



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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Case No.: 2014.0484E
 Project Address: 1699 Market Street
 Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit) Use District
 85-X Height and Bulk District
 Block/Lot: 3504/030
 Lot Size: 27,708 square feet (0.64 acres)
 Plan Area: Market and Octavia Area Plan
 Project Sponsor: Mark G. Conroe, Urban Communities, LLC – (415) 431.6506
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 1390 Market Street, Suite 303
 San Francisco, CA 94102
 Staff Contact: Rachel A. Schuett (415) 575.9030; Rachel.Schuett@sfgov.org

PROJECT DESCRIPTION

The project site is located at 1699 Market Street (Assessor’s Block 3504, Lot 030), on the south side of Market Street between Valencia and Gough streets near the northwestern corner of San Francisco’s South of Market (SoMa) neighborhood. The 27,708-square-foot (0.64-acre) project site is irregularly shaped with frontages along Market, Stevenson, and McCoppin streets. The project site is currently occupied by a one- to two-story commercial/light industrial building that was constructed in 1954.


(Continued on next page.)

EXEMPT STATUS

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

DETERMINATION

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


 SARAH B. JONES
 Environmental Review Officer

March 22, 2014
 Date

cc: Mark G. Conroe, Project Sponsor
 Supervisor Jane Kim, District 6
 Doug Vu, Current Planner
 Doug Vu, Preservation Planner

Historic Preservation Distribution List
 Citywide Distribution List
 Virna Byrd, M.D.F.
 Exemption/Exclusion File

PROJECT DESCRIPTION (CONTINUED)

The proposed project would include the demolition of the existing commercial/light industrial building and construction of a mixed-use residential building that includes approximately 170,830 gross square feet (gsf) of habitable space, 4,588 gsf of retail space, and about 24,117 gsf of parking. The proposed building would have a nine-story, 85-foot-tall frontage along Market Street, and an eight-story, 72.5-foot-tall frontage along McCoppin Street (as measured from Market Street; as measured from McCoppin Street, the southern part of the building is 84 feet tall), with rooftop mechanical equipment (including an elevator penthouse) the proposed building would measure 105 feet tall at its highest point.

The proposed project would include up to 162 residential dwelling units. Approximately 16,200 square feet (sf) of common open space would be provided through a combination of courtyards and roof decks. The proposed project would also include 128 Class 1 and 32 Class 2 bicycle parking spaces on the ground floor, and 97 vehicle parking spaces in an underground garage, with access from existing curb cuts on Stevenson and McCoppin streets. An existing curb cut on Valencia Street would be removed.

The project sponsor anticipates that construction would last approximately 14 months. Construction of the proposed project would require demolition of the existing 22,170-square-foot commercial building and excavation for the foundation, underground parking level, and car stacker pits. The proposed building would likely rest on a mat foundation which would require excavation to a maximum depth of 20.5 feet (on the Market Street side). Approximately 10,000 cubic yards of soil would need to be removed from the site.

PROJECT APPROVALS

The proposed 1699 Market Street project would require the following approvals:

Actions by the Planning Commission

- Approval of a Conditional Use Authorization from the Planning Commission is required for the following:
 - Development of a lot greater than 10,000 sf within a Neighborhood Commercial District, pursuant to Planning Code Section 121.1; and
 - A Planned Unit Development (PUD) for new construction of a project on a site greater than ½ acre, pursuant to Planning Code Section 304, with exceptions sought for the:
 - Rear yard (Section 134);
 - Off-street parking at a ratio exceeding 0.5 cars per dwelling unit (Section 151.1); and

The approval of the Conditional Use Authorization would be the Approval Action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

Actions by City Departments

- **San Francisco Planning Department (Planning Department).** Approval of a site permit that is consistent with the Conditional Use Authorization.
- **Department of Building Inspection (DBI).** Demolition, grading, and building permits for the demolition of the existing building and construction of the new building.
- **Department of Public Health (DPH).** Approval of a Site Mitigation Plan prior to the commencement of any excavation work and approval of an Enhanced Ventilation System.
- **San Francisco Public Works (SFPW).** Street and sidewalk permits for any modifications to public streets and sidewalks. Approval of a condominium map if requested.
- **San Francisco Public Utilities Commission (SFPUC).** Approval of any changes to sewer laterals and approval of a stormwater control plan.
- **San Francisco Municipal Transportation Agency (SFMTA).** Approval of a request for an on-street loading zone on Stevenson, Valencia, and/or McCoppin Street..

COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent; (c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or (d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 1699 Market Street project described above, and incorporates by reference information contained in the Programmatic EIR for the *Market and Octavia Area Plan* (Market and Octavia PEIR).¹ Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Market and Octavia PEIR.

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR by Motion No. 17406.^{2,3} The PEIR analyzed amendments to the *San Francisco General Plan* (*General Plan*) to create the

¹ San Francisco Planning Department Case No. 2003.0347E, State Clearinghouse No. 2004012118.

² San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, certified April 5, 2007. This document, and other cited Market and Octavia Area Plan documents, are available online at www.sf-planning.org/index.aspx?page=1714. Accessed November 10, 2015.

Market and Octavia Area Plan and amendments to the Planning Code and Zoning Maps, including the creation of the Hayes-Gough NCT (Neighborhood Commercial Transit) District. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the *Market and Octavia Area Plan*. The proposed 1699 Market Street project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the *Market and Octavia Plan* area. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 1699 Market Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

In May 2008, subsequent to the certification of the PEIR, the Board of Supervisors approved and the Mayor signed into law revisions to the Planning Code, Zoning Maps, and *General Plan* that constituted the "project" analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls, which allow for flexible types of new housing to meet a broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable whole neighborhoods meeting everyday needs. The *Market and Octavia Area Plan*, as evaluated in the PEIR and as approved by the Board of Supervisors, accommodates the proposed use, design, and density of the 1699 Market Street project.

Individual projects that could occur in the future under the *Market and Octavia Area Plan* will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1699 Market Street is consistent with and was encompassed within the analysis in the Market and Octavia PEIR. This determination also finds that the Market and Octavia PEIR adequately anticipated and described the impacts of the proposed 1699 Market Street project, and identified the mitigation measures applicable to the 1699 Market Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4 5} Therefore, no further CEQA evaluation for the 1699 Market Street project is required. Overall, the Market and Octavia PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project vicinity includes a mix of residential, retail/commercial, office, and institutional uses, including several schools. The project site is currently occupied by a one- to two-story commercial/light industrial building with two accessory surface parking lots.

³ San Francisco Planning Commission Motion No. 17406, April 5, 2007. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=568>, accessed November 10, 2015.

⁴ Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.0484E, 1699 Market Street*, December 15, 2015. This document, and other documents cited in this CPE Certificate, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1005E.

⁵ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2014.0484E, 1699 Market Street*, February 11, 2016.

Along the McCoppin Street frontage, the adjacent parcel to the west is currently occupied by a two-story institutional building (22 Gough Street), which is part of the San Francisco Community College (“City College”) District, and the adjacent parcel to the east is occupied by a three-story residential condominium complex (68 McCoppin Street). Along the Market Street frontage, the adjacent parcel to the west is occupied by a two-story tourist hotel/motel the “Travelodge Motel” (1707 Market Street), and the adjacent parcel to the east is occupied by a five-story residential hotel the “Allen Hotel” (1693 Market Street). (See Figure 2)

The project site is well served by public transportation. The San Francisco Municipal Railway (Muni) operates numerous transit lines within one-quarter mile of the project site, including surface buses and the F Line historic streetcar on Market Street, as well as a number of surface buses that run nearby on Oak, Page, and Haight streets, Van Ness/South Van Ness Avenue, and Mission Street. Muni also operates the Muni Metro light rail system, which runs underground beneath Market Street in the project vicinity. In addition, the Bay Area Rapid Transit District (BART) operates a regional subway system that runs beneath Market Street. Muni Metro subway lines are accessible from the Van Ness station one block to the east and BART are accessible from the Civic Center/UN Plaza Muni/BART station located about 0.6 miles to the east of the project site.

POTENTIAL ENVIRONMENTAL EFFECTS

The Market and Octavia PEIR analyzed environmental issues including: plans and policies; land use and zoning; population, housing, and employment; urban design and visual quality; shadow and wind; cultural (historic and archeological) resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; biology; and growth inducement. The proposed 1699 Market Street project is in conformance with the height, use and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the area covered by the *Market and Octavia Plan*. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 1699 Market Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeology, transportation, air quality, hazardous materials, and geology. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations Plaza) and transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21 Hayes Muni line).

A shadow fan analysis prepared by the Planning Department determined that the proposed project could cast net new shadow on McCoppin Plaza a new public park/open space under the jurisdiction of the SFPW.⁶ However, since all net new shading from the project building would occur only during the spring and summer months, and would entirely recede by 7 am, shadow impacts were determined to be less than significant. A wind assessment performed for the proposed project found that it would not substantially alter ground-level wind currents in a manner that would adversely affect public areas and

⁶ Environmental Science Associates, February 8, 2016. *Potential Shadow Effects of Proposed Mixed Use Residential Project, 1699 Market Street, San Francisco, CA.*

result in a significant wind impact.⁷ Implementation of the proposed project would not involve the demolition of a building that was determined to be a historic resource. In addition, the architectural design of the proposed project would be compatible with the character of the adjacent Market Street Masonry Landmark District.⁸ For these reasons, the proposed project would not result in a significant impact on historic resources. Transit ridership generated by the proposed project would not make a considerable contribution to the significant cumulative transit impacts identified in the Market and Octavia PEIR.

As discussed in the Community Plan Exemption (CPE) Checklist for this project, the per capita vehicle miles traveled (VMT) for both residential and retail land uses within traffic analysis zone that the project site is located in (TAZ 578) is more than 15 percent below the regional average. As such, the proposed project would not result in significant traffic impacts that were not identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historic resources, hazardous materials, and transportation. Table 1 lists the mitigation measures identified in the Market and Octavia PEIR and states whether each measure would apply to the proposed project.

Table 1 – Market and Octavia PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
A. Shadow		
A1. Parks and Open Space Not Subject to Section 295	Applicable: Project exceeds a height of 50 feet.	Completed: A shadow screening study was conducted for the proposed project which determined that although the proposed project would cast net new shadow on McCoppin Plaza, the impacts would be less than significant.
B. Wind		
B1: Buildings in Excess of 85 Feet in Height	Applicable: project involves new construction of an 85-foot-tall (excluding elevator, stair, and mechanical penthouses) mixed-used building. The requirements of this mitigation measure have been complied with as part of this	Completed: The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions.

⁷ Environmental Science Associates, February 8, 2016. *Potential Wind Effects of Proposed Mixed Use Residential Project, 1699 Market Street, San Francisco, CA.*

⁸ Doug Vu, San Francisco Planning Department, *Current Planning/Preservation Team Memo for the 1699 Market Street Project.* February 10, 2016.

Mitigation Measure	Applicability	Compliance
	environmental review process. No further mitigation is required.	
B2: All New Construction	Applicable: project involves new construction of an 85-foot-tall (excluding elevator, stair, and mechanical penthouses) mixed-used building. The requirements of this mitigation measure have been complied with as part of this environmental review process. No further mitigation is required.	Completed: The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions.
C. Archeological Resources		
C1: Soil-Disturbing Activities in Archeologically Documented Properties	Not Applicable: Project site is not an archeologically documented property.	N/A
C2: General Soil-Disturbing Activities	Applicable: Project would include soil-disturbing activities.	Completed: The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to implement a mitigation measure related to archeological monitoring (see Project Mitigation Measure 1).
C3: Soil-Disturbing Activities in Public Street and Open Space Improvements	Not Applicable: Project would not include soil-disturbing activities associated with public street or open space improvements.	N/A
C4: Soil-Disturbing Activities in the Mission Dolores Archeological District	Not Applicable: Project site is not in the Mission Dolores Archeological District.	N/A
D. Transportation		
D3: Traffic Mitigation Measure for Laguna/Market/ Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour)	Not Applicable: Plan level mitigation by the San Francisco Municipal Transportation Agency (SFMTA).	N/A
D4: Traffic Mitigation Measure for	Not Applicable: Plan-level	N/A

Mitigation Measure	Applicability	Compliance
Market/Sanchez/ Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour)	mitigation by the SFMTA.	
D5: Traffic Mitigation Measure for Market/Church/ Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)	Not Applicable: Plan-level mitigation by the SFMTA.	N/A
D6: Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Intersection (LOS F to LOS F with increased delay PM peak-hour)	Not Applicable: Plan-level mitigation by the SFMTA.	N/A
E. Air Quality		
E1: Construction Mitigation Measure for Particulate Emissions	Not Applicable: Superseded by Construction Dust Control Ordinance.	N/A
E2: Construction Mitigation Measure for Short-Term Exhaust Emissions	Applicable: Project site is in an Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan for Health Risks and Hazards (see Project Mitigation Measure 2).
F. Hazardous Materials		
F1: Program- or Project-Level Mitigation Measures	Not Applicable: Superseded by Construction Dust Control Ordinance and federal, state, and local regulations related to abatement and handling of hazardous materials.	N/A
G. Geology, Soils, and Seismicity		
G1: Construction-Related Soils Mitigation Measure	Applicable: Project would include soil disturbance during construction.	The project sponsor has agreed to implement best management practices and other measures related to soil erosion (see Project Mitigation Measure 3).

Please see the attached Mitigation Monitoring and Reporting Program for the complete text of the applicable mitigation measures. With implementation of these mitigation measures, the proposed project would not result in significant impacts beyond those analyzed in the Market and Octavia PEIR.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on November 17, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Several comments were received from the public related to consistency with Market and Octavia Area Plan policies, the location and function of the parking garage entrances, rear yard and inclusionary housing requirements, the proposed parking ratio, the potential for bicycle and pedestrian improvements at the Valencia and Market Street intersection, shadow impacts on McCoppin and Stevenson streets, and the viability of the proposed ground floor retail use. All of these comments have been addressed within the attached Community Plan Exemption (CPE) Checklist.

CONCLUSION

As summarized above and further discussed in the attached Community Plan Exemption (CPE) Checklist:⁹

1. The proposed project is consistent with the development density established for the project site in the *Market and Octavia Area Plan*;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Market and Octavia PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Market and Octavia PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Market and Octavia PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Market and Octavia PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁹ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014.0484E.

