POPOS AREA:	4,066 SF

THE POPOS WILL BE LOCATED ON THE 15TH FLOOR OPEN AIR TERRACE GIVEN THE LIMITED GRADE LEVEL OPPORTUNITIES.

PARKING REQUIREMENTS

REQUIRED PARKING IN C-3-O DISTRICT: 0 SPACES
PROVIDED PARKING: 0 SPACES

BICYCLE PARKING REQUIREMENTS

CLASS I: ONE PARKING SPOT PER 30 GUESTROOMS
REQUIRED PARKING: 8 CLASS I SPOTS
PROPOSED PARKING: 8 CLASS I SPOTS AT LEVEL 03

CLASS II: MINIMUM OF TWO SPACES, ONE PARKING SPOTS PER 30 ROOMS, ONE PARKING SPACE PER EVERY 5,000 SF OF G.S.F. MEETING ROOMS.

REQUIRED PARKING: 8 CLASS II SPOTS
PROPOSED PARKING: 8 CLASS II SPOTS AT GRADE LEVEL

VOLUMETRIC MODULAR BUILDING APPROACH

DF&A, THE NEW ARCHITECT OF RECORD ON 570 MARKET STREET, IS A WORLD EXPERT ON VOLUMETRIC HIGH-RISE MODULAR CONSTRUCTION. WE HAVE LARGE-SCALE MODULAR PROJECTS UNDERWAY IN MANHATTAN (AN AC BY MARRIOTT), BROOKLYN, FLORIDA, AND THE ISLAND OF NEVIS. WE HAVE DEVELOPED PROPRIETARY TECHNOLOGY TO CAPITALIZE ON THE ADVANTAGES OF MODULAR CONSTRUCTION AND MITIGATE THE DIFFICULTIES; DESIGNED MODULAR STANDARDS AND FIRE TESTS THAT WERE OTHERWISE NONEXISTENT; AND CONTINUE TO TRY TO IMPROVE EVERY STEP OF THE MODULAR PROCESS, FROM LENDING TO MANUFACTURING TO BUILDING MANAGEMENT.

SUSTAINABLE PRINCIPLES AND PRACTICES IN BUILDING DESIGN

THE FOLLOWING ARE STRATEGIES FOR INTEGRATING SUSTAINABLE PRINCIPLES AND PRACTICE IN BUILDING DESIGN FOR THE PROJECT:

THE PLANTING STRATEGY DEVELOPED IN CONJUNCTION WITH THE LANDSCAPE ARCHITECT DWG EMPLOYS NATIVE FOLIAGE AT THE GROUND FLOOR AND POPOS.

BY EMPLOYING MODULAR CONSTRUCTION RATHER THAN CONVENTIONAL, WE ARE ABLE TO TRACK, QUANTIFY AND LIMIT THE AMOUNT OF MATERIAL WASTE THROUGHOUT THE CONSTRUCTION PROCESS.

BIRD SAFE BUILDING REQUIREMENTS

THE FOLLOWING ARE STRATEGIES FOR COMPLYING WITH BIRD SAFE BUILDING REQUIREMENTS:

THE PROJECT COMPLIES WITH ALL FEATURE RELATED BIRD SAFE BUILDING STANDARDS PER PC SECTION 139. AT ALL GUARDRAILS ON THE 15TH FLOOR POPOS, 16TH FLOOR TERRACE, AND 18TH FLOOR YOGA TERRACE GLASS WITH A HORIZONTAL CERAMIC FRIT 1/8" WIDE SPACED EQUALLY 2" APART.

ZONING CALCULATIONS

PARCEL AREA	7,045
ALLOWABLE FAR	18
BUILDABLE FLOOR AREA	126,810

LEVEL	USE	SQUARE FOOTAGE	DEDUCTIONS				GROSS FLOOR AREA	KEYS
			MECH.	VOID/ CIRC.	POPOS/ SUPPORT	RETAIL		
29	ROOF - MECHANICAL	930	930	-	-	-	-	-
28	GUESTROOMS	4,415	178	-	-	-	4,248	8
27	GUESTROOMS	4,415	178	-	-	-	4,248	8
26	GUESTROOMS	4,415	178	-	-	-	4,248	8
25	GUESTROOMS	4,415	178	-	-	-	4,248	8
24	GUESTROOMS	4,415	178	-	-	-	4,248	8
23	GUESTROOMS	4,415	178	-	-	-	4,248	8
22	GUESTROOMS	4,415	178	-	-	-	4,248	8
21	GUESTROOMS	4,415	178	-	-	-	4,248	8
20	GUESTROOMS	4,415	178	-	-	-	4,248	8
19	GUESTROOMS	4,415	178	-	-	-	4,248	8
18	GUESTROOMS / FITNESS	4,415	178	-	-	-	4,248	5
17	GUESTROOMS / MECH.	4,838	1,030	78	-	-	3,730	5
16	AMENITY	4,838	137	-	-	-	4,701	-
15	POPOS / BAR	6,421	215	-	4,211	-	2,205	-
14	GUESTROOMS	5,763	256	-	-	-	5,507	11
13	GUESTROOMS	5,763	256	-	-	-	5,507	11
12	GUESTROOMS	5,763	256	-	-	-	5,507	11
11	GUESTROOMS	5,763	256	-	-	-	5,507	11
10	GUESTROOMS	5,763	256	-	-	-	5,507	11
9	GUESTROOMS	5,763	256	-	-	-	5,507	11
8	GUESTROOMS	5,763	256	-	-	-	5,507	11
7	GUESTROOMS	5,763	256	-	-	-	5,507	11
6	GUESTROOMS	5,763	256	-	-	-	5,507	11
5	GUESTROOMS	5,763	256	-	-	-	5,507	11
4	GUESTROOMS	5,763	256	-	-	-	5,507	11
3	BOH / OPERATIONS / GYM	5,763	216	-	-	-	5,547	-
2	MECHANICAL	6,815	4,591	2,224	-	-	-	-
1.5	RETAIL MEZZANINE	720	-	-	-	720	-	-
1	RETAIL / LOBBY	6,863	101	920	-	2,666	3,176	-
-1	BASEMENT - MECHNICAL	6,898	6,898	-	-	-	0	-
			18,892	**3,222**	**4,211**	**3,386**		
TOTAL		**156,044**				**29,711**	**126,333**	**211**
						REMAINING BUILDABLE FLOOR AREA	**477**	

DRAWING INDEX

DRAWING INDEX

SHEET NO.	SHEET NAME	ISSUANCE 1	ISSUANCE 2	ISSUANCE 3	ISSUANCE 4
01 GENERAL					
T-002	DRAWING INDEX AND PROJECT INFORMATION	●			●
02 ZONING					
Z-001	EXISTING SURVEY	●			●
Z-002	STREETSCAPE PLAN	●			●
Z-100	ZONING PLANS	●			●
Z-101	ZONING PLANS	●			●
03 CODE ANALYSIS					
G-100	EXISTING PHOTOS	●			●
05 ARCHITECTURAL					
A-001	SITE PLAN	●			●
A-050	EXISTING FLOOR PLAN - SUB-CELLAR & CELLAR LEVEL	●			●
A-051	EXISTING FLOOR PLAN - LEVEL 01 & MEZZANINE	●			●
A-052	EXISTING FLOOR PLAN - LEVEL 02 & ROOF	●			●
A-100	FLOOR PLAN - SUB-CELLAR & BASEMENT LEVELS	●		●	●
A-101	FLOOR PLAN - LEVEL 01 & LEVEL 02	●		●	●
A-102	FLOOR PLAN - LEVEL 03 & LEVEL 04	●		●	●
A-103	FLOOR PLAN - LEVEL 15 & LEVEL 16	●		●	●
A-104	FLOOR PLAN - LEVEL 17 & LEVEL 18	●		●	●
A-105	FLOOR PLAN - LEVEL 19 & ROOF	●		●	●
A-200	BUILDING ELEVATIONS	●		●	●
A-201	BUILDING ELEVATIONS	●		●	●
A-300	BUILDING SECTIONS	●			●
A-301	BUILDING SECTIONS	●			●
A-400	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-401	ENLARGED PLANS, SECTIONS & ELEVATIONS	●	●		●
A-402	ENLARGED PLANS, SECTIONS & ELEVATIONS	●	●		●
A-403	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-404	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-405	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-406	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-900	EXTERIOR RENDERING	●	●	●	●
A-901	EXTERIOR RENDERING	●	●	●	●
A-902	EXTERIOR RENDERING	●			●
A-903	EXTERIOR RENDERING	●			
A-904	DETAIL RENDERINGS	●	●		
A-905	POPOS ENTRY RENDERING	●	●		●
A-906	POPOS ENTRY RENDERING	●			
A-907	POPOS RENDERING	●			●
A-908	POPOS RENDERING	●			●
A-909	POPOS RENDERING	●			●
A-910	POPOS RENDERING	●			●
A-911	POPOS RENDERING	●			●
A-912	POPOS RENDERING	●			●
A-913	POPOS RENDERING	●			●
A-914	POPOS RENDERING	●			●
A-915	POPOS RENDERING	●			●
A-916	POPOS RENDERING	●			●

VICINITY MAP

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
4	05-10-24	CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHNER
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

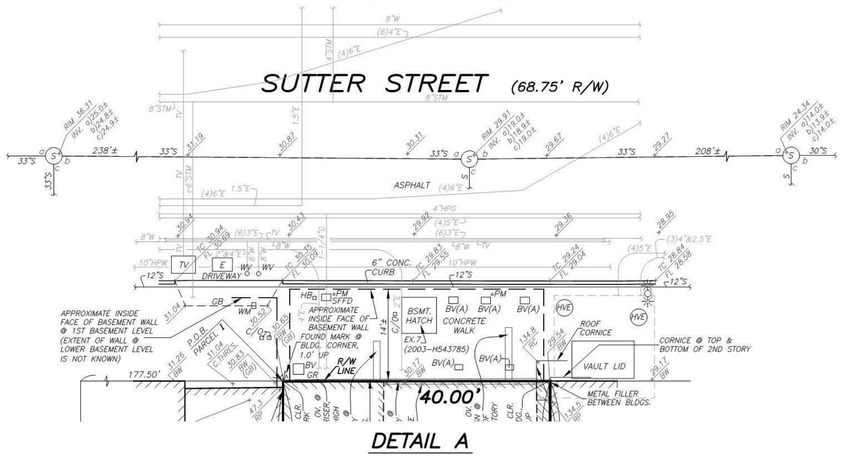
Key Plan:

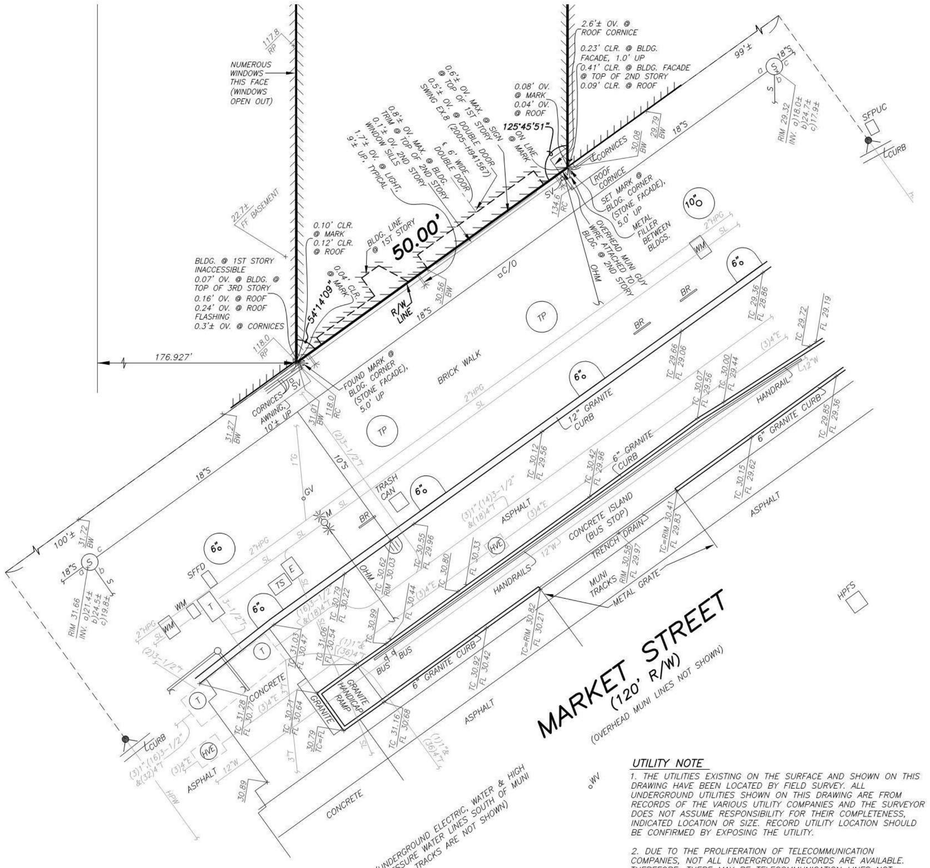
Date: 05/10/2024
Scale: 1" = 200'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
DRAWING INDEX AND PROJECT INFORMATION

Sheet Number:
T-002.01

Sheet No: of





0 5 10 20
GRAPHIC SCALE

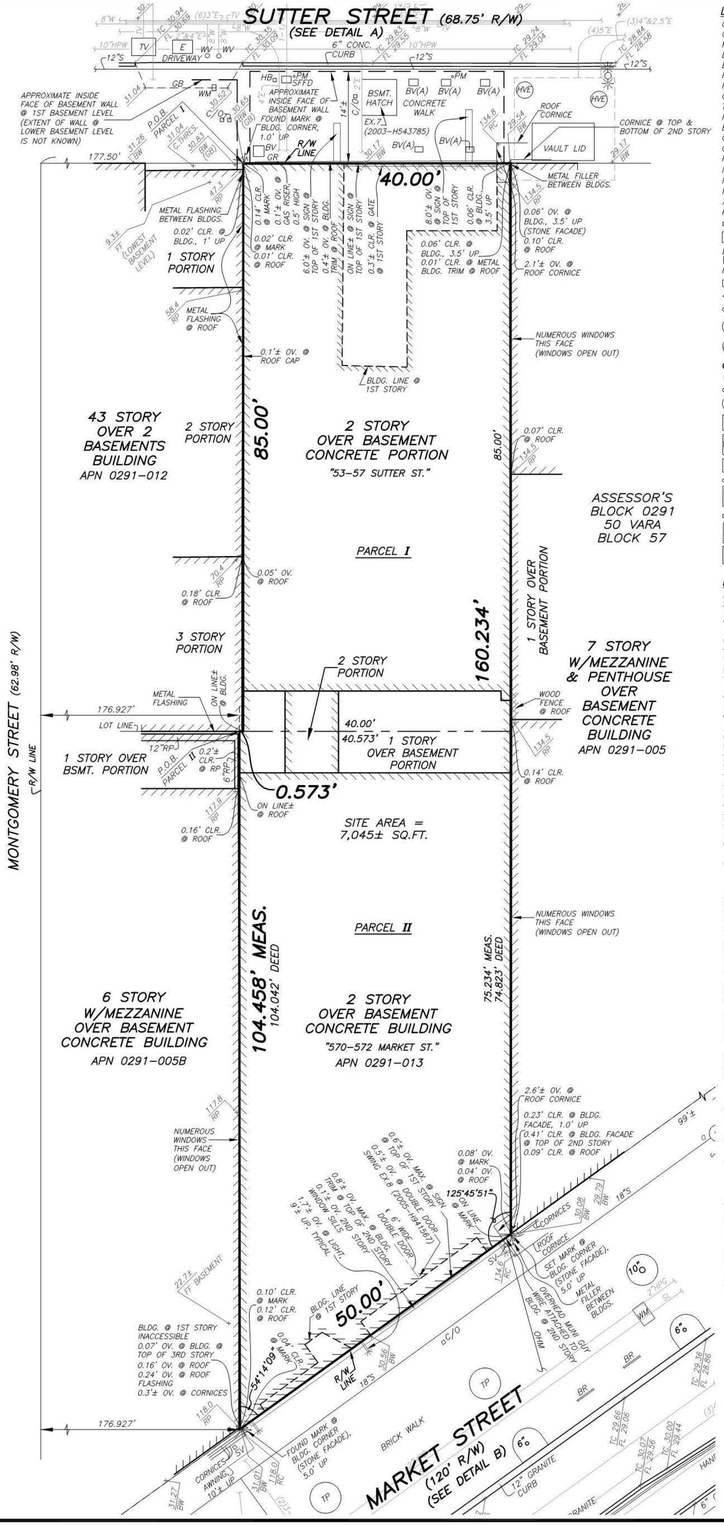
UTILITY NOTE

1. THE UTILITIES EXISTING ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY FOR THEIR COMPLETENESS, INDICATED LOCATION OR SIZE. RECORD UTILITY LOCATION SHOULD BE CONFIRMED BY EXPOSING THE UTILITY.

2. DUE TO THE PROLIFERATION OF TELECOMMUNICATION COMPANIES, NOT ALL UNDERGROUND RECORDS ARE AVAILABLE. THEREFORE, THERE MAY BE TELECOMMUNICATION LINES NOT SHOWN HEREON.

3. MUNI UNDERGROUND DUCT INFORMATION IS NOT AVAILABLE. THERE IS NO SURFACE EVIDENCE OF UNDERGROUND MUNI LINES FRONTING THE SUBJECT PROPERTY.

4. UNDERGROUND TRAFFIC SIGNAL RECORDS ARE NOT AVAILABLE.



LEGEND

CLR.	CLEAR OF PROPERTY LINE
OV.	OVER PROPERTY LINE
MAX.	MAXIMUM
BLDG.	BUILDING
BSMT.	BASEMENT
RP	ROOF PARAPET
RC	ROOF CORNICE
CONC.	CONCRETE
TC	TOP OF CURB
FL	FLOW LINE
BW	BACK OF WALK
GB	GRADE BREAK
C.THRES.	CONCRETE THRESHOLD
FF	FINISHED FLOOR
INV.	INVERT
R/W	RIGHT OF WAY
MEAS.	MEASURED
APN	ASSESSOR'S PARCEL LINE
P.O.B.	POINT OF BEGINNING
▫C/O	SEWER CLEANOUT
▫BV	BASEMENT VENT
BV(A)	ABANDONED BASEMENT VENT
▫HB	HOSEBIB COVER
▫SFFD	SFFD VALVE (GAS)
▫GR	GAS RISER, 0.5'± HIGH
▫BUS	BUS STOP SIGN
(T)	TELEPHONE MANHOLE
(HVE)	HIGH VOLTAGE ELECTRIC MANHOLE
▫WV	HIGH PRESSURE FIRE HYDRANT
(S)	WATER VALVE
	SEWER MANHOLE
WM	CATCH BASIN
▫WM	WATER METER
▫GV	WATER METER
E	GAS VALVE
▫SV	ELECTRIC PULLBOX
TS	SEWER VENT
TV	TRAFFIC SIGNAL PULLBOX
	TELEVISION PULLBOX

T	TELEPHONE PULLBOX
	ELECTROLIER
M	ELECTROLIER W/MUNI GUY WIRE
BR	BIKE RACK
TRASH CAN	TRASH CAN
6"	TREE PIT W/TREE & DIAMETER
10"	TREE PIT W/TREE & DIAMETER
TP	TREE PIT (NO TREE)
SFPUC	SAN FRANCISCO PUBLIC UTILITY COMMISSION PULLBOX
▫PM	PARKING METER
	HIGH PRESSURE WATER COVER
HPFS	TRAFFIC SIGNAL
E	ELECTRIC LINE
G	GAS LINE
HPG	HIGH PRESSURE GAS LINE
S	SEWER LINE
SL	STREET LIGHT LINE
STM	STEAM LINE
T	TELEPHONE LINE
W	WATER LINE
HPW	HIGH PRESSURE WATER LINE
OHM	OVERHEAD MUNI GUY WIRE

VICINITY MAP
NO SCALE

LEGAL DESCRIPTION

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL I:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SUTTER STREET DISTANT THEREON 177 FEET, 6 INCHES EASTERLY FROM THE EASTERLY LINE OF MONTGOMERY STREET; RUNNING THENCE EASTERLY AND ALONG SAID LINE OF SUTTER STREET 40 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 85 FEET; THENCE AT A RIGHT ANGLE WESTERLY 40 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 85 FEET TO THE SOUTHERLY LINE OF SUTTER STREET AND THE POINT OF BEGINNING.

BEING PART OF 50 VARA BLOCK NO. 57.

PARCEL II:

BEGINNING AT A POINT WHICH IS DISTANT 176 FEET AND 11-1/8 INCHES EASTERLY FROM THE EASTERLY LINE OF MONTGOMERY STREET MEASURED ON A LINE DRAWN AT RIGHT ANGLES THERETO AND ALSO DISTANT 85 FEET SOUTHERLY FROM THE SOUTHERLY LINE OF SUTTER STREET MEASURED ON A LINE DRAWN AT RIGHT ANGLES THERETO; RUNNING THENCE EASTERLY AND PARALLEL WITH SAID SOUTHERLY LINE OF SUTTER STREET, 40 FEET AND 6-7/8 INCHES; THENCE AT A RIGHT ANGLE SOUTHERLY 74 FEET AND 9-7/8 INCHES TO THE NORTHWESTERLY LINE OF MARKET STREET; THENCE SOUTHWESTERLY AND ALONG SAID LINE OF MARKET STREET 50 FEET TO A POINT WHICH IS DISTANT 176 FEET AND 11-1/8 INCHES EASTERLY FROM THE EASTERLY LINE OF MONTGOMERY STREET MEASURED ON A LINE DRAWN AT RIGHT ANGLES THERETO; THENCE NORTHERLY AND PARALLEL WITH SAID EASTERLY LINE OF MONTGOMERY STREET 104 FEET AND 1/2 OF AN INCH TO THE POINT OF BEGINNING.

BEING PART OF VARA BLOCK NO. 57.

ASSESSOR'S PARCEL NUMBER: LOT 013, BLOCK 0291

SURVEY REFERENCE

COMMONWEALTH LAND TITLE COMPANY UPDATED PRELIMINARY REPORT #1, ORDER NO. 09220395-917-BLB-JMO DATED JUNE 30, 2017.

THE FOLLOWING ARE EXCEPTIONS TO TITLE WITHIN THE ABOVE REFERENCED PRELIMINARY REPORT:

2. A POSSIBLE OVERLAP OF RECORD OF UNDISCLOSED LOCATION AS DISCLOSED BY THAT CERTAIN GRANT DEED RECORDED NOVEMBER 14, 1952, IN BOOK 6040, PAGE 421, OFFICIAL RECORDS AND BY THAT CERTAIN GRANT DEED RECORDED JULY 22, 1953, IN BOOK 6197, PAGE 70, OFFICIAL RECORDS. NOTE: NO OVERLAP OF RECORD WAS FOUND. NOT PLOTTABLE.

6. "HAZARDOUS SUBSTANCES CERTIFICATE AND INDEMNITY AGREEMENT" RECORDED JUNE 18, 2002, DOCUMENT NO. 2002-H185988, OFFICIAL RECORDS. NOT PLOTTABLE.

7. "DECLARATION OF USE" - MINOR SIDEWALK ENCROACHMENT PERMIT TO REPLACE THE EXISTING BASEMENT HATCH WITH A NEW HATCH, RECORDED SEPTEMBER 19, 2003, DOCUMENT NO. 2003-H543785, OFFICIAL RECORDS. PLOTTED HEREON.

8. "DECLARATION OF USE" - MINOR SIDEWALK ENCROACHMENT PERMIT FOR A NEW DOOR SWING ENCROACHING 6 INCHES INTO THE PUBLIC RIGHT-OF-WAY FRONTING THE SUBJECT PROPERTY RECORDED APRIL 21, 2005, DOCUMENT NO. 2005-H941567, OFFICIAL RECORDS. PLOTTED HEREON.

BASIS OF SURVEY

1. CITY OF SAN FRANCISCO MONUMENT MAP NO. 5 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
2. BLOCK DIAGRAM OF 50 VARA BLOCK 57 DATED JUNE 21, 1910 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
3. "RECORD OF SURVEY MAP OF 50 VARA BLOCK 57" FILED JUNE 18, 1947 IN LICENSED SURVEYORS PLATS AT PAGE 40, SAN FRANCISCO COUNTY RECORDER.

BENCHMARK

CITY OF SAN FRANCISCO BENCHMARK NO. BM11331, STEEL SCREW IN WASHER STAMPED "CCSF CONTROL" LOCATED AT THE NORTHEASTERLY CORNER OF MONTGOMERY AND SUTTER STREETS, ELEVATION 35.42 FEET, CCSF 2013 NAVD88 VERTICAL DATUM.

GENERAL NOTES

1. DETAILS NEAR PROPERTY LINES MAY NOT BE TO SCALE.
2. ALL PROPERTY LINE ANGLES ARE 90 DEGREES UNLESS NOTED OTHERWISE.
3. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

PROFESSIONAL LAND SURVEYOR — BENJAMIN RON — PLS 9341 — STATE OF CALIFORNIA

SITE SURVEY

OF A PORTION OF ASSESSOR'S BLOCK NO. 0291

FOR

DANNY FOSTER ARCHITECTURE

SAN FRANCISCO — CALIFORNIA

SCALE: 1" = 10'	MARTIN M. RON ASSOCIATES LAND SURVEYORS 859 HARRISON STREET, SUITE 200 SAN FRANCISCO, CA 94107 (415) 543-4500	SURVEYED
DATE: 11/13/20		DES.
SHEET: 1 OF: 1		DRWN JP
JOB NO. S-9454		CHKD BR
		REV NO.

NORTH

Danny Forster & Architecture
203 LAFAYETTE ST. 5TH FL
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ads Engineers
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New York, NY 10006
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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
4	05-10-24	CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT — JASON BUCHHOLZ — C-32858 — 10-31-2025 RENEWAL DATE — STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

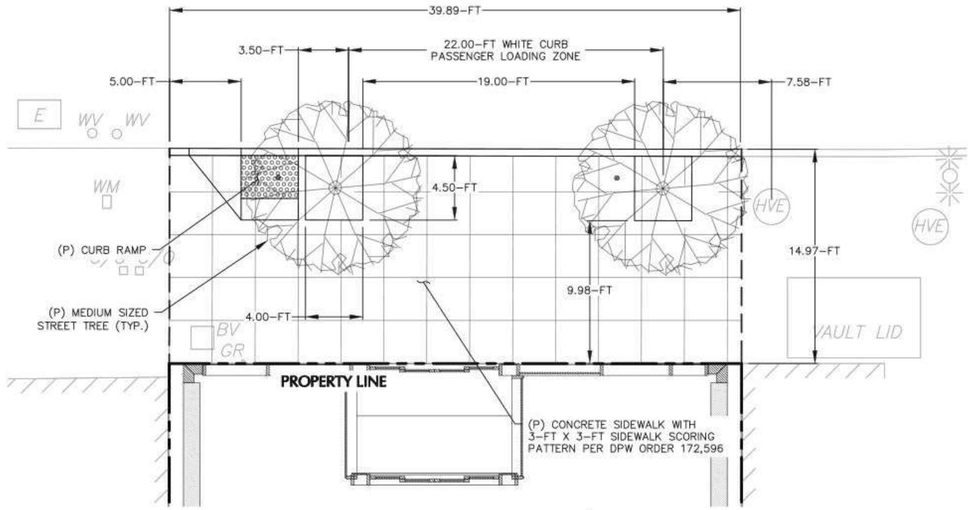
Date: 05/10/2024
Scale: 3/32" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING SURVEY

Sheet Number:
Z-001.00

Sheet No: of

SUTTER STREET
(68.75-FT ROW)

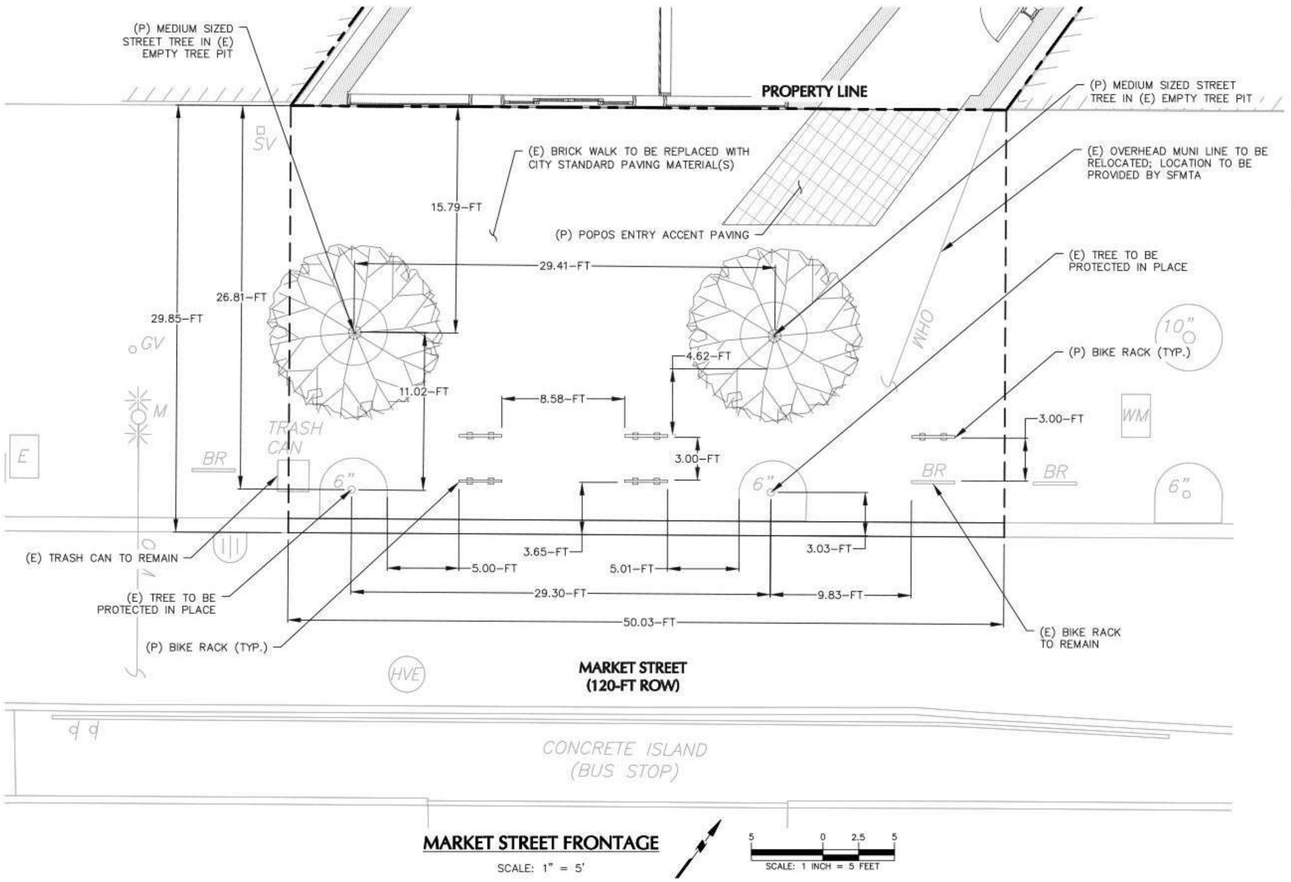


SUTTER STREET FRONTAGE

SCALE: 1" = 5'

5 0 2.5 5

SCALE: 1 INCH = 5 FEET



MARKET STREET FRONTAGE

SCALE: 1" = 5'

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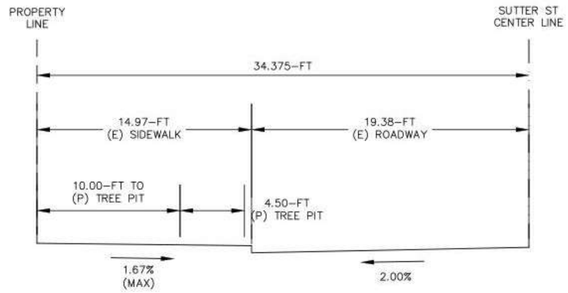
SCALE: 1 INCH = 5 FEET



SUTTER STREET SECTION

SCALE: 1" = 5'

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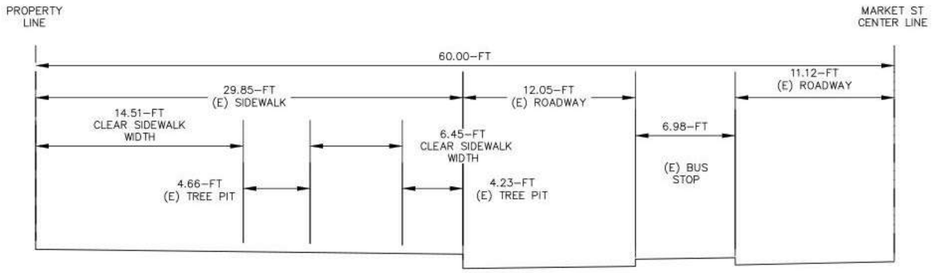
SCALE: 1 INCH = 5 FEET



MARKET STREET SECTION

SCALE: 1" = 5'

5 0 2.5 5

SCALE: 1 INCH = 5 FEET

NOTES:

1. PROJECT WILL COORDINATE WITH THE CITY'S BETTER MARKET STREET PROJECT FOR PROPOSED STREETSCAPE IMPROVEMENTS ALONG MARKET STREET

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LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

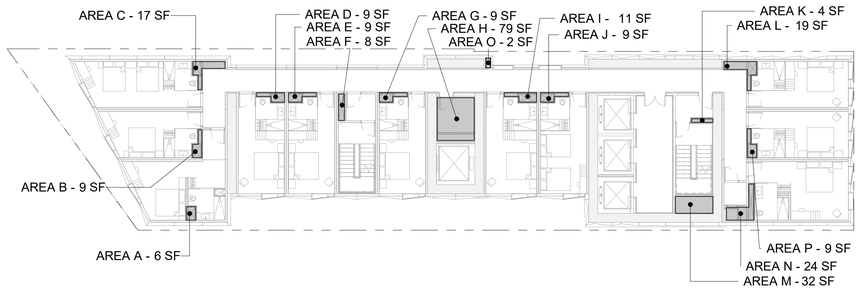
Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
STREETSCAPE PLAN

Sheet Number:
Z-002.00

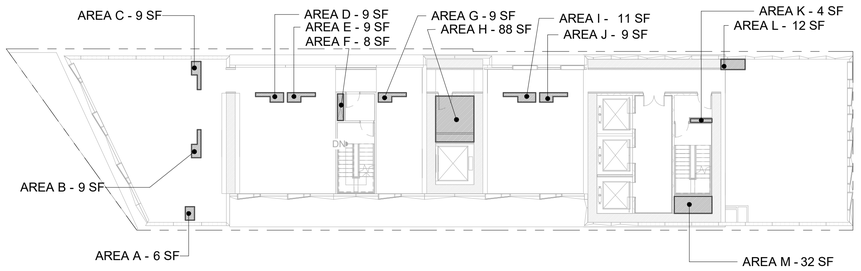
Sheet No: of



ZONING DEDUCTIONS TABLE - LEVEL 04		
NAME	TYPE	AREA
AREA A	MEP	6 SF
AREA B	MEP	9 SF
AREA C	MEP	17 SF
AREA D	MEP	9 SF
AREA E	MEP	9 SF
AREA F	MEP	8 SF
AREA G	MEP	9 SF
AREA H	MEP	79 SF
AREA I	MEP	11 SF
AREA J	MEP	9 SF
AREA K	MEP	4 SF
AREA L	MEP	19 SF
AREA M	MEP	32 SF
AREA N	MEP	24 SF
AREA O	MEP	2 SF
AREA P	MEP	9 SF
		256 SF

ZONING CALCULATIONS - LEVEL 04	
GFA	5,763 SF
DEDUCTIONS	256 SF
FAR	5,507 SF

LEVEL 04 - TYPICAL GUESTROOM - DEDUCTIONS 06
1/16" = 1'-0"



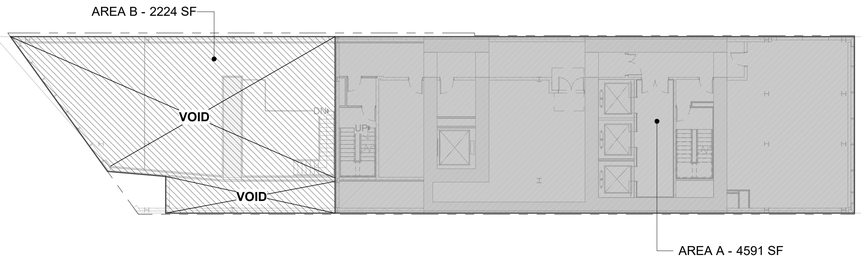
DEDUCTIONS PLAN

ZONING DEDUCTIONS TABLE - LEVEL 03		
NAME	TYPE	AREA
AREA A	MEP	6 SF
AREA B	MEP	9 SF
AREA C	MEP	9 SF
AREA D	MEP	9 SF
AREA E	MEP	9 SF
AREA F	MEP	8 SF
AREA G	MEP	9 SF
AREA H	MEP	88 SF
AREA I	MEP	11 SF
AREA J	MEP	9 SF
AREA K	MEP	4 SF
AREA L	MEP	12 SF
AREA M	MEP	32 SF
		216 SF

ZONING CALCULATIONS - LEVEL 03	
GFA	5,763 SF
DEDUCTIONS	216 SF
FAR	5,547 SF

GROSS FLOOR AREA PLAN

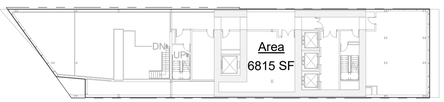
LEVEL 03 - BOH / OPERATIONS / GYM - DEDUCTIONS 05
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 02		
NAME	TYPE	AREA
AREA A	MEP	4591 SF
AREA B	Void	2224 SF
		6815 SF

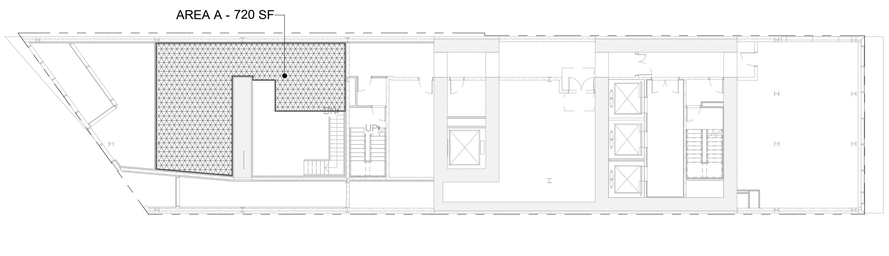
ZONING CALCULATIONS - LEVEL 02	
GFA	6,815 SF
DEDUCTIONS	6,815 SF
FAR	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 02 - MEZZ & MEP - DEDUCTIONS 04
1/16" = 1'-0"



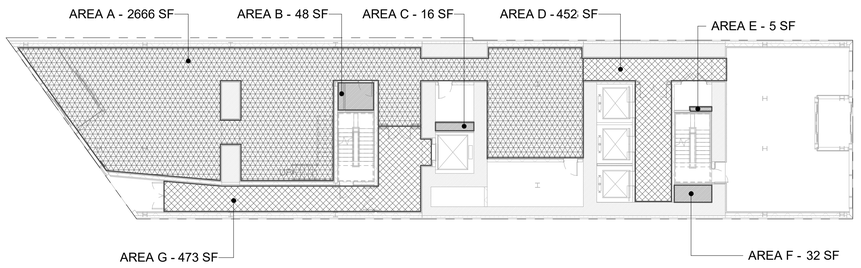
ZONING DEDUCTIONS TABLE - LEVEL 1.5 MEZZ.		
NAME	TYPE	AREA
AREA A	Retail	720 SF
		720 SF

ZONING CALCULATIONS - LEVEL 1.5 MEZZ.	
GFA	720 SF
DEDUCTIONS	720 SF
FAR	0 SF

DEDUCTIONS PLAN

GROSS FLOOR AREA PLAN

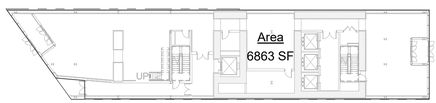
LEVEL 1.5 MEZZANINE - DEDUCTIONS 03
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 01		
NAME	TYPE	AREA
AREA A	Retail	2666 SF
AREA B	MEP	48 SF
AREA C	MEP	16 SF
AREA D	Circulation	447 SF
AREA E	MEP	5 SF
AREA F	MEP	32 SF
AREA G	Circulation	473 SF
		3687 SF

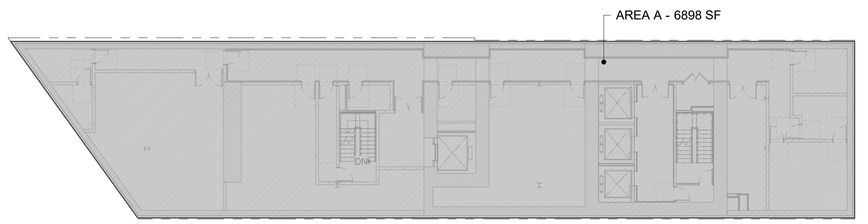
ZONING CALCULATIONS - LEVEL 01	
GFA	6,863 SF
DEDUCTIONS	3,687 SF
FAR	3,176 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 01 - LOBBY - DEDUCTIONS 02
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - CELLAR		
NAME	TYPE	AREA
AREA A	MEP	6898 SF
		6898 SF

ZONING CALCULATIONS - CELLAR	
GSF	6,898 SF
DEDUCTIONS	6,898 SF
ZFA	0 SF

DEDUCTIONS PLAN

GROSS FLOOR AREA PLAN

BASEMENT - DEDUCTIONS 01
1/16" = 1'-0"

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C-32858
10 - 31 - 2025
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STATE OF CALIFORNIA

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570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

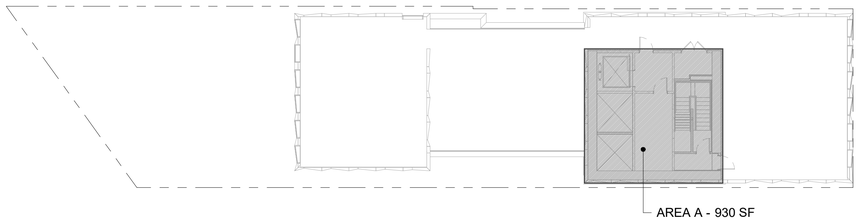
Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ZONING PLANS

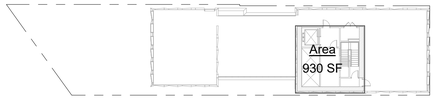
Sheet Number:
Z-100.01

Sheet No: of



DEDUCTIONS PLAN

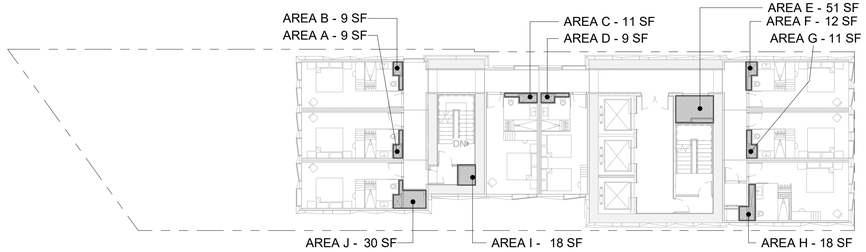
ZONING DEDUCTIONS TABLE - LEVEL 29 ROOF		
NAME	TYPE	AREA
AREA A	MEP	930 SF
		930 SF
ZONING CALCULATIONS - LEVEL 29		
GFA		930 SF
DEDUCTIONS		930 SF
FAR		0 SF



GROSS FLOOR AREA PLAN

LEVEL 29 - ROOF - DEDUCTIONS 06

1/16" = 1'-0"



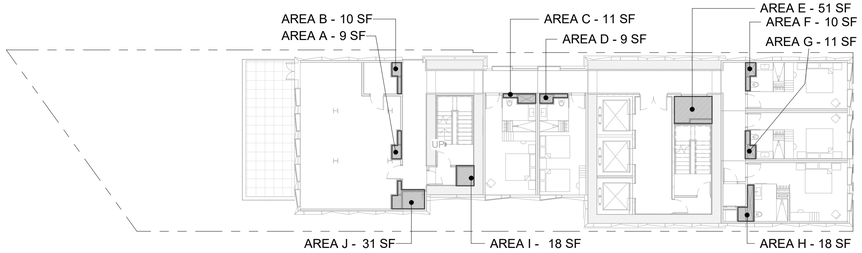
DEDUCTIONS PLAN

ZONING DEDUCTIONS TABLE - LEVEL 19-28		
NAME	TYPE	AREA
AREA A	MEP	9 SF
AREA B	MEP	9 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	51 SF
AREA F	MEP	12 SF
AREA G	MEP	11 SF
AREA H	MEP	18 SF
AREA I	MEP	18 SF
AREA J	MEP	30 SF
		178 SF
ZONING CALCULATIONS - LEVEL 19-28		
GFA		4,415 SF
DEDUCTIONS		178 SF
FAR		4,237 SF

GROSS FLOOR AREA PLAN

LEVEL 19 - TYP. GUESTROOM - DEDUCTIONS 05

1/16" = 1'-0"



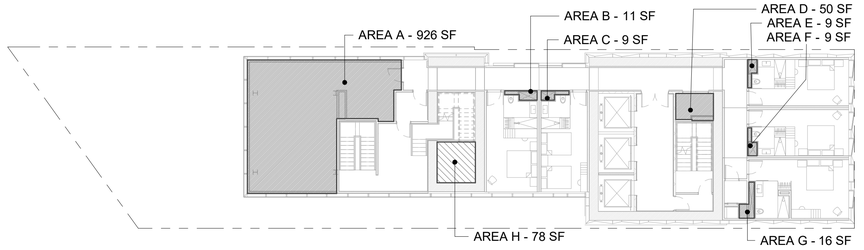
DEDUCTIONS PLAN

ZONING DEDUCTIONS TABLE - LEVEL 18		
NAME	TYPE	AREA
AREA A	MEP	9 SF
AREA B	MEP	10 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	51 SF
AREA F	MEP	10 SF
AREA G	MEP	11 SF
AREA H	MEP	18 SF
AREA I	MEP	18 SF
AREA J	MEP	31 SF
		178 SF
ZONING CALCULATIONS - LEVEL 18		
GFA		4,415 SF
DEDUCTIONS		178 SF
FAR		4,237 SF

GROSS FLOOR AREA PLAN

LEVEL 18 - GUESTROOMS / FITNESS - DEDUCTIONS 04

1/16" = 1'-0"



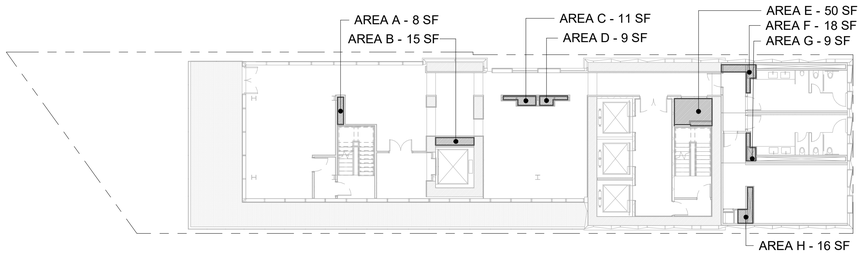
DEDUCTIONS PLAN

ZONING DEDUCTIONS TABLE - LEVEL 17		
NAME	TYPE	AREA
AREA A	MEP	926 SF
AREA B	MEP	11 SF
AREA C	MEP	9 SF
AREA D	MEP	50 SF
AREA E	MEP	9 SF
AREA F	MEP	9 SF
AREA G	MEP	16 SF
AREA H	Void	78 SF
		1108 SF
ZONING CALCULATIONS - LEVEL 17		
GFA		4,838 SF
DEDUCTIONS		1,108 SF
FAR		3,730 SF

GROSS FLOOR AREA PLAN

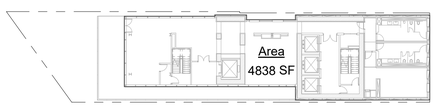
LEVEL 17 - GUESTROOMS / MECH - DEDUCTIONS 03

1/16" = 1'-0"



DEDUCTIONS PLAN

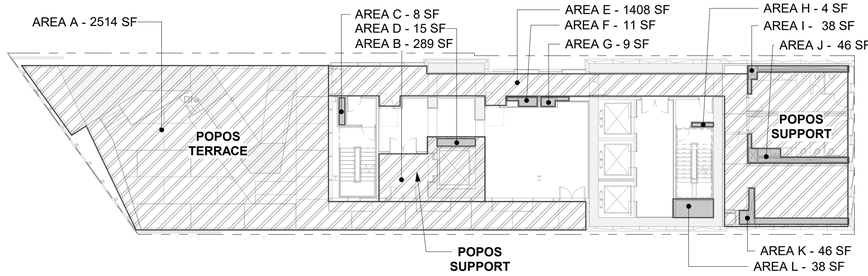
ZONING DEDUCTIONS TABLE - LEVEL 16		
NAME	TYPE	AREA
AREA A	MEP	8 SF
AREA B	MEP	15 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	50 SF
AREA F	MEP	18 SF
AREA G	MEP	9 SF
AREA H	MEP	16 SF
		137 SF
ZONING CALCULATIONS - LEVEL 16		
GFA		4,838 SF
DEDUCTIONS		137 SF
FAR		4,701 SF



GROSS FLOOR AREA PLAN

LEVEL 16 - BAR - DEDUCTIONS 02

1/16" = 1'-0"



DEDUCTIONS PLAN

ZONING DEDUCTIONS TABLE - LEVEL 15		
NAME	TYPE	AREA
AREA A	POPOS	2514 SF
AREA B	POPOS	289 SF
AREA C	MEP	8 SF
AREA D	MEP	15 SF
AREA E	POPOS	1408 SF
AREA F	MEP	11 SF
AREA G	MEP	9 SF
AREA H	MEP	4 SF
AREA I	MEP	38 SF
AREA J	MEP	46 SF
AREA K	MEP	46 SF
AREA L	MEP	38 SF
		4426 SF
ZONING CALCULATIONS - LEVEL 15		
GFA		6,421 SF
DEDUCTIONS		4,426 SF
FAR		1,995 SF

*GFA INCLUDES OUTDOOR POPOS TERRACE

GROSS FLOOR AREA PLAN

LEVEL 15 - POPOS - DEDUCTIONS 01

1/16" = 1'-0"

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JASON BUCHNER
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ZONING PLANS

Sheet Number:
Z-101.01

Sheet No: of

SUTTER STREET SOUTHWEST **04**

SUTTER STREET SOUTHEAST **03**

MARKET STREET SOUTHWEST **02**

MARKET STREET SOUTHEAST **01**

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JASON BUONNEY
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10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	12" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
EXISTING PHOTOS

Sheet Number:
G-100.00

Sheet No: of

582 MARKET STREET
PODIUM APPROX. 158FT TALL

576-580 MARKET STREET
APPROX. 88FT TALL

44 MONTGOMERY STREET
APPROX. 562FT TALL

49' - 7"

189' - 5 1/2"

3-STORY BLDG.

2-STORY BLDG.

1-STORY BLDG.

15' - 0"

ELECTRICAL VAULT BELOW SIDEWALK, FULL WIDTH OF SITE TO BE COORDINATED & ENGINEERED WITH PG&E

MARQUEE

HOTEL ENTRY

40' - 0"

19' - 0"

LEVEL 15 - POPOS TERRACE

LEVEL 16 BALCONY

LEVEL 18 BALCONY

LEVEL 29 MECHANICAL ROOF

LEVEL 29 MECHANICAL ROOF

STAIR BULKHEAD ROOF

LEVEL 29 MECHANICAL ROOF

LEVEL 16 BALCONY

15' - 0 1/2" SIDEWALK

SUTTER STREET (68.75 R/W)

MIN. 9 CLASS II BIKE SPACES

50' - 0"

29' - 10 1/4" SIDEWALK

POPOS ENTRY

EXISTING BIKE RACK TO REMAIN

160' - 2 3/4"

LIGHT WELL

MARKET STREET (120 R/W)

70' - 10"

562 MARKET STREET
APPROX. 102FT TALL

57' - 6"

LIGHT WELL

N

SITE PLAN
1/8" = 1'-0"

01

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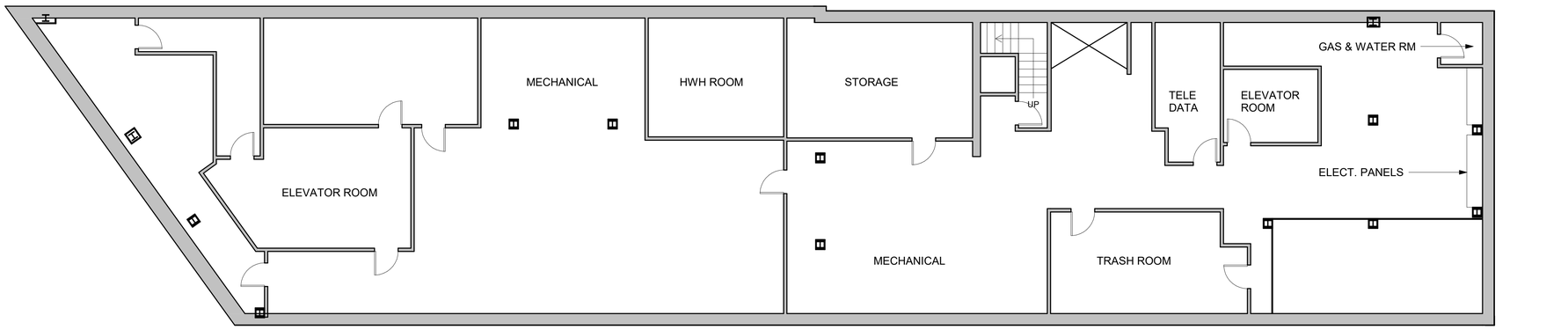
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
SITE PLAN

Sheet Number:
A-001.01

Sheet No: of



EXISTING FLOOR PLAN - CELLAR 01
1/8" = 1'-0"

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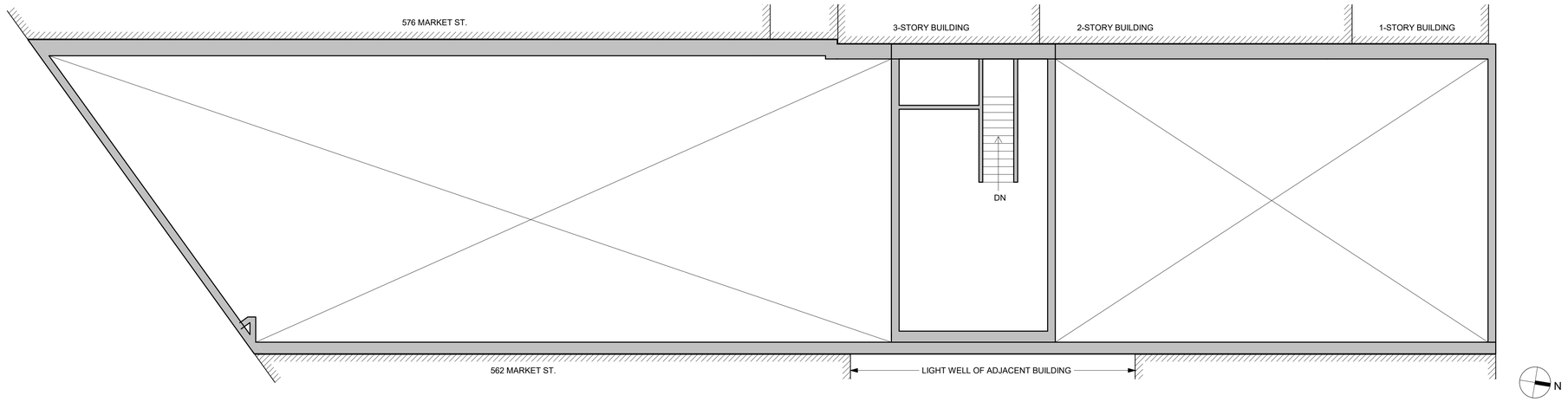
Drawing By: Author
Checked By: Checker
Project No: 177

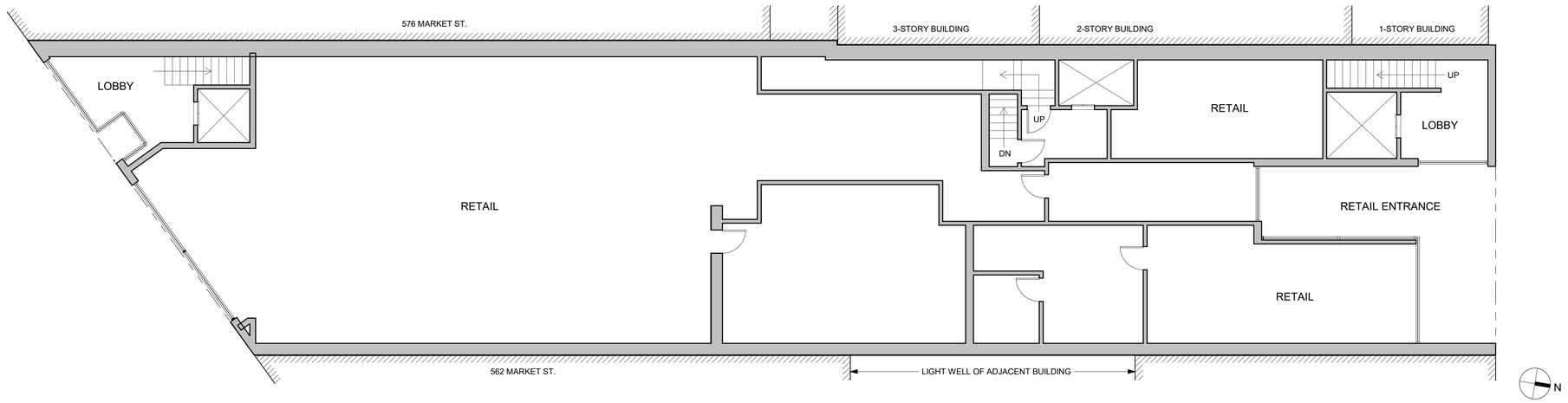
Drawing Title:
EXISTING FLOOR PLAN - SUB-CELLAR & CELLAR LEVEL

Sheet Number:
A-050.00

Sheet No: of



EXISTING FLOOR PLAN - MEZZANINE LEVEL 02
1/8" = 1'-0"



EXISTING FLOOR PLAN - LEVEL 01 01
1/8" = 1'-0"

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Project No: 177

Drawing Title:
EXISTING FLOOR PLAN - LEVEL 01 & MEZZANINE

Sheet Number:
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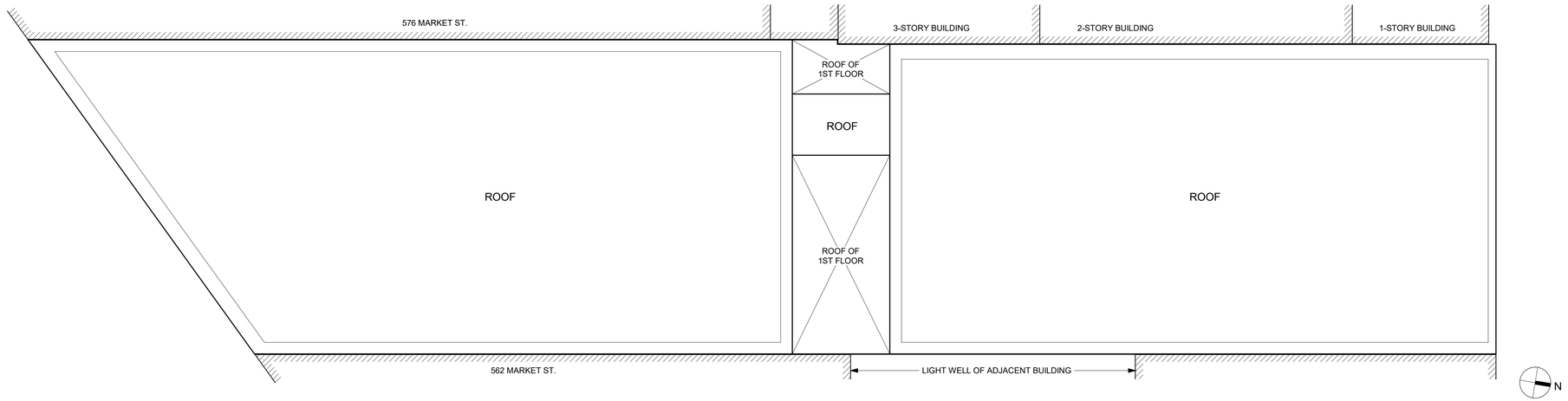
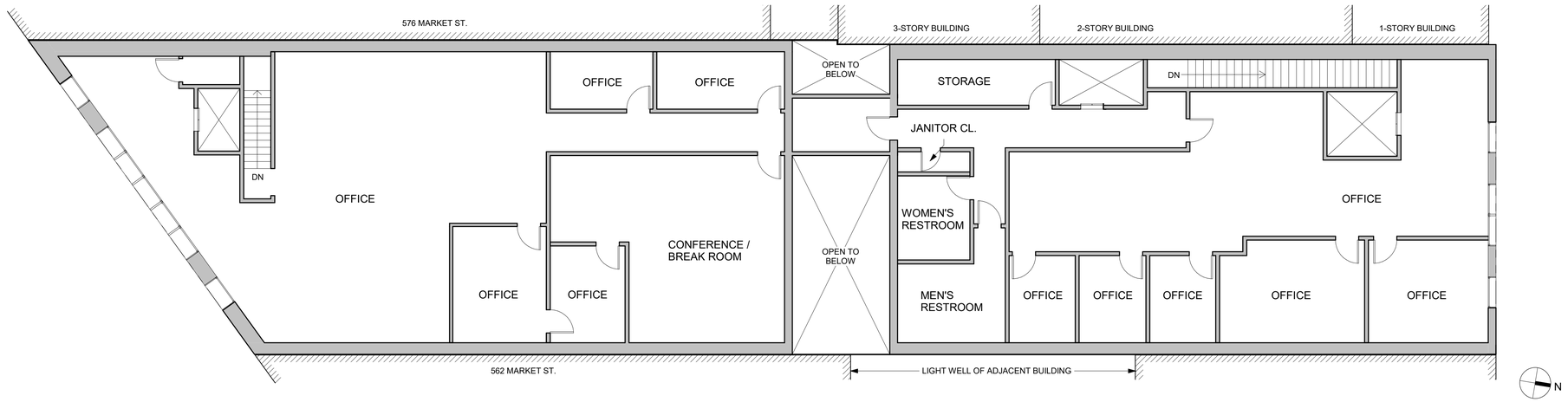


EXISTING FLOOR PLAN - ROOF
1/8" = 1'-0"

02



EXISTING FLOOR PLAN - LEVEL 02
1/8" = 1'-0"

01

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Key Plan:

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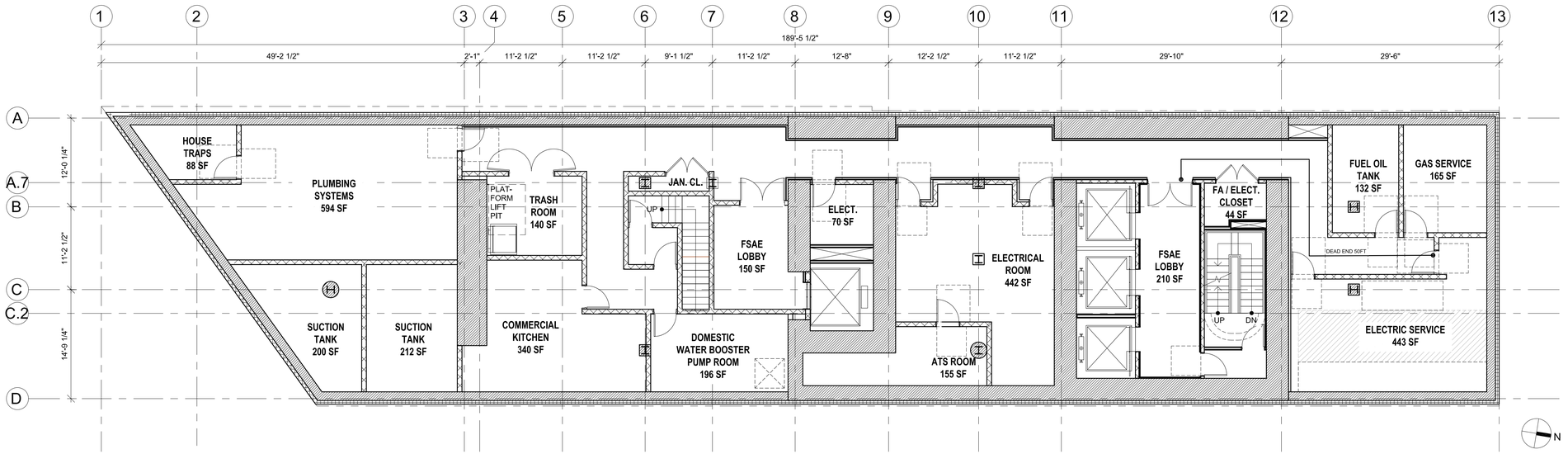
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING FLOOR PLAN - LEVEL 02 & ROOF

Sheet Number:
A-052.00

Sheet No: of



FLOOR PLAN - BASEMENT 01

1/8" = 1'-0"

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4	05-10-24	CONFORMANCE SET

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Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	1/8" = 1'-0"
Drawing By:	DFA
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Project No:	177

Drawing Title:
FLOOR PLAN - BASEMENT LEVEL

Sheet Number:
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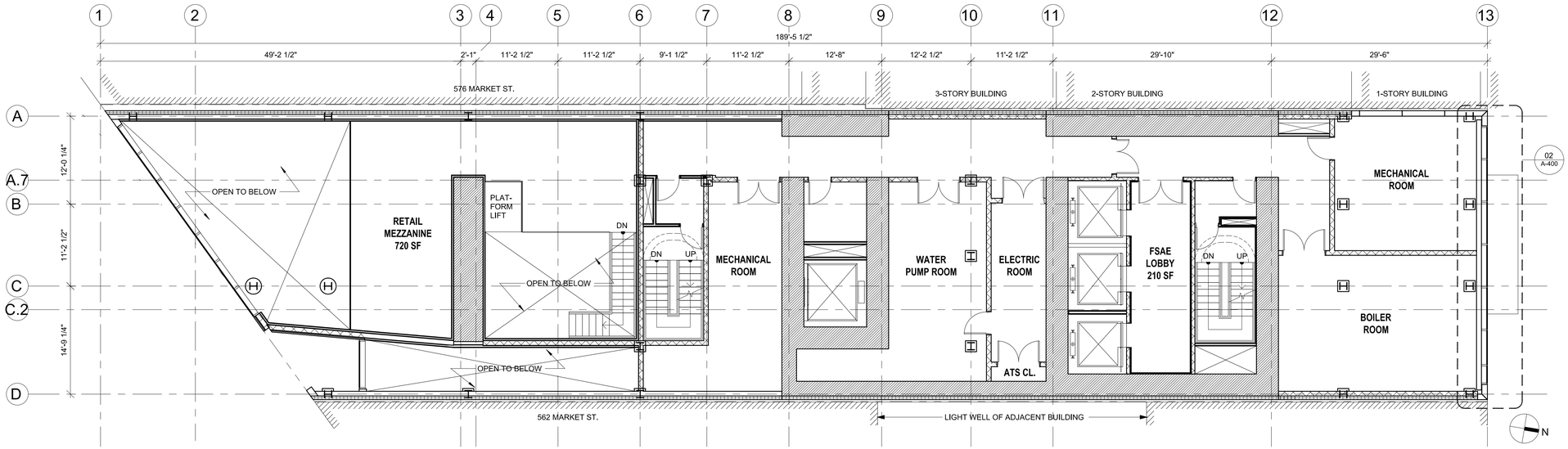
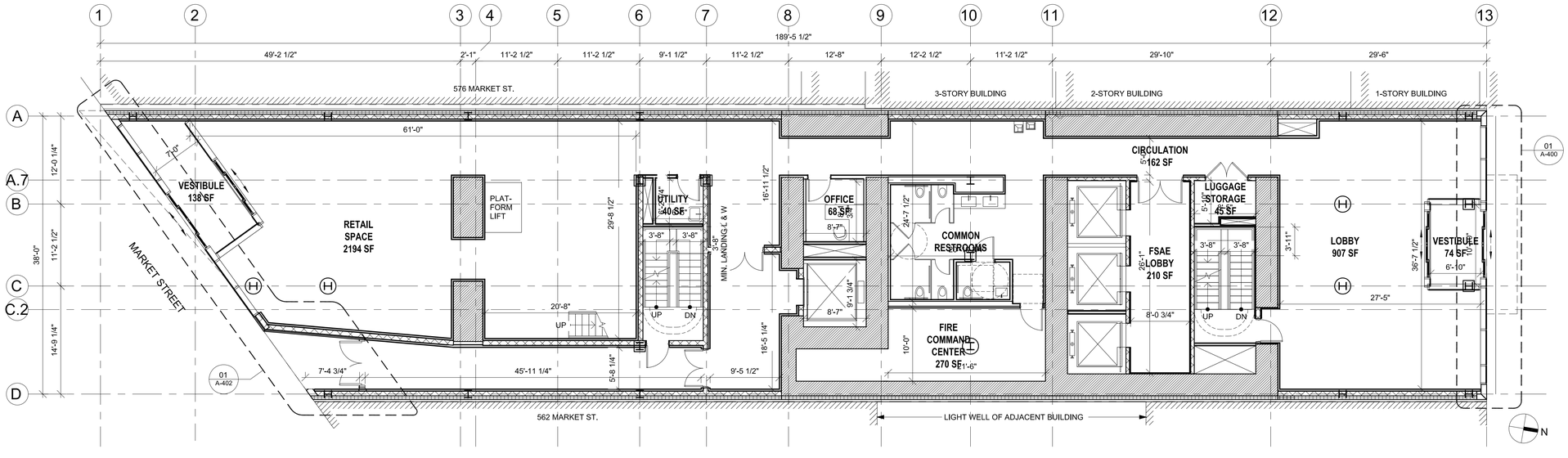
Sheet No: of



FLOOR PLAN - LEVEL 02 **02**
1/8" = 1'-0"



FLOOR PLAN - LEVEL 01 **01**
1/8" = 1'-0"

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570 MARKET STREET
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Key Plan:

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Drawing By:	DFA
Checked By:	DFA
Project No:	177

Drawing Title:
FLOOR PLAN - LEVEL 01 & LEVEL 02

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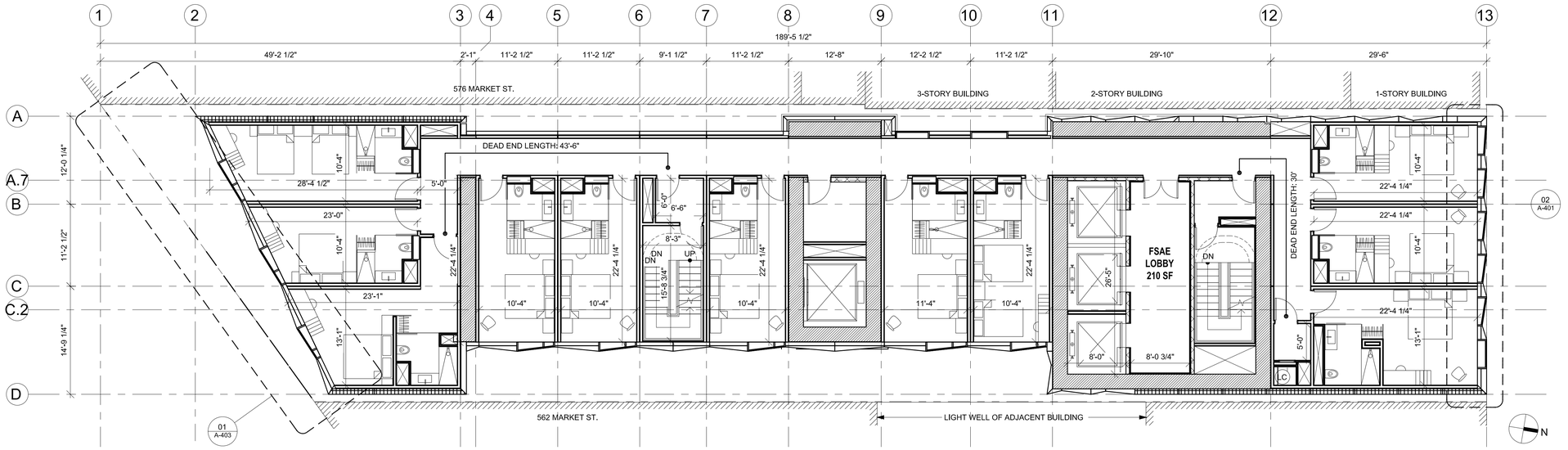
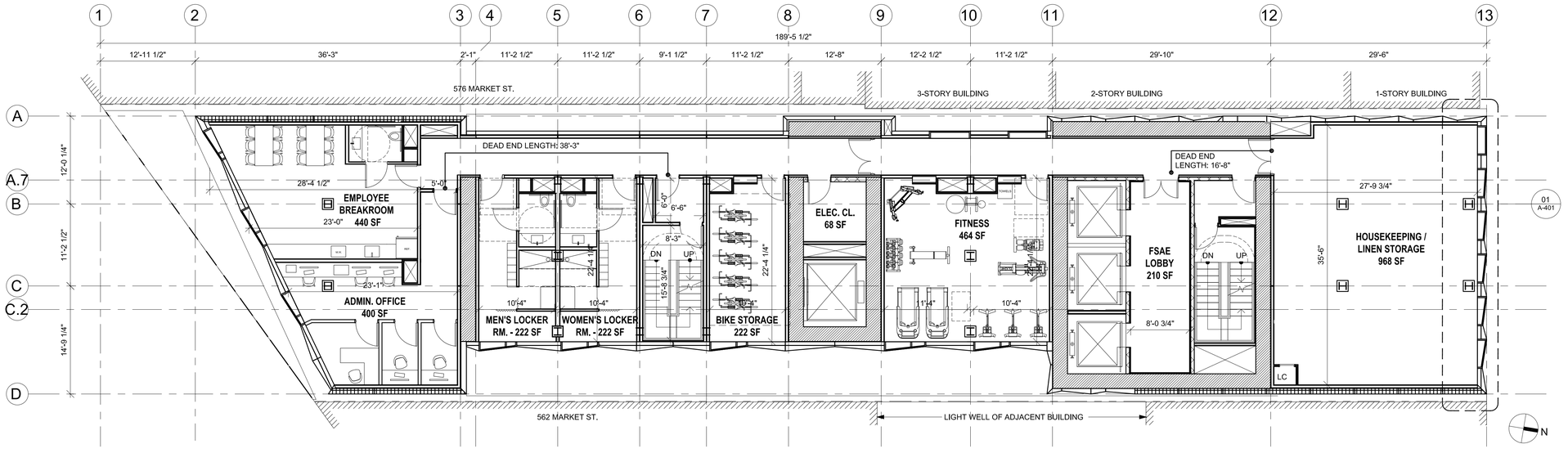


FLOOR PLAN - LEVEL 04
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 03
1/8" = 1'-0"

01

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Project No:	177

Drawing Title:
FLOOR PLAN - LEVEL 03 & LEVEL 04

Sheet Number:
A-102.02

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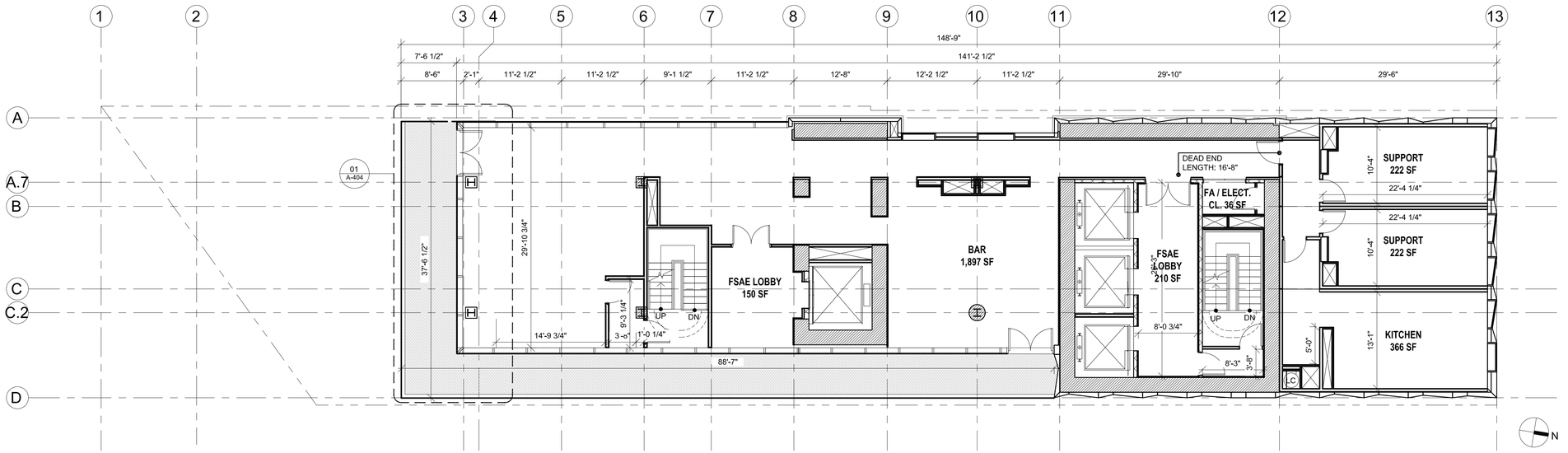
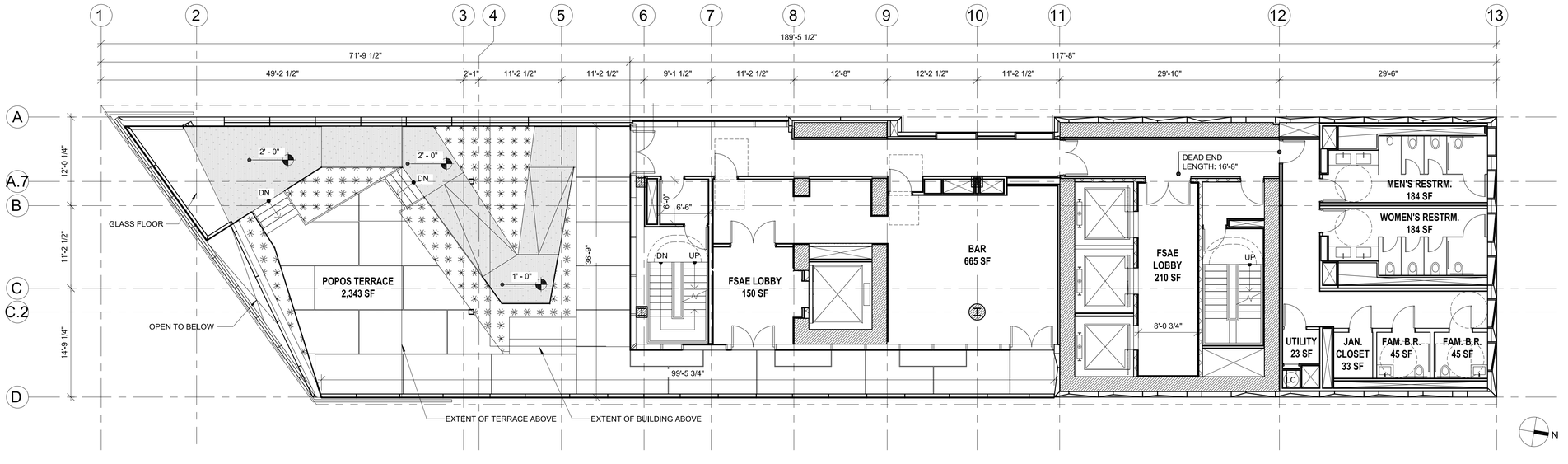


FLOOR PLAN - LEVEL 16 **02**
1/8" = 1'-0"



FLOOR PLAN - LEVEL 15 **01**
1/8" = 1'-0"

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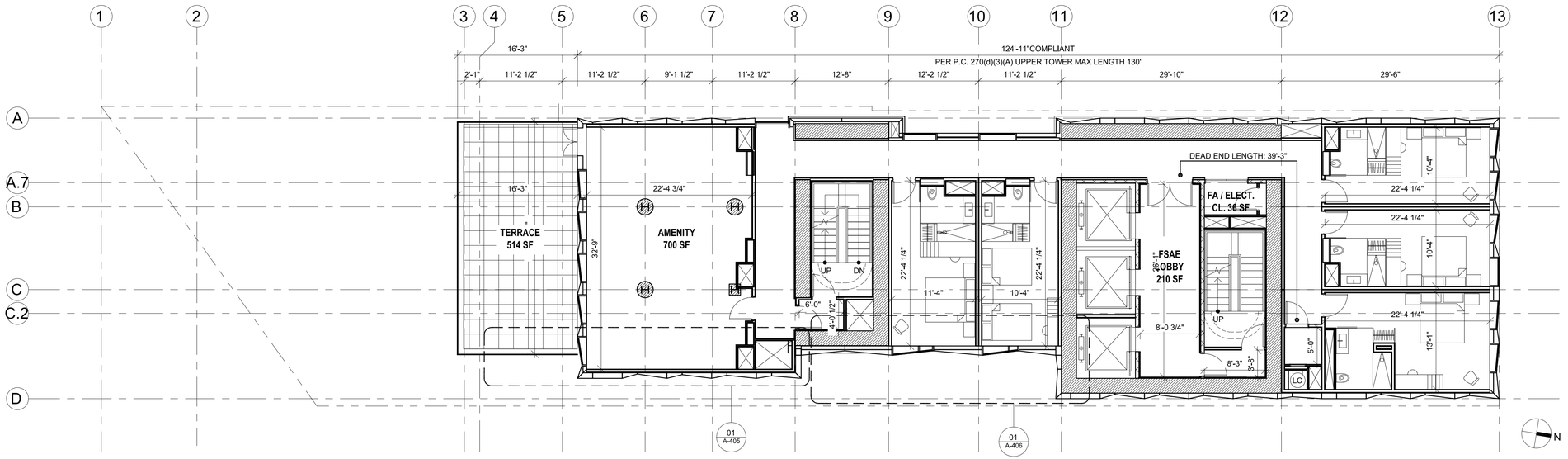
Drawing Title:
FLOOR PLAN - LEVEL 15 & LEVEL 16

Sheet Number:
A-103.02

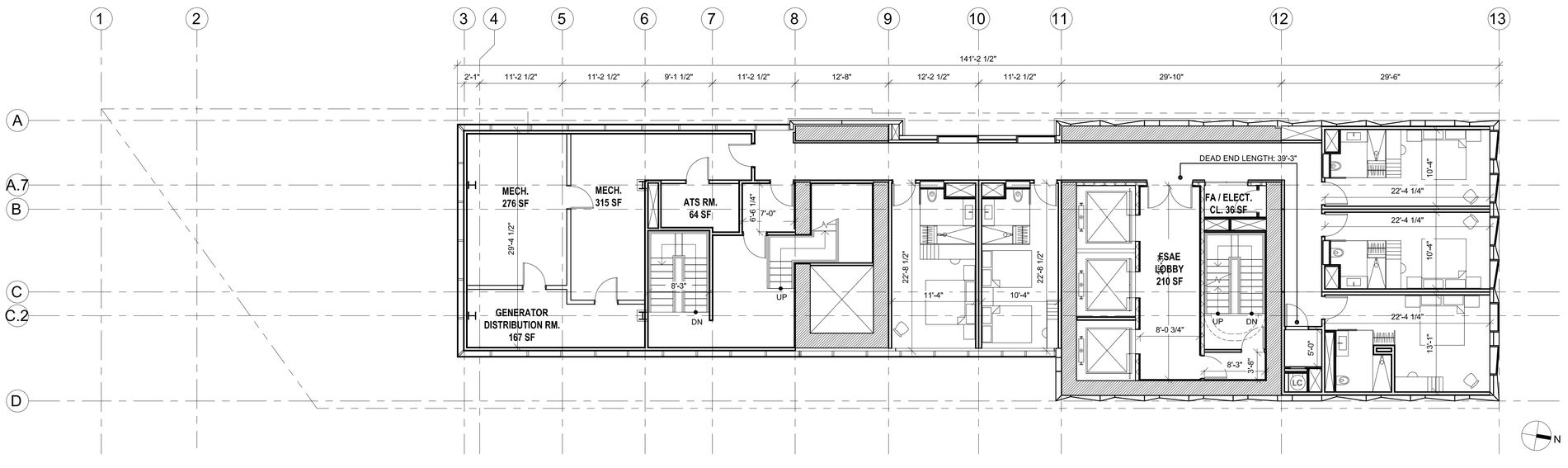
Sheet No: of



FLOOR PLAN - LEVEL 18

1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 17

1/8" = 1'-0"

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FLOOR PLAN - LEVEL 17 & LEVEL 18

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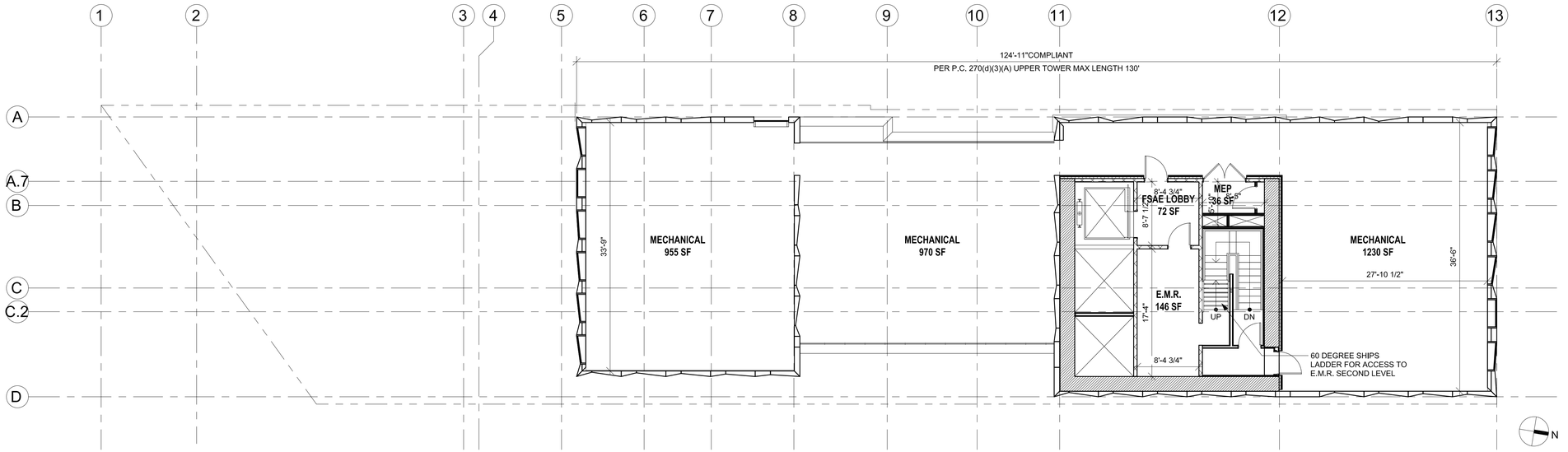
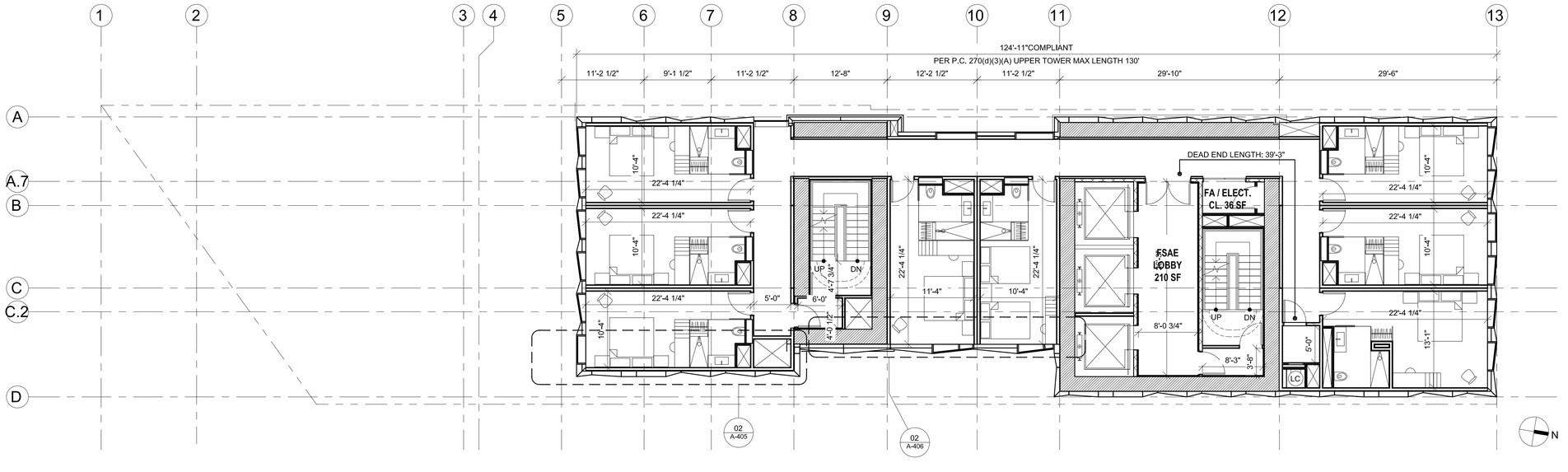
A-104.02

Sheet No: of



FLOOR PLAN - ROOF 02

1/8" = 1'-0"



FLOOR PLAN - LEVEL 19 THRU 28 01

1/8" = 1'-0"

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER
3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONFORMANCE SET

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Seal & Signature:
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LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

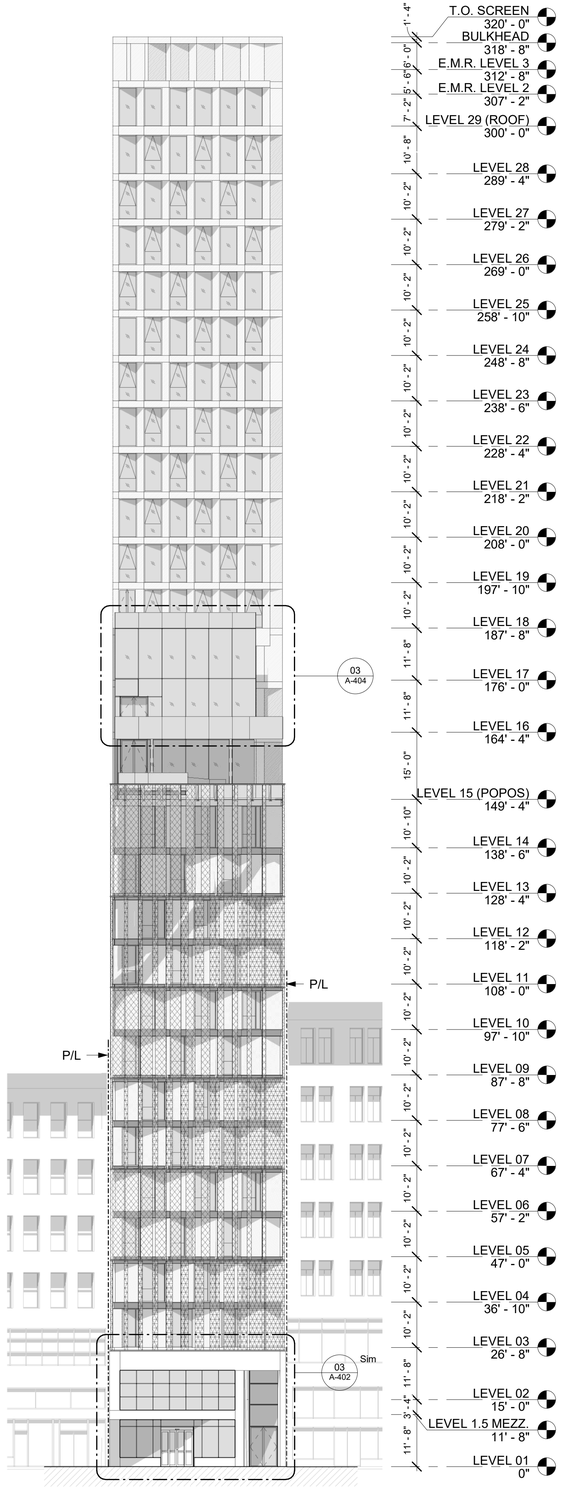
Key Plan:

Date:	05/17/2021
Scale:	1/8" = 1'-0"
Drawing By:	DFA
Checked By:	DFA
Project No:	177

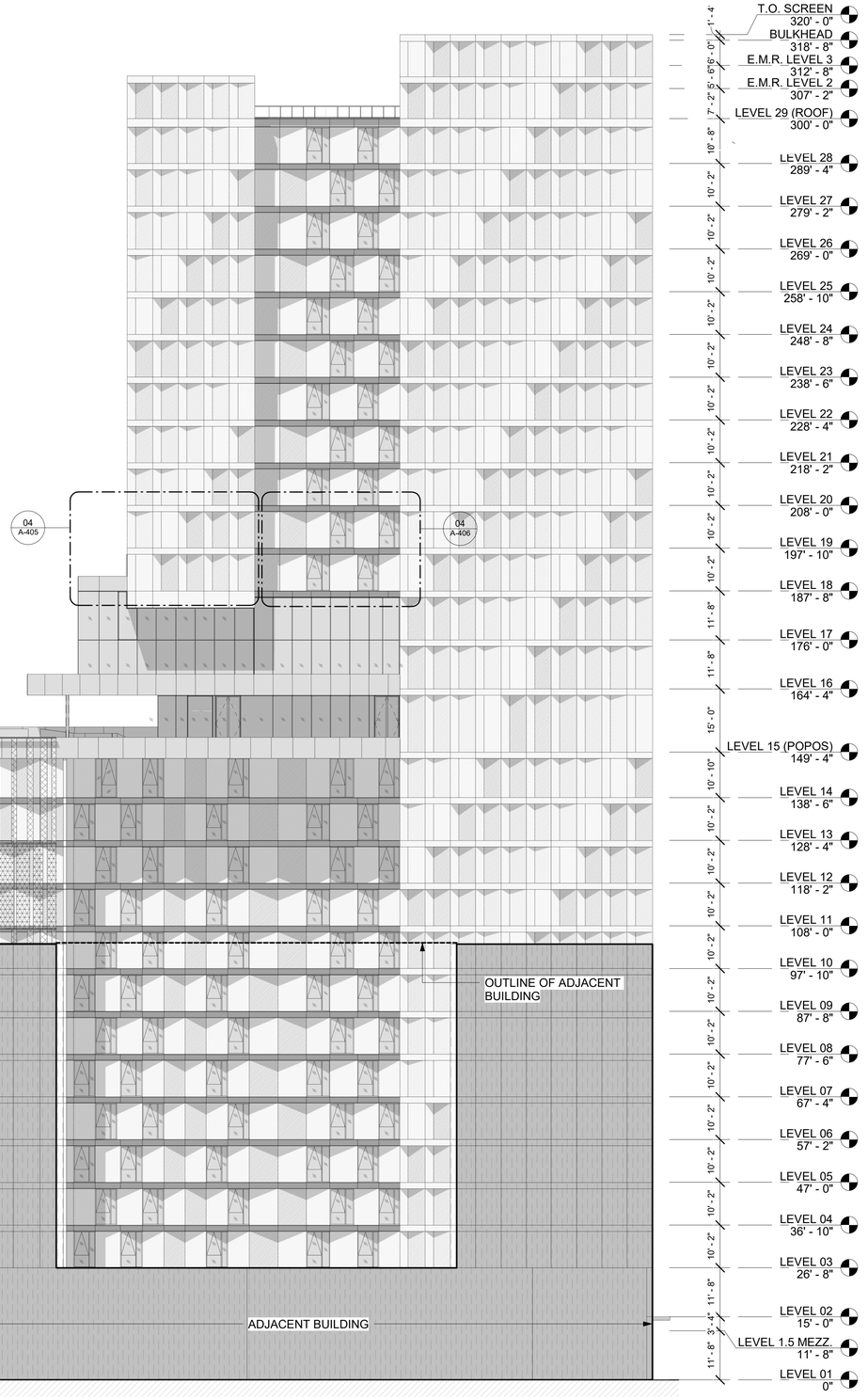
Drawing Title:
FLOOR PLAN - LEVEL 19 THRU LEVEL 28 & ROOF

Sheet Number:
A-105.02

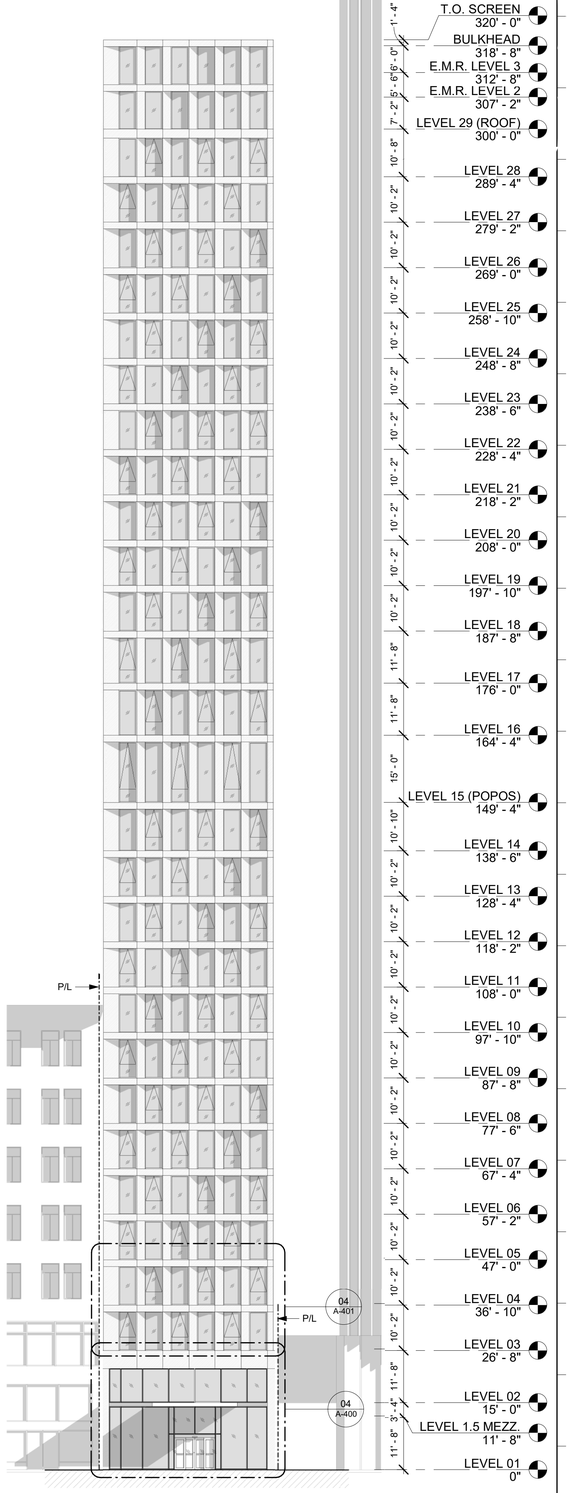
Sheet No: of



BUILDING ELEVATION - SOUTH 03
1/16" = 1'-0"



BUILDING ELEVATION - EAST 02
1/16" = 1'-0"



BUILDING ELEVATION - NORTH 01
1/16" = 1'-0"

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LICENSED ARCHITECT
JASON BUCHWEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

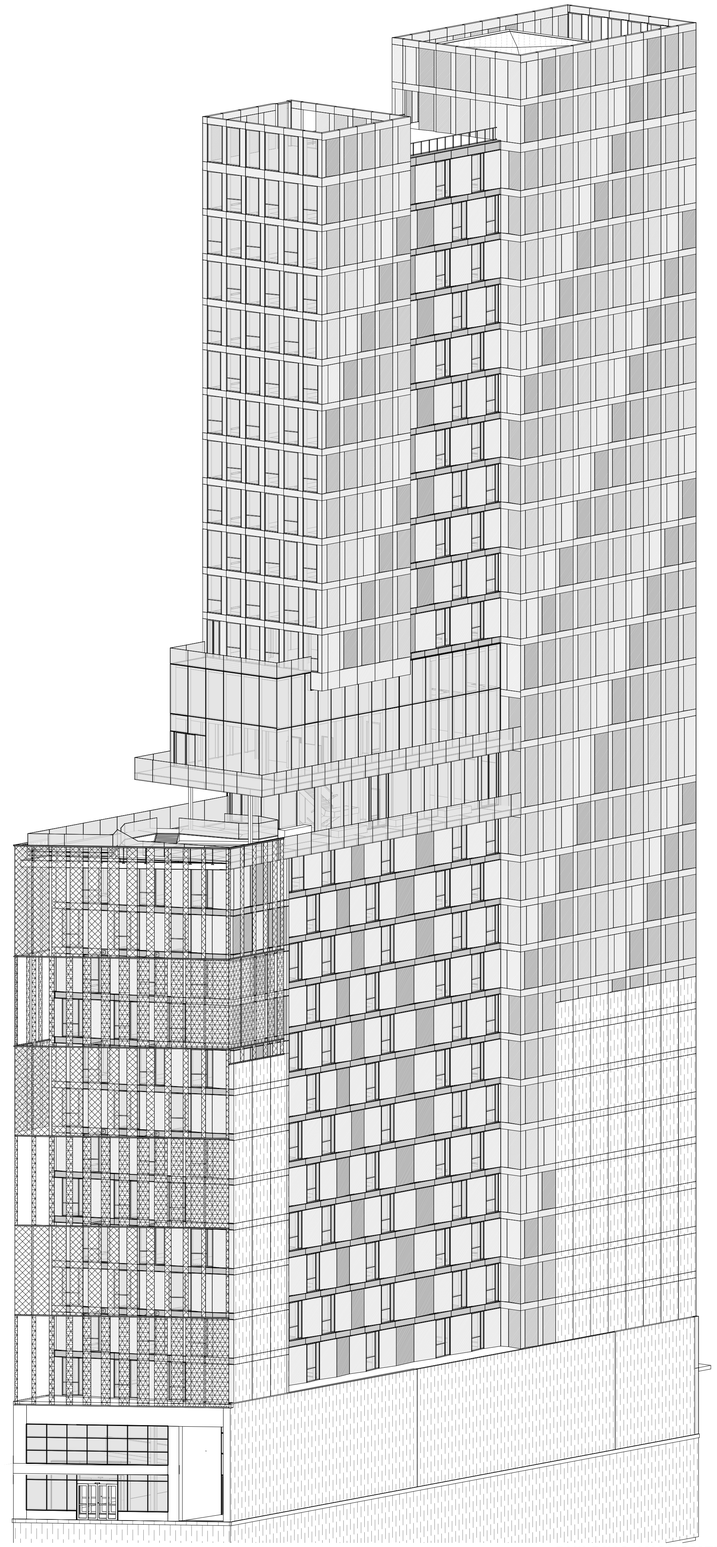
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

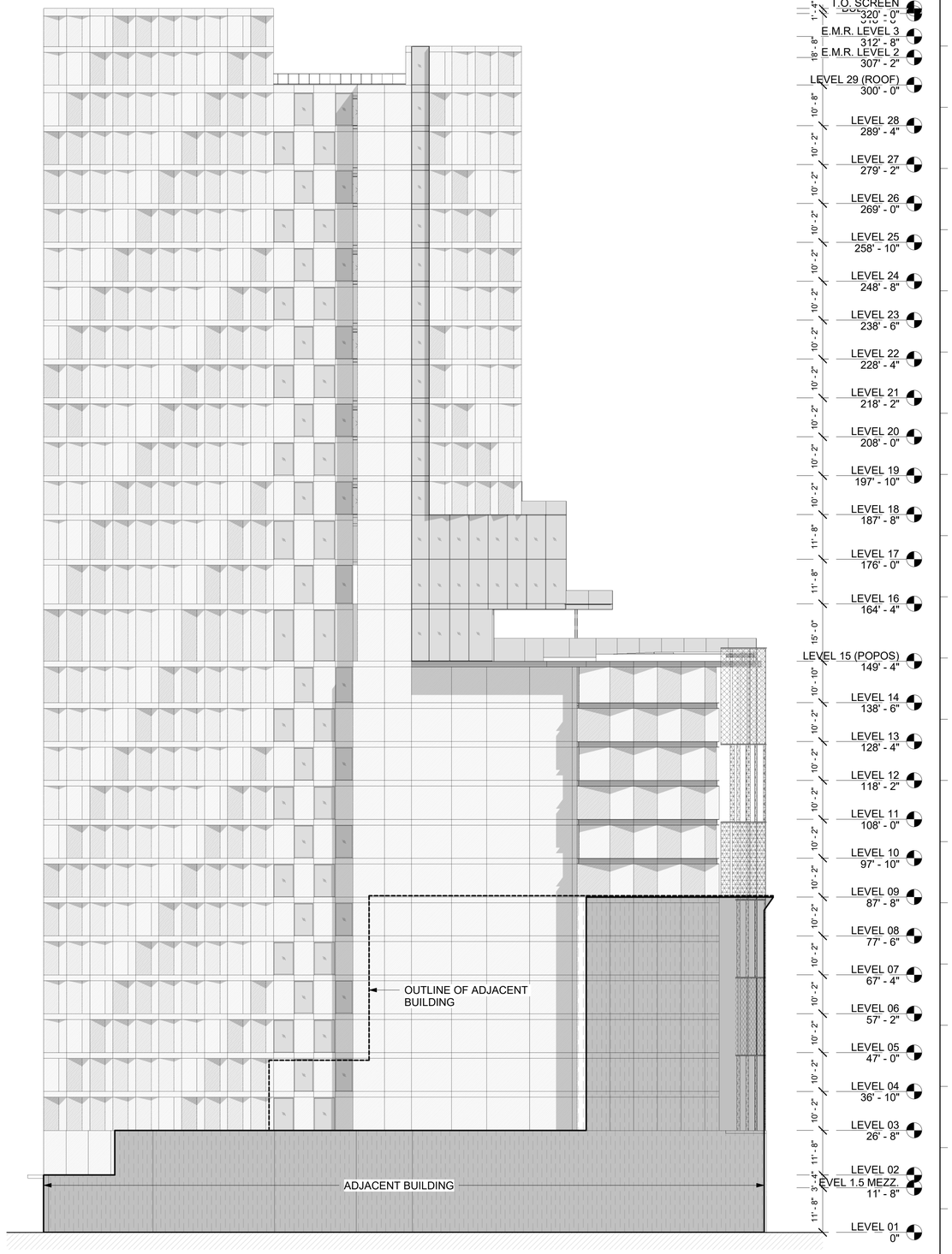
Drawing Title:
BUILDING ELEVATIONS

Sheet Number:
A-200.02

Sheet No: of



BUILDING AXONOMETRIC 02



BUILDING ELEVATION - WEST
1/16" = 1'-0" 01

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570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
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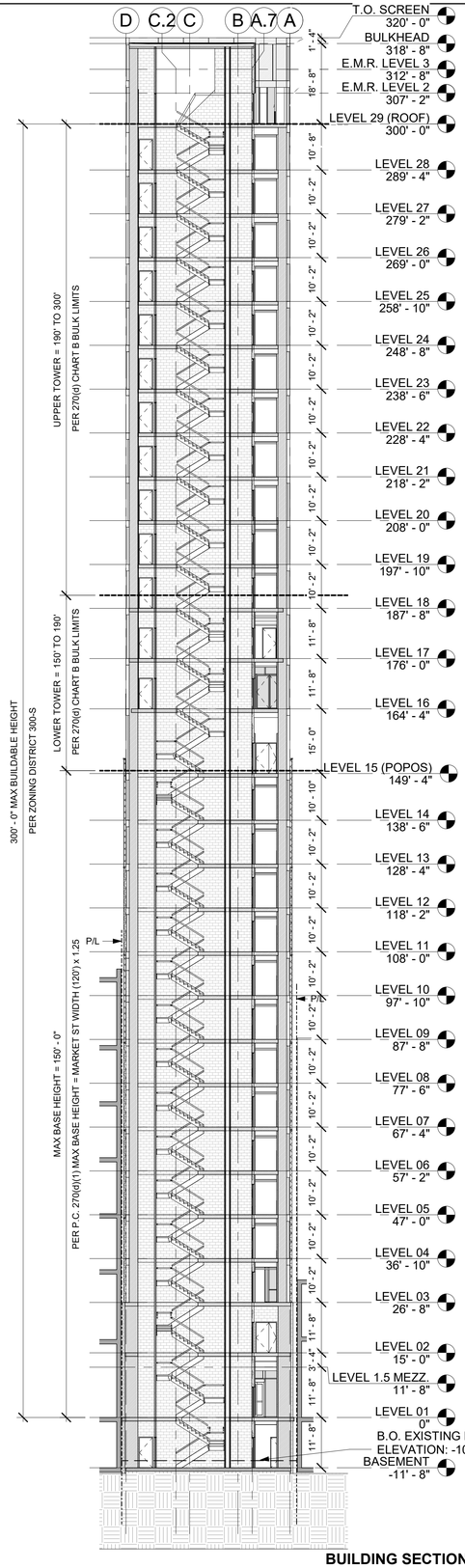
Checked By:	Checker
Project No:	177

Drawing Title:
BUILDING ELEVATIONS

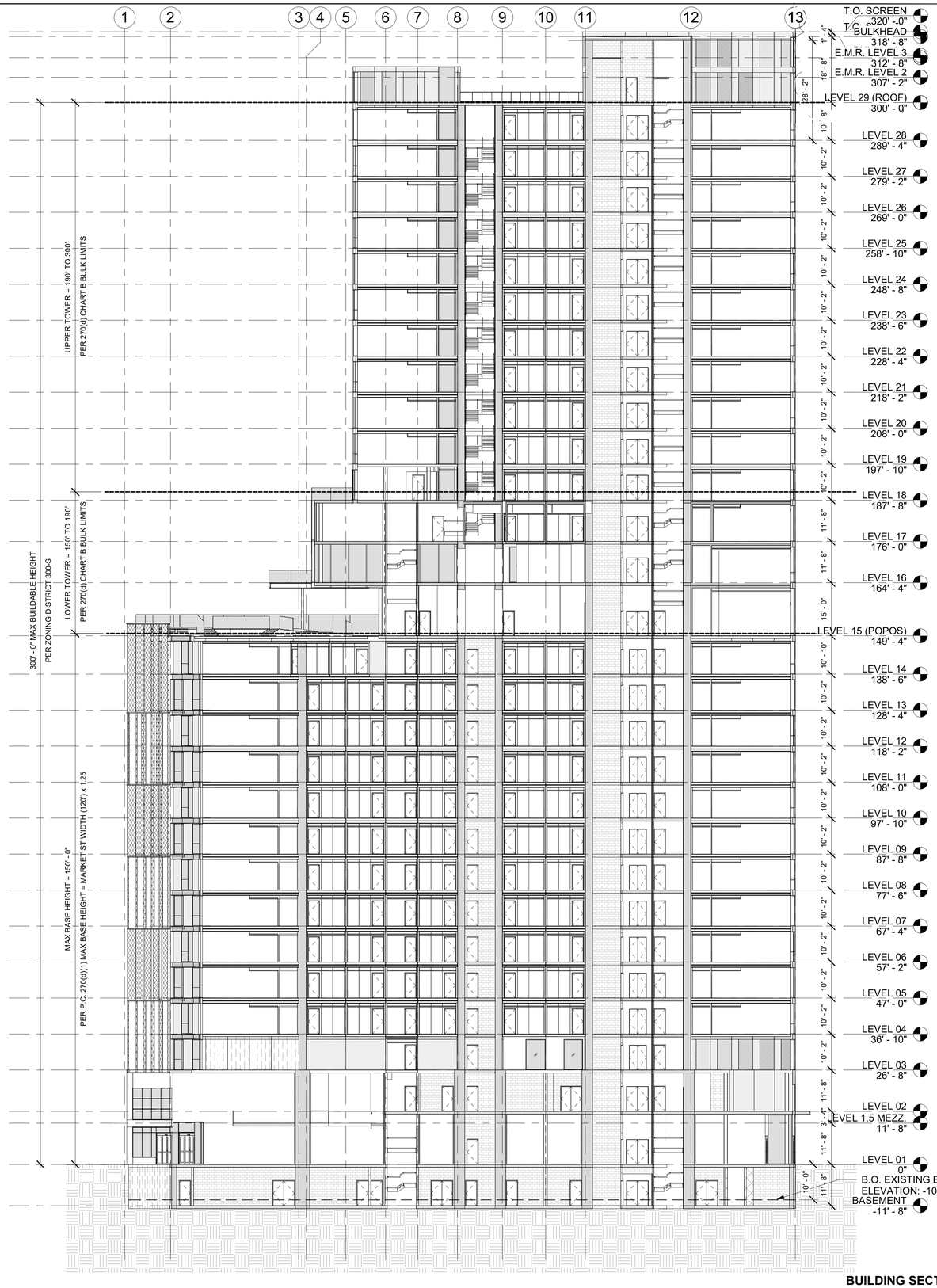
Sheet Number:
A-201.01

Sheet No: of



BUILDING SECTION E/W 01
1/16" = 1'-0"

02



BUILDING SECTION N/S 01
1/16" = 1'-0"

01

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Project Title:
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570 MARKET STREET
SAN FRANCISCO, CA

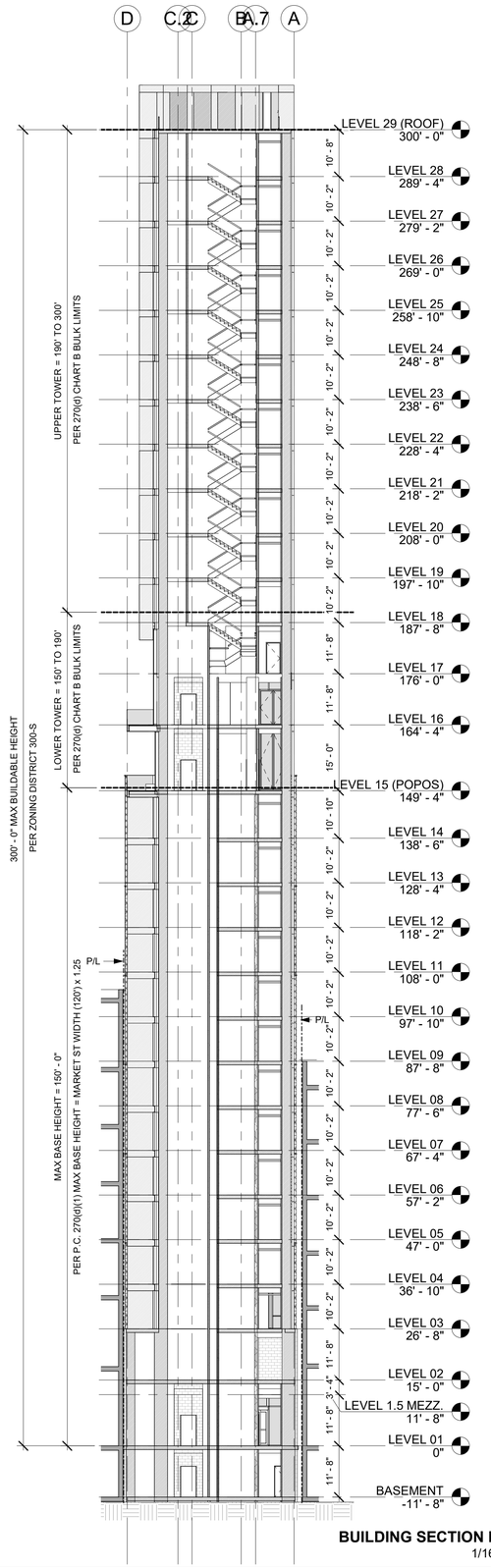
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
BUILDING SECTIONS

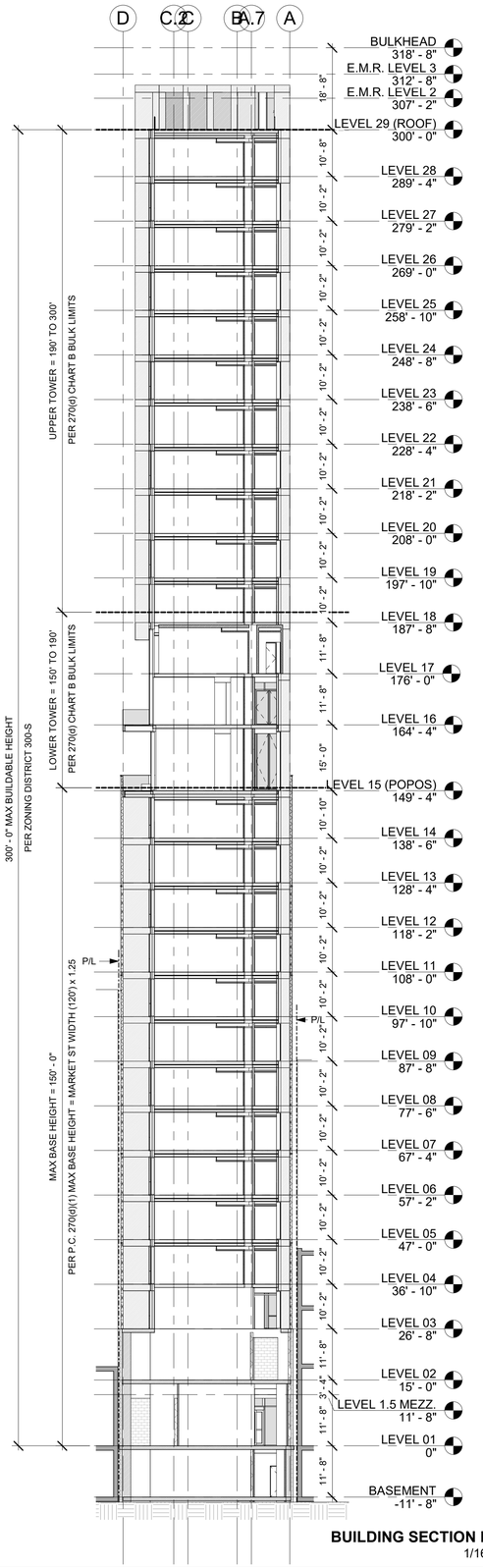
Sheet Number:
A-300.01

Sheet No: of



BUILDING SECTION E/W 03
1/16" = 1'-0"

02



BUILDING SECTION E/W 02
1/16" = 1'-0"

01

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LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

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570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

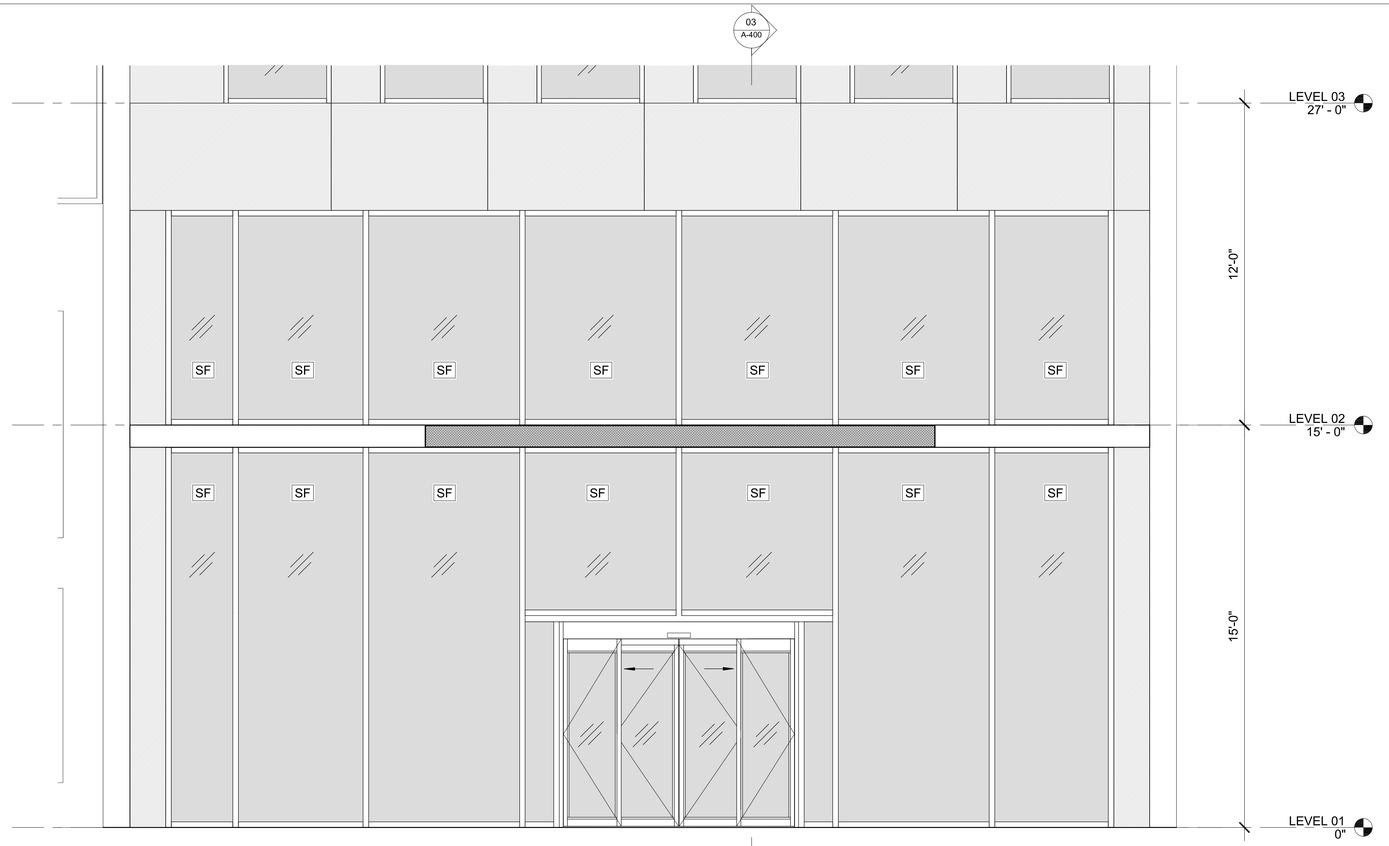
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
BUILDING SECTIONS

Sheet Number:
A-301.01

Sheet No: of



ENLARGED BUILDING ELEVATION - NORTH - ENTRY 04

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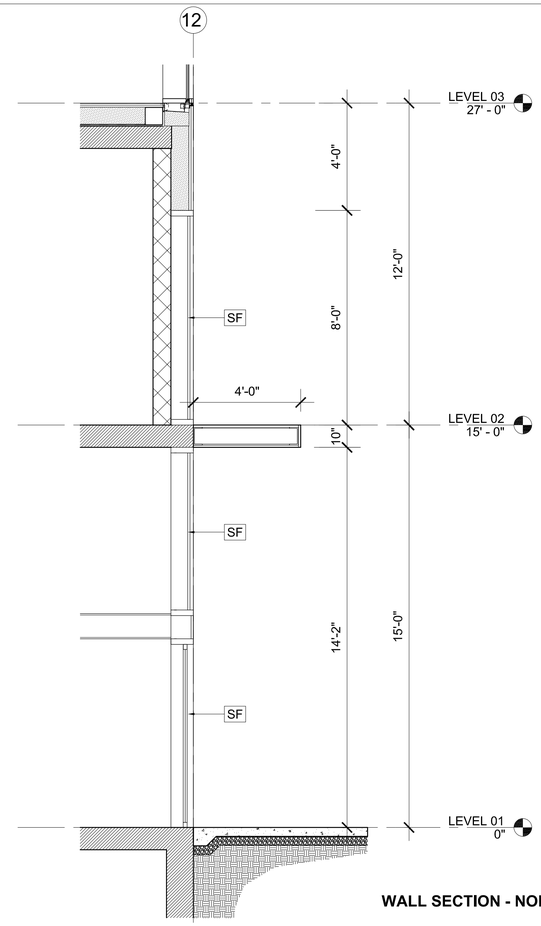
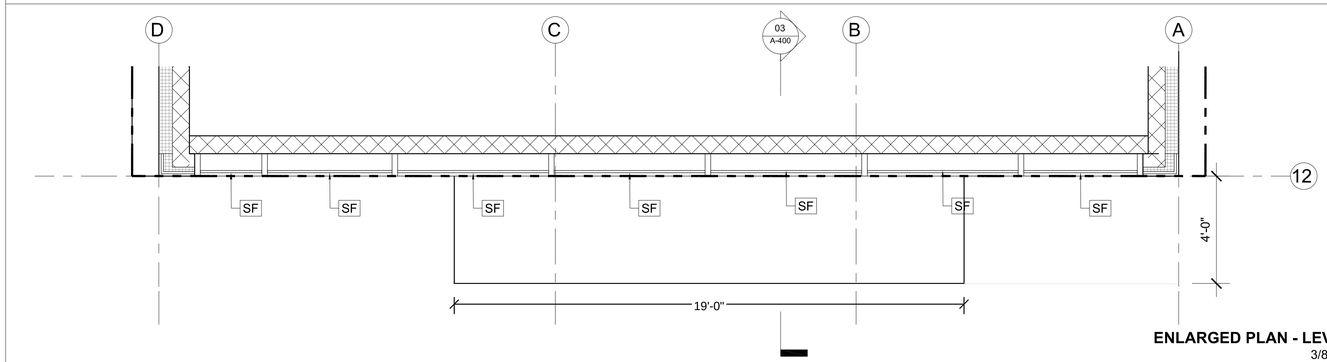


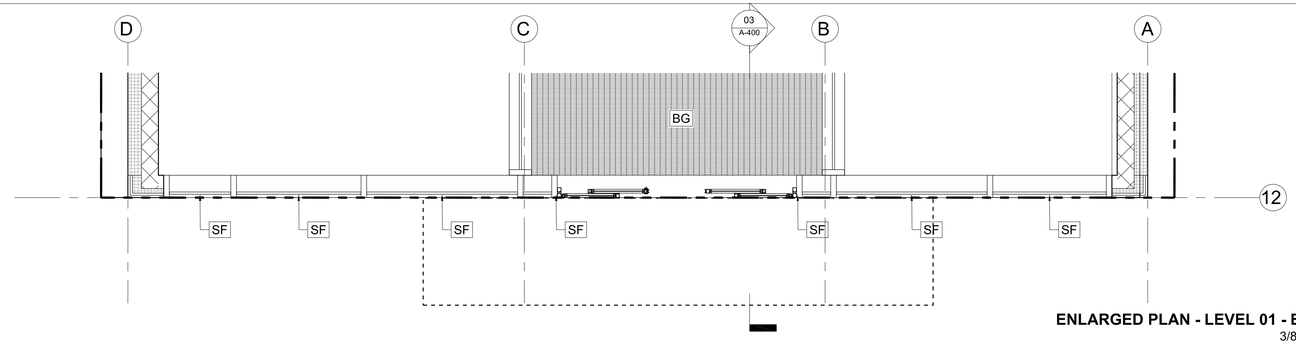
WALL SECTION - NORTH - ENTRY 03

3/8" = 1'-0"



ENLARGED PLAN - LEVEL 02

3/8" = 1'-0"



ENLARGED PLAN - LEVEL 01 - ENTRY 01

3/8" = 1'-0"

BG
BAR GRATING

SF
STOREFRONT GLASS

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Seal & Signature:
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Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

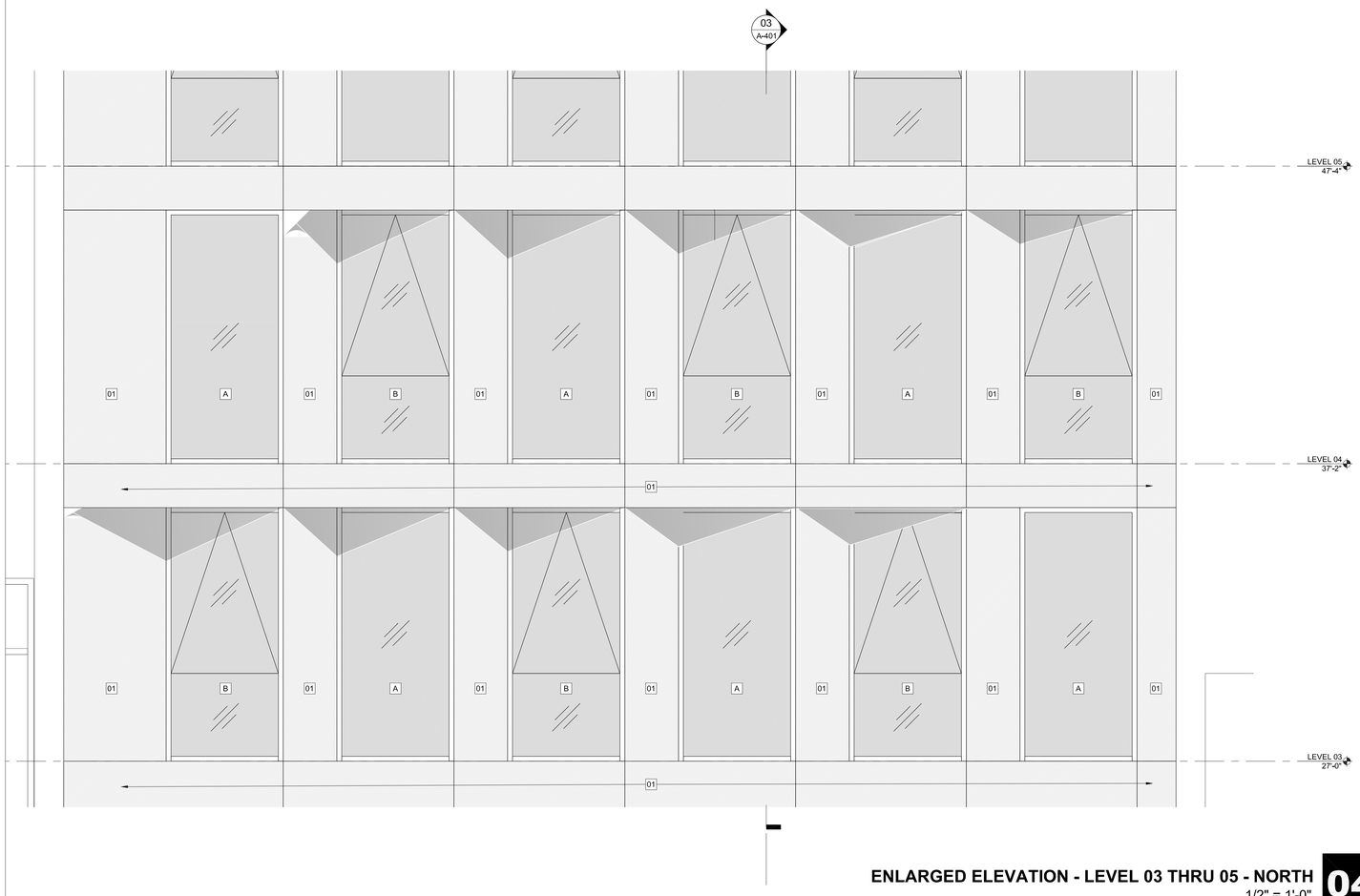
Key Plan:

Date: 05/10/2024
Scale: 3/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

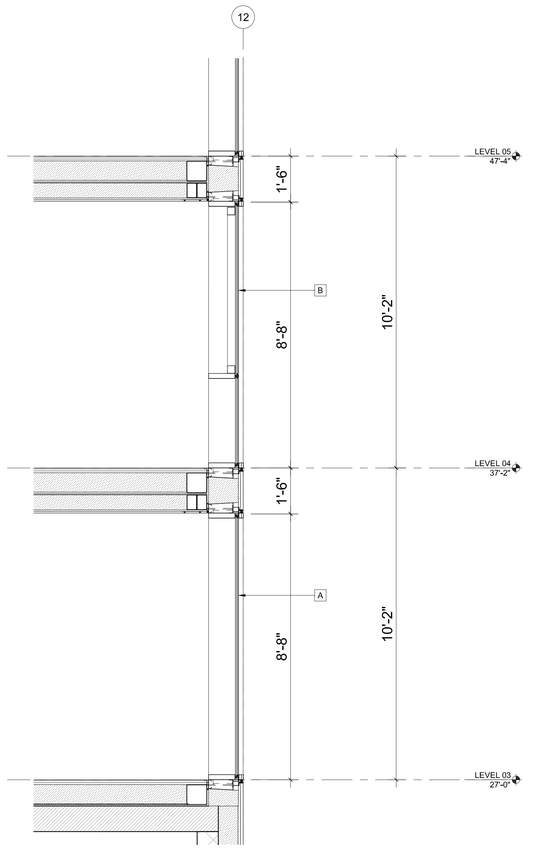
Sheet Number:
A-400.01

Sheet No: of



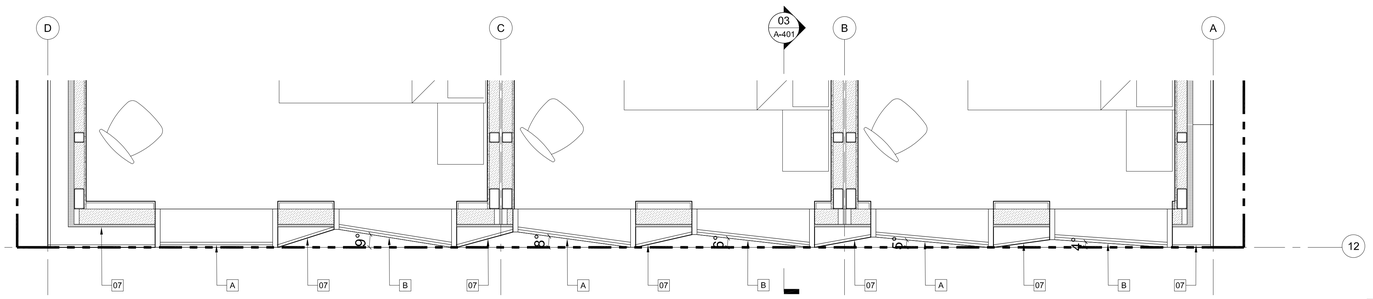
ENLARGED ELEVATION - LEVEL 03 THRU 05 - NORTH
1/2" = 1'-0"

04



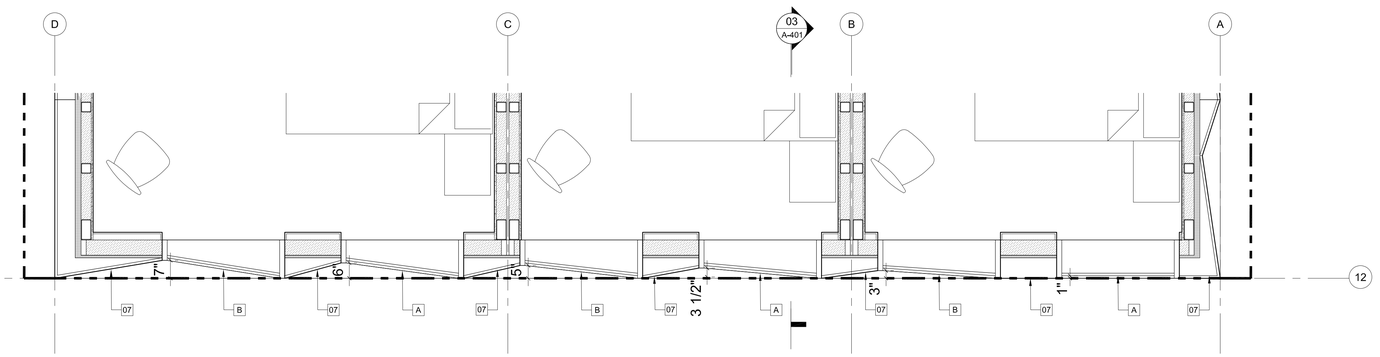
WALL SECTION - LEVEL 03 THRU 05 - NORTH
1/2" = 1'-0"

03



ENLARGED PLAN - LEVEL 04 - NORTH
1/2" = 1'-0"

02



ENLARGED PLAN - LEVEL 03 - NORTH
1/2" = 1'-0"

01

01
EQUITONE
NATURA N164

B
TILT WINDOW WITH FIXED
BOTTOM PANEL

A
FIXED WINDOW

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LICENSED ARCHITECT
JASON BENFIELD
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

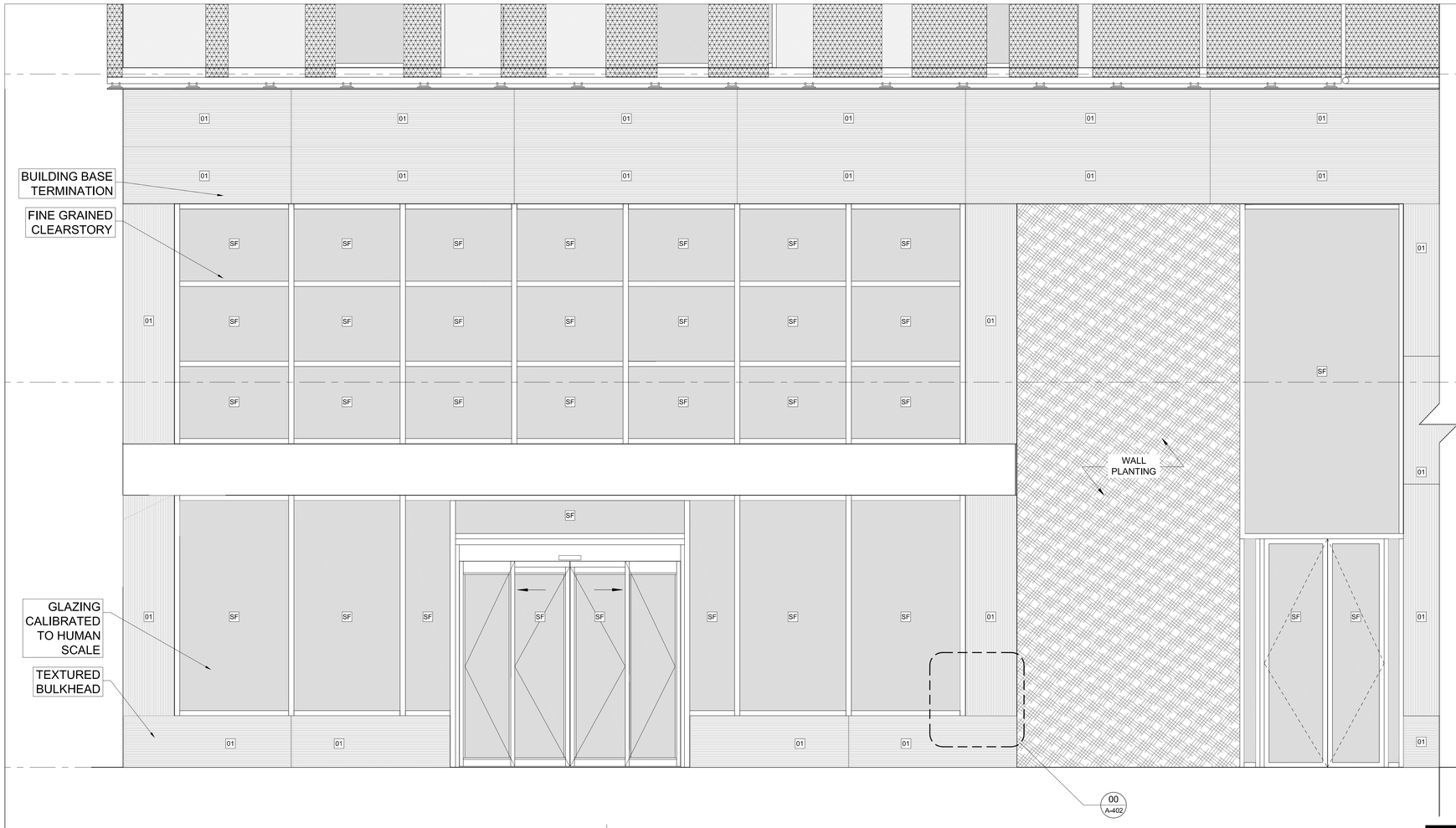
Key Plan:

Date:	05/10/2024
Scale:	1/2" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

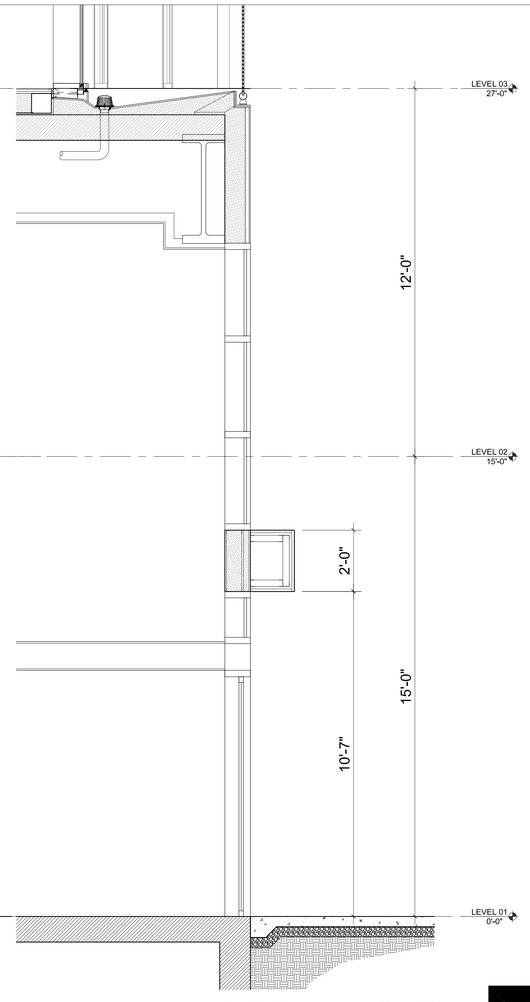
Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-401.01

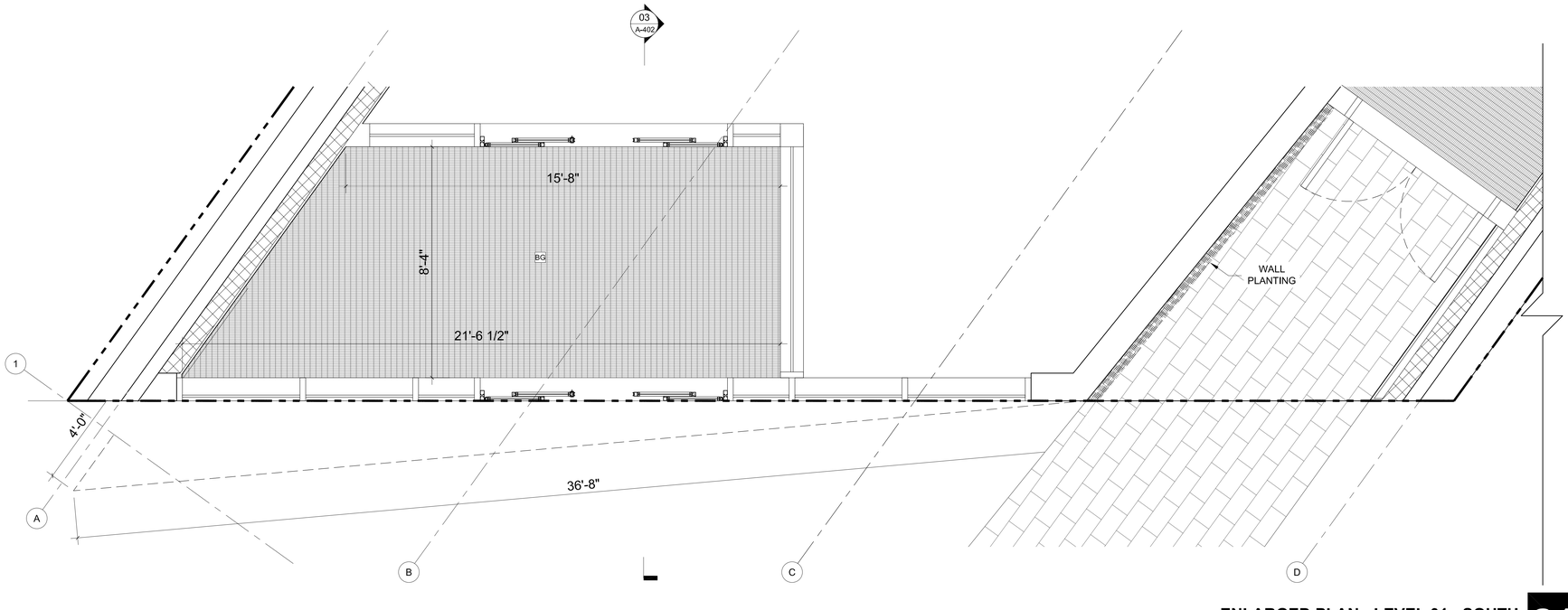
Sheet No: of



ENLARGED ELEVATION - LEVEL 01 - SOUTH
1/2" = 1'-0" **03**

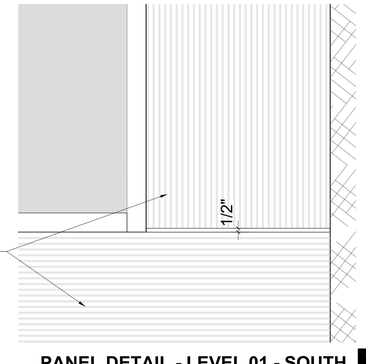


WALL SECTION - LEVEL 01 - SOUTH
1/2" = 1'-0" **02**

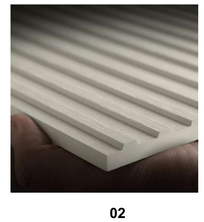


ENLARGED PLAN - LEVEL 01 - SOUTH
1/2" = 1'-0" **01**

PANEL TEXTURE ROTATES DEPENDING ON HORIZONTAL OR VERTICAL APPLICATION



PANEL DETAIL - LEVEL 01 - SOUTH
1 1/2" = 1'-0" **00**



02
EQUITONE
LINEA LT 90

SF
STOREFRONT
GLASS

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10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

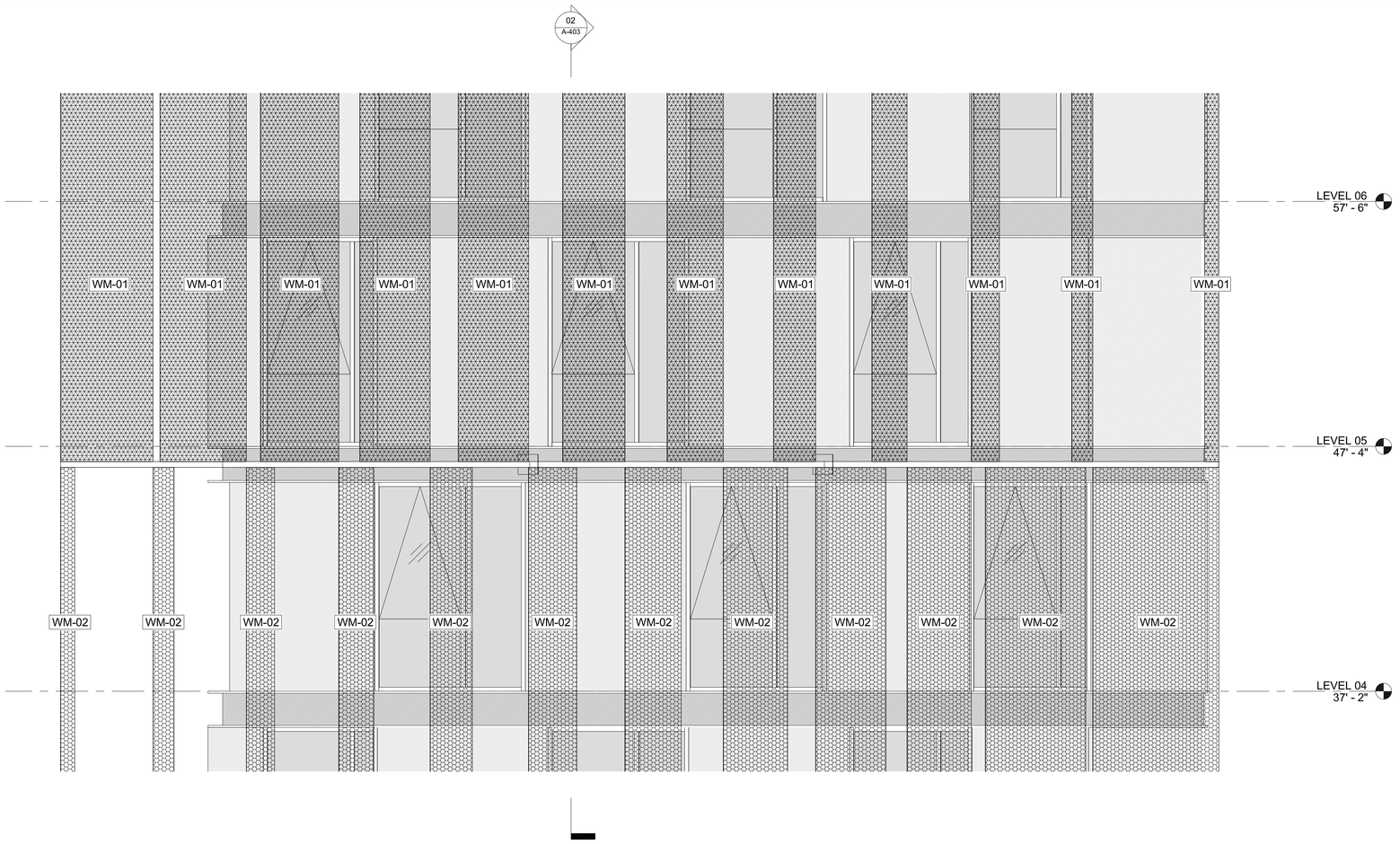
Key Plan:

Date: 05/10/2024
Scale: 1/2" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

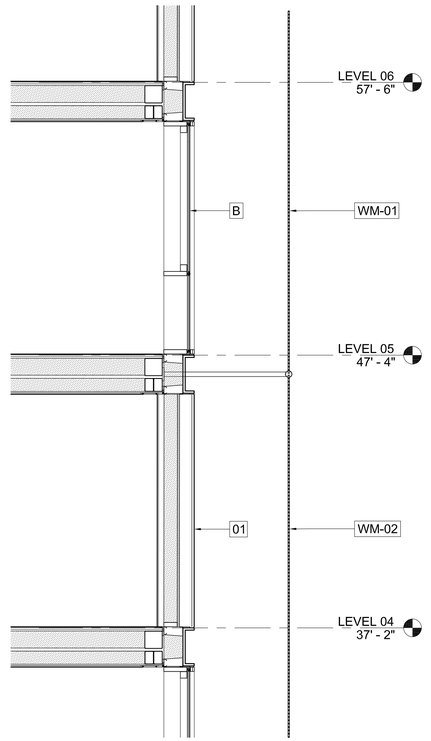
Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-402.01

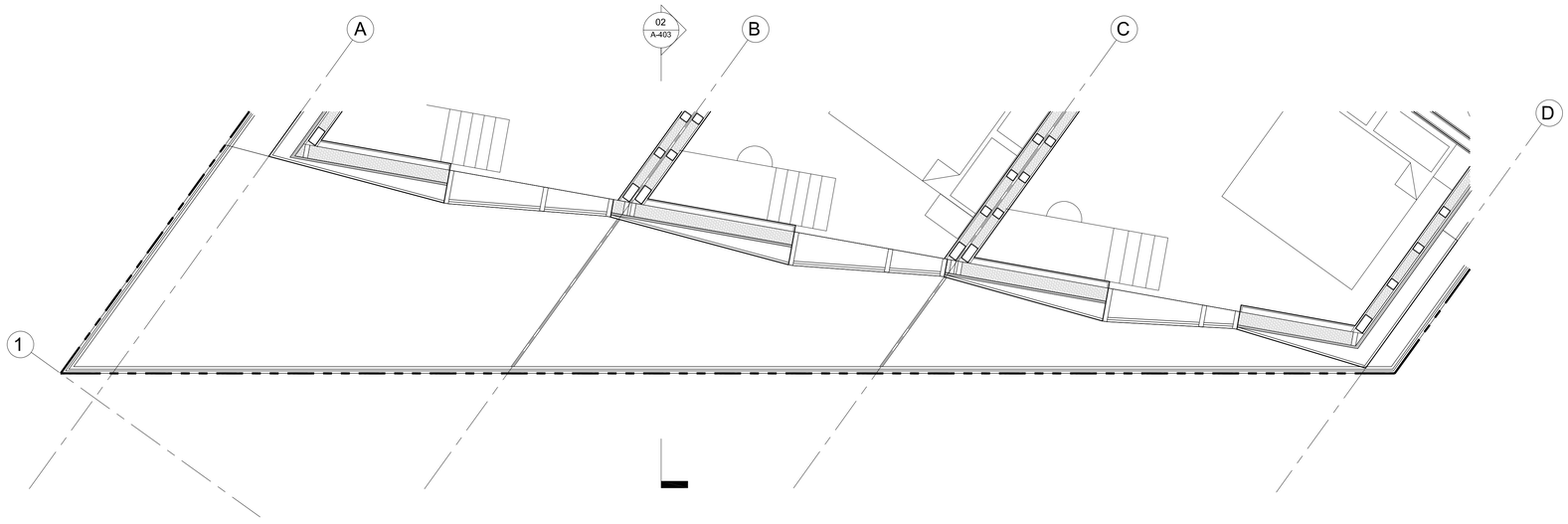
Sheet No: of



ENLARGED ELEVATION - LEVEL 04 THRU 06 - SOUTH
3/8" = 1'-0"
03



WALL SECTION - LEVEL 04 THRU 06 - SOUTH
3/8" = 1'-0"
02



ENALRGED PLAN - LEVEL 04 - SOUTH
01

WM-01
WIRE MESH - 59%
TRANSPARENCY

WM-02
WIRE MESH - 80%
TRANSPARENCY

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

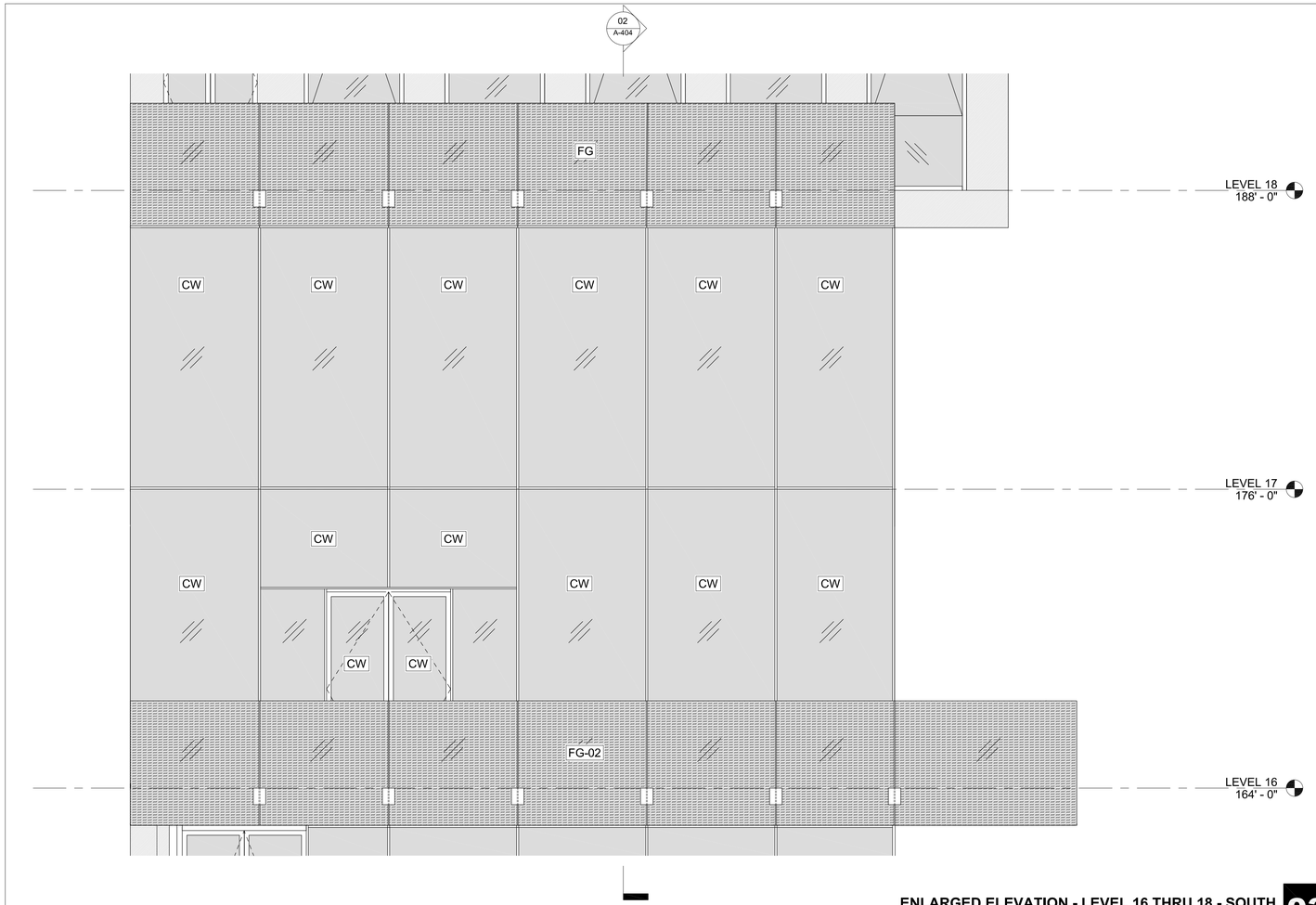
Key Plan:

Date: 05/10/2024
Scale: 3/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

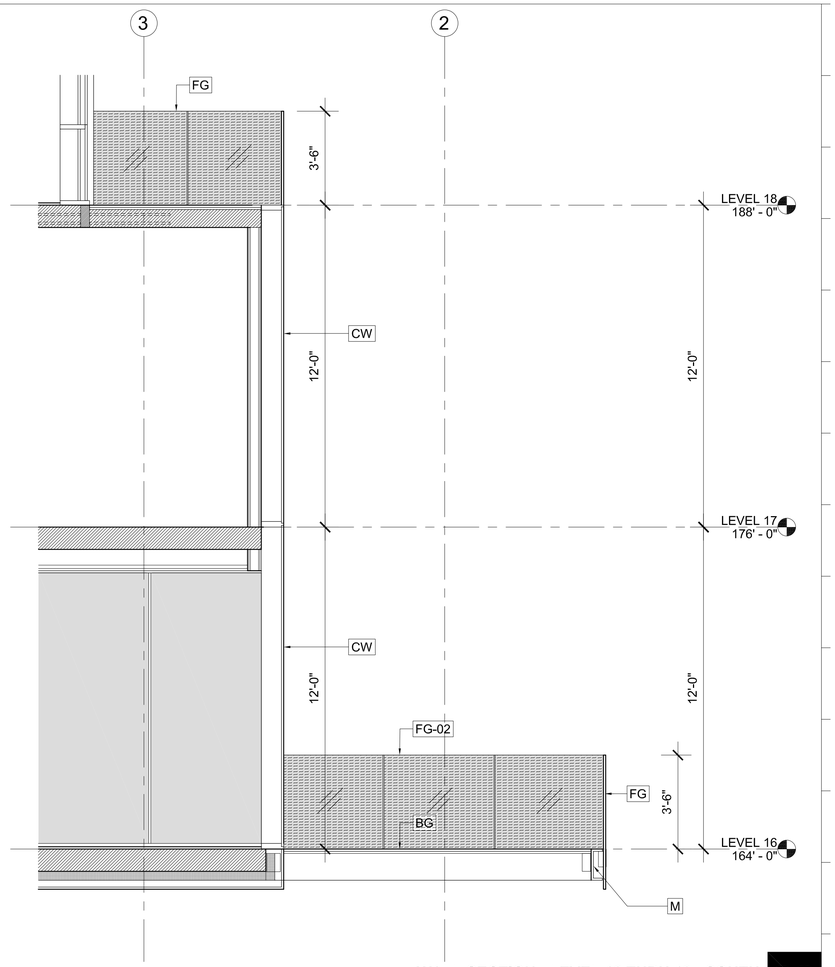
Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-403.00

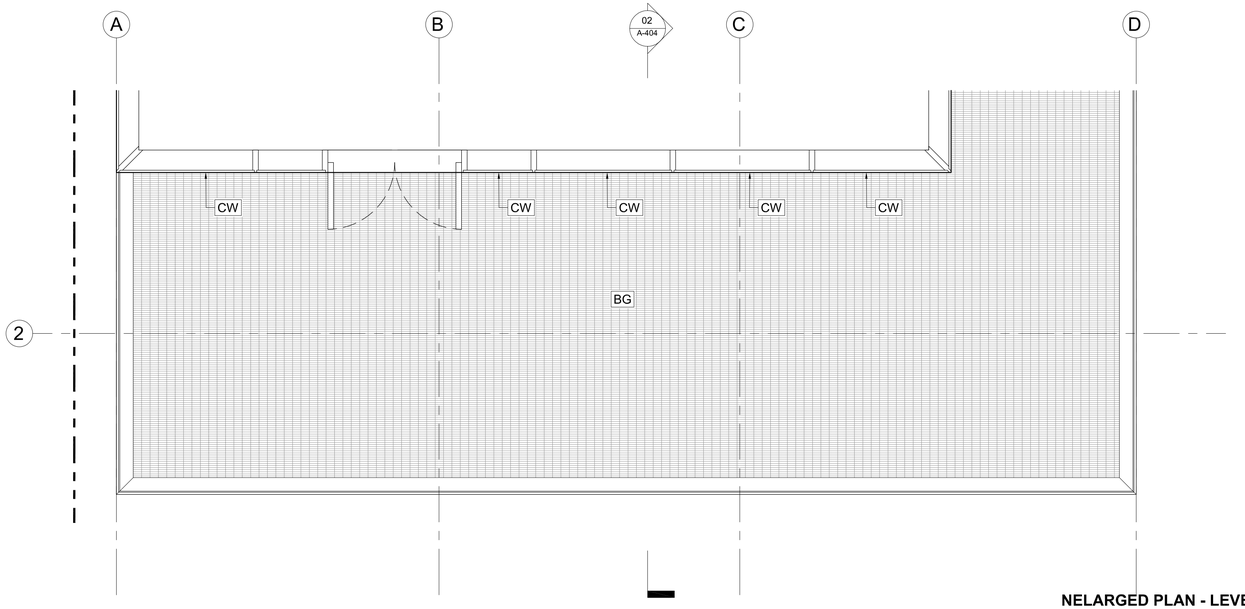
Sheet No: of



ENLARGED ELEVATION - LEVEL 16 THRU 18 - SOUTH **03**
3/8" = 1'-0"

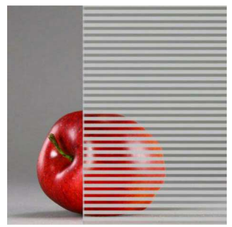


WALL SECTION - LEVEL 16 THRU 18 - SOUTH **02**
3/8" = 1'-0"



NELARGED PLAN - LEVEL 16 - SOUTH **01**
3/8" = 1'-0"

M
SLAB EDGE CAP
GREY STEEL
C-CHANNEL



FG-02
BIRD SAFE
FRITTED GLASS

CW
SSG CURTAIN WALL

BG
BAR GRATING

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LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

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570 MARKET STREET
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Key Plan:

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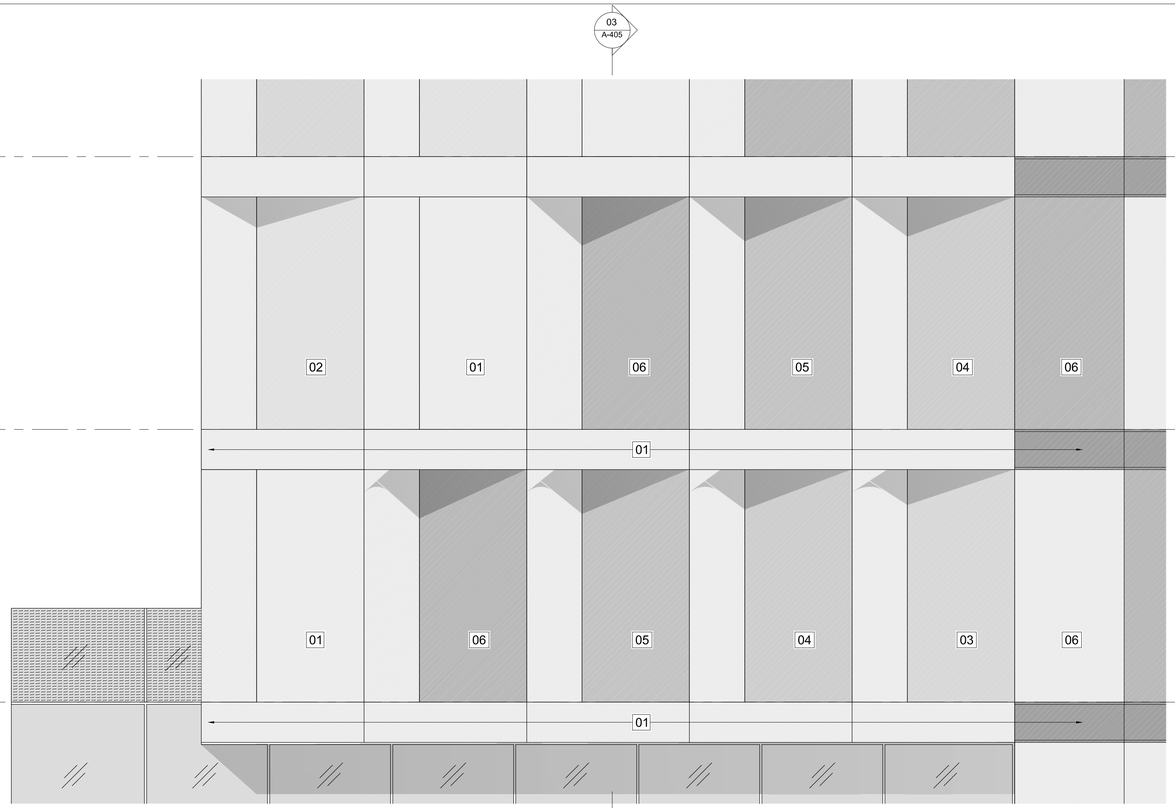
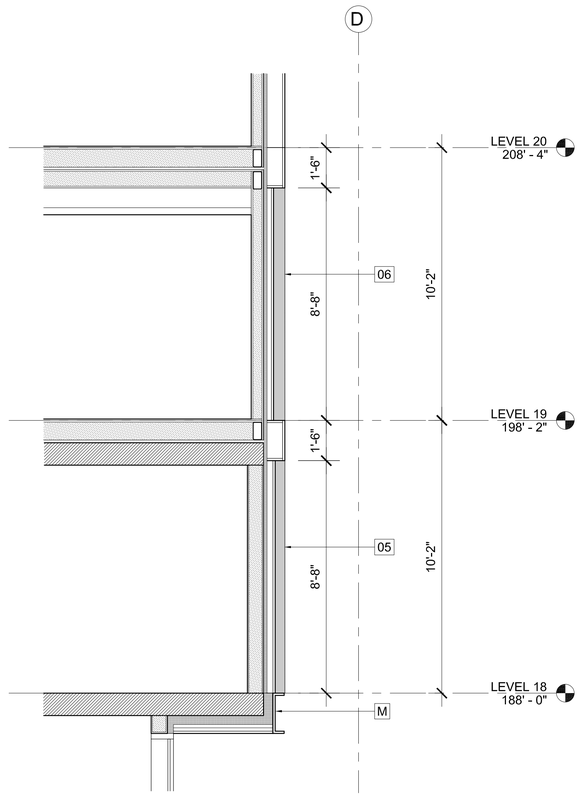
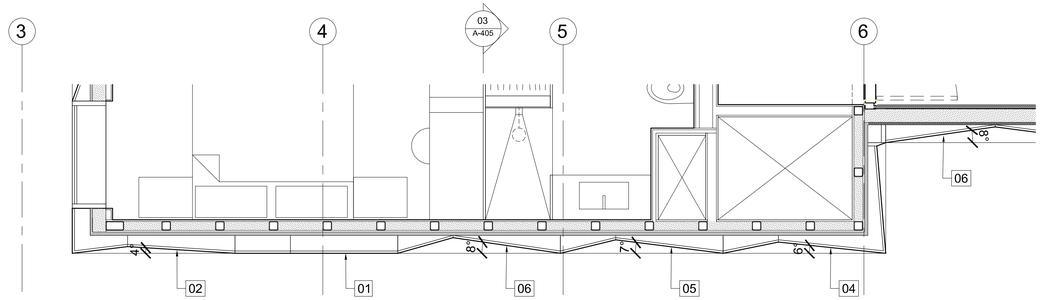


ENLARGED ELEVATION - LEVEL 18 THRU 19 - EAST **04**

3/8" = 1'-0"

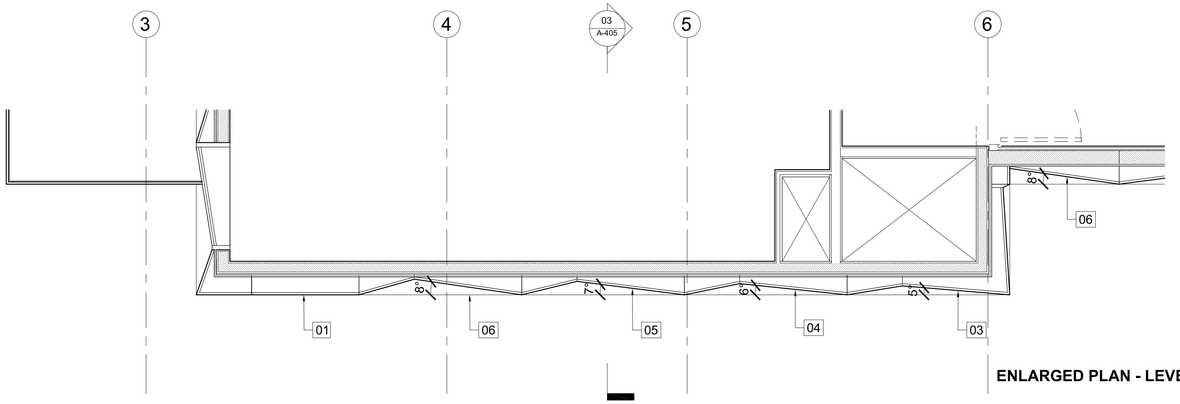


WALL SECTION - LEVEL 18 THRU 19 - EAST **03**



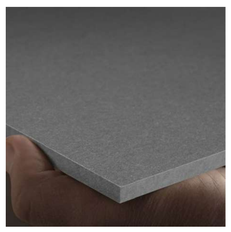
ENLARGED PLAN - LEVEL 19 - EAST **02**

3/8" = 1'-0"



ENLARGED PLAN - LEVEL 18 - EAST **01**

3/8" = 1'-0"



06
EQUITONE
NATURA N281

05
EQUITONE
NATURA N252

04
EQUITONE
NATURA N211

03
EQUITONE
NATURA N163

02
EQUITONE
NATURA N161

01
EQUITONE
NATURA N164

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LICENSED ARCHITECT
JASON BUCHNEY
C32858
10 - 31 - 2025
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STATE OF CALIFORNIA

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570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

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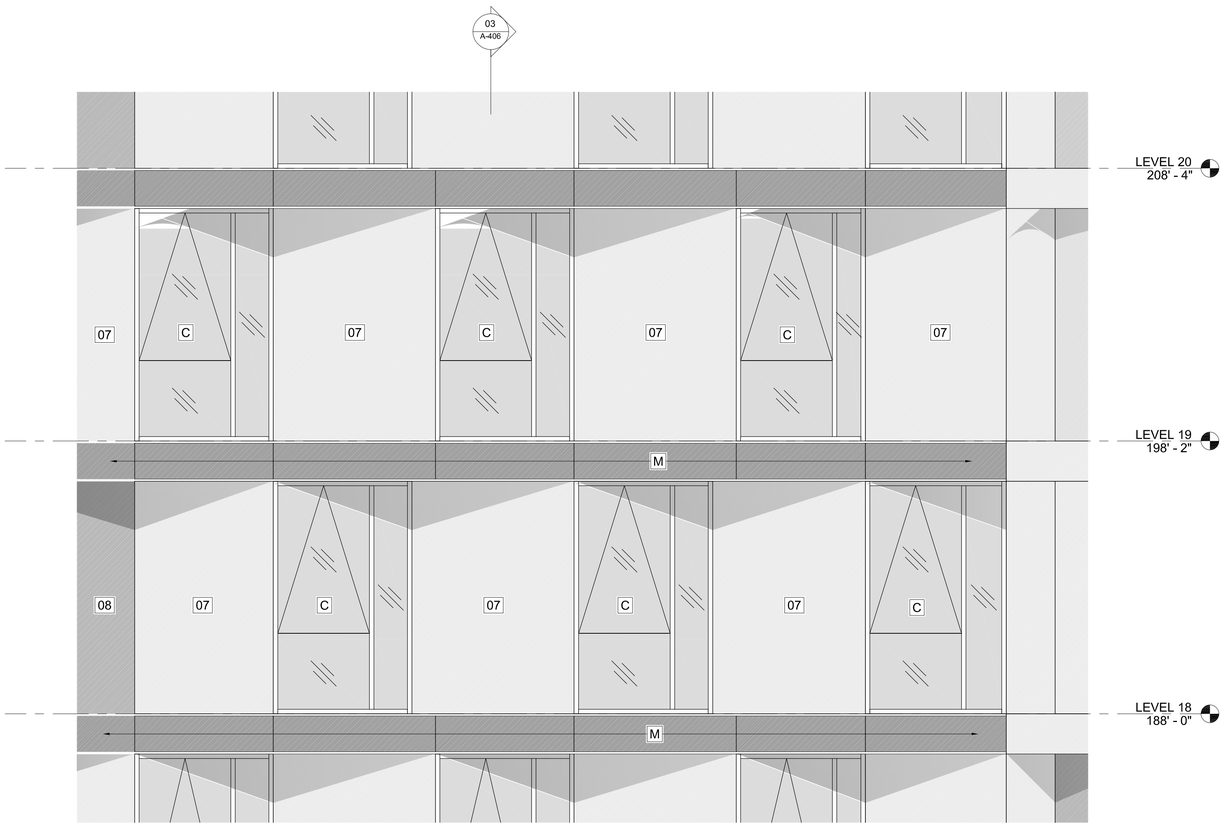
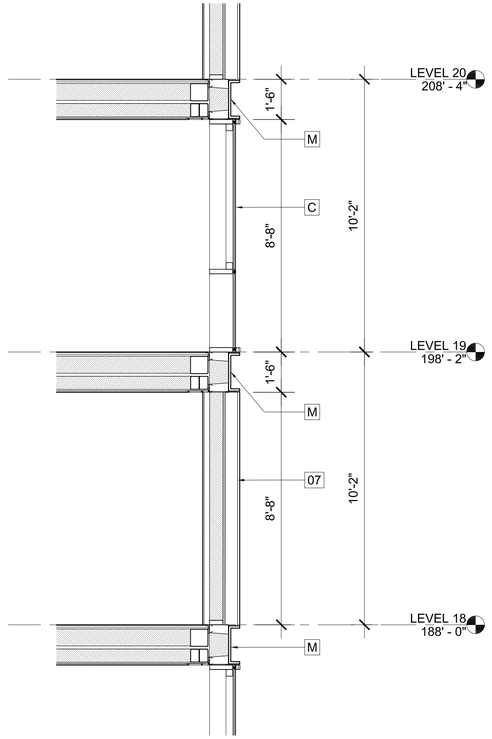
Sheet No: of



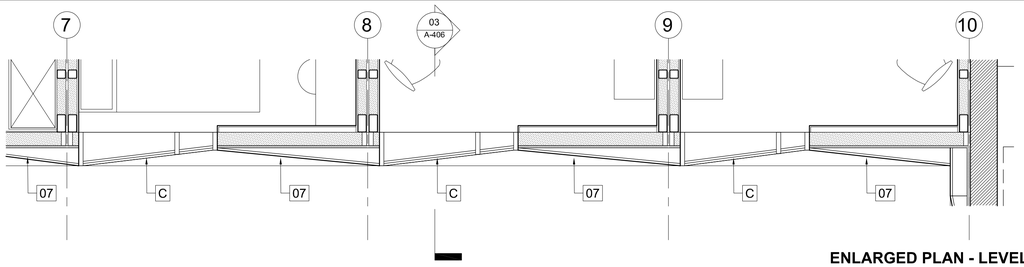
ENLARGED ELEVATION - LEVEL 18 THRU 20 - EAST 02
3/8" = 1'-0"

04



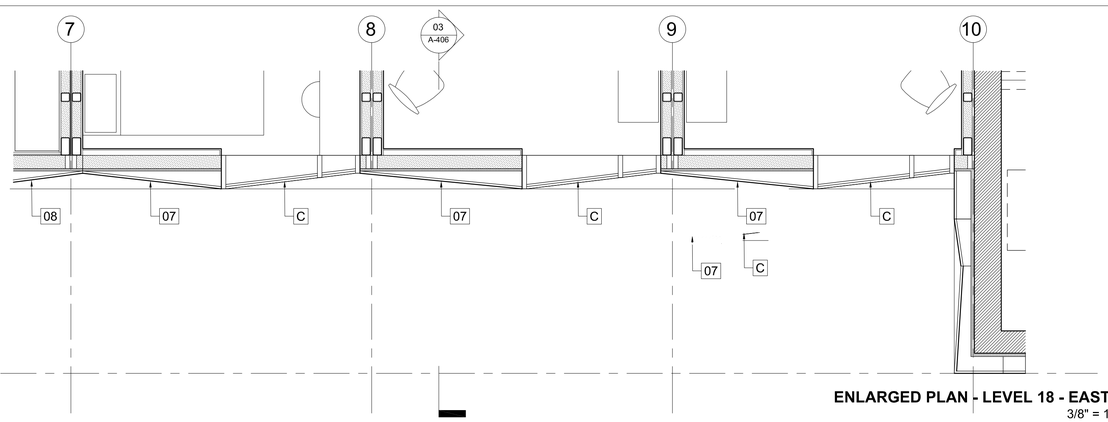
WALL SECTION - LEVEL 18 THRU 20 - EAST 02
3/8" = 1'-0"

03



ENLARGED PLAN - LEVEL 19 - EAST 02
3/8" = 1'-0"

02



ENLARGED PLAN - LEVEL 18 - EAST 02
3/8" = 1'-0"

01

M
SLAB EDGE CAP
GREY STEEL CHANNEL

C
TILT WINDOW WITH
FIXED SIDE AND
BOTTOM PANEL

08
EQUITONE
NATURA N074

07
EQUITONE
NATURA N251

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LICENSED ARCHITECT
JASON BUCHANAN
C-32855
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: 3/8" = 1'-0"
Drawing By: Author
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Project No: 177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-406.00

Sheet No: of

MARKET STREET VIEW LOOKING WEST - REVISED MASSING 01

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
2	03-04-21	ADDENDUM TO PLAN CHECK LETTER
3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONSOLIDATED RESPONSE TO PLAN CHECK LETTER

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LICENSED ARCHITECT
JASON BLOMBERG
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-900.02

Sheet No: of

MARKET STREET VIEW LOOKING WEST - REVISED MASSING 01

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3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONSOLIDATED RESPONSE TO PLAN CHECK LETTER

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LICENSED ARCHITECT
JASON BUCHNER
C-32858
10 - 31 - 2025
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STATE OF CALIFORNIA

Project Title:
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Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
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Project No: 177

Drawing Title:
EXTERIOR RENDERING

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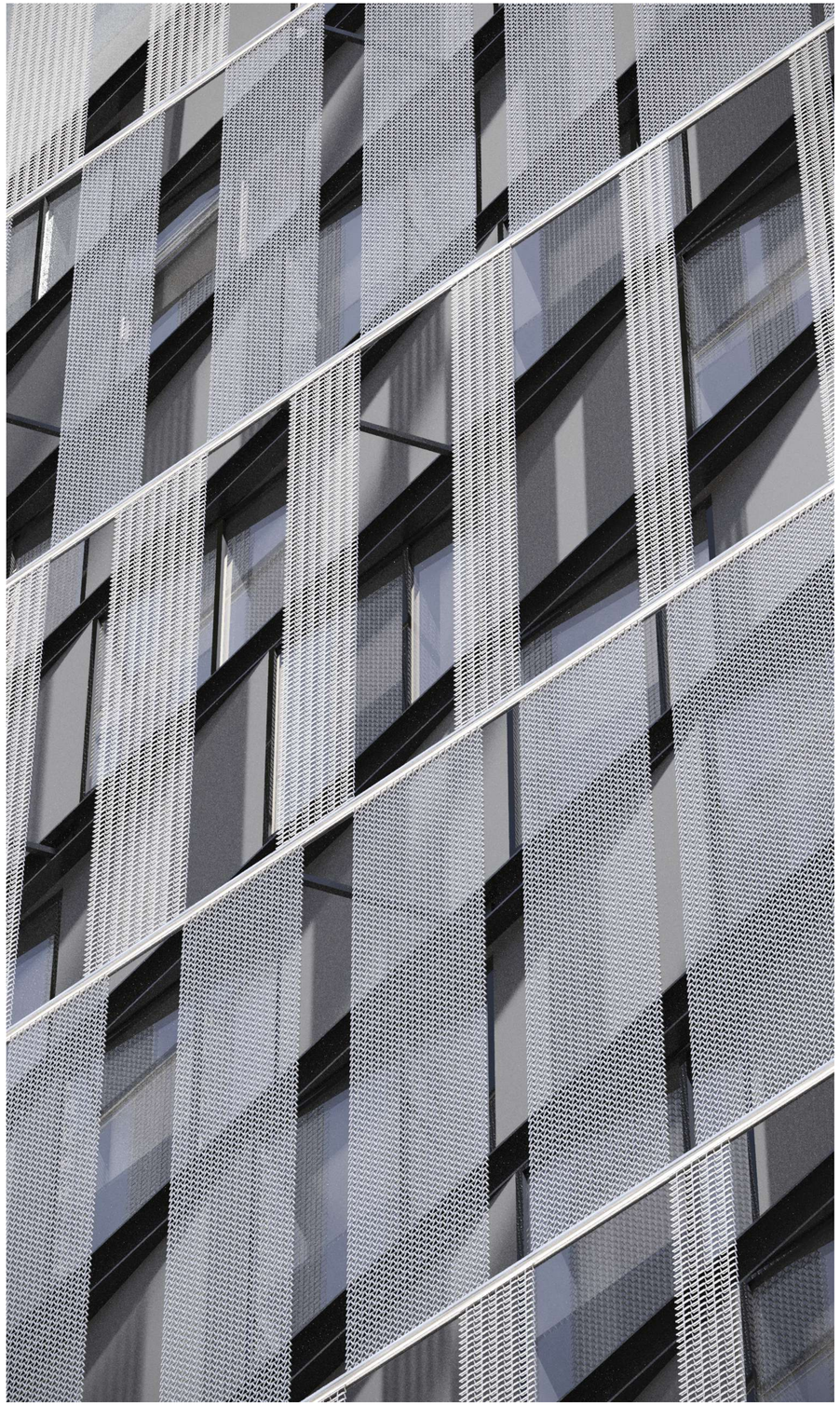
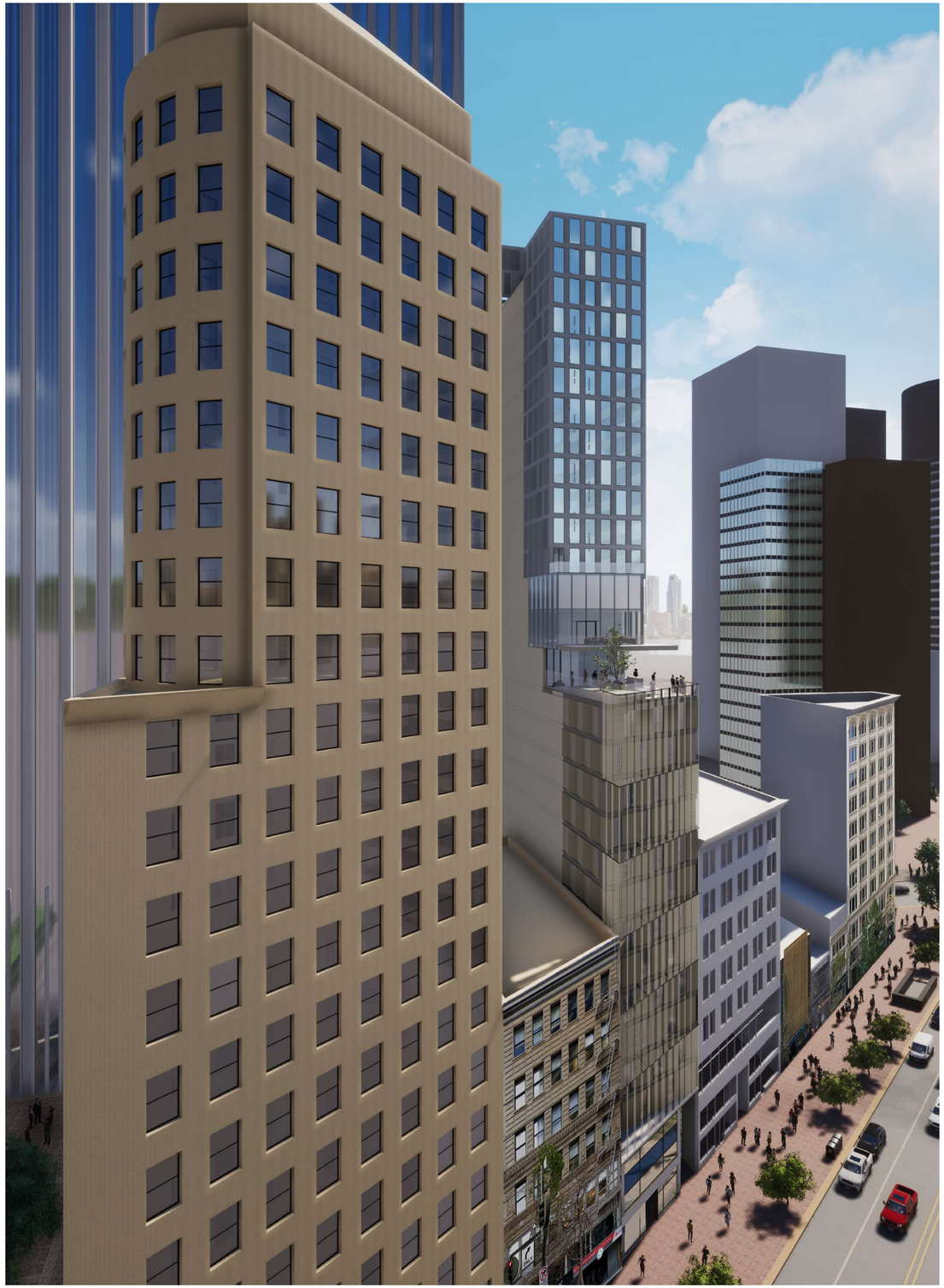


MARKET STREET SCREEN WALL **02**



MARKET STREET VIEW LOOKING EAST **01**

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4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON BUCHNER
C-32858
10 - 31 - 2025
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Project Title:
570 MARKET STREET
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SAN FRANCISCO, CA

Key Plan:

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Drawing By: Author
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Drawing Title:
EXTERIOR RENDERING

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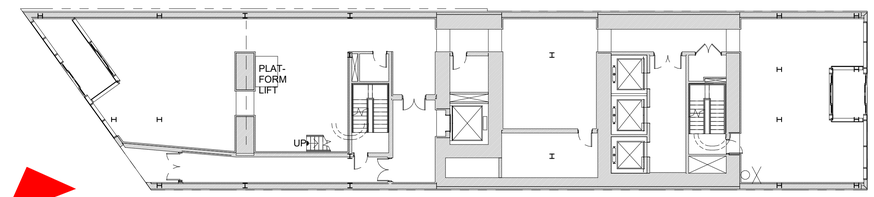

KEY PLAN - LEVEL 01 **02**

POPOS ENTRY LOOKING WEST **01**

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LICENSED ARCHITECT
JASON BLOOMER
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

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570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS ENTRY RENDERING

Sheet Number:
A-905.01

Sheet No: of

POPOS PLAN 01

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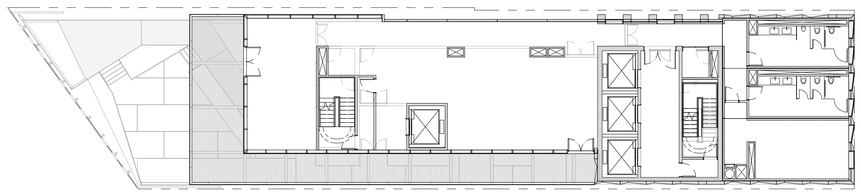
A-907.00

Sheet No: of



KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

POPOS PERSPECTIVE
3" = 1'-0"

01

Danny Forster & Architecture

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHHEIT
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

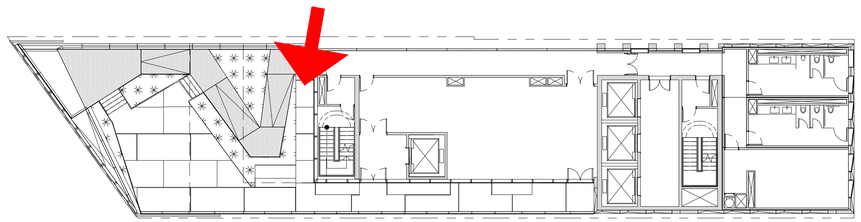
Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
A-908.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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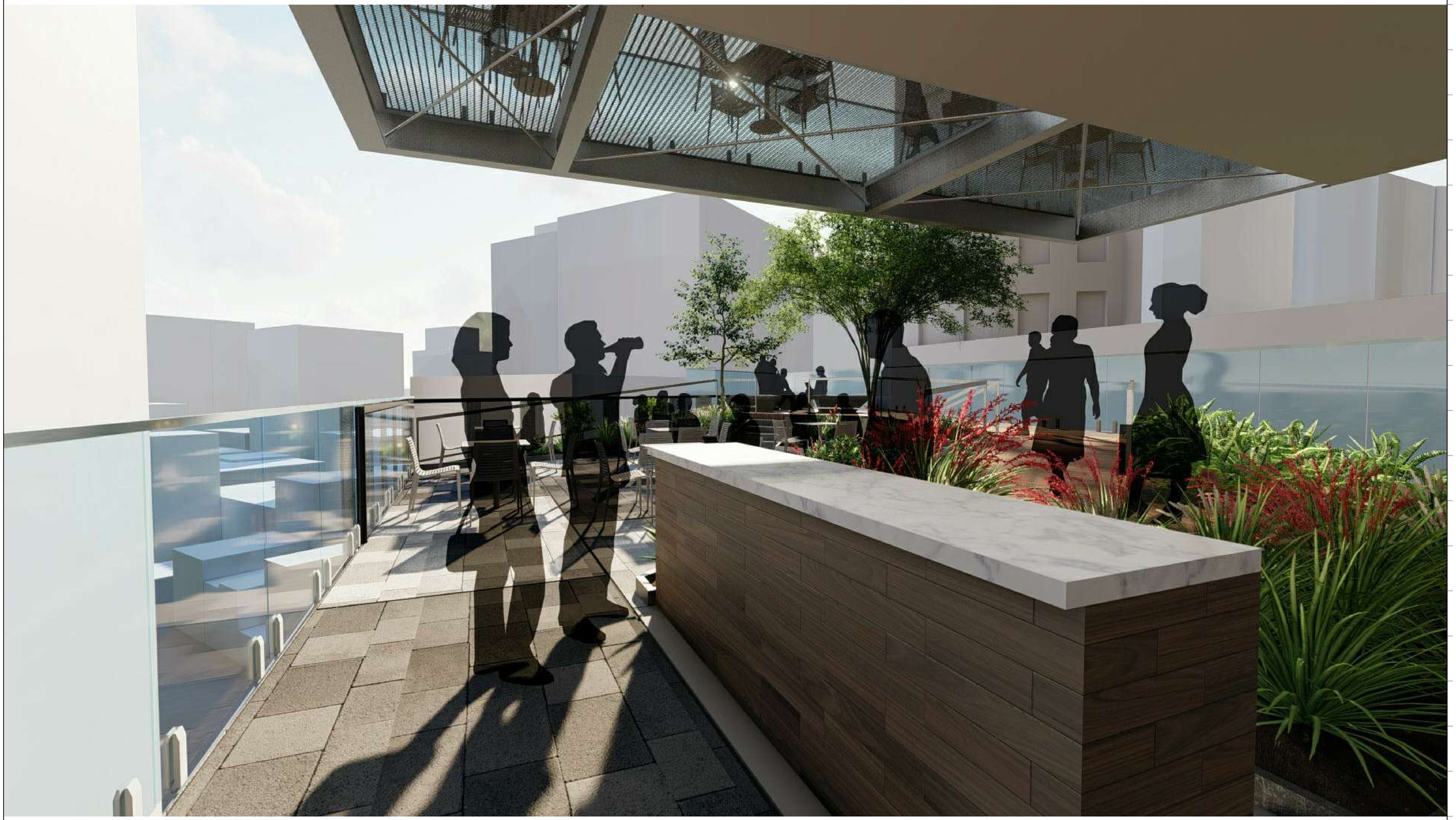

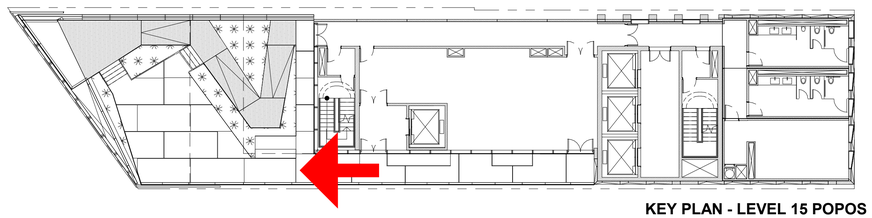

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POPOS POV

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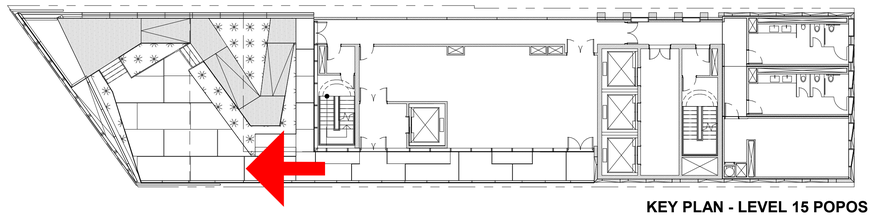

KEY PLAN - LEVEL 15 POPOS
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02

POPOS POV

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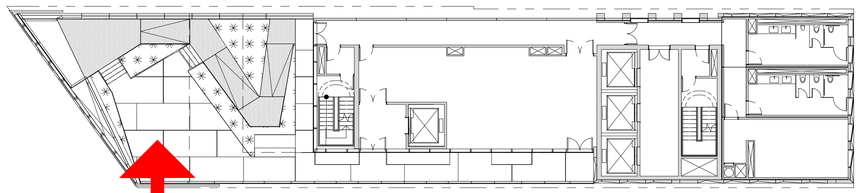

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02

POPOS POV

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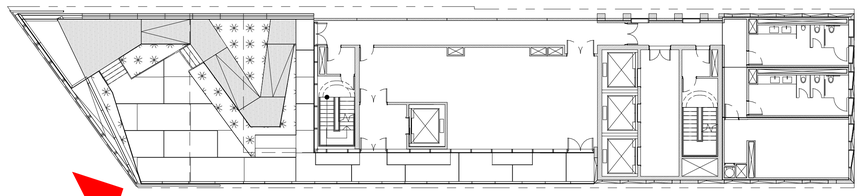

KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS PERSPECTIVE

01

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JASON BUCHERT
C32858
10 - 31 - 2025
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Drawing Title:
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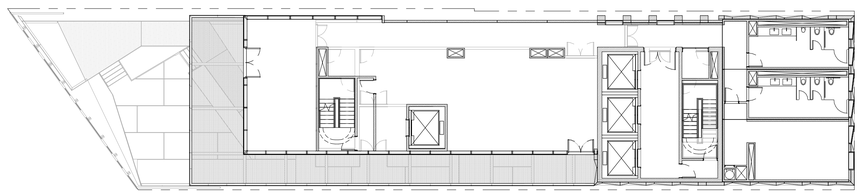
Sheet No: of



KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

POPOS PERSPECTIVE

01

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JASON BUCHERT
C-32858
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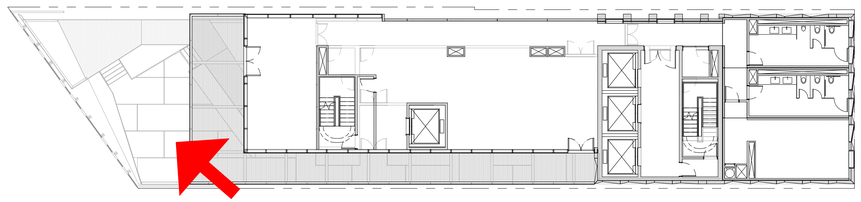

KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

VIEW OF POPOS FROM 16TH FL TERRACE

01

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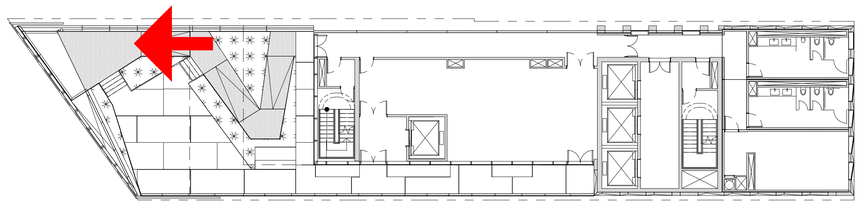

KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POV OF POPOS OVERLOOK

01

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Sheet Number:
A-916.00

Sheet No: of

EXHIBIT B

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

PLANNING COMMISSION MOTION NO. 21806

HEARING DATE: September 11, 2025
CORRECTED DATE: September 30, 2025

Record No.:	2019-017622DNX
Project Address:	570 Market Street
Zoning:	Downtown Office (C-3-O) Zoning District 300-S Height and Bulk District Priority Equity Geographies Special Use District
Block/Lot:	0291/013
Project Sponsor:	Melinda Sarjapur; Reuben, Junius & Rose LLP One Bush Street, Suite 600 San Francisco, CA 94104
Property Owner:	Frontier Group, LLC / c/o 229 Ellis Holdings, LLC (Attn: Frank Chiu) 795 Folsom Street, Floor 1, San Francisco, CA 94107
Staff Contact:	Jonathan Vimr – (628) 652-7319 jonathan.vimr@sfgov.org

ADOPTING FINDINGS TO APPROVE A DOWNTOWN PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.2 AND 309, TO ALLOW THE DEMOLITION OF AN EXISTING APPROXIMATELY 16,000 SQUARE-FOOT, TWO-STORY COMMERCIAL BUILDING AND CONSTRUCT A NEW 126,333 GROSS-SQUARE-FOOT, TWENTY NINE-STORY OVER BASEMENT HOTEL STRUCTURE THAT INCLUDES 211 HOTEL ROOMS, 3,386 SQUARE FEET OF LOWER LEVEL RETAIL, A 4,211 SQUARE FOOT POPOS AND EIGHT CLASS 1 AND EIGHT CLASS 2 BICYCLE PARKING SPACES FOR THE PROPERTY LOCATED AT 570 MARKET STREET, BLOCK 0291 LOT 013 WITHIN THE C-3-O (DOWNTOWN-OFFICE) ZONING DISTRICT AND A 300-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 1, 2019 Melinda Sarjapur of Reuben, Junius & Rose, LLP (hereinafter "Project Sponsor") filed Application 2019-017622DNX (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for a Downtown Project Authorization to construct a new 29-story, 300-ft tall, hotel building with 211 rooms, a POPOS, and lower level retail space (hereinafter “Project”) at property generally referred to as 570 Market Street, Block 0291 Lot 013 (hereinafter “Project Site”).

On October 30, 2024, a Preliminary Mitigated Negative Declaration (PMND) for the Project was prepared and published for public review; and

The PMND was available for public comment until November 20, 2024; and

On November 20, 2024, an appeal of the Preliminary Mitigated Negative Declaration was filed with the Department.

On February 27, 2025 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Downtown Project Authorization Application No. 2019-017622DNX and the Appeal of the Mitigated Negative Declaration, 2019-01766APL and continued the items to April 3, 2025.

On April 3, 2025, the Commission held a regularly scheduled meeting and continued the items to May 1, 2025.

On May 1, 2025, the Commission held a regularly scheduled meeting on Downtown Project Authorization Application No. 2019-017622DNX and the Appeal of the Mitigated Negative Declaration, 2019-01766APL.

On May 1 2025, the Commission upheld the MND [as amended, and that the summary of comments and responses contained no significant revisions to the Preliminary MND,] as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines, and San Francisco Administrative Code Chapter 31.

On May 1, 2025, the Planning Commission reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

The Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of San Francisco Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the Preliminary MND,] and adopted the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

With mitigation incorporated, the proposed project would not result in a significant effect on the environment and the mitigation measures are provided in the Mitigation Monitoring and Reporting program (MMRP), which was made available to the public and this Commission for review, consideration, and action. On May 1, 2025, the Commission adopted the MMRP (attached as Exhibit C) as conditions of project approval.

On May 1, 2025, following denial of the PMND appeal, the Commission continued the project entitlements to July 10, 2025.

On July 10, 2025, the Commission held a regularly scheduled meeting and continued the project entitlements to September 11, 2025.

The Planning Department Commission Secretary is the Custodian of Records; the Files for Record Nos. 2019-017622DNX and 2019-017622APL are located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Downtown Project Authorization as requested in Application No. 2019-017622DNX subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **The above recitals are accurate and constitute findings of this Commission.**

2. **Project Description.** The Project would demolish the existing two-story, approximately 16,000 square foot retail building and construct a new 29-story over basement, 300-foot tall (excluding rooftop penthouses and screening) tourist hotel with 211 guest rooms occupying a total of 126,333 gross square feet with 3,386 square feet of retail at the first and second floors, and a 4,211 square-foot Privately Operated Public Open Space (POPOS) with ground level entry and a 15th floor view terrace. The Project would not include any off-street parking spaces, and would contain 8 Class 1 and 8 Class II bicycle parking spaces. The project requires Downtown Project Authorization with exceptions from Planning Code Section 132.1 (interior lot setbacks), Sections 152.1 and 161 (freight loading), and Section 162 (tour bus loading).

3. **Site Description and Present Use.** The existing site is a narrow (for this part of the city) through-lot with frontage along Market Street and Sutter Street at the rear. It is currently developed with a two-story commercial building. The storefronts along Market appear to be vacant while Jack's Shoe Repair operates out of the Sutter Street storefront.

4. **Surrounding Properties and Neighborhood.** The Project Site is a through lot fronting along Market Street and continuing to Sutter Street at the rear. Cross streets include Montgomery to the west and Sansome to the northeast. It is at or near the heart of the downtown area, surrounded by a variety of commercial and mixed-use structures that vary in height but are generally at least of mid-rise height. While the subject site is non-historic and not located in a historic district, historic structures (both locally designated and not) abound nearby. The area is immensely well served by both above and below ground transit as well as pedestrian and bicycle options. Other zoning districts in the vicinity include: P (Public), C-3-R (Downtown-Retail), and the C-3-O(SD) (Downtown-Office [Special Development]) Zoning Districts.

5. **Public Outreach and Comments.** At the date of publication, the Department has received two letters in opposition to the project, one from representatives of the east neighboring Chancery building (562-566 Market Street) and the other from representatives of 44 Montgomery Street (at the northwesterly corner of the block). Please note that the letter for 44 Montgomery is specific to the CEQA appeal and for that reason is not included in this project approvals/entitlements packet. Three letters in support of the project have been provided from labor groups and downtown organizations.

    - Broadly speaking, opposition to the project is centered around a sizeable development between two historic buildings that would obscure side property line windows and potentially create difficulties for leasing spaces within these neighboring buildings. Opposition also focuses on the site's frontage, satisfaction of exception requirements, and market demand for the proposed use. More detailed summaries are provided within Exhibit H and the Preliminary Mitigated Negative Declaration (PMND) appeal documents. The PMND appeal was denied as detailed above and the CEQA document is therefore the Final MND.

6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

    A. **Use.** Per Planning Code Section 210.2, Retail Sales & Service is a principally permitted use while a Hotel use requires Conditional Use Authorization.

    The project proposes retail use at the lower levels and otherwise entails a 29-story hotel. Findings associated with the Conditional Use Authorization for said hotel use are limited to those required by Planning Code Section 303 and any applicable subsections. Conformance with these findings is detailed in Motion No. 21807 for Case No. 2019-017622CUA.

    B. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 300-S Height and Bulk District, with a 300-foot height limit.

    The Project would result in structure reaching its maximum height limit, exclusive of exempted items such as rooftop mechanical and associated rooftop screening. The Zoning Administrator will separately consider, after conducting a public hearing, whether to allow the height of the elevator penthouse to exceed 16 feet (for a total of 18 feet and 8 inches) pursuant to Planning Code Section 260(b)(1)(B).

    C. **Bulk.** Planning Code Section 270(d) contains limitations for buildings within the subject Bulk District (S) around the base (lowest portion of the building), Lower Tower and Upper Tower.

    The Project has been designed to and has demonstrated compliance with the subject bulk controls, though exceptions are allowed pursuant to Section 309 (Downtown Project Authorization).

    D. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must

achieve a target of 13 points.

The Project submitted a completed Environmental Evaluation Application after January 1, 2018. Therefore, the Project must achieve 100% of the point target established in the TDM Program Standards, resulting in a required target of 13 points. As currently proposed, the Project will achieve its required 13 points (a total of 14 points are provided) through the following TDM measures:

- Parking Supply
- Bicycle Parking (Option B)
- Multimodal Wayfinding Signage

7. **Downtown Project Authorization Exceptions.** Planning Code Section 309 allows exceptions for Large Projects in the Downtown Districts:

   A. **Setbacks and Street wall Articulation in C-3 Districts.** Exceptions for Separation of Towers/interior lot line setbacks, pursuant to the requirements of Section 132.1(d)(2). This section of the Planning Code provides potential exceptions to tower separation requirements through a menu of three options, each of which have specific qualifications and findings. In this instance, the applicable exception is (C) as detailed below.

   132.1(d)(2)(C). Exceptions may be allowed on lots with frontage of less than 75 feet provided that overall access to light and air will not be impaired and the granting of the exception will not result in a group of buildings with total street frontage of 125 feet or more without a separation between buildings that is compliant with Section 132(d)(1).

   570 Market Street is an irregularly shaped through lot with a frontage of 50 feet along Market Street and 40 feet along Sutter Street at the rear. Its eastern neighbor (the 7-story Chancery Building) has approximately 72 feet of frontage along Market, with the western neighbor (the Finance Building, a 6-story extension of the Hobart Building) having approximately 47.5 feet of such frontage. Both they and 44 Montgomery (a 43-story tower to the northwest) are unlikely to see any meaningful increase in height or bulk due to a combination of already exceeding the maximum Floor to Area Ratio (FAR) or nearly exceeding it and not being able to substantially expand due to existing size and previous sale of air/transferable development rights (TDR). All neighboring structures have substantial fenestration along their front, rear, and side elevations. Further, above the ground floor 44 Montgomery Street already includes a setback of at least 15 from its shared property line with the subject site. And though 570 Market Street will not necessarily provide a base Code-compliant interior lot line setback with its eastern and western neighbors, the proposed project does include some level of relief throughout and allows for a development that would otherwise be reduced to such a limited extent as to be infeasible. Given this, overall access to light and air would be sufficiently retained pursuant to 132.1(d)(2)(C)(i). Due to its setback from 44 Montgomery above the ground level, the relatively limited heights of the Finance and Chancery Buildings, and the width of Market (as well as Sutter) Street, there would also not be a group of buildings greater than 125 linear feet without at least one instance of compliant separation pursuant to 132.1(d)(2)(C)(ii).

   B. **Freight Loading.** Exceptions for Freight Loading, pursuant to the requirements of Section 152.1

and 161.

Hotel uses between 100,001 gross square feet and 200,000 square feet (like the proposed project) must provide 1 off street freight loading space. The Project is seeking an exception to instead provide one on-street loading space along Sutter due to the constrained site area (50 linear feet at the lot's widest point) and the prohibition against curb cuts to allow off-street loading along Market Street. Providing freight loading and service vehicle spaces is therefore impractical and undesirable, meeting the Planning Code exemption criteria in Section 161(e) as detailed below:

(i). Provision of freight loading and service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety.

Given the property's narrow street frontage and location directly above the Montgomery Street BART and Muni station, freight loading underground cannot be achieved.

(ii). Provision of the number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses.

Given the limited area of the property's lot, provision of off-street freight loading space would utilize an impractical percentage of the ground floor, inhibiting the more desirable use of the ground floor for retail, pedestrian, and circulation spaces.

(iii). A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the building involved, cannot be provided.

Given the property's location above the Montgomery Street BART and Muni station, providing freight loading underground cannot be achieved.

(iv). Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.

An appropriate on-street color curb loading space along Sutter Street will be pursued through the Municipal Transportation Agency. Sutter Street currently possesses three lanes of travel with a single lane of on-street parking on its southern end. As the proposed freight loading space currently serves as on-street parking, its use for loading will not adversely affect pedestrian circulation, transit operation or general traffic circulation.

C. **Off-Street Tour Bus Loading.** Exceptions for Tour Bus Loading, pursuant to the requirements of Section 162.

Hotel uses with between 201-350 rooms (like the proposed project) must provide one off-street

tour bus loading space. The project seeks an exception due to the various site constraints detailed above.

Given the particulars of the project site and its various constraints, a tour bus loading space is not achievable. The site lacks the proper size to accommodate the configuration of spaces needed for such a space, and doing so would also occupy an unreasonable percentage of the ground floor, thereby eliminating a portion of the more desirable retail, pedestrian, and circulation spaces at that level.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

Policy 1.3
Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

OBJECTIVE 2
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1
Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

OBJECTIVE 3
PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1
Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

OBJECTIVE 8
ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

Policy 8.1
Guide the location of additional tourist related activities to minimize their adverse impacts on existing residential, commercia, and industrial activities.

DOWNTOWN AREA PLAN

Land Use
Objectives and Policies

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

OBJECTIVE 4
ENHANCE SAN FRANCISCO'S ROLE AS A TOURIST AND VISITOR CENTER.

Policy 4.1
Guide the location of new hotels to minimize their adverse impacts on circulation, existing uses, and scale of development.

OBJECTIVE 6
WITHIN ACCEPTABLE LEVELS OF DENSITY, PROVIDE SPACE FOR FUTURE OFFICE, RETAIL, HOTEL, SERVICE AND RELATED USES IN DOWNTOWN SAN FRANCISCO.

Policy 6.1
Adopt a downtown land use and density plan which establishes subareas of downtown with individualized controls to guide the density and location of permitted land use.

OBJECTIVE 9
PROVIDE QUALITY OPEN SPACE IN SUFFICIENT QUANTITY AND VARIETY TO MEET THE NEEDS OF DOWNTOWN WORKERS, RESIDENTS, AND VISITORS.

Policy 9.1
Require usable indoor and outdoor open space, accessible to the public, as part of new downtown development.

Policy 9.2
Provide different kinds of open space downtown.

OBJECTIVE 10
ASSURE THAT OPEN SPACES ARE ACCESSIBLE AND USABLE.

Policy 10.3
Keep open space facilities available to the public.

Policy 9.2
Provide open space that is clearly visible and easily reached from the street or pedestrian way.

The Project is a high-density commercial development, providing 211 new hotel rooms with a combination of lower-level retail and clear, accessible access to the POPOS in a mixed-use area. The Project also has some of the best access to transit of anywhere in the city.

At a time when the downtown area continues to struggle, the project represents a substantial investment along the city's historically primary commercial corridor. It would help attract numerous visitors to the area, who would then patronize other businesses within the vicinity. The design complies with height and bulk controls and qualifies for exceptions as offered through Section 309, which in part exists just for these types of developments facing site constraints in an area where structures generally have a footprint occupying most or all of their lot. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

    a) That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

    The Project would retain retail sales and service use at the lower two levels and then otherwise provide a tourist hotel with all the employment opportunities that come with it.

    b) That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

    The project site does not possess any existing housing and none is proposed.

    c) That the City's supply of affordable housing be preserved and enhanced,

    The Project does not currently possess any existing affordable housing as it is confined to a commercial (Hotel) use.

    d) That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project site is located along Market Street in the Downtown area and is immensely well served by transit as numerous bus lines have stops just outside, as well as the underground Montgomery Street station that is served by MUNI underground as well as BART.

e) That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would have no effect on industrial sectors, and would provide additional employment opportunities in the commercial/service sectors.

f) That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.

g) That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

h) That our parks and open space and their access to sunlight and vistas be protected from development.

A shadow analysis was completed, and it was found the project would not cast any net new shadows on public parks and open spaces.

10. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would constitute a beneficial development.

12. The Commission hereby finds that approval of the Downtown Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Downtown Project Authorization Application No. 2019-017622DNX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 10, 2024 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth**.**

The Planning Commission has reviewed and considered the MND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project.

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C as well as the FMND and incorporated herein as part of this Resolution/Motion by this reference thereto. All mitigation measures contained in the MMRP and identified in the FMND are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 309 Downtown Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. Any appeal shall be made to the Board of Appeals~~, unless an associated entitlement is appealed to the Board of Supervisors, in which case the appeal of this Motion shall also be made to the Board of Supervisors (see Charter Section 4.135).~~ For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Avenue, Suite 1475, San Francisco, CA 94103, or the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 11, 2025 and corrected on September 30, 2025.

Jonas P. Ionin
Commission Secretary

AYES:	Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS:	None
ABSENT:	None
ADOPTED:	September 11, 2025
CORRECTED:	September 30, 2025

EXHIBIT A

Authorization

This authorization is for a Downtown Project Authorization to allow demolition of an existing two-story commercial building and construction of a new 29-story, 300-foot tall tourist hotel with 211 rooms occupying 126,333 gross square feet with 3,386 square feet of retail, and a 4,211 square foot POPOS for the property located at 570 Market Street, Block 0291, and Lot 013 pursuant to Planning Code Section(s) 210.2 and 309 within the C-3-O (Downtown-Office) Zoning District and a 300-S Height and Bulk District; in general conformance with plans, dated May 10, 2024, and stamped "EXHIBIT B" included in the docket for Record No. 2019-017622DNX and subject to conditions of approval reviewed and approved by the Commission on September 11, 2025 under Motion No 21806. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the Planning approval of the building permit or commencement of use for the Project, the property owner must record a Notice of Special Restrictions prepared by the Planning Department with the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 11, 2025, under Motion No 21806.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Downtown Project Authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

6. **Additional Project Authorization.** The Project Sponsor must obtain Conditional Use Authorization pursuant to Sections 210.2 and 303 to establish a Hotel use. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

7. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

   For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

8. **Transferable Development Rights.** Pursuant to Section 128, the Project Sponsor shall purchase the required number of units of Transferrable Development Rights (TDR) and secure a Notice of Use of TDR prior to the issuance of a site permit for all development which exceeds the base FAR of 9.0 to 1, up to an FAR of 18.0 to 1. The net addition of gross floor area subject to this requirement shall be determined based on drawings submitted with the Building Permit Application.

   For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Design – Compliance at Plan Stage

9. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

   For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

10. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

11. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof

plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

12. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

13. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

14. **Open Space Provision - C-3 Districts.** Pursuant to Planning Code Section 138, the Project Sponsor shall continue to work with Planning Department staff to refine the design and programming of the public open space so that the open space generally meets the standards of the Downtown Open Space Guidelines in the Downtown Plan of the General Plan.

    For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

15. **Open Space Plaques - C-3 Districts.** Pursuant to Planning Code Section 138, the Project Sponsor shall install the required public open space plaques at each building entrance including the standard City logo identifying it; the hours open to the public and contact information for building management. The plaques shall be plainly visible from the public sidewalks along the property's Sutter and/or Market Street frontage and shall indicate that the open space is accessible to the public via the elevators in the lobby. Design of the plaques shall utilize the standard templates provided by the Planning Department, as available, and shall be approved by the Department staff prior to installation.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319 www.sfplanning.org

16. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once

approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

17. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415.701.4500, www.sfmta.org

18. **Color of Building at East Elevation.** The portion of the proposed structure's eastern elevation as it faces the Chancery Building (its eastern neighbor) will be composed of a material and/or finish with a light, traditional color.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Parking and Traffic

19. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

20. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than 8 Class 1 and 8 Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

21. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

22. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

23. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

    For information about compliance, contact the First Source Hiring Manager at 415.581.2335, www.onestopSF.org

24. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

25. **Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

26. **Child-Care Requirements for Office and Hotel Development.** In lieu of providing an on-site child-care facility, the Project has elected to meet this requirement by providing an in-lieu fee, as applicable, pursuant to Planning Code Section 414.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

27. **Art.** The Project is subject to the Public Art Fee, as applicable, pursuant to Planning Code Section 429.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

28. **Art Plaques.** Pursuant to Planning Code Section 429(b), the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

29. **Art.** Pursuant to Planning Code Section 429, the Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the submittal of the first building or site permit application.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

30. **Art.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.

    For information about compliance, contact the Case Planner, Planning Department at 628.652.7319, www.sfplanning.org

Monitoring - After Entitlement

31. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

    For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

32. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project

Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 350 and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

33. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Operation

34. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublicworks.org

35. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

36. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

570 MARKET ST.

570 Market Street
San Francisco, CA 94104

CONFORMANCE SET
05/10/2024

Danny Forster & Architecture

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646.755.7700
WWW.DANNYFORSTER.COM

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ads Engineers
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New York, NY 10006
212.645.6060
www.adsce.com

Landscape Architect
dwg.
912b Congress Ave,
Austin, TX 78701
512.320.0668
www.studiodwg.com

Zoning & Code Consultant
Code Consultants, Inc.
2301 Rosecrans, Suite 2155
213-622-5880
El Segundo, CA 90245
www.codeconsultants.com

Facade Consultant
dwg.
912B Congress Ave
Austin, TX 78701
512-320-0668
www.studiodwg.com

VT Consultant

PROJECT INFORMATION

ADDRESS:	570 MARKET STREET SAN FRANCISCO, CA 94104
BLOCK:	0291
LOT:	013
LOT AREA:	7,045 SQ.FT. (GROSS)
ZONING DISTRICT:	C-3-O - DOWNTOWN-OFFICE
HEIGHT AND BULK DISTRICTS	300-S
PROPOSED BUILDING HEIGHT	300" AT SUTTER AND 150' AT MARKET STREET
ZONING MAP:	ZN1
HEIGHT DISTRICT MAP	HT1
SPECIAL USE DISTRICT:	WITHIN 1/4 MILE OF AN EXISTING FRINGE FINANCIAL SERVICE
HISTORIC RESOURCE STATUS:	C

PROJECT DESCRIPTION

THE PROPOSED PROJECT WILL DEMOLISH AN EXISTING 2-STORY, 14,000 SF RETAIL BUILDING AND CONSTRUCT A NEW, 29 STORY HOTEL WITH APPROXIMATELY 222 GUESTROOMS AND 2 BASEMENT LEVELS.

THE SITE IS A LEVEL THROUGH LOT WITH 50'-0" OF FRONTAGE ALONG MARKET STREET AND 40'-0" OF FRONTAGE ALONG SUTTER STREET. THE SITE IS LOCATED WITH CLOSE PROXIMITY TO TRANSIT HUBS

THE PROPOSED HOTEL WILL BE APPROXIMATELY 300'-0" IN HEIGHT AND 126,333 IN F.A.R. AREA.

REQUIRED POPOS WILL BE PROVIDED ON THE 15TH FLOOR WHICH WILL BE OPEN TO THE AIR WITH A DEDICATED ELEVATOR.

THE PROJECT PROPOSES APPROXIMATELY 15 FEET OF EXCAVATION FOR A FULL LOT BASEMENT LEVEL.

CODE NOTES

EXISTING USE:
COMMERCIAL/RETAIL SALES AND SERVICES

PROPOSED USE:
COMMERCIAL/RETAIL SALES AND SERVICES

CONSTRUCTION CLASSIFICATION: (TABLE 601)
TYPE 1A - FIREPROOFED

FIRE RATED SEPARATION AND ENCLOSURES:

PRIMARY STRUCTURAL FRAME - 3 HRS
BEARING WALLS AND PARTITIONS: (TABLE 602)
EXTERIOR - 2 HRS, #1 PC 403.2.1.1
INTERIOR - 2 HRS, #1 PC 403.2.1.1
NON BEARING WALLS AND PARTITIONS:
EXTERIOR LESS THAN 5 FEET - 1 HR
INTERIOR - 0 HRS
FLOOR CONSTRUCTION: 2 HRS
ROOF CONSTRUCTION: 1.5 HRS

ENERGY CODE INFORMATION

THE PROPOSED PROJECT WILL COMPLY WITH THE CALIFORNIA 2019 BUILDING ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL AND NONRESIDENTIAL BUILDINGS

CLIMATE ZONE: 3 (APPENDIX JA2)
SUB-TYPE: C

PRIVATELY-OWNED PUBLIC OPEN SPACE (POPOS) REQUIREMENTS (TABLE 138)

RATIO OF SQUARE FEET OF OPEN SPACE TO GROSS FLOOR AREA IN C-3-O DISTRICTS IS 1:50

PROPOSED FLOOR AREA: 156,044 SF
REQUIRED POPOS AREA (1:50 FEET): 3,120,88 SF
PROVIDED POPOS AREA (INCLUDING SUPPORT SPACES):

POPOS OUTDOOR TERRACE:	2,364 SF
POPOS INDOOR SUPPORT SPACE:	1,702 SF
TOTAL POPOS AREA:	4,066 SF

THE POPOS WILL BE LOCATED ON THE 15TH FLOOR OPEN AIR TERRACE GIVEN THE LIMITED GRADE LEVEL OPPORTUNITIES.

PARKING REQUIREMENTS

REQUIRED PARKING IN C-3-O DISTRICT: 0 SPACES
PROVIDED PARKING: 0 SPACES

BICYCLE PARKING REQUIREMENTS

CLASS I: ONE PARKING SPOT PER 30 GUESTROOMS
REQUIRED PARKING: 8 CLASS I SPOTS
PROPOSED PARKING: 8 CLASS I SPOTS AT LEVEL 03

CLASS II: MINIMUM OF TWO SPACES, ONE PARKING SPOTS PER 30 ROOMS, ONE PARKING SPACE PER EVERY 5,000 SF OF G.S.F. MEETING ROOMS.

REQUIRED PARKING: 8 CLASS II SPOTS
PROPOSED PARKING: 8 CLASS II SPOTS AT GRADE LEVEL

VOLUMETRIC MODULAR BUILDING APPROACH

DF&A, THE NEW ARCHITECT OF RECORD ON 570 MARKET STREET, IS A WORLD EXPERT ON VOLUMETRIC HIGH-RISE MODULAR CONSTRUCTION. WE HAVE LARGE-SCALE MODULAR PROJECTS UNDERWAY IN MANHATTAN (AN AC BY MARRIOTT), BROOKLYN, FLORIDA, AND THE ISLAND OF NEVIS. WE HAVE DEVELOPED PROPRIETARY TECHNOLOGY TO CAPITALIZE ON THE ADVANTAGES OF MODULAR CONSTRUCTION AND MITIGATE THE DIFFICULTIES; DESIGNED MODULAR STANDARDS AND FIRE TESTS THAT WERE OTHERWISE NONEXISTENT; AND CONTINUE TO TRY TO IMPROVE EVERY STEP OF THE MODULAR PROCESS, FROM LENDING TO MANUFACTURING TO BUILDING MANAGEMENT.

SUSTAINABLE PRINCIPLES AND PRACTICES IN BUILDING DESIGN

THE FOLLOWING ARE STRATEGIES FOR INTEGRATING SUSTAINABLE PRINCIPLES AND PRACTICE IN BUILDING DESIGN FOR THE PROJECT:

THE PLANTING STRATEGY DEVELOPED IN CONJUNCTION WITH THE LANDSCAPE ARCHITECT DWG EMPLOYS NATIVE FOLIAGE AT THE GROUND FLOOR AND POPOS.

BY EMPLOYING MODULAR CONSTRUCTION RATHER THAN CONVENTIONAL, WE ARE ABLE TO TRACK, QUANTIFY AND LIMIT THE AMOUNT OF MATERIAL WASTE THROUGHOUT THE CONSTRUCTION PROCESS.

BIRD SAFE BUILDING REQUIREMENTS

THE FOLLOWING ARE STRATEGIES FOR COMPLYING WITH BIRD SAFE BUILDING REQUIREMENTS:

THE PROJECT COMPLIES WITH ALL FEATURE RELATED BIRD SAFE BUILDING STANDARDS PER PC SECTION 139. AT ALL GUARDRAILS ON THE 15TH FLOOR POPOS, 16TH FLOOR TERRACE, AND 18TH FLOOR YOGA TERRACE GLASS WITH A HORIZONTAL CERAMIC FRIT 1/8" WIDE SPACED EQUALLY 2" APART.

ZONING CALCULATIONS

PARCEL AREA	7,045
ALLOWABLE FAR	18
BUILDABLE FLOOR AREA	126,810

LEVEL	USE	SQUARE FOOTAGE	DEDUCTIONS				GROSS FLOOR AREA	KEYS
			MECH.	VOID/ CIRC.	POPOS/ SUPPORT	RETAIL		
29	ROOF - MECHANICAL	930	930	-	-	-	-	-
28	GUESTROOMS	4,415	178	-	-	-	4,248	8
27	GUESTROOMS	4,415	178	-	-	-	4,248	8
26	GUESTROOMS	4,415	178	-	-	-	4,248	8
25	GUESTROOMS	4,415	178	-	-	-	4,248	8
24	GUESTROOMS	4,415	178	-	-	-	4,248	8
23	GUESTROOMS	4,415	178	-	-	-	4,248	8
22	GUESTROOMS	4,415	178	-	-	-	4,248	8
21	GUESTROOMS	4,415	178	-	-	-	4,248	8
20	GUESTROOMS	4,415	178	-	-	-	4,248	8
19	GUESTROOMS	4,415	178	-	-	-	4,248	8
18	GUESTROOMS / FITNESS	4,415	178	-	-	-	4,248	5
17	GUESTROOMS / MECH.	4,838	1,030	78	-	-	3,730	5
16	AMENITY	4,838	137	-	-	-	4,701	-
15	POPOS / BAR	6,421	215	-	4,211	-	2,205	-
14	GUESTROOMS	5,763	256	-	-	-	5,507	11
13	GUESTROOMS	5,763	256	-	-	-	5,507	11
12	GUESTROOMS	5,763	256	-	-	-	5,507	11
11	GUESTROOMS	5,763	256	-	-	-	5,507	11
10	GUESTROOMS	5,763	256	-	-	-	5,507	11
9	GUESTROOMS	5,763	256	-	-	-	5,507	11
8	GUESTROOMS	5,763	256	-	-	-	5,507	11
7	GUESTROOMS	5,763	256	-	-	-	5,507	11
6	GUESTROOMS	5,763	256	-	-	-	5,507	11
5	GUESTROOMS	5,763	256	-	-	-	5,507	11
4	GUESTROOMS	5,763	256	-	-	-	5,507	11
3	BOH / OPERATIONS / GYM	5,763	216	-	-	-	5,547	-
2	MECHANICAL	6,815	4,591	2,224	-	-	-	-
1.5	RETAIL MEZZANINE	720	-	-	-	720	-	-
1	RETAIL / LOBBY	6,863	101	920	-	2,666	3,176	-
-1	BASEMENT - MECHNICAL	6,898	6,898	-	-	-	0	-
TOTAL		**156,044**	**18,892**	**3,222**	**4,211**	**3,386**		
						29,711	**126,333**	**211**
						REMAINING BUILDABLE FLOOR AREA	**477**	

DRAWING INDEX

DRAWING INDEX

SHEET NO.	SHEET NAME	ISSUANCE 1	ISSUANCE 2	ISSUANCE 3	ISSUANCE 4
01 GENERAL					
T-002	DRAWING INDEX AND PROJECT INFORMATION	●			●
02 ZONING					
Z-001	EXISTING SURVEY	●			●
Z-002	STREETSCAPE PLAN	●			●
Z-100	ZONING PLANS	●			●
Z-101	ZONING PLANS	●			●
03 CODE ANALYSIS					
G-100	EXISTING PHOTOS	●			●
05 ARCHITECTURAL					
A-001	SITE PLAN	●			●
A-050	EXISTING FLOOR PLAN - SUB-CELLAR & CELLAR LEVEL	●			●
A-051	EXISTING FLOOR PLAN - LEVEL 01 & MEZZANINE	●			●
A-052	EXISTING FLOOR PLAN - LEVEL 02 & ROOF	●			●
A-100	FLOOR PLAN - SUB-CELLAR & BASEMENT LEVELS	●		●	●
A-101	FLOOR PLAN - LEVEL 01 & LEVEL 02	●		●	●
A-102	FLOOR PLAN - LEVEL 03 & LEVEL 04	●		●	●
A-103	FLOOR PLAN - LEVEL 15 & LEVEL 16	●		●	●
A-104	FLOOR PLAN - LEVEL 17 & LEVEL 18	●		●	●
A-105	FLOOR PLAN - LEVEL 19 & ROOF	●		●	●
A-200	BUILDING ELEVATIONS	●		●	●
A-201	BUILDING ELEVATIONS	●		●	●
A-300	BUILDING SECTIONS	●			●
A-301	BUILDING SECTIONS	●			●
A-400	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-401	ENLARGED PLANS, SECTIONS & ELEVATIONS	●	●		●
A-402	ENLARGED PLANS, SECTIONS & ELEVATIONS	●	●		●
A-403	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-404	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-405	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-406	ENLARGED PLANS, SECTIONS & ELEVATIONS	●			●
A-900	EXTERIOR RENDERING	●	●	●	●
A-901	EXTERIOR RENDERING	●	●	●	●
A-902	EXTERIOR RENDERING	●			●
A-903	EXTERIOR RENDERING	●			
A-904	DETAIL RENDERINGS	●	●		
A-905	POPOS ENTRY RENDERING	●	●		●
A-906	POPOS ENTRY RENDERING	●			
A-907	POPOS RENDERING	●			●
A-908	POPOS RENDERING	●			●
A-909	POPOS RENDERING	●			●
A-910	POPOS RENDERING	●			●
A-911	POPOS RENDERING	●			●
A-912	POPOS RENDERING	●			●
A-913	POPOS RENDERING	●			●
A-914	POPOS RENDERING	●			●
A-915	POPOS RENDERING	●			●
A-916	POPOS RENDERING	●			●

VICINITY MAP

Danny Forster & Architecture

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NO. DATE REVISION/ISSUANCE
1 10-30-20 RESPONSE TO PLAN CHECK LETTER
4 05-10-24 CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

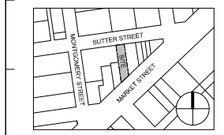
B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT DANIEL KEITH FORSTER C-32858 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

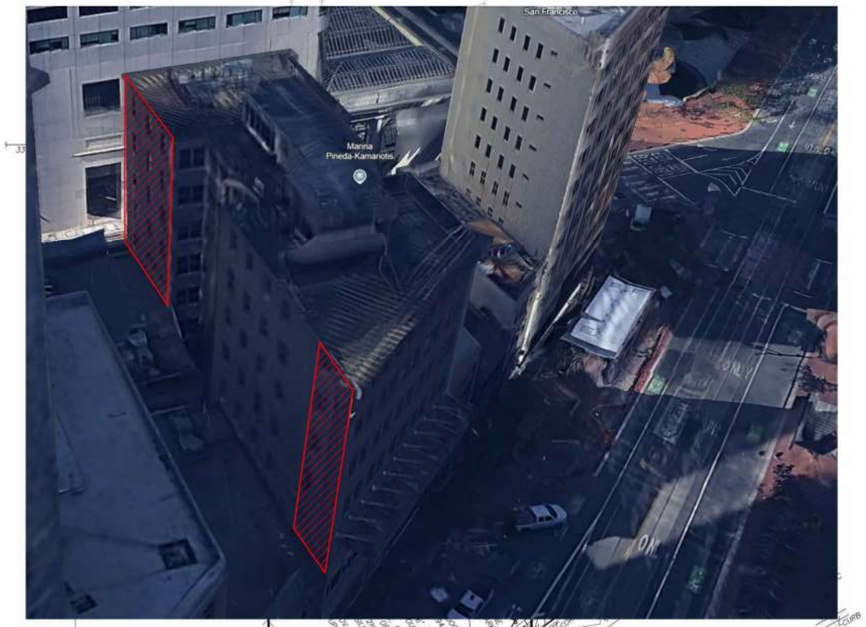


Date: 05/10/2024
Scale: 1" = 200'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
DRAWING INDEX AND PROJECT INFORMATION

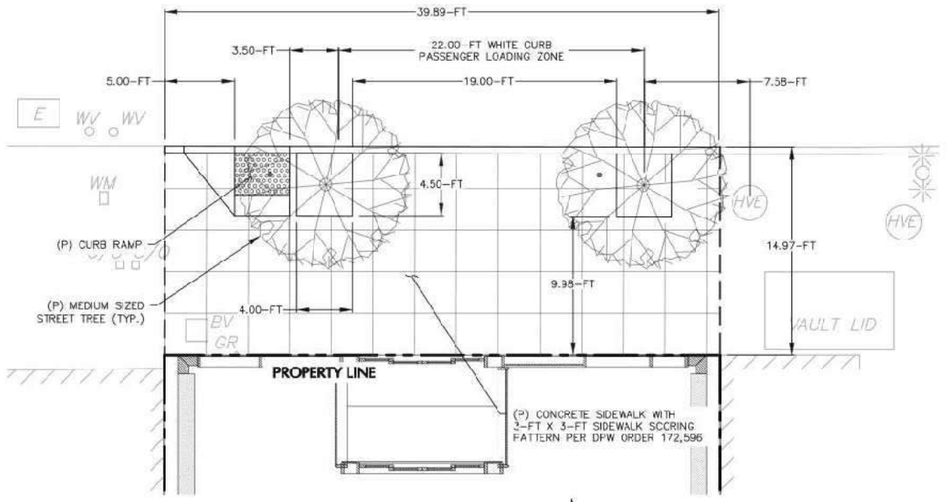
Sheet Number:
T-002.01

Sheet No: of



MARKET STREET
(120' R/W)
(OVERHEAD MUNI LINES NOT SHOWN)
(UNDERGROUND ELECTRIC, WATER & HIGH PRESSURE WATER LINES SOUTH OF MUNI TRACKS ARE NOT SHOWN)
BRICK WALK
CONCRETE
ASPHALT
12" GRANITE CURB
6" GRANITE CURB
CONCRETE ISLAND (BUS STOP)
TRENCH DRAIN
HANDRAILS
MUNI TRACKS
METAL GRATE
BUS STOP
TRASH CAN
PLANTER
PLANTER WINDOW
50.00'
176.927'
100'
18'S
18'5
BLDG. @ 1ST STORY INACCESSIBLE
0.07' OV. @ BLDG. @ TOP OF 3RD STORY
0.16' OV. @ ROOF
0.24' OV. @ ROOF FLASHING
0.3'± OV. @ CORNICES
FOUND MARK @ BLDG. CORNER (STONE FACADE), 5.0' UP
0.10' CLR. @ MARK; 0.12' CLR. @ ROOF
SET MARK @ BLDG. CORNER (STONE FACADE), 5.0' UP
METAL FLASHING BETWEEN BLDGS.
0.02' CLR. @ BLDG., 1' UP
CORNICE ABOVE @ 10'± OV.
RIM 31.66
INV. 027.46
(3)6"ø
(1)8"ø
(2)12"ø
SFFD
WM
GV
MH
TS
E
TP
BR
SFPUC
HPFS
SFWV
SDMH
SDCO
SSMH
SSCO
DRAIN
CURB
CONCRETE
ASPHALT
SIDEWALK
(31'-10½")
#1604'
(31'-10½")
#1604'
(31'-10½")
#1604'

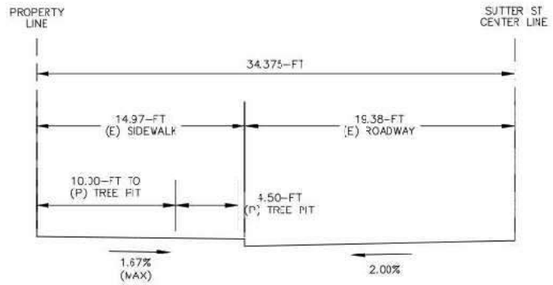
SUTTER STREET
(68.75-FT ROW)



SUTTER STREET FRONTAGE

SCALE: 1" = 5'

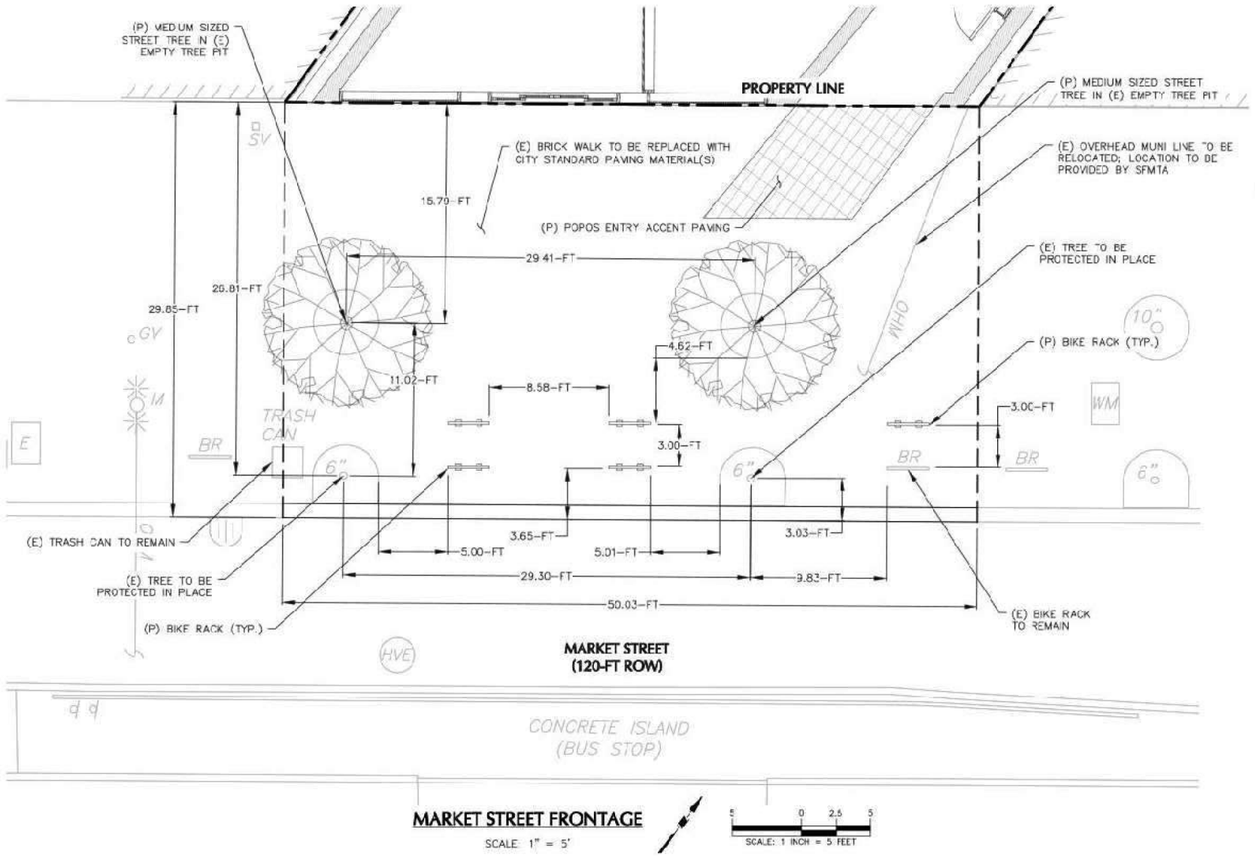
SCALE: 1 INCH = 5 FEET



SUTTER STREET SECTION

SCALE: 1" = 5'

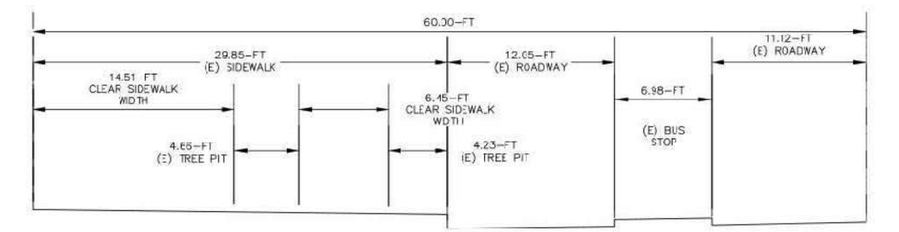
SCALE: 1 INCH = 5 FEET



MARKET STREET FRONTAGE

SCALE: 1" = 5'

SCALE: 1 INCH = 5 FEET



MARKET STREET SECTION

SCALE: 1" = 5'

SCALE: 1 INCH = 5 FEET

NOTES:

1. PROJECT WILL COORDINATE WITH THE CITY'S BETTER MARKET STREET PROJECT FOR PROPOSED STREETSCAPE IMPROVEMENTS ALONG MARKET STREET

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LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32858
10-31-2021
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

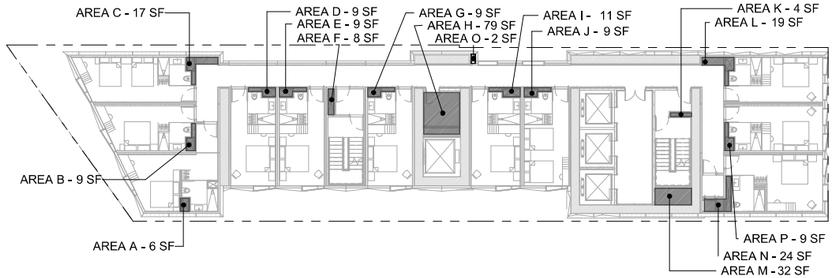
Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
STREETSCAPE PLAN

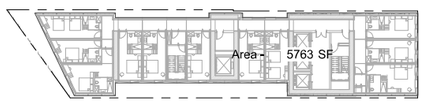
Sheet Number:
Z-002.00

Sheet No: of

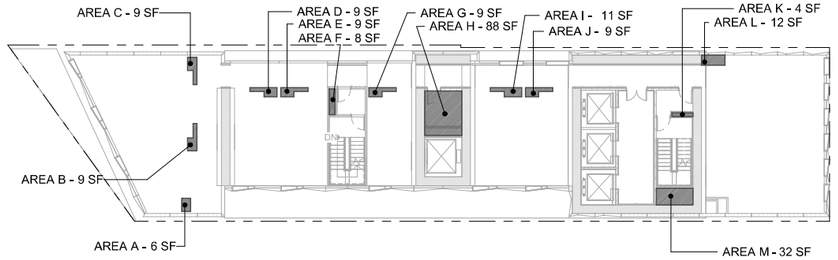


ZONING DEDUCTIONS TABLE - LEVEL 04		
NAME	TYPE	AREA
AREA A	MEP	6 SF
AREA B	MEP	9 SF
AREA C	MEP	17 SF
AREA D	MEP	9 SF
AREA E	MEP	9 SF
AREA F	MEP	8 SF
AREA G	MEP	9 SF
AREA H	MEP	79 SF
AREA I	MEP	11 SF
AREA J	MEP	9 SF
AREA K	MEP	4 SF
AREA L	MEP	19 SF
AREA M	MEP	32 SF
AREA N	MEP	24 SF
AREA O	MEP	2 SF
AREA P	MEP	9 SF
		256 SF

ZONING CALCULATIONS - LEVEL 04	
GFA	5,763 SF
DEDUCTIONS	256 SF
FAR	5,507 SF



LEVEL 04 - TYPICAL GUESTROOM - DEDUCTIONS 06
1/16" = 1'-0"



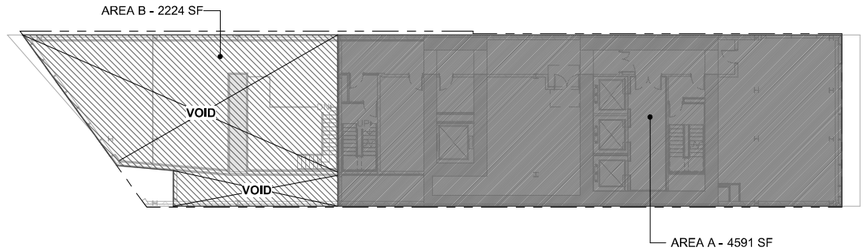
DEDUCTIONS PLAN

ZONING DEDUCTIONS TABLE - LEVEL 03		
NAME	TYPE	AREA
AREA A	MEP	6 SF
AREA B	MEP	9 SF
AREA C	MEP	9 SF
AREA D	MEP	9 SF
AREA E	MEP	9 SF
AREA F	MEP	8 SF
AREA G	MEP	9 SF
AREA H	MEP	88 SF
AREA I	MEP	11 SF
AREA J	MEP	9 SF
AREA K	MEP	4 SF
AREA L	MEP	12 SF
AREA M	MEP	32 SF
		216 SF

ZONING CALCULATIONS - LEVEL 03	
GFA	5,763 SF
DEDUCTIONS	216 SF
FAR	5,547 SF

GROSS FLOOR AREA PLAN

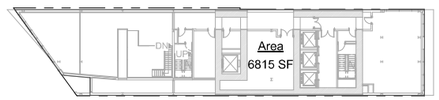
LEVEL 03 - BOH / OPERATIONS / GYM - DEDUCTIONS 05
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 02		
NAME	TYPE	AREA
AREA A	MEP	4591 SF
AREA B	Void	2224 SF
		6815 SF

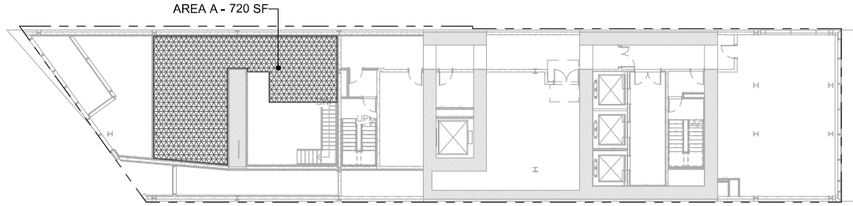
ZONING CALCULATIONS - LEVEL 02	
GFA	6,815 SF
DEDUCTIONS	6,815 SF
FAR	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

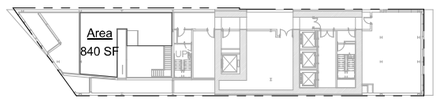
LEVEL 02 - MEZZ & MEP - DEDUCTIONS 04
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 1.5 MEZZ.		
NAME	TYPE	AREA
AREA A	Retail	720 SF
		720 SF

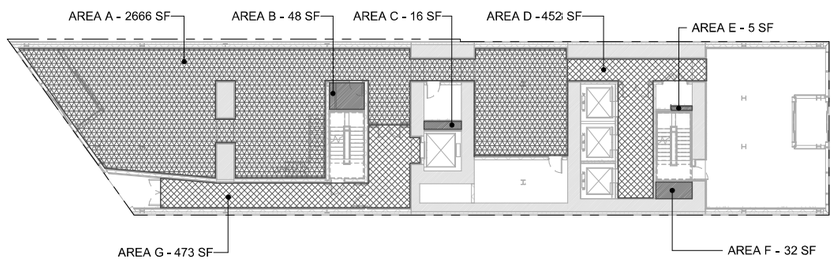
ZONING CALCULATIONS - LEVEL 1.5 MEZZ.	
GFA	720 SF
DEDUCTIONS	720 SF
FAR	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

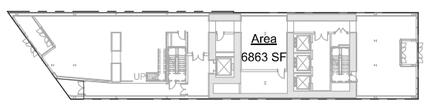
LEVEL 1.5 MEZZANINE - DEDUCTIONS 03
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 01		
NAME	TYPE	AREA
AREA A	Retail	2666 SF
AREA B	MEP	48 SF
AREA C	MEP	16 SF
AREA D	Circulation	447 SF
AREA E	MEP	5 SF
AREA F	MEP	32 SF
AREA G	Circulation	473 SF
		3687 SF

ZONING CALCULATIONS - LEVEL 01	
GFA	6,863 SF
DEDUCTIONS	3,687 SF
FAR	3,176 SF

DEDUCTIONS PLAN



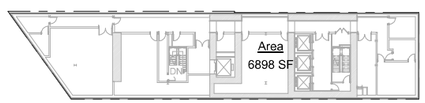
GROSS FLOOR AREA PLAN

LEVEL 01 - LOBBY - DEDUCTIONS 02
1/16" = 1'-0"

ZONING DEDUCTIONS TABLE - CELLAR		
NAME	TYPE	AREA
AREA A	MEP	6898 SF
		6898 SF

ZONING CALCULATIONS - CELLAR	
GSF	6,898 SF
DEDUCTIONS	6,898 SF
ZFA	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

BASEMENT - DEDUCTIONS 01
1/16" = 1'-0"

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Seal & Signature:
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DANIEL FORSTER
C-32858
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

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570 MARKET STREET
SAN FRANCISCO, CA

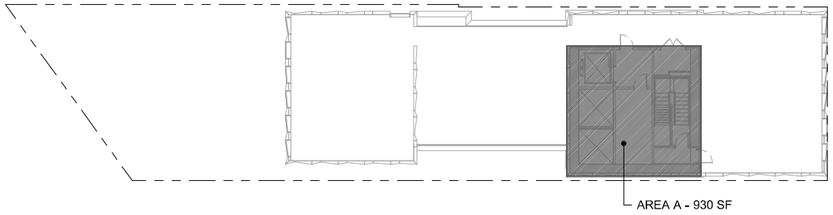
Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ZONING PLANS

Sheet Number:
Z-100.01

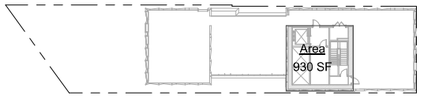
Sheet No: of



ZONING DEDUCTIONS TABLE - LEVEL 29 ROOF		
NAME	TYPE	AREA
AREA A	MEP	930 SF
		930 SF

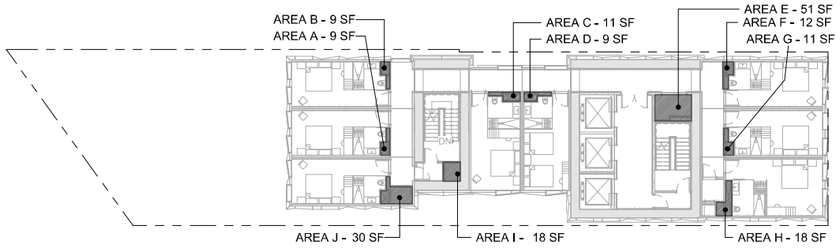
ZONING CALCULATIONS - LEVEL 29	
GFA	930 SF
DEDUCTIONS	930 SF
FAR	0 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

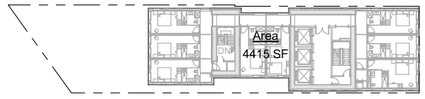
LEVEL 29 - ROOF - DEDUCTIONS 06
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 19-28		
NAME	TYPE	AREA
AREA A	MEP	9 SF
AREA B	MEP	9 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	51 SF
AREA F	MEP	12 SF
AREA G	MEP	11 SF
AREA H	MEP	18 SF
AREA I	MEP	18 SF
AREA J	MEP	30 SF
		178 SF

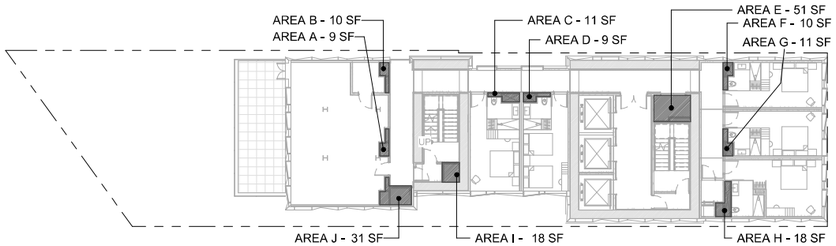
ZONING CALCULATIONS - LEVEL 19-28	
GFA	4,415 SF
DEDUCTIONS	178 SF
FAR	4,237 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

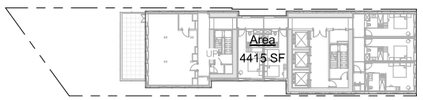
LEVEL 19 - TYP. GUESTROOM - DEDUCTIONS 05
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 18		
NAME	TYPE	AREA
AREA A	MEP	9 SF
AREA B	MEP	10 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	51 SF
AREA F	MEP	10 SF
AREA G	MEP	11 SF
AREA H	MEP	18 SF
AREA I	MEP	18 SF
AREA J	MEP	31 SF
		178 SF

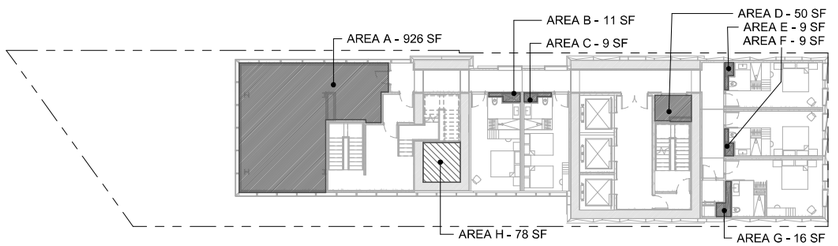
ZONING CALCULATIONS - LEVEL 18	
GFA	4,415 SF
DEDUCTIONS	178 SF
FAR	4,237 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

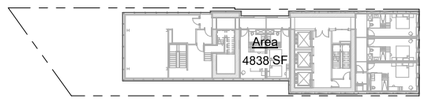
LEVEL 18 - GUESTROOMS / FITNESS - DEDUCTIONS 04
1/16" = 1'-0"



ZONING DEDUCTIONS TABLE - LEVEL 17		
NAME	TYPE	AREA
AREA A	MEP	926 SF
AREA B	MEP	11 SF
AREA C	MEP	9 SF
AREA D	MEP	50 SF
AREA E	MEP	9 SF
AREA F	MEP	9 SF
AREA G	MEP	16 SF
AREA H	Void	78 SF
		1108 SF

ZONING CALCULATIONS - LEVEL 17	
GFA	4,838 SF
DEDUCTIONS	1,108 SF
FAR	3,730 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 17 - GUESTROOMS / MECH - DEDUCTIONS 03
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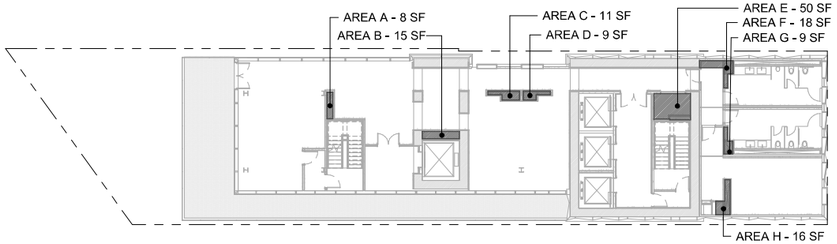
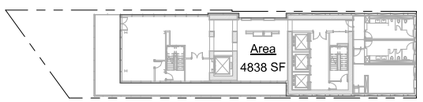


ZONING DEDUCTIONS TABLE - LEVEL 16		
NAME	TYPE	AREA
AREA A	MEP	8 SF
AREA B	MEP	15 SF
AREA C	MEP	11 SF
AREA D	MEP	9 SF
AREA E	MEP	50 SF
AREA F	MEP	18 SF
AREA G	MEP	9 SF
AREA H	MEP	16 SF
		137 SF

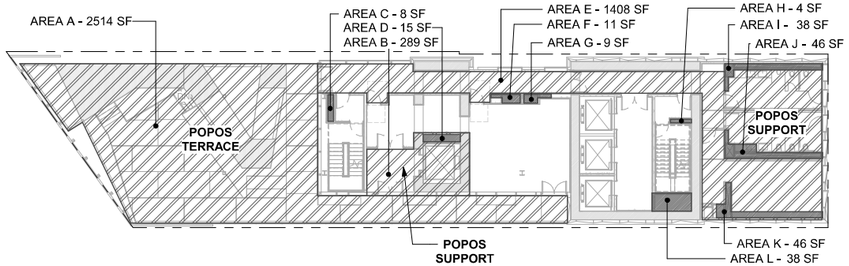
ZONING CALCULATIONS - LEVEL 16	
GFA	4,838 SF
DEDUCTIONS	137 SF
FAR	4,701 SF

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 16 - BAR - DEDUCTIONS 02
1/16" = 1'-0"

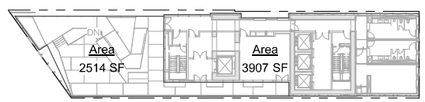


ZONING DEDUCTIONS TABLE - LEVEL 15		
NAME	TYPE	AREA
AREA A	POPOS	2514 SF
AREA B	POPOS	289 SF
AREA C	MEP	8 SF
AREA D	MEP	15 SF
AREA E	POPOS	1408 SF
AREA F	MEP	11 SF
AREA G	MEP	9 SF
AREA H	MEP	4 SF
AREA I	MEP	38 SF
AREA J	MEP	46 SF
AREA K	MEP	46 SF
AREA L	MEP	38 SF
		4426 SF

ZONING CALCULATIONS - LEVEL 15	
GFA	6,421 SF
DEDUCTIONS	4,426 SF
FAR	1,995 SF

*GFA INCLUDES OUTDOOR POPOS TERRACE

DEDUCTIONS PLAN



GROSS FLOOR AREA PLAN

LEVEL 15 - POPOS - DEDUCTIONS 01
1/16" = 1'-0"

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LICENSED ARCHITECT DANIEL FORSTER C-32858 10-31-2023 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ZONING PLANS

Sheet Number:
Z-101.01

Sheet No: of

SUTTER STREET SOUTHWEST **04**

SUTTER STREET SOUTHEAST **03**

MARKET STREET SOUTHWEST **02**

MARKET STREET SOUTHEAST **01**

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ANDREW BRUCKNER
C-32858
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
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Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
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Checked By: Checker
Project No: 177

Drawing Title:
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Sheet Number:
G-100.00

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582 MARKET STREET
PODIUM APPROX. 158FT TALL

576-580 MARKET STREET
APPROX. 88FT TALL

44 MONTGOMERY STREET
APPROX. 562FT TALL

3-STORY BLDG.

2-STORY BLDG.

1-STORY BLDG.

189' - 5 1/2"

15' - 0"

ELECTRICAL VAULT BELOW SIDEWALK, FULL WIDTH OF SITE TO BE COORDINATED & ENGINEERED WITH PG&E

MARQUEE

HOTEL ENTRY

40' - 0"

19' - 0"

15' - 0 1/2" SIDEWALK

SUTTER STREET
(68.75 R/W)

48' - 7"

50' - 0"

MIN. 9 CLASS II BIKE SPACES

LEVEL 15 - POPOS TERRACE

LEVEL 16 BALCONY

LEVEL 18 BALCONY

LEVEL 29 MECHANICAL ROOF

LEVEL 29 MECHANICAL ROOF

STAIR BULKHEAD ROOF

LEVEL 29 MECHANICAL ROOF

LEVEL 16 BALCONY

29' - 10 1/4" SIDEWALK

POPOS ENTRY

EXISTING BIKE RACK TO REMAIN

160' - 2 3/4"

LIGHT WELL

MARKET STREET
(120 R/W)

70' - 10"

562 MARKET STREET
APPROX. 102FT TALL

57' - 6"

LIGHT WELL

N

SITE PLAN
1/8" = 1'-0"

01

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STATE OF CALIFORNIA

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Project No: 177

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SITE PLAN

Sheet Number:
A-001.01

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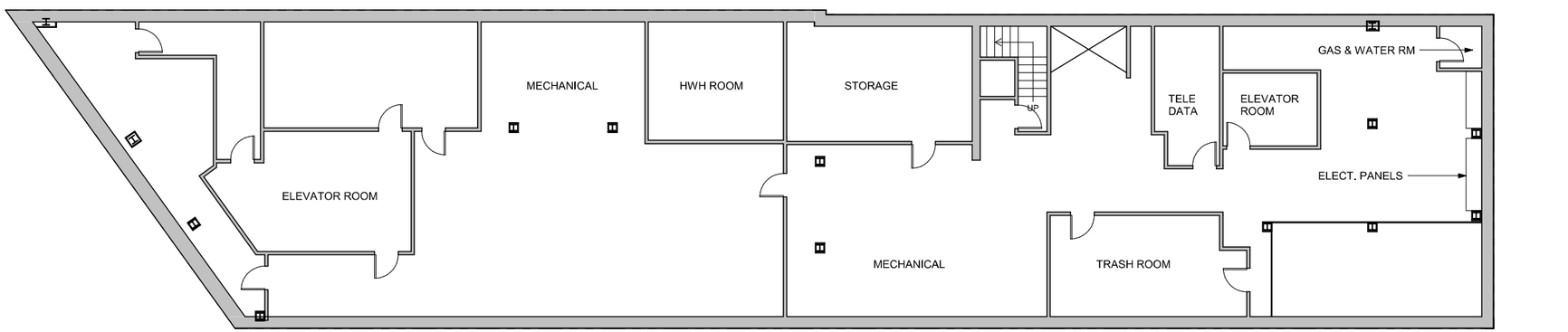

EXISTING FLOOR PLAN - CELLAR 01
1/8" = 1'-0"

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT AARON BUCHWALD C-32858 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

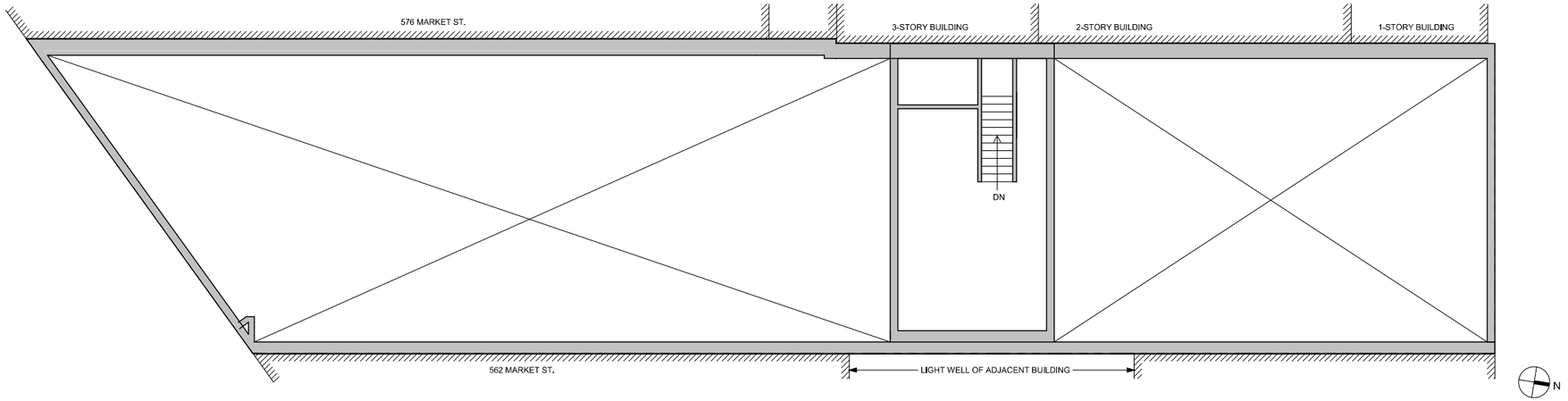
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

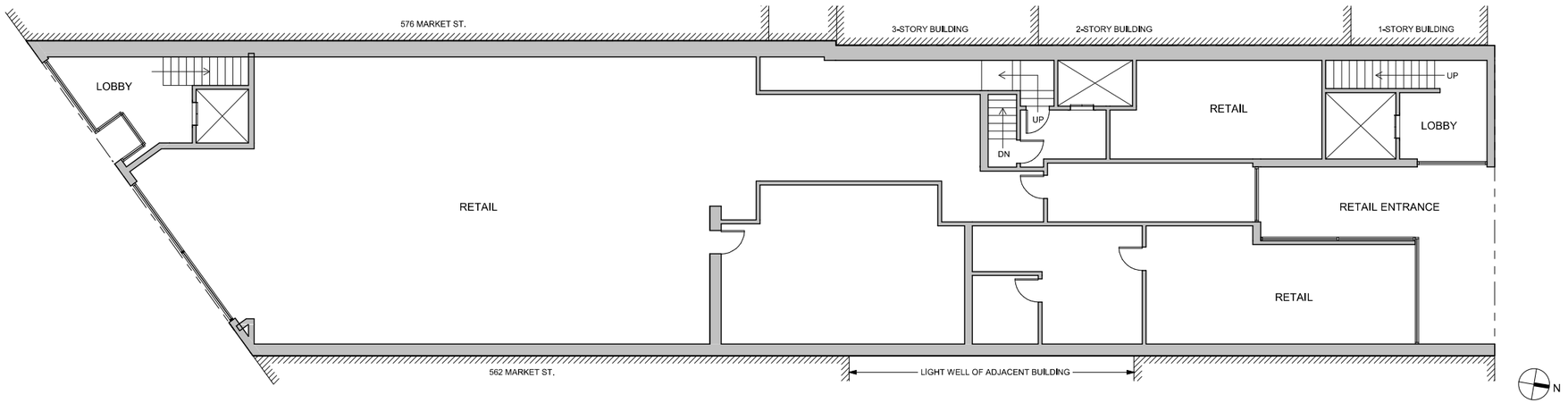
Drawing Title:
EXISTING FLOOR PLAN - SUB-CELLAR & CELLAR LEVEL

Sheet Number:
A-050.00

Sheet No: of



EXISTING FLOOR PLAN - MEZZANINE LEVEL **02**
1/8" = 1'-0"



EXISTING FLOOR PLAN - LEVEL 01 **01**
1/8" = 1'-0"

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LICENSED ARCHITECT DANIEL KEITH FORSTER C-32858 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

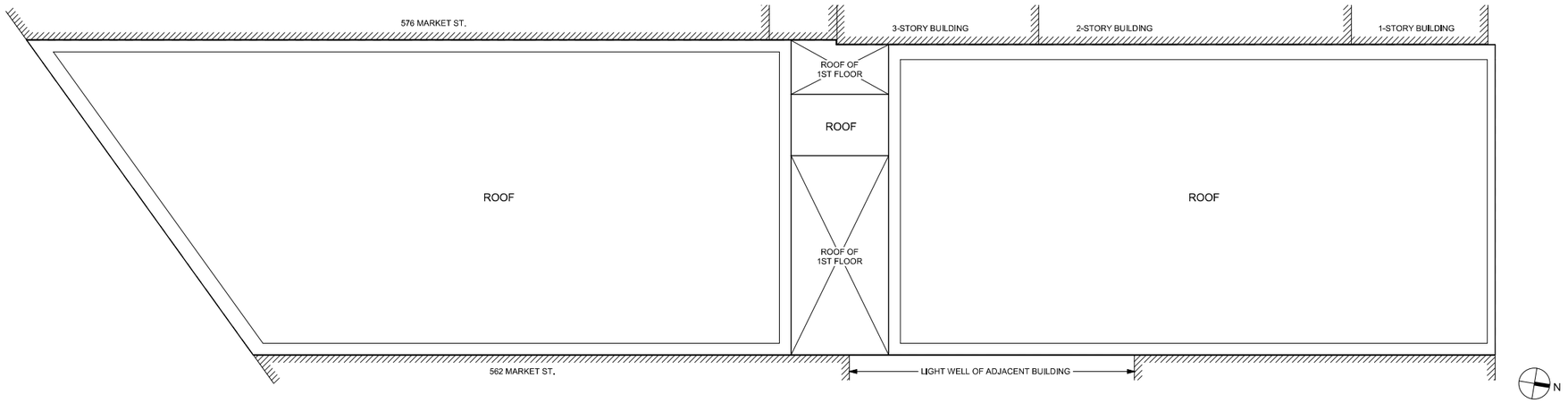
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

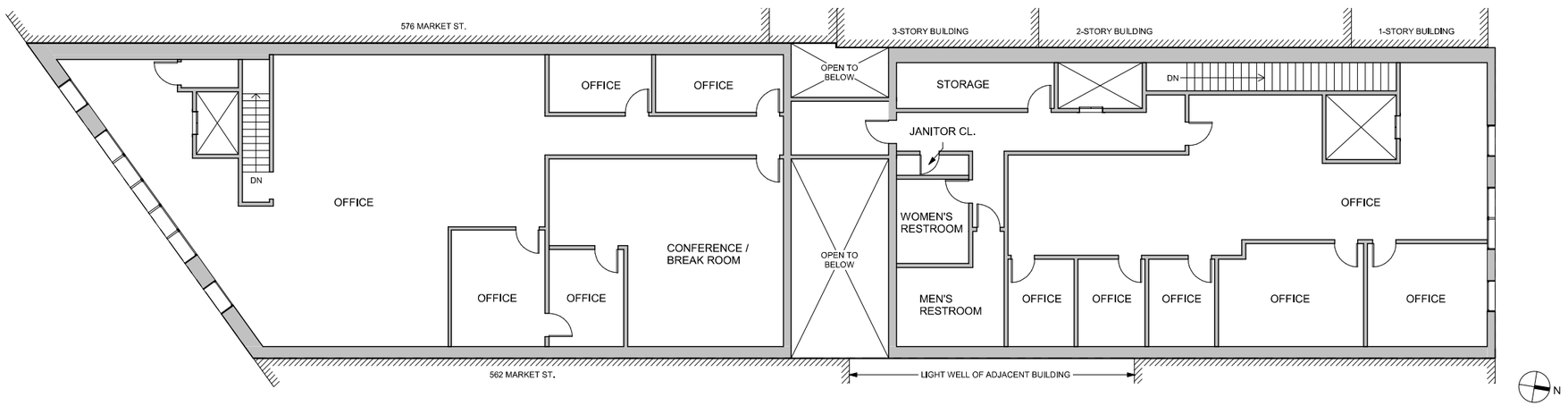
Drawing Title:
EXISTING FLOOR PLAN - LEVEL 01 & MEZZANINE

Sheet Number:
A-051.00

Sheet No: of



EXISTING FLOOR PLAN - ROOF **02**
1/8" = 1'-0"



EXISTING FLOOR PLAN - LEVEL 02 **01**
1/8" = 1'-0"

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LICENSED ARCHITECT JASON BLOOMBERG C-32858 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

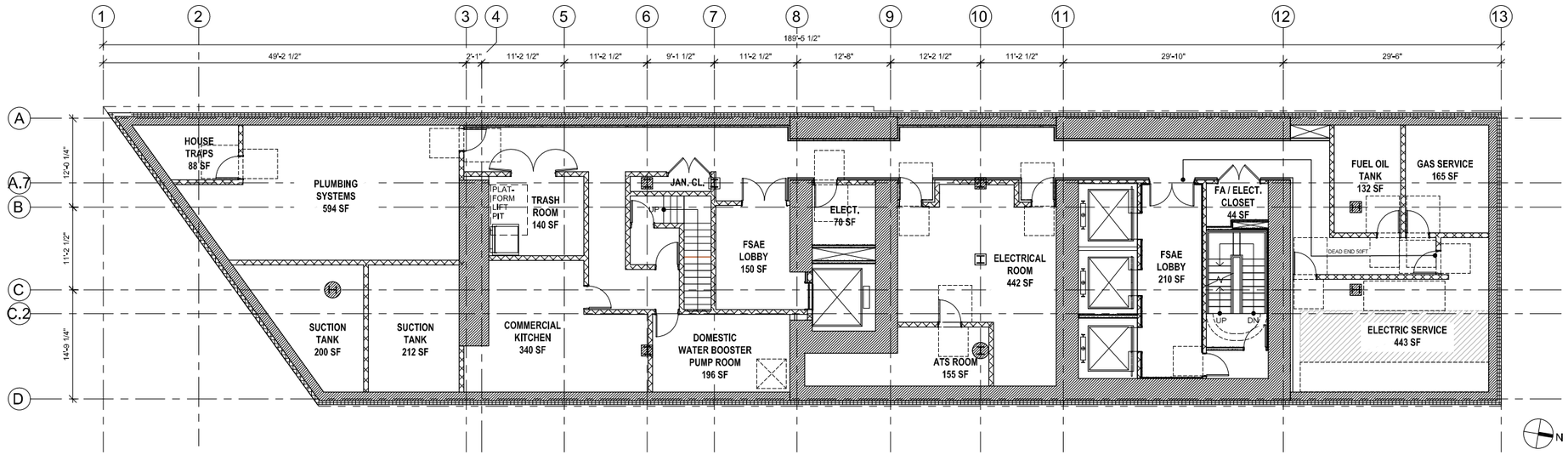
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXISTING FLOOR PLAN - LEVEL 02 & ROOF

Sheet Number:
A-052.00

Sheet No: of



FLOOR PLAN - BASEMENT 01
1/8" = 1'-0"

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLNY CHECK LETTER
3	04-09-21	REV. MASSING ADDENDUM TO PJC3_
4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
AARON W. CUSHNER
C-32858
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

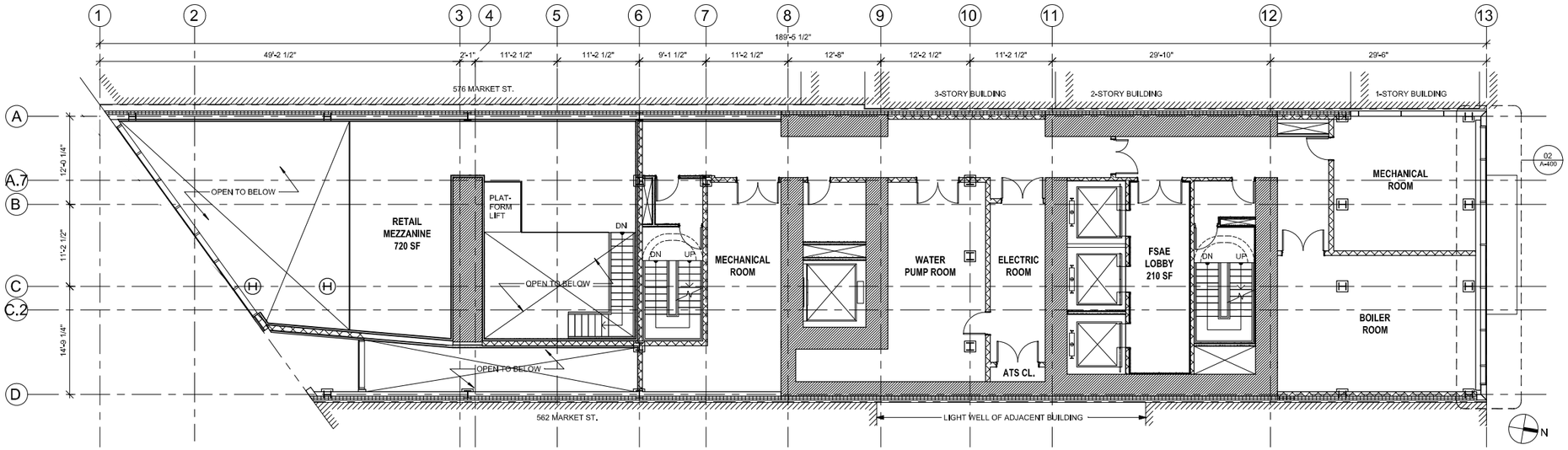
Key Plan:

Date: 05/10/2024
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - BASEMENT LEVEL

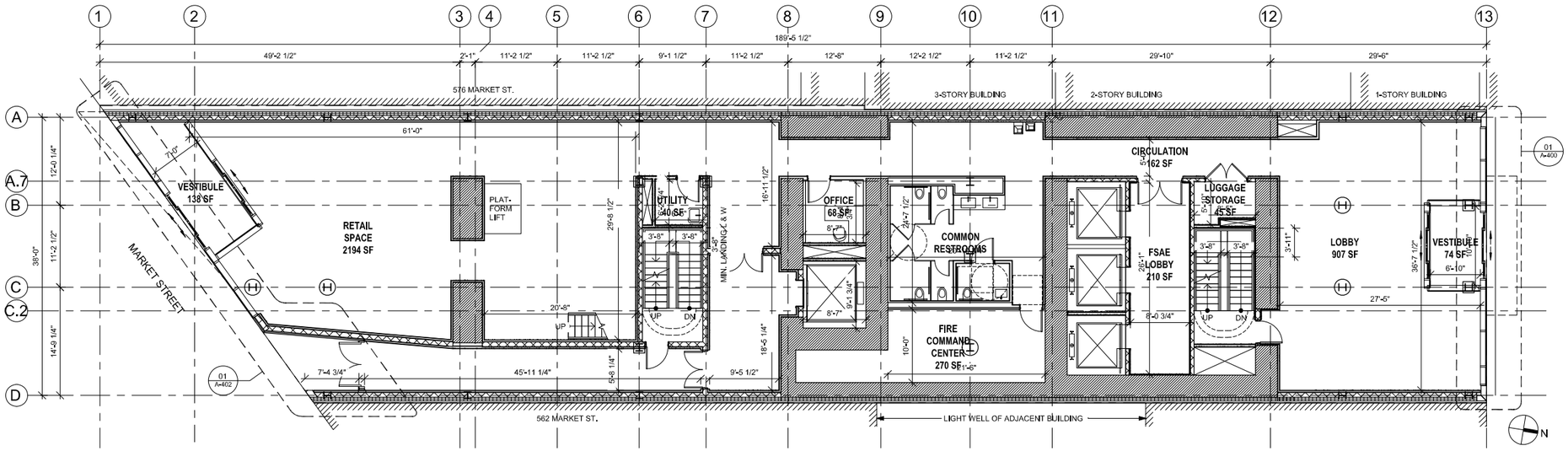
Sheet Number:
A-100.02

Sheet No: of



FLOOR PLAN - LEVEL 02
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 01
1/8" = 1'-0"

01

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1	10-23-20	RESPONSE TO PLNY CHECK LETTER
3	04-02-21	REV. MASSING ADDENDUM TO PCL
4	05-10-24	CONFORMANCE SET

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON SUSHKIN
C-32855
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

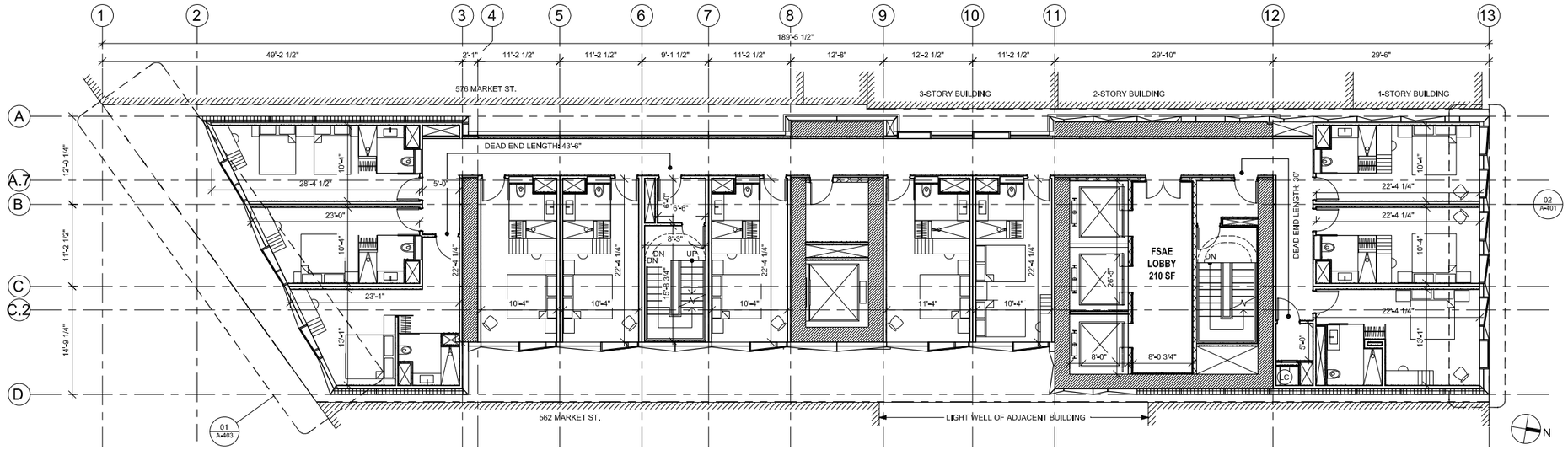
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 01 & LEVEL 02

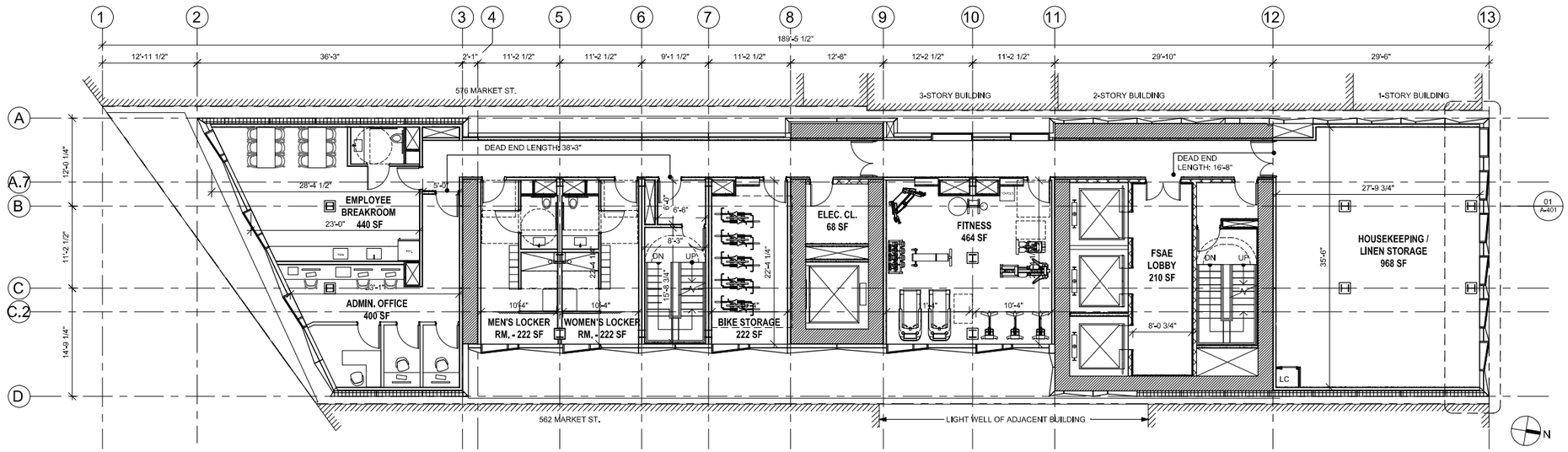
Sheet Number:
A-101.02

Sheet No: of



FLOOR PLAN - LEVEL 04
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 03
1/8" = 1'-0"

01

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1	10-30-20	RESPONSE TO PLNY CHECK LETTER
3	04-02-21	REV. MASSING ADDENDUM TO PJ03
4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON BUCKHOUT
C-32858
10-31-2026
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

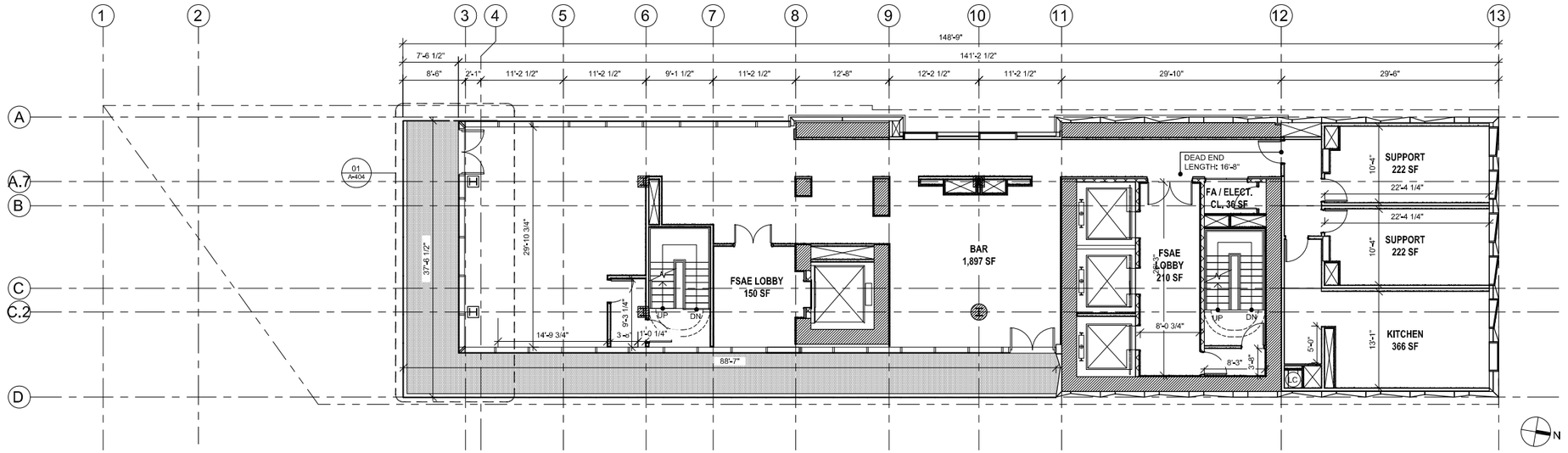
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 03 & LEVEL 04

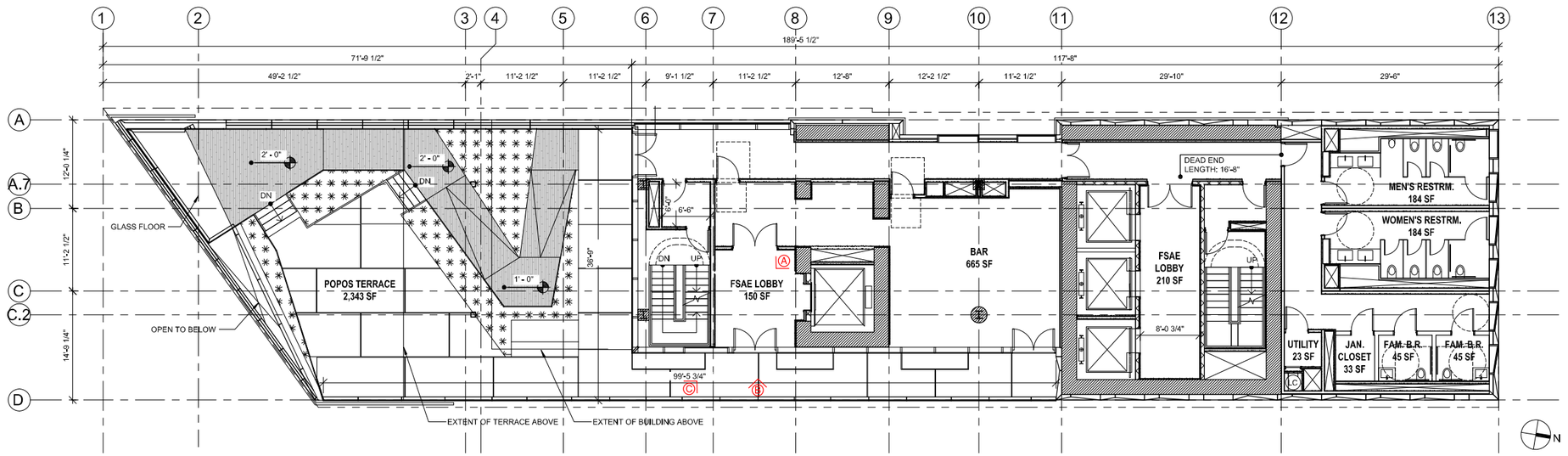
Sheet Number:
A-102.02

Sheet No: of



FLOOR PLAN - LEVEL 16
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 15
1/8" = 1'-0"

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3	04-02-21	REV. MASSING ADDENDUM TO PJ03_
4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON BUCHERT
C-32858
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

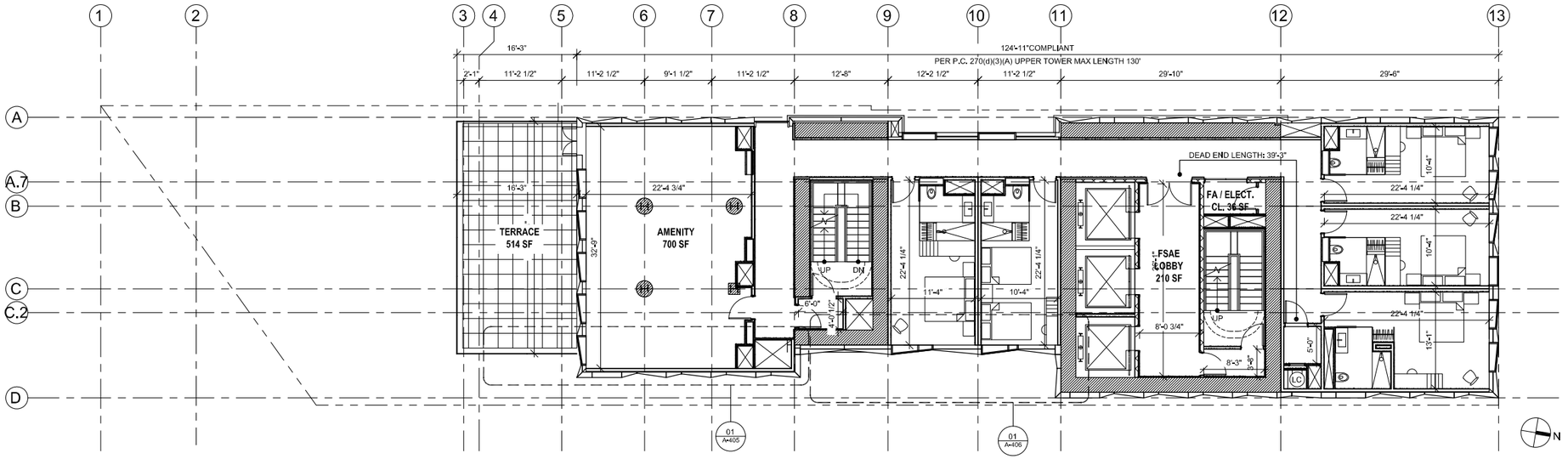
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 15 & LEVEL 16

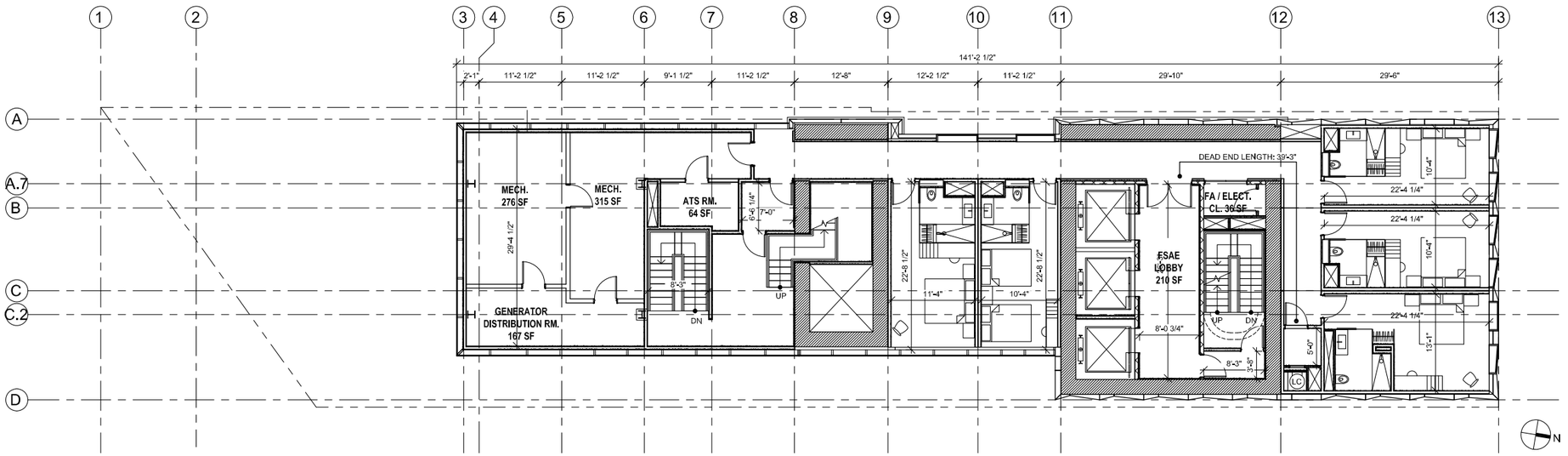
Sheet Number:
A-103.02

Sheet No: of



FLOOR PLAN - LEVEL 18
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 17
1/8" = 1'-0"

01

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3	04-02-21	REV. MASSING ADDENDUM TO P.C.U.
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Seal & Signature:
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LICENSED ARCHITECT
JASON SUCHMAN
C-32658
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

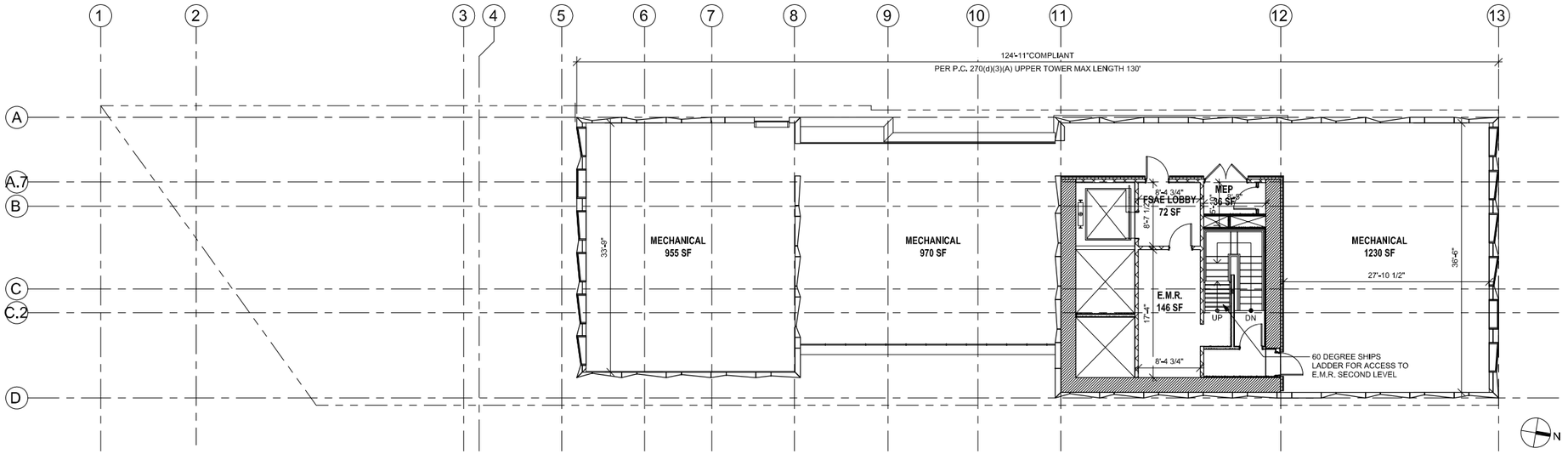
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

Drawing Title:
FLOOR PLAN - LEVEL 17 & LEVEL 18

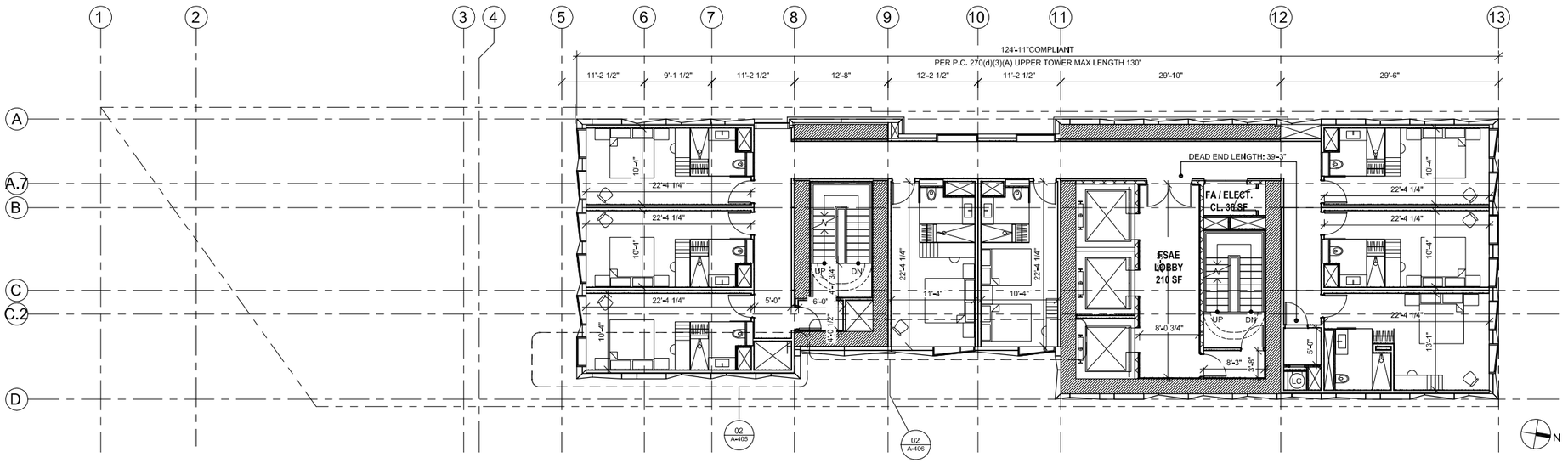
Sheet Number:
A-104.02

Sheet No: of



FLOOR PLAN - ROOF
1/8" = 1'-0"

02



FLOOR PLAN - LEVEL 19 THRU 28
1/8" = 1'-0"

01

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LICENSED ARCHITECT JASON BUCHHOLZ C-32858 10 - 31 - 2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

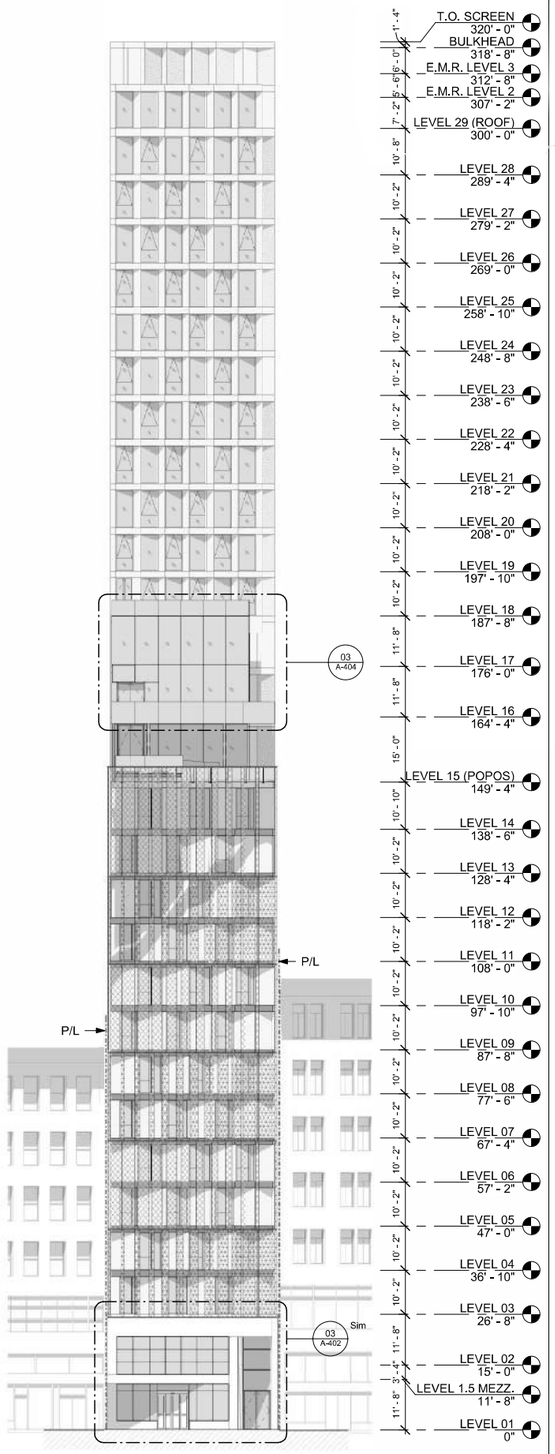
Key Plan:

Date: 05/17/2021
Scale: 1/8" = 1'-0"
Drawing By: DFA
Checked By: DFA
Project No: 177

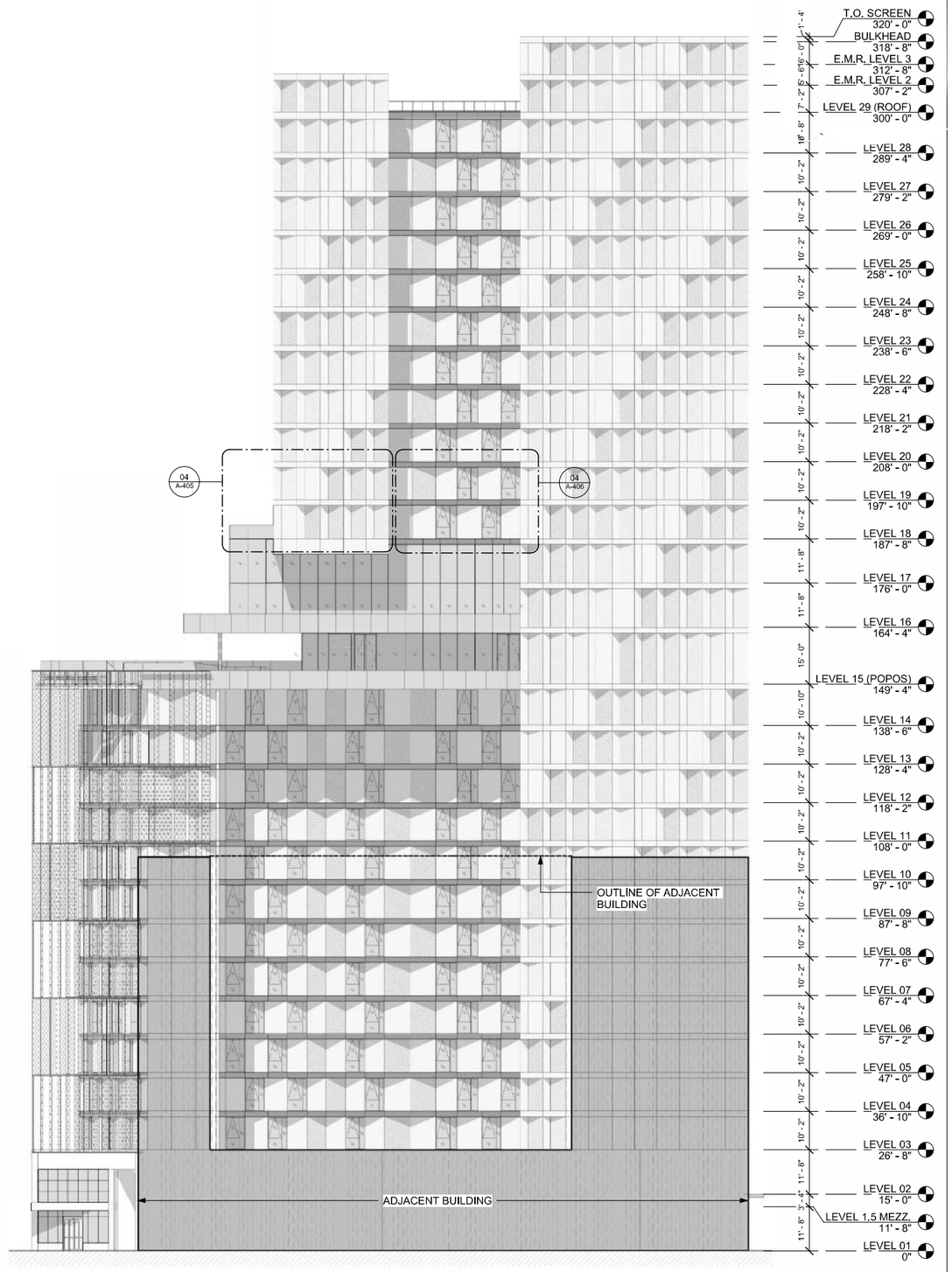
Drawing Title:
FLOOR PLAN - LEVEL 19 THRU LEVEL 28 & ROOF

Sheet Number:
A-105.02

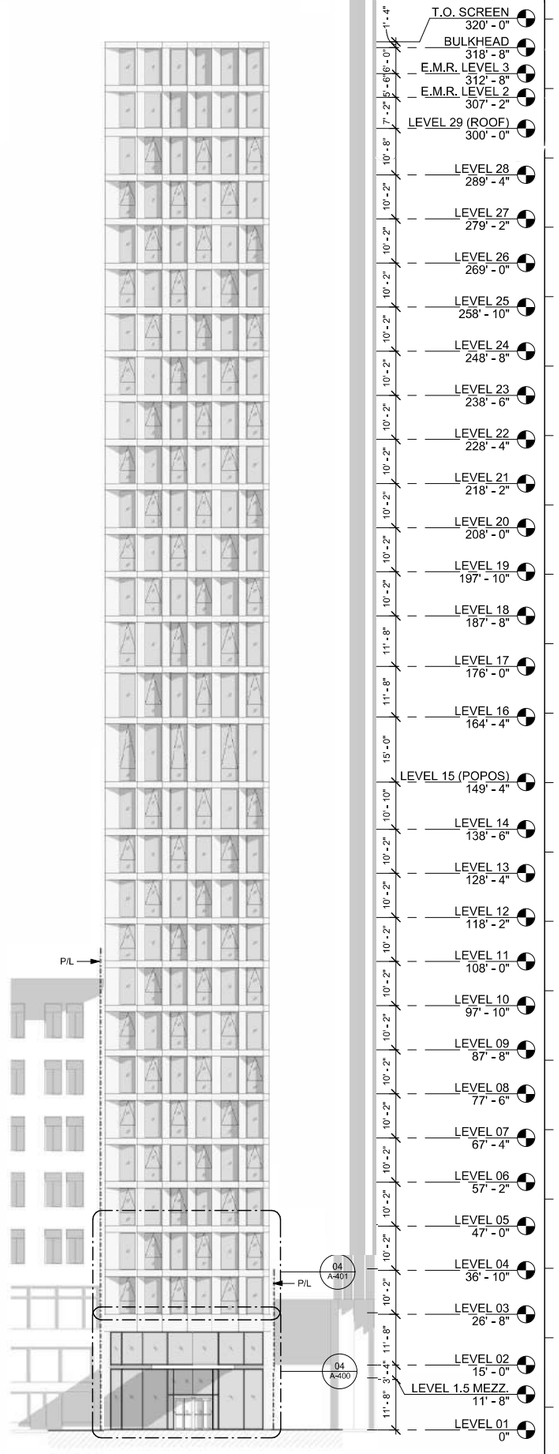
Sheet No: of



BUILDING ELEVATION - SOUTH 03
1/16" = 1'-0"



BUILDING ELEVATION - EAST 02
1/16" = 1'-0"



BUILDING ELEVATION - NORTH 01
1/16" = 1'-0"

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NO.	DATE	REVISION/ISSUANCE
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3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONFORMANCE SET

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON ELLINGHOUSE
C-32858
10-31-2025
RENEWAL
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

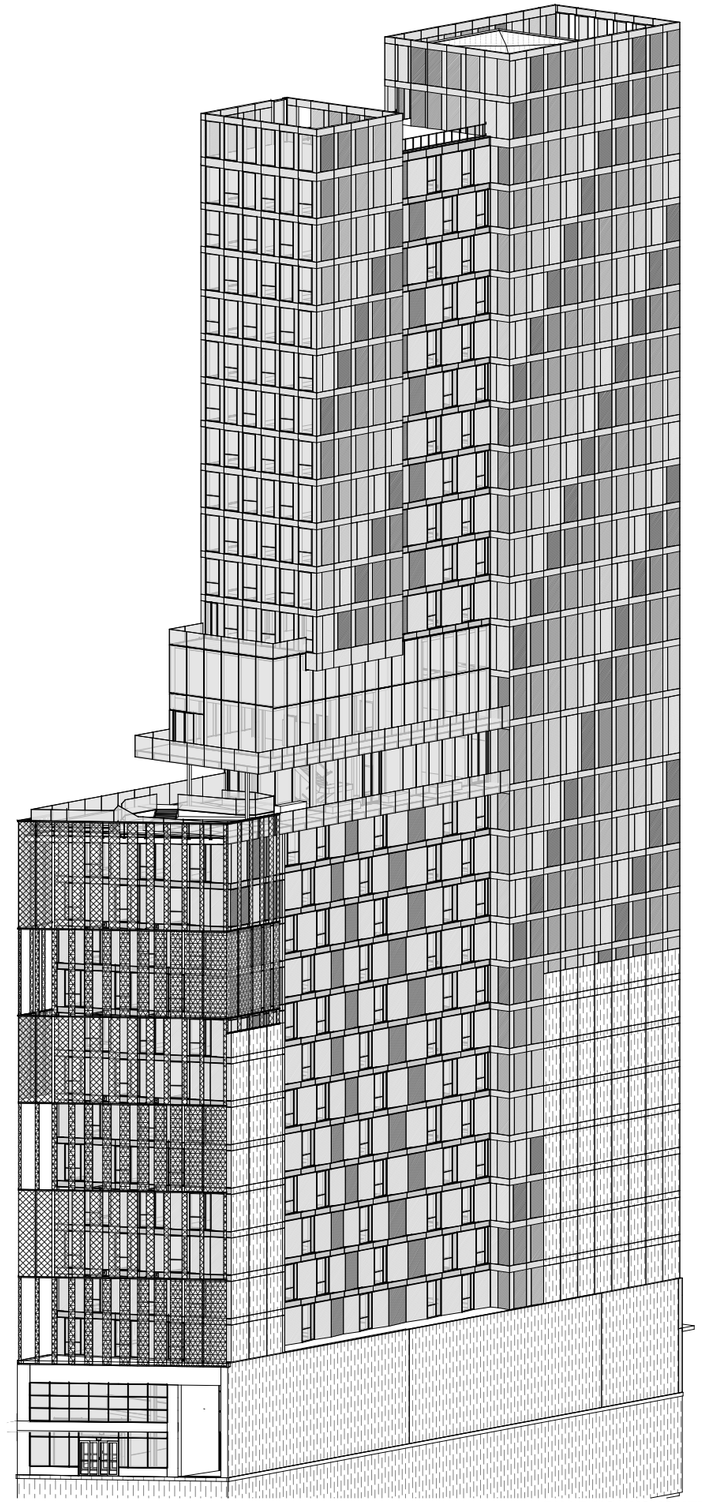
Key Plan:

Date:	05/10/2024
Scale:	1/16" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

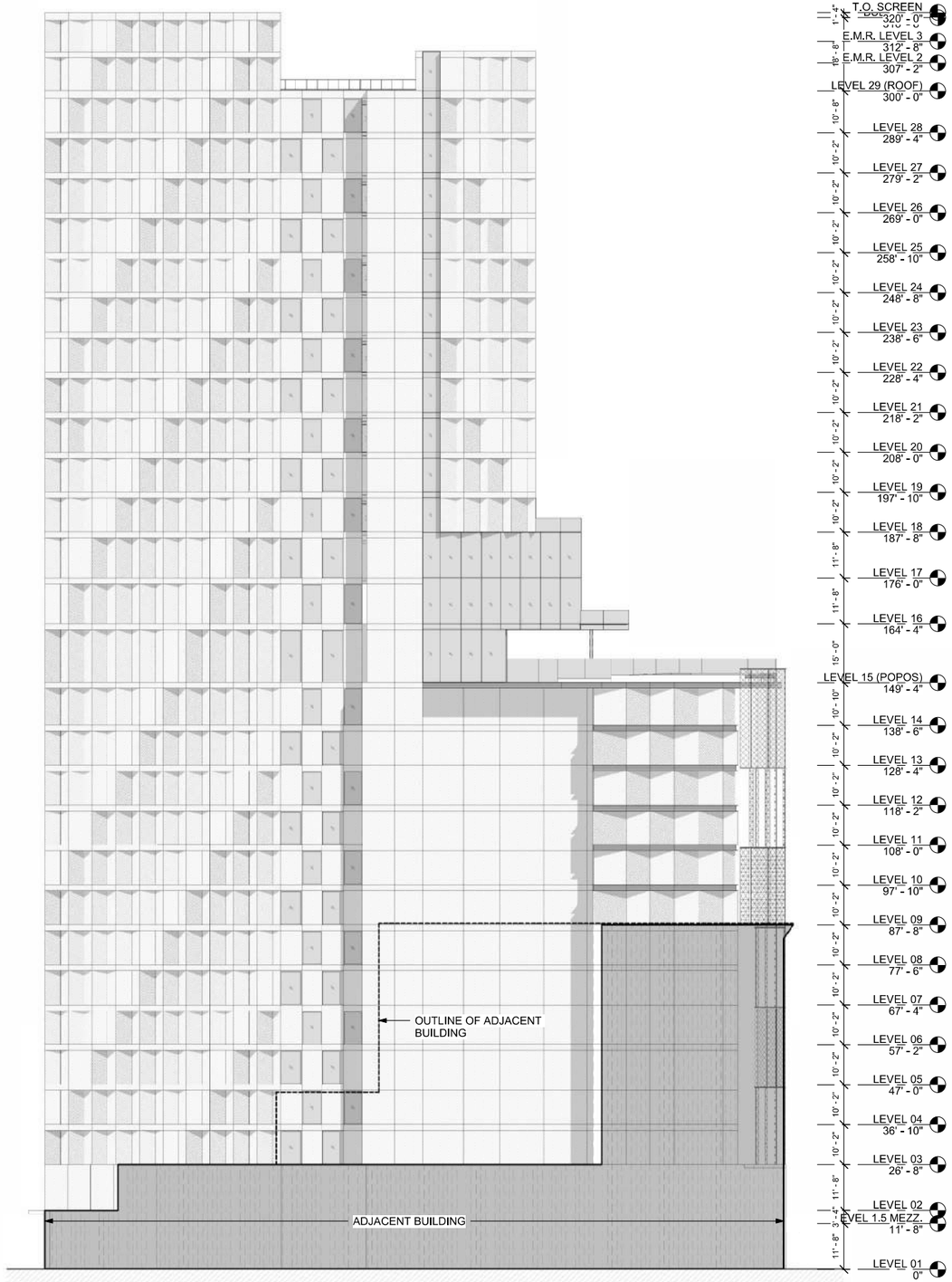
Drawing Title:
BUILDING ELEVATIONS

Sheet Number:
A-200.02

Sheet No: of



BUILDING AXONOMETRIC 02



BUILDING ELEVATION - WEST
1/16" = 1'-0"

01

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BURKHART
C-32555
10-21-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

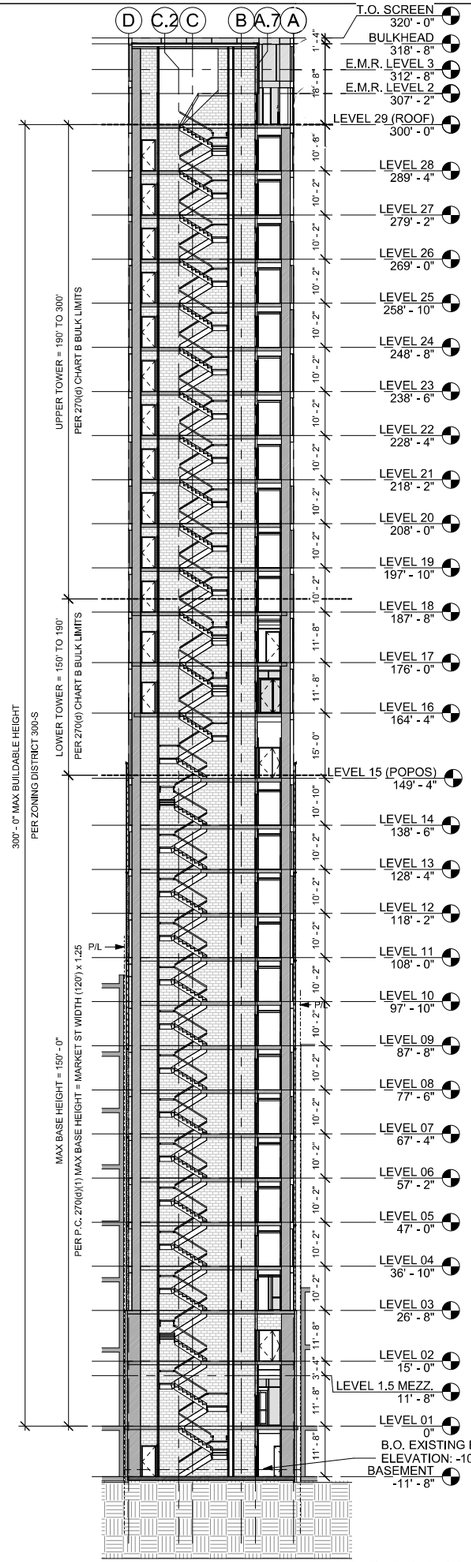
Key Plan:

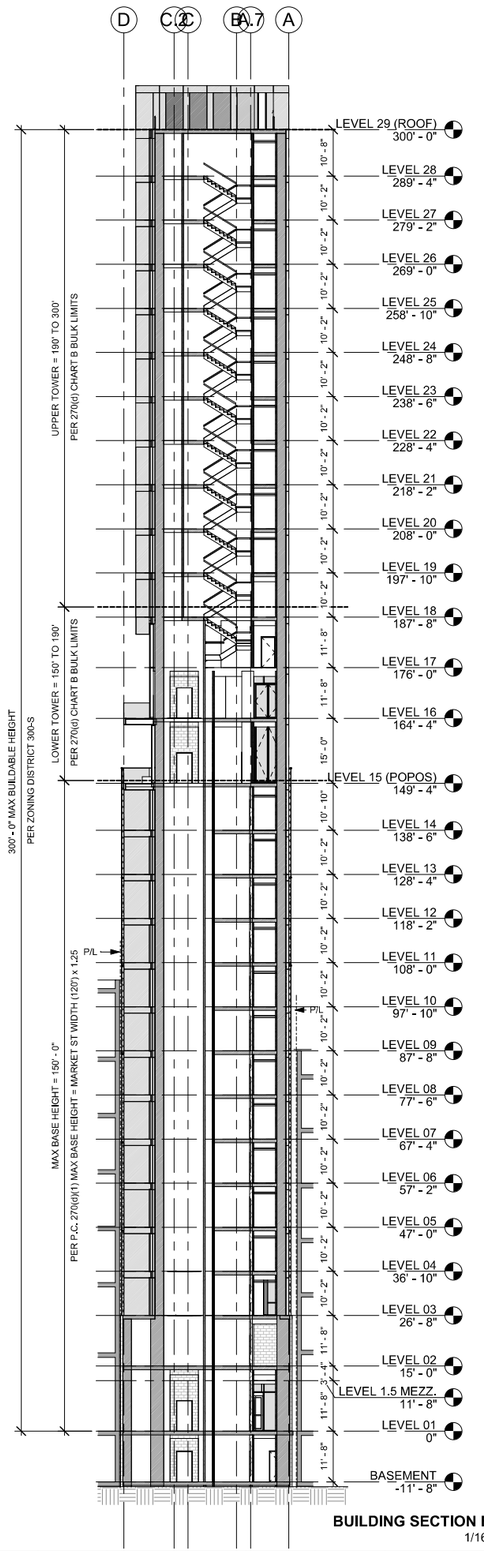
Date:	05/10/2024
Scale:	1/16" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
BUILDING ELEVATIONS

Sheet Number:
A-201.01

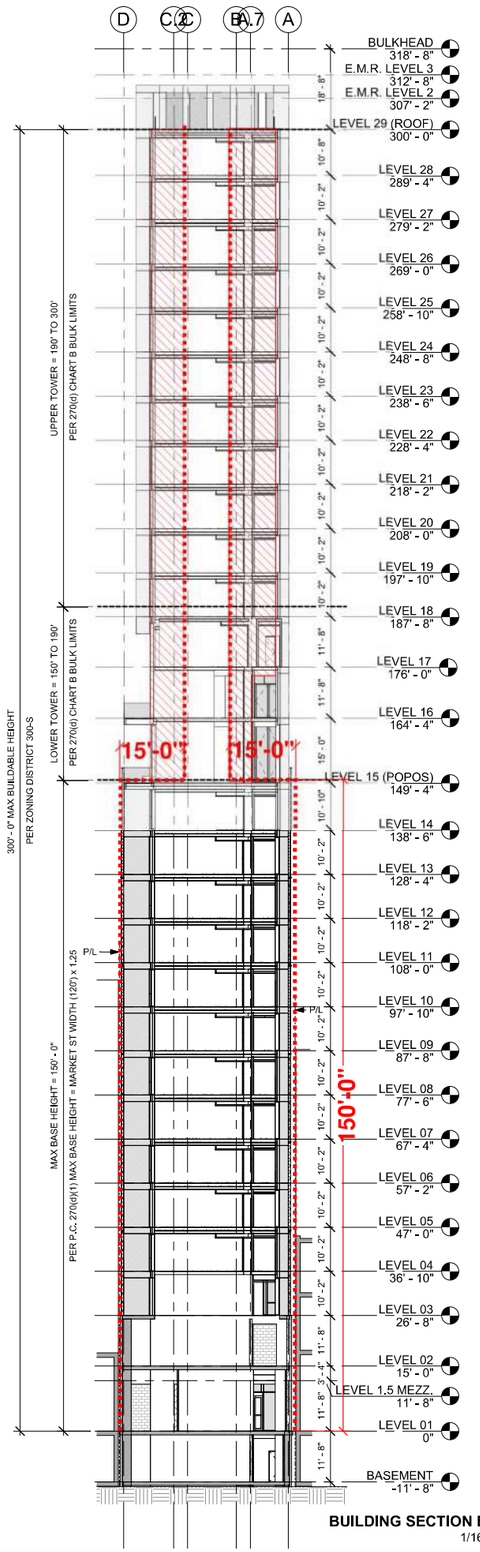
Sheet No: of


D C.2 C B A.7 A
T.O. SCREEN 320' - 0"
BULKHEAD 318' - 8"
E.M.R. LEVEL 3 312' - 8"
E.M.R. LEVEL 2 307' - 2"
LEVEL 29 (ROOF) 300' - 0"
LEVEL 28 289' - 4"
LEVEL 27 279' - 2"
LEVEL 26 269' - 0"
LEVEL 25 258' - 10"
LEVEL 24 248' - 8"
LEVEL 23 238' - 6"
LEVEL 22 228' - 4"
LEVEL 21 218' - 2"
LEVEL 20 208' - 0"
LEVEL 19 197' - 10"
LEVEL 18 187' - 8"
LEVEL 17 176' - 0"
LEVEL 16 164' - 4"
LEVEL 15 (POPOS) 149' - 4"
LEVEL 14 138' - 6"
LEVEL 13 128' - 4"
LEVEL 12 118' - 2"
LEVEL 11 108' - 0"
LEVEL 10 97' - 10"
LEVEL 09 87' - 8"
LEVEL 08 77' - 6"
LEVEL 07 67' - 4"
LEVEL 06 57' - 2"
LEVEL 05 47' - 0"
LEVEL 04 36' - 10"
LEVEL 03 26' - 8"
LEVEL 02 15' - 0"
LEVEL 1.5 MEZZ. 11' - 8"
LEVEL 01 0"
B.O. EXISTING BASEMENT ELEVATION: -10'-0"
BASEMENT -11' - 8"
P/L
300' - 0" MAX BUILDABLE HEIGHT PER ZONING DISTRICT 300-S
UPPER TOWER = 190' TO 300' PER 270(d) CHART B BULK LIMITS
LOWER TOWER = 150' TO 190' PER 270(d) CHART B BULK LIMITS
MAX BASE HEIGHT = 150' - 0" PER P.C. 270(d)(1) MAX BASE HEIGHT = MARKET ST WIDTH (120') x 1.25
10' - 8" 10' - 2" 10' - 2" 10' - 2



BUILDING SECTION E/W 03
1/16" = 1'-0"

02



BUILDING SECTION E/W 02
1/16" = 1'-0"

01

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NO. DATE REVISION/ISSUANCE

NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
4	05-10-24	CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUSHNELL
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

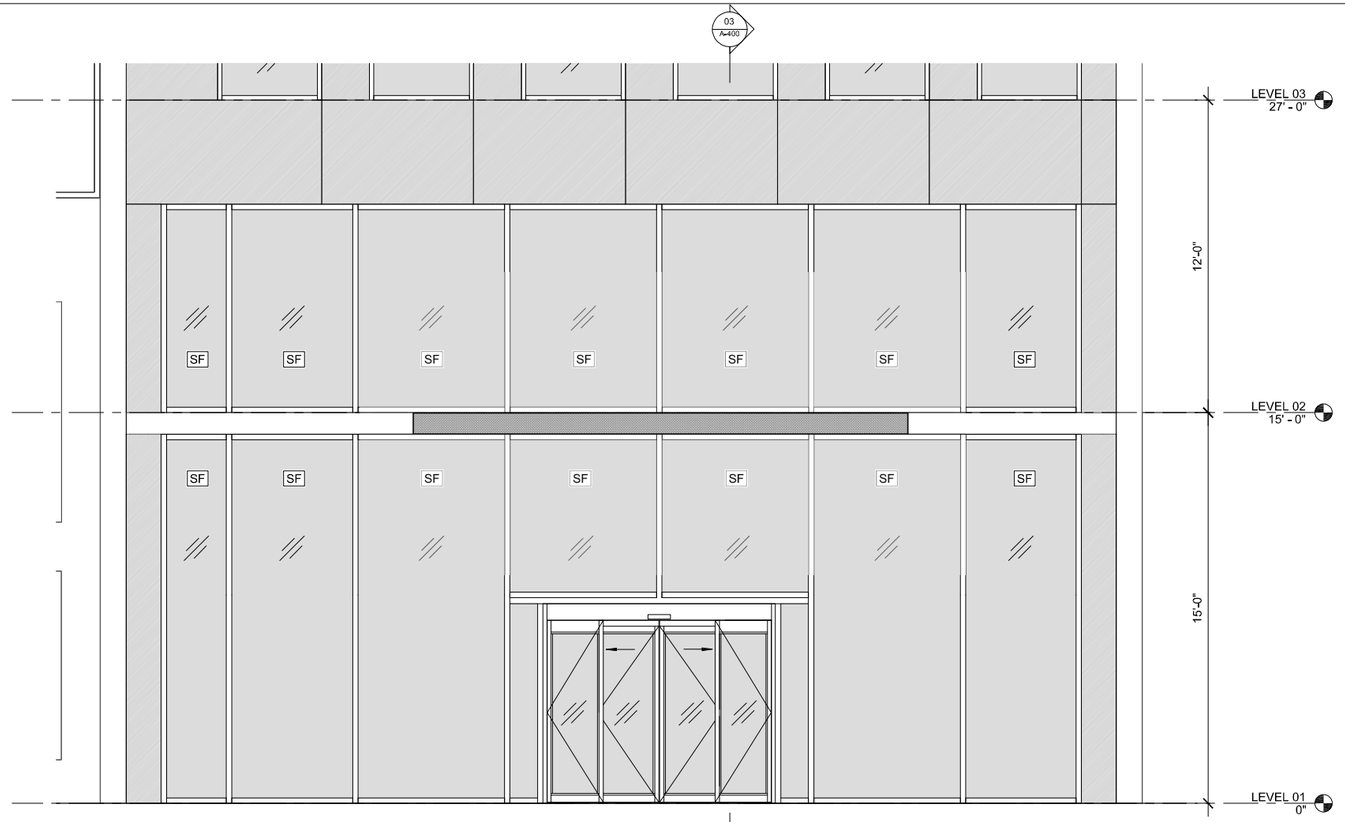
Key Plan:

Date: 05/10/2024
Scale: 1/16" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

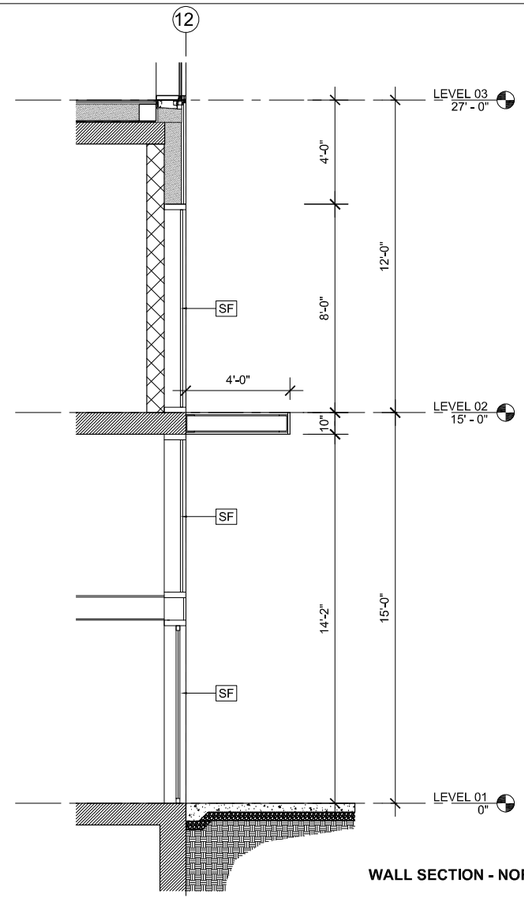
Drawing Title:
BUILDING SECTIONS

Sheet Number:
A-301.01

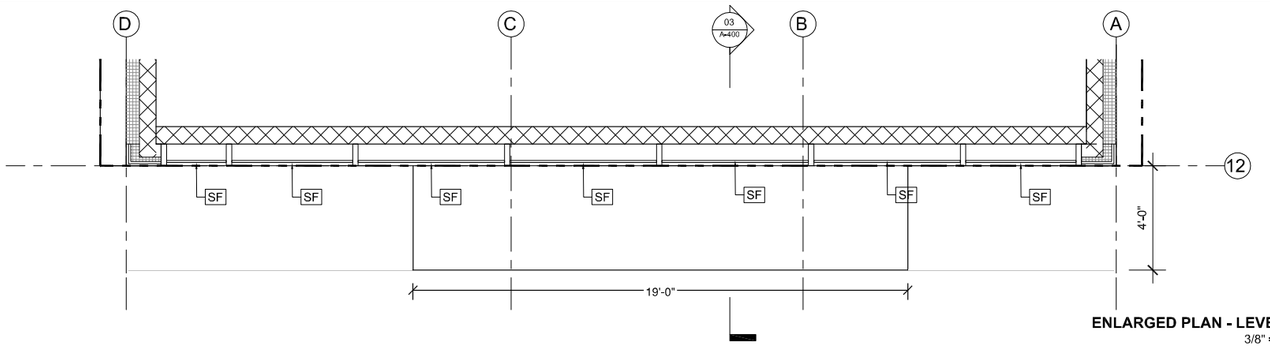
Sheet No: of



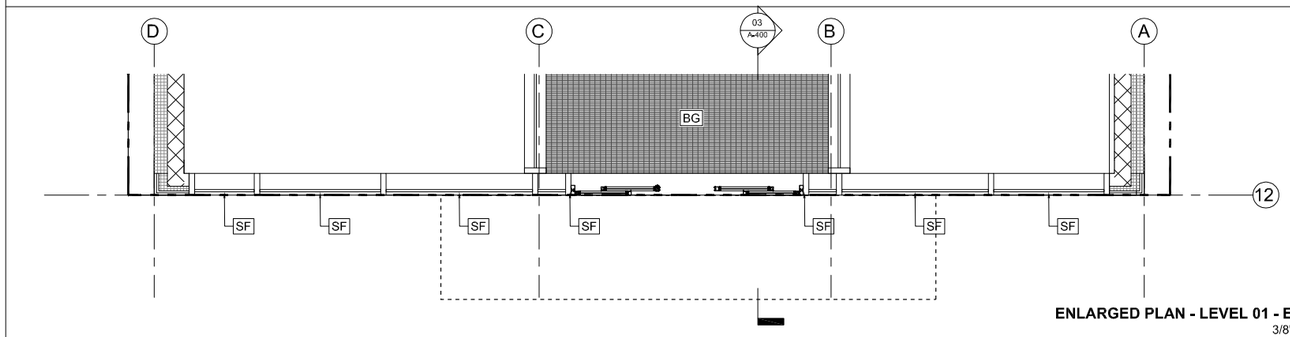
ENLARGED BUILDING ELEVATION - NORTH - ENTRY
3/8" = 1'-0"
04



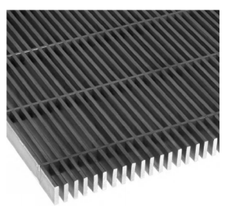
WALL SECTION - NORTH - ENTRY
3/8" = 1'-0"
03



ENLARGED PLAN - LEVEL 02
3/8" = 1'-0"
02



ENLARGED PLAN - LEVEL 01 - ENTRY
3/8" = 1'-0"
01



BG
BAR GRATING

SF
STOREFRONT GLASS

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER
4	05-10-24	CONFORMANCE SET

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHHOLZ
C-32858
16 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

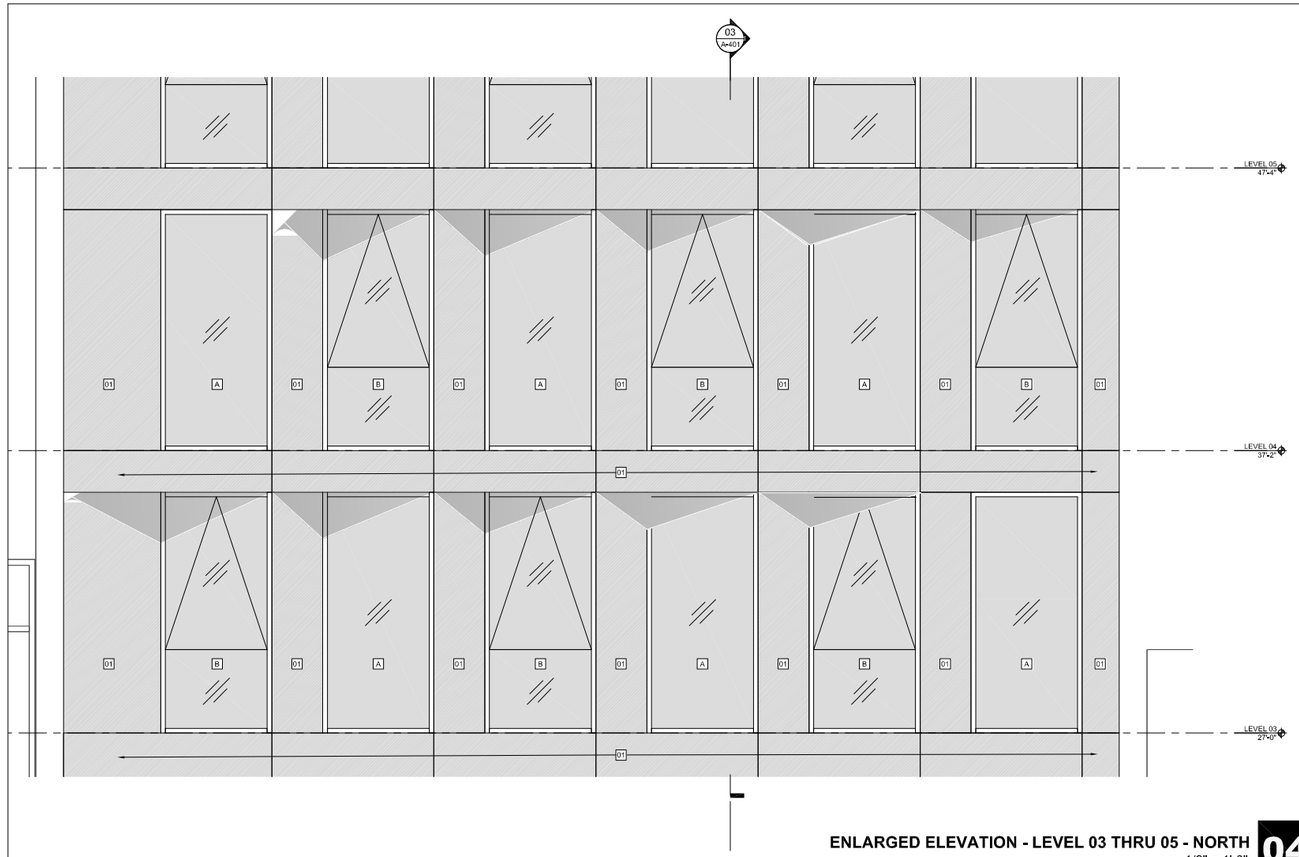
Key Plan:

Date: 05/10/2024
Scale: 3/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

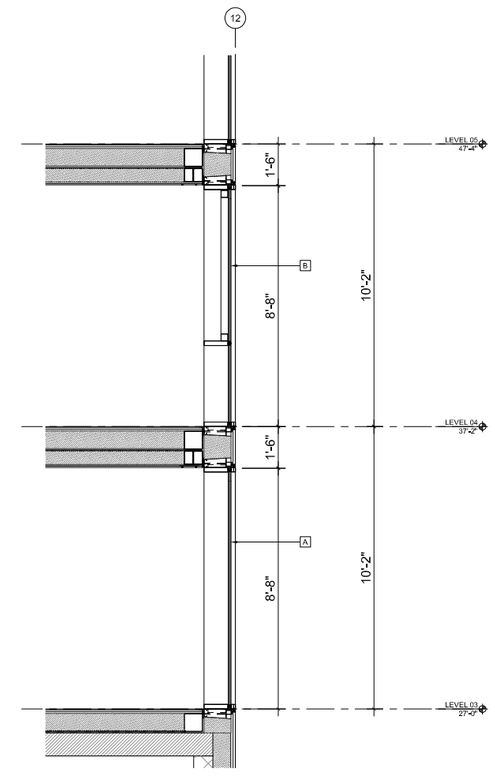
Sheet Number:
A-400.01

Sheet No: of



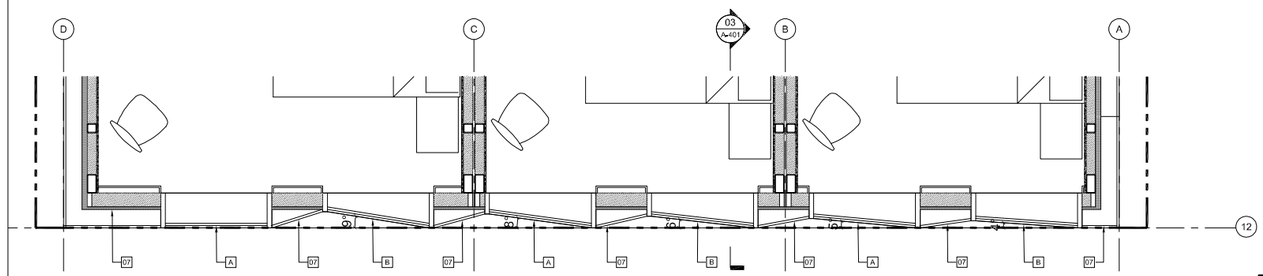
ENLARGED ELEVATION - LEVEL 03 THRU 05 - NORTH
1/2" = 1'-0"

04



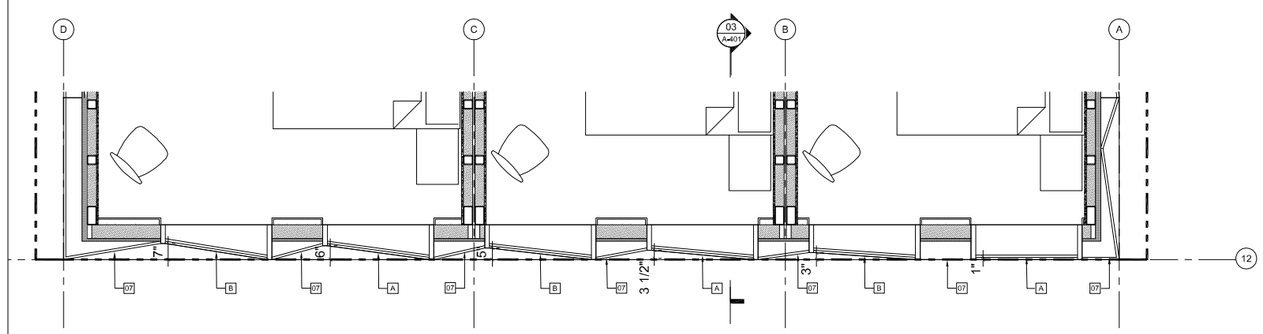
WALL SECTION - LEVEL 03 THRU 05 - NORTH
1/2" = 1'-0"

03



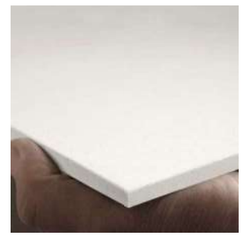
ENLARGED PLAN - LEVEL 04 - NORTH
1/2" = 1'-0"

02



ENLARGED PLAN - LEVEL 03 - NORTH
1/2" = 1'-0"

01



01
EQUITONE
NATURA N164

B
TILT WINDOW WITH FIXED
BOTTOM PANEL

A
FIXED WINDOW

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2134224680
www.codeconsultantsi.com

Facade Consultant

NO.	DATE	REVISION/ISSUANCE
1	12/6/2023	RESPONSE TO PLAN CHECK LETTER
2	12/6/2023	ADDENDUM TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

B+Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32868
RENEWAL 08/31/2025
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

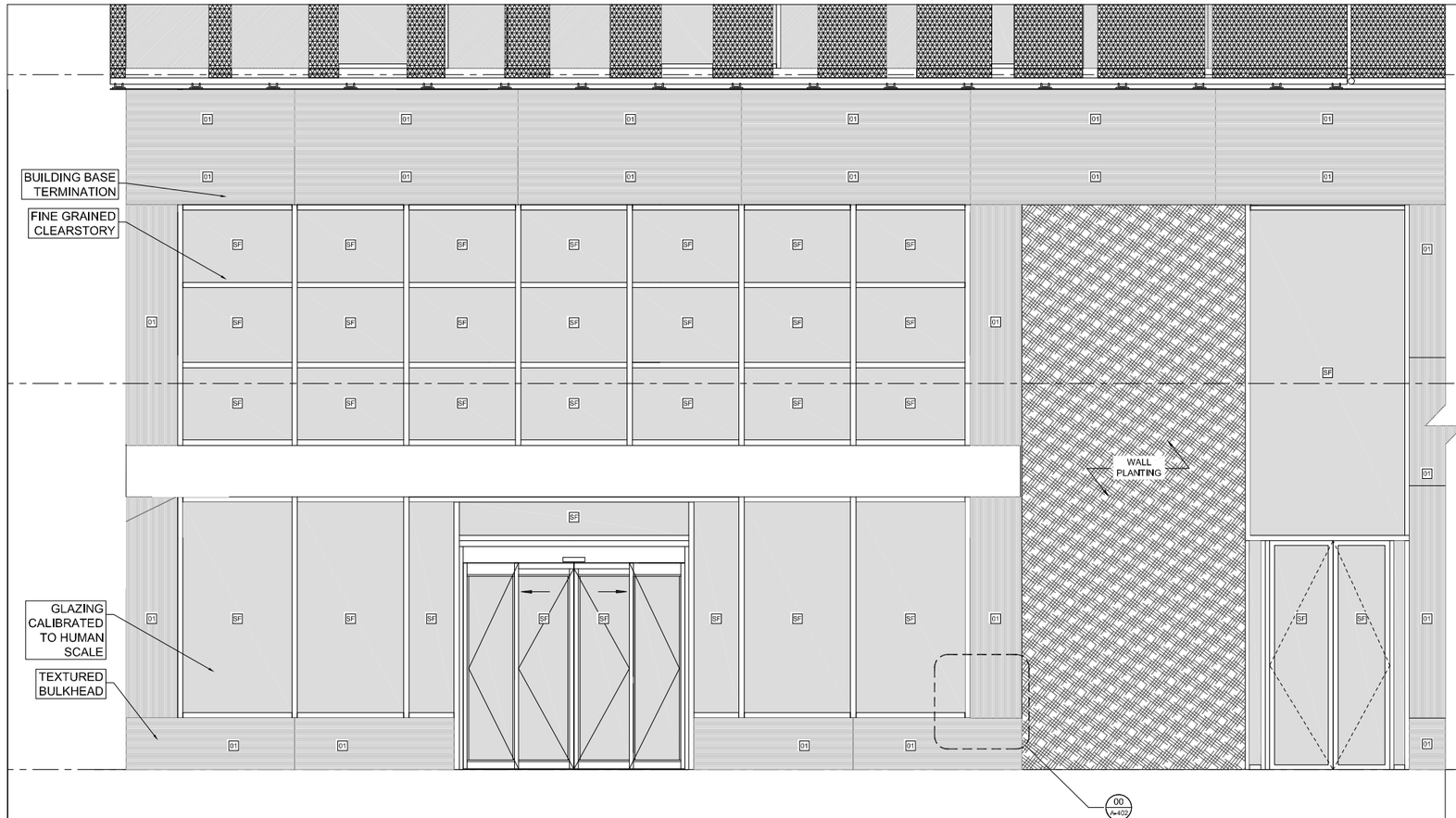
Key Plan:

Date:	05/10/2024
Scale:	1/2" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

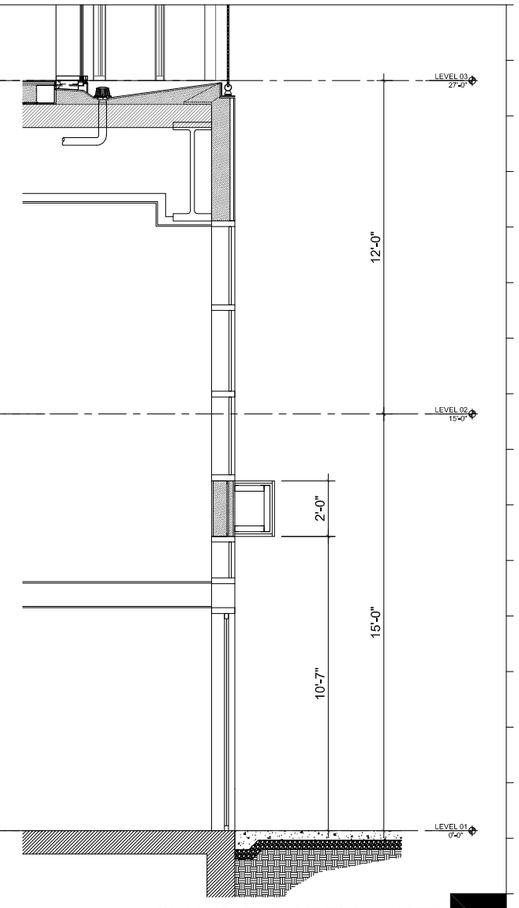
Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-401.01

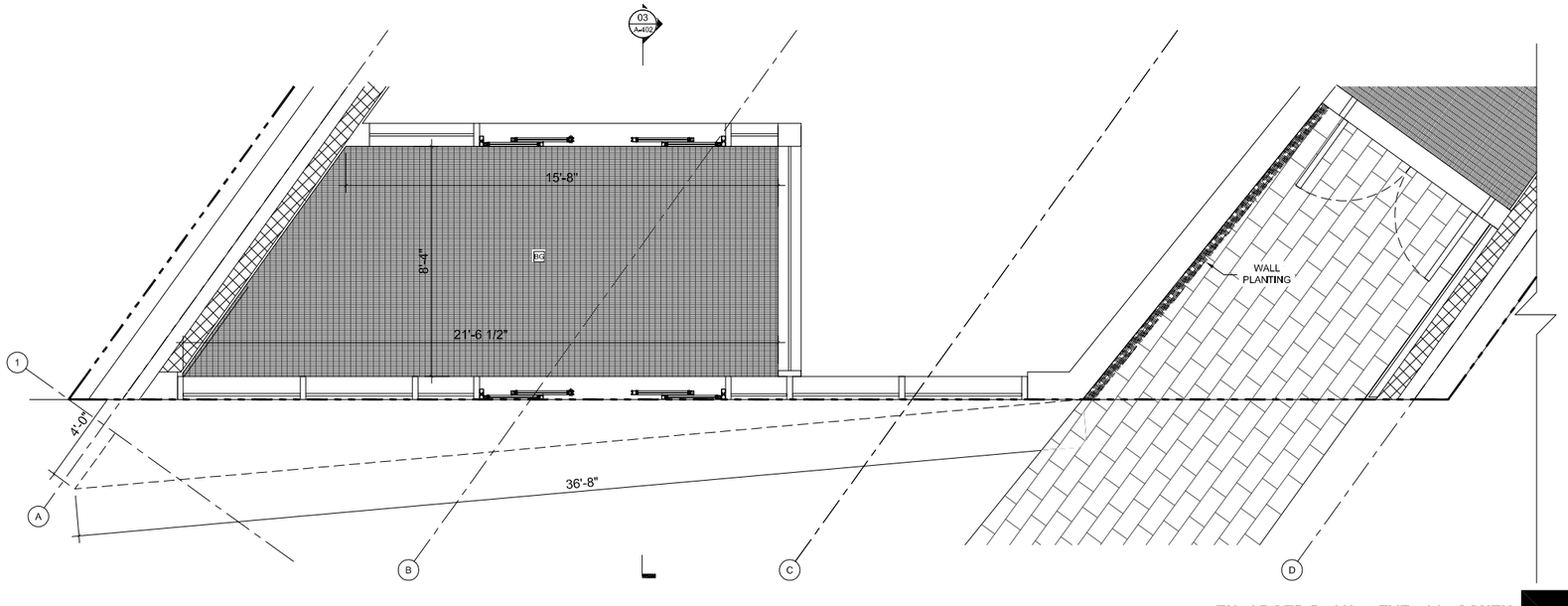
Sheet No: of



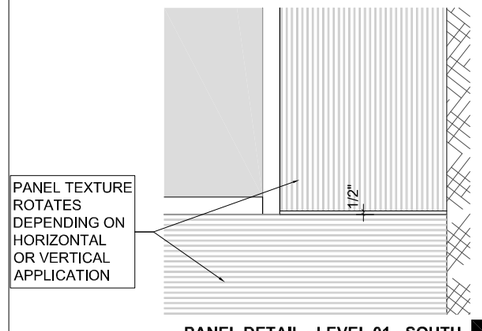
ENLARGED ELEVATION - LEVEL 01 - SOUTH
1/2" = 1'-0" **03**



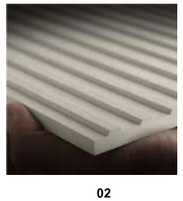
WALL SECTION - LEVEL 01 - SOUTH
1/2" = 1'-0" **02**



ENLARGED PLAN - LEVEL 01 - SOUTH
1/2" = 1'-0" **01**



PANEL DETAIL - LEVEL 01 - SOUTH
1 1/2" = 1'-0" **00**



02
EQUITONE
LINEA LT 90

SF
STOREFRONT
GLASS

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El Segundo, CA 90245
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www.codeconsultantsfx.com

Facade Consultant

NO.	DATE	REVISION/ISSUANCE
1	12/6/2023	RESPONSE TO PLAN CHECK LETTER
2	03/07/2024	ADDENDUM TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

BxScarc

Seal & Signature:
DANIEL KEITH FORSTER, RA #LY, #040355

LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32858
12-31-2025
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

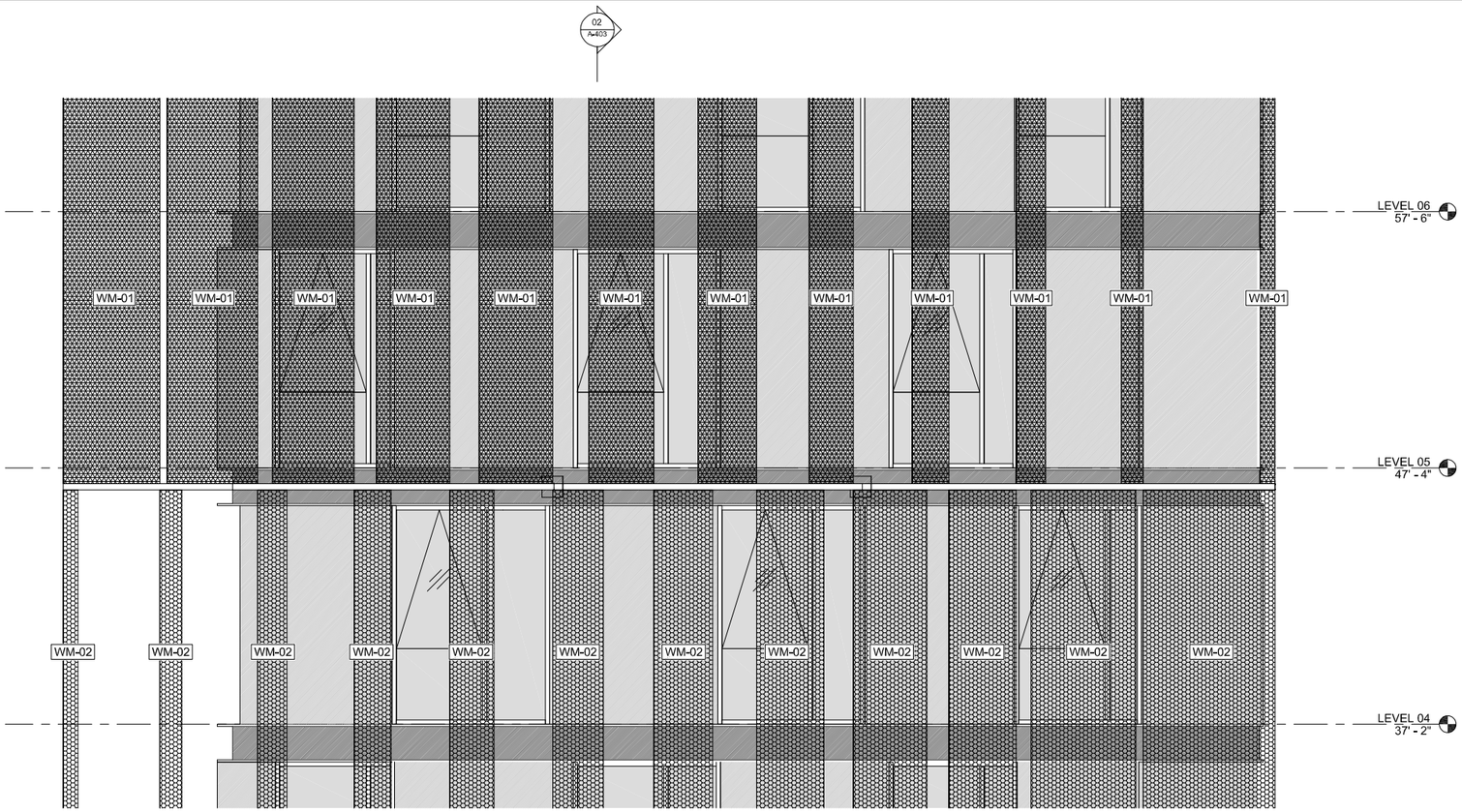
Key Plan:

Date:	05/10/2024
Scale:	1/2" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

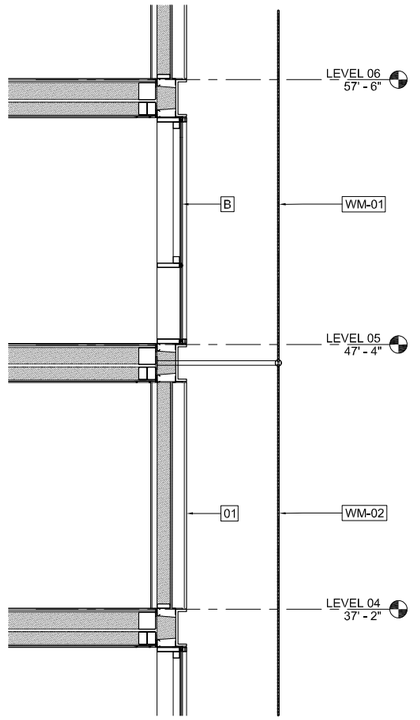
Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-402.01

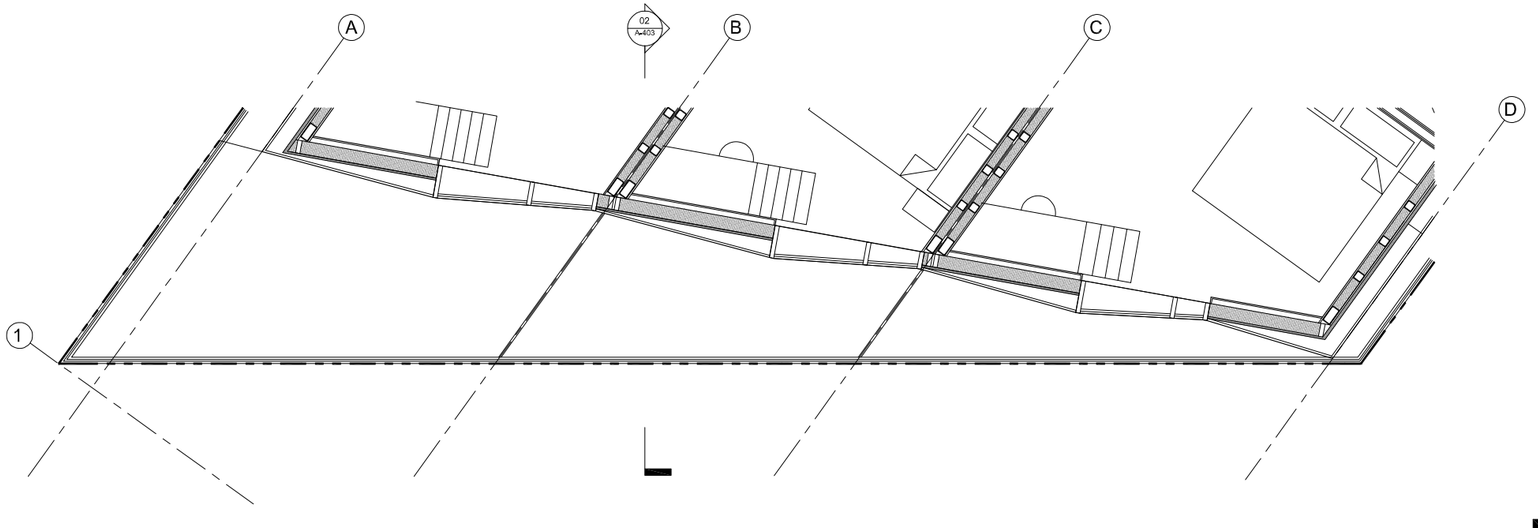
Sheet No: of



ENLARGED ELEVATION - LEVEL 04 THRU 06 - SOUTH
3/8" = 1'-0"
03



WALL SECTION - LEVEL 04 THRU 06 - SOUTH
3/8" = 1'-0"
02



ENALRGED PLAN - LEVEL 04 - SOUTH
01

WM-01
WIRE MESH - 59%
TRANSPARENCY

WM-02
WIRE MESH - 80%
TRANSPARENCY

Danny Forster & Architecture

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NO.	DATE	REVISION/ISSUANCE
1	10+30+20	RESPONSE TO PLAN CHECK LETTER

NOT APPROVED FOR CONSTRUCTION

B+Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BURKHART
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

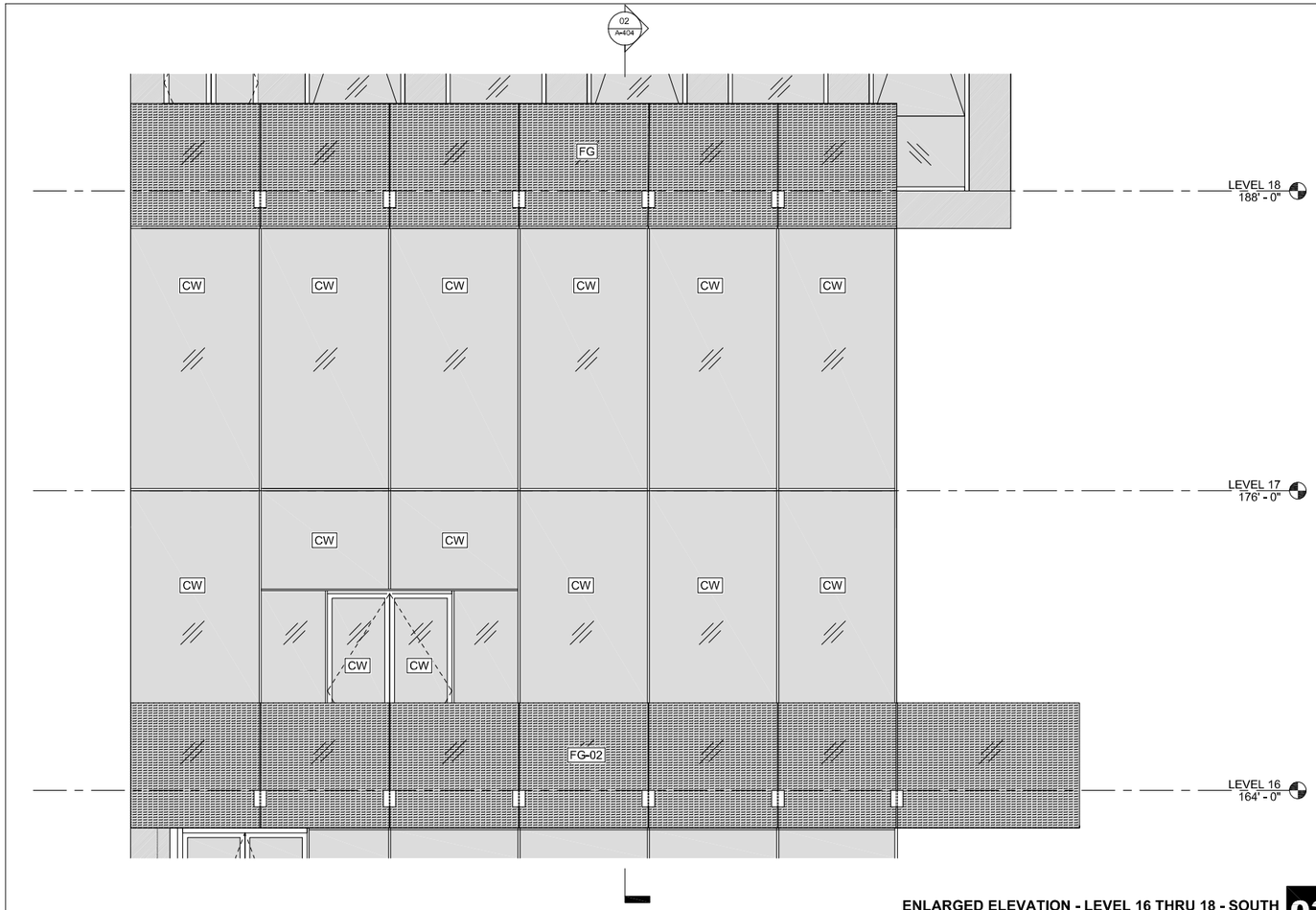
Key Plan:

Date:	05/10/2024
Scale:	3/8" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

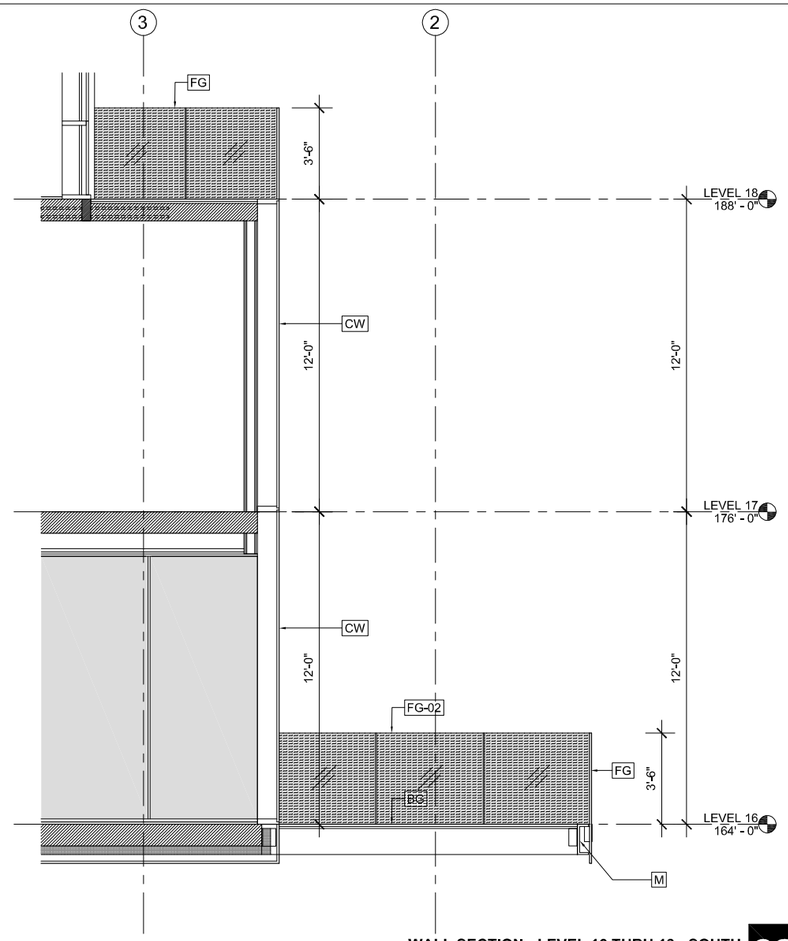
Sheet Number:
A-403.00

Sheet No: of



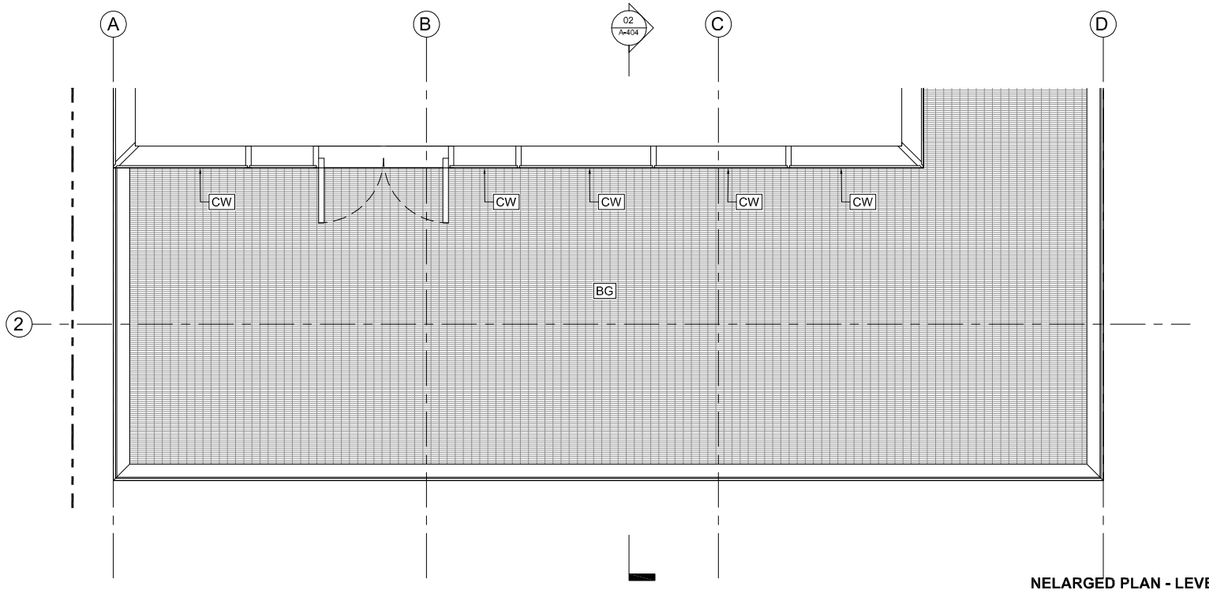
ENLARGED ELEVATION - LEVEL 16 THRU 18 - SOUTH
3/8" = 1'-0"

03



WALL SECTION - LEVEL 16 THRU 18 - SOUTH
3/8" = 1'-0"

02



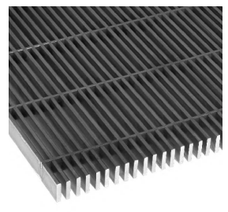
NELARGED PLAN - LEVEL 16 - SOUTH
3/8" = 1'-0"

01

M
SLAB EDGE CAP
GREY STEEL
C-CHANNEL

FG-02
BIRD SAFE
FRITTED GLASS

CW
SSG CURTAIN WALL



BG
BAR GRATING

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NO.	DATE	REVISION/ISSUANCE
1	10-30-20	RESPONSE TO PLAN CHECK LETTER

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Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCHANAN
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

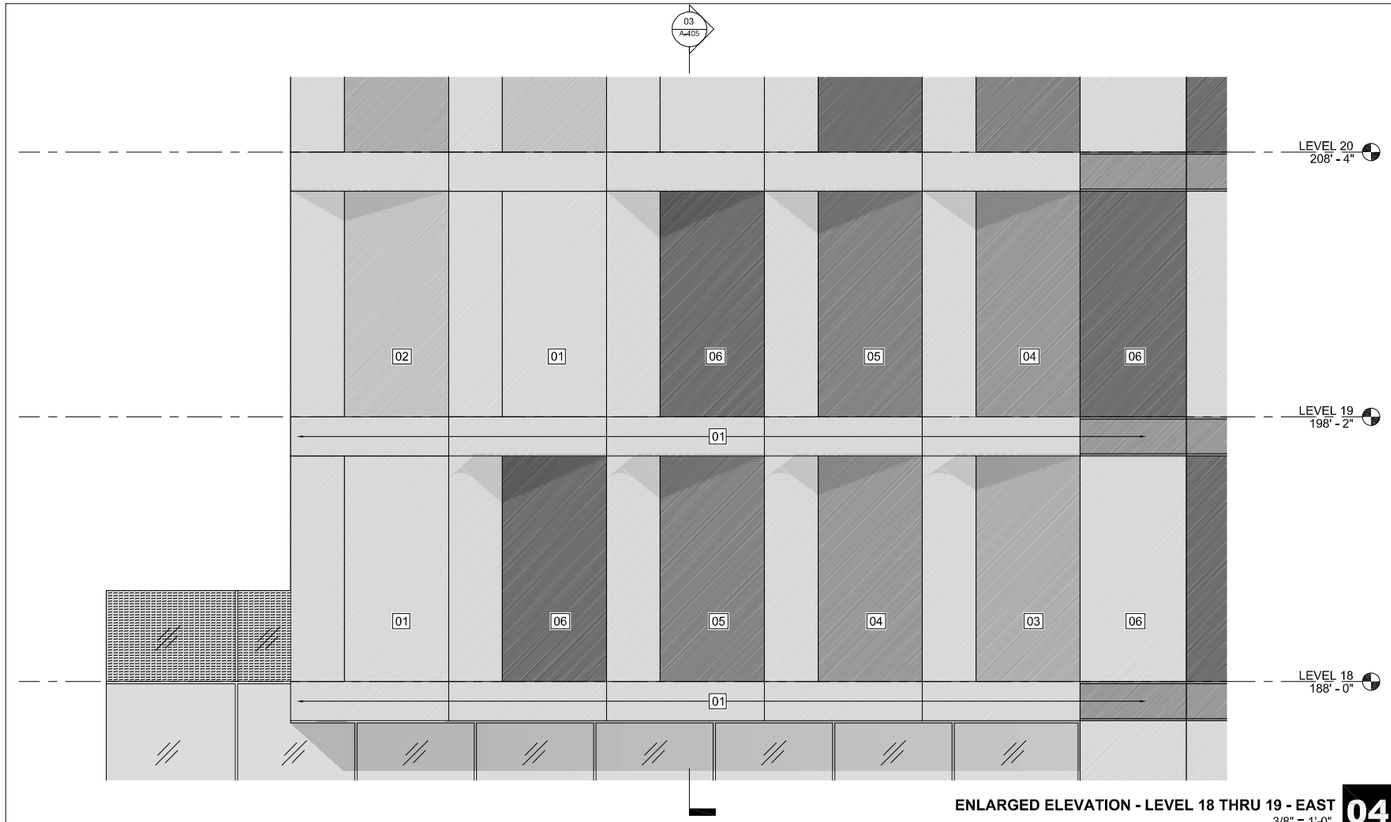
Key Plan:

Date:	05/10/2024
Scale:	3/8" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

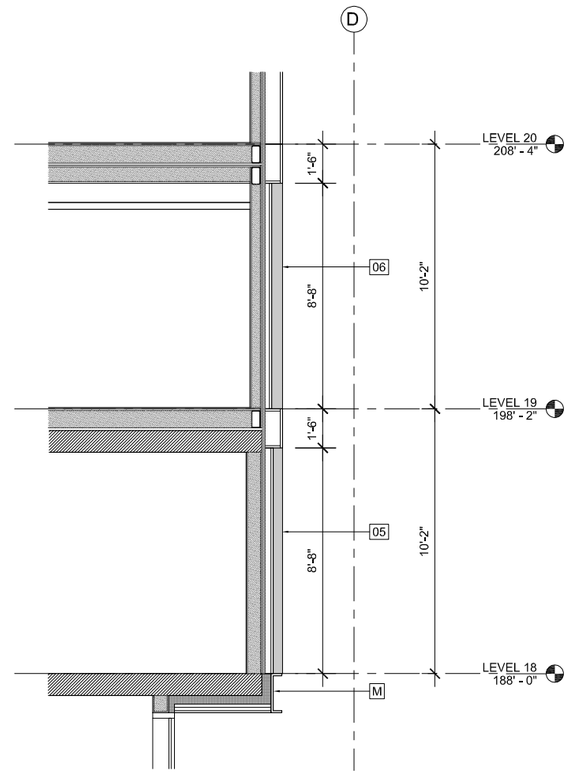
Sheet Number:
A-404.00

Sheet No: of



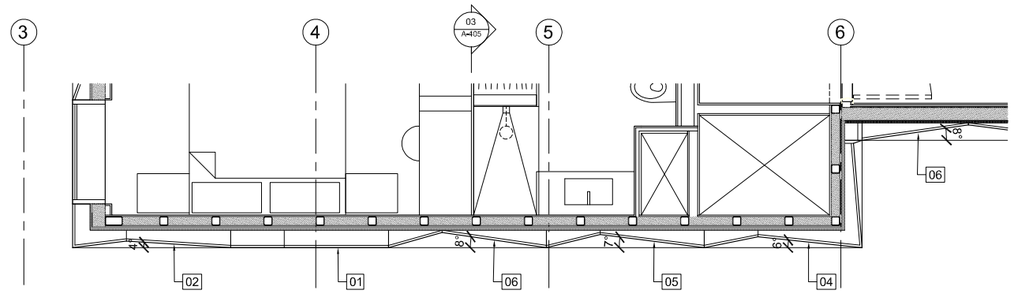
ENLARGED ELEVATION - LEVEL 18 THRU 19 - EAST
3/8" = 1'-0"

04



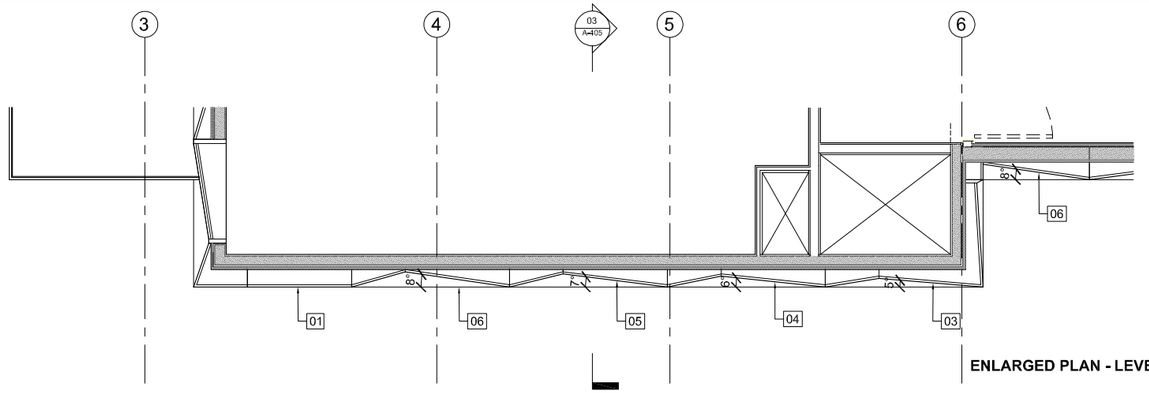
WALL SECTION - LEVEL 18 THRU 19 - EAST

03



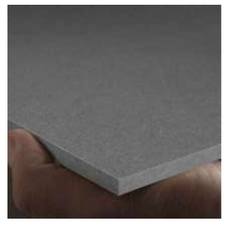
ENLARGED PLAN - LEVEL 19 - EAST
3/8" = 1'-0"

02



ENLARGED PLAN - LEVEL 18 - EAST
3/8" = 1'-0"

01



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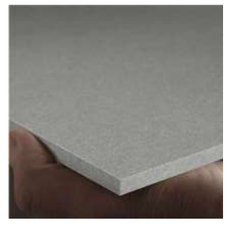
EQUITONE
NATURA N281



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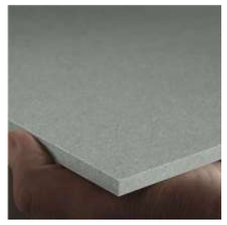
NATURA N252



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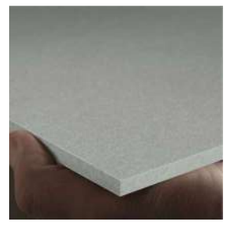

03
EQUITONE
NATURA N163

02
EQUITONE
NATURA N161

01
EQUITONE
NATURA N164

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Seal & Signature:
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LICENSED ARCHITECT
JASON BUCHHOLZ
C-32555
12-31-2023
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

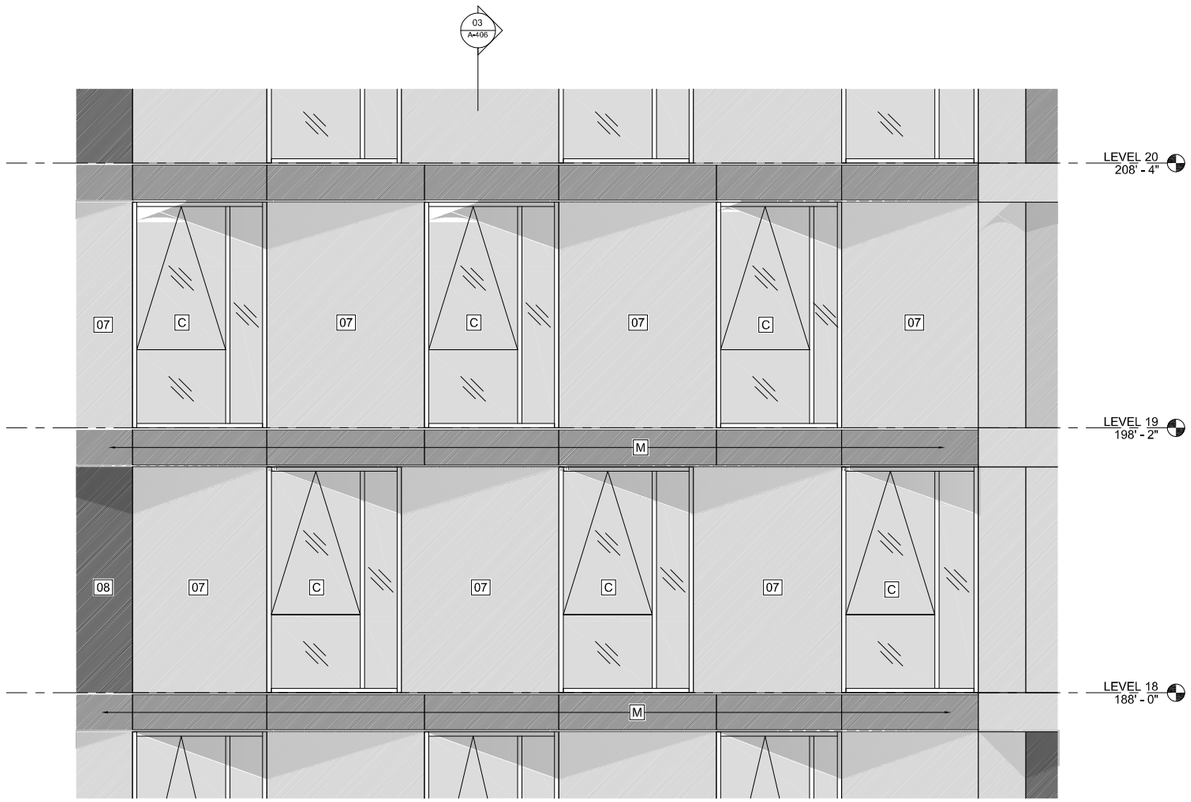
Key Plan:

Date: 05/10/2024
Scale: 3/8" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

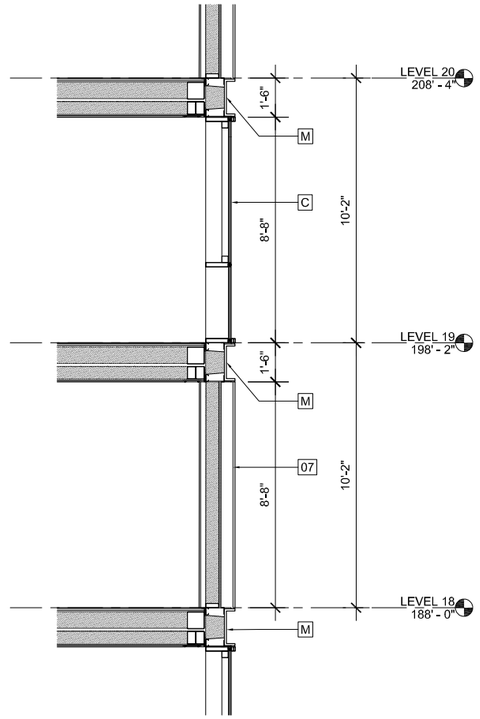
Sheet Number:
A-405.00

Sheet No: of



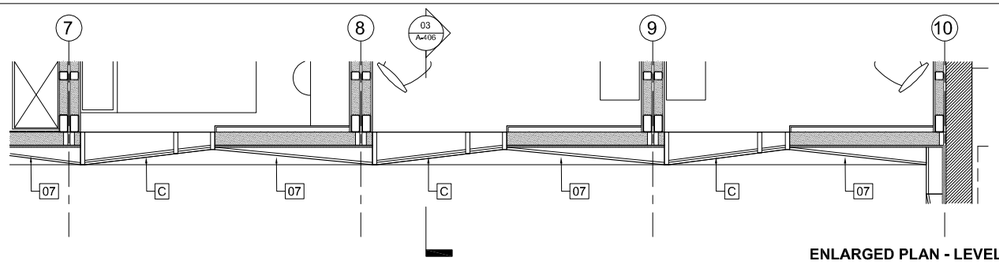
ENLARGED ELEVATION - LEVEL 18 THRU 20 - EAST 02
3/8" = 1'-0"

04



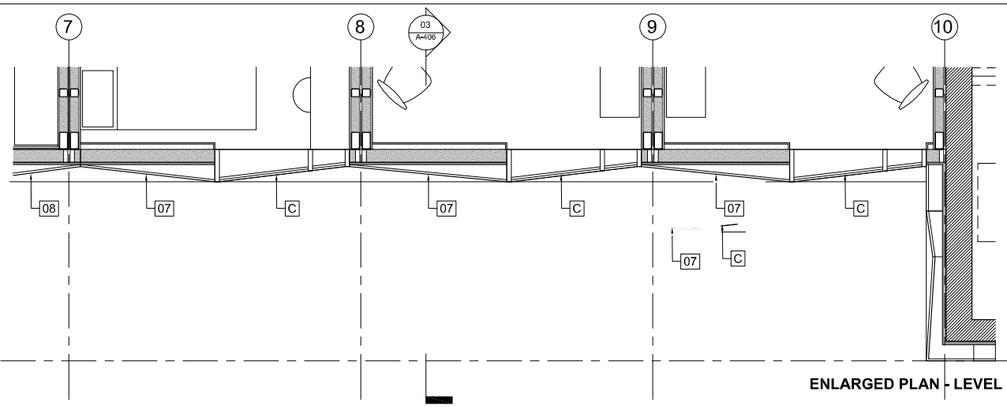
WALL SECTION - LEVEL 18 THRU 20 - EAST 02
3/8" = 1'-0"

03



ENLARGED PLAN - LEVEL 19 - EAST 02
3/8" = 1'-0"

02



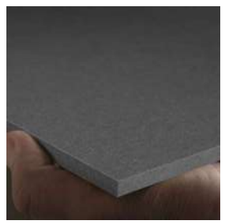
ENLARGED PLAN - LEVEL 18 - EAST 02
3/8" = 1'-0"

01

M
SLAB EDGE CAP
GREY STEEL CHANNEL

C
TILT WINDOW WITH
FIXED SIDE AND
BOTTOM PANEL

08
EQUITONE
NATURA N074



07
EQUITONE
NATURA N251

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DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
SHARON BUCHANAN
C-32858
10-31-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	3/8" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
ENLARGED PLANS, SECTIONS & ELEVATIONS

Sheet Number:
A-406.00

Sheet No: of

MARKET STREET VIEW LOOKING WEST - REVISED MASSING 01

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER
2	03-04-21	ADDENDUM TO PLAN CHECK LETTER
3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONSOLIDATED RESPONSE TO PLAN CHECK LETTER

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LICENSED ARCHITECT
JASON BUCKHOUT
C-32555
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	12" = 1'-0"
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-900.02

Sheet No: of

MARKET STREET VIEW LOOKING WEST - REVISED MASSING 01

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3	04-12-21	REV. MASSING ADDENDUM TO P.C.L.
4	05-10-24	CONSOLIDATED RESPONSE TO PLAN CHECK LETTER

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LICENSED ARCHITECT JASON BUSHNELL C-32558 10-31-2025 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

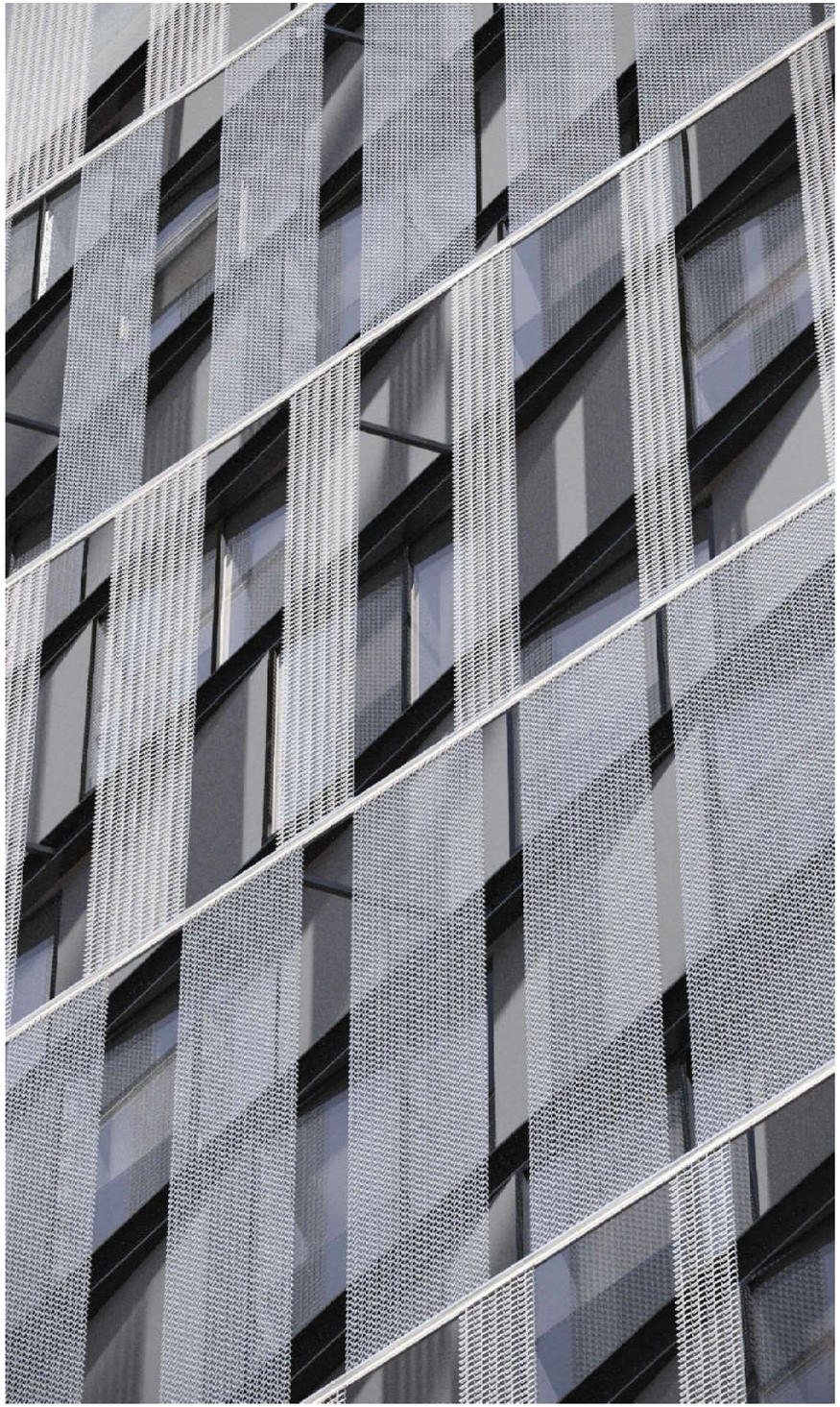
Key Plan:

Date: 05/10/2024
Scale: 12" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-901.02

Sheet No: of



MARKET STREET SCREEN WALL **02**

MARKET STREET VIEW LOOKING EAST **01**

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4	05-10-24	CONFORMANCE SET

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LICENSED ARCHITECT
JASON BLOCKWICK
C-32555
12 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

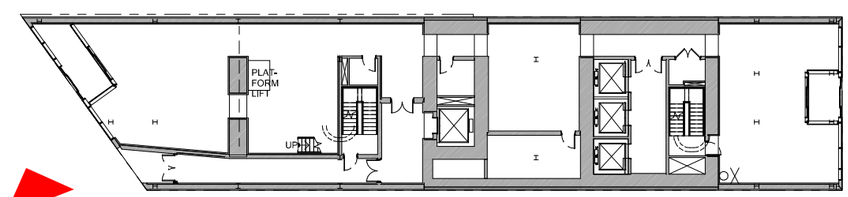
Key Plan:

Date: 05/10/2024
Scale: 6" = 1'-0"
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
EXTERIOR RENDERING

Sheet Number:
A-902.01

Sheet No: of



KEY PLAN - LEVEL 01 **02**

POPOS ENTRY LOOKING WEST **01**

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LICENSED ARCHITECT
JASON BUCHHOLZ
C-32555
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
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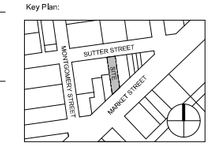
Key Plan:



Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS ENTRY RENDERING

Sheet Number:
A-905.01

Sheet No: of

POPOS PLAN 01

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JASON BUCKHOUT
C-32555
12-31-2025
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Drawing Title:

POPOS RENDERING

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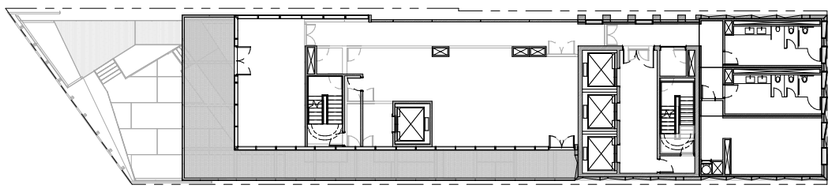
A-907.00

Sheet No: of



KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

POPOS PERSPECTIVE
3" = 1'-0"

01

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JASON BUCHHOLZ
C-32555
10 - 31 - 2020
RENEWAL DATE
STATE OF CALIFORNIA

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Key Plan:

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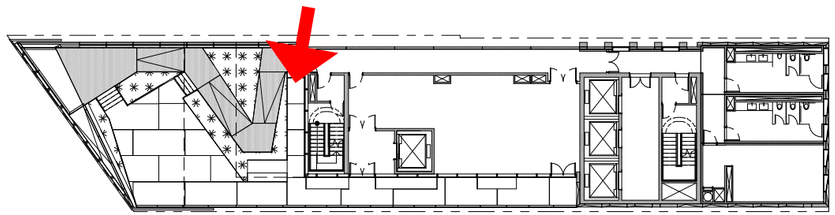
Drawing Title:
POPOS RENDERING

Sheet Number:
A-908.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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1	10-30-20	RESPONSE TO PLAN CHECK LETTER

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LICENSED ARCHITECT
JASON BUCKHEIT
C-32555
10-31-2023
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
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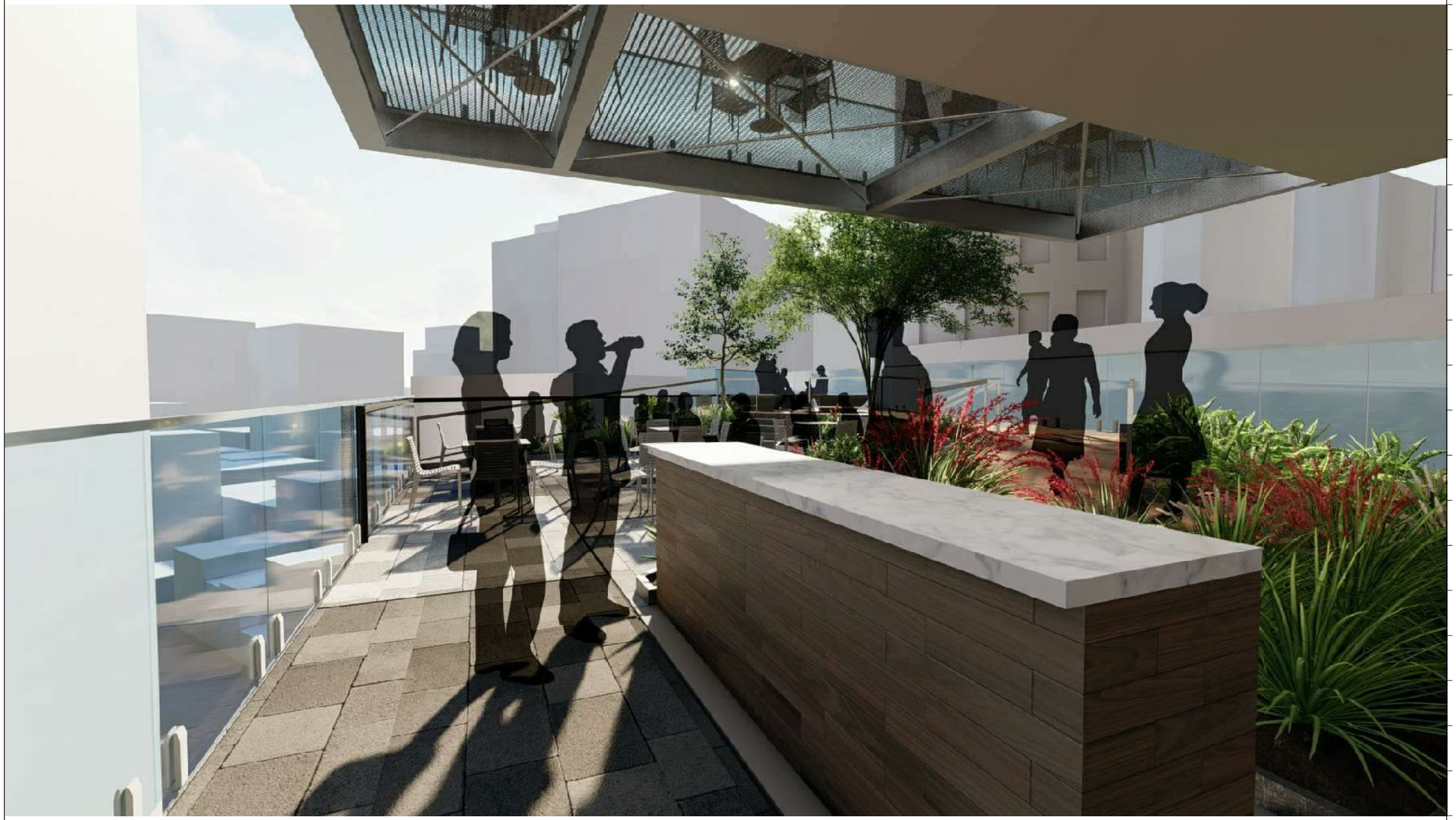
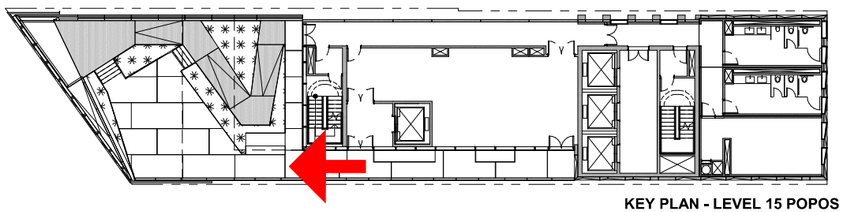
Sheet Number:
A-909.00

Sheet No: of





KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

01

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LICENSED ARCHITECT
JASON M. SHARPE
C-32658
10-31-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

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Drawing Title:

POPOS RENDERING

Sheet Number:

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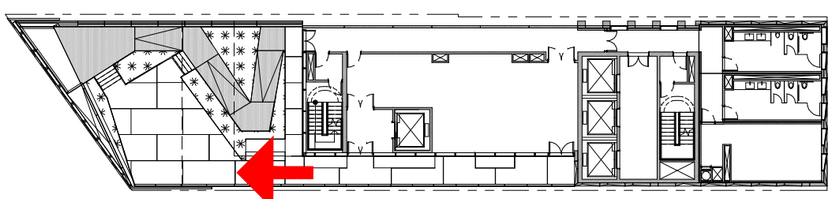

KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS POV

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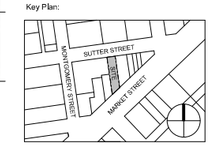
LICENSED ARCHITECT
JASON BLOMQUIST
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



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POPOS RENDERING

Sheet Number:
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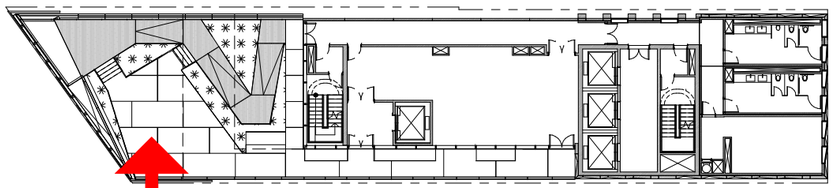
Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

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POPOS POV

01

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JASON BUCHHOLZ
C-32558
10-31-2022
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:

POPOS RENDERING

Sheet Number:

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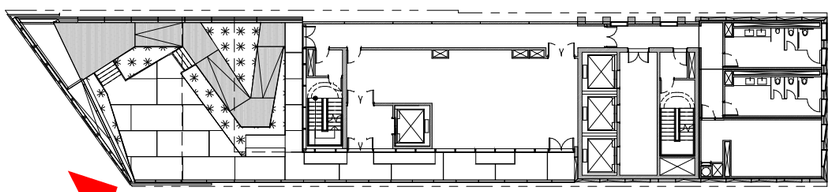

KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS PERSPECTIVE

01

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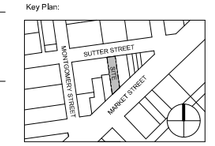
JASON BUCHHOLZ
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



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Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
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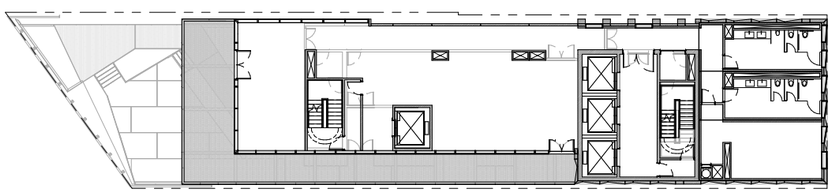
Sheet No: of



KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

POPOS PERSPECTIVE

01

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JASON BUDWORTH
C-32555
10-31-2021
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
Scale:	As indicated
Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:
POPOS RENDERING

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A-914.00

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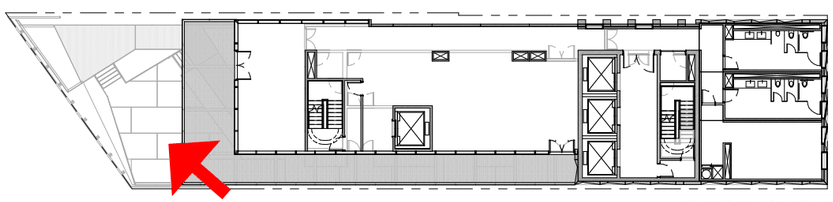

KEY PLAN - LEVEL 16
1/16" = 1'-0"

02

VIEW OF POPOS FROM 16TH FL TERRACE

01

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LICENSED ARCHITECT
JASON BUCKHOUT
C-32555
12 - 31 - 2023
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
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Project No: 177

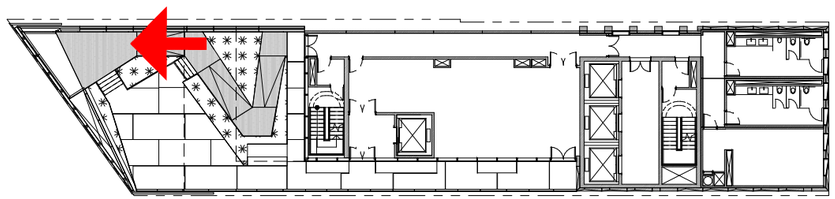
Drawing Title:

POPOS RENDERING

Sheet Number:

A-915.00

Sheet No: of



KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POV OF POPOS OVERLOOK

01

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LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32558
10-31-2020
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

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Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:

POPOS RENDERING

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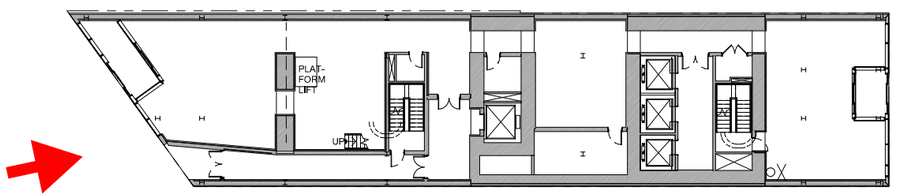

KEY PLAN - LEVEL 01 **02**

POPOS ENTRY LOOKING NORTH **01**

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NO.	DATE	REVISION/ISSUANCE
1	08/18/2025	ADDITIONAL INFORMATION

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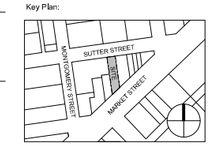
LICENSED ARCHITECT
JASON BUCHHOLZ
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:



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POPOS RENDERING

Sheet Number:
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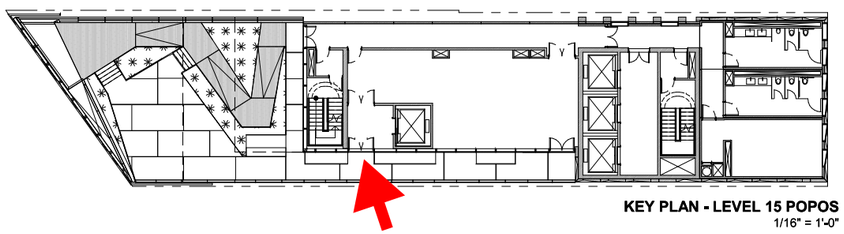

KEY PLAN - LEVEL 15 POPOS
1/16" = 1'-0"

02

POPOS ENTRY LOOKING NORTH

01

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LICENSED ARCHITECT JASON BLUEMNER C-32855 10-31-2026 RENEWAL DATE STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

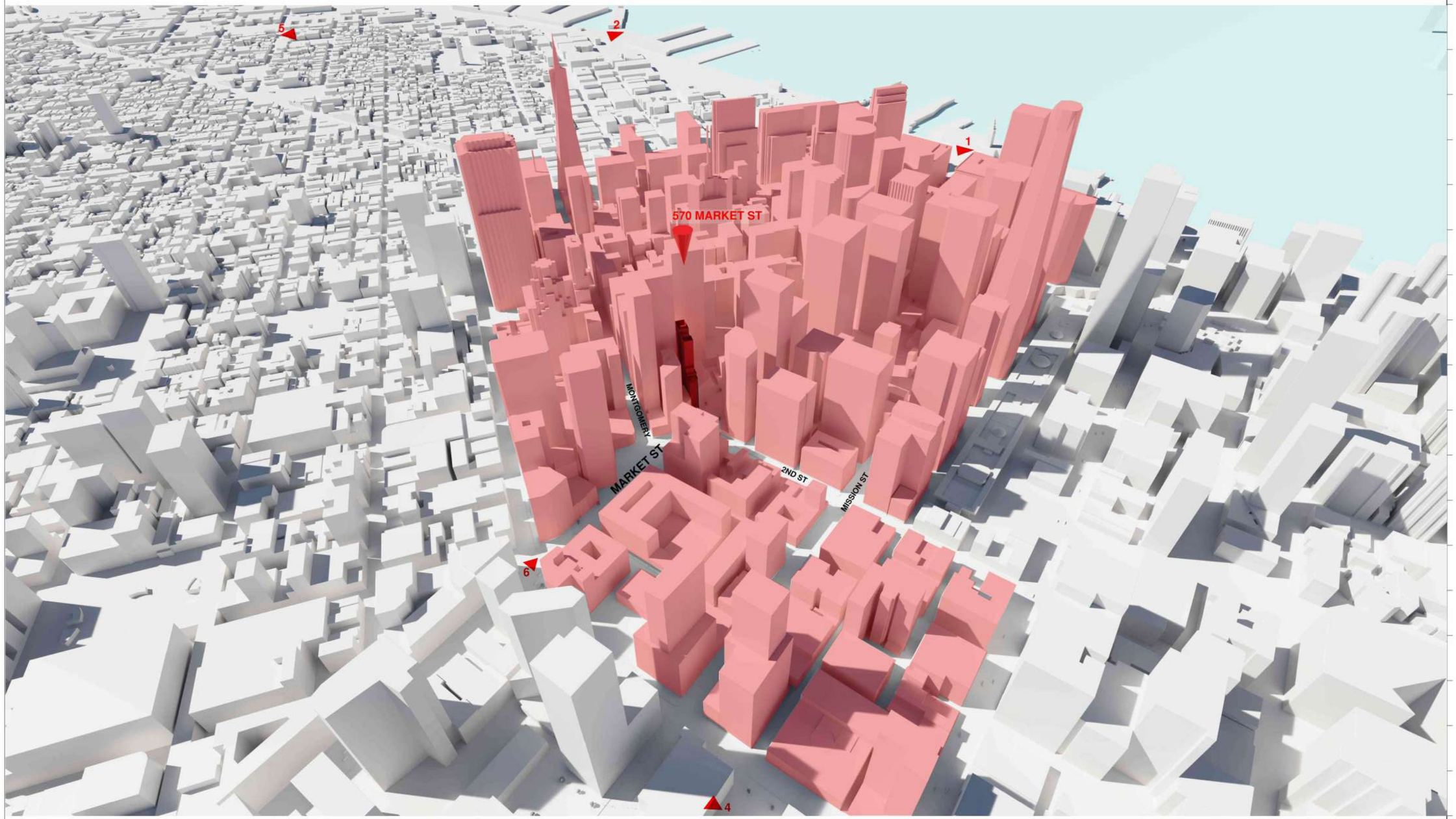
Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
POPOS RENDERING

Sheet Number:
A-918.00

Sheet No: of



TOWER LOCATION 01

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LICENSED ARCHITECT
JASON BLUMREICH
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
TOWER LOCATION

Sheet Number:
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TOWER FORM - FROM FERRY BUILDING

01

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JOSEPH BUCHANEY
C-32858
10 - 31 - 2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
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Key Plan:

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Drawing Title:
TOWER FORM

Sheet Number:
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TOWER FORM - FROM PIER 27

01

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JASON BUCHANAN
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RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

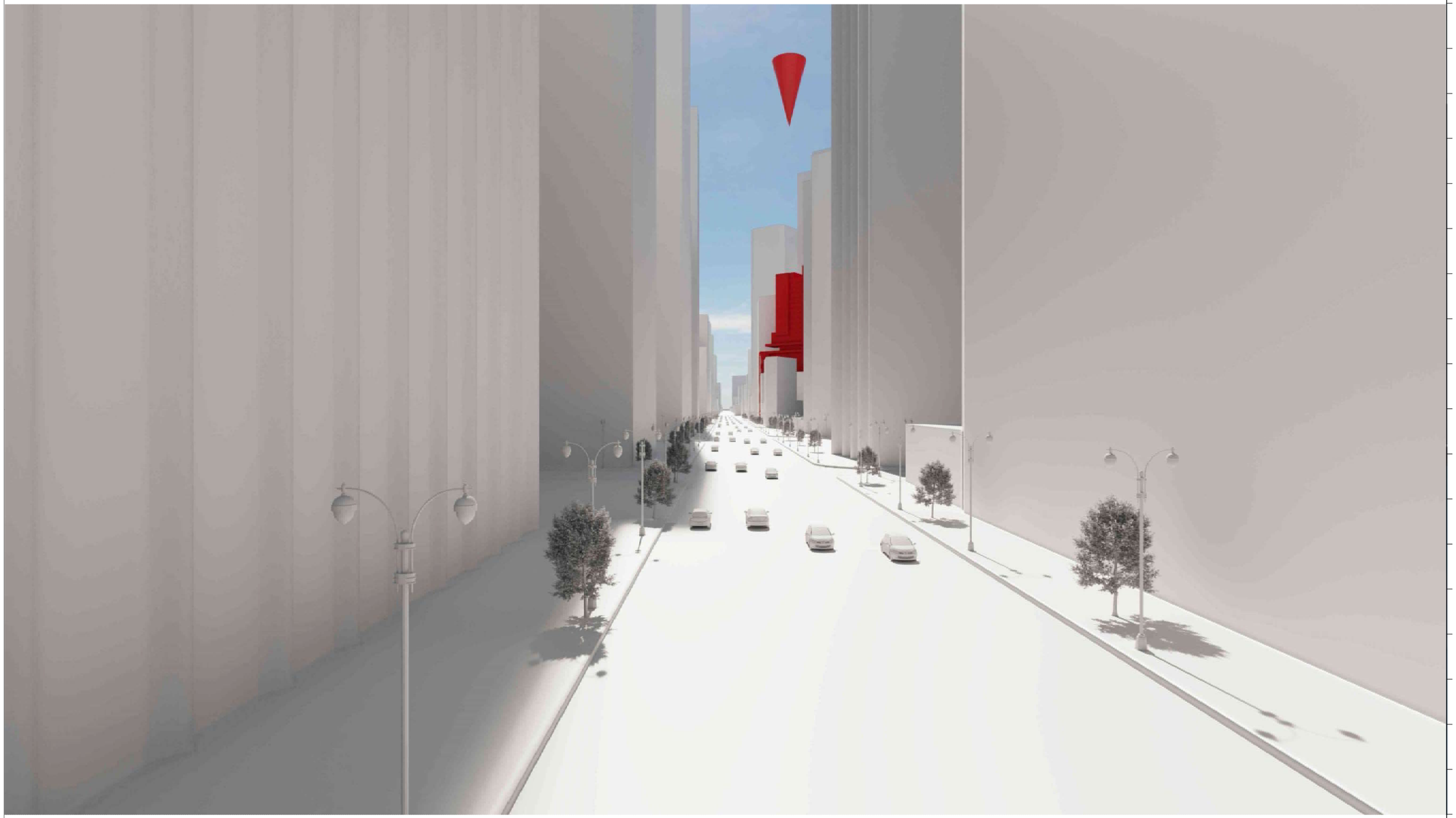
Key Plan:

Date: 05/10/2024
Scale: As indicated
Drawing By: Author
Checked By: Checker
Project No: 177

Drawing Title:
TOWER FORM

Sheet Number:
A-922.00

Sheet No: of



TOWER FORM - FROM EMBARCADERO BART STOP ON MARKET ST

01

Danny Forster & Architecture

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NO.	DATE	REVISION/ISSUANCE
1	08/18/2025	ADDITIONAL INFORMATION

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
DANIEL KEITH FORSTER
C-32558
10-31-2026
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

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Drawing Title:

TOWER FORM

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Sheet No: of

TOWER FORM - FROM DOLORES PARK

01

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B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
SHARON BUCHANAN
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date: 05/10/2024
Scale: As indicated
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Drawing Title:
TOWER FORM

Sheet Number:
A-924.00

Sheet No: of

TOWER FORM - FROM FISHERMAN'S WHARF

01

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NO. DATE REVISION/ISSUANCE
1 08/18/2025 ADDITIONAL INFORMATION

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
SHARON BUCKWALTER
C-32555
10-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:
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Key Plan:

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Sheet No: of

TOWER FORM - FROM MARKET/KEARNY STS

01

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NO. DATE REVISION/ISSUANCE

1 08/18/2025 ADDITIONAL INFORMATION

NOT APPROVED FOR CONSTRUCTION

B-Scan:

Seal & Signature:
DANIEL KEITH FORSTER, RA N.Y. #040355

LICENSED ARCHITECT
JASON BUCKHOUT
C-32555
12-31-2025
RENEWAL DATE
STATE OF CALIFORNIA

Project Title:

570 MARKET STREET
570 MARKET STREET
SAN FRANCISCO, CA

Key Plan:

Date:	05/10/2024
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Drawing By:	Author
Checked By:	Checker
Project No:	177

Drawing Title:

TOWER FORM

Sheet Number:

A-926.00

Sheet No: of

ATTACHMENT B

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.:	2019-017622ENV	*Block/Lot:*	0291/013
Project Title:	570 Market Street	*Lot Size:*	7,045 square feet
BPA Nos:	Not applicable	*Project Sponsor:*	229 Ellis Holdings, LLC
Zoning:	C-3-O Downtown-Office Use District 300-S Height and Bulk District	*Lead Agency:* *Staff Contact:*	San Francisco Planning Department Megan Calpin - 628.652.7508

The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure's requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Please note that the City will not accept the building permit application for this project until a Pre-Construction Environmental Compliance Letter has been issued. If you have questions about the monitoring status of your project, please contact the staff listed above, or email CPC.EnvironmentalMonitoring@sfgov.org. Generally, if the mitigation measure has prior to the start of construction requirements (see the Period of Compliance Table below), these measures will require compliance prior to the issuance of the Pre-Construction Environmental Compliance Letter.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure M-CR-2: Archeological Testing	X	X		
Mitigation Measure M-TCR-1: Tribal Cultural Resources Archeological Resource Preservation Plan and/or Interpretive Program		X		
Mitigation Measure M-NO-1: Fixed Mechanical Equipment Noise Control for Building Operations	X			
Mitigation Measure M-NO-2: Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction	X	X		
Mitigation Measure M-AQ-4a: Clean Off-road Construction Equipment	X	X		
Mitigation Measure M-AQ-4b: Clean Diesel Generators for Building Operations			X	

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Mitigation Measure M-GE-5: Implement Appropriate Measures in Case of Inadvertent Discovery of Paleontological Resources	X	X		

NOTES:

* Prior to any ground disturbing activities at the project site.
** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

X I agree to implement the attached mitigation measure(s) as a condition of project approval.

Property Owner or Legal Agent (Signature)

Daniel Lee

Printed Name

10/24/24

Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection. **Note:** A building permit application cannot be submitted for this project until a Pre-Construction Environmental Compliance letter has been received.

ATTACHMENT B

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
CULTURAL RESOURCES				
Mitigation Measure M-CR-2: Archeological Testing Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archeological consultant from the rotational qualified archeological consultants list maintained by the planning department's archeologist who specializes in geoarchaeology and maritime resources. After the first project approval action or as directed by the Environmental Review Officer, the project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the qualified archeological consultants list. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer for review and comment and shall be considered draft reports subject to revision until final approval by the Environmental Review Officer. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the Environmental Review Officer, the suspension of construction can be extended beyond four weeks only if such a suspension is the	Project sponsor's qualified archeological consultant and construction contractor	Prior to issuance of construction permits and throughout the construction period	Environmental Review Officer / project sponsor	Considered complete after Archeological Resources Report is approved.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
only feasible means for reducing potential effects on a significant archeological resource, as defined in CEQA Guidelines sections 15064.5 (a) and (c) to a less-than-significant level. Consultation with Descendant Communities. On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative of the descendant group and the Environmental Review Officer shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the Environmental Review Officer regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the final archeological resources report shall be provided to the representative of the descendant group. **Archeological Testing Program**. The archeological consultant shall prepare and submit to the Environmental Review Officer for review and approval an archeological testing plan. The archeological testing program shall be conducted in accordance with the approved archeological testing plan. Testing shall include monitoring of basement demolition, trenching from the base of basement to 20 feet for historical resources and coring to Old Bay Clay to test for submerged resources. The archeological testing plan shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the Environmental Review Officer. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the Environmental Review Officer in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include preservation in place, additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior	Project sponsor's qualified archeological consultant and construction contractor	Prior to issuance of construction permits and throughout the construction period	Planning Department	Considered complete after approval of Archeological Testing Plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
approval of the Environmental Review Officer or the planning department archeologist. If the Environmental Review Officer determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, the Environmental Review Officer, in consultation with the project sponsor shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be redesigned so as to avoid any adverse effect on the significant archeological resource. If preservation in place is not feasible, a data recovery program shall be implemented, unless the Environmental Review Officer determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. **Archeological Monitoring Program.** If the Environmental Review Officer in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall include, at a minimum, the following provisions: • The archeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archeological monitoring program reasonably prior to any project-related soils disturbing activities commencing. The Environmental Review Officer in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context; • The archeological consultant shall undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the Environmental Review Officer until the Environmental Review Officer has, in consultation with project archeological consultant, determined that project	Project sponsor archeological consultant and ERO	Prior to issuance of construction permits and throughout the construction period	Environmental Review Officer / project sponsor	Considered complete after approval of the Archeological Monitoring Program.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/eco-factual material as warranted for analysis; • If an intact archeological deposit is encountered, irrespective of whether an archeologist is present, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. The archeological consultant shall immediately notify the Environmental Review Officer of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the Environmental Review Officer. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the Environmental Review Officer. **Archeological Data Recovery Program**. The archeological data recovery program shall be conducted in accord with an archeological data recovery plan. The archeological consultant, project sponsor, and Environmental Review Officer shall meet and consult on the scope of the archeological data recovery plan prior to preparation of a draft archeological data recovery plan. The archeological consultant shall submit a draft archeological data recovery plan to the Environmental Review Officer. The archeological data recovery plan shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the archeological data recovery plan will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the archeological data recovery plan shall include the following elements:	Project sponsor's qualified archeological consultant	Upon ERO's determination that data recovery is required in the event an archaeological resource is discovered	Planning Department /project sponsor	Considered complete after ERO's approval of Archeological Data Recovery Plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
• Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations. • Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures. • Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies. • Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • Final Report. Description of proposed report format and distribution of results. • Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. **Human Remains Associated or Unassociated Funerary Objects**. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and, in the event of the medical examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a most likely descendant. The most likely descendant will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The Environmental Review Officer also shall be notified immediately upon the discovery of human remains. The project sponsor and Environmental Review Officer shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the most likely descendant, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary	Project sponsor / archeological consultant in consultation with the San Francisco Medical Examiner, NAHC, and MLD.	In the event that human remains are uncovered during the construction period	Planning Department / project sponsor	Considered complete after approval of Archeological Results Report and disposition of human remains has occurred as specified in Agreement.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the most likely descendant agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.				
Mitigation Measure M-TCR-1: Tribal Cultural Resources Archeological Resource Preservation Plan and/or Interpretive Program				
Preservation in place. In the event of the discovery of an archaeological resource of Native American origin, the Environmental Review Officer (ERO), the project sponsor, and the tribal representative, shall consult to determine whether preservation in place would be feasible and effective. If it is determined that preservation-in-place of the tribal cultural resource (TCR) would be both feasible and effective, then the archeological consultant shall prepare an archeological resource preservation plan (ARPP), which shall be implemented by the project sponsor during construction. The consultant shall submit a draft ARPP to planning for review and approval.	Project sponsor archeological consultant, and ERO, in consultation with the local Native American representatives	If significant archeological resource of Native American origin is present, during implementation of the project	Planning Department / project sponsor	Considered complete upon completion and approval of the preservation plan and project redesign.
Public Interpretation and Land Acknowledgement. If the ERO, in consultation with the affiliated Native American tribal representatives and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the project sponsor shall, in consultation with local Native American representative's, design and install public interpretation at the project site that shall address the tribal values represented by the resource and acknowledge that this project is built on traditional Ohlone land. Coordination for interpretive program and land acknowledgement shall take place with local Native American representatives, particularly the Association of Ramaytush Ohlone. The interpretive program may include a combination of artwork, preferably by local Native American artists, educational panels or other informational displays, a plaque, or other interpretative elements. The project sponsor shall prepare an interpretation plan in consultation with affiliated local Native American representatives and the ERO to guide the interpretive and	Project sponsor in consultation with the local Native American representative	After determination that preservation in place is not feasible, and subsequent to archeological data recovery, as relevant	Planning Department / project sponsor	Sponsor or archeological consultant shall submit the interpretive program to the ERO for review and approval. Complete upon sponsor verification to ERO that interpretive program was

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
acknowledgment program. The plan shall identify, as appropriate, proposed locations for the interpretation as outlined above, the proposed content and materials of the interpretation, the producers or artists of the displays or installation, and a long-term maintenance program. If Native American cultural resources are found during project construction, interpretation of these resources may be included in the interpretative program in consultation with the local Native American representatives and the ERO. As feasible, local Native American representatives will coordinate with the project sponsor on the use of and the interpretation of native and traditional plants in proposed landscaping at the project site.				implemented.
Mitigation Measure M-NO-1: Fixed Mechanical Equipment Noise Control for Building Operations Prior to approval of a building permit, the project sponsor shall submit documentation to the Environmental Review Officer (ERO) or the officer's designee, demonstrating with reasonable certainty that the building's fixed mechanical equipment meets the noise limits specified in Section 2909(b) of the noise ordinance (i.e., an 8 dBA increase above the ambient noise level at the property plane). The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would not adversely affect nearby noise-sensitive uses, would not substantially increase ambient noise levels, and would not result in a noise level in excess of any applicable standards, such as those in section 2909 (b) and (d) of the noise ordinance. All recommendations from the acoustical analysis necessary to ensure that noise sources would meet applicable requirements of the noise ordinance and/or not result in substantial increases in ambient noise levels shall be incorporated into the building design and operations. Noise reduction methods required to meet the noise ordinance may include, but are not limited to: • Select exhaust/supply fans on Levels 2 and 17 with a sound power level no more than 77 dBA to meet the code requirement of 59 dBA at the south property plane. If this noise reduction measure level is not feasible, implement noise attenuating features, such as silencers and/or acoustical louvers to achieve the necessary amount of noise reduction to meet the noise ordinance requirements.	Project sponsor and construction contractor	Prior to issuance of building permit	Planning Department	Considered complete upon Planning Department review and acceptance selected mechanical equipment

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
• Select the rooftop cooling towers with a maximum sound power level of 84 dBA to meet the noise ordinance requirement of 53 dBA at the east and west property planes. If this noise reduction measure is not feasible, incorporate additional noise attenuation features (e.g., intake/discharge silencers, low sound fan) OR add a sound-rated barrier on all sides that extends one-foot higher than the equipment to achieve the necessary amount of noise reduction to meet the noise ordinance requirements.				
Mitigation Measure M-NO-2: 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 ERO or the ERO's designee for approval. The plan shall identify all feasible means to avoid damage to potentially affected buildings. 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 potentially affected buildings. For the building at 44 Montgomery Street, a structural engineer or other professional with similar qualifications shall document and photograph the existing conditions of the potentially affected building. For the two buildings at 566 Market Street and 576 Market Street, the pre-construction survey should be prepared by a qualified historic preservation professional and a structural engineer or other professional with similar qualifications. The pre-construction survey for the two buildings at 566 Market Street and 576 Market Street shall include descriptions and photographs of all identified historic buildings including all façades, 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 property owners). 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. The project sponsor shall submit the surveys to the ERO or the officer's designee for review and approval prior to the start of vibration-generating construction activity.	Project sponsor's qualified historic preservation professional and structural engineer	Prior to issuance of any demolition or building permit	Planning Department	Considered complete upon Planning Department approval of pre-construction survey.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Vibration Management and Monitoring Plan. The project sponsor shall undertake a monitoring plan to avoid or reduce project-related construction vibration damage to the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street, and to ensure that any such damage is documented and repaired. Prior to issuance of any demolition or building permit, the project sponsor shall submit the Plan to the ERO for review and approval. The Vibration Management and Monitoring Plan shall include, at a minimum, the following components, as applicable: • Maximum Vibration Level. The plan shall indicate the following maximum vibration levels that could not be exceeded during construction: ○ 0.5 in/sec PPV: For construction activities near the building at 44 Montgomery Street. ○ 0.25 in/sec PPV: For construction activities near the two buildings at 566 Market Street and 576 Market Street. • 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. The plan shall identify potential alternative equipment and techniques that could be implemented if construction vibration levels are observed in excess of the established standard. • Buffer Distances. The plan shall identify buffer distances that shall be confirmed during site monitoring. The buffer distances shall be maintained based on vibration levels and site constraints between the operation of vibration-generating construction equipment and the potentially affected building and/or structure to avoid damage to the extent possible. • Vibration Monitoring. The plan shall identify the method and equipment for vibration monitoring to ensure that construction vibration levels do not exceed the established standards identified in the plan. ○ Should construction vibration levels be observed in excess of the standards established in the plan, the contractor(s) shall halt	Project sponsor's qualified historic preservation professional and structural engineer	Prior to issuance of any demolition or building permit	Planning Department	Considered complete upon Planning Department approval of vibration management and monitoring plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
construction and put alternative construction techniques identified in the plan into practice, to the extent feasible. ○ The qualified historic preservation professional (for effects on the two buildings at 566 Market Street and 576 Market Street) and structural engineer (for effects on the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street) shall inspect each affected building and/or structure (as allowed by property owners) in the event the construction activities exceed the vibration levels identified in the plan. ○ The structural engineer and historic preservation professional shall submit monthly reports to the ERO during vibration-inducing activity periods that identify and summarize any vibration level exceedances and describe the actions taken to reduce vibration. ○ 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 nearby buildings and/or structures that are historic, the historic preservation consultant shall immediately notify the ERO and prepare a damage report documenting the features of the building that has been damaged. ○ Following incorporation of the alternative construction techniques and/or planning department review of the damage report, vibration monitoring shall recommence to ensure that vibration levels at each affected building on adjacent properties are not exceeded. • Periodic Inspections. The plan shall identify the intervals and parties responsible for periodic inspections. The qualified historic preservation professional (for effects on the two buildings at 566 Market Street and 576 Market Street) and structural engineer (for effects on the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street) shall conduct regular periodic inspections of each affected building and/or structure on adjacent properties (as allowed by property owners) during vibration-				

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
generating construction activity on the project site. The plan will specify how often inspections shall occur. • Repair Damage. The plan shall also identify provisions to be followed should damage to any of the three adjacent buildings occur due to construction-related vibration. The building(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 to any of the two buildings at 566 Market Street and 576 Market Street, the building(s) shall be restored to its pre-construction condition in consultation with the qualified historic preservation professional and planning department preservation staff.				
Vibration Monitoring Results Report. After construction is complete the project sponsor shall submit to the ERO a final report from the qualified historic preservation professional (for effects on the two buildings at 566 Market Street and 576 Market Street) and structural engineer (for effects on the buildings at 44 Montgomery Street, 566 Market Street, and 576 Market Street). 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 ERO shall review and approve the Vibration Monitoring Results Report.	Project sponsor's qualified historic preservation professional and structural engineer	After construction is complete	Planning Department	Considered complete upon Planning Department approval of final vibration monitoring report.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
Mitigation Measure M-AQ-4a: Clean Off-road Construction Equipment The project sponsor or the project sponsor's contractor shall comply with the following: **A. Engine Requirements.** 1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed U.S. Environmental Protection Agency (EPA) Tier 4 Interim or Tier 4 Final off-road emission standards. 2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited. 3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The project sponsor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit. 4. The project sponsor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications. **B. Waivers.** 1. The planning department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the project sponsor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1). 2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of Tier 4 off-road equipment is technically not feasible; the equipment would not produce desired emissions reduction due to	Project sponsor and construction contractor	Prior to issuance of demolition or building permits project sponsor to submit: 1. Construction emissions minimization plan for review and approval, and Signed certification statement	Planning Department	Considered complete upon Planning Department review and acceptance of construction emissions minimization plan, implementation of the plan, and submittal of final report summarizing use of construction equipment pursuant to the plan.

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
expected operating modes; or there is a compelling emergency need to use off-road equipment that is not Tier 4 compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment, according to the following, or another alternative that results in comparable reductions of diesel particulate matter. C. **Construction Emissions Minimization Plan.** Before starting on-site construction activities, the project sponsor shall submit a Construction Emissions Minimization Plan (plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the project sponsor will meet the requirements of Section A: 1. The plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. As reasonably available, the description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. 2. The project sponsor shall ensure that all applicable requirements of the plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the project sponsor agrees to comply fully with the Plan. 3. The project sponsor shall make the plan available to the public for review onsite during working hours. The project sponsor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The project sponsor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.				

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
D. **Monitoring.** After start of construction activities, the project sponsor shall submit quarterly reports to the ERO documenting compliance with the plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the plan.				
Mitigation Measure M-AQ-4b: Clean Diesel Generators for Building Operations All diesel generators shall have engines that meet EPA (1) Tier 4 Final or Tier 4 Interim emission standards, or (2) Tier 2 or Tier 3 emission standards and are equipped with a California air board level 3 Verified Diesel Emissions Control Strategy. For each new diesel generator submitted for the project, including any associated generator pads, engine and filter specifications shall be submitted to the ERO for review and approval prior to issuance of a permit for the generator from the San Francisco Department of Building Inspection. Once operational, all diesel generators and verified diesel emissions control strategy shall be maintained in good working order in perpetuity and any future replacement of the diesel generator, and level 3 verified diesel emissions control strategy shall be required to be consistent with these emissions specifications. The operator of the facility shall maintain records of the testing schedule for each diesel generator for the life of that diesel generator and provide this information for review to the ERO within three months of requesting such information.	Project sponsor and construction contractor	Prior to issuance of permit for each new diesel generator	Planning Department	Considered complete upon Planning Department review and acceptance of diesel generator.
Mitigation Measure M-GE-5: Implement Appropriate Measures in Case of Inadvertent Discovery of Paleontological Resources Before ground disturbance, the project sponsor shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology, to instruct construction personnel involved with earthmoving activities regarding the possibility of encountering fossils, the appearance of fossils that may be unearthed during construction, and proper notification procedures should fossils be encountered. A qualified paleontologist shall monitor construction activities in the areas where construction activities have the potential to disturb previously undisturbed native sediment or sedimentary rocks. Construction shall be halted within 50 feet of any potential fossil find and a qualified paleontologist notified,	Project sponsor's qualified paleontologist	Prior to issuance of construction permits and throughout ground disturbing activities	Environmental review officer/project sponsor	Considered complete upon end of ground disturbing activities, or, if necessary, approval of implemented paleontologist's recommendations regarding treatment and

Adopted Mitigation Measures	Mitigation Monitoring and Reporting Program[a]			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Schedule
who shall evaluate the significance. If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the resource and notify the project sponsor and San Francisco Planning Department. There shall be no construction work in the area to allow for the recovery of the resource in a timely manner. A qualified paleontologist shall evaluate the resource and prepare a recovery plan compliant with the standards of the Society for Vertebrate Paleontology. The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. The City and County of San Francisco shall determine which of the recommendations in the recovery plan are necessary and feasible, and these recommendations shall be implemented before construction activities can resume at the site where the paleontological resources were discovered. The City shall be responsible for ensuring that the qualified paleontologist's recommendations regarding treatment and reporting are implemented.				reporting.

NOTES:

[a] Definitions of MMRP Column Headings:

Adopted Mitigation and Improvements Measures: Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

Implementation Responsibility: Entity who is responsible for implementing the mitigation measure. In most cases this is the project sponsor and/or project's sponsor's contractor/consultant and at times under the direction of the planning department.

Mitigation Schedule: Identifies milestones for when the actions in the mitigation measure need to be implemented.

Monitoring/Reporting Responsibility: Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the Planning Department who is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor, their contractor, or consultant are responsible for any reporting requirements.

Monitoring Actions/Completion Criteria: Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.

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EXHIBIT C

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

PLANNING COMMISSION MOTION NO. 21730

HEARING DATE: May 1, 2025

Case No.:	2019-017622ENV
Project Title:	**570 Market Street**
Zoning:	C-3-O – Downtown Office 300-S Height and Bulk District
Block/Lot:	0291/013
Lot Size:	7,059 square feet
Project Sponsor:	Melinda Sarjapur, msarjapur@reubenlaw.com, (415) 567-9000
Staff Contact:	Ryan Shum, ryan.shum@sfgov.org, (628) 652-7542

ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PRELIMINARY MITIGATED NEGATIVE DECLARATION, FILE NUMBER 2019-017622ENV, FOR THE PROPOSED DEVELOPMENT ("PROJECT") AT 570 MARKET STREET.

MOVED, that the San Francisco Planning Commission (hereinafter "Commission") hereby AFFIRMS the decision to issue a mitigated negative declaration, based on the following findings:

1. On October 1, 2019, pursuant to the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the Planning Department ("Department") received an environmental evaluation application for the project, in order that it might conduct an initial evaluation to determine whether the project might have a significant impact on the environment.

2. On October 30, 2024, the Department determined that the project, as proposed, could not have a significant effect on the environment.

3. On October 30, 2024, a notice of availability that a mitigated negative declaration would be issued for the project was duly published in a newspaper of general circulation in the City, and the preliminary mitigated negative declaration posted in the Department offices and distributed all in accordance with law.

4. On November 20, 2024, two appeals of the decision to issue a mitigated negative declaration were timely filed by Brian Flynn, on behalf of BCal 44 Montgomery Property LLC, and Edward Shaffer, on behalf of Chelsea Pacific Group, LLC (appellants).

5. A staff memorandum, dated April 18, 2025, addresses and responds to all points raised by the appellants in the appeal letter. That memorandum is attached as Exhibit A and staff's findings as to those points are incorporated by reference herein as the Commission's own findings. Copies of that memorandum have been delivered to the Planning Commission, and a copy of that memorandum is

on file and available for public review at the San Francisco Planning Department, 49 South Van Ness, Suite 1400.

6. On May 1, 2025 the Commission held a duly noticed and advertised public hearing on the appeal of the preliminary mitigated negative declaration, at which testimony on the merits of the appeal, both in favor of and in opposition to, was received.

7. All points raised in the appeal of the preliminary mitigated negative declaration at the May 1, 2025 Planning Commission hearing have been responded to either in the memorandum or orally at the public hearing.

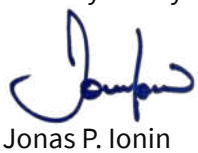
8. After consideration of the points raised by the appellants, both in writing and at the May 1, 2025 hearing, the San Francisco Planning Department reaffirms its conclusion that the proposed project could not have a significant effect upon the environment.

9. In reviewing the preliminary mitigated negative declaration issued for the project, the Planning Commission has had available for its review and consideration all information pertaining to the project in the Planning Department's case file.

10. The Planning Commission finds that the Planning Department determination on the mitigated negative declaration reflects the Department's independent judgement and analysis.

The San Francisco Planning Commission HEREBY DOES FIND that the project could not have a significant effect on the environment, as shown in the analysis of the mitigated negative declaration, and HEREBY DOES AFFIRM the decision to issue a mitigated negative declaration, as prepared by the San Francisco Planning Department.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission on May 1, 2025.



Jonas P. Ionin
Commission Secretary

AYES:	Campbell, McGarry, Williams, Braun, So
NAYS:	Imperial, Moore
ABSENT:	None
ADOPTED:	May 1, 2025

EXHIBIT A

PLANNING DEPARTMENT RESPONSE TO THE PMND APPEALS

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

EXHIBIT A TO DRAFT MOTION
PLANNING DEPARTMENT RESPONSE TO APPEAL OF PRELIMINARY MITIGATED NEGATIVE DECLARATION

570 MARKET STREET

Date:	April 18, 2025
To:	San Francisco Planning Commission
From:	Ryan Shum, Senior Planner – ryan.shum@sfgov.org, (628) 652-7542
RE:	Appeal of Preliminary Mitigated Negative Declaration of 570 Market Street Planning Case No. 2019-017622ENV and 2019-017622APL
Hearing Date:	May 1, 2025 (Continued from the December 12, 2024 hearing)
Project Sponsor:	Melinda Sarjapur, msarjapur@reubenlaw.com, (415) 567-9000
Appellants:	Brian Flynn, Lozeau Drury LLP on behalf of BCal 44 Montgomery Property LLC and Edward L. Shaffer, Burke, Williams & Sorensen, LLP on behalf of Chelsea Pacific Group, LLC
Attachments:	Attachment A – Health Risk Assessment Attachment B – Updated Construction Noise Tables

Introduction

This memorandum is in response to two letters of appeal to the board of supervisors (the board) filed on November 20, 2024 regarding the planning department's (the department) issuance of a preliminary mitigated negative declaration (PMND) under the California Environmental Quality Act (CEQA) for the proposed 570 Market Street project. This memorandum also responds to supplemental letters of appeal filed by the same appellants, as further described below. Copies of all the appeal letters are included with this appeal response packet as Exhibit B.

The department, pursuant to section 21064.5 of the CEQA Statute, issued a mitigated negative declaration for the proposed project on October 30, 2024, finding that the project would not result in a significant effect on the environment.

The decision before the board is whether to uphold the department's decision to issue a PMND and deny the appeal, or to overturn the department's decision to issue a PMND and return the project to department staff for additional environmental review.

Site Description and Existing Use

The 7,045-square-foot project site is located on the north side of Market Street within the triangular block bound by Market Street to the southeast, Sutter Street to the north, and Montgomery Street to the west, in the Financial District neighborhood. The project site is currently occupied by two separate two-story commercial buildings over a shared one-story basement level of approximately 16,195-gross-square feet. The project site does not contain any off-street vehicle or bicycle parking. The project site is relatively flat and does not have any curb cuts. There are currently two sidewalk trees on the project's Market Street frontage. The project site is in a C-3-O (Downtown Office) use district and a 300-S height and bulk district.

Project Description

The proposed project would demolish the two existing two-story-over-basement buildings and construct a 29-story, approximately 300-foot-tall building containing hotel uses. The new building, which would extend over the entire parcel, would provide approximately 3,400 gross square feet of retail space on the ground floor and mezzanine levels fronting Market Street and an approximately 123,000-square-foot hotel space that would accommodate about 211 guest rooms. The project would provide approximately 4,200 gross square feet of privately owned public open space (POPOS), which would include a 2,300-square-foot outdoor terrace and 1,900 square feet of indoor support space for the dedicated public entrance and elevator lobby to the POPOS. The project would be supported on a hybrid foundation that would consist of a four-foot mat slab supporting the approximate southern half of the building. The remaining building portion would be supported by a 6- to 10-foot foundation bearing on 6-foot-diameter piles that would be drilled approximately 40 feet into bedrock, for a total length of around 160 feet under the mat slab.

Project construction is anticipated to last approximately 24 months and would require excavation of the total site footprint (7,045 square feet) to approximately 7 to 13 feet below ground surface (bgs). Overall, excavation of the basement levels would require removal of approximately 3,900 cubic yards of soil.

The project would require the following approvals from the Planning Commission:

- A conditional use authorization from the planning commission under Planning Code section 303 to permit hotel uses.
- A Downtown Project Authorization under Planning Code section 309 for projects within a C-3 zoning district greater than 50,000 square feet in area or 75 feet in height and for granting exceptions to the requirements of certain sections of the Planning Code.

Background

The following bullet points provide a chronological summary of the various actions documented in the record related to the proposed project that have occurred since October 2019, when the project sponsor filed for an application for the proposed project:

On October 1, 2019, the project sponsor filed a project application with the department for the project.

On October 30, 2024, the department issued a PMND for the project determining that the proposed project could not have a significant impact on the environment.

On November 20, 2024, Brian Flynn, on behalf of BCal 44 Montgomery Property LLC, and Edward Shaffer, on behalf of Chelsea Pacific Group, LLC, owner of the adjacent 564 Market Street (also known as the Chancery Building) (appellants), filed separate appeals of the PMND.

On November 20, 2024, the 20-day appeal period ended. However, at the time of PMND publication, two technical appendices were inadvertently not available for public review on the department website. As a result, the comment period was extended by an additional 20 days to December 12, 2024, once the appendices became available.

On December 11, 2024, Mr. Shaffer filed a supplemental appeal letter.

On December 12, 2024, the appeal hearing was continued to February 27, 2025.

On February 27, 2025, the appeal hearing was continued to April 3, 2025.

On March 19, 2025, Mr. Flynn filed another supplemental appeal letter and Mr. Shaffer filed two additional supplemental letters. The subject of one of the Shaffer letters, “Re: Objections to Approval,” contains concerns regarding the project’s code compliance, with none of the stated concerns being related to environmental effects. Therefore, this appeal response does not address any of the concerns brought up in this particular letter as they are not related to CEQA. This appeal response addresses concerns noted in all other appeal letters filed.

On April 3, 2025, the appeal hearing was continued to May 1, 2025.

Planning Department Responses

The Planning Department's responses to concerns raised in the appeal letters are provided below, organized by topic. The appellants have not met the legal burden of proof of providing substantial evidence supporting a fair argument that the project may have a significant environmental impact in order to support their argument that an environmental impact report is required for the project.

Response 1 (Geology and Soils): The PMND appropriately analyzes the potential environmental effects of the proposed project related to geology and soils, providing substantial evidence that the project would not have a significant impact on surrounding structures.

The appellants contend that the PMND fails to evaluate the geotechnical impacts of project construction on surrounding buildings, including impacts related to soil settlement, dewatering, and liquefaction. This contention is incorrect. The PMND analysis correctly accounts for the city's entire review process, with environmental review being one of the initial steps of that process. During the environmental review process, the department considers whether the construction of a proposed project could have substantial adverse effects on soils or geologic features on the project site, and whether a project could be feasibly constructed and supported by the underlying site conditions. This information is typically summarized in a preliminary geotechnical report. The function of a geotechnical report is to provide recommendations by a licensed geotechnical professional to a project's engineer of record, who must then incorporate those recommendations into building permit-level drawings and construction documents, to ensure that the proposed structure can be supported on the proposed foundation system.

Subsequent to the environmental review process, the building department undertakes structural review to ensure that a building can be safely constructed in accordance with all applicable state and local codes. At this stage, the building department reviews more detailed structural plans, which are typically not available, nor required, during the environmental review phase. Instead, environmental review for a project is generally based on a project's architectural plans.

In compliance with these building requirements, the project sponsor submitted a geotechnical report prepared by a licensed geotechnical engineer to the planning and building departments. This report investigated site, soil, geologic, and groundwater conditions of the subject property, and made geotechnical recommendations pertaining to the project's construction.[1] These recommendations address site preparation and grading, seismic design, foundation types, shoring and protection of adjacent buildings, and more. The California Building Code also includes specific provisions, including Protection of Adjoining Properties (section 3307), which must be addressed in the project's structural plans.[2]

The preliminary geotechnical report concluded that the proposed development is feasible from a geotechnical standpoint, but also acknowledged the need for a design-level geotechnical investigation once more detailed permit-level project drawings are available. As such, the department addressed the limited

[1] Langan. *Preliminary Geotechnical Evaluation: 570 Market St.* August 27, 2019.
[2] *Ibid*.

question before it, and correctly concluded that the project could feasibly be constructed on the project site and would not result in any significant impacts related to geology or soils.

Administrative Bulletin 082 and Impacts to Adjacent Structures

Additionally, building department Administrative Bulletin 082 (AB 082), Guidelines and Procedures for Structural Design Review, applies to the proposed project under the San Francisco Building Code and specifies the guidelines and procedures for independent structural and geotechnical design review during the application review process for a building permit. The scope of services for geotechnical engineering review required under AB 082 includes assessment of the project's proposed foundation system and its appropriateness for the structure and ground conditions on the site, the potential effects of construction activities, the predicted foundation settlement, and the project's potential long-term interaction with foundations of existing adjacent and nearby structures.

AB 082 also outlines how the director of the building department would resolve any disputes between the structural design reviewer and the project's structural and geotechnical engineers of record. The building department would review the final building plans (construction plans) for conformance with recommendations of the site-specific, design-level geotechnical evaluation to ensure compliance with state and local building codes, including AB 082. This building permit application review process would occur prior to the issuance of construction permits and would ensure that the proposed project would not result in significant geology and soils impacts, including significant adverse impacts to existing nearby structures.

In summary, the project is required to comply with the city's project review process, which would entail detailed, design-level geotechnical and structural review by the building department. Compliance with all mandatory provisions of the California Building Code and San Francisco Building code would ensure that the project would not result in significant geology or soils impacts. Therefore, no mitigation measures are required. During the environmental review stage, the department addresses the limited question of whether a project can feasibly be constructed on the project site based on the site's underlying soil conditions and site context. Based on the project's preliminary geotechnical report, the department has correctly determined that the project is feasible and would not result in any significant impacts to geology or soils. The appellants have not provided evidence to support a fair argument that the project would result in significant geology and soils impacts.

Response 2 (Air Quality): Substantial evidence provided in the PMND and additional health risk analysis conducted since then, establishes that the proposed project would not result in any significant impacts related to air quality.

The appellants contend that demolition and construction activities will expose the public to significant adverse levels of air pollution, including from asbestos and lead-based paints and construction dust. Additionally, the appellants contend that construction activities could increase cancer risks for people living and working in the area, and that nearby office workers should be treated as sensitive receptors.

Construction Dust

With regards to construction dust impacts, studies have shown that the application of best management practices at construction sites significantly control fugitive dust and reduce fugitive dust by up to 98 percent, as described on page 50 of the PMND.[3,4] As such, they are an effective strategy for controlling construction-related fugitive dust. As described on pages 54 and 55 of the PMND, the project would be required to comply with the city's Construction Dust Control Ordinance and implement best management practices to reduce control construction dust. Such measures include wetting down areas around soil improvement operations, placement of upwind and downwind particulate dust monitors, limiting areas subject to excavation, grading, and other demolition or construction activities at any given time, and the like. These measures would be required as a matter of law already applicable to the proposed project. Accordingly, this impact was determined to be less than significant and no mitigation measure is required.

Construction and Operational Air Quality Impacts

The project's construction and operational air pollution impacts are discussed under Impact AQ-4, starting on page 57 of the PMND. The PMND evaluated the air quality health risk impact of the project to sensitive receptors near the project site, with the closest analyzed receptor located approximately 395 feet away from the project site. Following the publication of the PMND, a more detailed health risk assessment was prepared to evaluate construction and operational health risk impacts to receptors in the immediate vicinity of the project site, including worker receptors directly adjacent to the project site (see PMND text revisions – Exhibit C).[5] Thus, the revised PMND addresses worker receptors as sensitive receptors and presents results of toxic air pollutants on workers located in office buildings located adjacent to the project site. The health risk assessment modeled project-specific emissions based on the proposed land uses, construction schedule, construction equipment list and construction trip information, as provided by project sponsor.

The health risk assessment determined that, with the implementation of mitigation measure M-AQ-4a: Clean Off-Road Construction Equipment, which would be required as condition of project approval, the construction of the proposed project would not exceed the air district's or city's health risk thresholds for chronic hazard index, cancer risk, or $PM_{2.5}$. As described in the PMND, the use of clean construction equipment can reduce construction emissions by 93 to 96 percent as compared to fleet average. Therefore, as concluded in the PMND and substantiated through additional health risk emissions modeling, the proposed project would result in a less-than-significant impact to nearby sensitive receptors related to construction toxic air contaminants, including the adjacent office building abutting the project site.

The project-specific health risk assessment also determined that operation of the project would result in a less-than-significant impact to residential or worker receptors with the implementation of mitigation

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[3] Western Regional Air Partnership. *2006. WRAP Fugitive Dust Handbook.* September 7, 2006. This document is available online at https://www.env.nm.gov/wp-content/uploads/sites/2/2017/02/WRAP_FDHandbook_Rev_06.pdf, accessed January 15, 2025.

[4] San Francisco Planning Department. *Air Quality and Greenhouse Gas Analysis Guidelines.* February 2025.

[5] Ramboll. *Air Quality Health Risk Assessment Methodology and Results Memo: 570 Market Street, San Francisco, CA.* January 2025.

measure M-AQ-4b: Clean Diesel Generators for Building Operations, including to receptors adjacent to the project site.

The internal air circulation system of nearby buildings, which one of the appellants brings up in their letter, is not within the purview of the proposed project. The project site is located in the existing air pollutant exposure zone and sensitive receptors within the zone already experience elevated levels of air emissions. However, as described in the PMND and reiterated above, implementation of air quality mitigation measures and best management practices to reduce construction dust would ensure that the proposed project would not make a considerable contribution to existing significant cumulative health risk impacts in the area.

Lead and Asbestos

With respect to lead and asbestos, these impacts are described in the hazards and hazardous materials section of the PMND on pages 96 through 98. Lead and asbestos handling and removal are regulated in accordance with local and state regulations, as well as air district, California Department of Toxic Substances Control, Cal/OSHA, and California Department of Health Services requirements. Specifically, California Health and Safety Code section 19827.5, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until a project sponsor has demonstrated compliance with the notification requirements under applicable federal regulations regarding hazardous air pollutants, including lead and asbestos.

The California Legislature vests the local air district, in this case the Bay Area Air District, with the authority to regulate airborne pollutants, including asbestos-containing material, through both inspection and law enforcement. The air district is to be notified 10 days in advance of any proposed demolition or abatement work. Any disturbance of asbestos-containing material at the project site would be subject to the requirements of air district Regulation 11, Rule 2, Hazardous Materials—Asbestos Demolition, Renovation, and Manufacturing. The local office of Cal/OSHA must also be notified of asbestos abatement. Asbestos abatement contractors must follow state regulations contained in California Code of Regulations title 8, section 1529 and sections 341.6 through 341.14, when their work involves 100 gross square feet or more of asbestos-containing material. Pursuant to California law, the building department would not issue the required permit until the project sponsors have complied with the requirements described above.

Work that could result in any disturbance of lead-based paint must comply with San Francisco Building Code section 3423, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Section 3423 identifies prohibited practices that may not be used when removing lead-based paint, as well as notification requirements. Where work would disturb or remove lead-based paint on the exterior of a building, or the interior of occupied buildings built prior to or on December 31, 1978 – such as the existing structure at 570 Market Street – section 3407 requires specific notification and work standards and identifies prohibited work methods and penalties. The demolition would also be subject to the Cal/OSHA lead in construction standard (California Code of Regulations title 8, section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead are disturbed during construction. The plan must describe activities that could emit lead, methods that would be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction.

Cal/OSHA would require 24-hour notification if more than 100 square feet of lead-containing material would be disturbed.

Based on mandatory compliance with existing regulatory requirements, as concluded on page 98 of the PMND, the proposed project would not result in a significant hazard to the public or environment from hazardous materials such asbestos and lead-based paint and the proposed project would result in a less-than-significant impact related to these substances.

In summary, the appellants have not provided a fair argument supported by substantial evidence that the proposed project would result in significant air quality impacts. The PMND's analysis of air quality impacts, as supplemented by the additional health risk assessment conducted to support the department's appeal response, are accurate and sufficient. No further analysis is required.

Response 3 (Noise and Vibration): Based on substantial evidence provided in the PMND and additional analysis conducted for informational purposes, the proposed project would not result in significant impacts related to noise and vibration.

The appellants contend that project construction would have significant noise impacts on nearby office workers and would result in significant vibration impacts on nearby historic structures. Their arguments, however, do not meet the legal standard of providing substantial evidence in support of a fair argument that such a significant impact would occur, for the reasons described below.

Construction Noise

The project's noise impacts during construction are discussed in the PMND beginning on page 37. Consistent with the *Governor's Office of Planning and Research's General Plan Guidelines 2017*, noise sensitive receptors are defined as: residences, hospitals, convalescent homes, schools, churches and sensitive wildlife habitat (e.g., nesting birds, marine mammals, protected fish species). The planning department also considers hotels and motels as noise sensitive receptors, and commercial and industrial uses are considered noise sensitive uses if they are exposed to noise levels of 100 dBA or higher.

Construction noise is regulated by the San Francisco Police Code, article 29, section 2907. Police Code section 2907 requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at 100 feet from the source. Impact tools are not subject to the equipment noise limit provided that impact tools and equipment would have intake and exhaust mufflers recommended by the manufacturers and are approved by the Director of Public Works or the Director of Building Inspection as best accomplishing maximum noise attenuation. Table 7 on page 38 of the PMND describes the typical noise levels of construction equipment anticipated to be used at the site. As dictated by the city's noise ordinance, a default reference distance of 100 feet between the construction equipment and noise receptor was used.
The planning department also analyzes the construction noise using guidance provided in the Construction Noise Assessment of the Federal Transit Administration Transit Noise and Vibration Assessment Manual (FTA manual). Specifically, the planning department uses the general assessment daytime residential noise limit of 90 dBA at residential receptors or 100 dBA at commercial or industrial receptors as developed by the Federal Transit Administration. This assessment results in a reasonable worst-case scenario because it is based on the

assumption that the two noisiest pieces of equipment would operate simultaneously. If any of the above criteria are exceeded (10 dB increase in ambient noise levels, 90 dBA at noise-sensitive receptors or 100 dBA at commercial and industrial receptors), the planning department would evaluate the temporal frequency, duration, and intensity of the exceedance when determining whether construction noise could result in a substantial temporary increase in ambient noise levels.

For informational purposes and to ascertain potential noise levels on the adjacent office uses (as raised in one of the appeal letters), Table 7 was updated since the publication of the PMND to include typical noise levels of construction equipment at a shorter distance of 20 feet between the equipment and the noise receptor to better simulate the distance between project construction equipment and nearby receptors in adjacent structures (see PMND text revisions – Exhibit C).[6]

At a reference distance of 20 feet, no construction equipment would exceed 100 dbA (see Attachment B to this appeal response, Updated Construction Noise Tables). This calculation takes into account the simultaneous operation of the two noisiest pieces of equipment during a given phase consistent with the FTA manual. As a result, construction noise impacts to commercial uses in the area would be considered less than significant, which is consistent with the findings in the PMND.

Additionally, as discussed in the PMND on page 42, construction noise is generally the most substantial during the initial phases of the project, which include demolition, site preparation, and grading, and generally decreases in the latter phases. Construction equipment noise is also intermittent and would occur in limited intervals at a time. Furthermore, the analysis provided in the PMND and above is conservative because it assumes that no acoustic shielding or attenuation from building walls, windows, or other measures would occur.

In the supplemental appeal letter submitted by Mr. Flynn dated March 19, 2025, the appellant contends that the construction noise analysis is inaccurate because it improperly applied the general assessment methodology provided by the FTA Manual. The appellant contends that the analysis should have employed an equipment usage factor[7] of 1 (i.e., 100 percent), instead of a range between 16 to 50 percent as the PMND did, and a noise attenuation factor of 3 dB per doubling of distance, instead of 6 dB per doubling of distance. The appellant contends that by calculating construction noise levels with those assumptions, there could be potentially significant construction noise impacts at the nearest residential and commercial receptors.

However, the appellant's analysis is inaccurate and misleading because it conflates two different methodologies. While the FTA Manual general assessment methodology does recommend a usage factor of 1, the general assessment guidelines state that a noise attenuation factor equating to a 6 dB reduction per doubling of distance should be used, not 3 dB as the appellant claims. Thus, the appellant's construction noise calculations are misleading.

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6 Salter, Alex. "Re: 570 Market Tables." Received by Ryan Shum. 24 January 2025.

7 The usage factor is the percent of time a piece of construction equipment is used throughout the day.

Typically, construction noise analysis is a multi-step process that first entails a more conservative analysis with broad assumptions and subsequently a more refined methodology if the initial analysis finds that a project could result in significant impacts. The FTA Manual general assessment methodology also allows for an adjustment of the usage factor based on the amount of time that construction equipment would be used during the day, and based on more refined analysis and project. The usage factor is based on Federal Transit Administration methodology and reflects the fact that most construction equipment is generally used intermittently and is not used throughout the day, thereby reducing its noise levels over the course of a workday.[8] Consequently, the PMND noise analysis used a more refined usage factor of 16 to 50 percent per guidance by the Federal Highway Administration (FHA) to better reflect the frequency of use of the construction equipment.[9] This more refined methodology determined that project construction would not result in significant noise impacts to nearby residential and commercial receptors, as described above.

For informational purposes, supplemental noise analysis was conducted in accordance with the FTA Manual general assessment methodology (i.e., with an equipment usage factor of 1 and a noise attenuation factor equating to a 6 dB reduction per doubling of distance).[10] This supplemental analysis conservatively evaluated if construction equipment would be operating with 100 percent usage factor. As shown in Table 1 below, construction noise levels still would not exceed construction noise thresholds at the nearest residential and commercial receivers when using recommended assumptions of the FTA general assessment methodology.

Table 1: Calculated Noise Levels at Nearest Off-Site Sensitive Use from Daytime Construction

Phase	Loudest Two Noise Sources	Estimated Construction Noise Level (dBA) at Nearest Residential Receiver (450 feet)	Exceeds 90 dBA Residential Standard?	Estimated Construction Noise Level (dBA) at Nearest Commercial Receiver (20 feet)	Exceeds 100 dBA Commercial Standard?
1	CSM Rig, Jackhammer	68	No	95	No
2	Concrete Saws, Jackhammer	72	No	99	No
3	Concrete Pump, Excavator	65	No	92	No
4	Drill Rig, Cranes	67	No	94	No
5	Pressure Washer, Cranes	67	No	94	No

8 Ibid., p. 12-3.

9 Based on the US EPA document, "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances" 1971, noise data from Federal Highway Administration (FHWA) Roadway Construction Noise Model User's Guide, 2006, and data from other Salter Projects.

10 Salter, Inc. *570 Market Street Acoustical Response to Appeal of Preliminary MND.* April 4, 2025.

In summary, the PMND noise analysis employed a multi-step process and properly calculated the project's construction noise impacts to the nearest sensitive receptor (i.e., residences at 333 Bush Street approximately 450 feet away) and properly evaluated ambient noise levels at nearby commercial receptors. The supplemental analysis evaluated construction noise levels against the FTA criteria of 100 dBA for commercial and industrial receptors and confirmed that projects construction noise would not exceed those levels. The appellant's contention that the PMND noise analysis is inaccurate because it should have used the more generalized FTA guidance is misleading, and the appellant's noise calculation is also misleading because it does not use a 6 dB per doubling of distance noise attenuation factor as provided by the FTA general assessment methodology. Supplemental noise analysis using the more conservative FTA general assessment methodology, shown in Table 1 above, further supports the PMND conclusion that the project would not result in significant construction noise impacts.

Construction Vibration

The project's vibration impacts during construction are discussed in the PMND beginning on page 44. With regards to construction vibration impacts, the PMND identified that the 566 Market Street, 576 Market Street, and 44 Montgomery Street buildings could be susceptible to ground-borne vibration from demolition and construction activities of the proposed project. Therefore, the PMND determined that Mitigation Measure M-NO-2 will be required before and during construction. The project sponsors have agreed to implement this measure.

The primary purpose of the mitigation measure is to prevent damage to nearby structures and requires that all feasible means to avoid damage to potentially affected buildings be identified in the project's Vibration Management and Monitoring Plan (Monitoring Plan) and employed. Examples of avoidance measures that could be employed include using alternative pieces of construction equipment or techniques and adjusting the buffer zones of equipment. The Monitoring Plan would also include procedures to actively monitor vibration levels at the construction site to ensure that they do not exceed the established standards identified in the plan. As described in the mitigation measure, the project would be required to retain a qualified structural engineer and historic preservation professional to conduct periodic inspections of adjacent buildings for signs of vibration-induced damage during vibration-generating construction activities, and to immediately notify the planning department if any damage is visible and incorporate alternative construction techniques to reduce further effects. At the time that the Monitoring Plan is prepared, the structural engineer and planning department would also have the discretion to reclassify nearby buildings to meet stricter vibration standards based on additional information on structural conditions of the building, as appropriate; for example, 44 Montgomery Street may be reclassified from "modern industrial/commercial buildings" to "historic and some older buildings," as appropriate.[11]

It is important to note that the Caltrans vibration standards are guidelines for assessing potential vibration damage and not brightline thresholds as the appellant contends. The Caltrans standards are guidelines because all buildings are constructed in slightly different ways using different construction techniques and materials, and with different underlying soil conditions and surroundings. As a result, construction-induced

[11] This classification is for the purposes of construction vibration monitoring only, and how a building is classified is independent of a building's actual historic status.

vibration interacts with buildings in varying degrees and there is no brightline threshold upon which vibration impacts are certain to occur. The Caltrans standards are a reflection of this and offer guidance of when vibration impacts *may* start to occur, and an exceedance does not guarantee that an adverse impact would occur, nor does it automatically constitute a significant impact. Therefore, the appellant's contention is incorrect.

As a final protective measure, in the event that all feasible avoidance measures are employed and damage does occur, the damage would be detected early due to active monitoring requirements per the Monitoring Plan. Furthermore, the project sponsor would be required to implement additional measures to minimize vibration impacts and repair any damage to its preconstruction state. Any damage to a historic building would require the remediation to be overseen by a qualified preservation professional and planning department preservation staff.

Mitigation measure M-NO-2 outlines clear steps and performance measures for the monitoring and potential repair of any vibration-induced damage. Construction-level details are often not determined yet at the time of environmental and architectural review, and minor changes often occur at the time of structural building permit review and once construction starts; the vibration monitoring plan and mitigation measures are adaptable to the conditions of the project site at the time of construction. The project would be required to implement the measures described in mitigation measure M-NO-2. The PMND, therefore, is not deferring any mitigation or analysis of vibration impacts. With implementation of this mitigation measure, the PMND determined that the impacts from construction vibration would reduce any potential damage to adjacent structures from construction to a less-than-significant level.

The appellants have not offered any evidence to support their contention that construction vibration could result in significant adverse impacts to historic buildings.

Response 4 (Historic Resources): Based on substantial evidence provided in the PMND, the proposed project would not result in a significant impact to historic resources.

The appellants contend that the project could have potentially significant impacts on nearby historic buildings due to the mass and scale of the proposed building, vibration from demolition and construction, ground settlement from dewatering and increased soil stresses, and increased lateral loads. The appellants also contend that the project block should be evaluated as a historic district. The appellants have not offered any evidence to support these assertions. By contrast, the PMND provides substantial evidence to support the conclusion that significant impacts of this nature would not occur. As discussed on pages 15 through 17 of the PMND, the project site is not within a designated historic district and construction of the proposed project would not affect the historic significance of nearby historic buildings:(44 Montgomery Street, Chancery Building located at 562-566 Market Street, Finance Building at 576-580 Market Street, Hobart Building at 582-590 Market Street, Flatiron Building at 540-548 Market Street, Crocker Bank Building; three commercial buildings at 550, 554 and 560 Market Street which are located on the subject block (Block 0291); and Crocker Bank Building located at 1 Sansome Street located at the north confronting block (Block 0289). As described in the department-prepared Historic Resources Evaluation Report (HRER) for the project, "the subject property does not appear to be part of a significant concentration of historically or architecturally unified buildings such

that it would rise to the level of an eligible historic district." As such, the potential of the project block to be designated as a historic district and the subject property to be included in said district was already evaluated in the project HRER. The architectural cohesion of Market Street is not relevant in the context of the project's historic resource evaluation because the subject property is not part of a historic district. Likewise, new shadows caused by the project would not affect historic character defining features of nearby properties.

Additionally, the appellant is incorrect in their assertion that 44 Montgomery Street was not classified as a historic resource and evaluated accordingly in the PMND. Contrary to the appellant's contentions, 44 Montgomery Street was evaluated as a historic resource in the project's cultural resource analysis as evidenced by its inclusion in the list of adjacent historic resources in the HRER. The proposed project would not affect the physical features that convey the historical significance of nearby historic resources, including 44 Montgomery Street.

The project's geology and soils and vibration impacts are discussed thoroughly in the PMND and are summarized in the responses 1 and 3 above. Furthermore, the project sponsor has committed to implementing mitigation measure M-NO-2, Protection of Adjacent Buildings/Structures and Vibration Monitoring During Construction, which aims to avoid potential vibration impacts, and would be required to implement the recommendations from the design-level geotechnical investigation process as outlined above, which would ensure that there are no impacts to nearby properties related to ground settlement, dewatering, or lateral loads.

Response 5 (Freight Loading): As discussed in the PMND, the proposed project would not result in any significant impacts related to transportation, including secondary impacts resulting from insufficient loading facilities.

The appellants contend that the project's freight loading impacts were not properly evaluated and that the project may have adverse secondary impacts resulting from insufficient loading facilities. The PMND mistakenly included a description of an off-site loading space on page 3 of the PMND based on an earlier iteration of the proposed project (see PMND text revisions – Exhibit C). However, the loading analysis did not assume the project would include an off-street loading space, and is therefore accurate.

As discussed on page 30 of the PMND, the project relies entirely on on-street loading facilities and the loading analysis does not reference any off-street loading spaces. The project is anticipated to average 12 daily freight loading occurrences spread throughout the day, and average approximately two loading occurrences during the peak hour of loading activity. Freight deliveries would primarily be comprised of smaller vehicles such as light trucks and panel vans. Given the length of the existing on-street loading zones, there would be sufficient loading space to accommodate the project's peak hour loading demand of two trucks. Therefore, no secondary transportation impacts resulting from inadequate loading supply are expected. The appellants have not offered any evidence to support their contention that the project could result in significant transportation impacts resulting from inadequate freight loading supply and, no additional analysis is required.

Response 6 (Shadow): As discussed in the PMND, the proposed project would not result in any significant impacts related to shadow.

The appellants contend that the project would have adverse shadow impacts on privately owned public open space (POPOS) in the area, but do not offer any substantial evidence supporting a fair argument of how the project would result in significant shadow impacts. As discussed on page 67 of the PMND, the project would cast some new shadow on POPOS in the area, including the One Sansome Street courtyard, One Bush Plaza, the plaza at 333 Market Street, and the plazas at 425 and 525 Market Street. However, these shadows would be intermittent, and the net new shadow would not substantially affect the use and enjoyment of these POPOS . Furthermore, POPOS are not protected open spaces under Planning Code section 295, and the appellants have provided no evidence that the proposed project would increase shadow to any open space protected under Planning Code section 295. The shadow impact analysis on nearby POPOS provided in the PMND is provided for informational purposes only, and is not a requirement to be analyzed under CEQA or the Planning Code. Therefore, no additional analysis is required.

Response 7 (Wind): As discussed in the PMND, the proposed project would not result in any significant impacts related to wind.

The appellants contend that the project would have adverse wind impacts. However, the appellants do not specify what wind impacts would occur that were not already disclosed and analyzed in the PMND, and offer no substantial evidence to support their assertion. As discussed on page 66 of the PMND, the project would generally improve wind conditions compared to existing conditions with respect to the applicable wind hazard criterion. The PMND provided adequate and accurate analysis of wind impacts, and no additional analysis is required.

Response 8 (Feasible Mitigation Measures): The PMND identifies feasible mitigation measures with performance standards that satisfy CEQA requirements.

The appellant claims that the PMND inappropriately defers mitigation of potential impacts to historic resources, geology and soils, and hazardous materials by relying on future reports and recommendations from those reports without specifying performance standards. However, the appellants' statements are not consistent with the analysis or mitigation measures contained in the PMND, or CEQA's requirements.

CEQA Guidelines section 15126.4(a)(1)(B) permits the department to further refine the details of mitigation measures after the project's approval if the environmental document (1) commits the project sponsor to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. The mitigation measures cited by the appellant meet all of these requirements and are, therefore, legally adequate in the context of CEQA review.

The PMND does not, as appellant claims, defer "formulation of mitigation measures." All of the mitigation measures contained in the PMND contain detailed performance standards that ensure their effectiveness and specify the timing of any required actions. For example, mitigation measure M-NO-2 requires the project sponsor to avoid or reduce project-related construction vibration damage to adjacent buildings and/or

structures and to ensure that any damage is documented and repaired. The mitigation measure also establishes quantified maximum vibration levels that may not be exceeded and for which the project site will be monitored. Thus, the mitigation measure specifies the components for a monitoring plan, timing, guidelines, approval process, and responsible professionals who may determine corrective measures based on construction activity and the character of adjacent buildings.

Similarly, mitigation measure M-AQ-4a requires the project to use clean off-road construction equipment and provides specific details related to engine eligibility requirements, the use of waivers, and detailed requirements for the preparation of a construction emission minimization plan. Specifically, this mitigation measure states that "[A]ll off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed U.S. Environmental Protection Agency (EPA) Tier 4 Interim or Tier 4 Final off-road emission standards." Similarly, requirements regarding the construction emission minimization plan state that "[the]plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. As reasonably available, the description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used." These specific requirements ensure that this mitigation measure would be implementable, measurable, and would reduce impacts to a less-than-significant level as concluded in the PMND on page 58.

The project sponsor has committed to implementing the mitigation measures outlined in the project's Mitigation Monitoring and Reporting Program (MMRP), and the MMRP would be made a condition of approval of the project by the Planning Commission.

With regards to the PMND analysis of geology and soils and hazardous materials, as discussed in Response 1, above, the department relies on compliance with state and local regulations that are uniformly applied to all projects and with which the project sponsor would be required to comply. Compliance with state and local regulations would require the project to meet standards that would ensure that the project would not result in a significant impact. For these types of impacts – where existing regulations ensure that no significant impacts would result - no additional mitigation measures are required.

The appellants have not provided any substantial evidence to support their assertion that the mitigation measures inappropriately defer mitigation or do not specify performance standards or implementation timing requirements.

Response 9 (Cumulative Projects): The cumulative project list is accurate, and the cumulative analysis was properly conducted.

The appellants contend that the cumulative project list is outdated and that, as a result, the cumulative analysis is flawed. A project's cumulative project list is typically developed at the beginning of the analysis period, which in this case was 2019. For longer periods of environmental review, the cumulative project list may be reviewed again to ensure that it is still accurate. The original cumulative project list was reviewed

when analysis resumed following the COVID-19 pandemic, but no new cumulative projects were identified at that time. For informational purposes, the department reviewed the list again in January 2025 and identified only minor projects and permits in the vicinity of the project site that would generally not be added onto cumulative project lists due to their minor nature and likelihood that they would not interact with the proposed project to generate cumulative impacts. Examples of such minor projects include antennae and sign installations, minor building modifications and repairs, and repainting, as well as minor utility projects such as sewer replacements or utility pole replacements due to the limited construction duration and scope. For these reasons, the cumulative project list remains the same as the list that was originally prepared and is considered to be accurate and adequate for purposes of CEQA review. The appellants do not offer any evidence to support their contention that the cumulative analysis is flawed, and thus there is no fair argument presented that the department has failed to identify a significant cumulative impact to which the proposed project would have a cumulatively considerable contribution. No further analysis is required.

Response 10 (Public Notice): The department complied with state and local notice requirements for publication of the PMND and appropriately remedied administrative errors.

The appellants contend that the department did not provide adequate notice of the publication of the PMND because, although the notice was properly sent to the owner of 564 Market Street, their legal representative claims to not have received notice of the PMND publication. The appellants also note that at least two technical studies were not made publicly available at the time of the publication of the PMND.

The department issued the PMND for the project on October 30, 2024, and sent a Notice of Availability of Intent to Adopt a Mitigated Negative Declaration (Notice of Availability) to interested parties and property owners and tenants within a 300-foot radius of the project site, including to the property owners of 564 Market Street (The Chancery Building) and 44 Montgomery Street. The department provided a 20-day appeal period that ended on November 20, 2024. During the public review period, the department determined that some of the technical background documents were inadvertently not made publicly available for review on the department website at the start of the initial 20-day appeal period. At the request of an individual who had not received the Notice of Availability, and to afford adequate time for the public to review all technical documents, the department extended the PMND comment period by 20 days to December 12, 2024.

In accordance with state and local laws, physical posters of the Notice of Availability were also publicly posted at the project site between October 30, 2024 and November 20, 2024, in accordance with Administrative Code section 31.11(4). The department verified that multiple weather-protected 11-by-17-inch notices were posted in prominent locations at the project site for the duration of the appeal noticing period. Photographs of the posted notices were taken on November 21, 2024, and are on file with the department.

Additionally, a newspaper notice was published in the San Francisco Examiner on October 30, 2024, and the Notice of Availability was also posted at the San Francisco Office of the County Clerk for the 20-day review period on the day of PMND publication.

In conclusion, the department provided sufficient notice and opportunity for review of the PMND in accordance with state and local laws.

Conclusion

For the reasons provided in this appeal response, the department has determined, based on substantial evidence in the record, that the proposed project would not have significant impacts with implementation of the feasible mitigation measure identified in the PMND; an environmental impact report is not required. The department also complied with state and local noticing requirements for the PMND and extended the initial notice period by 20 days in order to ensure that all members of the public received adequate time to submit their comments. The appellants have not provided substantial evidence supporting a fair argument that the proposed project would have significant impacts on the environment, nor have they demonstrated that the department failed to provide adequate notice of the PMND or access to records. The department therefore respectfully recommends that the Commission uphold the PMND and deny the appeals.

BRIEF(S) SUBMITTED BY RESPONDENT DEPARTMENT(S)

San Francisco Planning

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BOARD OF APPEALS BRIEF

HEARING DATE: November 19, 2025

November 13, 2025

Appeal Nos.:	25-041; 25-042
Project Address:	570 Market Street
Block/Lot:	0291/013
Zoning District:	C-3-O (Downtown – Office) Priority Equity Geographies Special Use District
Height District:	300-S
Staff Contact:	Corey Teague, Zoning Administrator – (628) 652-7328 Corey.Teague@sfgov.org

Introduction

The scope of the Downtown Project Authorization (DNX) for the project proposed at 570 Market Street includes demolition of the existing two-story, approximately 16,000 square foot retail building, and new construction of a 29-story over basement, 300-foot tall building (excluding rooftop penthouses and screening) containing approximately 126,333 gross square feet. The building would be used primarily as a tourist Hotel with 211 guest rooms, but would also contain approximately 3,386 square feet of Retail Sales and Service uses at the first and second floors, and approximately 4,211 square feet of Privately Owned Public Open Space (POPOS). The project would not include any off-street parking or loading, but would provide 8 Class 1 and 8 Class 2 bicycle parking spaces. As part of the Commission's approval of the DNX, the project received exceptions from Planning Code Sections 132.1 (interior lot setbacks), 152.1, 161 (freight loading), and 162 (tour bus loading).

The appellant in Appeal No. 25-041 is the property owner of the Chancery Building at 564 Market Street (CPH 564, LP), designated as a Significant Building under Article 11, and located immediately adjacent to the east of 570 Market Street. In this appeal, the appellant does not support the Planning Commission's findings that were used to grant the exceptions for freight and tour bus loading, nor the Commission's findings generally that the project is consistent with the Planning Code and with the Objectives and Policies of the General Plan, that historic buildings will be preserved, that commuter traffic will not impede MUNI transit service or overburden streets or neighborhood parking, and that the project authorization would promote the health, safety, and welfare of the City. More specifically, the appellant raises concerns that:

- Project construction could cause long-term physical damage to the adjacent Chancery Building;
- Project construction noise, dust, vibration and emissions may physically harm, disturb and disrupt Chancery Building office tenants and lead to costly office vacancies;
- The ability of the Chancery Building to rely on operable windows for ventilation, since the building has no HVAC system, would be dramatically impaired during construction;
- The project would substantially block light and air to the Chancery Building's west side, given that some of the proposed walls of the project would be located only 1 foot from existing Chancery Building windows;
- One-third of the Chancery Building's lightwell would be blocked by a proposed wall of the project, in conflict with Urban Design Guideline S2 to match lightwells; and
- Sutter Street is exceptionally constrained and cannot support a new hotel that would generate heavy traffic, with the Planning Commission failing to recognize the combined effects of parking, deliveries and tour bus loading, which would lead to frequent double parking, interfering with

traffic movement and overburdening neighbors.

The appellant in Appeal No. 25-042 is the property owner of 44 Montgomery Street (BCal 44 Montgomery Property LLC), located immediately adjacent to the west of 570 Market Street, along the northern portion of the property closest to Sutter Street. In this appeal, the appellant argues that the Planning Commission abused its discretion by approving the DNX before completing adequate review under the California Environmental Quality Act (CEQA). In this appellant's brief, however, the focus is instead on their claim that the Planning Commission failed to:

- Consider how the project will exacerbate congestion on Sutter Street;
- Designate Sutter Street as the "principal street," instead of Market Street; and
- Consider that the project will have significant adverse environmental consequences.

Analysis

Planning Code Section 309 establishes a variety of Code exceptions the Planning Commission may grant as part of a DNX properties generally within the downtown area, understanding the limitations full compliance would create for an area that is generally built out and at larger scale and intensity. The approval motion provides detailed findings related to each exception that provide the rationale and justification for each granted exception, and so they will not be repeated in this brief. However, this brief will respond to several specific issues raised by the appellants. Additionally, Section 309(d)(3) requires that the Board find that there was an error in the interpretation of the provisions of the Planning Code or abuse of discretion on the part of the Planning Commission in order to grant the appeal of a DNX

Responding to the first Appeal No. 25-041, several of the concerns raised pertain to potential impacts to the adjacent Chancery Building due to construction activities – vibration, excavation, noise, dust, and emissions. These are areas of concern that are addressed under CEQA analysis. The project's Final Mitigated Negative Declaration (FMND) under CEQA addresses that the project could potentially

result in adverse physical effects on various environmental resources, specifically Cultural Resources, Tribal Cultural Resources, Noise, Air Quality, and Geology and Soils, however, with the incorporation of project mitigation measures, the FMND concluded that the project could not have a significant effect on the environment, including in the above listed resource areas. Additionally, construction activities, including excavation work and impacts to adjacent building foundations, will be reviewed by the Department of Building Inspection and other relevant City agencies during the building permit review and approval process, prior to the associated construction activity taking place. At the time of drafting this brief, the FMND is under appeal and is scheduled to be heard on November 18, 2025.

With regard to light and air impacts to the Chancery Building, the appellant notes that some office windows along its west side would be located one foot from the walls of the proposed project. The windows in question here are property line windows, for which there are no explicit protections against future adjacent development. However, the Planning Commission did review this issue in detail, and the applicant provided specific design responses that were considered adequate (e.g., angled fenestration to prevent direct sight lines, light paint color within the lightwell to maximize light reflection/retention, etc.).

The appellant also raises concerns that the proposed project does not provide a matching lightwell to what exists along the west side of the Chancery Building, in conflict with the Urban Design Guidelines. However, as the appellant notes, only one-third of the existing Chancery Building lightwell would be blocked by the proposed project, with the remainder facing onto a portion of the project, which has been set back accordingly by approximately 8 feet. This setback provided by the project at floors 3-14 is effectively a corresponding lightwell fulfilling the intent of the Urban Design Guidelines. A matching lightwell does not need to be a full or exact mirror image of the adjacent lightwell, and can be off-set by up to one-third while still meeting the intent of this guideline. The project's setback along this shared side property line then continues for more than 55 additional feet beyond the Chancery Building's lightwell

toward Market Street, which further reduces the impact to property line windows in that area, discussed above.

While the potential impacts discussed above, whether in the shorter-term from construction activities or longer-term due to an overall reduction of light and air to the adjacent property, may affect existing Chancery office tenants, building office rents and occupancy rates, these considerations alone are not sufficient for the Commission to disapprove a project. The Commission reviewed the project against the Objectives and Policies of the City's General Plan and eight Priority Policies and found that, on balance, the project complies with those policies.

Both appellants raise concerns that the Planning Commission failed to adequately consider the project's effects on parking, traffic and congestion along Sutter Street. In part, this is an issue under CEQA, but as noted in the project's FMND, "In accordance with CEQA Section 21099: Modernization of Transportation Analysis for Transit-Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project… is in a transit priority area, is on an infill site, and is residential, mixed-use residential, or an employment center," and the project was determined to meet all three criteria.

Finally, a concern is raised that Market Street was determined to be the lot frontage instead of Sutter Street. It's important to note that the Planning Code gives the Zoning Administrator to determine the primary street frontage for a lot that fronts more than one street. The project that was considered by the Planning Commission in this appealed DNX relied on such a determination that Market Street is the primary street frontage for the subject lot, and that determination was not made by the Planning Commission as part of this DNX. The Zoning Administrator determined Market Street to be the primary frontage because it is a wider and far more prominent corridor than Sutter Street, and the subject lot has more frontage along Market Street than it does on Sutter Street.

Conclusion

The subject project is proposed in an extremely dense part of the City where it's understood that development conditions may be challenging, require close proximity, and will always affect adjacent properties to some degree. However, the project underwent significant review and analysis, including multiple Planning Commission hearings, and was determined to be consistent with the Planning Code, applicable guidelines, and the General Plan. The Planning Department believes the Planning Commission's action to approve the DNX with specific exceptions was the correct action, that the findings required for an appeal have not been met, and that both appeals should be denied.

cc: Edward Shaffer (Attorney for Appellant)
Brian B. Flynn (Attorney for Appellant)
Melinda Sarjapur (Agent for Permit Holder)
Joe Ospital (Department of Building Inspection)

PUBLIC COMMENT

UNITE HERE!

April 25, 2025

San Francisco Planning Commission
Secretary of Commission Affairs
San Francisco Planning Department
Attn: Jonas Ionin

RE: 570 Market Street Hotel Project

Dear Members of the Planning Commission,

This letter is in support of the proposed hotel project at 570 Market Street. As a union representing hospitality employees, we are always concerned with whether new jobs created in this industry will serve to lift up the community by providing leading wages and working conditions for the hardworking people who work in our city's hotels.

Hotel developers have historically supported the creation of good quality jobs by agreeing to remain neutral and present no encumbrances to efforts by their employees to form a union. These agreements ensure that jobs created are good quality jobs, and as such they set a standard that we believe should be followed by all hotel developers. The developer of this project has also signed an agreement which covers the building trades as well.

We support this project for its guarantees of good quality jobs in this critical industry for San Francisco, and we urge you to grant all necessary approvals.

Sincerely,

Lizzy Tapia
President

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