

---

## Appendix A

### Notice of Preparation and CPE Checklist





# SAN FRANCISCO PLANNING DEPARTMENT

---

## PUBLIC NOTICE Availability of Notice of Preparation of Environmental Impact Report and Community Plan Exemption Checklist

*Date:* October 22, 2014  
*Case No.:* 2012.0877E  
*Project Title:* 1546-1564 Market Street  
*Zoning:* C-3-G  
Van Ness and Market Downtown Residential District  
120-R-2 Height and Bulk District  
*Block/Lot:* 0836/006 and 007  
*Project Sponsor:* Jessie Stuart (Trumark Urban)  
(415) 370-1767  
*Staff Contact:* Monica Pereira, (415) 575-9107  
Monica.Pereira@sfgov.org

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

A notice of preparation (NOP) of an environmental impact report (EIR) has been prepared by the San Francisco Planning Department in connection with this project. The report is available for public review and comment on the Planning Department's Negative Declarations and EIRs web page (<http://www.sfplanning.org/sfceqadocs>). CDs and paper copies are also available at the Planning Information Center (PIC) counter on the first floor of 1660 Mission Street, San Francisco. Referenced materials are available for review by appointment at the Planning Department's office on the fourth floor of 1650 Mission Street (call [415] 575-9107).

### PROJECT DESCRIPTION

The project site is at the edge of the Downtown/Civic Center neighborhood, adjacent to the South of Market neighborhood. The project site is 12,565 square feet, and includes two parcels (Assessor's Parcel Numbers 0836-006 and 0836-007), which would be merged to form a single lot. The proposed project would demolish the existing three buildings on the site, and construct a new 12-story, 120-foot (136 feet with roof terrace screen wall) residential building with ground-floor retail uses along Market Street. The site is within the Market and Octavia Area Plan boundaries.

The proposed building would have a total of 138,002 gross square feet (gsf), which would include 116,217 gsf of residential uses (109 dwelling units), 4,463 gsf for residential lobby/lounge uses, 4,810 gsf of retail (three retail spaces), and 12,512 gsf of parking (28 car parking spaces, primarily provided in vehicle stackers or lifts, and 110 bicycle parking spaces). The project would have two connected structures, one fronting onto Market Street and one fronting onto Oak Street, separated by an interior courtyard and a narrow pedestrian walkway connecting at each level above the ground floor. Ground-floor retail uses would be accessible from Market and Oak streets, and the residential units would be accessible from a lobby on Oak Street; access to the below-grade residential parking would be provided from a new curb cut and ramp off of Oak Street. No off-street loading spaces are proposed. The site is zoned C-3-G (Downtown General Commercial District), and is in the Van Ness and Market Downtown Residential

Special Use District and the 120-R-2 Height and Bulk District. The project would require exceptions to the lot coverage requirements (Planning Code Section 249.33[b][5]), off-street loading requirements (Planning Code Section 152.1), and ground-level wind currents requirements (Planning Code Section 148); and a variance for dwelling unit exposure (Section 140). Two of the three existing buildings on the site have been determined to be historic resources under the California Environmental Quality Act (CEQA): 1554-1564 Market Street appears eligible for local listing or designation; and 55 Oak Street appears eligible for the California Register of Historical Resources. The other building on the site, 1546-1550 Market Street, is not considered a historic resource under CEQA.

The Planning Department has determined that an EIR must be prepared for the proposed project prior to any final decision regarding whether to approve the project. The EIR will provide information about potential significant physical environmental effects of the proposed project, focused on Historic Architectural Resource impacts under CEQA; will identify possible ways to minimize the significant effects; and will describe and analyze possible alternatives to the proposed project. Other environmental impacts of the proposed project were adequately disclosed in the Market and Octavia Area Plan Final EIR, as documented in the Community Plan Exemption Checklist that is attached to the NOP prepared for the project, and are exempt from further environmental review, in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Preparation of an NOP or EIR does not indicate a decision by the City to approve or disapprove the project. However, prior to making any such decision, the decision makers must review and consider the information contained in the EIR.

Written comments will be accepted until 5:00 p.m. on **November 24, 2014**. Written comments should be sent to Sarah B. Jones, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103. Referenced materials are available for review by appointment at the Planning Department's office on the fourth floor of 1650 Mission Street (call [415] 575-9107).

If you work for an agency that is a Responsible or a Trustee Agency, we need to know the views of your agency regarding the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. We will also need the name of the contact person for your agency. If you have questions concerning environmental review of the proposed project, please contact **Monica Pereira** at **(415) 575-9107**.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request, and may appear on the Department's website or in other public documents.



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Notice of Preparation of an Environmental Impact Report and Community Plan Exemption Checklist

*Date:* October 22, 2014  
*Case No.:* **2012.0877E**  
*Project Title:* **1546-1564 Market Street**  
*BPA Nos.:* 2013/11/22/2657 S  
*Zoning:* C-3-G  
Van Ness and Market Downtown Residential District  
120-R-2 Height and Bulk District  
*Block/Lot:* 0836/006 and 007  
*Lot Size:* 12,565 square feet  
*Project Sponsor:* Jessie Stuart (Trumark Urban)  
(415) 370-1767  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Monica Pereira, (415) 575-9107  
Monica.Pereira@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The project site is at the edge of the Downtown/Civic Center neighborhood, adjacent to the South of Market neighborhood. The project site is 12,565 square feet, and includes two parcels (Assessor's Parcel Numbers 0836-006 and 0836-007), which would be merged to form a single lot. The proposed project would demolish the existing three buildings on the site, and construct a new 12-story, 120-foot (136 feet with roof terrace screen wall) residential building with ground-floor retail uses along Market Street. The site is located within the Market and Octavia Area Plan boundaries.

The proposed building would have a total of 138,002 gross square feet (gsf), which would include 116,217 gsf of residential uses (109 dwelling units), 4,463 gsf for residential lobby/lounge uses, 4,810 gsf of retail (three retail spaces), and 12,512 gsf of parking (28 car parking spaces, primarily provided in vehicle stackers or lifts, and 110 bicycle parking spaces). The project would have two connected structures, one fronting onto Market Street and one fronting onto Oak Street, separated by an interior courtyard and a narrow pedestrian walkway connecting at each level above the ground floor. Ground-floor retail uses would be accessible from Market and Oak streets, and the residential units would be accessible from a lobby on Oak Street; access to the below-grade residential parking would be provided from a new curb cut and ramp off of Oak Street. No off-street loading spaces are proposed.

The site is zoned C-3-G (Downtown General Commercial District), and is in the Van Ness and Market Downtown Residential Special Use District and the 120-R-2 Height and Bulk District. The project would require exceptions to the lot coverage requirements (Planning Code Section 249.33[b][5]), off-street loading requirements (Planning Code Section 152.1), and ground-level wind currents requirements (Planning Code Section 148); and a variance for dwelling unit exposure (Section 140).

Two of the three existing buildings on the site have been determined to be historic resources under the California Environmental Quality Act (CEQA): 1554-1564 Market Street appears eligible for local listing or designation; and 55 Oak Street appears eligible for the California Register of Historical Resources. The other building on the site, 1546-1550 Market Street, is not considered a historic resource under CEQA.

## FINDING

**This project may have a significant effect on the environment, and an Environmental Impact Report is required.** The Environmental Impact Report will be focused on addressing Historic Architectural Resource impacts under CEQA. Other environmental impacts of the proposed project were adequately disclosed in the Market and Octavia Area Plan Final Environmental Impact Report—as documented in the attached Community Plan Exemption Checklist prepared for the project—and are exempt from further environmental review, in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

## PUBLIC SCOPING PROCESS

Written comments will be accepted until 5:00 p.m. on **November 24, 2014**. Written comments should be sent to Sarah B. Jones, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

If you work for a responsible State agency, we need to know the views of your agency regarding the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the Environmental Impact Report when considering a permit or other approval for this project. Please include the name of a contact person in your agency.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

*October 22, 2014*

Date



Sarah B. Jones

Environmental Review Officer



# SAN FRANCISCO PLANNING DEPARTMENT

## Community Plan Exemption Checklist

*Case No.:* 2012.0877E  
*Project Address:* 1546-1564 Market Street  
*Zoning:* C-3-G  
 Van Ness and Market Downtown Residential District  
 120-R-2 Height and Bulk District  
*Block/Lot:* 0836/006 and 007  
*Lot Size:* 12,565 square feet  
*Plan Area:* Market and Octavia Area Plan  
*Project Sponsor:* Jessie Stuart (Trumark Urban)  
 90 New Montgomery, Suite 750  
 San Francisco, CA 94105  
 (415) 370-1767  
*Staff Contact:* Monica Pereira, (415) 575-9107  
 Monica.Pereira@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

### PROJECT DESCRIPTION

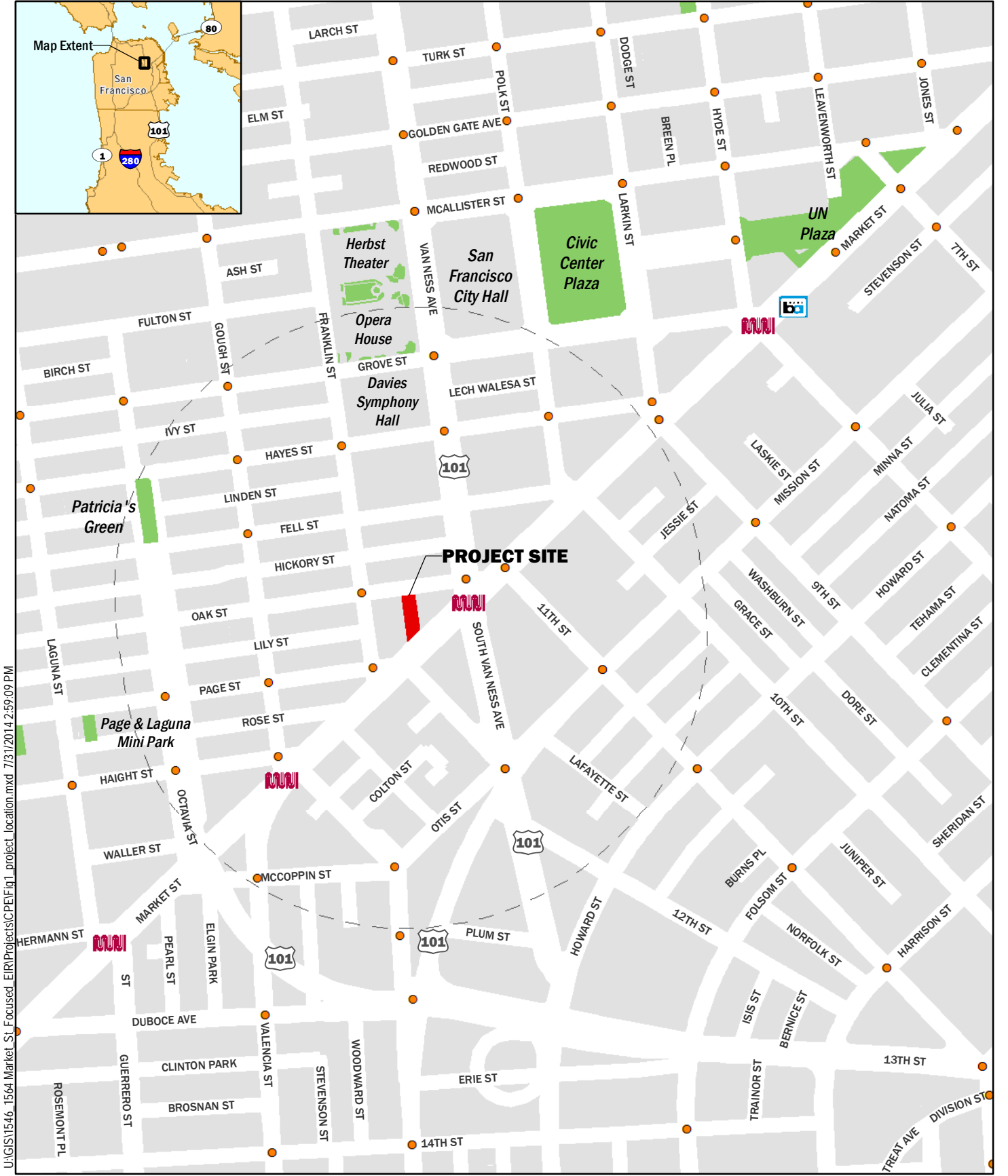
#### Project Location

The project site is at the edge of the Downtown/Civic Center neighborhood, adjacent to the South of Market neighborhood, and is characterized by neighborhood commercial uses, including restaurants, bars, cafés, hotels, fitness studios, and a variety of retail establishments.

The project site has frontage on Market and Oak streets, and Van Ness Avenue and Franklin Street are at the eastern and western ends of the block, respectively (Figure 1). The 12,565-square-foot rectangular site comprises two adjacent lots (Assessor’s Parcel Numbers 0836-006 and 0836-007). Three buildings are located on the site and occupy the entire extent of the two lots.





The project site is within the Area Plan boundaries, and is zoned C-3-G (Downtown General Commercial District). The site is also within the Van Ness and Market Downtown Residential Special Use District, and the 120-R-2 Height and Bulk District.

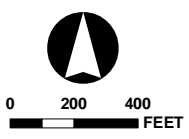
The project site is near the junction of three of the city’s roadway grid systems: the north of Market, south of Market, and Mission grids meet at Market Street. Major roadways in the project vicinity include Franklin, Gough, Fell, Oak, Mission, Eight, and Ninth streets, and Van Ness and South Van Ness Avenue. Interstate 80 and U.S. Highway 101 provide regional access to the project vicinity. The closest Bay Area Rapid Transit District stop is at Civic Center, approximately 0.5 mile east of the site; and the closest San Francisco Municipal Railway (Muni) Metro stop is at Van Ness Avenue and Market Street, a half block east of the site. The project site is within a quarter mile of several local transit lines, including Muni Metro lines J, K, L, M, N, and T; as well as Muni bus lines F, N Owl, 6, 9/9L, 14/14L (and 14 Owl), 16X, 21, 47, 49, 71/71L, and 90.



U:\GIS\1546-1564 Market St Focused EIR\Project\CPE\Fig1\_project\_location.mxd 7/31/2014 2:59:09 PM

Source: URS, 2014; SFGIS, 2012

-  BART Stop
-  Muni Light Rail Stop
-  Muni Bus Stop
-  Park/Open Space
-  1/4-mile Radius from Project Site



### PROJECT LOCATION

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 1**



**Existing Conditions**

Information pertaining to the three existing buildings on the project site is summarized in Table 1 and shown on Figure 2. Two of the three existing buildings on the site have been determined to be historic resources under the California Environmental Quality Act (CEQA); one appears eligible for local listing or designation, and the other appears eligible for the California Register of Historical Resources (CRHR).<sup>1,2</sup>

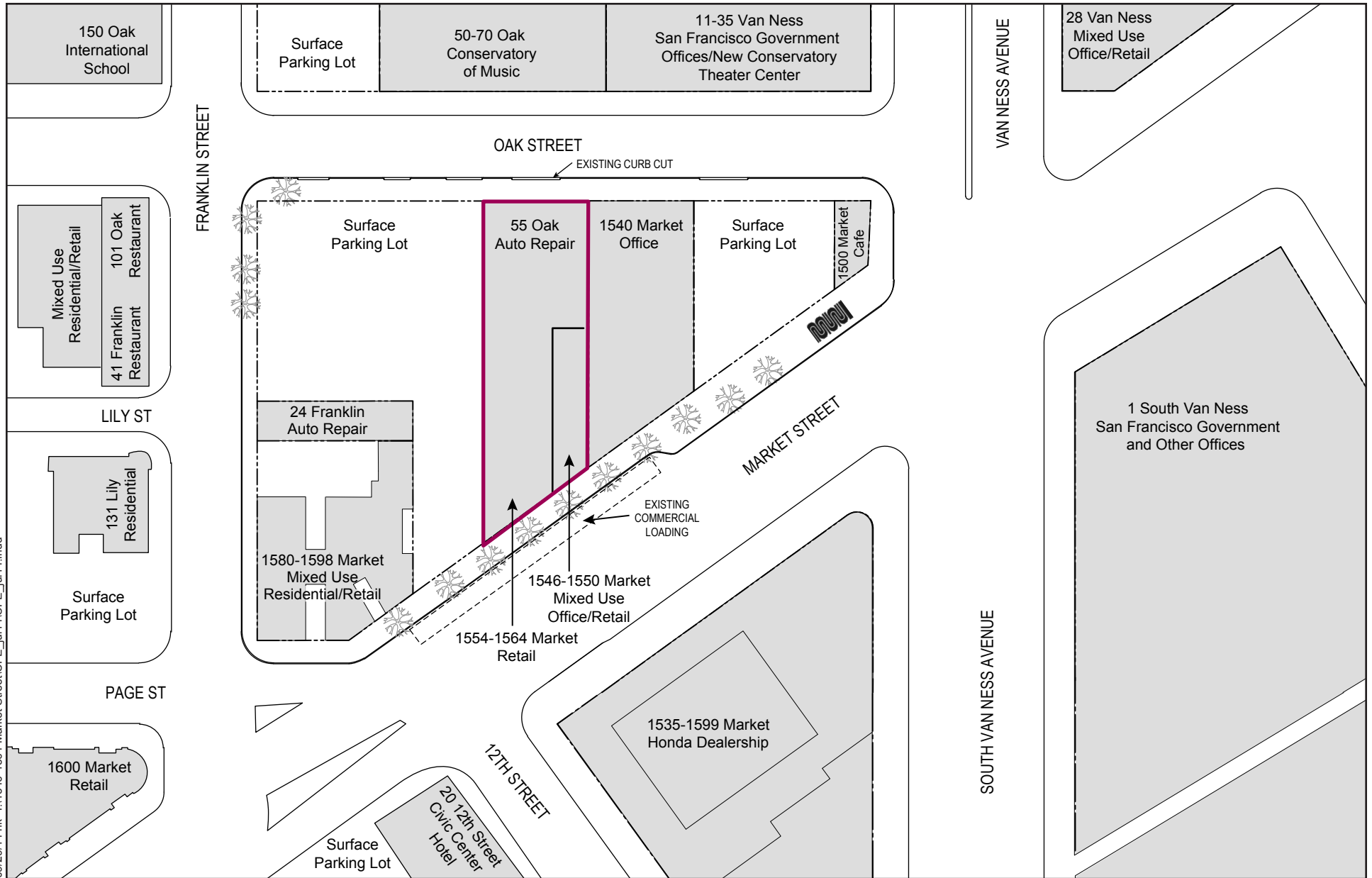
**Table 1**  
**Existing Site Characteristics**

<b>Lot Number</b>	<b>Address</b>	<b>Lot Size (square feet)</b>	<b>Building Area (square feet)</b>	<b>Date Constructed</b>	<b>Uses/Building Characteristics</b>	<b>CEQA Historic Resource</b>
006	1546-1550 Market Street	2,074	6,330	1912	three-story reinforced concrete building/retail and office	Not a resource under CEQA
007	1554-1564 Market Street	10,491	4,179	1907	one-story brick building/commercial retail uses	Resource under CEQA
007	55 Oak Street	see above	6,135	c. 1920	one-story plus mezzanine reinforced concrete building/automotive repair	Resource under CEQA
<b>Total</b>	—	12,565	16,644	—	—	—
Notes:						
The project site is on Assessor's Block 836.						

<sup>1</sup> Page and Turnbull, 2014. 1546-64 Market Street/55 Oak Street Historic Resource Evaluation Part 2, San Francisco, California, [12155A]. Prepared for Trumark Homes. February 21. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

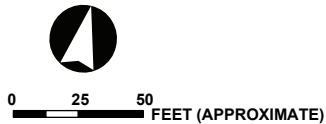
<sup>2</sup> San Francisco Planning Department, 2014. Historic Resources Evaluation Response for 1546-1564 Market Street. March 27. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

09/29/14 hk T:\1546-1564 Market Street\CPE\_jul14\CPE\_jul14.indd



Source: Handel Architects LLP, September 2013; URS 2013

- Project Boundary
- Muni Light Rail Stop



### EXISTING SITE PLAN

1546-1564 Market Street Project  
San Francisco, California

FIGURE 2

No parking is available on the project site, except within the automotive repair shop. On-street parking is available on Oak and Franklin streets. In addition, several private parking facilities near the site offer daily and hourly parking.<sup>3</sup>

There is an existing curb cut on Oak Street to allow vehicular access to the automotive repair shop. A temporary 30-minute commercial loading zone extends along Market Street in front of the project site, which permits trucks with at least six wheels to stop.

## Project Characteristics

The proposed 1546-1564 Market Street project would entail the demolition of the existing three buildings on the project site, the merger of the two project parcels (Assessor's Parcel Numbers 0836-007 and 0836-006), and the construction of a new 12-story residential building (136 feet with roof terrace screen wall) with ground-floor retail uses along Market and Oak streets. The proposed site plan is shown on Figure 3. Figures 4 through 11 show the proposed floor plans; Figures 12 through 16 show the proposed building elevations; and Figures 17 and 18 show visual simulations for the project.

As summarized in Table 2, the proposed building would have a total of 138,002 gross square feet (gsf), which would include 116,217 gsf of residential uses (109 dwelling units); 4,463 gsf for residential lobby/lounge uses; 4,810 gsf of retail (three retail spaces), and 12,512 gsf for parking (28 car parking spaces, primarily provided in vehicle stackers, and 110 bicycle parking spaces). As shown on Figure 16, the proposed project would be composed of two structures separated by an interior courtyard, and a narrow pedestrian walkway serving as a connection at each of the levels above the ground floor (see Figures 5 and 10). The two structures would be constructed above a common foundation and basement level: one structure would front onto Market Street, and the other would front onto Oak Street.

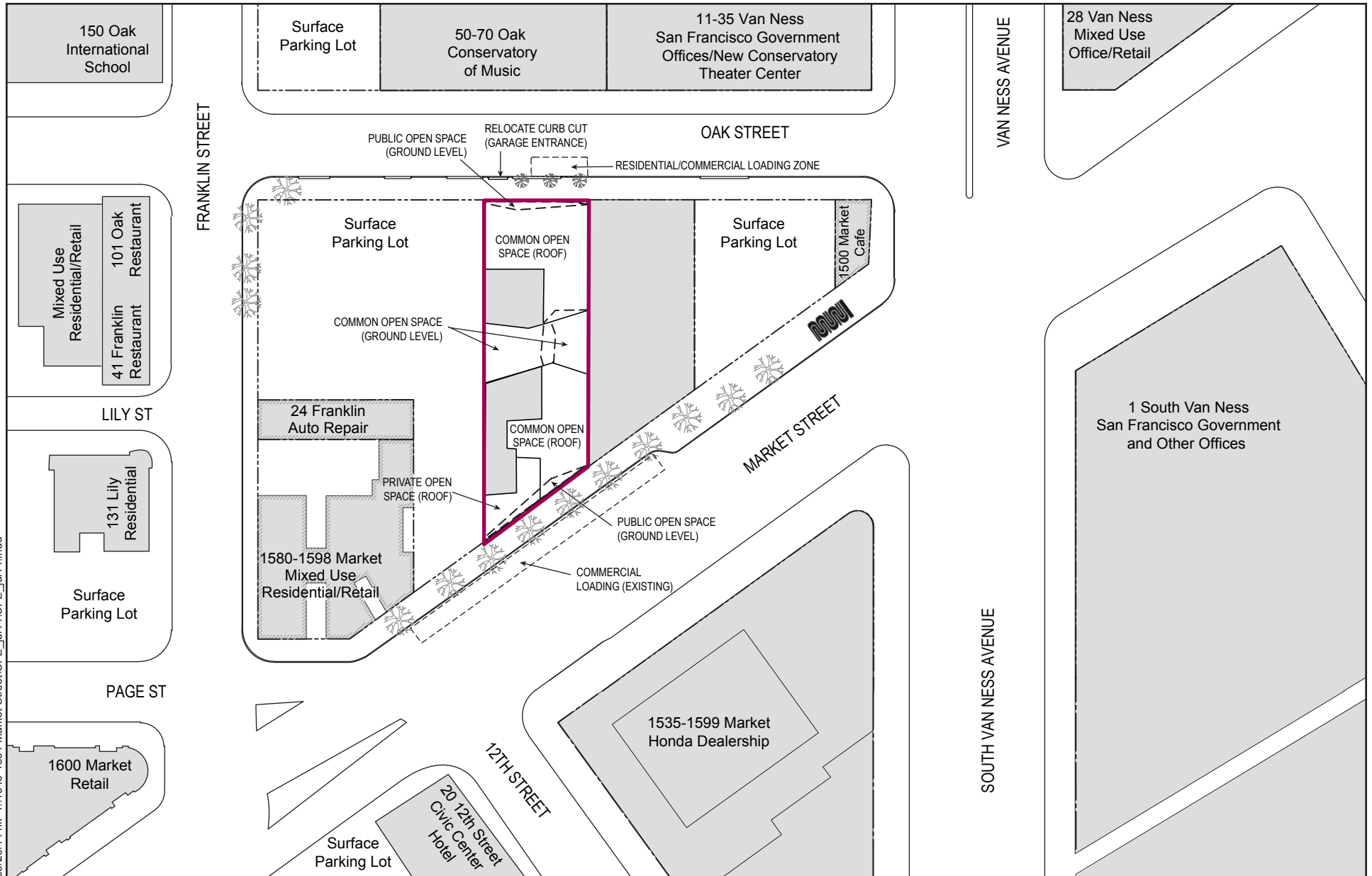
Residential parking would be provided below-grade and would be accessible from Oak Street. No off-street loading spaces are proposed. Ground-floor retail uses would primarily front onto Market Street and the residential lobby, and support uses, including a small retail space, would front onto Oak Street. The roof would have a 16-foot windscreen surrounding the common and private deck space. Additionally, a diesel powered emergency generator would be located on the roof to serve as a back-up power supply.

The proposed project would be subject to Planning Code Sections 415.1 through 415.9 (Inclusionary Affordable Housing Program), and Section 416 (Market and Octavia Area Plan and Upper Market Neighborhood Commercial District Affordable Housing Fee). The proposed project would comply with the Planning Code Sections 415 and 416, by providing affordable housing on site. The proposed 109 residential units would be for sale; in compliance with the affordable housing requirements, 13 units, approximately 12 percent of the total units, would be provided as below-market rate units. The project sponsor would work with the Planning Department and the Mayor's Office of Housing and Community Development to comply with onsite inclusionary housing requirements.

---

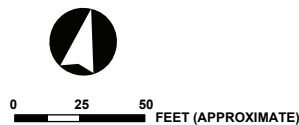
<sup>3</sup> There are three public parking facilities within a block of the site, some of which may be removed for future proposed development, including American West Parking, 15 Oak Street; California Parking, 110 Franklin; and Star Park, 85 Oak Street. Other facilities within approximately ¼ mile of the site include PCI Market Square Parking, 15 10th Street; Star Park, 101 Hayes Street; City Park – Fox Plaza, 37 Hayes Street; Liberty Park, 116 Hayes Street; Liberty Park, 150 Hayes Street; and Douglas Parking, 47 Polk Street.

09/29/14 hk T:\1546-1564 Market Street\CPE\_jul14\CPE\_jul14.indd



Source: Handel Architects LLP, September 2013; URS 2013

- Project Boundary
- Muni Light Rail Stop

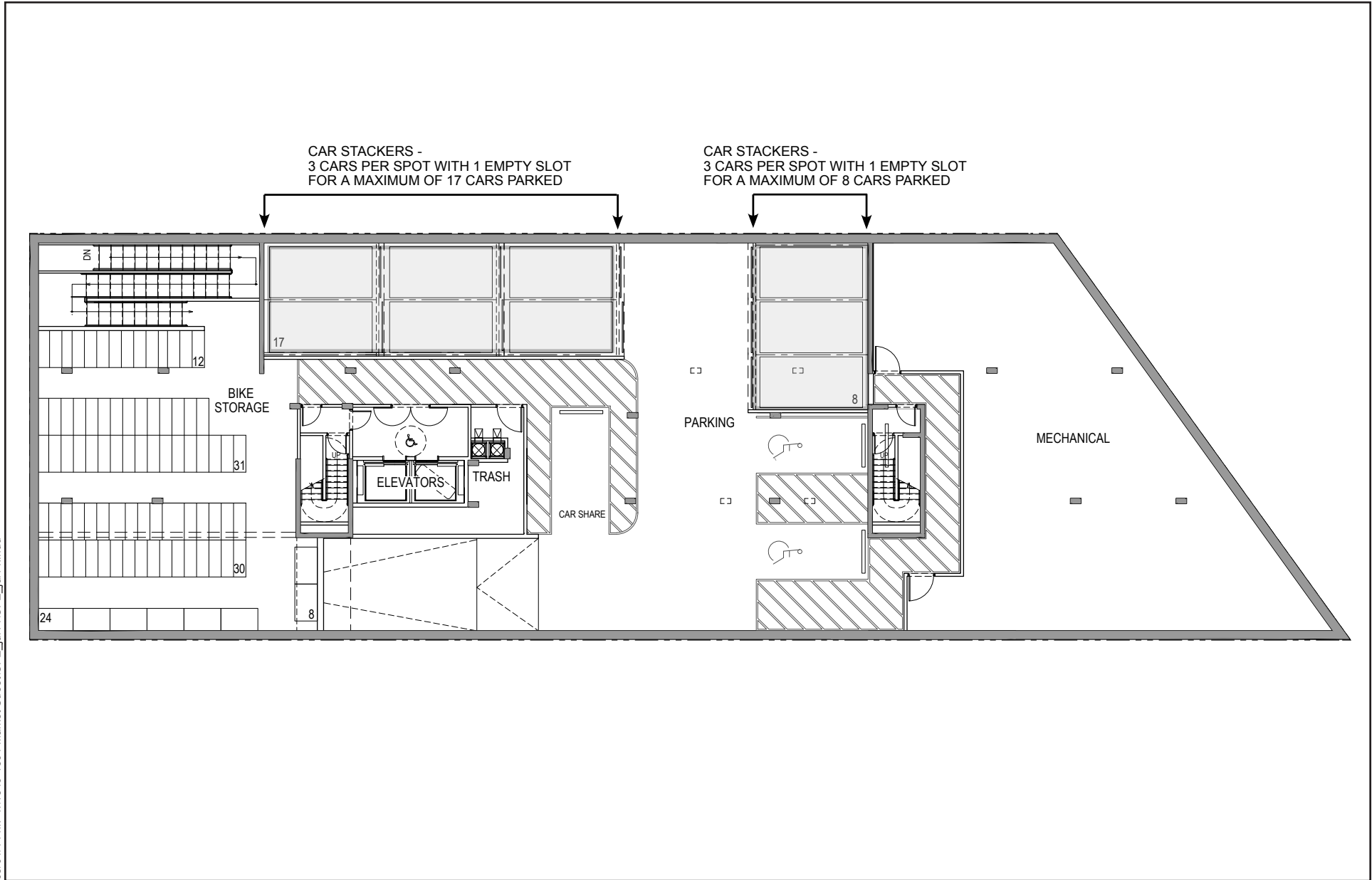


### PROPOSED SITE PLAN

1546-1564 Market Street Project  
San Francisco, California

**FIGURE 3**

T:\1546-1564 Market Street\CPE\_jul14\CPE\_jul14.indd



Source: Handel Architects LLP, February 2014



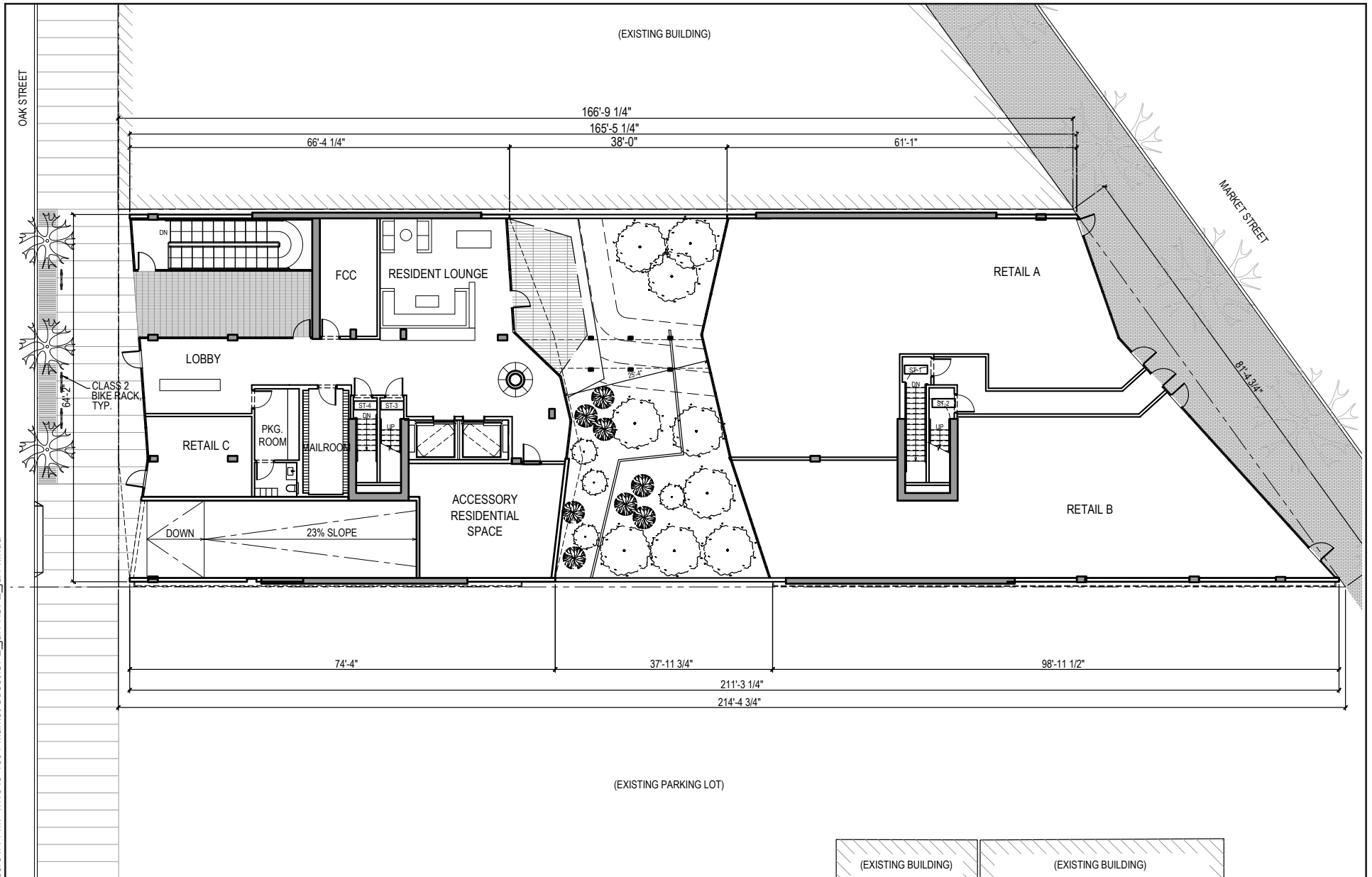
0 8 16  
FEET

**PROPOSED BASEMENT/PARKING PLAN**

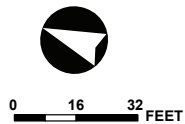
1546-1564 Market Street Project  
San Francisco, California

**FIGURE 4**

08/01/14 hk T:\1546-1564 Market Street\CPE\_jul14\CPE\_jul14.indd



Source: Handel Architects LLP, November 2013

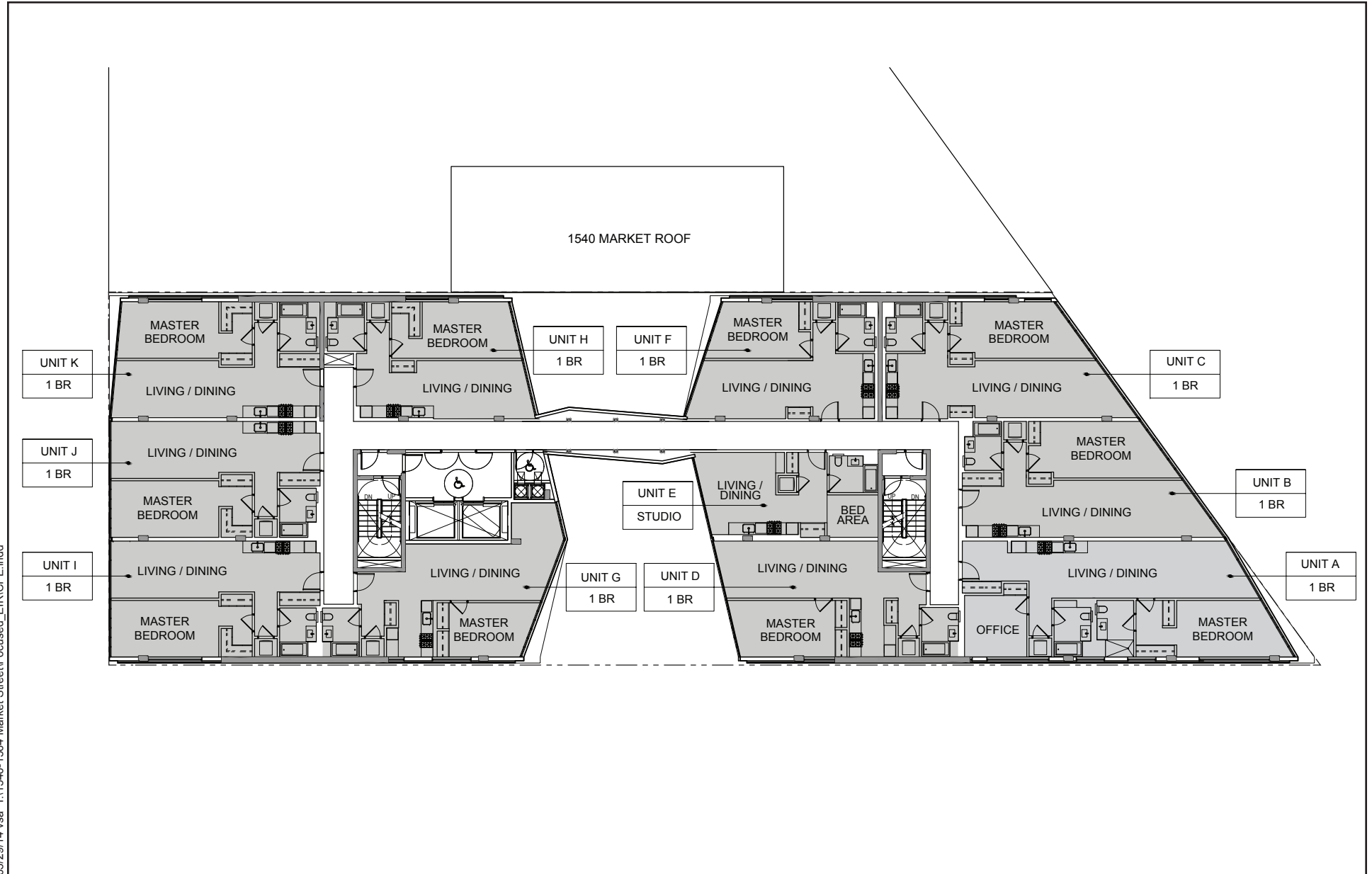


### PROPOSED FLOOR PLAN – GROUND LEVEL

1546–1564 Market Street Project  
San Francisco, California

FIGURE 5

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd

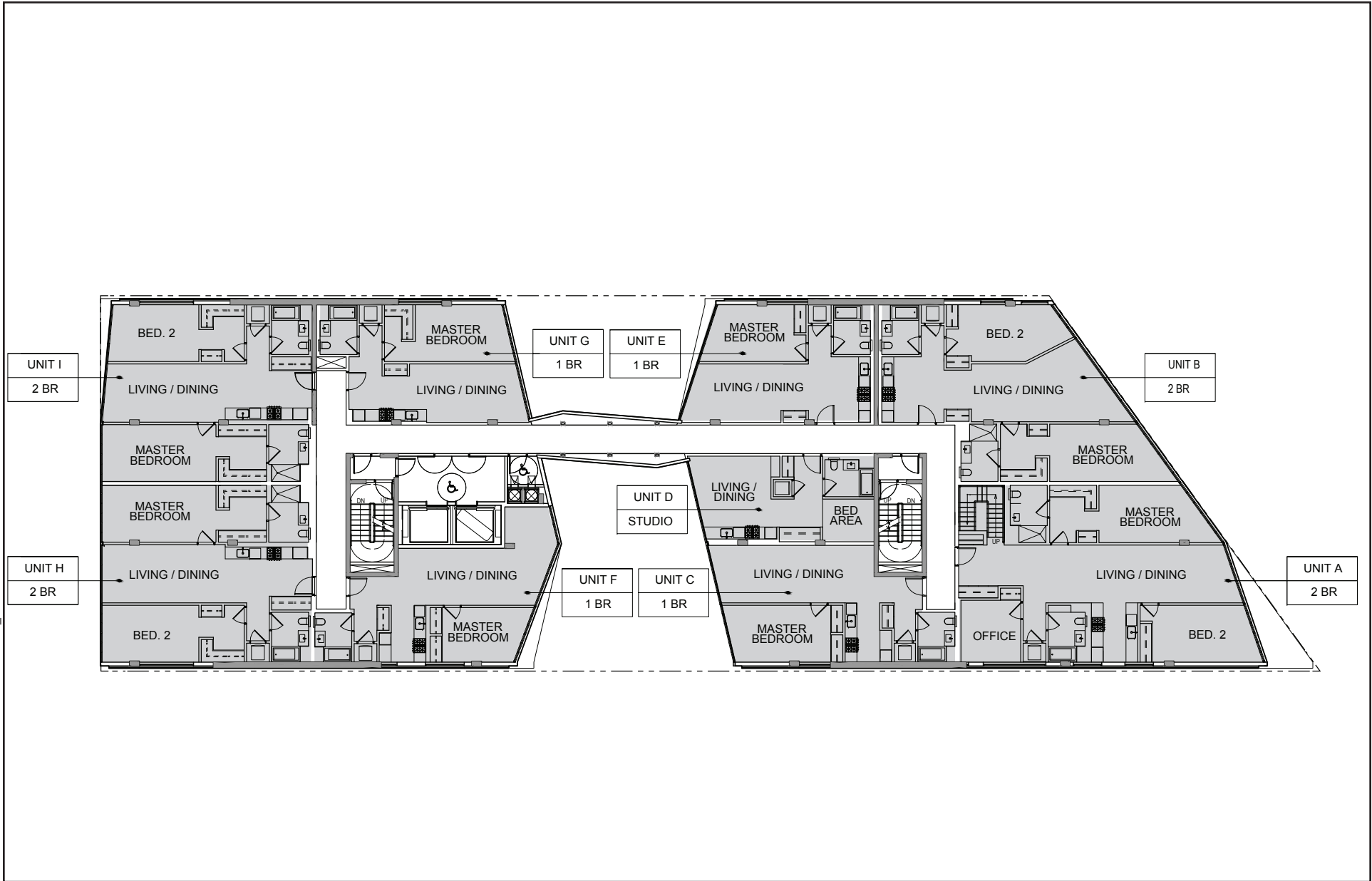


Source: Handel Architects LLP, September 2013

**PROPOSED FLOOR PLAN –  
LEVELS 2 THROUGH 6**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 6**



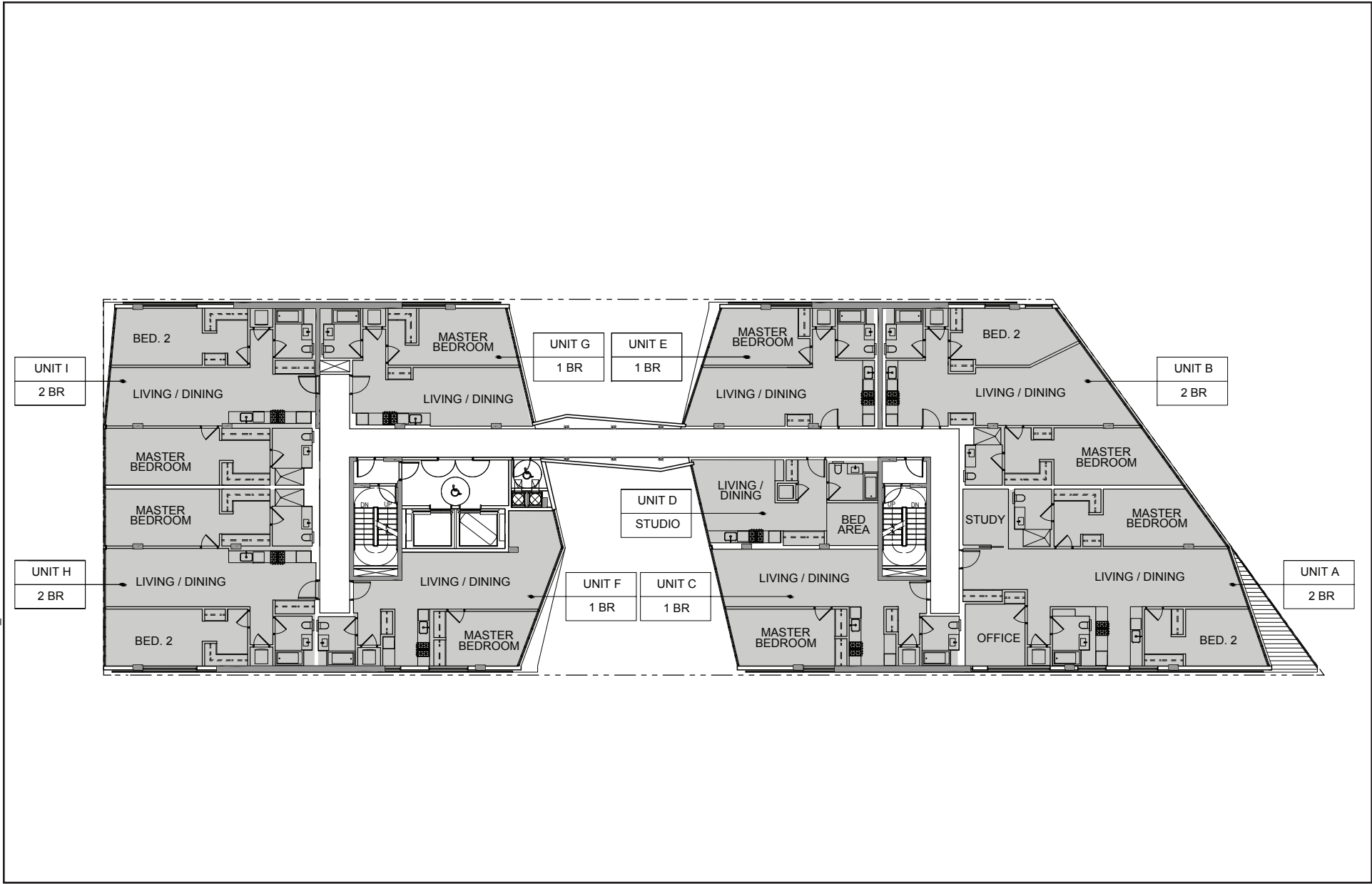
Source: Handel Architects LLP, September 2013

### PROPOSED FLOOR PLAN – LEVELS 7 THROUGH 10

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 7**





Source: Handel Architects LLP, September 2013

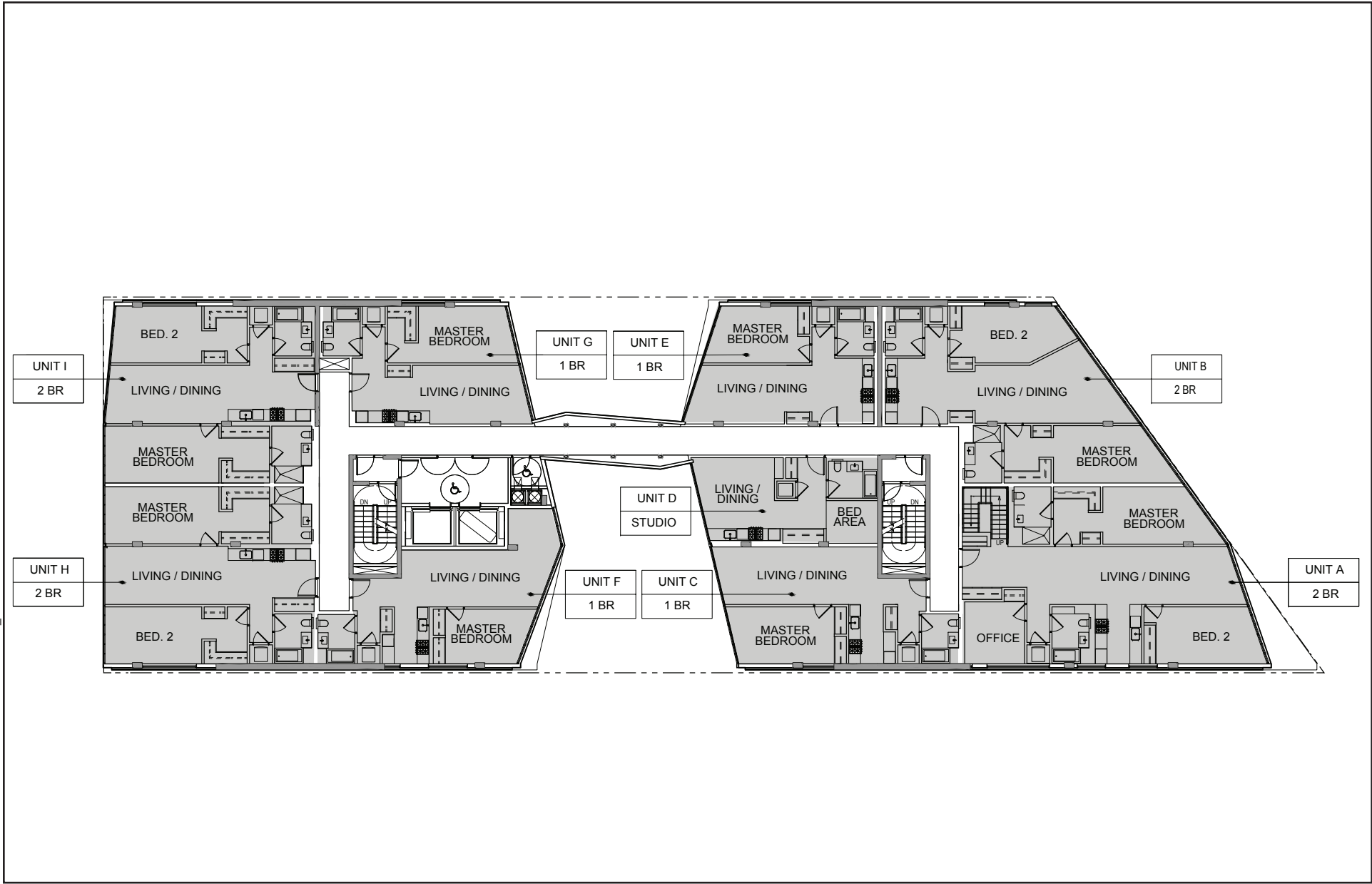


0 8 16 FEET

**PROPOSED FLOOR PLAN –  
LEVEL 11**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 8**



Source: Handel Architects LLP, September 2013



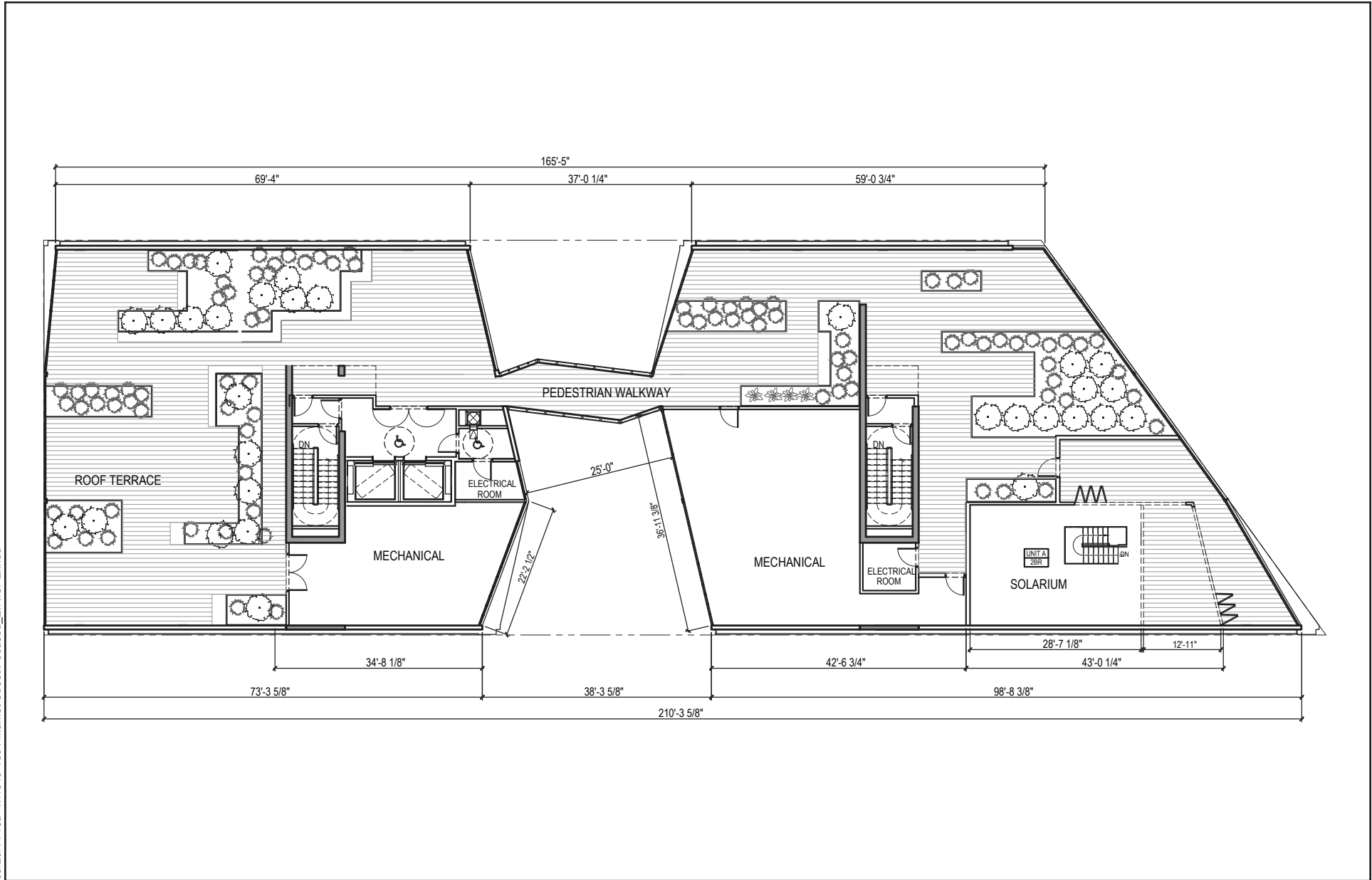
0 8 16 FEET

**PROPOSED FLOOR PLAN –  
LEVEL 12**

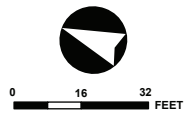
1546–1564 Market Street Project  
San Francisco, California

**FIGURE 9**

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



Source: Handel Architects LLP, November 2013

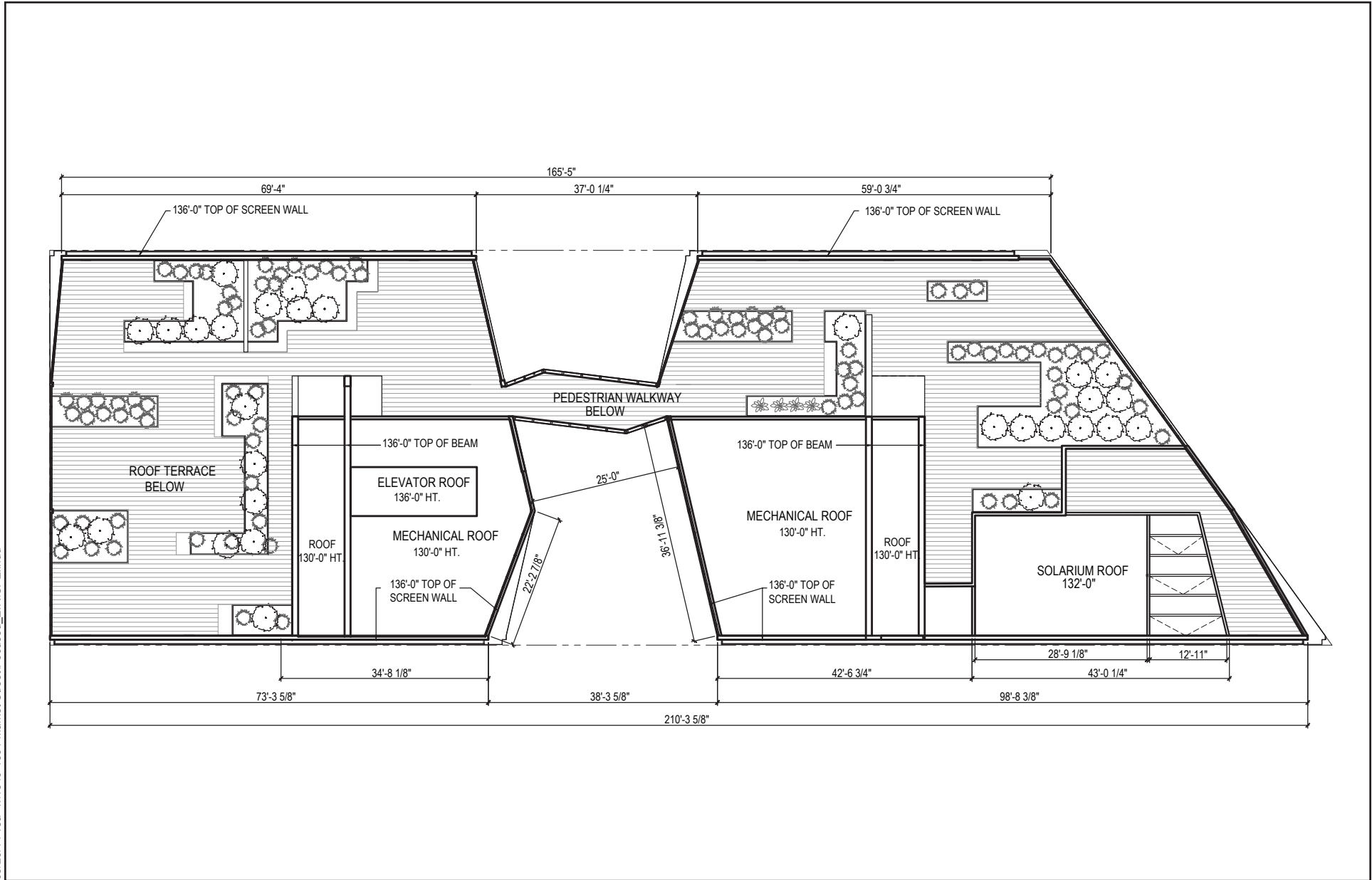


**PROPOSED FLOOR PLAN – ROOF 1**

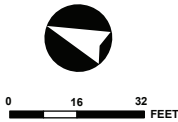
1546–1564 Market Street Project  
San Francisco, California

**FIGURE 10**

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



Source: Handel Architects LLP, November 2013

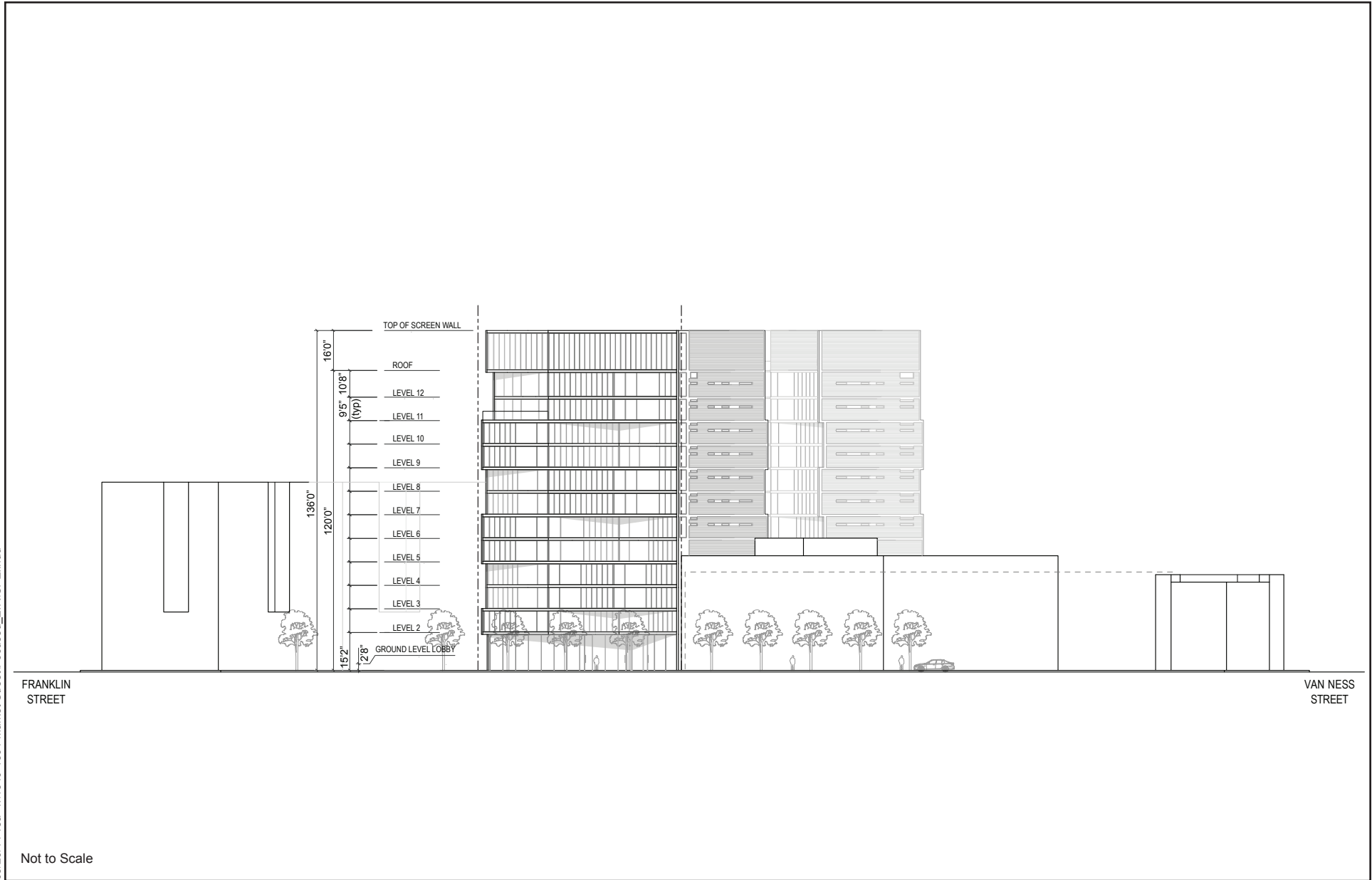


### PROPOSED FLOOR PLAN – ROOF 2

1546–1564 Market Street Project  
San Francisco, California

FIGURE 11

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



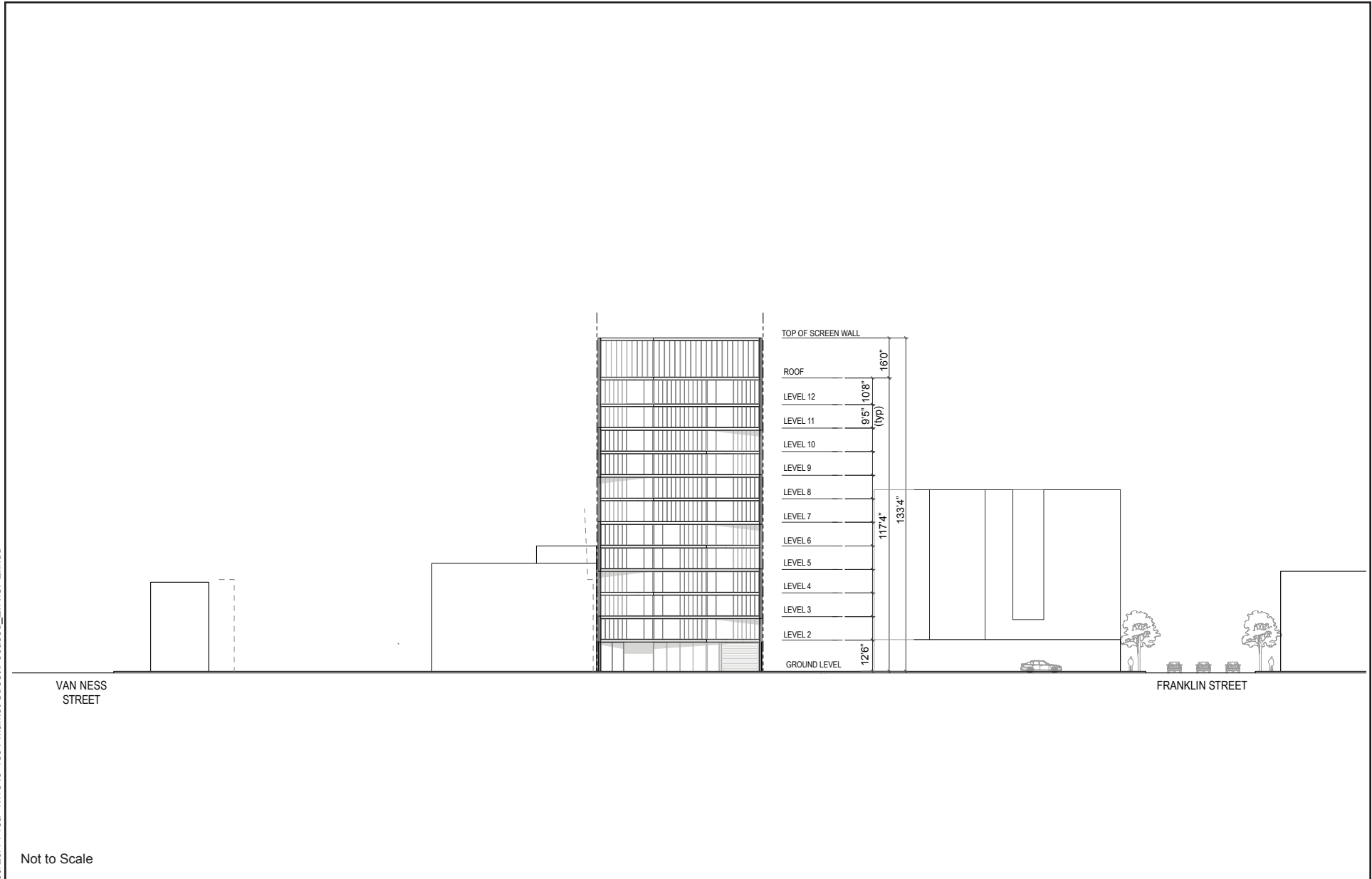
Source: Handel Architects LLP, September 2013

**PROPOSED ELEVATION – SOUTH  
(MARKET STREET)**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 12**

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



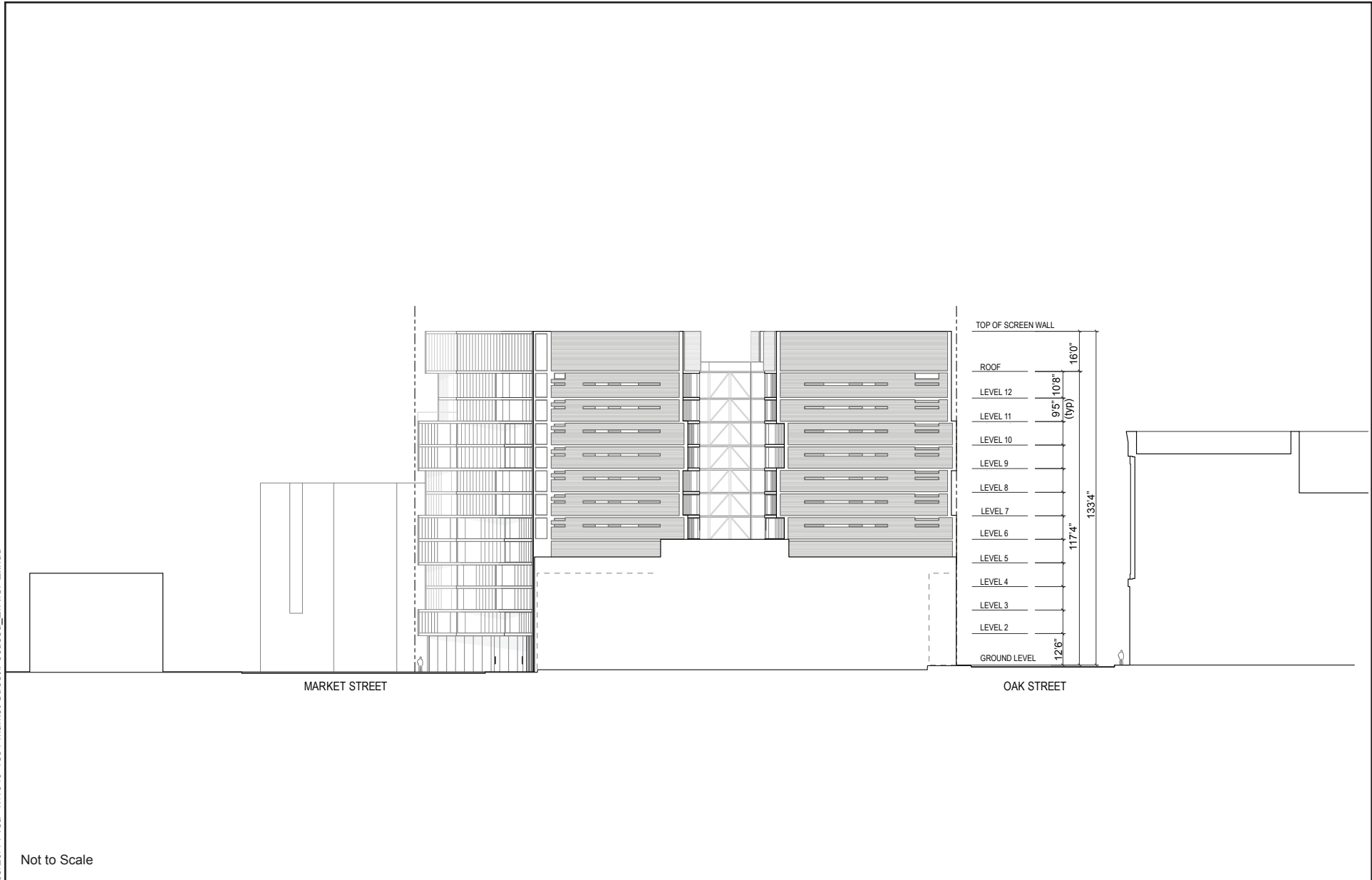
Source: Handel Architects LLP, September 2013

**PROPOSED ELEVATION – NORTH  
(OAK STREET)**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 13**

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



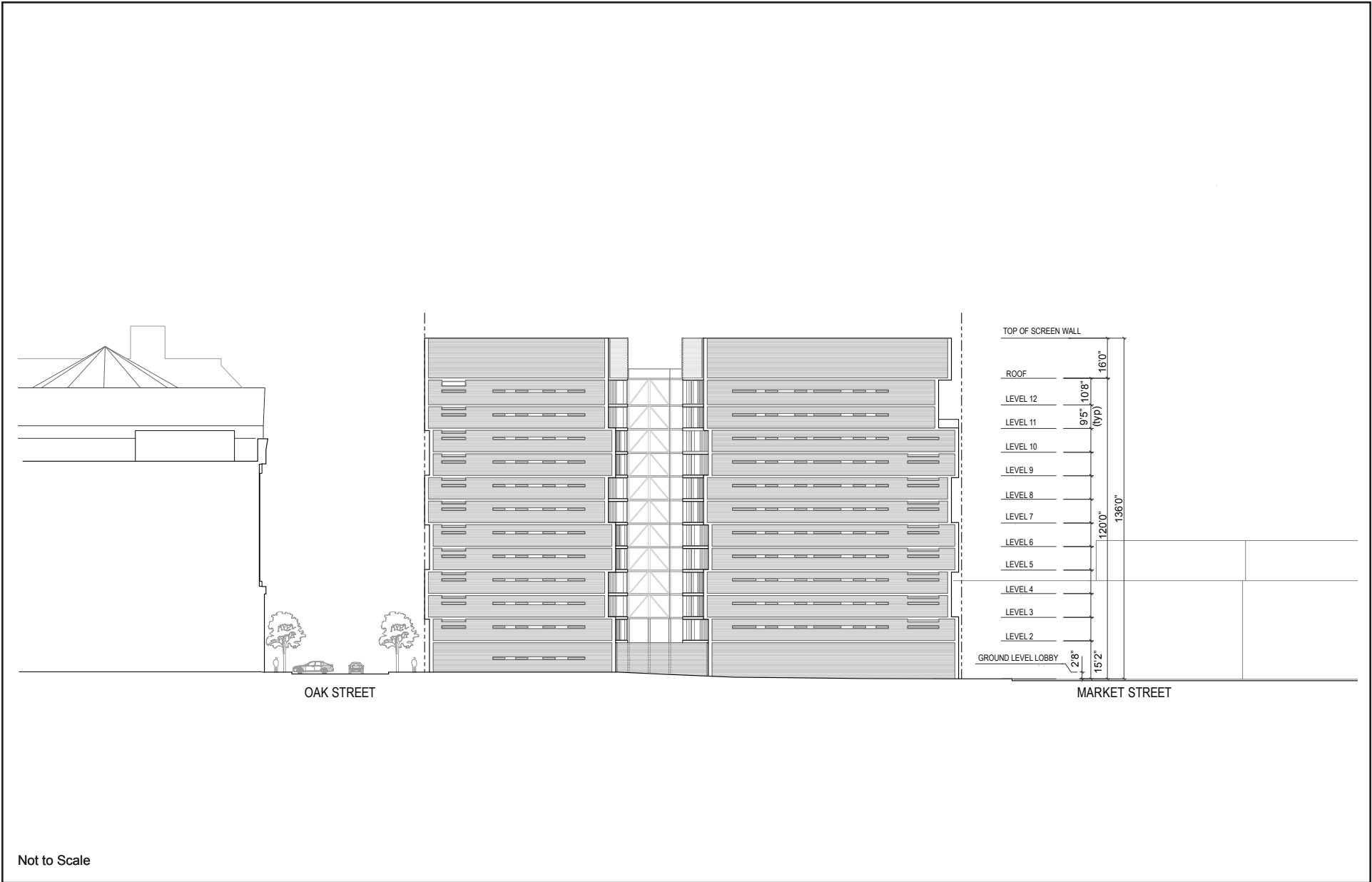
Source: Handel Architects LLP, September 2013

**PROPOSED ELEVATION – EAST**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 14**

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



Not to Scale

Source: Handel Architects LLP, September 2013

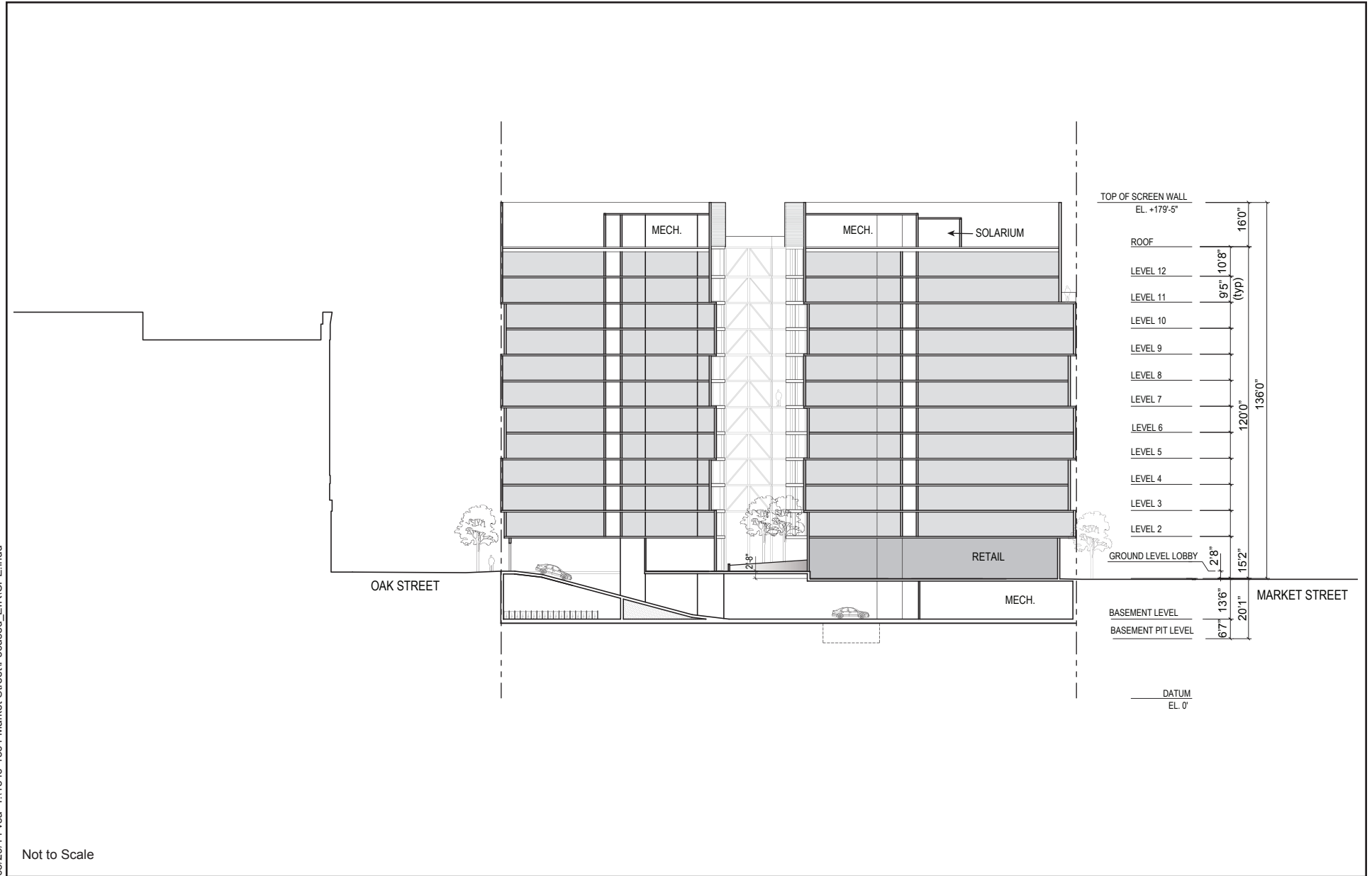
**PROPOSED ELEVATION – WEST**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 15**



Not to Scale



Source: Handel Architects LLP, September 2013

**PROPOSED SECTION**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 16**

05/29/14 vsa T:\1546-1564 Market Street\Focused\_EIR\CPE.indd



Source: Handel Architects LLP, September 2013

**VISUAL SIMULATION – MARKET STREET**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 17**



Source: Handel Architects LLP, September 2013

**VISUAL SIMULATION – OAK STREET**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 18**

**Table 2**  
**Project Characteristics**

<b>Lot</b>	<b>Dimensions</b>
Size	12,565 square feet
Width	81 feet (Market Street) 64 feet (Oak Street)
Length	167 – 214 feet
<b>Proposed Uses</b>	<b>Area (gsf)</b>
Residential	116,217
Commercial (Retail)	4,810
Parking	12,512
Other (Residential Lobby/Lounge)	4,463
Total	138,002
<b>Proposed Units</b>	<b>Amount (Percent)</b>
Dwelling Units	109 (100%)
Studio	11 (10%)
1-Bedroom	74 (68%)
2-Bedroom	24 (22%)
Retail	3 spaces
Parking Spaces	28 <sup>1</sup>
Bicycle Parking Spaces	110 <sup>2</sup>
<b>Open Space</b>	<b>Area (sf)</b>
Public (ground floor)	500 <sup>3</sup>
Common (roof deck)	5,250 <sup>4</sup>
Courtyard (ground floor)	1,993
Private decks (level 11 and roof)	1,339
<b>Building Characteristics</b>	<b>Levels/Height</b>
Oak Street portion	12 levels (ground floor – lobby/retail/11 stories residential)/ 117 feet plus 16-foot screen wall for roof terrace
Market Street portion	12 levels (ground floor – commercial/11 stories residential)/ 120 feet plus 16-foot screen wall for roof terrace
Basement (Parking)	1 level below grade
<p>Notes:</p> <p>gsf = gross square feet</p> <p><sup>1</sup> Car parking spaces: 28 parking spaces would be located in the basement level: two of which would be accessible to persons with disabilities, and one would be car-share.</p> <p><sup>2</sup> Bicycle parking spaces: 105 Class 1 bicycle parking spaces would be located in the basement level, and five Class 2 parking spaces would be located on Oak Street.</p> <p><sup>3</sup> Public open space: 100 square feet would be located along the proposed building's Oak Street frontage, and 400 square feet would be located along the Market Street frontage. Provided in compliance with Planning Code Section 138.</p> <p><sup>4</sup> Provided in compliance with Planning Code Section 135 requirements for residential usable open space.</p>	

The proposed project would have a total of 9,082 square feet of open space, including 500 square feet of public open space; 5,250 square feet of common open space on the roof terrace; 1,993 square feet for a courtyard on the ground floor; and 1,339 square feet of private open space (decks on level 11 and the roof).

Street improvements would include relocation of the existing curb cut for 55 Oak Street to the westernmost property line to serve as an entrance to the below-grade residential parking garage. A residential/commercial loading zone would be designated on Oak Street in front of the building lobby. The proposed new loading zone and relocated driveway entrance for the building would result in the loss of two metered on-street parking spaces on Oak Street. No street improvements are proposed on Market Street. On-street commercial loading would occur at an existing parking/loading zone carve-out in front of the project site on Market Street.

Construction is anticipated to occur over 20 months, with site preparation and demolition, excavation and shoring, and foundation and below-grade construction occurring over the first approximately 5 months. Excavation at the site is expected to be approximately 20 feet below grade (accounting for the 2.7-foot increase in grade from Market Street to Oak Street), except at the location of the vehicle stackers, below which, excavation would extend an additional 6.5 feet. Approximately 10,600 cubic yards (cy) of soil would be excavated at the site; up to 1,900 cy would be reused on site, and 8,700 cy would be removed from the site and disposed of at an appropriate facility, depending on soil quality. It is not anticipated that any soil would be imported to the site.

Ground improvements, such as controlled low-strength material columns, soil-cement columns, or vibro-replacement columns, may be used to densify the subsurface soils prior to construction of the foundation, and would extend up to an additional 35 feet below the foundation (approximately 54.5 to 63.7 feet below grade). Pile-driving techniques would not be used to construct the proposed project. An approximately 3-foot mat concrete slab foundation would be constructed, supported by the ground improvements.

## PROJECT APPROVALS

The proposed 1546-1564 Market Street project would require the approvals listed below.

### Actions by the Planning Commission

- Approval of an application for a Section 309 Downtown Project Authorization. As part of the Section 309 process, the proposed project would require exceptions to the lot coverage requirements (Planning Code Section 249.33[b][5]), off-street loading requirements (Planning Code Section 152.1), and ground-level wind currents requirements (Planning Code Section 148); and a variance for dwelling unit exposure (Section 140). The Downtown Project Authorization is the project's approval action.
- Certification of the Final Focused EIR and adoption of CEQA findings.

### Actions by other City Departments

- **San Francisco Planning Department (Planning Department).** Variance approval by the Zoning Administrator, pursuant to Planning Code 140 for dwelling unit open space exposure.
- **Department of Building Inspection (DBI).** Approval of site permit. Demolition, grading, and building permits for the demolition of the existing buildings and construction of the new building.
- **Department of Public Works (DPW).** Approval of a lot merger and condominium map.
- **San Francisco Municipal Transportation Agency (SFMTA).** Approval of the proposed curb modifications and parking garage operations plan.

- **Bureau of Streets and Mapping, DPW.** Street and sidewalk permits for any modifications to public streets, sidewalks, protected trees, street trees, or curb cuts.
- **San Francisco Public Utilities Commission.** Approval of any changes to sewer laterals. Approval of an erosion and sediment control plan prior to commencing construction, and compliance with post-construction stormwater design guidelines—including a stormwater control plan—required for projects that result in ground disturbance of an area greater than 5,000 square feet.

#### Actions by Other Agencies

- **Bay Area Air Quality Management District (BAAQMD).** Issuance of permits for installation and operation of the emergency generator.

#### EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project, and indicates whether such impacts are addressed in the Programmatic Environmental Impact Report for the Market and Octavia Area Plan (Market and Octavia PEIR).<sup>4</sup> The CPE Checklist indicates whether the proposed project would result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or offsite effects in the Market and Octavia PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Market and Octavia PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation and Improvement Measures section at the end of this checklist.

The Market and Octavia PEIR identified significant impacts related to archaeology, transportation, air quality, wind, shadow, geology, and hazardous materials. Mitigation measures were identified for the above impacts and reduced all impacts to less than significant, with the exception of those related to 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), and shadow impacts on two open spaces (War Memorial and United Nations Plaza).

The proposed project would result in demolition of the existing three buildings on the site and construction of 109 dwelling units and 4,810 gsf of retail space (three spaces). Two of the buildings proposed to be demolished are historic resources, and the demolition of these structures could result in significant effects on historic architectural resources that are peculiar to the project and the project site, which were not identified in the Market and Octavia PEIR. The effects of the proposed project on historic resources will therefore be the subject of a project-specific Focused EIR. As discussed below in this CPE Checklist, with the exception of historic resources, the proposed project would not result in new,

---

<sup>4</sup> San Francisco Planning Department, 2007. Market and Octavia Area Plan Final Environmental Impact Report, Case No. 2003.0347E, State Clearinghouse No. 2004012118, certified April 5, 2007. This document is available online at [www.sf-planning.org/index.aspx?page=1714](http://www.sf-planning.org/index.aspx?page=1714) or at the Planning Department, 1650 Mission Street, Suite 400.

significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Market and Octavia PEIR.

**Aesthetics and Parking Impacts for Transit Priority Infill Development**

Public Resources Code Section 21099(d), effective January 1, 2014, provides that “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above criteria; therefore, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>5</sup>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>1. LAND USE AND LAND USE PLANNING—</b>				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that adoption of the Area Plan would not result in a significant adverse impact on land use or land use planning. Furthermore, as determined by the Citywide and Current Planning divisions of the Planning Department, the proposed project is permitted in the zoning district in which the project site is located, and is consistent with the bulk, density, and land uses as envisioned in the Area Plan, described below.<sup>6,7</sup>

<sup>5</sup> San Francisco Planning Department, 2014. Transit-Oriented Infill Project Eligibility Checklist for 1546-1564 Market Street. January 14. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<sup>6</sup> San Francisco Planning Department, 2014. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis for 1546-1564 Market Street, from Adam Varat. January 28. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0877E.

<sup>7</sup> San Francisco Planning Department, 2014. Community Plan Exemption Eligibility Determination Current Planning Division for 1546-1564 Market Street, from Jeff Joslin. July 9. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0877E.

The Area Plan designates the site land use district (zone) C-3-G (Downtown General Commercial District). The site is also in the 120-R-2 Height and Bulk District and the Van Ness and Market Downtown Residential Special Use District, which encourages the development of a transit-oriented, high-density, mixed-use neighborhood around the intersection of Van Ness Avenue and Market Street, adjacent to downtown. The Area Plan allows for intensive commercial uses and residential towers clustered around the intersection of Market Street and Van Ness Avenue. The proposed project is consistent with the Area Plan’s goals for mixed-use, high-density development near transit. The proposed project would provide limited onsite parking that supports transit trips, consistent with the Plan’s policies. The building façade, street-level retail uses, and pedestrian-scale design along Market and Oak streets are consistent with the Area Plan’s design principles.

The proposed project would have a floor area ratio (FAR) of 9.2:1, which would exceed the allowed base FAR of 6:1, as well as the maximum allowed FAR of 9:1. The project sponsor would pay the fees to exceed the FAR, as allowed under Planning Code Section 424. The proposed project would also require exceptions to the lot coverage requirements per Planning Code Section 249.33(b)(5), the off-street loading requirements per Planning Code Section (152.1), and the ground-level wind currents requirements per Planning Code Section 148. The proposed project would require a variance for dwelling unit exposure to qualifying open space per Planning Code Section 140, because the five units per floor that face onto the interior courtyard do not meet the requirements for exposure to qualifying open space. The intensification or changes in land uses at the project site would not result in significant environmental effects, and would not impact the character of the vicinity beyond that identified in the PEIR.

For these reasons, implementation of the proposed project would not result in significant impacts, which were not identified in the PEIR related to land use and land use planning, and no mitigation measures are necessary.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>2. POPULATION AND HOUSING—</b>				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A goal of the Area Plan is to implement citywide policies to increase the housing supply at higher densities in neighborhoods having sufficient transit facilities, neighborhood-oriented uses, and in-fill development sites. The Area Plan anticipates an increase of 7,620 residents in the Plan Area by the year 2025. The Market and Octavia PEIR determined that although the additional development that would result from adoption of the Area Plan would generate household growth, this anticipated growth would



not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project would require the removal of the existing buildings, which provide approximately 16,644 square feet of commercial space, including three retail store-fronts, offices, and an auto repair shop. The proposed project would construct 109 dwelling units and 4,810 gsf of ground-floor retail space. The project would result in a net increase in housing and net decrease in jobs on the project site as follows: an increase of 116,217 gsf of residential uses (109 dwelling units), and a decrease of 11,834 gsf of commercial uses. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Market and Octavia Area Plan and evaluated in the Market and Octavia PEIR.

For the reasons described above, the proposed project would not result in significant impacts on population and housing that were not identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>3. CULTURAL RESOURCES</b> —Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Historic Architectural Resources**

The Market and Octavia PEIR noted that although development would be allowed in the Plan Area, the implementation of urban design guidelines and other rules would reduce the overall impact on historic architectural resources to a less-than-significant level. No mitigation measures were identified.

Under CEQA, evaluation of the potential for proposed projects to impact historical resources is a two-step process: the first is to determine whether the property is an historical resource as defined in Section 15064.5(a)(3) of CEQA; and, if it is determined to be an historical resource, the second is to evaluate whether the action or project proposed would cause a substantial adverse change.

The proposed project consists of demolition of the three buildings on the project site. Based on the Historic Resource Evaluation completed for the proposed project, two of the three existing buildings have been determined to be historic resources under CEQA.<sup>8</sup> Both 1554-1564 Market Street and 55 Oak Street

<sup>8</sup> Page and Turnbull, 2014. 1546 64 Market Street/55 Oak Street Historic Resource Evaluation Part 2, San Francisco, California, [12155A]. Prepared for Trumark Homes. February 21. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

are individually eligible resources.<sup>9</sup> As such, a Focused EIR will be prepared for the proposed project to address potential impacts from the project on these historic architectural resources.

### Archaeological Resources

The Market and Octavia PEIR determined that implementation of the Area Plan could result in significant impacts on archaeological resources, and identified four mitigation measures that would reduce these potential impacts to a less-than-significant level (Mitigation Measures C1 through C4). Mitigation Measure C1 – Soil-Disturbing Activities in Archaeologically Documented Properties<sup>10</sup> applies to properties that have a final Archeological Resource Design/Treatment Plan (ARDTP) on file; it requires that an addendum to the ARDTP be completed. Mitigation Measure C2 – General Soils-Disturbing Activities<sup>11</sup> was determined to be applicable for any project involving any soils-disturbing activities beyond a depth of 4 feet and located in those areas proposed in the Area Plan for which no archaeological assessment report has been prepared. Mitigation Measure C2 requires that a Preliminary Archaeological Sensitivity Study (PASS) be prepared by a qualified consultant. Mitigation Measure C3 – Soil-Disturbing Activities in Public Street and Open Space Improvements<sup>12</sup> applies to improvements to public streets and open spaces if those improvements disturb soils beyond a depth of 4 feet; it requires an Archeological Monitoring Program. Mitigation Measure C4 – Soil-Disturbing Activities in the Mission Dolores Archaeological District<sup>13</sup> applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archaeological Testing Program, as well as an Archaeological Monitoring Program and Archaeological Data Recovery Program, if appropriate.

The PEIR anticipated that development at the project site would have the potential to disturb archaeological deposits, and that Market and Octavia PEIR Mitigation Measure C2 would apply to the proposed project. Based on a review of San Francisco Planning Department records, no previous archaeological investigations have occurred in the project site. However, pursuant to Market and Octavia PEIR Mitigation Measure C2, a PASS was prepared for the proposed project.<sup>14</sup> As described in the PASS, no prehistoric archaeological resources are known to occur in the project area; however, five archaeological sites exhibiting prehistoric components have been identified within approximately ½ mile of the project area (CA-SFR-19; -28; -136/H; -148/H; and the Valencia Gardens Site). No historic-era archaeological resources are known to occur in the project area; however, three archaeological sites exhibiting historic components have been identified within approximately ½ mile of the project area (CA-SFR-136/H; -148/H; and the Valencia Gardens Site).

Although no archaeological resources have been previously identified within the project area, the project site may harbor previously undiscovered CRHR-eligible prehistoric and/or historic-era archaeological resources. Because the proposed project would require excavations to depths of approximately 20 to 26.5 feet below ground surface (bgs), largely within archaeologically sensitive dune sand, and would possibly require the installation of support columns to depths of approximately 64 feet bgs, project

---

<sup>9</sup> San Francisco Planning Department, 2014. Historic Resources Evaluation Response for 1546-1564 Market Street. March 27. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<sup>10</sup> Throughout this CPE, mitigation measures from the Market and Octavia PEIR are numbered based on the adopted Mitigation Monitoring and Reporting Program for the project; mitigation numbers from the PEIR are also provided for reference. Mitigation Measure C1 is Mitigation Measure 5.6.A1 in the PEIR.

<sup>11</sup> Mitigation Measure C2 is Mitigation Measure 5.6.A2 in the PEIR.

<sup>12</sup> Mitigation Measure C3 is Mitigation Measure 5.6.A3 in the PEIR.

<sup>13</sup> Mitigation Measure C4 is Mitigation Measure 5.6.A4 in the PEIR.

<sup>14</sup> URS Corporation Americas, 2014. Confidential Preliminary Archaeological Sensitivity Study, 1546-1564 Market Street Project San Francisco, California. May.

ground-disturbing activities would have the potential to affect previously undocumented CRHR-eligible resources, were they to occur on the project site.

Based on the PASS, it has been determined that the Planning Department’s third standard archaeological mitigation measure (testing) would apply to the proposed project. The PASS and its requirements (e.g., testing) are consistent with Market and Octavia PEIR Mitigation Measure C2. With implementation of this mitigation measure, impacts related to archaeological resources would be less than significant. In accordance with the Market and Octavia PEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure M-CP-1 – Archaeological Testing, listed in the Mitigation and Improvement Measures section below. With compliance with Project Mitigation Measure M-CP-1, the proposed project would not result in significant impacts that were not identified in the Market and Octavia PEIR related to archaeological resources.

For these reasons, the proposed project would not result in significant impacts on archaeological resources that were not identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION—</b> Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR anticipated that growth resulting from the Market and Octavia Area Plan’s zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction.

The Market and Octavia PEIR identified several significant traffic impacts at seven intersections, and one transit impact. In the vicinity of the proposed project, the Market and Octavia PEIR identified

cumulatively considerable impacts at the intersections of Mission Street/Otis Street/South Van Ness Avenue (southeast of the project site), and at Hayes Street/Van Ness Avenue (northeast of the project site).<sup>15</sup> The Market and Octavia PEIR identified a significant and unavoidable cumulative transit delay impact to the 21 Hayes route in the weekday PM peak hour. This impact was a result of the increased vehicle delay along Hayes Street from Van Ness Avenue to Gough Street due to the proposed reconfiguration of Hayes Street included in the Plan.

The PEIR identified eight transportation mitigation measures—involving plan-level traffic management strategies; intersection and roadway improvements; and transit improvements—to be implemented by the Planning Department, the DPW, and the SFMTA. The PEIR did not identify project-level transportation mitigation measures to be implemented by project sponsors for future development under the Market and Octavia Area Plan. The PEIR determined that, even with implementation of the identified plan-level mitigation measures, the significant adverse effects at seven intersections and the cumulative impacts on certain transit lines resulting from delays at several Hayes Street intersections could not be fully mitigated. These impacts were found to be significant and unavoidable.

The following section summarizes the findings of the Transportation Study prepared for the proposed project.<sup>16</sup> Because the proposed project is within the development projected under the Area Plan, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction, beyond those analyzed in the PEIR. Although the proposed project is not projected to cause any new significant bicycle impacts, the project sponsor has agreed to implement Project Improvement Measure I-TR-4 – Class II Bicycle Parking Signage, listed in the Mitigation and Improvement Measures section below, which would reduce these less-than-significant impacts.

## Trip Generation

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (Transportation Guidelines), developed by the San Francisco Planning Department.<sup>17</sup> The proposed project would generate an estimated 1,600 person trips (inbound and outbound) on a weekday daily basis, consisting of 579 person trips by auto, 447 transit trips, 419 walk trips, and 155 trips by other modes. During the PM peak hour, the proposed project would generate an estimated 59 vehicle trips.

## Traffic

Vehicle trips associated with the proposed project would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by Level of Service (LOS), which ranges from A to F, and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The LOS data for intersections within several blocks of the project site indicate that these intersections operate at LOS C or better during the weekday PM peak hour—except for one intersection, which operates at LOS E. Intersections operating at

---

<sup>15</sup> The Market and Octavia PEIR identified Market Street/Van Ness Avenue as an intersection that would operate unsatisfactorily in the future; however, the Market and Octavia Area Plan would not contribute a substantial number of vehicles to this intersection, and its impact was considered less than significant.

<sup>16</sup> Fehr and Peers, 2014. 1546-1564 Market Street Final Draft Transportation Study, August 28. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0877E.

<sup>17</sup> Ibid.

LOS C or better include Gough Street/Market Street, Franklin Street/Market Street, Van Ness Avenue/Market Street, Van Ness Avenue/Fell Street, Franklin Street/Oak Street, and Franklin Street/Fell Street. South Van Ness/Mission Street operates at LOS E. Cumulative (2025) conditions represent future conditions after the buildout of the Market and Octavia Area Plan. These intersections would operate at LOS D or better, except for the South Van Ness/Mission Street intersection, which would operate at LOS F. Table 3 lists the existing and cumulative LOS conditions for these intersections.

**Table 3**  
**Weekday PM Peak Hour Level of Service**

<b>Intersection</b>	<b>Existing LOS (2008)</b>	<b>Cumulative LOS (2025)</b>
Gough Street/Market Street	C	D
Franklin Street/Market Street	C	D
Van Ness Avenue/Market Street	C	E
Van Ness Avenue/Fell Street	C	D
Franklin Street/Oak Street	B	B
Franklin Street/Fell Street	B	D
South Van Ness/Mission Street	E	F
Notes: Existing LOS is based on traffic counts collected in 2004 for the Market and Octavia PEIR, certified in 2008. More recent traffic analysis conducted in the study area indicates that traffic conditions have not changed appreciably since that time. Source: Market and Octavia PEIR, 2007. Fehr and Peers, 2014.		

The proposed project would generate an estimated 37 inbound and 22 outbound new PM peak-hour vehicle-trips (for a total of 59 new vehicle trips) that could travel through surrounding intersections. This number of new PM peak-hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections; would not substantially increase average delay to the degree that intersections currently operating at acceptable LOS would deteriorate to unacceptable LOS; and would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions, because its contribution of an estimated 59 new PM peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Market and Octavia Area Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions; therefore, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant impacts on traffic that were not identified in the Market and Octavia PEIR.

Although the proposed project is not expected to cause any new significant traffic impacts, there are a number of measures that could be implemented to lessen the effect of automobile traffic in the project vicinity. The project sponsor has agreed to implement Project Improvement Measure I-TR-1 – Transportation Demand Management; Project Improvement Measure I-TR-2 – Non-Peak Construction Traffic Hours; and Project Improvement Measure I-TR-3 – Construction Management Plan Additions,

listed in the Mitigation and Improvement Measures section below, which would reduce these less-than-significant traffic impacts.

## Transit

The project site is within a quarter mile of several local transit lines, including Muni Metro lines J, K, L, M, N, and T; as well as Muni bus lines F, N Owl, 6, 9/9L, 14/14L (and 14 Owl), 16X, 21, 47, 49, 71/71L, and 90. The proposed project would be expected to generate 447 daily transit trips, including 67 during the PM peak hour. Given the wide availability of nearby transit, the addition of 67 PM peak-hour transit trips would be accommodated by existing capacity. Therefore, the proposed project would not result in unacceptable levels of transit service or cause an increase in delays or operating costs.

As described above, the Market and Octavia PEIR identified significant and unavoidable cumulative transit delay impacts to the 21 Hayes route. The proposed project would not contribute considerably to this impact, because its minor contribution of 59 PM peak-hour vehicle trips would not be a substantial proportion of the overall traffic generated by development anticipated from implementation of the Market and Octavia Area Plan. In addition, the retail portions of the project would be subject to the City of San Francisco's Transit Impact Development Fee (TIDF). For retail uses greater than 800 square feet, the rate is \$13.30 per square foot.<sup>18</sup> For the proposed 4,810 square feet of retail, this would result in an estimated TIDF of \$63,973.

For the above reasons, the proposed project would not result in significant impacts related to transit that were not identified in the Market and Octavia PEIR. In addition, it would not contribute considerably to cumulative transit impacts that were identified in the Market and Octavia PEIR.

## Parking

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining whether a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria; therefore, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.<sup>19</sup> The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes only.

---

<sup>18</sup> San Francisco Planning Department, 2013. New Planning Code Transit Impact Development Fee Update. Available online at: [http://www.sf-planning.org/ftp/files/legislative\\_changes/new\\_code\\_summaries/120523\\_TIDF\\_Transportation\\_Impact\\_Development\\_Fee\\_Update.pdf](http://www.sf-planning.org/ftp/files/legislative_changes/new_code_summaries/120523_TIDF_Transportation_Impact_Development_Fee_Update.pdf).

<sup>19</sup> San Francisco Planning Department, 2014. Transit-Oriented Infill Project Eligibility Checklist for 1546-1564 Market Street. January 14. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0877E.

The parking demand for the new residential and retail uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the peak evening demand for parking would be for 143 spaces. The proposed project would provide 27 off-street spaces. Therefore, as proposed, the project would have an unmet peak evening parking demand of an estimated 116 spaces. At this location, the unmet parking demand could be accommodated in existing on-street and off-street parking spaces within a reasonable distance from the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity in such a way that hazardous conditions or significant delays would be created.

The Market and Octavia PEIR identified two improvements measures to reduce parking demand with the implementation of the Plan. The first included coordinating with carsharing providers to promote the use of car-sharing, and designating a certain portion of new parking spaces for carshare spaces. The second improvement measure considered a reduced vehicle ownership scenario, entailing a combination of improvements to transit, pedestrian, and bicycle circulation and access in the Market and Octavia Plan Area; this, combined with reduced off-street parking spaces, would likely reduce the number of vehicles per household, and the overall parking demand for projects in the Plan Area. The proposed project would implement both of these improvement measures through the provision of a carsharing space, and by providing parking consistent with the maximum allowed by the Planning Code. In addition, the project sponsor has agreed to implement Project Improvement Measure I-TR-5 – Queue Abatement, listed in the Mitigation and Improvement Measures section below, which would reduce queuing of vehicles entering the garage on Oak Street.

Parking conditions are not static, because parking supply and demand varies from day to day, from day to night, from month to month, etc. The availability of parking spaces (or lack thereof) is therefore not a permanent physical condition, but changes over time as people change their modes and patterns of travel. Although parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles, or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to automobile travel (e.g., transit service, taxis, bicycles, or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site, and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips by others who are aware of constrained parking conditions in a given area, and therefore choose to reach their

destination by other modes (i.e., walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis—as well as in the associated air quality, noise, and pedestrian safety analyses—would reasonably address potential secondary effects.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>5. NOISE</b> —Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Construction Impacts

The Market and Octavia PEIR noted that the background noise level in San Francisco is elevated primarily due to traffic noise, and that some streets have higher background sound levels, such as Market Street. The PEIR identified an increase in the ambient sound levels during construction, dependent on the types of construction activities and construction schedules, and noise from increased traffic associated with construction truck trips along access routes to development sites. The PEIR determined that compliance with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) would reduce construction impacts to less-than-significant levels. DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 AM to 5:00 PM). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Existing ambient noise in the vicinity of the project site was assessed in the noise study completed for the proposed project.<sup>20</sup> The noise environment at the site is predominantly controlled by vehicular traffic along Market Street and Franklin

<sup>20</sup> Charles M. Salter Associates, Inc., 2014. Environmental Noise Study for 1554-64 Market Street, San Francisco, CA, CSA Project Number: 13-0025. February 18. Prepared for Trumark Homes LLC. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.



Street. Truck and motorcycle passbys also contribute to the noise environment. Also, Van Ness Avenue serves as a route for many bus lines. Noise measurements were conducted at the project site between January 24, 2013, and January 28, 2013, to quantify the existing noise environment. The noise monitoring survey included two long-term noise measurements and two short-term measurements. In the vicinity of the project site, the measured outdoor ambient day-night sound level (DNL or  $L_{dn}$ ) was 77 decibels (dB) along Market Street; and the DNL along Oak Street was 73 dB.

Construction of the proposed project is anticipated to occur over 20 months, with the greatest noise generated during site preparation and demolition (approximately 2 months), excavation and shoring (approximately 1.5 months), and installation of the foundation and below-grade construction (approximately 1.5 months). Although pile-driving is not proposed, other construction techniques used would result in increased noise. Even though the project construction activities would be subject to and would comply with the Noise Ordinance, construction noise may at times interfere with indoor activities in nearby residences and businesses near the project site, and may be considered an annoyance by occupants of nearby properties. However, the increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the San Francisco Noise Ordinance.

### Operational Impacts

The PEIR noted that land use changes would have the potential for creating secondary noise impacts associated with fixed heating, ventilating or air-conditioning (HVAC) equipment or local noise-generating activities. The PEIR determined that existing ambient noise conditions in the Plan Area would generally mask noise from new on-site equipment. Therefore, the increase in noise levels from operation of equipment would be less than significant. The PEIR also determined that all new development in the Plan Area would comply with Title 24 of the California Code of Regulations (CCR), and with the Land Use Compatibility Guidelines for Community Noise of the General Plan,<sup>21</sup> which would prevent significant impacts to sensitive receptors during project operations.

Based on expected implementation of the noise study recommendations with respect to controlling exterior noise intrusion, acceptable interior noise levels would be attained by the proposed project. During review of the building permit, DBI would review project plans for compliance with applicable noise standards. Compliance with applicable standards and with the City's General Plan would ensure that effects from exposure to ambient noise would result in less-than-significant impacts.

To achieve the objectives of the San Francisco General Plan Environmental Protection Element pertaining to lessening noise intrusion and development of appropriate uses that are compatible with the noise guidelines (Objectives 10 and 11), projects that are in noisy areas should protect open space, to the maximum feasible extent, from existing ambient noise levels. The proposed interior courtyard would be shielded from traffic noise because it would be located between the proposed two structures, and the rooftop terrace open space would be shielded by a screenwall.

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems and backup generators. These operations would be subject to Section 2909 of the San Francisco Noise Ordinance. The proposed project would comply with Article 29,

---

<sup>21</sup> San Francisco Planning Department, 2004. San Francisco General Plan, Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise. Last amended December. Available online at: [www.sf-planning.org/ftp/general\\_plan/I6\\_Environmental\\_Protection.htm](http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm).

Section 2909, by including acoustical construction improvements to achieve an interior day-night equivalent sound level of 45 A-weighted decibels (dBA). Compliance with Article 29, Section 2909, would minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant, and the proposed building would not contribute, to a considerable increment, to any cumulative noise impacts from mechanical equipment.

Ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3-dB increase). As described in Section 4, Transportation, during the PM peak hour, there are 95 vehicle-trips on Oak Street and the proposed project would generate 59 vehicle-trips during the PM peak hour. Only 28 parking spaces would be provided in the proposed garage so many of the vehicle trips would park on the surrounding streets and may not travel on Oak Street. However, even if all of the 59 PM peak-hour vehicle trips associated with the proposed project are added to Oak Street, the proposed project would not double the traffic volumes in the area. Therefore, the proposed project would not double traffic volumes, and would not result in a perceptible noise increase from project-related traffic.

The project site is not in an airport land use plan area, within 2 miles of a public airport, or in the vicinity of a private airstrip. Therefore, Checklist questions e and f above are not applicable.

For the above reasons, implementation of the proposed project would not result in significant impacts related to noise and vibration that were not identified in the PEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>6. AIR QUALITY</b> —Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR identified potentially significant air quality impacts resulting from temporary exposure to elevated levels of fugitive dust and diesel particulate matter (DPM) during construction of development projects under the Area Plan. The Market and Octavia PEIR identified two mitigation measures that would reduce these air quality impacts to less-than-significant levels. All other air quality impacts were found to be less than significant.

## Construction Dust Control

Market and Octavia PEIR Mitigation Measure E1 – Construction Mitigation Measure for Particulate Emissions, requires that individual projects involving construction activities include dust control measures.<sup>22</sup> The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work, to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of measures such as watering disturbed areas, covering stockpiled materials, and sweeping streets and sidewalks.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure E1. Therefore, PEIR Mitigation Measure E1 is not applicable to the proposed project.

## Health Risk

Market and Octavia PEIR Mitigation Measure E2 – Construction Mitigation Measure for Short-Term Exhaust Emissions, requires construction equipment to be maintained and operated so as to minimize exhaust emissions of particulates and other pollutants.<sup>23</sup> Subsequent to certification of the PEIR, San Francisco (in partnership with the BAAQMD) inventoried and assessed air pollution and exposures from mobile, stationary, and area sources in San Francisco, and identified portions of the City with sources that result in additional health risks for affected populations (referred to as the Air Pollutant Exposure Zone). The Air Pollutant Exposure Zone was identified based on two health-based criteria:

1. Areas where the excess cancer risk from all sources is greater than 100; or
2. Areas where concentrations of particulate matter less than or equal to 2.5 microns in diameter (PM<sub>2.5</sub>), from all sources (including ambient concentrations), are greater than 10 micrograms per cubic meter.

The project site is not in an identified Air Pollutant Exposure Zone. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial, and Market and Octavia PEIR Mitigation Measure E2 is not applicable to the proposed project. Although the proposed project's construction activities would not occur in the Air Pollutant Exposure Zone, and although such activities would be temporary and limited in duration, Project Improvement Measure I-AQ-1 – Construction Emissions Minimization has been identified to further reduce these less-than-significant air quality impacts.

The proposed project would include a backup generator, which may expose existing sensitive receptors to DPM emissions and potential health impacts. Backup generators are regulated by the BAAQMD through their New Source Review (Regulation 2, Rule 5) permitting process. The project applicant would

---

<sup>22</sup> Mitigation Measure E1 is Mitigation Measure 5.8.A in the Market and Octavia PEIR.

<sup>23</sup> Mitigation Measure E2 is Mitigation Measure 5.8.B in the Market and Octavia PEIR.

be required to obtain applicable permits to operate the emergency backup generator from the BAAQMD. As part of the permitting process, the BAAQMD would limit the excess cancer risk from any facility to no more than ten per one million population, and requires any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics. Compliance with the BAAQMD permitting process would ensure that project-generated toxic air contaminant (TAC) emissions would not expose sensitive receptors to substantial air pollutant concentrations, and TAC emissions would be less than significant. Additionally, the project sponsor would implement Project Improvement Measure I-AQ-2 – Best Available Control Technology for Diesel Generators. Implementation of Project Improvement Measure I-AQ-2 would reduce emissions by 89 to 94 percent, compared to equipment with engines that do not meet any emission standards and without a Verified Diesel Emission Control Strategy (VDECS).

**Criteria Air Pollutants**

The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>24</sup> for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed BAAQMD significance thresholds. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

For the above reasons, the proposed project would not result in significant impacts on air quality that were not identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>7. GREENHOUSE GAS EMISSIONS</b> —Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The State CEQA Guidelines were amended in 2010 to require an analysis of a project’s greenhouse gas (GHG) emissions on the environment. The Market and Octavia PEIR was certified in 2007, and therefore did not analyze the effects of GHG emissions.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective; San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions

<sup>24</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 through 3-3.

levels, demonstrating that the City has met and exceeded Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy. Other existing regulations, such as those implemented through Assembly Bill 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

For the above reasons, the proposed project would not result in significant impacts to GHGs that were not identified in the Market and Octavia PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>8. WIND AND SHADOW</b> —Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Wind**

The Market and Octavia PEIR determined that new construction developed under the Area Plan, including new buildings and additions to existing buildings, could result in significant impacts related to ground-level wind hazards. Mitigation Measure B1 – Buildings in Excess of 85 Feet in Height<sup>25</sup> and Mitigation Measure B2 – All New Construction,<sup>26</sup> identified in the PEIR, require individual project sponsors to minimize the effects of new buildings developed under the Area Plan on ground-level wind, through site and building design measures. The Market and Octavia PEIR concluded that implementation of Mitigation Measure B1 and Mitigation Measure B2, in combination with existing San Francisco Planning Code requirements, would reduce both project-level and cumulative wind impacts to a less-than-significant level.

Because of the height and location of the proposed approximately 120-foot-tall building (plus a 16-foot screen wall on the roof terrace), PEIR Mitigation Measure B1 would apply to the proposed project. In addition, PEIR Mitigation Measure B2, which applies to all new construction, would apply to the proposed project. To determine project compliance with these mitigation measures, wind tunnel study of the proposed project was conducted by Rowan Williams Davies & Irwin Inc., (RWDI), a qualified wind consultant.<sup>27</sup> The objective of the assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development.

<sup>25</sup> Mitigation Measure B1 is Mitigation Measure 5.5.B1 in the Market and Octavia PEIR.

<sup>26</sup> Mitigation Measure B2 is Mitigation Measure 5.5.B2 in the Market and Octavia PEIR.

<sup>27</sup> Rowan Williams Davies & Irwin Inc., 2014. 1554-1564 Market Street Pedestrian Wind Consultation, Wind Tunnel Tests. Prepared for Trumark Homes LLC. June 11. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2012.0877E.

Planning Code Section 148 requires that buildings be shaped so as not to cause ground-level wind currents to exceed defined comfort and hazard criteria. The comfort criteria are that wind speeds will not exceed 11 miles per hour (mph) in substantial pedestrian use areas and 7 mph in public seating areas, more than 10 percent of the time. There are no public seating areas in the project vicinity, and this criterion is not discussed. Similarly, the hazard criterion requires that buildings not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph, as averaged from a single full hour of the year. The comfort criteria are based on wind speeds that are measured for 1 minute and averaged. In contrast, the hazard criterion is based on winds that are measured for 1 hour and averaged. When stated on the same basis as the comfort criteria, the hazard criterion speed is a 1-minute average of 36 mph. The Planning Code defines these wind speeds in terms of equivalent wind speeds and average wind speed (mean velocity), adjusted to include the level of gustiness and turbulence.

RWDI conducted a wind tunnel test of the proposed project to simulate wind patterns, using a 1-inch to 33-foot scale model of the project. Blocks in the project vicinity within a 1,500-foot radius of the project site and the terrain roughness beyond were also modeled to simulate natural wind patterns. Wind tunnel tests were conducted for the project site and vicinity using the following three scenarios: existing conditions; existing plus proposed project conditions; and cumulative conditions. Wind speed measurements were taken at 66 locations under existing conditions, and at 68 locations under existing conditions plus proposed project and proposed project plus cumulative conditions, as shown on Figure 19.

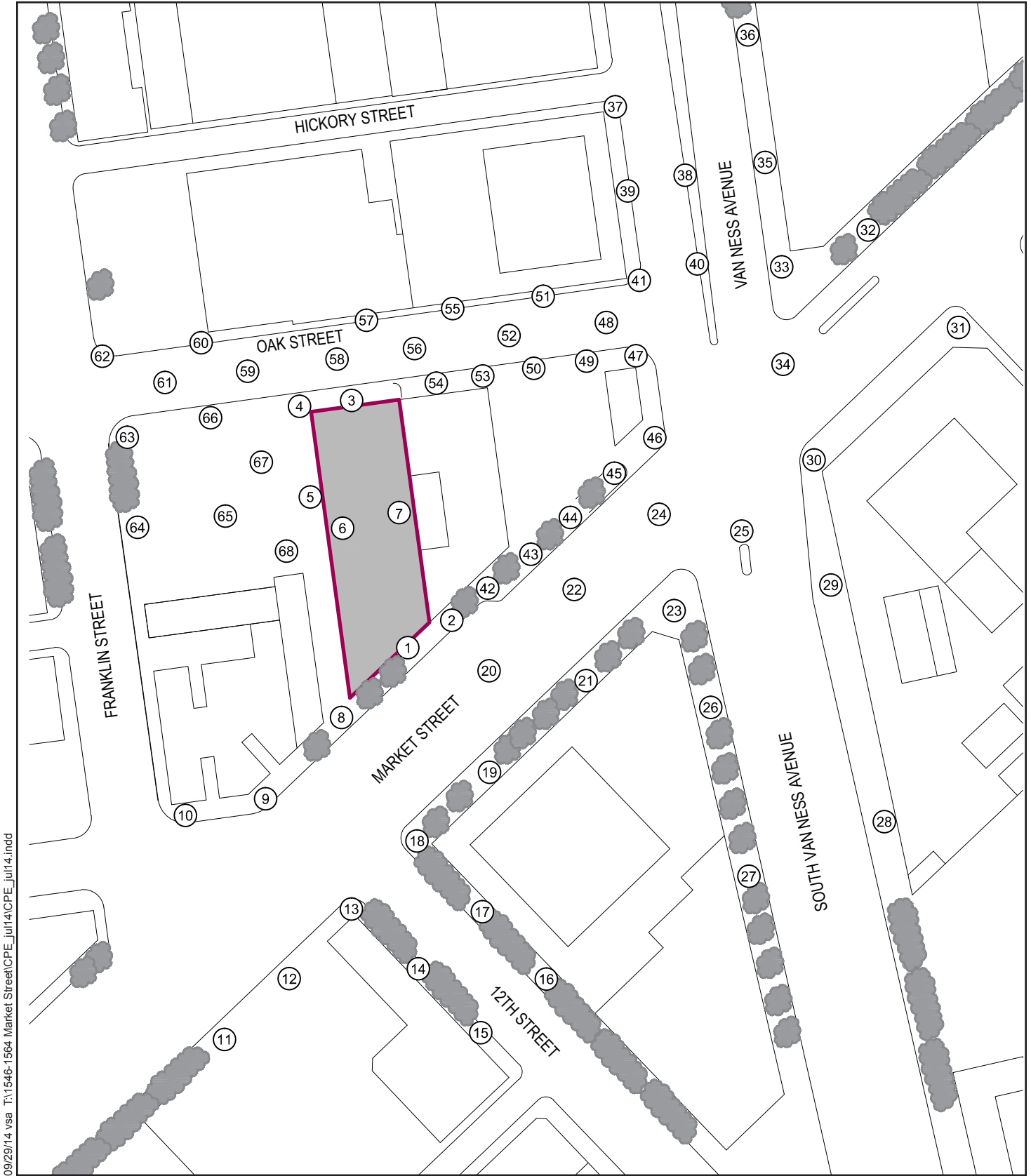
The existing condition accounts for the project site as it is currently developed, and the existing plus project condition includes the proposed project. Both these conditions account for the project vicinity as it is currently developed—which includes other existing low-rise buildings from three to eight stories in height, and taller buildings to the east and northeast. It also includes the following four approved projects in the vicinity, which are under construction or have been recently completed: 1600 Market Street; 1401 Market Street; 1455 Market Street; and 100 Van Ness Avenue. The cumulative conditions include the proposed project and the following five projects in the vicinity that are currently under Planning review: 1 Franklin Street; 22 Franklin Street; 1540 Market Street; 150 Van Ness Street; and 101 Polk Street.

**Comfort Conditions.** As shown in Table 4, under existing conditions, wind speeds at the 66 measurement locations would average 10 mph.<sup>28</sup> However, wind speeds at 19 measurement locations were found to exceed the Planning Code's 11-mph comfort criterion. Winds currently exceed 11 mph 9 percent of the time, on average. Locations where winds exceeded the comfort criterion were on Oak and Market streets to the west of the project site, and on Van Ness Avenue to the east.

Under existing plus proposed project conditions, average wind speeds would increase slightly from the existing conditions. The addition of the proposed project would redirect some winds at higher elevations down to the street level, thereby increasing the wind activity at grade. The resulting wind conditions on Oak and Market streets would be similar to the current conditions on Van Ness Avenue. The average wind speed for all test locations increased from 10 mph to 12 mph. Compared to the criterion speed of 11 mph, this increase is marginal. The 11 mph criterion was exceeded 16 percent of the time, on average. The number of locations where winds exceed the comfort criterion is predicted to be 41, including the 19 locations with comfort exceedances under the existing conditions. Two of the 41 locations are on the project site (locations 6 and 7), 25 are on pedestrian walkways, and 14 locations are in areas not frequented by pedestrians (roads and parking lots). For the cumulative conditions, wind conditions are predicted to be similar to the existing plus proposed project conditions, with wind speeds averaging 12 mph, and with exceedances at a total of 42



---

<sup>28</sup> Wind speed refers to equivalent wind speed (including the effects of turbulence) that is exceeded 10 percent of the time.

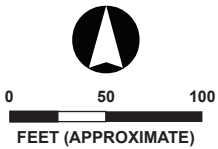


09/29/14 vsa T:\1546-1564 Market Street\CPE\_jul14\CPE\_jul14.indd

Source: RWDI 2014

-  Project Boundary
-  Trees

Note: All sensors placed at grade. Wind speed measurements under existing conditions exclude locations 6 and 7. These two locations are included in the existing plus proposed project and cumulative conditions.



**WIND TEST POINT LOCATIONS**

1546–1564 Market Street Project  
San Francisco, California

**FIGURE 19**

**Table 4**  
**Exceedances of Wind Comfort Criteria**

References		Existing			Existing + Project				Cumulative			
Location Number	Comfort Criterion Speed (mph)	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Existing (mph)	Exceeds	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Existing (mph)	Exceeds
4	11	14	21	e	16	31	2	e	17	34	3	e
6	11	NA	NA	NA	12	15	NA	e	12	13	NA	e
7	11	NA	NA	NA	14	21	NA	e	16	29	NA	e
8	11	6	0		17	36	11	e	19	42	13	e
10	11	12	15	e	13	20	1	e	9	5	-3	
11	11	12	12	e	11	10	-1		11	10	-1	
12	11	14	21	e	13	19	-1	e	11	10	-3	
13	11	12	15	e	11	10	-1		12	14	0	e
18	11	9	3		16	28	7	e	17	32	8	e
19	11	8	1		14	22	6	e	16	30	8	e
20	11	10	6		14	23	4	e	12	14	2	e
22	11	10	7		12	15	2	e	13	19	3	e
23	11	11	10		11	10	0		14	20	3	e
24	11	11	10		13	21	2	e	16	31	5	e
25	11	14	25	e	15	27	1	e	17	35	3	e
28	11	17	33	e	13	20	-4	e	10	6	-7	
29	11	10	4		10	5	0		13	18	3	e
30	11	14	22	e	14	21	0	e	16	28	2	e



**Table 4**  
**Exceedances of Wind Comfort Criteria (Continued)**

References		Existing			Existing + Project				Cumulative			
Location Number	Comfort Criterion Speed (mph)	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Existing (mph)	Exceeds	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Existing (mph)	Exceeds
31	11	17	33	e	13	19	-4	e	12	15	-5	e
33	11	15	26	e	15	26	0	e	10	7	-5	
34	11	15	28	e	15	27	0	e	17	30	2	e
35	11	15	25	e	15	25	0	e	12	14	-3	e
36	11	16	30	e	16	30	0	e	15	27	-1	e
37	11	12	17	e	13	16	1	e	13	19	1	e
38	11	16	31	e	16	31	0	e	16	31	0	e
40	11	16	29	e	16	29	0	e	14	21	-2	e
43	11	8	1		12	13	4	e	10	5	2	
44	11	11	10		14	23	3	e	12	13	1	e
45	11	10	4		13	18	3	e	14	21	4	e
46	11	10	5		12	15	2	e	16	29	6	e
47	11	14	23	e	13	19	-1	e	13	20	-1	e
50	11	9	3		13	20	4	e	12	16	3	e
51	11	7	1		12	14	5	e	12	14	5	e
52	11	10	4		15	27	5	e	14	23	4	e
53	11	9	3		11	10	2		14	20	5	e
54	11	10	4		10	6	0		15	27	5	e
55	11	9	3		15	27	6	e	14	22	5	e

**Table 4**  
**Exceedances of Wind Comfort Criteria (Continued)**

References		Existing			Existing + Project				Cumulative			
Location Number	Comfort Criterion Speed (mph)	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Existing (mph)	Exceeds	Wind Speed Exceeded 10 Percent of Time (mph)	Percent of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Existing (mph)	Exceeds
56	11	10	7		16	32	6	e	16	33	6	e
57	11	8	1		15	26	7	e	13	19	5	e
58	11	9	4		17	37	8	e	16	34	7	e
59	11	12	13	e	15	26	3	e	14	25	2	e
60	11	12	17	e	12	17	0	e	12	15	0	e
61	11	11	10		12	13	1	e	13	17	2	e
64	11	9	2		12	13	3	e	13	17	4	e
65	11	9	3		15	25	6	e	16	28	7	e
66	11	10	6		15	26	5	e	15	25	5	e
67	11	9	4		15	27	6	e	15	26	6	e
68	11	11	10		11	10	0		12	14	1	e
		<b>Average Speed</b>	<b>Percent Exceedance</b>	<b>Total Exceedance</b>	<b>Average Speed</b>	<b>Percent Exceedance</b>	<b>Average Speed Change</b>	<b>Total Exceedance</b>	<b>Average Speed</b>	<b>Percent Exceedance</b>	<b>Average Speed Change</b>	<b>Total Exceedance</b>
		10 mph	9 Percent	19 Total	12 mph	16 Percent	2 mph	41 Total	12 mph	16 Percent	2 mph	42 Total

Notes:

mph = miles per hour

NA = Not available

Sensors 6 and 7 represent the interior courtyard of the proposed project. No data are available under the existing conditions because these sensor locations are in the existing building.

locations. The 11-mph criterion would be exceeded 16 percent of the time, on average, at locations similar to the existing plus project conditions. Overall, average wind speeds are expected to increase slightly from the existing conditions with the proposed project and cumulative projects.

Exceeding the pedestrian comfort criteria is not a significant wind impact under CEQA; however, the project would require a *Planning Code* Section 309 exception under Planning Code Section 148 for exceedance of the comfort criterion, as described above under Project Description.

**Hazard Conditions.** As shown in Table 5, under existing conditions, none of the measurement locations currently exceed the hazard criterion. Similarly, under existing plus proposed project conditions, none of the measurement locations would exceed the hazard criterion. However, under the cumulative conditions, one wind hazard exceedance would occur at a pedestrian crossing at the intersection of Market Street and Van Ness Avenue (location 34). For 1 hour of the year, the wind speed would exceed 37 mph, which is 1 mph above the hazard criterion. This exceedance would result from other projects anticipated under the cumulative conditions; the proposed project does not contribute to this exceedance. Due to the location and distance from the proposed project site, modifications to the proposed project would not affect this exceedance. Overall, the cumulative wind analysis indicates that the proposed project would not contribute to winds that would exceed the wind hazard criterion.<sup>29</sup>

Therefore, the proposed project would not have significant wind impacts, either individually or cumulatively, and would not result in significant impacts related to wind that were not identified in the Market and Octavia PEIR.

## Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between 1 hour after sunrise and 1 hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Private open spaces that are required under the Planning Code as part of an individual development proposal are not subject to Section 295.

The Market and Octavia PEIR analyzed impacts to existing and proposed parks under the jurisdiction of the San Francisco Recreation and Park Commission, as well as the War Memorial Open Space and the United Nations Plaza, which are not under the commission's jurisdiction. The Market and Octavia PEIR found no significant shadow impact on Section 295 open space at the program or project level. For non-Section 295 parks and open space, the PEIR identified potential significant impacts related to new construction buildings over 50 feet tall, and determined that Mitigation Measure A1 – Parks and Open Space not Subject to Section 295<sup>30</sup> would reduce, but may not eliminate, significant shadow impacts on the War Memorial Open Space and United Nations Plaza. Specifically, the PEIR noted that potential new towers at Market Street and Van Ness Avenue could cast new shadows on the United Nations Plaza, and that Mitigation Measure A1 would reduce, but may not eliminate, significant shadow impacts on the United Nations Plaza. The PEIR determined shadow impacts to United Nations Plaza could be significant and unavoidable.

---

<sup>29</sup> Rowan Williams Davies & Irwin Inc., 2014. 1554-1564 Market Street Pedestrian Wind Consultation, Wind Tunnel Tests. Prepared for Trumark Homes LLC. June 11. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2012.0877E.

<sup>30</sup> Mitigation Measure A1 is Mitigation Measure 5.5.A2 in the Market and Octavia PEIR.

**Table 5**  
**Exceedances of Wind Hazard Criterion**

References		Existing			Existing + Project				Cumulative			
Location Number	Hazard Criterion Speed (mph)	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds	Wind Speed Exceeded 1 hour/year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Existing	Exceeds
34	36	28	0		30	0	0		37	1	1	e
		Average Speed	Percent Exceedance	Total Exceedance	Average Speed	Percent Exceedance	Average Speed Change	Total Exceedance	Average Speed	Percent Exceedance	Average Speed Change	Total Exceedance
		19 mph	0 hr	0 Total	23 mph	0 hr	0 hr	0 Total	23 mph	1 hr	1 hr	1 Total

Note:  
Per Planning Code Section 148, the hazard criterion requires that buildings do not cause equivalent wind speeds to reach or exceed the hazard level of 26 mph, as averaged from a single full hour of the year. The comfort criteria are based on wind speeds that are measured for one minute and averaged. When the hazard criterion is stated on the same basis as the comfort criteria wind speeds, the hazard criterion wind speed is a one-minute average of 36 mph, the value used in this analysis.  
mph = miles per hour

The proposed project would construct a 120-foot-tall building (plus a 16-foot screenwall). Based on the preliminary shadow fan analysis prepared by the Planning Department, the proposed project would not cast new shadow on nearby parks, including the United Nations Plaza or any new and proposed parks and open spaces developed since the time of the Market and Octavia PEIR (e.g., Patricia’s Green).<sup>31</sup> Therefore, Market and Octavia PEIR Mitigation Measure A1 would not be applicable to the proposed project.

However, at various times during the day, the proposed project would shade portions of nearby streets and sidewalks and private property in the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas, and would be considered a less-than-significant impact under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

For the above reasons, the proposed project would not result in significant impacts related to shadow that were not identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>9. RECREATION</b> —Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR concluded that implementation of the Area Plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Market and Octavia PEIR.

Because the proposed project would not degrade recreational facilities, and would be within the development projected under the Market and Octavia Area Plan, there would be no additional impacts on recreation beyond those analyzed in the Market and Octavia PEIR.

<sup>31</sup> Guy, Kevin, 2014. Personal communication from Kevin Guy, Current Planning/Northeast Quadrant City and County of San Francisco, to Monica Pereira, City and County of San Francisco.  
CCSF, 2013. Shadow Fan Study, 1546-1564 Market Street: 2013.0822E!XU. November 18.  
These documents are available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>10. UTILITIES AND SERVICE SYSTEMS</b> —Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

Because the proposed project would be within the development projected under the Market and Octavia Area Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Market and Octavia PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>11. PUBLIC SERVICES</b> —Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

Because the proposed project would be within the development projected under the Market and Octavia Area Plan, there would be no additional impacts on public services beyond those analyzed in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>12. BIOLOGICAL RESOURCES</b> —Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As described in the Market and Octavia PEIR, the Market and Octavia Area Plan is in a developed urban environment completely covered by structures, impervious surfaces, and introduced landscaping. No known, threatened, or endangered animal or plant species are known to exist in the project vicinity that could be affected by the development anticipated under the Area Plan. In addition, development envisioned under the Market and Octavia Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the Area Plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

Because the proposed project would not result in significant impacts on biological resources, and would be within the development projected under the Market and Octavia Area Plan, there would be no additional impacts on biological resources beyond those analyzed in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS</b> —Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR did not identify any significant operational impacts related to geology, soils, and seismicity. Although the PEIR concluded that implementation of the Area Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides, the PEIR noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area.



The Market and Octavia PEIR identified a potential significant impact related to soil erosion during construction. The PEIR found that implementation of Mitigation Measure G1 – Construction Related Soils Mitigation Measure,<sup>32</sup> which consists of construction best management practices (BMPs) to prevent erosion and discharge of soil sediments to the storm drain system, would reduce any potential impacts to a less-than-significant level.

Market and Octavia PEIR Mitigation Measure G1, referred to in this CPE Checklist as Project Mitigation Measure M-GE-1, would apply to the proposed project, and would address potential impacts related to soil erosion during construction. As stated above, this measure would require implementation of construction BMPs to prevent erosion and discharge of soil sediments to the storm drain system, and would reduce any potential impacts to a less-than-significant level. In accordance with the Market and Octavia PEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure M-GE-1 – Construction Related Soils Mitigation Measure, listed in the Mitigation and Improvement Measures section below.

A geotechnical investigation was prepared for the proposed project.<sup>33</sup> The geotechnical report recommends that the proposed building be supported on either deep foundations or on a shallow foundation system underlain by ground improvements. As described in the project description, an approximately 3-foot mat concrete slab foundation would be constructed, supported by the ground improvements, such as controlled low-strength material columns, soil-cement columns, or vibro-replacement columns, which would be used to densify the subsurface soils prior to construction of the foundation, and would extend up to an additional 35 feet below the foundation (approximately 54.5 to 63.7 feet below grade).

According to the geotechnical investigation, shallow sand layers below the preliminary design ground water level of 15 feet could potentially experience liquefaction triggering that could result in soil softening and post-liquefaction total settlement. In addition, the lower portion of the basement would likely be below groundwater-saturated potentially liquefiable soils. The basement walls would need to be designed to resist this transient additional loading. Additional liquefaction analyses should be performed during the design-level geotechnical investigation to further evaluate potential seismic settlement. The design-level investigation findings would be used to confirm the preliminary recommendations and develop detailed recommendations for design and construction.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City, and which is enforced by DBI. The final building plans will be reviewed by DBI to ensure compliance with all applicable San Francisco Building Code provisions regarding structural safety. The above-referenced geotechnical investigation report would be available for use by DBI during its review of building permits for the site. In addition, DBI could require that additional site specific soils report(s) be prepared in conjunction with permit applications, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils or geology.

---

<sup>32</sup> Mitigation Measure G1 is Mitigation Measure 5.11.A in the Market and Octavia PEIR.

<sup>33</sup> Cornerstone Earth Group, 2013. Preliminary Geotechnical Investigation 1546/1550, 1554/1564 Market Street and 55 Oak Street, Prepared for Trumark Urban, LLC. January 23. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

For these reasons, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>14. HYDROLOGY AND WATER QUALITY</b> —Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that the anticipated increase in population as a result of implementation of the Area Plan would not result in a significant impact on hydrology and water quality,

including the combined sewer system and the potential for combined sewer outflows. Groundwater encountered during construction would be required to be discharged in compliance with the City's Industrial Waste Ordinance (Ordinance Number 199-77), and would meet specified water quality standards. No mitigation measures were identified in the PEIR.

The project site is occupied by three buildings, and is completely covered by impervious surfaces. The proposed project would slightly decrease the amount of impervious surface area by installing landscaping on the common roof terrace and in the ground-level courtyard. Overall, runoff and drainage would not be substantially changed. Therefore, the project would not substantially alter the existing drainage pattern of the site or substantially increase the rate or amount of surface runoff in a manner that would result in flooding or in substantial erosion or siltation, nor would it exceed the capacity of existing or planned stormwater drainage systems. Furthermore, the proposed project would be constructed in compliance with all applicable federal, state, and local regulations governing water quality and discharges to surface- and groundwater bodies.

Based on a review of historic high-water maps, the groundwater level is mapped at between 10 to 20 feet below current level,<sup>34</sup> and groundwater was encountered at a depth of approximately 18 to 20 feet on the project site.<sup>35</sup> The proposed project would entail excavation to a depth of approximately 20 feet below grade, with an additional 6.5 feet of depth in some locations to accommodate the vehicle stackers, and therefore it is possible that groundwater would be encountered during excavation. Any groundwater that is encountered during construction would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by DPW Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Effects from lowering the water table due to dewatering, if any, would be temporary and would not be expected to substantially deplete groundwater resources. As a result, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge.

For the reasons discussed above, the proposed project would not result in significant impacts on hydrology and water quality that were not identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

---

<sup>34</sup> Cornerstone Earth Group, 2013. Preliminary Geotechnical Investigation 1546/1550, 1554/1564 Market Street and 55 Oak Street, Prepared for Trumark Urban, LLC. January 23. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<sup>35</sup> Cornerstone Earth Group, 2013. Preliminary Geotechnical Investigation 1546/1550, 1554/1564 Market Street and 55 Oak Street, Prepared for Trumark Urban, LLC. January 23. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>15. HAZARDS AND HAZARDOUS MATERIALS—</b>				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR found that impacts to hazardous materials would primarily originate from construction-related activities. Demolition or renovation of existing buildings could result in exposure to hazardous building materials such as asbestos, lead, mercury or polychlorinated biphenyls (PCBs). In addition, the discovery of contaminated soils and groundwater at the site could result in exposure to hazardous materials during construction. The Market and Octavia PEIR identified a significant impact associated with soil disturbance during construction for sites in areas of naturally occurring asbestos (NOA). The PEIR found that compliance with existing regulations; and implementation of Mitigation Measure F1 – Program or Project Level Mitigation Measures for Hazardous Materials,<sup>36</sup> which would require implementation of construction BMPs to reduce dust emissions; and tracking of contaminated soils beyond the site boundaries, by way of construction vehicles tires would reduce impacts associated with construction-related hazardous materials to a less-than-significant level.

<sup>36</sup> Mitigation Measure F1 is Mitigation Measure 5.10.A in the Market and Octavia PEIR.

As discussed under Air Quality, subsequent to the certification of the Market and Octavia PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of Market and Octavia PEIR Mitigation Measure F1. In addition, construction activities in areas containing NOA are subject to regulation under the State Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, which is implemented in San Francisco by the BAAQMD. Compliance with the Asbestos ACTM would ensure that the proposed project would not create a significant hazard to the public or the environment from the release of NOA. Therefore, PEIR Mitigation Measure F1 is not applicable to the proposed project.

During operations, the PEIR found that businesses that use or generate hazardous substances (cleaners, solvents, etc.), would be subject to existing regulations that would protect workers and the community from exposure to hazardous materials during operations. In addition, compliance with existing building and fire codes would reduce potential fire hazards, emergency response, and evacuation hazards to a less-than-significant level.

### **Hazardous Building Materials**

Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials may include asbestos, lead-based paint, and PCBs, universal waste and other hazardous building materials such as fluorescent light bulbs and ballasts, as well as batteries and mercury switches in thermostats.

Asbestos is a common material previously used in buildings, and sampling of suspected asbestos-containing material prior to demolition is required by the BAAQMD to obtain a demolition permit. If asbestos is identified, it must be abated in accordance with applicable laws prior to construction or renovation. Pursuant to state law, the DBI will not issue a permit for the proposed project until compliance with regulations is completed.

Lead-based paint and PCB-containing materials could also be encountered as a result of dust-generating activities that include removal of walls and material disposal during construction. Compliance with Chapter 36 of the San Francisco Building Code would ensure no adverse effects due to work involving lead paint. PCB-containing materials must be managed as hazardous waste in accordance with Occupational Safety and Health Administration worker protection requirements. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Market and Octavia PEIR.

### **Soil and Groundwater Contamination**

The site would be excavated up to approximately 20 feet below grade (accounting for the 2.7-foot increase in grade from Market Street to Oak Street). An additional 6.5 feet of depth would be required to accommodate the vehicle stackers in the garage. Approximately 10,600 cy of soil would be excavated at the site; up to 1,900 cy would be reused on site, and 8,700 cy would be removed from the site and disposed of at an appropriate facility, depending on soil quality. Therefore, the project is subject to

Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Building Code prohibits the issuance of a building permit for a project disturbing more than 50 cy of soil in the mapped Maher Zone or any other site suspected of containing soil/groundwater contamination, without first complying with Maher requirements. The site is suspected to contain hazardous subsurface materials due to the previous uses on the site, as described below.

In compliance with the Maher Ordinance, the project sponsor entered the project into the Maher program and submitted the Phase I ESA<sup>37</sup> and Phase II Preliminary Sub-slab Vapor Quality Evaluation<sup>38</sup> to DPH; these reports are summarized below.

Previous activities on the site that used or are likely to have used hazardous materials include 55 Oak Street, which was occupied by various auto repair businesses; 1546-1550 Market Street, which was occupied by a dry cleaner and motorcycle repair shop; and 1564 Market Street, which was occupied by a paint supply store. As a result of the 1906 earthquake and fire, there may be burned demolition debris containing metals (mainly lead) and polycyclic aromatic hydrocarbons on the project site. A sub-slab vapor investigation was conducted at 1546-1550 Market Street because of the previous drycleaning use at the site.<sup>39</sup> The results of the investigation indicated concentrations of tetrachloroethene are less than the California Human Health Screening Levels established by the California Environmental Protection Agency, Department of Toxic Substances Control. Soil sample analytical results indicated elevated concentrations of lead in the soil within a few feet of the existing basements.<sup>40</sup>

The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Market and Octavia PEIR.

## Emergency Response and Fire

In San Francisco, fire safety is ensured through the provisions of the Building Code and the San Francisco Fire Code. During the review of the building permit application, DBI and the San Francisco Fire Department will review the project plans for compliance with all regulations related to fire safety. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, or expose people or structures to a significant risk of loss, injury, or death involving fires.

---

<sup>37</sup> Cornerstone Earth Group, 2013. Phase I Environmental Site Assessment for 1546/1550/1554 Market Street and 55 Oak Street. Prepared for Trumark Companies, LLC. January 21. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<sup>38</sup> Cornerstone Earth Group, 2013. Phase II Preliminary Sub-Slab Vapor Quality Evaluation 1546/1550 Market Street. Prepared for Trumark Companies, LLC. February 27. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<sup>39</sup> Cornerstone Earth Group, 2013. Phase II Preliminary Sub-Slab Vapor Quality Evaluation 1546/1550 Market Street. Prepared for Trumark Companies, LLC. February 27. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

<sup>40</sup> Cornerstone Earth Group, 2012. Preliminary Soil Quality Evaluation 1554/1564 Market Street and 55 Oak Street. Prepared for Trumark Homes, LLC. October 4. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0877E.

For these reasons, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>16. FUEL, WATER, AND ENERGY RESOURCES—</b> Would the project:				
a) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that the Area Plan would facilitate the reuse and rehabilitation of existing buildings, as well as the construction of new structures. Development of these uses would not result in use of large amounts of water, gas, and electricity in a wasteful manner, or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects, and would meet or exceed current state and local codes and standards concerning energy consumption, including Title 24 of the CCR, enforced by DBI. Therefore, the proposed project would not result in any significant impacts related to the use of fuel, water, or energy in a wasteful manner.

**MITIGATION AND IMPROVEMENT MEASURES**

**Project Mitigation Measure M-CP-1 – Archaeological Testing:**

Based on a reasonable presumption that archaeological resources may be present on 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. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Planning Department archaeologist to obtain the names and contact information for the next three archaeological consultants on the QACL. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant’s work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of 4 weeks. At the direction of the ERO, the suspension of construction can be extended beyond 4 weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Section 15064.5 (a)(c).

**Consultation with Descendant Communities.** On discovery of an archaeological site<sup>41</sup> associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative<sup>42</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archaeological field investigations of the site, and to consult with ERO regarding appropriate archaeological treatment of the site; of recovered data from the site; and if applicable, any interpretative treatment of the associated archaeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

**Archaeological Testing Program.** The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological 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 archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If, based on the archaeological testing program, the archaeological consultant finds that significant archaeological resources may be present, the ERO, in consultation with the archaeological consultant, shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. No archaeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archaeologist. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor, either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance, and that interpretive use of the resource is feasible.

**Archaeological Monitoring Program.** If the ERO, in consultation with the archaeological consultant, determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:

- The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils-disturbing activities. The ERO, in consultation with the archaeological consultant, shall determine which project activities shall

---

<sup>41</sup> The term "archaeological site" is intended to minimally include any archaeological deposit, feature, burial, or evidence of burial.

<sup>42</sup> An "appropriate representative" of the descendant group is defined, in the case of Native Americans, as any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission; and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Planning Department archaeologist.



be archaeologically 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.), or site remediation shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context.

- The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource.
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with the project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits.
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
- If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the deposit is evaluated. If, in the case of pile-driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile-driving activity may affect an archaeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made, in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

**Archaeological Data Recovery Program.** The archaeological data recovery program shall be conducted in accordance with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. The ADRP 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 archaeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- **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 De-accession Policy.** Description of and rationale for field and post-field discard and de-accession policies.
- **Interpretive Program.** Consideration of an onsite/offsite public interpretive program during the course of the archaeological data recovery program.
- **Security Measures.** Recommended security measures to protect the archaeological 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 and 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 Coroner of the City and County of San Francisco; and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines, Section 15064.5[d]). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

**Final Archaeological Resources Report.** The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert in the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy, and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD of the FARR, along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/CRHR. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

**Project Improvement Measure I-TR-1 – Transportation Demand Management:**

The following Transportation Demand Management (TDM) measures shall be implemented during project operations:

- **Identify TDM Coordinator.** The project sponsor should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures described below. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g., the Transportation Management Association of San Francisco, TMASF), or an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.
- Provide Transportation and Trip Planning Information to Building Occupants:
  - **Move-in packet.** The move-in packet shall include an insert providing information on transit service (local and regional, schedules and fares); information on where transit passes could be purchased; information on the 511 Regional Rideshare Program and nearby bike and car share programs; and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps and San Francisco Bicycle and Pedestrian maps upon request.
  - **New-hire packet.** The new-hire packet shall include a transportation insert that provides information on transit service (local and regional, schedules and fares); information on where transit passes could be purchased; information on the 511 Regional Rideshare Program and nearby bike and car share programs; and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new-hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps and San Francisco Bicycle and Pedestrian maps upon request.
- Bicycles:
  - **Parking.** Increase the number of onsite secured bicycle parking beyond Planning Code requirements and/or provide additional bicycle facilities in the public right-of-way in locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).
- Car-Share:
  - **Parking.** Provide optional carshare spaces as described in Planning Code Section 166(g).
  - **Membership.** Offer one annual car share membership for each new resident (one per household) or employee. Recipient would be responsible for the remainder of the costs associated with the membership.
- **City Access for Data Collection.** As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept

surveys and/or other types of data collection. All onsite activities shall be coordinated through the TDM Coordinator. Project sponsor shall ensure that future access to the site is available to City Staff.

---

**Project Improvement Measure I-TR-2 – Non-Peak Construction Traffic Hours:**

To minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck movements and deliveries shall occur only between 9 AM to 3:30 PM, outside of peak and evening hours.

---

**Project Improvement Measure I-TR-3 – Construction Management Plan Additions:**

**Carpool and Transit Access for Construction Workers.** To minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include in their contracts methods to encourage carpooling and transit access to the project site by construction workers.

**Project Construction Updates for Adjacent Businesses and Residents.** To minimize construction impacts on access for nearby institutions and businesses, the project sponsor shall provide nearby residences and adjacent businesses with regularly updated information regarding project construction, through publically accessible means such as a website. This information should include a project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), travel lane closures, and lane closures.

---

**Project Improvement Measure I-TR-4 – Class II Bicycle Parking Signage:**

Prior to building occupation, and in coordination with SFMTA, bicycle parking signage shall be provided on the Market Street frontage, directing bicyclists to the additional public Class II bicycle parking spaces on Oak Street.

---

**Project Improvement Measure I-TR-5 – Queue Abatement:**

To minimize the vehicle queues at the proposed project driveway into the public right-of-way, the project sponsor shall implement the Planning Department's vehicle queue abatement Conditions of Approval listed below.

***Queue Abatement Condition of Approval***

It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (bound for the parking facility) blocking any portion of any public street, alley, or sidewalk for a period of 3 consecutive minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to redesign of the facility to improve vehicle circulation and/or onsite queue capacity; employment of parking attendants; installation of LOT FULL signs, with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of offsite parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, or delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than 7 days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

---

#### **Project Improvement Measure I-AQ-1 – Construction Emissions Minimization:**

**A. Construction Emissions Minimization Plan.** Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 horsepower and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
  - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
  - b) All off-road equipment shall have:
    - i. Engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board (CARB) Tier 2 off-road emission standards, and
    - ii. Engines that are retrofitted with a CARB Level 3 VDECS.<sup>43</sup>
  - c) Exceptions:
    - i. Exceptions to A(1)(a) may be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site, and that the requirements of this exception

---

<sup>43</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement; therefore, a VDECS would not be required.

provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.

- ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an CARB Level 3 VDECS is: (1) technically not feasible; (2) would not produce desired emissions reductions due to expected operating modes; (3) installing the control device would create a safety hazard or impaired visibility for the operator; or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with a CARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next-cleanest piece of off-road equipment as provided by the step-down schedules in Table 4.

**Table 4**  
**Off-Road Equipment Compliance Step-down Schedule**

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	CARB Level 2 VDECS
2	Tier 2	CARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

**How to use the table:** If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

\* Alternative fuels are not a VDECS.

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than 2 minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the 2-minute idling limit.
- 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 4. 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. Off-road equipment descriptions and information may include, but are 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

VDECS installed: technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

5. The Plan shall be kept on site and available for review by any persons requesting it, and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

- B. Reporting.** Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase, including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

Within 6 months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. Certification Statement and Onsite Requirements.** Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

---

**Project Improvement Measure I-AQ-2 – Best Available Control Technology for Diesel Generators:**

All diesel generators should have engines that:

1. Meet Tier 4 Final or Tier 4 Interim emission standards, or
2. Meet Tier 2 emission standards and are equipped with a CARB Level 3 VDECS.

---

**Project Mitigation Measure M-GE-1 – Construction-Related Soils (Mitigation Measure G1 of the Market and Octavia PEIR):**

Program- or project-level temporary construction-related impacts would be mitigated through the implementation of the following measures:

BMPs erosion control features shall be developed with the following objectives and basic strategy:

- Protect disturbed areas through minimization and duration of exposure.
- Control surface runoff and maintain low runoff velocities. Trap sediment on site.
- Minimize length and steepness of slopes.