



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

**Case No.:** 2014.1510E  
**Project Address:** 2238-2254 Market Street & 2153-2157 15<sup>th</sup> Street  
**Zoning:** Upper Market Neighborhood Commercial Transit (NCT) & Residential –  
House, Two Family (RH-2) Zoning Districts  
40-X & 50-X Height and Bulk District  
**Block/Lot:** 3560/005 – 008; 3560/025 & 026  
**Lot Size:** 22,748 square feet (0.52 acre)  
**Plan Area:** Market-Octavia Area Plan  
**Project Sponsor:** Dan Safier, PF 2254 Market LP, (415) 395-0880, dsafier@pradogroup.com  
**Staff Contact:** Justin Horner, (415) 575-9023, justin.horner@sfgov.org  
Susan Mickelsen, (415) 575-9039, susan.mickelsen@sfgov.org

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### PROJECT DESCRIPTION

The project site is located within the Market and Octavia Plan Area and includes six parcels in the Castro/Upper Market neighborhood that front either Market Street or 15<sup>th</sup> Street. The project site is located on a triangular block bounded by Market Street to the south, 15<sup>th</sup> Street to the north, and Noe Street to the west. The existing parcels are currently occupied by a two-story three-unit residential building (2153 -2155 15<sup>th</sup> Street) and a two-story approximately 9,400 square foot (sf) funeral home (2254 Market Street) with an adjacent 12,000 sf 35-space surface parking lot that is accessed from both Market Street and 15<sup>th</sup> Street.

(CONTINUED ON NEXT PAGE)

### EXEMPT STATUS

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

### DETERMINATION

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

SARAH B. JONES  
Environmental Review Officer

February 4, 2016  
Date

cc: Jon Yolles, PF Market LP; Supervisor Wiener, District 8; Marcelle Boudreaux, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

## PROJECT DESCRIPTION (continued)

The 2238-2254 Market Street Project (proposed project) is a mixed-use residential development consisting of three project components. The Market Street component (2238-2254 Market Street) would add a three-story vertical addition of residential dwelling units to the existing two-story, approximately 33-foot-tall funeral home historic building and develop a connecting five-story, 55-foot-tall (up to 65-feet including the proposed elevator penthouse) mixed-use building in the location of the existing adjacent surface parking lot. In total the Market Street component/building would include 43 dwelling units (22 studio or one-bedroom units, 21 two-and three-bedroom units) and approximately 5,200 sf of retail use. The 2238-2254 Market Street building would include an underground parking garage with up to 25 spaces with 60 bicycle parking spaces.

The second component of the project would be the new 15<sup>th</sup> Street townhome component, a 3-story, 40-foot-tall, 2-unit, approximately 6,300-sf townhome with frontage on 15<sup>th</sup> Street. The new townhome (2157 15<sup>th</sup> Street) would consist of a three-bedroom and a four-bedroom unit and include two parking spaces (3,300 sf) accessed from a 10-foot-wide curbcut on 15<sup>th</sup> Street.

The third component is the remodel of the existing 2153 15<sup>th</sup> Street three-unit (one 1-bedroom, one 2-bedroom, and one 4-bedroom) residential building. The 2153 15<sup>th</sup> Street building includes two existing parking spaces to remain. The 2238-2254 Market Street building garage would be accessed under this residential building off of 15<sup>th</sup> Street. In total, the project would include up to 45 new dwelling units (52,000 sf of new residential space), the remodel of an existing three-unit residential building (2153 15<sup>th</sup> Street), approximately 5,200 sf of retail space, up to 25 vehicle parking spaces, 60 Class I bicycle spaces and six Class II bicycle parking spaces.

The proposed project would include a mix of private and common useable open space. Common open space would be provided on the Fifth floor deck, and private decks on most floors on the 2240 Market Street building. The new 15<sup>th</sup> Street townhome would include a rooftop terrace for the upper dwelling unit and a rear yard for the lower unit. The proposed project would include new streetscape features within the sidewalk areas along Market Street and 15<sup>th</sup> Street, would remove the two Market Street curb cuts and would include six Class II bicycle spaces on Market Street.

Project construction is estimated to occur over 18 months. The proposed project would entail up to approximately 5,000 cubic yards of soil excavation and removal. Project excavation would occur up to a depth of 12 feet. Pile-driving techniques would not be utilized to construct the proposed project.

## PROJECT APPROVAL

The proposed project requires **Conditional Use Authorization** to develop a lot greater than 9,999 sf under Section 733.11 of the Planning Code, for the individual retail uses being greater than 2,999 sf under Section 733.21 of the Planning Code, and for a Planned Unit Development (PUD) under Section 304 of the Planning Code. **The approval of the Conditional Use Authorization by the Planning Commission is the Approval Action for the project.** The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

The proposed project also would require a PUD rear yard exception as permitted under Planning Code Section 134 (e), dwelling unit exposure exceptions under Section 140, and an exception to the bay window

separation requirement under Section 136 (c)(2)(G) along Market Street. The project would require demolition, grading and building permits from the Department of Building Inspection (DBI); approval of the white passenger zone on Market Street (San Francisco Municipal Transportation Agency, SFMTA); street and sidewalk permits for the proposed modifications to public streets and sidewalks and the approval of the condominium map from San Francisco Public Works (SFPW); and approval of any changes to sewer laterals, the erosion and sedimentation control plan and compliance with post-construction stormwater design guidelines from San Francisco Public Utilities Commission (SFPUC).

## COMMUNITY PLAN EXEMPTION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 2238-2254 Market Street project described above, and incorporates by reference information contained in the Programmatic Environmental Impact Report for the Market and Octavia Area Plan (Market and Octavia PEIR).<sup>1</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Market and Octavia PEIR.

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR for the Market and Octavia Area Plan by Motion 17406.<sup>2</sup> The certification of the PEIR was upheld on appeal to the Board of Supervisors at a public hearing on June 19, 2007. The PEIR analyzed amendments to the Planning Code, Zoning Maps, and the San Francisco General Plan to implement the Market and Octavia Area Plan. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Area Plan.

Subsequent to the certification of the PEIR, on May 30, 2008, the Board of Supervisors approved, and the Mayor signed into law, amendments to the Planning Code, Zoning Maps, and General Plan. The legislation created several new zoning controls which allow for flexible types of new housing to meet a

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<sup>1</sup> San Francisco Planning Department. *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, State Clearinghouse No. 2004012118, certified April 5, 2007. Available at [www.sf-planning.org/index.aspx?page=1714](http://www.sf-planning.org/index.aspx?page=1714), accessed on December 4, 2015. This document (and all other documents cited) is also available for review at 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>2</sup> San Francisco Planning Department. San Francisco Planning Commission Motion 17406, April 5, 2007. Available online at: <http://www.sf-planning.org/index.aspx?page=1714>, accessed December 3, 2014.

broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable “whole” neighborhoods meeting everyday needs.

As a result of the Market and Octavia rezoning process, the project site has been rezoned from a general NCT (Neighborhood Commercial Transit) District to a distinct neighborhood NCT district, namely the Upper Market NCT District. The NCT District is intended to encourage mixed-use development of moderate scale concentrated near transit services, maximizing residential uses with buildings while keeping with the established character of the area. The rear portion of the project site is located within the Residential – House, Two Family (RH-2) zoning district which is characterized by 1- to 3-story residential buildings with single and multi-family units (up to five units per dwelling in the immediate area). The project site spans two height and bulk districts (40-X and 50-X) allowing building heights along Market Street in this location to reach 50 feet and along 15<sup>th</sup> Street up to 40 feet in height. Additionally, the 50-X zoning district allows for an increase in overall height by 5 feet when increasing the ground floor commercial height by an equivalent amount pursuant to Section 263.20.

Individual projects that could occur in the future under the Market and Octavia Plan will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 2238-2254 Market Street is consistent with and was encompassed within the analysis in the Market and Octavia PEIR. This determination also finds that the Market and Octavia PEIR adequately anticipated and described the impacts of the proposed 2238-2254 Market Street project, and identified the mitigation measures applicable to the 2238-2254 Market Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>3,4</sup> Therefore, no further CEQA evaluation for the 2238-2254 Market Street project is required. In sum, the Market and Octavia PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located on a triangular block bordered by Market Street to the south, 15<sup>th</sup> Street to the north and Noe Street to the west. The project site is located in the Castro/Upper Market neighborhood, adjacent to the Mission and Western Addition neighborhoods further to the east. The project area along Market Street is characterized by neighborhood-serving commercial land uses in mixed-used developments such as retail, restaurants, bars, personal services and some office uses with residential use in two- to five-story buildings along Market Street and directly adjacent side streets. Buildings immediately adjacent on Market Street include a 3-story mixed-use (residential and personal service) to the west and 3-story motor lodge to the east. Along 15<sup>th</sup> Street, the neighborhood is characterized by single-family and multi-family residential buildings from 1- to 3-stories. Immediately adjacent to the project site to the east is the back of the 3-story motor lodge (2-stories over an at-grade parking area). Parcels surrounding the project site are within Upper Market NCT, RH-2, and RM-2 (Residential – Mixed,

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<sup>3</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 2238-2254 Market Street, November 9, 2015.

<sup>4</sup> Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2232-2254 Market Street, January 22, 2016. .

Moderate Density) Districts and a mixture of 40-X, 50-X, 60-X and 65-X Height and Bulk districts, with existing buildings ranging from one to five stories.

The closest Bay Area Rapid Transit District (BART) stop is at 16th and Mission Streets, approximately 0.8 miles east of the site; and the closest San Francisco Municipal Railway (Muni) Metro stop is at Castro Street Station (at Castro and Market Streets), approximately 0.3 miles west of the site. The project site is within a quarter mile of several local transit lines, including Muni Metro lines J Church, K Ingleside, L Taraval, M Ocean View, N Judah, and T Third Street; as well as Muni bus lines 37 Corbett, 22 Fillmore, 33 Ashbury/18th, and 24 Divisadero.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Market and Octavia PEIR included analyses of environmental issues including: plans and policies; land use and zoning; population, housing, and employment; urban design and visual quality; shadow and wind; cultural (historic and archaeological) resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; biology; and growth inducement. The proposed 2238-2254 Market Street Project is in conformance with the height, use and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the Market and Octavia plan area. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

Significant and unavoidable impacts were identified in the Market and Octavia PEIR 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 not contribute to the significant unavoidable transportation impacts as traffic and transit ridership generated by the project would not considerably contribute to the traffic and transit impacts identified in the Market and Octavia PEIR. A preliminary shadow analysis of the project building indicated the potential for new shadow on the Noe-Beaver Mini Park, a Section 295 open space, but did not identify potential shading of other public parks. A more detailed analysis indicated that intervening buildings already cast shadows on this Section 295 open space and the proposed project would not result in any new shading at Noe-Beaver Mini Park.<sup>5</sup>

The Market and Octavia PEIR identified feasible mitigation measures to address significant impacts related to shadow, wind, archeology, transportation, air quality, hazardous materials, and geology. Table 1 below lists the mitigation measures identified in the Market and Octavia PEIR and states whether each measure would apply to the proposed project.

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<sup>5</sup> San Francisco Planning Department. Shadow Study - Determination of No Impact, July 2015. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.1510E.

Table 1 – Market and Octavia PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
<b>A. Shadow</b>		
A1. Parks and Open Space not Subject to Section 295	Applicable: the proposed building exceeds 50 feet in height.	Mitigation measure complete. The shadow analysis indicates that the proposed 55-foot tall building would not result in net new shadow impacts on public parks and open spaces.
<b>B. Wind</b>		
B1: Buildings in Excess of 85 feet in Height: Minimize adverse wind impacts	Not Applicable: proposed building height would not exceed 85 feet. No mitigation is required.	
B2: All New Construction: Reduction of ground-level wind for all new construction	Applicable: proposed project is 33 to 55 feet in height; consistent with surrounding building heights and zoning.	Mitigation Measure complete. The environmental analysis determined that the proposed project would not have the potential to result in significant wind impacts.
<b>C. Archaeological</b>		
C1: Soil Disturbing Activities in Archaeologically Documented Properties	Not Applicable: project site is not an archaeologically documented property.	
C2: General Soil Disturbing Activities	Applicable.	Project would involve soil disturbing activities greater than four feet, and following City review would be subject to the Planning Department's first standard archeological mitigation measure (accidental discovery). See Project Mitigation Measure 1.
C3: Soil Disturbing Activities in Public Street and Open Space Improvements	Not Applicable: project site would not include soil disturbing activities in the street or in open spaces.	
C4: Soil Disturbing Activities in the Mission Dolores Archaeological District	Not Applicable: project site is not located within the Mission Dolores Archaeological	

**Table 1 – Market and Octavia PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
	District.	
<b>D. Transportation</b>		
D1. Traffic Mitigation Measure for Hayes and Gough Streets Intersection (LOS C to LOS F PM peak hour)	Not Applicable: mitigation found to be infeasible by Planning Commission.	
D2. Traffic Mitigation Measure for Hayes and Franklin Streets Intersection (Los D to LOS F PM peak hour)	Not Applicable: mitigation found to be infeasible by Planning Commission.	
D3: Traffic Mitigation Measure for Laguna/Market/ Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour)	Not Applicable: plan level mitigation to be implemented by SFMTA and SFPW.	
D4: Traffic Mitigation Measure for Market/Sanchez/Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour)	Not Applicable: plan level mitigation to be implemented by SFMTA and SFPW.	
D5: Traffic Mitigation Measure for Market/Church/ Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)	Not Applicable: plan level mitigation to be implemented by SFMTA and SFPW.	
D6: Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Intersection (LOS F to LOS F with increased delay PM peak-hour)	Not Applicable: plan level mitigation to be implemented by SFMTA and SFPW.	
D7. Traffic Mitigation Measure for Hayes Street/Van Ness Avenue Intersection (LOS F to LOS F with increased delay PM peak hour)	Not Applicable: mitigation found to be infeasible by Planning Commission.	
D8. Transit Mitigation Measure for degradation to transit service as a result of increase in delays at Hayes Street intersections at Van Ness Avenue (LOS F to LOS F with increased delays); Franklin Street (LOS D to LOS F); and Gough Street	Not Applicable: mitigation found to be infeasible by Planning Commission.	

Table 1 – Market and Octavia PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
(LOS C to LOS F) PM peak hour		
<b>E. Air Quality</b>		
E1: Construction Mitigation Measure for Particulate Emissions	Not Applicable: Project would comply with the San Francisco Dust Control Ordinance.	
E2: Construction Mitigation Measure for Short-Term Exhaust Emissions	Not Applicable: Project does not result in significant construction-related Criteria Pollutant emissions or Health Risk impacts.	
<b>F. Hazardous Materials</b>		
F1: Program or Project Level Mitigation Measures	Not Applicable: Project would comply with the San Francisco Dust Control Ordinance.	
<b>G. Geology, Soils, and Seismicity</b>		
G1: Construction Related Soils Mitigation Measure: Best Management Practices (BMP) erosion control measures	Not Applicable. Mitigation Measure is superseded by SFPUC Construction Site Runoff Ordinance (Public Works Code, Ordinance 260-13).	

Please see the attached Mitigation and Improvement Measure Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures, the proposed project would not result in significant impacts beyond those analyzed in the Market and Octavia PEIR. In addition to the Mitigation Measure identified in Table 1, above, the Market and Octavia PEIR also identified improvement measures for construction-related transportation impacts found to be less than significant. Project Improvement Measure 2: Limiting the Hours of Construction-Related Truck Traffic and Deliveries and Project Improvement Measure 3: Construction Management Plan Additional Measures are therefore recommended for the proposed project. One other project-specific improvement measure was identified (Project Improvement Measure 1: Monitoring and Abatement of Parking Garage Queues) and is recommended to improve project vehicle circulation into the parking garage.

## PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on May 22, 2015 to adjacent owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as



appropriate for CEQA analysis. Neighborhood concerns included the proposed height of the building and related impacts to views, shadows, and light exposure; project-generated traffic and parking, particularly on 15<sup>th</sup> Street; construction-related effects of the project including construction traffic, vermin, parking, staging, particularly on 15<sup>th</sup> Street and cumulative construction effects considering two other projects in the area. These concerns, as they related to the CEQA analysis, are addressed in the Land Use, Shadow, and Transportation and Circulation section of the CPE checklist. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Market Octavia PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Checklist<sup>6</sup>:

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

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

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<sup>6</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014.1510E.



# SAN FRANCISCO PLANNING DEPARTMENT

## Community Plan Exemption Checklist

*Case No.:* 2014.1510E  
*Project Address:* **2238-2254 Market Street & 2153-2157 15<sup>th</sup> Street**  
*Zoning:* Upper Market Neighborhood Commercial Transit (NCT) & Residential –  
House, Two Family (RH-2) Zoning Districts  
40-X & 50-X Height and Bulk District  
*Block/Lot:* 3560/005 – 008; 3560/025 & 026  
*Lot Size:* 22,748 square feet (0.52 acre)  
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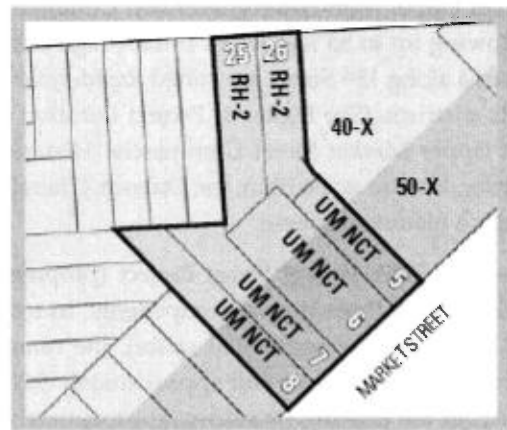
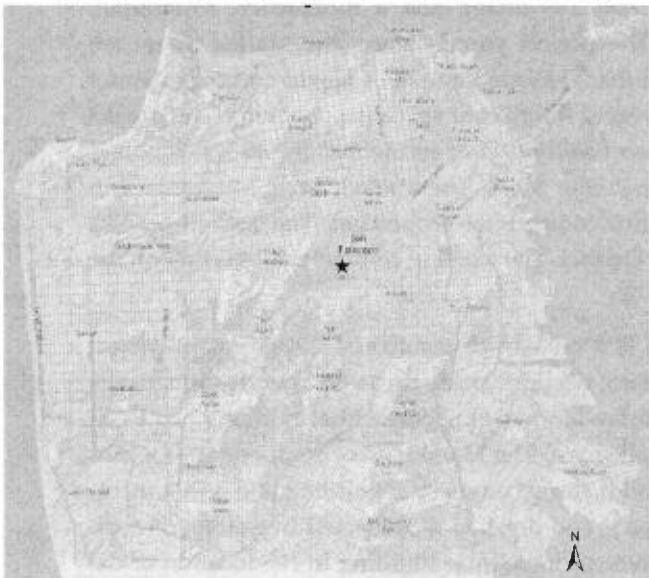
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### PROJECT DESCRIPTION

The project site is located within the Market and Octavia Plan Area and includes six parcels in the Castro/Upper Market neighborhood that front either Market Street or 15<sup>th</sup> Street. The 22,748-square foot (sf) project site is located on the north side of Market Street on a triangular block bounded by Market Street to the south, 15<sup>th</sup> Street to the north, and Noe Street to the west. The site has frontage and existing vehicle access from both Market Street and 15<sup>th</sup> Street. The existing parcels are currently occupied by a two-story approximately 9,400 square foot (sf) funeral home with adjacent 12,000 sf 35-space surface parking lot that is accessed from both Market Street and 15<sup>th</sup> Street, and a three-story, 35-foot-tall, approximately 5,000 square foot residential building. The project parcels along the Market Street are zoned Upper Market Neighborhood Commercial Transit (NCT) District and 50-X height and bulk district (allowing up to 55 feet when 15-foot-high ceilings for ground floor retail space is proposed). The project parcels along 15<sup>th</sup> Street are zoned Residential-House, Two-Family (RH-2) and within the 40-X height and bulk districts. (See Figure 1: Project Location and Figure 2: Site Map). The Market Street lots are within the Upper Market Street Commercial Historic District (for commercial properties). The 15<sup>th</sup> Street lots border, but are not within, the Duboce Triangle Historic District. The existing commercial building on the site is a historic resource.

The 2238-2254 Market Street Project (proposed project) is a mixed-use residential development project consisting of three project components. In total, the project would include up to 45 new dwelling units (52,000 sf of new residential space), the remodel of a three-unit existing residential building, up to 24 vehicle parking spaces and approximately 5,200 sf of retail space. The Market Street component proposes to retain the existing two-story, approximately 33-foot-tall historic commercial building and add a three-story vertical addition of residential dwelling units above it and develop a connected five-story, 55-foot-tall (up to 65-feet including the proposed elevator penthouse) mixed-use building in the location of the existing adjacent surface parking lot to the east. In total, the 2238-2254 Market Street building would include approximately 40,000 sf of residential use with 43 dwelling units (22 studio or one-bedroom units and 21 two- and three-bedroom units) and approximately 5,200 sf of retail use. (See Figure 3 through Figure 7: Market Street Building Plans and Elevations).



Source: Google Maps, SF Planning Department GIS and BAR Architects

Figure 1: Project Location

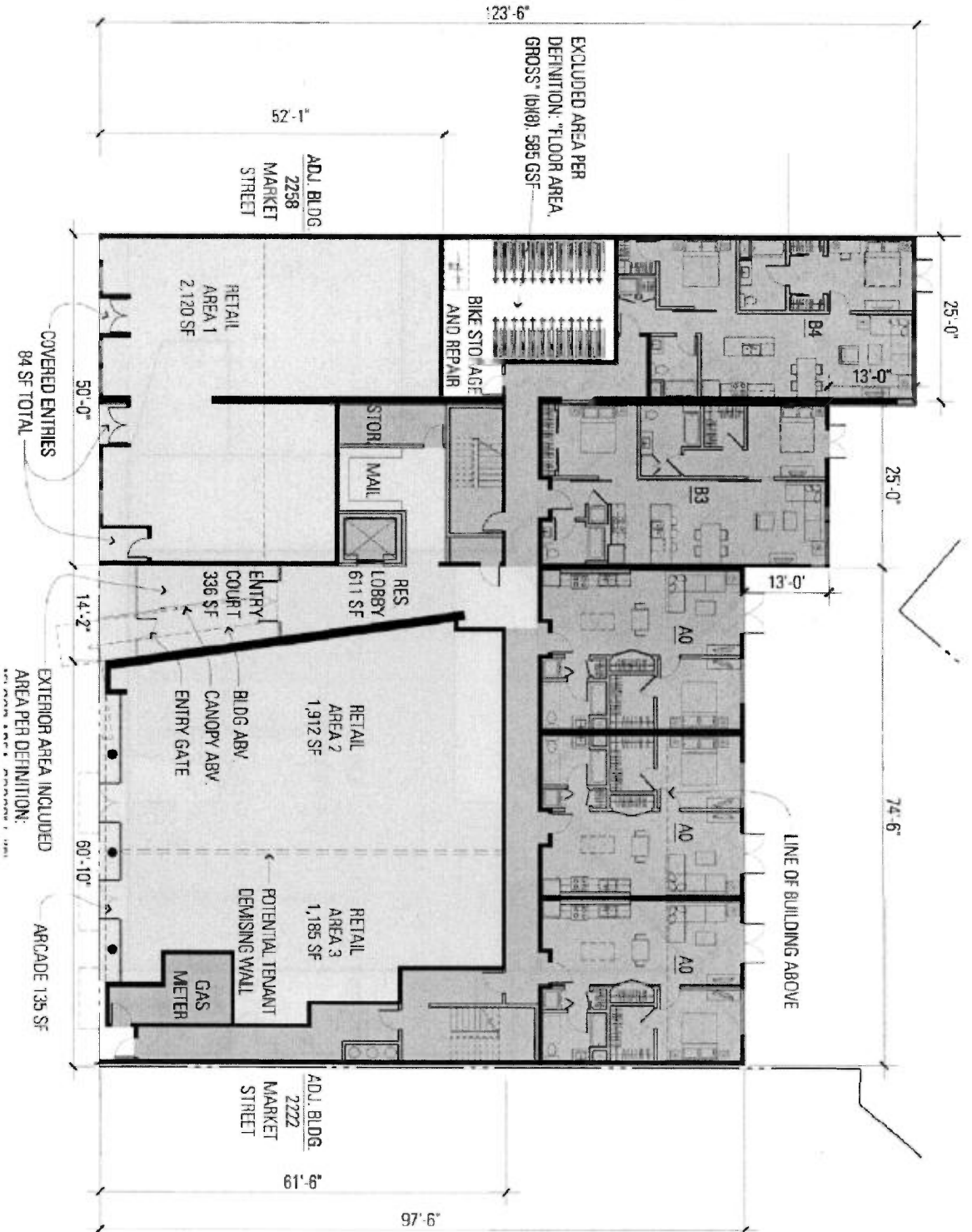


Figure 3 - 2240 Market Street Building Ground Floor Plan

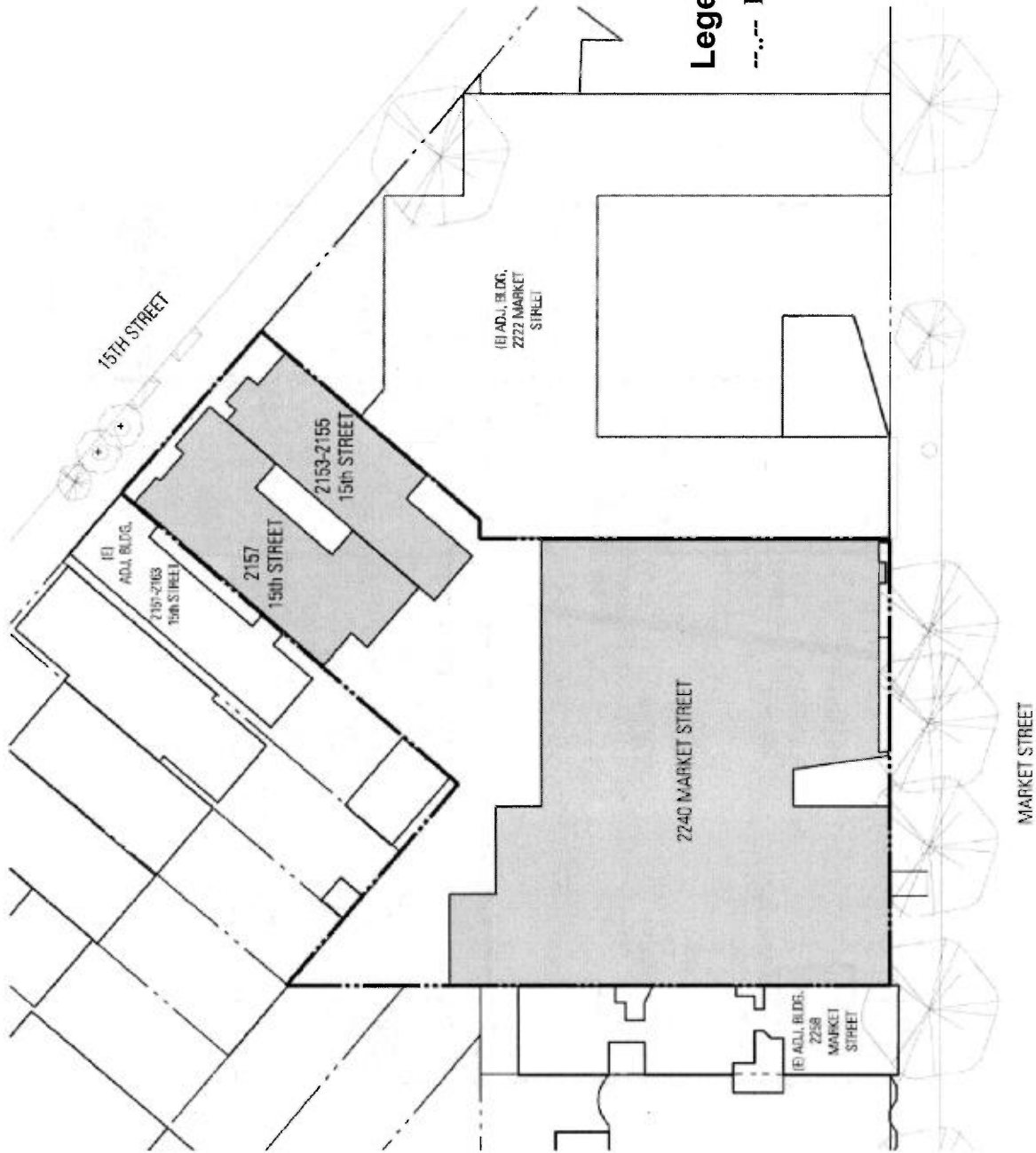


Figure 2 - Project Site Plan

Source: BAR Architects

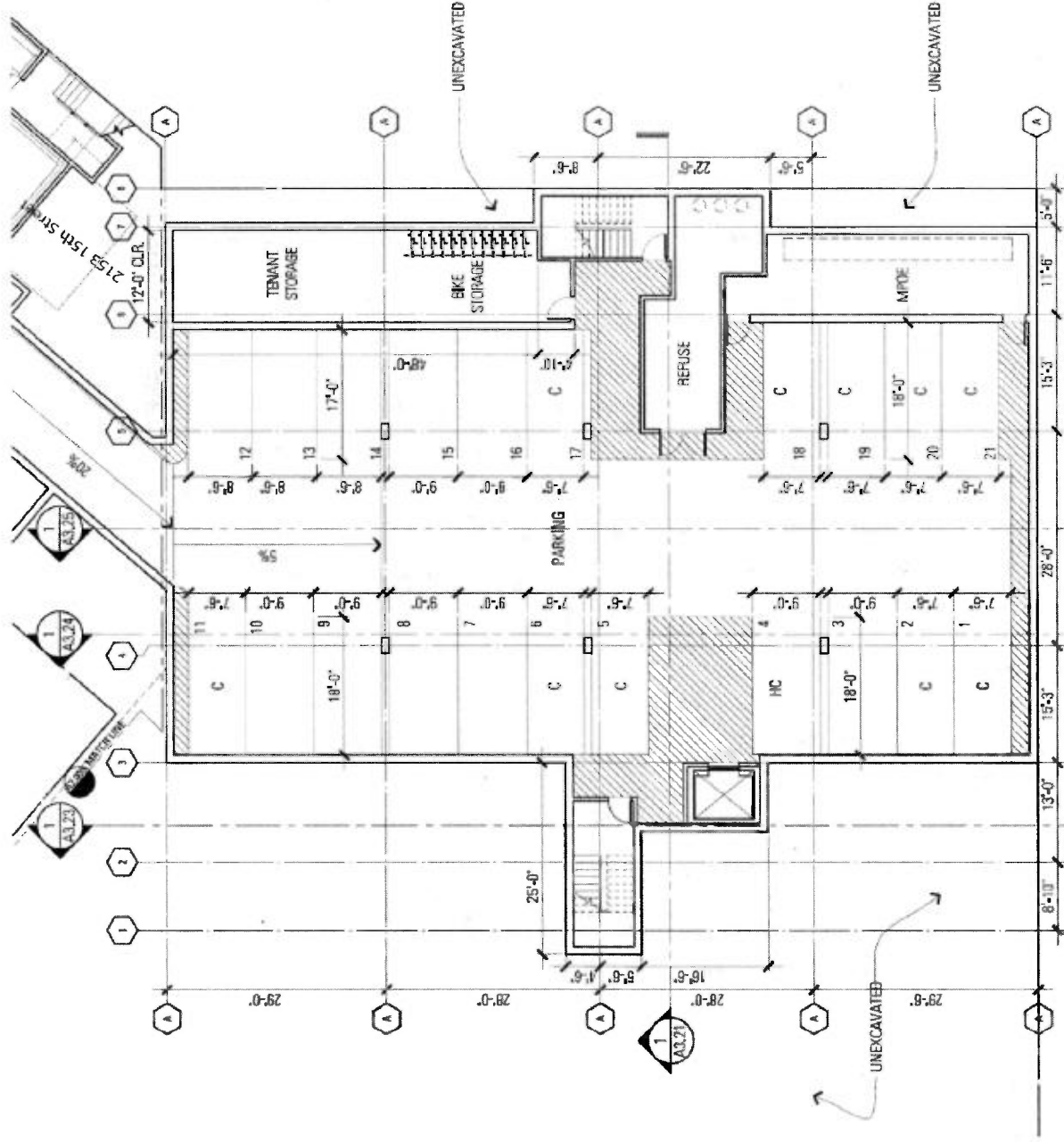


Figure 4 - 2238-2254 Market Street Building Basement Parking Level

Source: BAR Architects

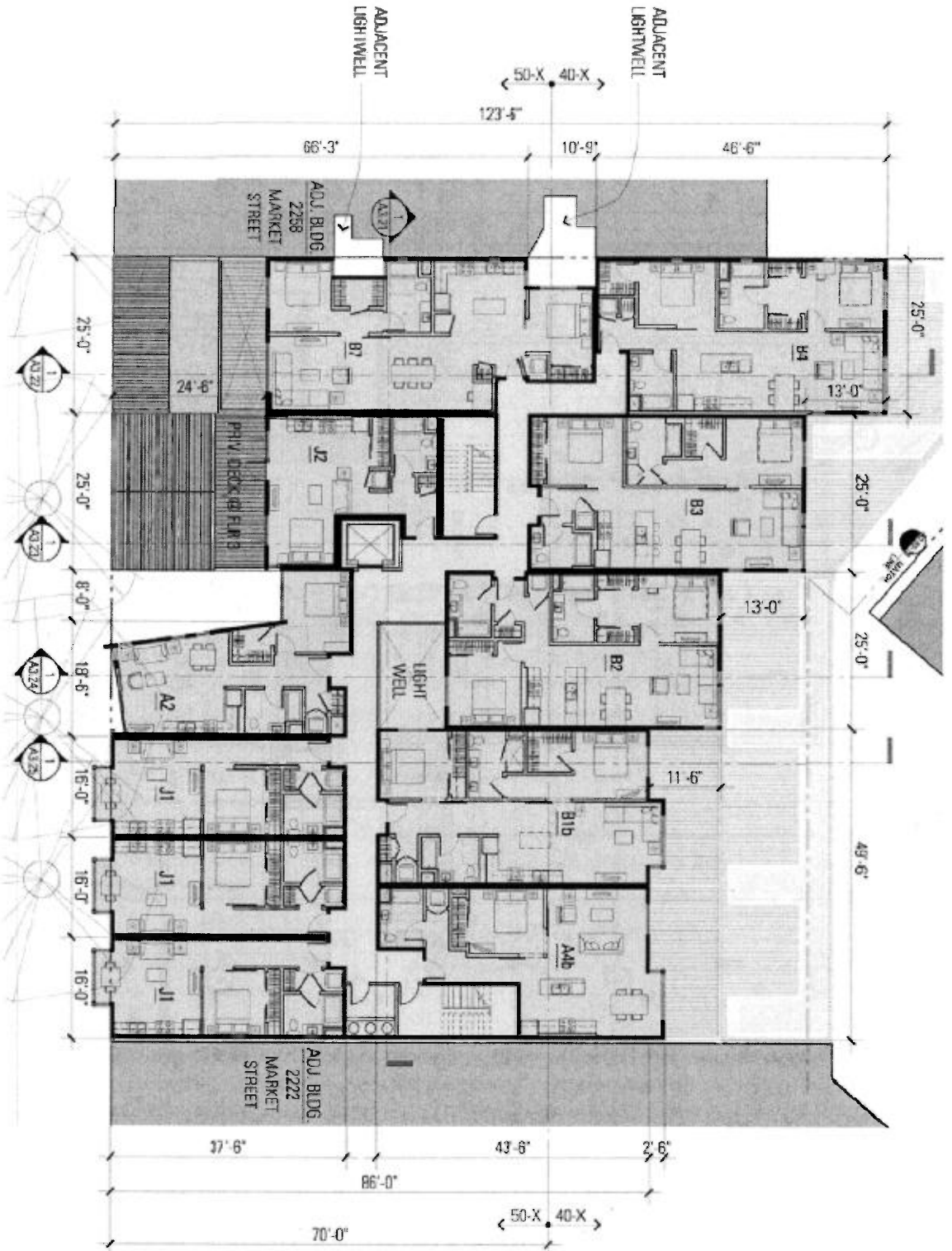


Figure 5 - 2240 Market Street Building Third and Fourth Floor

Source: BAR Architects

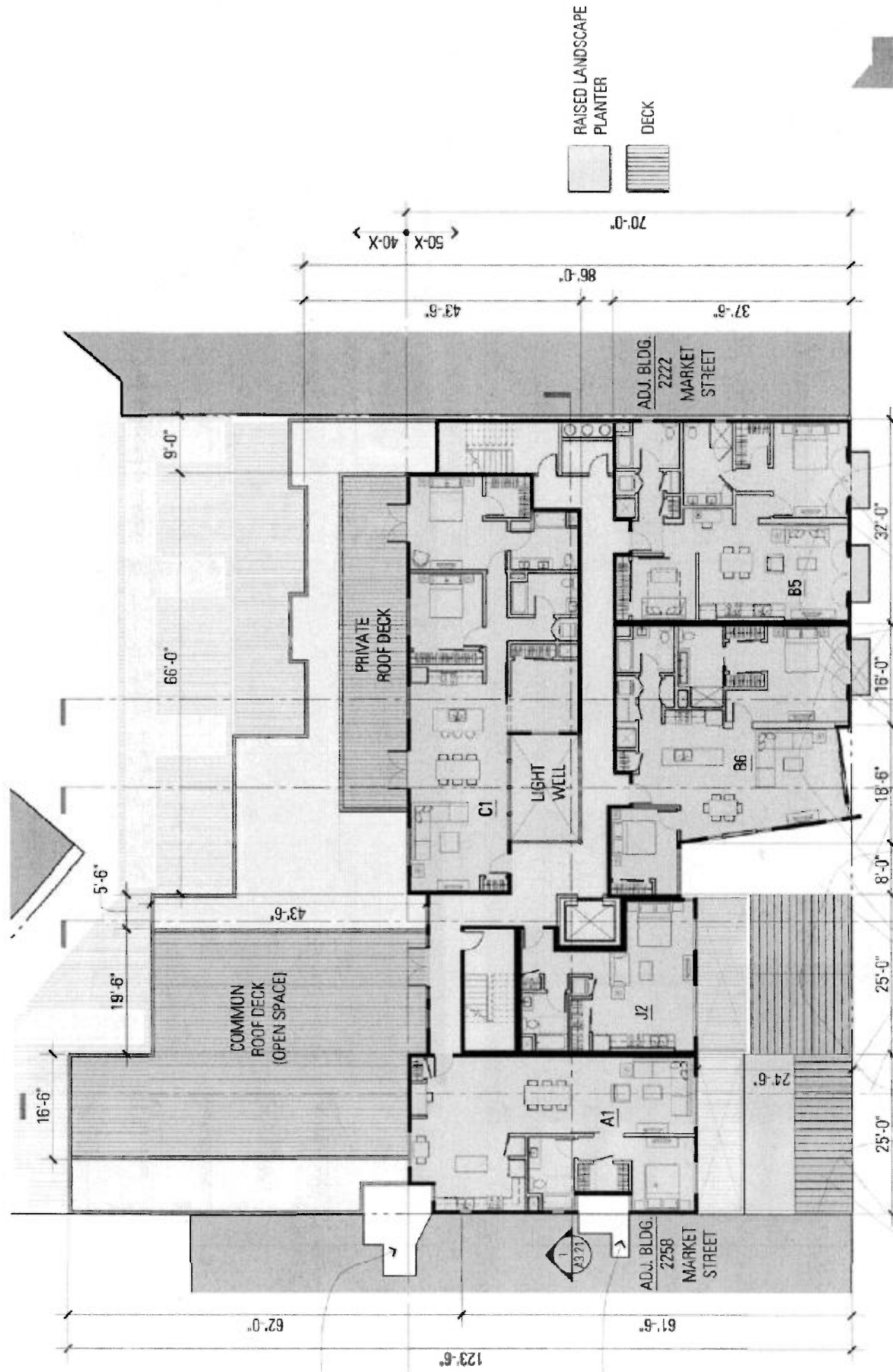


Figure 6 - 2240 Market Street Building Fifth Floor Plan

Source: BAR Architects



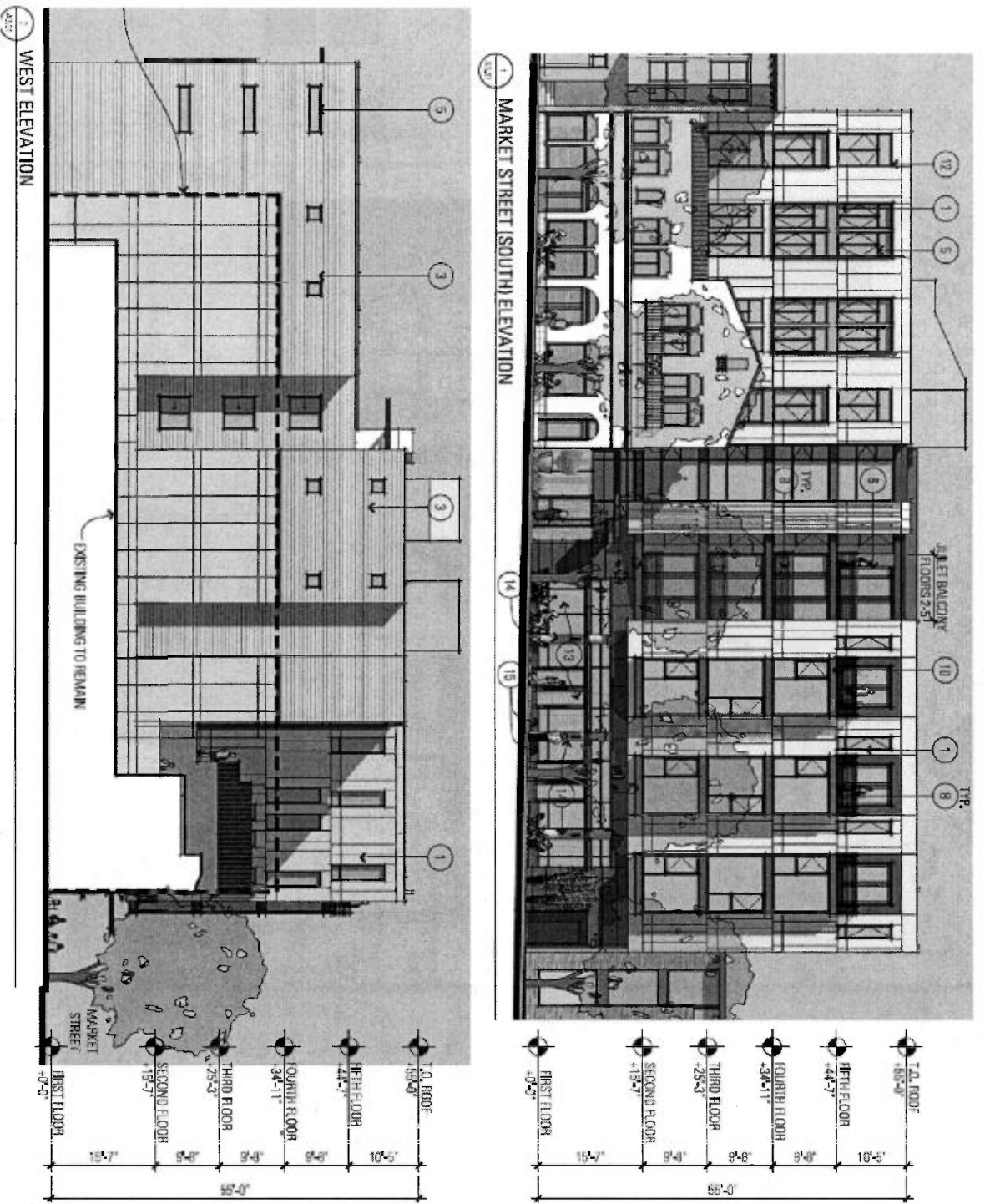


Figure 7 - Market Street Building South and West Elevations

Source: BAR Architects

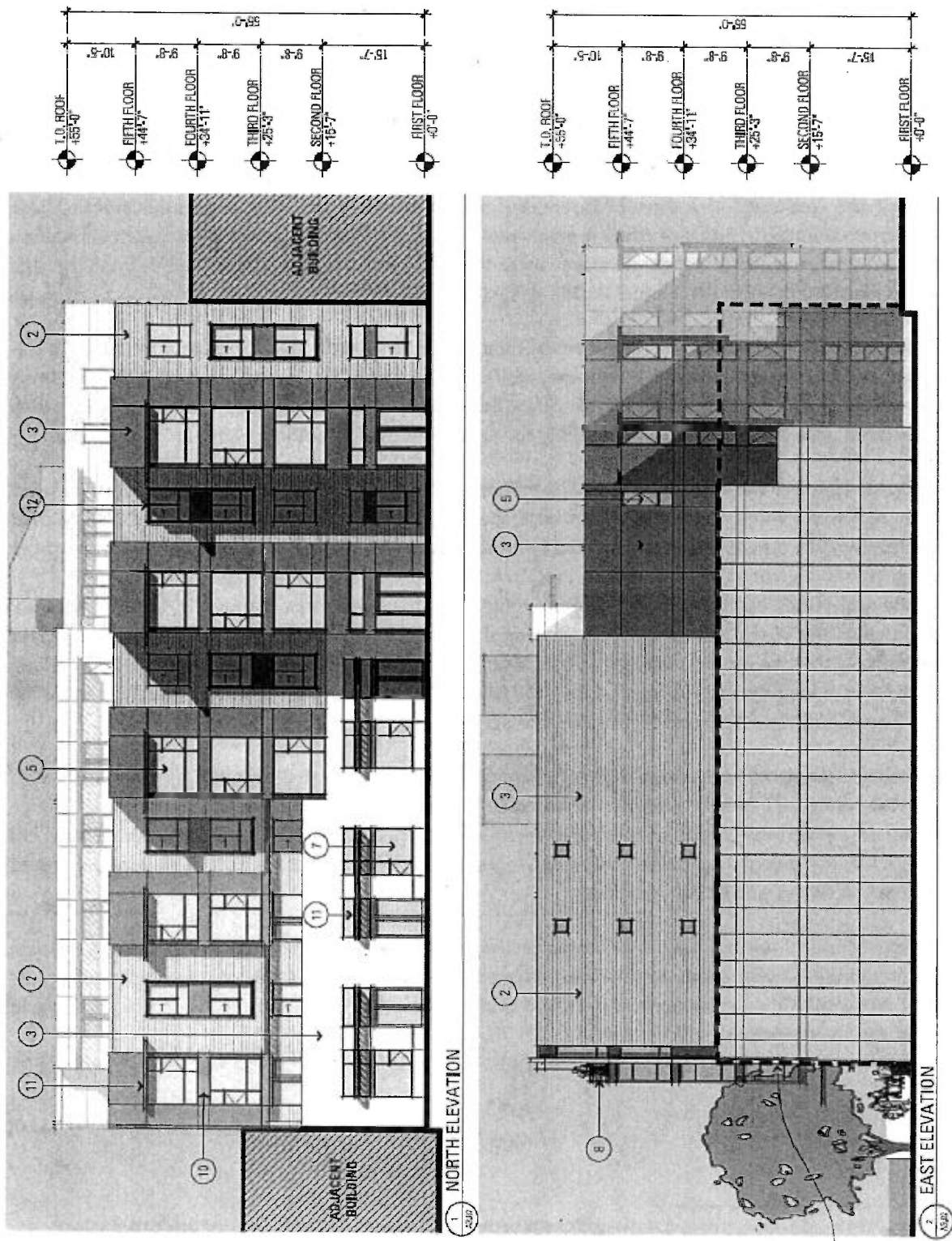


Figure 8 - Market Street Building North and East Elevations

Source: BAR Architects

The approximately 61,700 gsf Market Street building (including the existing building) would include 22 of the project's possible total of 24 vehicle parking spaces in an underground, approximately 8,600 sf parking garage, 60 bicycle parking spaces, and 7,900 sf of residential amenity area, utility areas, and circulation. Vehicular access to the parking garage would occur under the residential building off 15<sup>th</sup> Street.

The second component of the project would be a new three-story, 40-foot-tall, two-unit, approximately 9,600-sf 15<sup>th</sup> Street townhome building (2157 15<sup>th</sup> Street) located off of 15<sup>th</sup> Street on the existing surface parking lot accessed from 15<sup>th</sup> Street. The 15<sup>th</sup> Street townhome would include approximately 6,300 sf of residential use consisting of a three-bedroom and a four-bedroom unit. The residential building also includes approximately 3,300 sf of parking area, consisting of two parking spaces with shared circulation area accessed from the same 15<sup>th</sup> Street driveway as the 2240 Market Street garage. (See Figure 8 through Figure 10 and 12: 15<sup>th</sup> Street Residential Building Plans and Elevations).

The third component of the project would be the remodel of the existing 2153 15<sup>th</sup> Street three-unit (one 1-bedroom, one 2-bedroom, and one 4-bedroom) residential building. The existing units at 2153 15<sup>th</sup> Street would remain rent-controlled. The 2153 15<sup>th</sup> Street building includes two existing parking spaces, which would remain. (See Figure 8 through Figure 11: 15<sup>th</sup> Street Residential Building Plans and Elevations).

The proposed project would include a mix of private and common useable open space. Common open space would be provided on the Fifth floor deck, and private decks on most floors on the 2240 Market Street building. The new 15<sup>th</sup> Street residential building would also include a rooftop terrace for the upper dwelling unit and a rear yard for the lower unit. In total the project would include approximately 7,300 sf of private and public open space. The project would add new streetscape features within the sidewalk areas along Market Street and 15<sup>th</sup> Street, including six public Class II bicycle parking spaces. The project would remove the two existing curb cuts along Market Street and request an approximate 20-foot-long white passenger loading zone in front of the 2240 Market Street residential building. (See Figure 5: 2240 Market Street Fifth Floor Plan and Figure 12: Streetscape Plans).

The existing three street trees along Market Street adjacent to the project site would remain and the two street trees along 15<sup>th</sup> Street would be replaced and located east and west of the proposed garage driveway on 15<sup>th</sup> Street. Outside of the replacement street trees along 15<sup>th</sup> Street, no new street trees are proposed. On the project site, sixteen other trees, located along the edges of the surface parking lot would be removed as part of project construction.<sup>1</sup>

The proposed mixed-use building is seeking a Leadership in Energy Efficient Design (LEED®) for Home Platinum rating.<sup>2</sup> Development at this location would receive a walk score of 99, which reflects its location along the City's most traveled transit corridor. The project includes on-site bicycle parking in excess of City requirements.

<sup>1</sup> These sixteen trees proposed for removal are not protected (not considered "Significant Trees" under the Public Works Code) because they are either not located within 10 feet of the public right of way, or if within 10 feet, not of sufficient size or height to be classified as Significant Trees under the Urban Forestry Ordinance.

<sup>2</sup> A green building standard set by the U.S. Green Building Council.

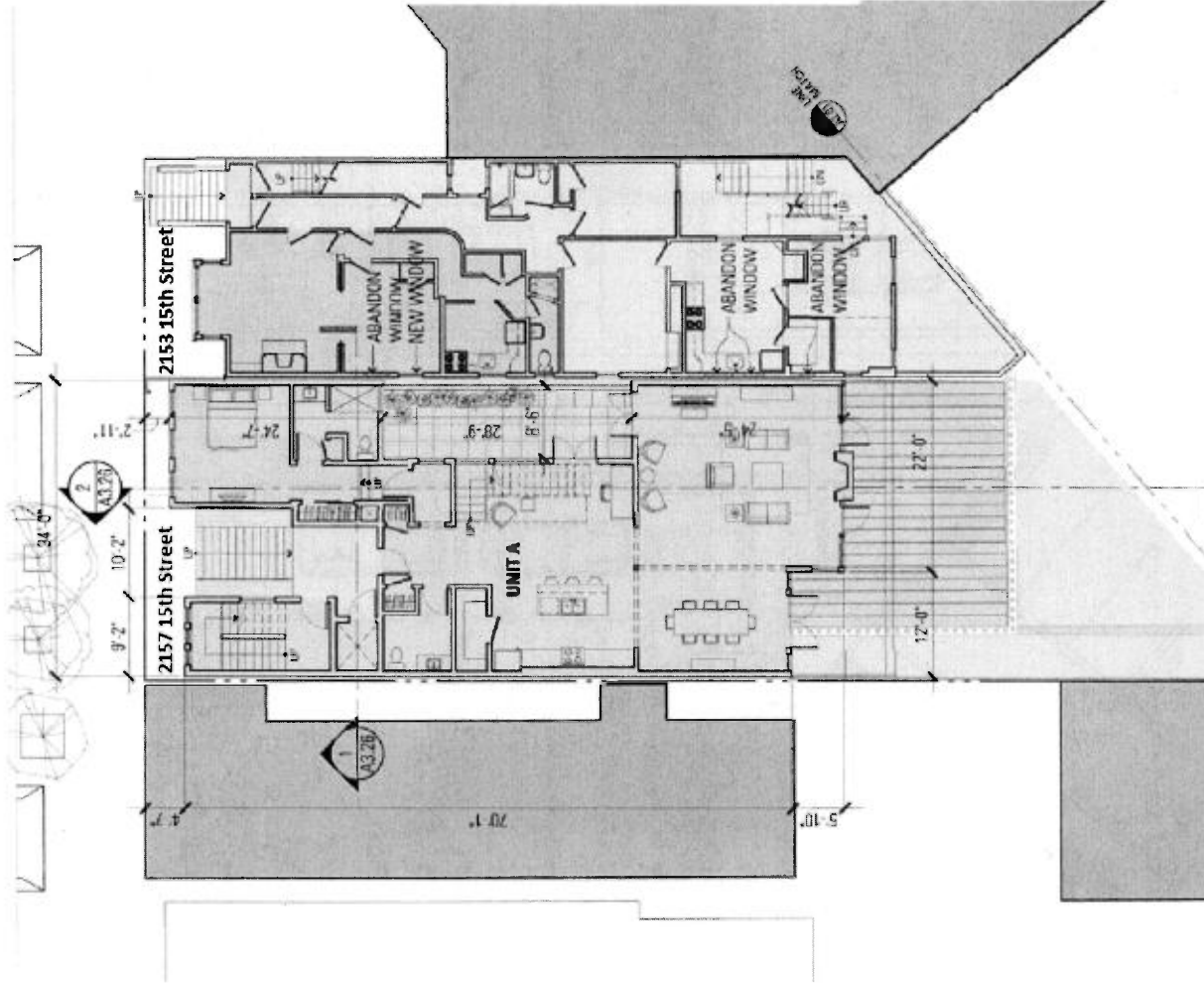


Figure 9 - 2153 and 2157 15th Street - Ground Floor Plans

Source: BAR Architects

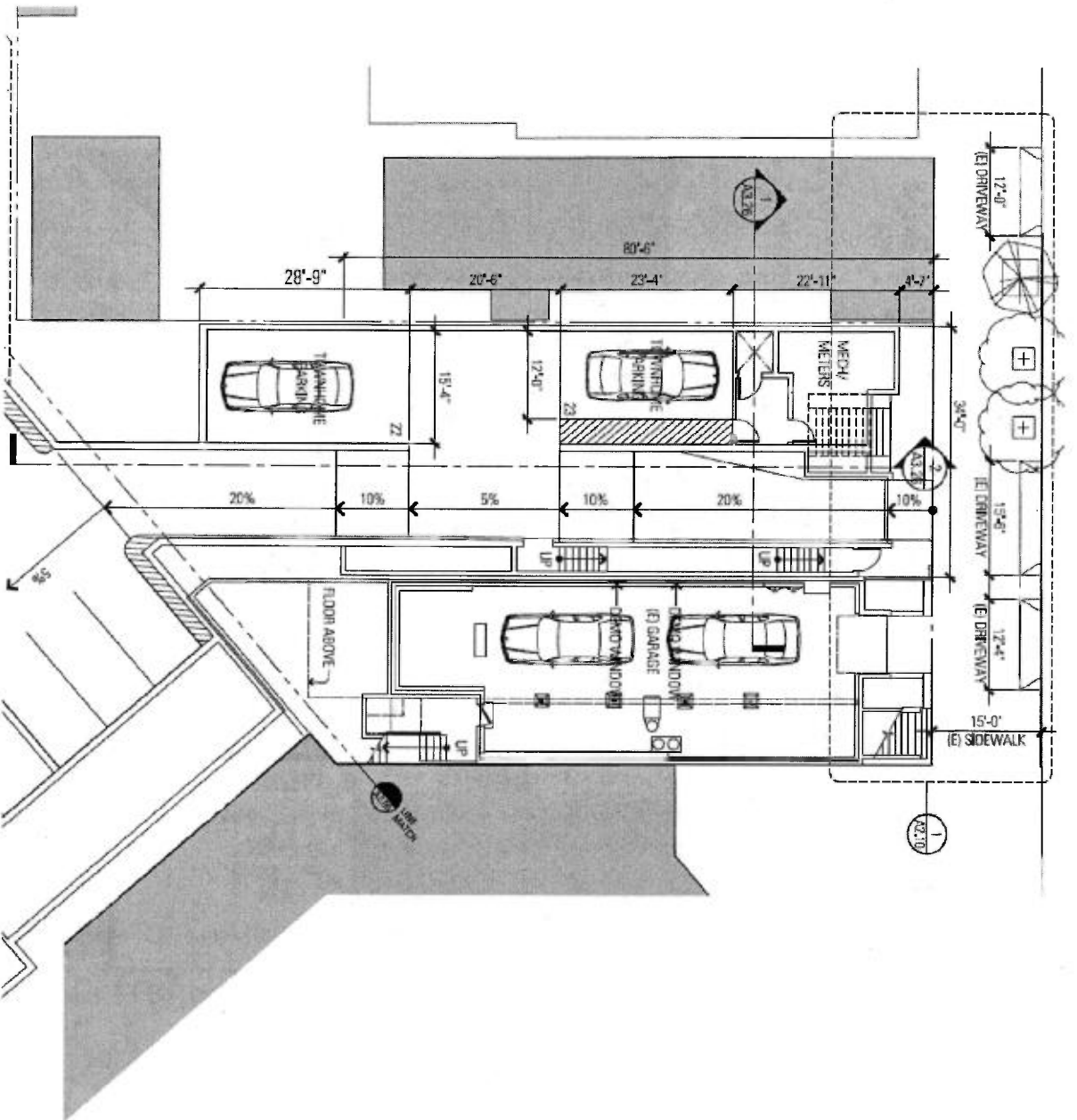


Figure 10 - 2153 and 2157 15th Street Townhomes - Garage Level

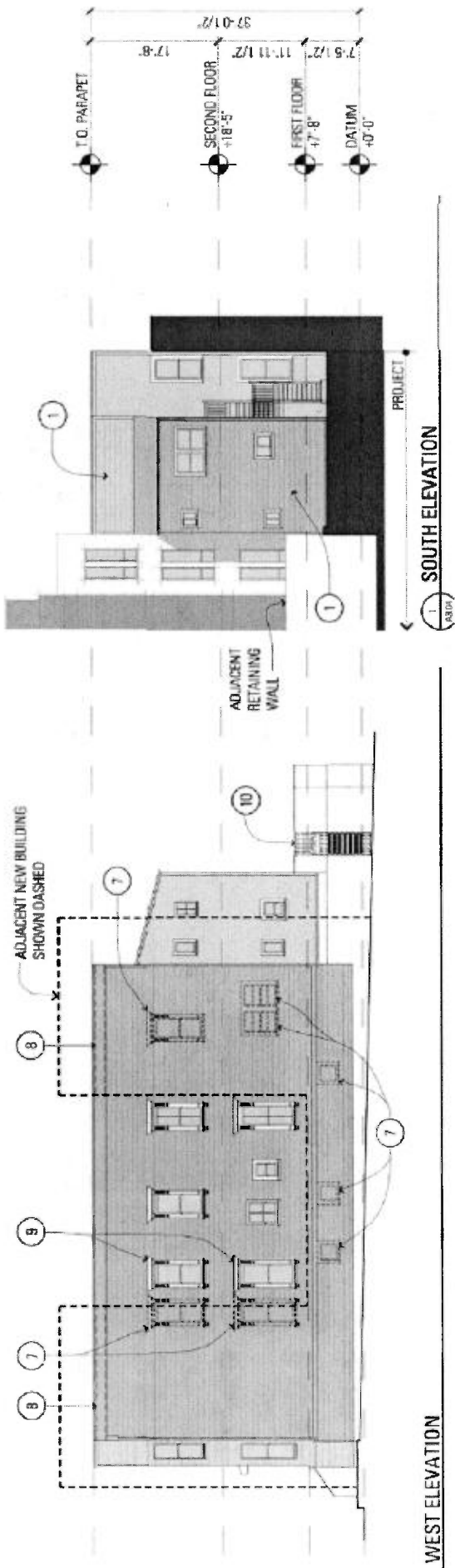
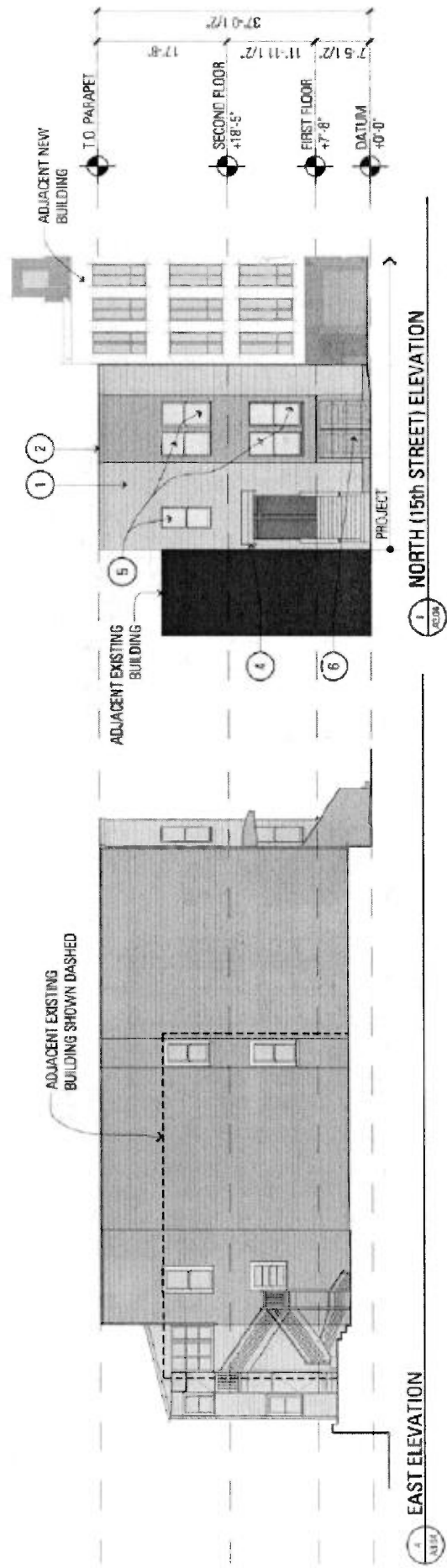


Figure 11 - 2153 15th Street Townhome - Elevations

Source: BAR Architects

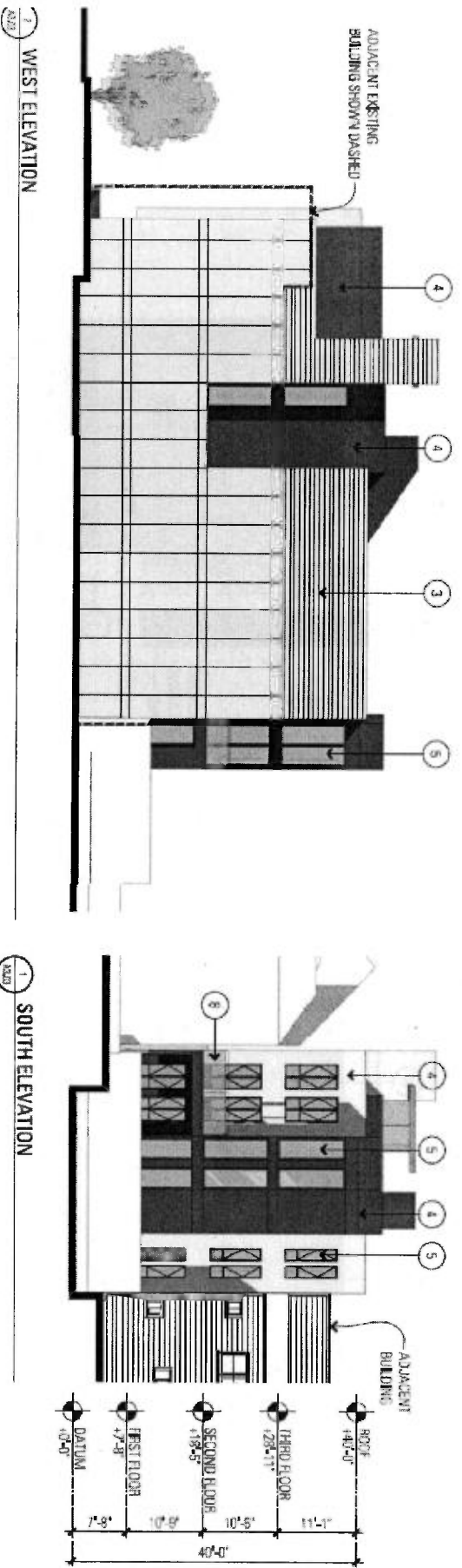
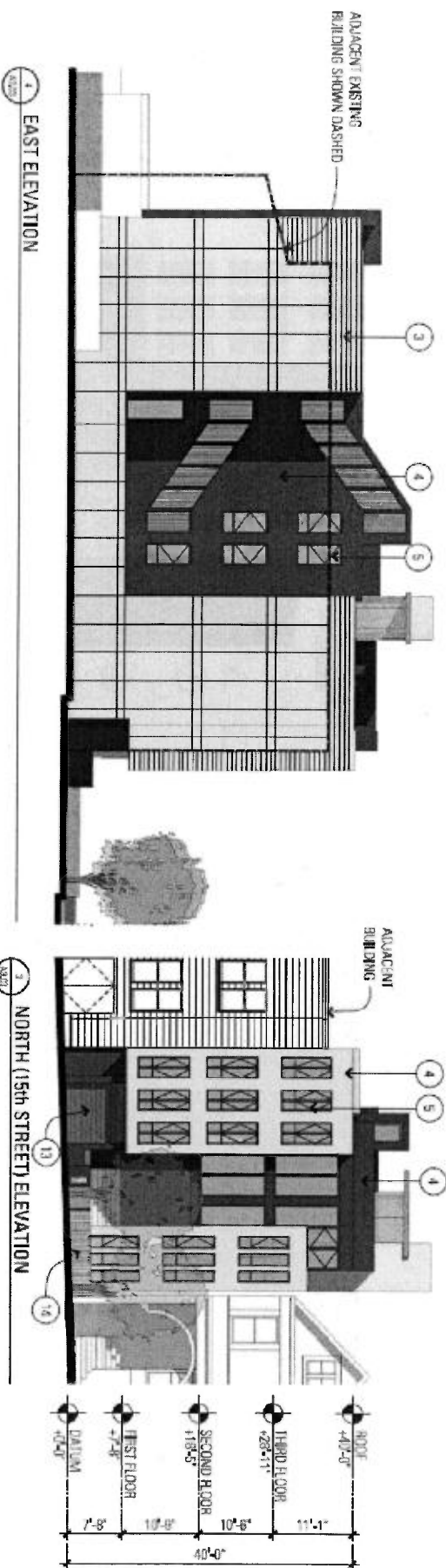


Figure 12 - 2157 15th Street Townhome - Elevations

Community Plan Exemption Checklist

CASE NO. 2014.1510E  
2238-2254 Market Street

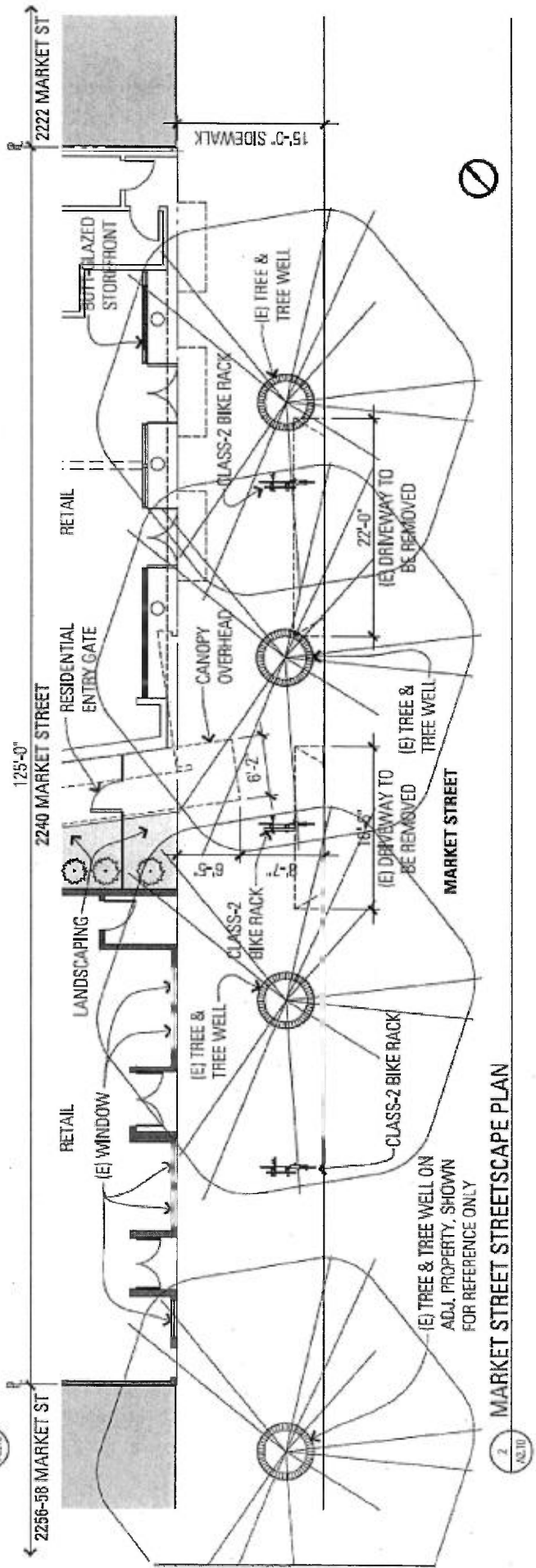
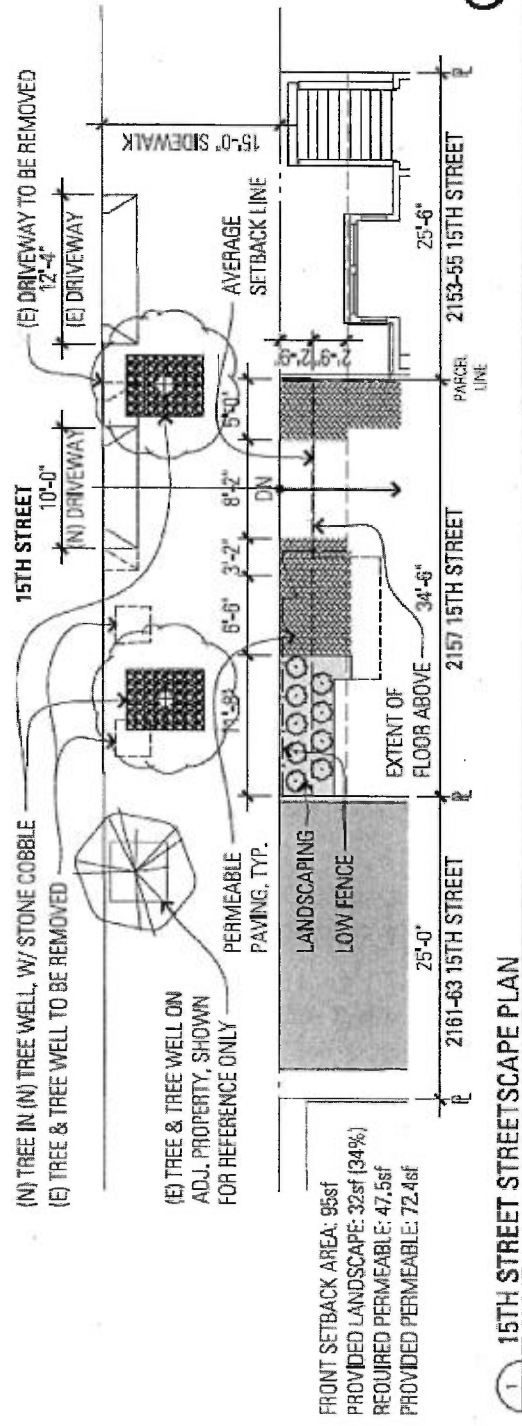


Figure 13 - Market Street and 15th Street - Streetscape Plans

Source: BAR Architects



Additional design elements that would contribute toward the LEED designation would include: solar thermal panels; building daylighting strategies; energy efficient design (including Energy Star appliances); high performance lighting and HVAC equipment (including hydronic hot water heating); sustainable, renewable and locally sourced materials; water saving fixtures and landscape design; on-site stormwater treatment; and low (or no) VOC paints and finishes.

Project construction is anticipated to occur over 18-months. Project staging would occur primarily on-site, with the potential use of the adjacent parking lane on 15th Street. Construction access would be from both Market and 15th Streets. The proposed project construction would entail up to approximately 5,000 cubic yards of soil excavation and removal. Project excavation would occur up to a depth of 12 feet. Pile-driving techniques would not be utilized to construct the proposed project.

The proposed 2238-2254 Market Street project would require the following approvals:

#### **Actions by the Planning Commission**

- A **Conditional Use Authorization** is required for the proposed project to develop a lot greater than 9,999 sf under Planning Code Section 733.11, for the individual retail uses greater than 2,999 sf under Section 733.21, and for a Planned Unit Development under Section 304 of the Planning Code;
  - As part of these approvals, the project will require a rear yard exception as permitted under Planning Code Section 134 (e), dwelling unit exposure exceptions under Section 140, and an exception to the bay window separation requirement under Section 136 (c)(2)(G) along Market Street.

#### **Actions by other City Departments**

- Demolition, grading and building permits from the Department of Building Inspection (DBI);
- Street and sidewalk permits for the proposed modifications to public streets and sidewalks and the approval of the condominium map from San Francisco Public Works (SFPW);
- Approval of the proposed Market Street passenger (white) zone (San Francisco Municipal Transportation Agency (SFMTA)); and
- Approval of any changes to sewer laterals and approval of the erosion and sedimentation control plan and compliance with post-construction stormwater design guidelines from San Francisco Public Utilities Commission (SFPUC).

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

#### **PROJECT SETTING**

The project site is located on a triangular block bordered by Market Street to the south, 15<sup>th</sup> Street to the north and Noe Street to the west. The project site is located in the Castro/Upper Market neighborhood, adjacent to the Mission and Western Addition neighborhoods further to the east. The project area along Market Street is characterized by neighborhood-serving commercial land uses in mixed-used developments such as retail, restaurants, bars, personal services and some office uses with residential use

in two- to five-story buildings along Market Street and directly adjacent side streets. Buildings immediately adjacent on Market Street include a 3-story mixed-use (residential and personal service) to the west and 3-story motor lodge to the east. Along 15<sup>th</sup> Street, the neighborhood is characterized by single-family and multi-family residential buildings from 1- to 3-stories. Immediately adjacent to the project site to the east is the back of the motor lodge (2-stories over an at-grade parking area). Parcels surrounding the project site are within Upper Market NCT, RH-2, and RM-2 (Residential – Mixed, Moderate Density) Districts and a mixture of 40-X, 50-X, 60-X and 65-X Height and Bulk districts, with existing buildings ranging from one to five stories. The Market Street lots are within the Upper Market Street Commercial Historic District (for commercial properties). The 15th Street lots border, but are not within, the Duboce Triangle Historic District.

The closest Bay Area Rapid Transit District (BART) stop is at 16th and Mission Streets, approximately 0.8 miles east of the site; and the closest San Francisco Municipal Railway (Muni) Metro stop is at Castro Street Station (at Castro and Market Streets), approximately 0.3 miles west of the site. The project site is within a quarter mile of several local transit lines, including Muni Metro lines J Church, K Ingleside, L Taraval, M Ocean View, N Judah, and T Third Street; as well as Muni bus lines 37 Corbett, 22 Fillmore, 33 Ashbury/18th, and 24 Divisadero.

## 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>3</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 impacts 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 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 most 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 include three project components consisting of up to 45 new dwelling units (52,000 sf of new residential space), the remodel of a three-unit existing residential building,

<sup>3</sup> San Francisco Planning Department. *Market and Octavia Area Plan Final Environmental Impact Report*, certified April 5, 2007. Case No. 2003.0347E., State Clearinghouse No. 2004012118. Available at [www.sf-planning.org/index.aspx?page=1714](http://www.sf-planning.org/index.aspx?page=1714), accessed December 4, 2015 or for review at the Planning Department, 1650 Mission Street, Suite 400.

approximately 5,200 sf of retail space, and up to 24 vehicle parking spaces. The project proposes a three-story vertical addition of residential dwelling units to the existing funeral home building and development of a connected five-story, 55-foot-tall mixed-use building in the location of the existing adjacent surface parking lot to the east. The 2240 Market Street building would include 43 dwelling units (22 studio or one-bedroom units, 21 two-and three-bedroom units) and approximately 5,200 sf of ground-floor retail use. The project would also include a proposed new two-unit, approximately 6,300-sf townhome building located at 2157 15<sup>th</sup> Street on the existing surface parking lot accessed from 15<sup>th</sup> Street. The third component of the project would be the remodel of the existing three-unit (one 1-bedroom, one 2-bedroom, and one 4-bedroom) residential building with two existing parking spaces located at 2153 15<sup>th</sup> Street. The existing units at 2153 15<sup>th</sup> Street would remain rent-controlled. The Market Street building would include an underground 22-space parking garage with 60 bicycle parking spaces, with access under the residential building off of 15<sup>th</sup> Street. The new 2157 15<sup>th</sup> Street townhome building would include two parking spaces accessed from the same driveway as the 2240 Market Street building. As discussed below in this checklist, the proposed project would not result in new, 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 three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>4</sup> Project elevations are included in the project description.

<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— Would the project:</b>				
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"/>

<sup>4</sup> San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist* for 2238-2254 Market Street, June 3, 2015. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2014.1510ENV.

<b>Topics:</b>	<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>
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 Market and Octavia Area Plan (Area Plan) would not result in a significant adverse impact on land use or land use planning. The Market and Octavia PEIR determined that implementation of the Area Plan would not create any new physical barriers in the Plan Area because the rezoning and Area Plan did not provide for any new major roadways, such as freeways, that would divide the project area or isolate individual neighborhoods within it. The Market and Octavia PEIR also concluded that implementation of the Area Plan would not result in substantial changes to the existing character within the Plan Area. No mitigation measures were identified in the PEIR.

The Citywide and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the Upper Market Neighborhood Commercial Transit (NCT) and Residential-House, Two Family (RH-2) zoning districts in which the project site is located, and is consistent with the bulk, density, and land use and character as envisioned in the Area Plan.<sup>5,6</sup> According to the Current Planning review, the Area Plan zoning and height designations for the project site include both Upper Market NCT district with a 50-X height and bulk district and RH-2 with a 40-X height and bulk district. The NCT district permits dwelling units with no density limitation, allowing physical controls such as height, bulk and setbacks to control dwelling unit density. The proposed project meets the NCT zoning district residential requirement for at least 40 percent of all dwelling units to contain two or more bedrooms and 30 percent to contain three or more bedrooms. The RH-2 district permits up to two dwelling units per lot or up to one unit per 1,500 sf with a Conditional Use Authorization. The proposed project is seeking a Conditional Use Authorization, as permitted under Planning Code Section 304, for a Planned Unit Development to allow the total density of up to 45 units. The proposed project meets the NCT district non-residential floor area ratio requirements of 3.0:1. The project would not exceed the applicable split 40-foot and 50-foot height limits, except for the allowable five-foot bonus (permitted per Section 263.20 of the Planning Code when a project includes active ground floor retail land use), and the permitted rooftop features per Planning Code Section 260(b). Current Planning staff concluded that, as proposed, the project would be consistent with the development density envisioned in the Market and Octavia Plan.

According to the Citywide Planning review, the proposed project is consistent with the General Plan. Further, the proposed project is consistent with the height, bulk, density, and land uses envisioned in the Market and Octavia Area Plan. As established in the Market Octavia Plan, the Upper Market NCT district is intended to encourage mixed-use development of moderate scale concentrated near transit services, maximizing residential uses with buildings keeping with the established character of the area. The proposal is consistent with the residential requirement of a mix of unit sizes, preserves a historic landmark and encourages a building design that respects the character of the development. The Area Plan encourages housing and retail infill to support the vitality of the Upper Market Neighborhood Commercial District. The amount of ground floor retail proposed requires a Conditional Use Authorization, but complies with the requirement for retail activities on Market Street and neighborhood-

<sup>5</sup> Adam Varat, San Francisco Planning Department, January 22, 2015. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis for 2232-2254 Market Street Mixed-Use Project.  
<sup>6</sup> Jeff Joslin, San Francisco Planning Department, November 9, 2015. Community Plan Exemption Eligibility Determination Current Planning Division for 2238-2254 Market Street Mixed-Use Project.

servicing retail on the ground floor. The Area Plan also encourages transit and streetscape improvements and reduced off-street parking to encourage travel by public transit and other alternative travel modes. The project proposes up to 24 off-street parking spaces for 45 units. However, the project is also proposing 60 bicycle parking spaces (15 more than required) to help establish bicycling as an alternative travel mode, consistent with the Area Plan objectives. Therefore, both Citywide Planning and Current Planning determined the project as proposed is eligible for consideration under a Community Plan Exemption.

For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Market and Octavia 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— Would the project:</b>				
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 infill 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 result in an overall reduction of commercial space: from the existing 9,400 sf retail space to approximately 5,200 sf of retail space in the 2240 Market Street building. The existing funeral home use would not be retained. The project would also include a total of 45 new residential units divided between the Market Street mixed-use building and the 2-unit 15<sup>th</sup> Street residential building, and the retention of the existing rent-controlled three-unit residential building at 2153 15<sup>th</sup> Street. The project would result in a net increase in housing and potential change in jobs on the project site as follows: an increase of 52,000 sf of residential uses (45 dwelling units), and a decrease of 4,200 sf of commercial use. Based on the 2010 Census Tract's (169) average household size of 1.83 residents per household, the increase in 45 dwelling units could result in an increased population of approximately 82 residents. For the retail space, the reduction of 4,200 sf of retail space, could represent a decrease of approximately 12 employees. 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. Furthermore, the proposed project would not displace any existing housing or create demand for additional housing.

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.

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>3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>				
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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**

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. 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, such as evaluation under CEQA, 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 to the resource. In order to evaluate both these steps, a historical resource evaluation (HRE) was completed for the project site and reviewed by City staff.<sup>7</sup>

The Sullivan’s Funeral Home building is a two-story, wood-frame commercial building designed in the Spanish Colonial Revival style. The building is clad in stucco, is capped by a compound flat and gable roof detailed in clay tile. The subject building on the project site was evaluated in the Market & Octavia

<sup>7</sup> Architectural Resources Group, 2248-2254 Market Street Historical Resource Evaluation, San Francisco, CA. November 2015.

Survey (adopted in 2009) and assigned California Register status of "3CD" as a contributor under Criterion 1 (Events) to the Upper Market Street Commercial Historic District, an identified eligible California Register District the project site is located within. The Sullivan's Funeral Home building was found to be a contributor building associated with a known significant historical event, specifically historic commercial development along Upper Market Street during a period of significance from 1886 to 1958, and is therefore considered a "Category A" property (known historic resource) for the purposes of CEQA review.

The existing 2153 15<sup>th</sup> Street residential building that would remain and be remodeled as part of the proposed project is not located in (although sandwiched between) the Upper Market Street Commercial Historic District (for commercial properties) or the Duboce Triangle Historic District. The building was excluded from Duboce Triangle Historic District because of the building's lack of historical integrity and later construction date. Therefore, the 2153 15<sup>th</sup> Street residential building was found not eligible for listing in the California Register either individually or as part of a historic district and is not considered a historic resource under CEQA.

Since the Sullivan's Funeral Home building is a known historic resource and the Market Street lots are located within an identified historic district, City historic preservation staff reviewed the proposed project for conformance with the *Secretary of Interior's Standards for Rehabilitation* to determine whether the project would cause a substantial adverse change to the building or the Upper Market Street Historic District.<sup>8</sup> The proposed project includes the retention of the Sullivan's Funeral Home building for commercial and residential use. A 15 foot horizontal setback from the Funeral Home building to the new construction along Market Street is proposed as is a 25 foot deep setback from the Market Street property line to where the new construction would rise over the existing historic resource. The HRE found, and City staff concurred, that the proposed additions to the historic building would be in conformance with the *Secretary of Interior's Standards for Rehabilitation*, specifically through the retention of the character-defining features such as the front façade, and utilization of materials (such as trim) that would match the existing materials and design in profile. The new additions are differentiated in design yet compatible to the existing historic resource through the use of setbacks, materials, fenestration design and ground floor commercial storefront design, which if removed, would not negatively impact the character-defining features of the existing historic resource. Therefore, the proposed project would have a less-than-significant impact on known historic resources.

Additional research and evaluation was also conducted to determine the individual significance of the Sullivan's Funeral Home within the context of the lesbian, gay, bisexual, transgender, queer/questioning (LGBTQ) history in San Francisco. After review of the additional research, staff concurred that the Sullivan's Funeral Home was not individually significant within this context, specifically during the early years of the AIDS epidemic. Research indicated that Sullivan's Funeral Home was not unique in providing nondiscriminatory burial services in the 1980s and the following years for AIDS patients.

As such, the proposed project would not result in significant impacts on historic resources, individually or within a historic district that were not identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

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<sup>8</sup> Tina Tam, San Francisco Planning Department Preservation Staff, Preservation Team Review Form, November 16, 2015.

## Archeological 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>9</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>10</sup> was determined to be applicable for any project involving any soils-disturbing activities beyond a depth of 4 feet and located in the Area Plan for which no archaeological assessment report has been prepared. Mitigation Measure C2 requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by a qualified consultant. Mitigation Measure C3 – Soil-Disturbing Activities in Public Street and Open Space Improvements<sup>11</sup> applies to improvements to public streets and open spaces that would disturb soils beyond a depth of 4 feet; it requires an Archeological Monitoring Program. Mitigation Measure C4 – Soil-Disturbing Activities in the Mission Dolores Archeological District<sup>12</sup> applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archeological Testing Program, as well as an Archeological Monitoring Program and Archeological Data Recovery Program, if appropriate.

The project site does not include parcels where a previous ARDTP is on file, therefore PEIR Mitigation Measure C1 - Soil-Disturbing Activities in Archaeologically Documented Properties, would not be applicable to the proposed project. The proposed project would disturb soils beyond a depth of four feet at a site for which no archeological assessment report has been completed, and therefore, PEIR Mitigation Measure C2 would apply to the proposed project. The Planning Department's archeologist conducted a Preliminary Archeological Review of the project site in conformance with the study requirements of Mitigation Measure C2 and determined that the Planning Department's first standard archeological mitigation measure (accidental discovery) would be applicable to the proposed project construction.<sup>13</sup>

Thus, in accordance with the Market and Octavia PEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 1: Archeological Mitigation Measure I (Accidental Discovery), which, through construction contractor training and observance, would avoid any potential adverse effect related to the accidental discovery of buried or submerged historical resources. The Preliminary Archeological Review and its requirements, including Project Mitigation Measure 1, implement Mitigation Measure C-2 from the Market Octavia PEIR. The full text of **Project Mitigation Measure 1: Archeological Mitigation Measure I (Accidental Discovery)** is provided in the Mitigation Measures Section below.

The proposed project would not disturb soils beyond the depth of four feet in a public street or public open space. Therefore, Mitigation Measure C3 – Soil-Disturbing Activities in Public Street and Open Space Improvements from the PEIR would not be applicable to the proposed project. The proposed project would not involve soil disturbing activities in the Mission Dolores Archeological District.

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<sup>9</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>10</sup> Mitigation Measure C2 is Mitigation Measure 5.6.A2 in the PEIR.

<sup>11</sup> Mitigation Measure C3 is Mitigation Measure 5.6.A3 in the PEIR.

<sup>12</sup> Mitigation Measure C4 is Mitigation Measure 5.6.A4 in the PEIR.

<sup>13</sup> San Francisco Planning Department staff. Archeological Review Determination for 2238-2254 Market Street Mixed-Use Project. November 12, 2015.



Therefore, Mitigation Measure C4 – Soil-Disturbing Activities in the Mission Dolores Archaeological District from the PEIR would not apply to the proposed project.

With implementation of **Project Mitigation Measure 1: Archeological Mitigation Measure I (Accidental Discovery)**, project impacts related to archeological resources would be less than significant. With compliance with Project Mitigation Measure 1, the proposed project would not result in significant impacts that were not identified in the Market and Octavia PEIR related to archeological resources. For these reasons, the proposed project would not result in significant impacts on archeological resources 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>4. TRANSPORTATION AND CIRCULATION— Would the project:</b>				
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) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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 project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 4c is not applicable. Similarly, consistent with the Market and Octavia PEIR, topic 4d is not applicable because the project does not include design features that would be expected to result in particular safety hazards or introduce incompatible uses.

The Market and Octavia PEIR anticipated that growth resulting from the Market and Octavia Area Plan would not result in significant transportation impacts related to pedestrians, bicyclists, loading, emergency access, or construction. There are no conditions specific to the project or the project site that would result in significant impacts to pedestrians, bicyclists, loading, emergency access or construction.

Therefore, because the proposed project is within the development projected under the Market and Octavia PEIR, these topics (aside from construction) are not further addressed,<sup>14</sup> and the project impacts would be less-than-significant and consistent with the analysis in the Market and Octavia PEIR.

The Market and Octavia PEIR identified significant traffic impacts related to the Plan growth at seven intersections, and one transit impact. In the vicinity of the proposed project, the Market and Octavia PEIR identified traffic impacts related to Plan Area growth at the intersections of Market/Sanchez/Fifteenth Streets (375 feet east of the project site) and Market/Church/14<sup>th</sup> Streets (approximately ¼ mile east of the project site). The other five intersections (Hayes/Gough Streets, Hayes/Franklin Streets, Laguna/Market/Hermann/Guerrero Streets, Mission Street/Otis Street/South Van Ness Avenue, and Hayes Street/Van Ness Avenue intersections) are located a further distance (1/2 mile to 1 mile) away. The Market and Octavia PEIR identified a significant and unavoidable cumulative transit delay impact to the 21 Hayes route during the weekday PM peak hour. This transit 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 SFPW, 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. Therefore, PEIR Mitigation Measures D1 through D6 would not be applicable to the proposed project. Mitigation Measures D7 and D8 related to changes at Hayes Street and Van Ness Avenue for traffic and transit impacts were not adopted as part of the PEIR, and would therefore not be applicable to any projects in the Plan Area. The PEIR determined that, even with implementation of the identified plan-level mitigation measures, the significant adverse effects at the seven intersections and the cumulative impacts on certain transit lines, including the 21 Hayes, resulting from delays at several Market Street intersections could not be fully mitigated. These impacts were found to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the approval of the Market and Octavia Ara Plan on August 7, 2008. The following is an analysis of the project's potential contribution to these significant and unavoidable impacts identified in the PEIR.

As discussed on page 20, above, parking effects of the project are not to be considered significant impacts on the environment. The transportation analysis accounts for potential secondary effects from a parking shortfall, 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 due to others who are aware of constrained parking conditions in a given area, and thus 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.

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<sup>14</sup> Construction impacts of the proposed project are discussed below to address specific comments raised by members of the public. In addition, the project sponsor has agreed to improvement measures relating to construction activities that would further reduce the project's less than significant construction traffic impacts.

### Trip Generation

The proposed project is a mixed-use development project consisting of three project components. The Market Street component would expand (three-story addition) the existing two-story funeral home building and develop a connected five-story, 55-foot-tall mixed-use building. The 2240 Market Street building would include 43 dwelling units (22 studio or one-bedroom units, 21 two- and three-bedroom units) and approximately 5,200 sf of retail use. The proposed retail use would be less than the existing 9,400 sf of retail (funeral home) use. For the purpose of the transportation analysis and for the likely change in the type of retail use, a portion of the proposed 5,200 sf of retail use was estimated to produce new retail trips. Since approximately 3,720 sf of the existing 9,400 sf retail space would be retained, approximately 1,500 sf (5,200 minus 3,720, rounded up) was considered as net new retail space for the purpose of project trip generation estimates. In addition to the residential units at the 2240 Market Street building, the project would include a new three-story, two-unit (one three-bedroom and one four-bedroom unit), 2157 15<sup>th</sup> Street residential building, as well as the remodel the existing three-unit (one-bedroom, two-bedroom, and four-bedroom unit) residential building at 2153 15<sup>th</sup> Street. Considering the residential building, the remodel of the existing three-unit residential building would not produce new trips.

Trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>15</sup> The proposed project would generate an estimated 620 person trips (inbound and outbound) on a weekday daily basis, consisting of 232 person trips by auto, 248 transit trips, 83 walk trips and 57 trips by other modes (including by bicycle). During the p.m. peak hour, the proposed project would generate an estimated 89 person trips (inbound and outbound), consisting of 28 person trips by auto, 41 transit trips, 10 walk trips and 9 trips by other modes (including by bicycle). During the p.m. peak hour, the proposed project would generate an estimated 21 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

### Traffic

The proposed project's vehicle trips (21 p.m. peak hour vehicle trips) would travel through the intersections surrounding the project block and on streets in the project vicinity. Intersection operating conditions are characterized by the concept of 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 long delays; LOS A through D are considered acceptable operational levels in San Francisco.

The representational intersections within ¼ mile of the project site that were analyzed in the Market and Octavia Plan PEIR analysis include Market Street/Sanchez Street/15<sup>th</sup> Street intersection (375 feet east of the project site); Church Street/16<sup>th</sup> Street (approximately 1,000 feet to the southeast) and Market Street/Church Street/14<sup>th</sup> Street intersection (approximately ¼ mile to the east). Table 1 provides Market-Octavia Plan PEIR LOS analysis for these intersections.<sup>16</sup> The other five intersections (Hayes/Gough Streets, Hayes/Franklin Streets, Laguna/Market/Hermann/Guerrero Streets, Mission Street/Otis Street/South Van Ness Avenue, and Hayes Street/Van Ness Avenue intersections) are located farther (1/2

<sup>15</sup> San Francisco Planning Department, Transportation Calculations for 2238-2254 Market Street, June 18, 2015.

<sup>16</sup> San Francisco Planning Department, *Market-Octavia Neighborhood Plan FEIR, Chapter 4.7 Transportation Impact Analysis*, September 2007. Case No. 2003.0347E..

mile to 1 mile) away from the project site. Therefore, project vehicle trips at the intersections located more than ¼ mile away would be further dispersed and project traffic would not substantially contribute to those intersections.

**Table 1: Market and Octavia Plan PM Peak Hour LOS Analysis  
at Intersections Near the Project Site**

<u>Intersection</u>	<u>Existing (2004)</u>	<u>2025 LOS without Plan</u>	<u>2025 LOS with Plan</u>
Market/Sanchez/15 <sup>th</sup> Street	D	E	E
Market/Church/14 <sup>th</sup> Street	D	E	E
Church/16 <sup>th</sup> Street	A/B*	A/B	A/B

\*Note: In the Market Octavia FEIR, LOS A and B intersections were listed together.

Sources: Market Octavia FEIR, Chapter 4.7 Transportation Impacts

Under Cumulative conditions, the Market-Octavia Plan EIR analysis determined that the Plan Area growth contributions to the Market/Sanchez/15<sup>th</sup> Street and Market/Church/14<sup>th</sup> Street intersections operating at LOS E would be considered significant during the PM peak hour. The Market and Octavia PEIR proposed specific mitigation measures for the Market/Church/14<sup>th</sup> streets intersection and Market/Sanchez/15<sup>th</sup> Street intersections (PEIR Measures D5<sup>17</sup> and D4,<sup>18</sup> respectively) that included minor changes to signal timing, and the addition of a right-turn pocket on the westbound approach on 15<sup>th</sup> Street for the Market/Sanchez/15<sup>th</sup> Street intersection. However, the PEIR concluded that the feasibility of implementing these measures could not be fully assessed at that time, because implementation of the signal timing changes would be dependent on later assessments by SFMTA of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals. Consequently, the Planning Commission adopted a Statement of Overriding Considerations, acknowledging that implementation of the Plan growth would create a significant and unavoidable cumulative traffic impact at both these intersections. The proposed project, as part of this growth, would generate an estimated 21 new p.m. peak hour vehicle trips that could travel through surrounding intersections, including these two intersections operating at LOS E.

However, the project's 21 p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections. The project trips would not contribute considerably to LOS delay conditions, including LOS E or F intersections, and would not represent a substantial proportion of the overall traffic volume or new vehicle trips generated by Market and Octavia Neighborhood Plan projects. The project's vehicle trips and contribution to intersection operations would be consistent and no greater than as analyzed in the PEIR. The proposed project would therefore not contribute considerably to cumulative conditions at these or other intersections in the project vicinity and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant contributions toward existing or cumulative traffic that were not identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

Although the proposed project would have a less-than-significant traffic impact, because the proposed project would include more than 20 parking spaces, the project could result in queues from vehicles entering and leaving the parking garage. The project sponsor has agreed to implement **Project**

<sup>17</sup> Mitigation Measure D5 is Mitigation Measure 5.7.E in the PEIR.

<sup>18</sup> Mitigation Measure D4 is Mitigation Measure 5.7.D in the PEIR.

**Improvement Measure 1: Monitoring and Abatement of Parking Garage Queues**, which would improve these less-than-significant traffic operating conditions near the project parking garage entrance.

### **Transit**

The project site is located on Market Street, a major transit corridor within the City. The nearest San Francisco Muni railway metro stop is at Castro and Market Streets, approximately 0.3 miles to the west of the project site. The F Market rail line also runs on the surface of Market Street in this location. The project site is within a quarter mile of several local transit lines including Muni lines F Market, J Church, KT Ingleside/Third Street, L Taraval, M Ocean View, and N Judah rail lines; as well as Muni bus lines 37 Corbett, 22 Fillmore, 33 Ashbury/18<sup>th</sup>, and 24 Divisadero. Local Muni lines provide connections to the nearest regional rail stop at Civic Center station to the east. The proposed project would be expected to generate 248 daily transit trips, including 41 trips during the p.m. peak hour.

As described above, the Market and Octavia PEIR identified significant and unavoidable cumulative transit delay impacts to the 21 Hayes route. The Planning Commission however, did not adopt PEIR Mitigation Measure D8 related to this impact as part of the Statement of Overriding Considerations. Further, the proposed project is not located near (within ¼ mile) of the 21 Hayes bus route and would not contribute considerably to the ridership on this route.

Given the wide availability of nearby transit, the addition of 41 p.m. peak hour project transit trips could be accommodated by existing and future transit capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result that were not analyzed in the PEIR.

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, the project's transit trips would not contribute considerably to the cumulative transit impact that was identified in the Market and Octavia PEIR.

### **Construction**

As stated in the Market and Octavia PEIR, construction impacts are specific to individual development projects and pertain to any potential temporary roadway and sidewalk closures, relocation of bus stops, effects on roadway circulation due to the construction trucks, and the increase in vehicle trips, transit trips, and parking demand associated with construction workers. Construction impacts were not assessed for the Plan in the PEIR and those potential impacts associated individual projects are not usually considered significant because they are temporary and generally of short-term duration. Therefore, no significant construction impacts were identified in the PEIR and no mitigation measures were recommended.

Detailed plans for construction activities have not yet been finalized, but during the anticipated 18-month construction period, temporary and intermittent transportation impacts would result from construction-related truck movements to and from the project site during demolition and construction activities associated with the proposed development. Construction would occur as needed on Market and 15<sup>th</sup> Streets. Construction staging areas would be located on-site, to the extent possible, and in the underground parking garage, once constructed. Construction machinery and related equipment would be located on site. Temporary parking lane and sidewalk closures could occur along the periphery of the

proposed development related to construction staging (more likely on 15<sup>th</sup> Street). Public, on-street parking along Market and 15<sup>th</sup> Street, along the project building frontages, could be temporarily restricted during the construction period.

Construction-related activities would typically occur Monday through Friday (occasional Saturdays as required), and is not anticipated to occur on Sundays or major legal holidays. The hours of construction would be enforced by DBI, and the contractor would need to comply with the San Francisco Noise Ordinance, enforced by the San Francisco Police Department (SFPD), which permits construction activities seven days a week, between 7:00 a.m. and 8:00 p.m.

Throughout the entire 18-month construction of the project, the project would require an average of 30 workers per day; however, up to 80 workers would be required during peak construction periods. The amount of construction-related vehicles (worker vehicles, haul trucks, equipment deliveries, etc.) would vary depending on each phase of construction. The trip distribution and mode split of construction workers are not known. Construction workers that drive to the site would be able to park on-site in designated staging areas, the underground parking garage when complete, nearby on-street parking spaces, or in nearby off-street parking lots or garages.

In the event that temporary travel or parking lane or sidewalk closures would be needed, such actions would be required to meet the *City of San Francisco's Regulations for Working in San Francisco Streets*, (the "Blue Book"), and coordinated with the City to reduce traffic congestion during construction of this project and other nearby projects. In general, lane and sidewalk closures are subject to review and approval by the Transportation Advisory Staff Committee (TASC) an interdepartmental committee, including the Police, Public Works, Planning, and Fire Departments and SFMTA Muni Operations. The construction management plan reviewed by the TASC would address issues of circulation (traffic, pedestrians, and bicycle), safety, parking and other project construction in the area. Because there are no Muni bus stops along the project site frontage, it is not anticipated that any Muni bus stops would need to be relocated during construction of the proposed project. The project sponsor would be required to consult with SFMTA Muni Operations prior to construction to review potential effects to nearby transit operations.

Throughout the construction period, there would be a flow of construction-related trucks into and out of the project site. The impact of construction truck traffic would be a temporary lessening of the capacities of local streets due to the slower movement and larger turning radii of trucks, which may affect traffic operations. It is anticipated that a majority of the construction-related truck traffic would use I-80, I-280 and U.S. 101 to access the project site from the East Bay and South Bay. It is anticipated that the addition of the worker-related vehicle- or transit-trips would not substantially affect transportation conditions, as any impacts on local intersections, transit network, or to bicyclists and pedestrians traveling near the project site would be similar to those associated with the proposed project. Based on the above, construction-related transportation impacts would be less than significant.

The Market and Octavia PEIR did not identify any significant construction impacts and no mitigation measures were recommended. The PEIR did include two improvement measures that would be applicable to the project and would further reduce the Plan's less-than-significant construction-related traffic impacts. As detailed in the MMRP, **Project Improvement Measure 2: Limiting the Hours of Construction-Related Truck Traffic and Deliveries** would further minimize disruption of the general traffic flow on adjacent streets during weekday commute peak commute periods. One additional

measure, **Project Improvement Measure 3: Construction Management Plan Additional Measures** is recommended that would, in addition to the required elements of the Construction Management Plan, add measures to minimize construction impacts on nearby businesses and minimize traffic and parking demand associated with construction workers. The project sponsor has agreed to implement Project Improvement Measures 2 and 3, which would further reduce the less-than-significant construction traffic impacts of the project.

<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—Would the project:</b>				
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"/>

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

**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 noise impacts to less-than-significant levels. Existing ambient noise in the vicinity of the project site was assessed in the noise study completed for the proposed project.<sup>19</sup> The noise environment at the site is predominantly controlled by vehicular traffic along adjacent streets, in

<sup>19</sup> Charles M. Salter Associates, Inc., June 2015. Environmental Noise Study for 2240 Market and 2157 15<sup>th</sup> Street.

particular Market Street. Two long-term (48-hour) and two short-term (15-minute spot) measurements were taken at the project site between March 24<sup>th</sup> and March 27, 2015. On the project site the measured outdoor ambient day-night sound level (DNL) was 65 and 66 decibels (db). In the vicinity of the project site, the measured levels were 76 db to the east along Market Street, and 67 db along 15<sup>th</sup> Street.

Construction of the proposed project is anticipated to occur over 18 months. The proposed project would involve the installation of a conventional spread footing foundation with micro-piles along the front of the existing building. Therefore, while pile-driving is not proposed, other construction techniques used would result in increased noise. All construction activities for the proposed project would be subject to and would comply with the Noise Ordinance, which requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA<sup>20</sup> at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works or the Director of DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of the Public Works authorizes a special permit for conducting the work during that period.

The closest noise sensitive receptors are residential uses along 15<sup>th</sup> Street and the adjacent motel use to the east along Market Street. 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 in Title 24. 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.

<sup>20</sup> The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

<sup>21</sup> San Francisco Planning Department, *San Francisco General Plan, Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise*. Last amended December 2009. Available at [http://www.sf-planning.org/ftp/general\\_plan/16\\_Environmental\\_Protection.htm](http://www.sf-planning.org/ftp/general_plan/16_Environmental_Protection.htm), accessed December 4, 2015.



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 noise study found that because the Fifth floor open space is completely shielded from the adjacent roadways, the proposed design provides at least 10 db of acoustical shielding, which would represent a 50% reduction in perceived noise levels. Therefore, the study did not recommend any further measures related to open space noise shielding.

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. The project does not include a back-up diesel generator. The operation of mechanical equipment would be subject to Section 2909 of the San Francisco Noise Ordinance. The proposed project would comply with Article 29, 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 project would not contribute, to a considerable increment, to any cumulative noise impacts from mechanical equipment.

As discussed above, 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 the proposed project would generate 21 net new vehicle-trips. Even if all of the 21 net new PM peak-hour vehicle trips associated with the proposed project are added to a single street such as Market Street or 15<sup>th</sup> Street, the proposed project would not double the traffic volumes along these streets. Therefore, the proposed project would not result in a perceptible noise increase from project-related traffic.

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—Would the project:</b>				
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. Market and Octavia PEIR Mitigation Measures E-1 and E-2 address air quality impacts during construction. All other air quality impacts were found to be less than significant.

### Construction

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. For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions.

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.

### Criteria Air Pollutants

Market and Octavia PEIR identified Mitigation Measure E2 – Construction Mitigation Measure for Short-Term Exhaust Emissions, which requires construction equipment to be maintained and operated so as to minimize exhaust emissions of particulates and other pollutants. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the excavation phase, or approximately four months of the anticipated 18-month construction period. The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria<sup>23</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. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria as it would not exceed the

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

<sup>23</sup> Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, pp. 3-2 through 3-3, updated May 2011.

mid-rise apartment construction criteria pollutant screening size of 240 residential units and the operational criteria pollutant screening size of 494 dwelling units. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required. Additionally, because the project’s construction criteria air pollutant emissions would not be significant, Market and Octavia PEIR Mitigation Measure E-2 is not applicable.

**Health Risk**

Subsequent to certification of the Market and Octavia PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM<sub>2.5</sub> concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. The project site is not located within an Air Pollutant Exposure Zone (APEZ).

The proposed project would include development of residential uses and is considered a sensitive land use for purposes of air quality evaluation. As discussed above, the project site is not within an APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and Article 38 is not applicable to the proposed project. Additionally, because the ambient health risk to sensitive receptors is not substantial, construction exhaust emissions from the project would not be significant and Market and Octavia PEIR Mitigation Measure E-2 concerning short-term exhaust emissions is not applicable. Lastly, the project does not propose any new sources that would emit substantial amounts of diesel particulate matter or toxic air contaminants that could affect the health risk of nearby sensitive receptors.

**Conclusion**

For the above reasons, the project would not result in significant air quality impacts 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—Would the project:</b>				
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.

The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy,<sup>24</sup> which is comprised of regulations that have proven effective in reducing San Francisco’s overall GHG emissions; San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions 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.<sup>25</sup> 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 due to GHG emissions that were not identified in the Market and Octavia PEIR.

<b>Topics:</b>	<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—Would the project:</b>				
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>26</sup> and Mitigation Measure B2 – All New Construction,<sup>27</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 of the proposed 55-foot-tall building, PEIR Mitigation Measures B1 would not be applicable to the proposed project.

A proposed project’s wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause

<sup>24</sup> Prado Group, Compliance Checklist Table for Greenhouse Gas Analysis for 2238-2254 Market Street, July 2015.  
<sup>25</sup> Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.  
<sup>26</sup> Mitigation Measure B1 is Mitigation Measure 5.5.B1 in the Market and Octavia PEIR.  
<sup>27</sup> Mitigation Measure B2 is Mitigation Measure 5.5.B2 in the Market and Octavia PEIR.

substantial changes to ground-level wind conditions. At a height of 55 feet (approximately 65 feet with the mechanical penthouse), would be similar in height (22 to 50 feet) to development in the project vicinity. Given the height of the proposed project and its relation to surrounding development, the project has little potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site. Market and Octavia PEIR Mitigation Measure B2, which applies to all new construction, would apply to the proposed project. However, since the proposed project does not have the potential to result in significant wind impacts, a project-level wind analysis is not required, and the project sponsor has fulfilled the requirements of PEIR Mitigation Measure B2.

For the above reasons, the proposed project would not result in significant wind hazard impacts 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 one hour after sunrise and one 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. 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. The project parcels along the Market Street are zoned 50-X height and bulk district, and allow buildings up to 55 feet when 15-foot-high ceilings for ground floor retail space is proposed. The proposed project would construct a 55-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks.<sup>28</sup>

The preliminary analysis identified potential new shadow on the Noe-Beaver Mini Park, a Section 295 open space, and the need for additional shadow analysis to be conducted as part of the project review. Additional shadow analysis was conducted for the project and indicated that intervening buildings already cast shadows on this Section 295 open space.<sup>29</sup> The proposed project would not result in any new shading of Noe-Beaver Mini Park. Therefore, the proposed project would not result in significant shading of Section 295 parks and open space.

For non-Section 295 parks and open space, the PEIR identified potential significant impacts related to new construction of 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 parks and open space not subject to Section 295, such as 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. The PEIR determined shadow impacts to United Nations Plaza could be significant and unavoidable. The project shadow analysis also examined whether the

<sup>28</sup> The Planning Code also allows for certain permitted obstructions over the height limit, such as the proposed elevator penthouse to extend up to 65-feet in height. Preliminary Shadow Analysis conducted as part of the Preliminary Project Assessment, December 15, 2014. This document is available for review under Case Number 2014.1510U.

<sup>29</sup> Prevision Design, Shadow Analysis Report for the Proposed Development at 2238-2254 Market and 2153-2157 15<sup>th</sup> Street, July 7, 2015.

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

proposed building design would substantially shadow nearby non-Section 295 open space, specifically the Noe Street and Sanchez corridors north of Market Street. The analysis found that the proposed project would not add new shadow to either the Noe Street or Sanchez Street open space corridors.<sup>31</sup> Therefore, Market and Octavia PEIR Mitigation Measure A1 would not be applicable to the proposed project.

Given the proposed height of the building, at various times during the day the proposed project would shade portions of nearby streets and sidewalks and private property within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. 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.

<b>Topics:</b>	<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—Would the project:</b>				
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. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies locations where proposed open space connections should be built, specifically streets appropriate for potential “living alleys”. In addition, the amended ROSE identifies the role of both the Better Streets Plan and the Green Connections Network in open space and recreation. Green Connections are streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Two routes identified within the

<sup>31</sup> Prevision Design, July 2015.

Green Connections Network cross the Market-Octavia Plan area: Marina Green to Dolores Park (Route 15) and Bay to Beach (Route 4).

As 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.

<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>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>				
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.

The Market Octavia PEIR examined the provision of water by SFPUC, water supply and demand and water distribution. The available water supply and Plan demand was assessed using the 2000 Water System Master Plan, which examined a higher future water demand than more recent water supply and demand assessments have indicated.<sup>32</sup> The water supply analysis in the Plan EIR also included the anticipated increase in water supply due to the Water Supply Improvement Project. The Market Octavia

<sup>32</sup> The Market Octavia Plan used an average daily water demand of 91 million gallons per day (mgd). Since that time city water demand (due to land use and other improvements) has declined. The average daily water demand in 2012 was estimated at 77.8 mgd.

Plan concluded that the SFPUC had sufficient water available to serve both existing and planned future uses.

Since certification of the Plan PEIR, the SFPUC has released its 2010 Urban Water Management Plan (UWMP) and 2013 Water Availability Study, and is in the process of updating its Urban Water Management Plan (estimated for release in July 2016).<sup>33</sup> Both the 2010 Urban Water Management Plan (UWMP) and 2013 Water Availability Study updated the land use projections from 2000 adding more housing and more jobs to the water demand, and further clarified the implementation of future water supply projects (WSIP and Recycle Water Projects), as well as planning for dry year supplies. This updated analysis did not introduce substantially new information related to water supply or demand that was not addressed in the Plan analysis. The proposed project, as part of the Market and Octavia Neighborhood Plan development was captured in both 2010 UWMP and 2013 Water Availability Study land use projections. In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City’s sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Market-Octavia Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects.

The proposed project would be within the scope of development projected under the Market and Octavia Area Plan and would not result in any significant project-level or cumulative impacts on utilities and service systems that were not identified in the Market and Octavia PEIR.

<b>Topics:</b>	<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—Would the project:</b>				
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.

The proposed project would be within the scope of development projected under the Market and Octavia Area Plan and would not result in any significant project-level or cumulative impacts on public services that were not identified in the Market and Octavia PEIR.

<sup>33</sup> SFPUC, 2013 *Water Availability Study*, May 2013. Available at: <http://www.sfwater.org/modules/showdocument.aspx?documentid=4168> Accessed in July 2015.



<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
<b>12. BIOLOGICAL RESOURCES—Would the project:</b>				
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.

San Francisco Public Works (SFPW) regulates the removal and or relocation of street, significant, or landmark trees, as defined in Article 16 of the Public Works Code. The proposed project would not remove any significant or landmark trees<sup>34</sup>. The existing three street trees along Market Street adjacent to the project site would remain and the two street trees along 15<sup>th</sup> Street would, with the approval of SFPW, be replaced and/or relocated east and west of the garage driveway on 15<sup>th</sup> Street. Based on the estimated 185 feet of street frontage, the proposed project would require a total of nine street trees, or four net new

<sup>34</sup> Project Sponsor, *Required Checklist for Tree Planting and Protection*, June 2015. Final determinations related to street, landmark or significant trees are made by SF Public Works.

street trees if all existing street trees are retained. Additional street trees along Market Street may be limited due to the mature nature of the existing street trees. The project sponsor is required to coordinate and receive permits from SFPW who enforce the street tree removal, relocation, and planting requirements for development projects. Sixteen other trees on the project site not protected by the Public Works Code, located along the edges of the surface parking lot would be removed as part of project construction.

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; therefore, 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—Would the project:</b>				
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 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>35</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. In 2013, the SFPUC adopted the Construction Site Runoff Ordinance (Public Works Code, Ordinance 260-13) which requires all construction sites, regardless of size to implement BMPs to prevent construction site runoff discharges into the combined or separate sewer systems. Further, construction sites that disturb 5,000 square feet or more of ground surface are required to apply for a Construction Site Runoff Control Permit from the SFPUC and submit an Erosion and Sediment Control Plan which includes BMPs to prevent stormwater runoff and soil erosion during construction. Therefore, the project would be subject to the Construction Site Runoff Ordinance, which supersedes the Market Octavia PEIR Mitigation Measure G1.

A geotechnical investigation was prepared for the proposed project at 2238-2254 Market Street and includes information gathered from reconnaissance of the site and site vicinity and review of geotechnical data.<sup>36</sup> Five test soil borings were drilled at depths ranging from 29.5 to 35 feet below grade surface (bgs). The borings indicate the site is underlain by medium-dense to very-dense sand and clayey-sand that extends to 16.5 to 31.5 feet bgs. This layer is followed by mixed layers of very-stiff to hard clay intermixed with the overlying very-dense sand and clayey-sand, which likely extends to the bedrock layer, estimated to be at 60 to 70 feet bgs. While free groundwater was not encountered with the soil borings, monitoring well data in the area indicates that groundwater in the project site vicinity is about 50 feet bgs. The maximum depth of excavation for the proposed project would be up to 12 feet (15 feet at the front), so groundwater would not likely be encountered during project construction.

The geotechnical report evaluated the project site for the potential for seismic surface ruptures, liquefaction, lateral spreading, and densification and found these risks to be very low to nil.<sup>37</sup> The geotechnical report concludes that the proposed building can be supported on a conventional spread footing foundation bearing on native soil. However, considering the zone-of-influence for the Muni tunnel (under Market Street) a foundation support below the zone-of-influence in the form of micropiles to approximately 14 feet was recommended at the front (Market Street) property line for the new building. Additional similar micropiling support is also recommended for the existing (funeral home) building along the front (Market Street) property line. The project site is relatively flat, and therefore the project is not subject to slope instability. The sides of the excavation during construction would be required to be sloped or benched if space allows, or shoring would be required. Underpinning for neighboring structures may be required depending on the depth of adjacent foundations. Further, the geotechnical report recommends heavy equipment should not be used within 10 feet from existing shallow foundations, if present.

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<sup>35</sup> Mitigation Measure G1 is Mitigation Measure 5.11.A in the Market and Octavia PEIR.

<sup>36</sup> Rockridge Geotechnical, *Geotechnical Investigation for the Proposed Mixed-Use Development at 2248-2243 Market Street, San Francisco, California*. February 5, 2015.

<sup>37</sup> Rockridge Geotechnical, February 2015.

The project site is in an area that would be exposed to strong ground shaking in the event of an earthquake. The project sponsor would be required to adhere to the San Francisco Building Code, which specifies seismic parameters for the design of earthquake resistant structures and would minimize the potential for structural damage from earthquakes. The geotechnical report concludes that the project site is suitable for the proposed project improvements with incorporation of the report recommendations.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, 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, seismic or other geological hazards.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, 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—Would the project:</b>				
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"/>

<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>
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 two buildings and a surface parking lot, and, with the exception of some parking lot trees and landscaping, is completely covered by impervious surfaces. The proposed project would include landscaping, new street trees, and some landscaping on rooftop terraces, but would not substantially change the amount of impervious surface on the project site. 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. As a result, the proposed project would not increase stormwater runoff.

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.

<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— Would the project:</b>				
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"/>

<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>
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 project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore the CPE Checklist topic 15e and 15f are not applicable.

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>38</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.

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

<sup>38</sup> Mitigation Measure F1 is Mitigation Measure 5.10.A in the Market and Octavia PEIR.

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. 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 asbestos 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, compliance with existing federal, state, and local laws would ensure that 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 proposed project would include excavation of up to 12 feet, with an estimated 5,000 cy of soil excavation. The geotechnical report indicated that monitoring well data in the area places the groundwater level in the project site vicinity at about 50 feet bgs. The maximum depth of excavation for the proposed project would be up 12 feet at the front, so groundwater would not likely be encountered during project construction.

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate

handling, treatment, disposal and when necessary, mitigation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil are subject to this ordinance.

The proposed project would excavate approximately 5,000 cubic yards of soil. 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 Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I Environmental Site Assessment has been prepared to assess the potential for site contamination.<sup>39</sup> The project site consists of six parcels, two currently occupied by the Sullivan Funeral Home (since 1953), three parcels are the adjacent parking lot and driveway, and one parcel is the 3-unit residential building at 2153 15<sup>th</sup> Street (built in 1900). Prior to the funeral home, the Sanborn maps indicate the building was residential. The project site (considering all six parcels) is not listed on any corresponding hazardous material or spill databases (including the National Priority List, Comprehensive Environmental Response, Compensation, and Liability list, Resource Conservation and Recovery Act sites, Brownfield sites, State Contaminant List, Leaking Underground Storage Tank list, Underground Storage Tank registry, or Hazardous Materials Information Reporting System). The funeral home is an operating funeral home but no longer provides an embalming service. There is no evidence to suggest any environmental impacts from historical chemical use on the funeral home site.

Site visits indicate the presence of minor amounts of building paints and cleaning materials, and hydraulic equipment related to the elevator at the funeral home. Additionally, as discussed above, due to the age of the residential building several suspect asbestos containing building materials (tiles, linoleum, window putty, etc.) were observed. Similarly, the funeral home may have several surfaces with lead-based paint. As required and discussed above, these materials would be required to be disposed of consistent with local, state and federal regulations. Research of the project site and adjacent property was conducted for the potential of soil-based vapor intrusive chemicals. The ESA concluded that there is a low to negligible potential for vapor intrusion to exist on the project site.

There are several other properties (approximately 16) within ½ mile of the project site with documented releases of hazardous substances and/or petroleum products. According to database records, all sites have been granted closed status and there is no documented evidence that these releases resulted in any plumes that could have migrated to the project site. Similarly, according to the Environmental Protection Agency's Drycleaners Database, there is one drycleaner business located 660 feet from the project site. However, there are no active hazardous materials abatement cases related to this property and it is located greater than 100 feet from the project site.

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<sup>39</sup> PII Environmental, *Phase I Environmental Site Assessment(ESA) Report, 2238-2254 Market Street, 2153-2157 15<sup>th</sup> Street, San Francisco, CA.* August 28, 2013.



Based on the above summarized information, the ESA found no recognized environmental conditions at the project site and ESA recommendations were limited to proper disposal of any unused paint and cleaning chemicals, and building materials. 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, 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>16. MINERAL AND ENERGY RESOURCES—</b>				
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Market and Octavia Plan PEIR concluded that implementation of the Neighborhood Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Market and Octavia Neighborhood Plan, there would be no additional project-level or cumulative impacts on mineral and energy resources beyond those analyzed in the 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>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<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) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Market and Octavia PEIR did not analyze the effects on forest resources.

As the proposed project is within the development projected under the Market and Octavia Area Plan, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Market and Octavia PEIR.

**MITIGATION MEASURES**

**Project Mitigation Measure 1 – Accidental Discovery (PEIR Mitigation Measure C2):**

**ARCHEOLOGICAL MITIGATION MEASURE I (Accidental Discovery)**

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 (1) 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 copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies 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/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

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## PROJECT IMPROVEMENT MEASURES

**Project Improvement Measure 1: Monitoring and Abatement of Parking Garage Queues.** To reduce the potential for queuing of vehicles accessing the project site, the project sponsor/property owner could ensure that recurring vehicle queues do not occur on 15th Street adjacent to the site. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of the 15th Street sidewalk or travel lane on 15th Street for a consecutive period of three minutes or longer on a daily and/or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility may employ abatement methods as needed to abate the queue. Appropriate abatement methods may 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 the following: redesign of facility to improve vehicle circulation and/or on-site 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 off-site 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, 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 may notify the property owner in writing. Upon request, the owner/operator could hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant could prepare a monitoring report and submit it to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator may have 90 days from the date of the written determination to abate the queue.

**Project Improvement Measure 2: Limiting the Hours of Construction-Related Truck Traffic and Deliveries.** The project sponsor could limit truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA). One exception to this measure would be construction vehicles necessary to allow for continuous concrete pours for the building.

**Project Improvement Measure 3: Construction Management Plan Additional Measures.** The project sponsor's contractor could undertake the following additional measures to a traffic control plan:

- o *Alternative Transportation for Construction Workers* – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include in their contracts methods to encourage carpooling and transit access to the Project site by construction workers. Construction workers should also be encouraged to consider cycling and walking as alternatives to driving alone to and from the site.
- o *Project Construction Updates for Adjacent Businesses and Residents* – To minimize construction impacts on access for nearby institutions and businesses, the Project Sponsor could provide nearby residences and adjacent businesses with construction updates, such as through a website with regularly-updated information regarding Project construction, including a Project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), and travel lane closures.



MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION & IMPROVEMENT MONITORING AND REPORTING PROGRAM  
(Includes Text for Adopted Mitigation Measures & Recommended Improvement Measures)

Adopted Mitigation Measures & Recommended Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR

Cultural Resources

<p><b>Project Mitigation Measure 1: Accidental Discovery (PEIR Mitigation Measure C2).</b> The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel, including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	<p>Project Sponsor</p>	<p>Prior to any soil disturbing activities.</p>	<p>Distribute Planning Department Archeological Resource "ALERT" sheet to Prime Contractor, sub-contractors and utilities firms.</p>	<p>Project sponsor, archaeologist and Environmental Review Officer (ERO)</p>	<p>Prior to any soil disturbing activities.</p>
<p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p>	<p>Project Sponsor</p>	<p>Accidental discovery</p>	<p>Submit signed affidavit of distribution to ERO.</p>	<p>Notify ERO of accidental discovery.</p>	<p>Following distribution of "ALERT" sheet but prior to any soils disturbing activities.</p>
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a</p>	<p>Project Sponsor</p>	<p>In case of accidental</p>	<p>If ERO determines an archeological</p>	<p></p>	<p>During construction.</p>

**MITIGATION & IMPROVEMENT MONITORING AND REPORTING PROGRAM**  
(Includes Text for Adopted Mitigation Measures & Recommended Improvement Measures)

<i>Adopted Mitigation Measures &amp; Recommended Improvement Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/ cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>	<p>Archeological Consultant</p>	<p>discovery.</p>	<p>resource may be present, services of a qualified archeological consultant to be retained. Identify and evaluate archeological resources.</p>	<p>Make recommendation to the ERO.</p>	
<p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	<p>Project Sponsor</p>	<p>After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.</p>	<p>Implementation of Archeological measure required by ERO.</p>		
<p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The</p>	<p>Project Sponsor</p>	<p>Following completion of any* archeological field program (*required).</p>	<p>Submission of Draft/Final FARR to ERO.</p>		
	<p>Project Sponsor</p>		<p>Distribution of Final FARR.</p>		

**MITIGATION & IMPROVEMENT MONITORING AND REPORTING PROGRAM  
 (Includes Text for Adopted Mitigation Measures & Recommended Improvement Measures)**

<i>Adopted Mitigation Measures &amp; Recommended Improvement Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>Environmental Planning Division of the Planning Department shall receive three copies 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/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>					

**RECOMMENDED IMPROVEMENT MEASURES**

(NOT CEQA MITIGATION MEASURES, BUT AGREED TO BY THE PROJECT SPONSOR)

**Transportation**

<p><b>Project Improvement Measure 1: Monitoring and Abatement of Parking Garage Queues.</b> To reduce the potential for queuing of vehicles accessing the project site, the project sponsor/property owner could ensure that recurring vehicle queues do not occur on 15<sup>th</sup> Street adjacent to the site. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of Harriet sidewalk or travel lane on 15<sup>th</sup> Street for a consecutive period of three minutes or longer on a daily and/or weekly basis.</p> <p>If a recurring queue occurs, the owner/operator of the parking facility may employ abatement methods as needed to abate the queue. Appropriate abatement methods may 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).</p> <p>Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site 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 off-site parking facilities or shared parking with nearby uses; use of parking occupancy</p>	<p>Project sponsor; property owner.</p>	<p>Ongoing.</p>	<p>See Improvement Measure.</p>	<p>Property owner; owner/operator of off-street parking facility.</p>	<p>Ongoing.</p>
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**MITIGATION & IMPROVEMENT MONITORING AND REPORTING PROGRAM**  
**(Includes Text for Adopted Mitigation Measures & Recommended Improvement Measures)**

Adopted Mitigation Measures & Recommended Improvement Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.</p> <p>If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department may notify the property owner in writing. Upon request, the owner/operator could hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant could prepare a monitoring report and submit it to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator may have 90 days from the date of the written determination to abate the queue.</p>					
<p><b><u>Project Improvement Measure 2: Limiting the Hours of Construction-Related Truck Traffic and Deliveries.</u></b> The project sponsor could limit truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA). One exception to this measure would be construction vehicles necessary to allow for continuous concrete pours for the building.</p>	Project sponsor and construction contractor.	During construction period.	Contracting; Monitoring	Project sponsor and construction contractor.	During construction period.
<p><b><u>Project Improvement Measure 3: Construction Management Plan Additional Measures.</u></b> The project sponsor's contractor could undertake the following additional measures to a traffic control plan:</p> <ul style="list-style-type: none"> <li>• <i>Alternative Transportation for Construction Workers</i> – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include in their contracts methods to encourage carpooling and transit access to the Project site by construction workers. Construction workers should also be encouraged to consider cycling and walking as alternatives to driving alone to and from the site.</li> <li>• <i>Project Construction Updates for Adjacent Businesses and Residents</i> – To minimize construction impacts on access for nearby</li> </ul>	Project sponsor and construction contractor.	During construction period.	CMP document with additional measures.	Project sponsor and construction contractor.	During construction period.

**MITIGATION & IMPROVEMENT MONITORING AND REPORTING PROGRAM**  
 (Includes Text for Adopted Mitigation Measures & Recommended Improvement Measures)

<i>Adopted Mitigation Measures &amp; Recommended Improvement Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
institutions and businesses, the Project Sponsor could provide nearby residences and adjacent businesses with construction updates, such as through a website with regularly-updated information regarding Project construction, including a Project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), and travel lane closures.					



# SAN FRANCISCO PLANNING DEPARTMENT

## Agreement to Implement Mitigation and Improvement Measures

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

Reception:  
**415.558.6378**

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**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Case No.:* 2014.1510E  
*Project Address:* **2238-2254 Market Street & 2153-2157 15<sup>th</sup> Street**  
*Zoning:* Upper Market Neighborhood Commercial Transit (NCT) &  
 Residential – House, Two Family (RH-2) Zoning Districts  
 40-X & 50-X Height and Bulk District  
*Block/Lot:* 3560/005 – 008; 3560/025 & 026  
*Lot Size:* 22,748 square feet (0.52 acre)  
*Plan Area:* Market-Octavia Area Plan  
*Project Sponsor:* Dan Safier, PF Market LP, (415) 395-0880, dsafier@pradogroup.com  
*Staff Contact:* Susan Mickelsen, (415) 575-9039, susan.mickelsen@sfgov.org

### MITIGATION MEASURES

#### ARCHEOLOGICAL MITIGATION MEASURE I (Accidental Discovery)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an

archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 (1) 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 copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies 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/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

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## **PROJECT IMPROVEMENT MEASURES**

### **Project Improvement Measure 1: Monitoring and Abatement of Parking Garage Queues.**

To reduce the potential for queuing of vehicles accessing the project site, the project sponsor/property owner could ensure that recurring vehicle queues do not occur on 15<sup>th</sup> Street adjacent to the site. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of the 15<sup>th</sup> Street sidewalk or travel lane on 15<sup>th</sup> Street for a consecutive period of three minutes or longer on a daily and/or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility may employ abatement methods as needed to abate the queue. Appropriate abatement methods may 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 the following: redesign of facility to improve vehicle circulation and/or on-site 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 off-site 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, 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 may notify the property owner in writing. Upon request, the owner/operator could hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant could prepare a monitoring report and submit it to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator may have 90 days from the date of the written determination to abate the queue.

**Project Improvement Measure 2: Limiting the Hours of Construction-Related Truck Traffic and Deliveries.** The project sponsor could limit truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA). One exception to this measure would be construction vehicles necessary to allow for continuous concrete pours for the building.

**Project Improvement Measure 3: Construction Management Plan Additional Measures.** The project sponsor's contractor could undertake the following additional measures to a traffic control plan:

- o *Alternative Transportation for Construction Workers* – To minimize parking demand and vehicle trips associated with construction workers, the construction contractor could include in their contracts methods to encourage carpooling and transit access to the Project site by construction workers. Construction workers should also be encouraged to consider cycling and walking as alternatives to driving alone to and from the site.
- o *Project Construction Updates for Adjacent Businesses and Residents* – To minimize construction impacts on access for nearby institutions and businesses, the Project Sponsor could provide nearby residences and adjacent businesses with construction updates, such as through a website with regularly-updated information regarding Project construction, including a Project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), and travel lane closures.

I agree to implement the above Mitigation Measures and Improvement Measures as conditions of project approval.

**Property Owner or Legal Agent Signature**

PF 2254 Market LP, a California limited partnership

February 3, 2016

By: PGD 2254 LLC, a California limited liability company

Date

Its: General Partner

A handwritten signature in black ink, appearing to be "Don Bragg", written over a horizontal line. The signature is somewhat stylized and loops back.

By: Don Bragg

The Prado Group

Agent for Owner