



# SAN FRANCISCO PLANNING DEPARTMENT

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## Notice of Preparation of an Environmental Impact Report and Initial Study

*Date:* February 9, 2018  
*Case No.:* **2015-010013ENV**  
*Project Title:* 30 Otis Street Project  
*Zoning:* Downtown General Commercial District (C-3-G); Neighborhood Commercial Transit (NCT-3)  
Van Ness and Market Downtown Residential Special Use District  
85/250 R-2 and 85-X Height and Bulk Districts  
*Block/Lot:* 3505/10, 12, 13, 16, and 18  
*Project Sponsor:* Align Otis, LLC  
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### PROJECT SUMMARY

The project site is on the north side of Otis Street at the intersection of Otis Street, 12<sup>th</sup> Street, and South Van Ness Avenue (U.S. Highway 101), in San Francisco's South of Market (SoMa) neighborhood. The project site is 36,042-square-feet (sf) and includes five parcels (Block 3505, Lots 10, 11, 12, 13, 16 and 18) that would be merged into a single lot. The proposed project would demolish the five existing buildings on the site,<sup>1</sup> and construct a new residential building with ground-floor retail uses along Otis Street and 12th Street and a theater and arts activity use fronting 12th Street. The site is within the Market and Octavia Plan boundaries.

The proposed building would have a total of approximately 484,635 sf (or 404,770 gross square feet (gsf) per San Francisco Planning Code). It would be a single structure with two cores: a 10-story podium structure extending across the entire site and a 27-story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets. The proposed project would include 295,400 sf of residential units (423 residential units ranging from studios to three-bedroom units); 5,585 sf of ground-floor retail space in three separate spaces; 16,600 sf of arts activities space<sup>2</sup> with studios and a theater; and approximately 23,000 sf of open space provided on the ground floor and residential terraces. The proposed building would range between 85 to 250 feet tall with additional building elements, such as parapets, wind screens, planters, and mechanical penthouses, extending approximately 25 feet and 21 feet above the 85- and 250-foot-tall roofs. The proposed

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<sup>1</sup> The five existing buildings include 14-18 Otis Street, 74 12<sup>th</sup> Street, 90-98 12<sup>th</sup> Street, 30 Otis Street and 38 Otis Street.

<sup>2</sup> The arts activity space would be occupied by the City Ballet School, which currently operates on the site in the 30 Otis Street building in approximately 10,000 sf gsf.

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building would also include a two-level underground garage, providing 71 residential parking spaces, three car-share spaces, one off-street loading space, and two service spaces.

Ground floor retail uses would face Otis Street and 12th Street, and the residential units would be accessible from two lobbies: one along 12th Street providing primary access to the tower units and one along Otis Street providing primary access to the podium units. Secondary access to the residential units is also provided at the rear of the project site along Chase Court. Access to the theater and arts activity space would be provided via a dedicated lobby along 12<sup>th</sup> Street. A publicly accessible open space would be provided along Otis Street between two retail spaces near the center of the Otis Street frontage. In addition, the proposed project would expand the existing 15-foot-wide sidewalk on the west side of 12th Street to create a public plaza ranging from 25 to 34 feet wide at the corner of 12th Street and South Van Ness Avenue (the 12th Street Plaza).

The garage entrance would be located off 12th Street. Access to the garage entrance would be provided via a short drive aisle crossing the 12th Street Plaza. The drive aisle would provide access to both the garage entrance and the freight loading space and varies in width from 15 feet, 6 inches to approximately 23 feet. It would be separated from the 12th Street Plaza by bollards and differentiated paving to notify pedestrians that it is a drive aisle. Pedestrian striping would also be provided to mark designated pedestrian crossing areas. Access to the drive aisle would be provided by a single 15 feet, 6 inch curb-cut along 12th Street. Ten feet from the garage entry would be a 16-foot vehicle lane where two vehicles could queue before entering the garage. The garage ramp would be a single lane ramp accessed from a 10-foot garage door. The 14-foot-wide ramp would provide room for one car. Access to the ramp would be monitored at both ends to limit conflicts between cars entering and exiting the garage. The 10-foot-wide freight loading space would be adjacent to the 10-foot garage entry, separated by landscaping and other features.

The proposed project would include 361 class 1 bicycle parking spaces that would be located between the ground and basement floors, and second floor along Chase Court and 32 class 2 spaces would be located along the Otis and 12th streets frontages.

The site is zoned C-3-G (Downtown General Commercial District) and Neighborhood Commercial Transit (NCT-3) and the 85/250 R-2 and 85-X height and bulk districts. The project would require approval of a downtown project authorization (Planning Code section 309) and an in-kind improvements agreement (Planning Code section 421.3(d) and 424.3(c)); an exception for ground-level wind currents requirements (planning code section 148), a height exemption for elevator overrun (Planning Code section 260(b)); a rear yard modification (Planning Code section 134); and variances for ground floor height requirements (Planning Code section 145.1(c)(4)) and an awning that would function as a wind canopy (Planning Code section 136.1).

A more detailed project description is provided in the *Initial Study – Community Plan Evaluation*, attached to this document.

## REMARKS

California Environmental Quality Act (CEQA) section 21083.3 and CEQA Guidelines section 15183 provide that 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 shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific effects that 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 that 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 that project solely on the basis of that impact. Section 15183(b) specifies that in approving a project meeting the requirements of section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines in an initial study or other analysis (here, in the attached initial study-community plan evaluation) were not analyzed as significant effects in the prior EIR prepared for the general plan, community plan, or zoning action.

The attached initial study evaluates the potential project-specific environmental effects of the 30 Otis Street Project (“proposed project”), and incorporates by reference information contained within the *Market and Octavia Neighborhood Plan Final Environmental Impact Report* (Market and Octavia PEIR) (Case No. 2003.0347E; State Clearinghouse No. 2004012118), which is the underlying EIR for the proposed project. Project-specific studies summarized in the initial study were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., “peculiar” to) the proposed project. The initial study contained in this document identifies the potential environmental impacts of the proposed project, and indicates whether such impacts were addressed and disclosed in the Market and Octavia PEIR, or if particular topics are to be further evaluated in the focused EIR to be prepared for the proposed project pursuant to section 15183(b).

The attached initial study assesses the proposed project’s potential to cause environmental impacts and concludes that the proposed project would not result in new, project-specific environmental impacts, or impacts of greater severity than were already analyzed and disclosed in the Market and Octavia PEIR for the following issue topics: land use and land use planning; aesthetics; population and housing; archeological resources; noise; air quality; shadow; recreation; utilities and service systems; public services; biological resources; geology and soils; hydrology and water quality; hazards and hazardous materials; mineral and energy resources; and agriculture and forest resources. A focused EIR will be prepared to address the following topics: historic architectural resources, construction-related transportation impacts, and cumulative wind conditions. Relevant information pertaining to prior environmental review conducted for the Market and Octavia Plan is included below, as well as an evaluation of potential environmental effects of the proposed project. In addition, this determination identifies mitigation measures contained in the Market and Octavia PEIR that would be applicable to the proposed 30 Otis Street Project. Relevant information pertaining to prior environmental review

conducted for the Market & Octavia PEIR, as well as an evaluation of the potential impacts of the proposed 30 Otis Street Project, is provided in the attached *Initial Study – Community Plan Evaluation* prepared for the proposed project.

## BACKGROUND

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR by Motion No. 17406.<sup>3,4</sup> The PEIR analyzed amendments to the San Francisco General Plan (General Plan) to create the Market and Octavia Area Plan and amendments to the planning code and zoning maps. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Area Plan. The proposed 30 Otis 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 portion of the growth that was forecast for the Market and Octavia Plan area. Thus, the area plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 30 Otis Street project.

In May 2008, subsequent to the certification of the PEIR, the Board of Supervisors approved and the Mayor signed into law revisions to the Planning Code, Zoning Maps, and General Plan that constituted the "project" analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls, which allow for flexible types of new housing to meet a broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable whole neighborhoods meeting everyday needs. The Market and Octavia Area Plan, as evaluated in the PEIR and as approved by the Board of Supervisors, accommodates the proposed use and density of the 30 Otis Street project.

The Market and Octavia PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Market and Octavia Plan. Individual projects that occur under the Market and Octavia Plan 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 is required. This determination concludes that the proposed project at 30 Otis Street is generally 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 majority of the impacts of the proposed 30 Otis Street Project, and identifies the mitigation measures from the Market & Octavia PEIR that are applicable to the 30 Otis 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>5,6</sup>

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<sup>3</sup> San Francisco Planning Department, Market and Octavia Area Plan Final Environmental Impact Report, Case No. 2003.0347E, certified April 5, 2007. This document, and other cited Market and Octavia Area Plan documents, are available online at <http://www.sf-planning.org/index.aspx?page=1893>, accessed October 31, 2017.

<sup>4</sup> San Francisco Planning Commission Motion No. 17406, April 5, 2007. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed October 31, 2017.

<sup>5</sup> San Francisco Planning Department. Community Plan Exemption Eligibility Determination Citywide Planning and Policy Analysis. 30 Otis Street Project. Case No. 2015-010013ENV. June 20, 2017.

<sup>6</sup> San Francisco Planning Department. Community Plan Exemption Eligibility Determination Current Planning. 30 Otis Street Project. Case No. 2015-010013ENV. July 21, 2017.

## ENVIRONMENTAL REVIEW TOPICS

The Planning Department has determined that the proposed project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR. However, the proposed project could result in potentially significant environmental effects not covered in the Market and Octavia PEIR. As required by CEQA, a focused EIR will be prepared to examine these effects, identify mitigation measures for potentially significant impacts, analyze whether proposed mitigation measures would reduce the significant environmental impacts to less-than significant levels, and identify any significant impacts determined to be unavoidable. Based on the findings of the *Initial Study – Community Plan Evaluation*, the EIR will be focused to address the following topics:

**Historic Architectural Resources.** An existing building on the project site (14-18 Otis Street) is considered a historical resource for purposes of CEQA. The proposed project would demolish this building. The EIR will describe the historical resource, identify significant impacts, and describe mitigation measures and alternatives that would reduce or eliminate the impacts.

**Construction Transportation.** The project could have significant construction-related transportation impacts. The EIR will evaluate construction-related transportation effects, and describe mitigation measures and alternatives that would reduce or eliminate the impacts.

**Wind.** The project could have a considerable contribution to significant wind hazard exceedances in the cumulative development scenario. The EIR will evaluate through a comprehensive wind-tunnel assessment the project's contribution to the cumulative setting, and describe mitigation measures and alternative that would reduce or eliminate the impacts.

**Alternatives.** The EIR will also analyze a reasonable range of alternatives that would reduce or avoid one or more significant environmental impacts identified in the EIR, including a No Project Alternative, which will assume no change to the existing physical conditions on the project site, and one or more alternatives to address other significant effects of the proposed project that are identified in the EIR.

## FINDING

**This project may have a significant effect on the environment and an environmental impact report is required.** This determination is based upon the criteria of the CEQA section 21083.3 and CEQA Guidelines, section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), section 15064 (Determining Significant Effect), and section 15065 (Mandatory Findings of Significance). The purpose of the EIR is to provide information about potential significant physical environmental effects of the proposed project, to identify possible ways to minimize the significant effects, and to describe and analyze possible alternatives to the proposed project. Preparation of an NOP or EIR does not indicate a decision by the City to approve or to disapprove the project. However, prior to making any such decision, the decision makers must review and consider the information contained in the EIR.

PUBLIC SCOPING PROCESS

Written comments on the scope of the EIR will be accepted until 5:00 p.m. on **March 12, 2018**. Written comments should be sent to Julie Moore, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 or emailed to [julie.moore@sfgov.org](mailto:julie.moore@sfgov.org).

If you work for an agency that is a Responsible or a Trustee Agency, we need to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. We will also need the name of the contact person for your agency. If you have questions concerning environmental review of the proposed project, please contact **Julie Moore** at **(415) 575-8733**.

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

February 9, 2018  
Date

  
Lisa Gibson  
Environmental Review Officer

# INITIAL STUDY – COMMUNITY PLAN EVALUATION 30 OTIS STREET PROJECT

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Initial Study – Community Plan Evaluation

*Case No.:* 2015-010013ENV  
*Project Address:* 30 Otis Street  
*Zoning:* Downtown General Commercial District (C-3-G); Neighborhood Commercial Transit (NCT-3)  
Van Ness and Market Downtown Residential Special Use District  
85/250 R-2 and 85-X Height and Bulk Districts  
*Block/Lot:* 3505/10, 12, 13, 16, and 18  
*Lot Size:* 36,042 square feet  
*Plan Area:* Market and Octavia Neighborhood Area Plan  
*Project Sponsor:* Align Otis, LLC  
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*Staff Contact:* Julie Moore (415) 575-8733  
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### PROJECT DESCRIPTION

#### Project Location

The project site is on the north side of Otis Street at the intersection of Otis Street, 12<sup>th</sup> Street, and South Van Ness Avenue (U.S. 101), in San Francisco's South of Market (SoMa) neighborhood. The 36,042-square foot (sf) rectangular site comprises five adjacent lots (Assessor's Parcel Numbers 3505-010, 3505-012, 3505-013, 3505-016, and 3505-018) with frontage along Otis Street, 12<sup>th</sup> Street, Colusa Alley and Chase Court. South Van Ness Avenue is located at the eastern corner of the site (see **Figure 1, p. 7, Project Location and Height and Bulk Districts**). Five commercial buildings ranging from one to three stories currently exist on the project site and occupy the entire extent of the five lots. The project site is within the Market and Octavia Area Plan boundaries. Four of the lots (Block 3505, Lots 010, 012, 013 and 016) are zoned Downtown General Commercial District (C-3-G) and are in the Van Ness and Market Downtown Residential Special Use District, while the fifth lot (Block 3505, Lot 018) is zoned Neighborhood Commercial Transit (NCT-3) and is outside the special use district. Three of the lots are in an 85-X height and bulk district (Block 3505, Lots 010, 016, and 018) and two of the lots (Block 3505, Lots 012 and 013) are in an 85/250 R-2 height and bulk district.

Local roadways near the project site include Otis Street to the south (one-way westbound), 12<sup>th</sup> Street to the north-northeast (two-way north to southbound), Brady Street to the west (two-way north to southbound), and Chase Court to the north (short east to west alleyway). Mission Street to the south (two-way east to westbound), and Market Street to the north (two-way east to westbound) also operate as major local roadways in the project vicinity. Regional roadway access to the project site includes South Van Ness Avenue (U.S. 101) adjacent to the east corner of the site (a four-lane major roadway flowing

approximately north and south), and I-80, with the closest access ramp approximately 0.2 mile southeast of the project site at 13th Street and South Van Ness Avenue.

The proposed project site is well served by local and regional public transit, including San Francisco Municipal Transportation Agency (Muni) light rail and bus transit, and the Bay Area Rapid Transit (BART) and Caltrain regional rail systems. The closest Muni Metro station entrances to the project site are approximately 0.1 mile north at Van Ness Avenue and Market Street; the station serves underground lines J-Church, KT-Ingleside/Third Street, L-Taraval, M-Ocean View, and N-Judah. Muni also operates the historic F Street Car along Market Street, approximately 0.1 mile north. Numerous Muni bus lines operate in the area. Local Muni bus lines 6, 7, 9, 14, 21, 47, and 49, and rapid bus lines 7R, 9R, and 14 R all operate within 0.25 mile of the project site. There is a bus stop for the 14 and 49 bus lines adjacent to the project site on Otis Street; SFMTA is planning to install a bus island at this location as part of the MUNI Forward project.

The Bay Area Rapid Transit (BART) stations most accessible to the project site are the Civic Center Station, at Market Street and 8th Street, and the 16th Street/Mission Station. These stations are approximately 0.5 mile northeast and southwest from the project site, respectively. Caltrain operates regional rail service in the area, with the nearest station at Fourth and King streets, approximately 1.5 miles east.

### Existing Conditions

The project site slopes up 13 feet from Otis Street up to Chase Court along the western edge of the site. Along the eastern edge of the site, it slopes up about 4 feet from the corner of Otis and 12<sup>th</sup> to the northeast corner. Along the southern edge, the site slopes up about 1 foot from the southwest corner of the project site to the southeast corner at Otis and 12<sup>th</sup> Street.

As noted above, the project site contains five existing buildings. Information on each of the buildings is summarized in **Table 1, Existing Site Conditions**, below. The building at 14-18 Otis Street has been determined to be a historic resource under the California Environmental Quality Act (CEQA); it appears eligible for the California Register of Historical Resources.

**Table 1: Existing Site Conditions**

Address	Block/Lot	Area (square feet)	Building (square feet)	Stories	Use
74 12th Street	3505/10	7,274	2,430	One	Industrial/automotive auto body repair
90-98 12th Street	3505/12	6,599	8,200	One + Mezzanine	Retail
14-18 Otis Street	3505/13	4,996	15,000	Three	Commercial (office)
30 Otis Street	3505/16	9,870	20,400	Two	Industrial/automotive glass repair on first floor; ballet school on second floor
38 Otis Street	3505/18	7,251	7,200	One	Industrial/automotive repair

Source: San Francisco Planning Department, Property Information Map, October 2017.

In total, the existing buildings contain approximately 53,200 sf of uses, comprising 8,200 sf of retail, 15,000 sf of office, 20,000 sf of production distribution and repair (PDR), and 10,000 sf of arts activities uses. There are currently no residential uses located on the site.

No parking is available on the project site. On-street parking is available on Otis and 12th streets in metered parking stalls. There are seven existing curb cuts on the project site. Five of the curb cuts are active, providing access to the onsite automotive uses or off-street loading. Two curb cuts near the corner of Otis and 12th streets are inactive. There are three yellow loading spaces flanking the driveway at 38 Otis Street, and a MUNI bus stop and red zone at the corner of Otis and 12th streets, fronting 14-18 Otis Street and 98 12th Street.

### **Project Characteristics**

The proposed 30 Otis Street project would merge the five lots into one lot, demolish the existing buildings, and construct a residential building with ground-floor retail and arts activity use. The proposed building would be comprised of a single structure with two cores: a 10-story podium structure extending across the entire site and a 27-story single tower in the southeastern portion of the building, approximately at the corner of Otis and 12th streets (see **Figure 2, p. 8, Proposed Site Plan**). The proposed building would be 85 to 250 feet tall with additional building elements, such as parapets, wind screens, planters, and mechanical penthouses, extending up to approximately 25 feet and 21 feet above the 85- and 250-foot-tall rooflines respectively. (See **Figures 3 and 4, pp. 9-10, Proposed South and North Elevations**).

As summarized in Table 2, the proposed building would be approximately 484,635 sf (or 404,770 gross square feet (gsf) per San Francisco Planning Code), which would include 295,400 sf of residential units (423 residential units ranging from studios to three-bedroom units); 5,585 sf of ground-floor retail space in three separate spaces;<sup>1</sup> 16,600 sf of arts activities space<sup>2</sup> with studios and a theater; and approximately 22,760 sf of open space provided on the ground floor and residential terraces. **Table 2, Summary of Proposed Uses**, presents key project characteristics, including square footages.

As shown in **Figure 5, p. 11, Proposed Ground Floor Plan**, three retail spaces are proposed, two along Otis Street and one wrapping around the corner of Otis and 12th streets. Access to the residential units would be via two lobbies: one along 12th Street providing primary access to the tower units and one on Otis Street adjacent to the Otis Street plaza, providing primary access to the podium units. Off-street bicycle parking is provided at the ground floor, accessible from Otis Street. Access to the off-street parking and loading spaces would be via a single 15-foot, 6-inch wide curb-cut along 12<sup>th</sup> Street leading to an off-street loading bay and a single drive garage ramp providing access to the below grade parking and service vehicle loading. The project would include a traffic control system at the garage entrance that would allow vehicles to proceed only when the ramp is clear of oncoming vehicles. A gate at the base of the ramp would prohibit vehicles from accessing the ramp from below while the incoming vehicle is on the ramp. The garage would also include a pedestrian warning system.

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<sup>1</sup> The majority of this space would be exempt from gross floor area. Each of the retail spaces in the C-3-G district are proposed to be less than 5,000 sf. Only 650 sf of retail space in the NCT-3 district is not exempt.

<sup>2</sup> The arts activity space would be occupied by the City Ballet School, which currently operates on the site in the 30 Otis Street building in approximately 10,000 gsf.

**Table 2: Summary of Proposed Uses**

Proposed Uses	Description	Approximate Area
Retail	3 spaces	5,585 sf (650 gsf)
Arts Activities (City Ballet School)	6 studios (2 of which can be combined into a theater)	16,600 sf (11,400 gsf)
Residential	423 units 42 studios, 261 one-bedroom, 111 two-bedroom, 9 three-bedroom	295,400 sf (295,400 gsf)
Parking and Loading	71 auto, 3 car share 1 freight, 2 service, 2 residential loading	43,215 sf (1,650 gsf)
Bicycle Parking	361 class 1, 32 class 2	4,310 sf (0 gsf)
Open Space	Private, common and publicly accessible	22,760 sf (exterior open space not included in totals below)
Residential Lobby & Amenity Space	Lobbies, workshop, lounge, creative studio, co-working, fitness studio, gaming theater, mail room, reservable kitchen, bar/club	15,550 sf (11,300 gsf)
Leasing	Leasing Area	1,260 (1,260 gsf)
Mechanical/Circulation		102,715 sf (83,110 gsf)
<b>Total</b>		<b>484,635 sf (404,770 gsf)</b>

The pedestrian warning system would include wall-mounted signs or bollards with caution lights and a voice message to alert pedestrians in the proposed 12<sup>th</sup> Street Plaza that a vehicle is progressing up the ramp from the garage. A separate lobby entrance, ticket office, concession stand and reception area for the City Ballet School (arts use) is proposed along 12<sup>th</sup> Street. The ballet school would occupy the northern portion of the ground floor with four medium-sized training studios, along with two large studios that can be combined into a 250-seat performance venue to serve as a recital hall for the ballet school, a performance theatre for traveling dance companies, and a community theatre for other arts and community organizations. The ballet school space would also include offices, dressing rooms, and storage.

As shown in **Figure 6, p. 12, Proposed Second Floor Plan**, the second floor would be a mix of residential amenity space, residential units, common outdoor area, and open area overlooking the ground floor lobby with stair access. There would be 84 bicycle parking spaces, accessed from street level via Chase Court, due to the site slope. As shown in **Figure 7, p. 13, Proposed Third Floor Plan**, the third floor includes residential units and a 2,540-sf outdoor common area terrace with direct access to Chase Court. As shown in **Figure 8, p. 14, Floors 4 through 9 Typical Floor Plan**, the typical fourth through ninth floors include residential units and private balconies, and **Figure 9, p. 15, Proposed 10th Floor Plan** shows the top level of the podium structure, with residential units, a fitness center, and pool deck.

The tower portion of the proposed project would start at floor 11. As shown in **Figure 10, p. 16, Proposed 11th Floor Plan**, the 11<sup>th</sup> floor would include residential units and a 3,670-sf outdoor common terrace, and a podium rooftop residential bar/lounge. As shown in **Figures 11 and 12, pp. 17-18**, typical floor plans for

levels 12 through 27 of the tower would consist of residential units and private balconies, and a 2,330-sf common terrace on the 26<sup>th</sup> floor.

The proposed project would provide 71 residential parking spaces and three car-share spaces in two basement levels (refer to **Figure 13, p. 19, Proposed Basement Level 1 Plan**, and **Figure 14, p. 20 Proposed Basement Level 2 Plan**). No off-street parking is proposed for the retail or arts activities space. The garage entrance would be located off 12<sup>th</sup> Street. Access to the garage entrance would be provided via a short drive aisle crossing the 12<sup>th</sup> Street Plaza. The drive aisle would provide access to both the garage entrance and the freight loading space and would vary in width from approximately 15-foot, 6-inches to 23 feet. It would be separated from the 12<sup>th</sup> Street Plaza by bollards and differentiated paving to notify pedestrians that it is a drive aisle. Striping would also be provided to mark designated pedestrian crossing areas. Ten feet from the garage entry would be an 18-foot-long lane where two vehicles can queue outside of the travel lane before entering the garage. Access to the drive aisle would be provided by a single 15-foot, 6-inch curb cut along 12<sup>th</sup> Street. The garage ramp would be a single vehicle ramp accessed from a 10-foot garage door. The ramp would be 14-foot-wide, providing room for one car. Access to the ramp would be monitored at both ends to limit conflicts between cars entering and exiting the garage. A 10-foot-wide freight loading space would be located adjacent to the vehicle ramp separated from the garage entry by landscaping and other features.

The proposed project includes 361 class 1 bicycle parking spaces that would be located between the ground floor, basement floors, and second floor along Chase Court, which is at grade at Level 2, and 32 class 2 spaces would be located along the Otis and 12<sup>th</sup> streets frontages.<sup>3</sup> Level 1 near the Otis Street entry would include a bicycle workshop/lounge.

The building would provide off-street loading in one freight loading space at ground level accessed from 12<sup>th</sup> Street, two service vehicle spaces (one on each floor of the below-grade garage), and two “move-in/move-out” loading spaces on the first garage level. The proposed off-street freight loading space would be at the northeast corner of the building, and accessed via the 15-foot, 6-inch curb cut on 12<sup>th</sup> Street. The loading space would be accessed from a 10-foot-wide garage door adjacent to the 10-foot-wide garage entry but separated by landscaping and other features. The freight loading space would contain a loading dock and direct access to the freight elevator. A diesel back-up generator equipped with best available control technology for emissions control<sup>4</sup> would be in the second basement level.

### Streetscape Improvements

Improvements in the Otis and 12<sup>th</sup> streets public rights-of-way would include new publicly accessible open spaces, and new street trees and landscaped areas. The project sponsor would remove the one existing street tree on the Otis Street frontage, and according to Public Works Code sections 805 and 806, would plant four to five new street trees along the Otis and 12<sup>th</sup> streets frontages. Streetscape improvements would expand the Otis Street sidewalk from 10 feet to 12 feet wide and create a 750-square-foot plaza in front of the podium lobby on Otis Street. In addition, the proposed project would

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<sup>3</sup> Section 155.1(a) of the Planning Code defines class I bicycle spaces as “spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees” and defines class II bicycle spaces as “spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.”

<sup>4</sup> The Bay Area Air Quality Management district is responsible for issuing permits for stationary sources. Back-up diesel generators equipped with best available control technology would result in the lowest achievable emission rate.

expand the existing 15-foot-wide sidewalk on the west side of 12<sup>th</sup> Street to create a public plaza ranging from 25 to 34 feet wide at the corner of 12<sup>th</sup> Street and South Van Ness Avenue (the 12<sup>th</sup> Street Plaza).

### **Open Space**

The proposed project would include approximately 4,064 square feet of private open space in private terraces and balconies and 18,081 square feet of common open space. The common open space is provided in a series of terraces located at the 2<sup>nd</sup>, 3<sup>rd</sup>, 10<sup>th</sup> and 11<sup>th</sup> floor, including approximately 6,600 square feet of open area outdoor terraces on the 11<sup>th</sup> floor. Additional common open space is also provided in two terraces totaling approximately 2,330 square feet on the 26<sup>th</sup> floor. Privately owned public open space (POPOs) would be provided in a 750-square-foot ground floor plaza along Otis Street as well as in additional building set-back areas along Otis Street and adjacent to the proposed 12<sup>th</sup> Street Plaza to be created as part of the streetscape improvements in the area.

### **Project Construction**

The proposed project would have an estimated depth of excavation for the two-level parking garage/basement of up to 35 feet below ground surface. Up to approximately 38,000 cubic yards of soil would be removed from the proposed project site, and below-grade excavation would require temporary shoring of excavation side walls. Up to 600 cubic yards of demolition debris would be removed from the project site. The proposed project foundation is anticipated to consist of a reinforced concrete mat slab foundation.

The project sponsor anticipates that construction would span approximately 28 months, and would be conducted in three phases: (1) demolition, (2) excavation and shoring, and (3) construction. Demolition would last approximately one month, excavation approximately five months, and construction approximately 22 months. Heavy construction equipment such as front loaders, backhoes, drilling equipment, tractors, graders and trucks would be used as well as cranes, pumps and limited use of generators. Pile driving is not proposed as the proposed project would use a mat foundation system. Proposed project construction would require the temporary removal of sidewalks along the Otis and 12<sup>th</sup> streets project frontages.

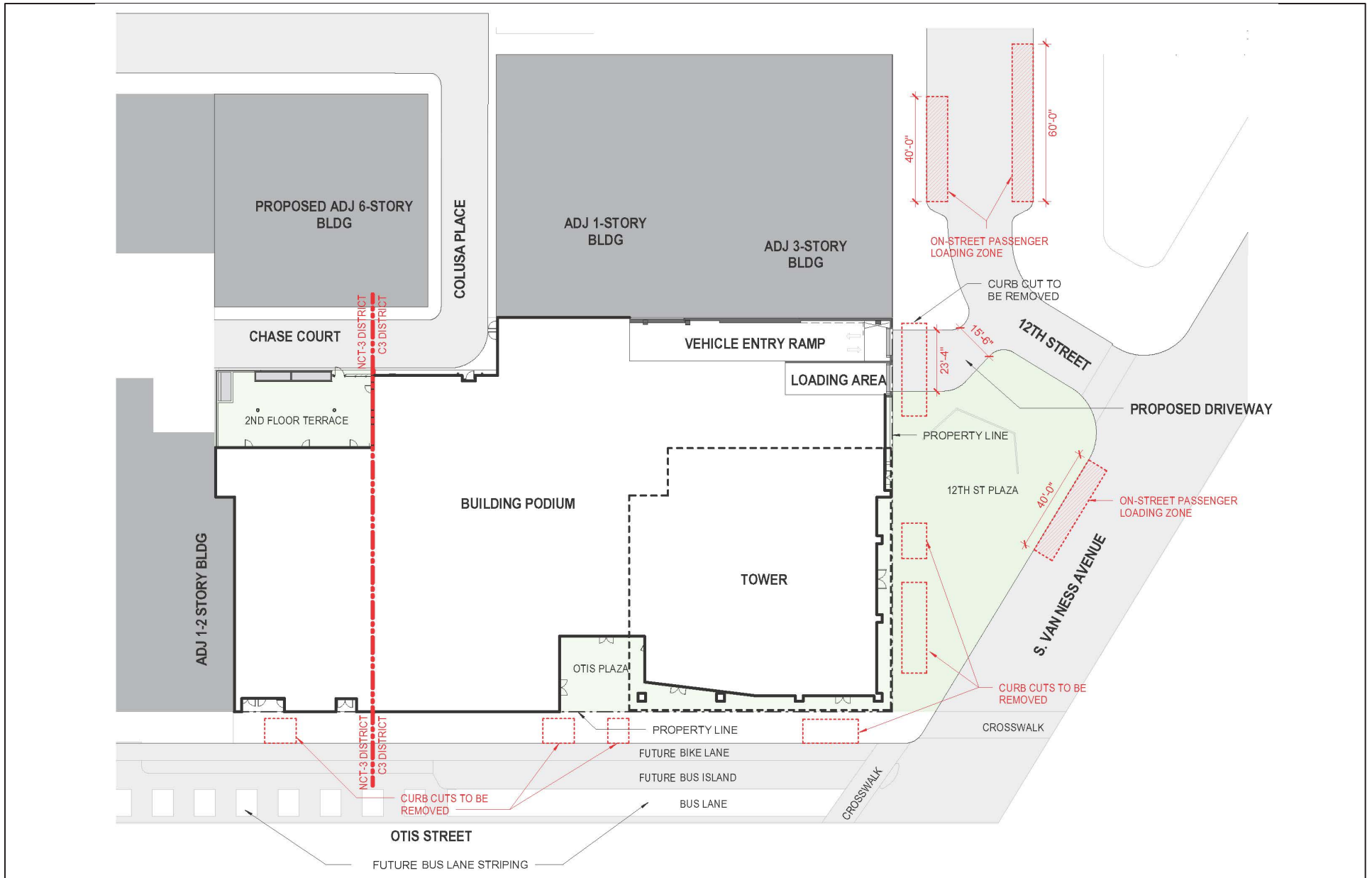


source: City and County of San Francisco, TRC

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 1: PROJECT LOCATION AND HEIGHT/BULK DISTRICTS**



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 2: PROPOSED SITE PLAN**





SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 3: PROPOSED SOUTH (OTIS STREET) ELEVATION**



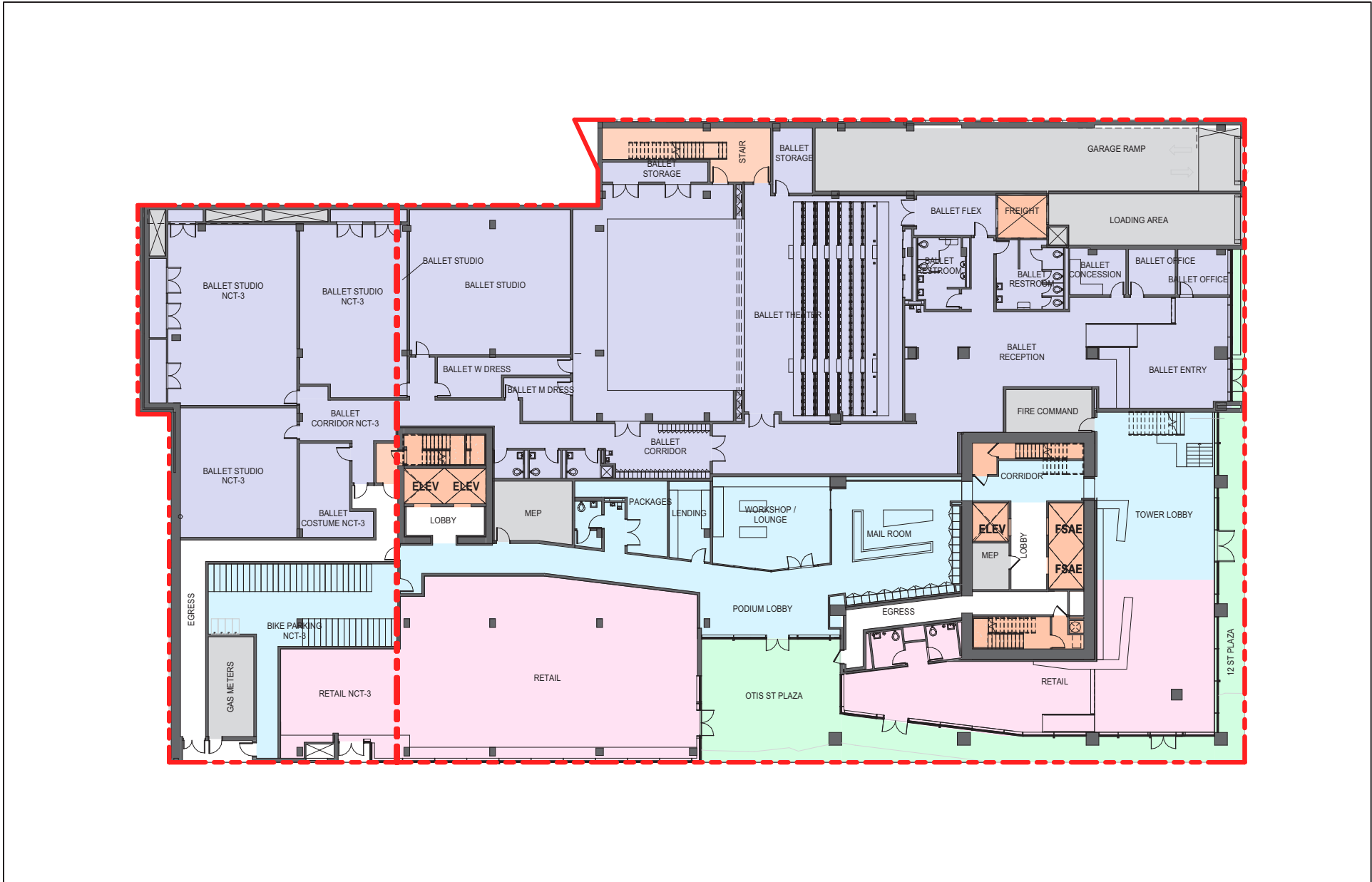
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

## 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 4: PROPOSED NORTH ELEVATION**



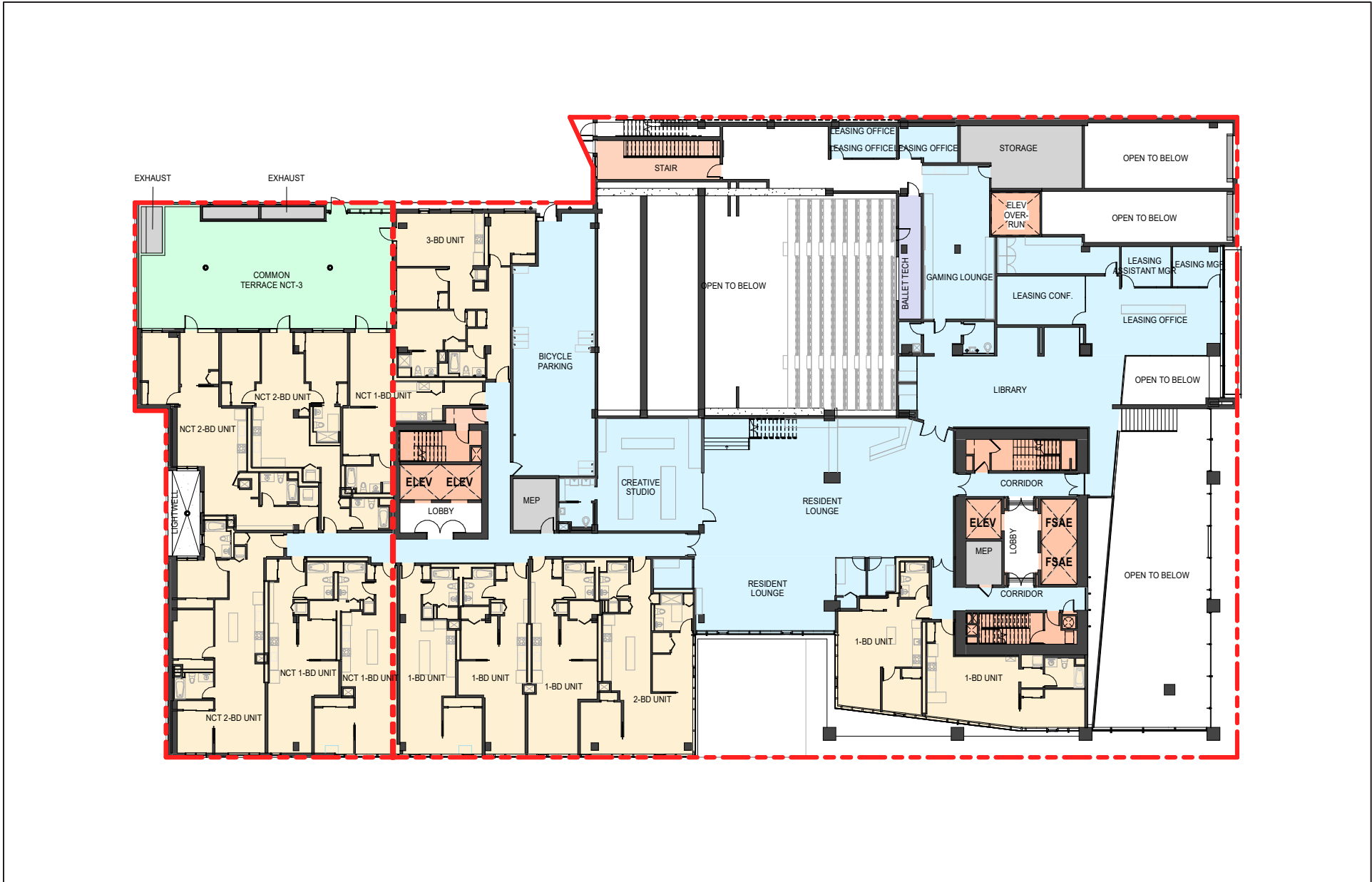
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 5: PROPOSED GROUND FLOOR PLAN**



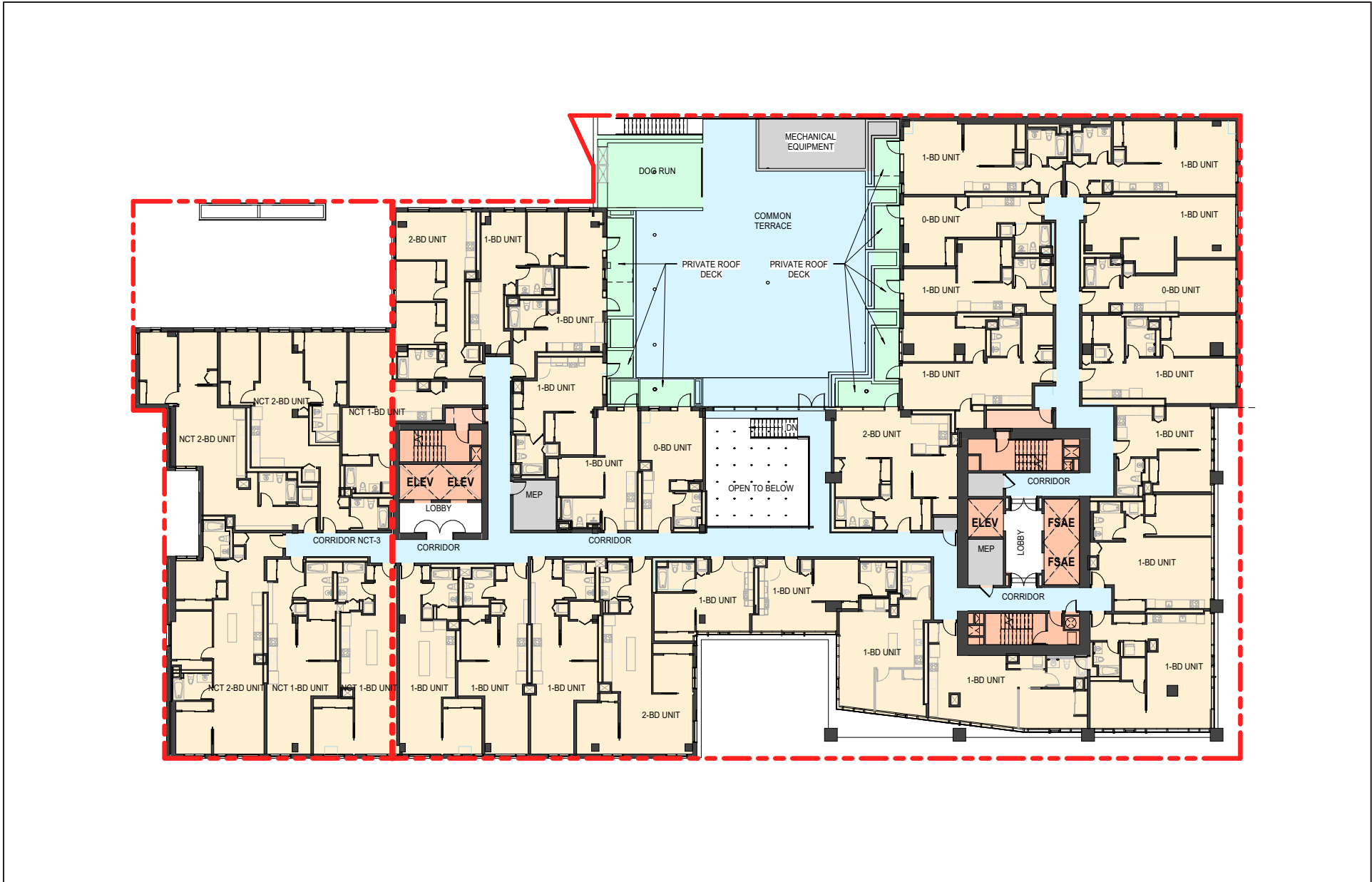
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 6: PROPOSED SECOND FLOOR PLAN**



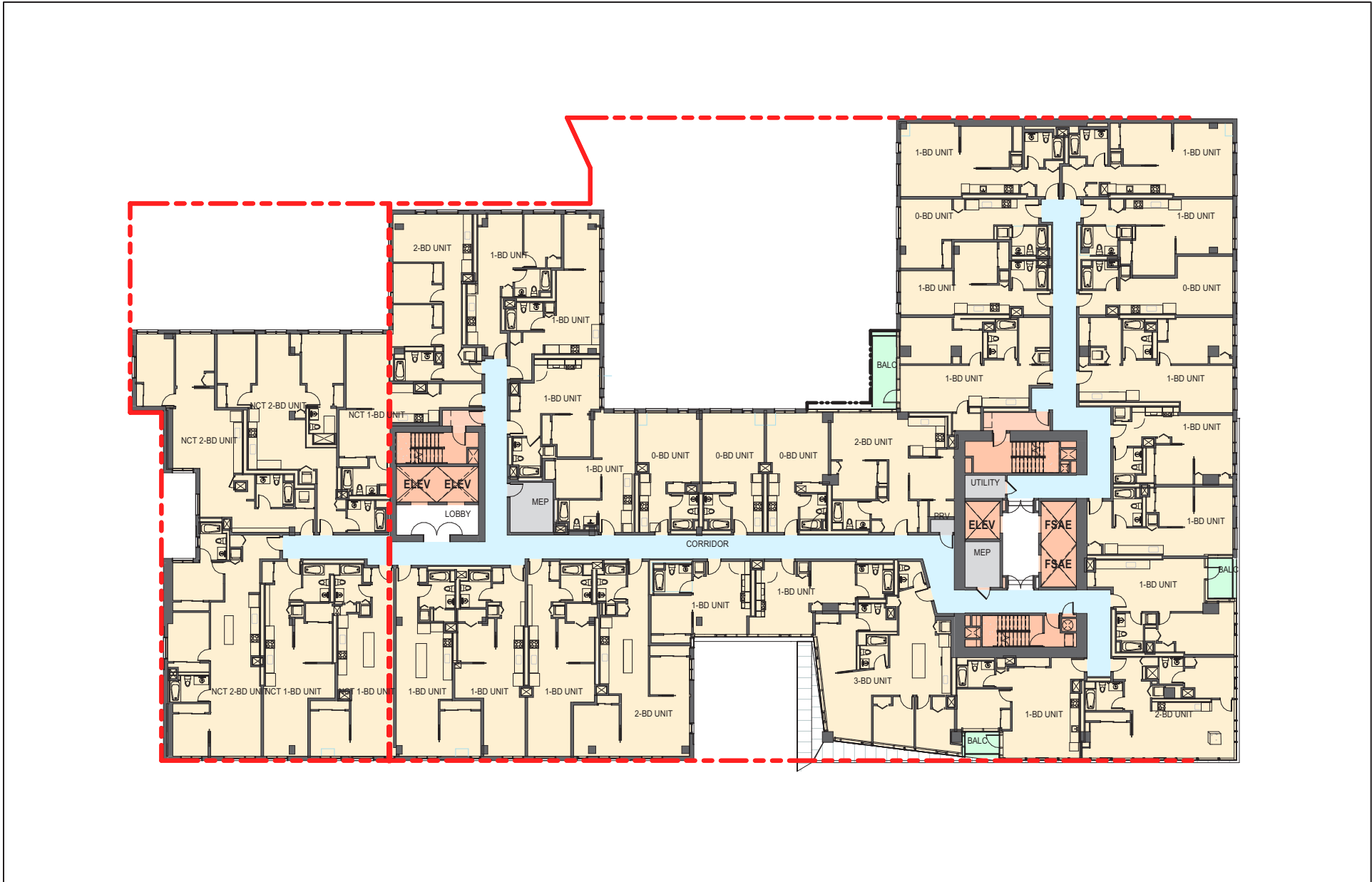
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 7: PROPOSED THIRD FLOOR PLAN**



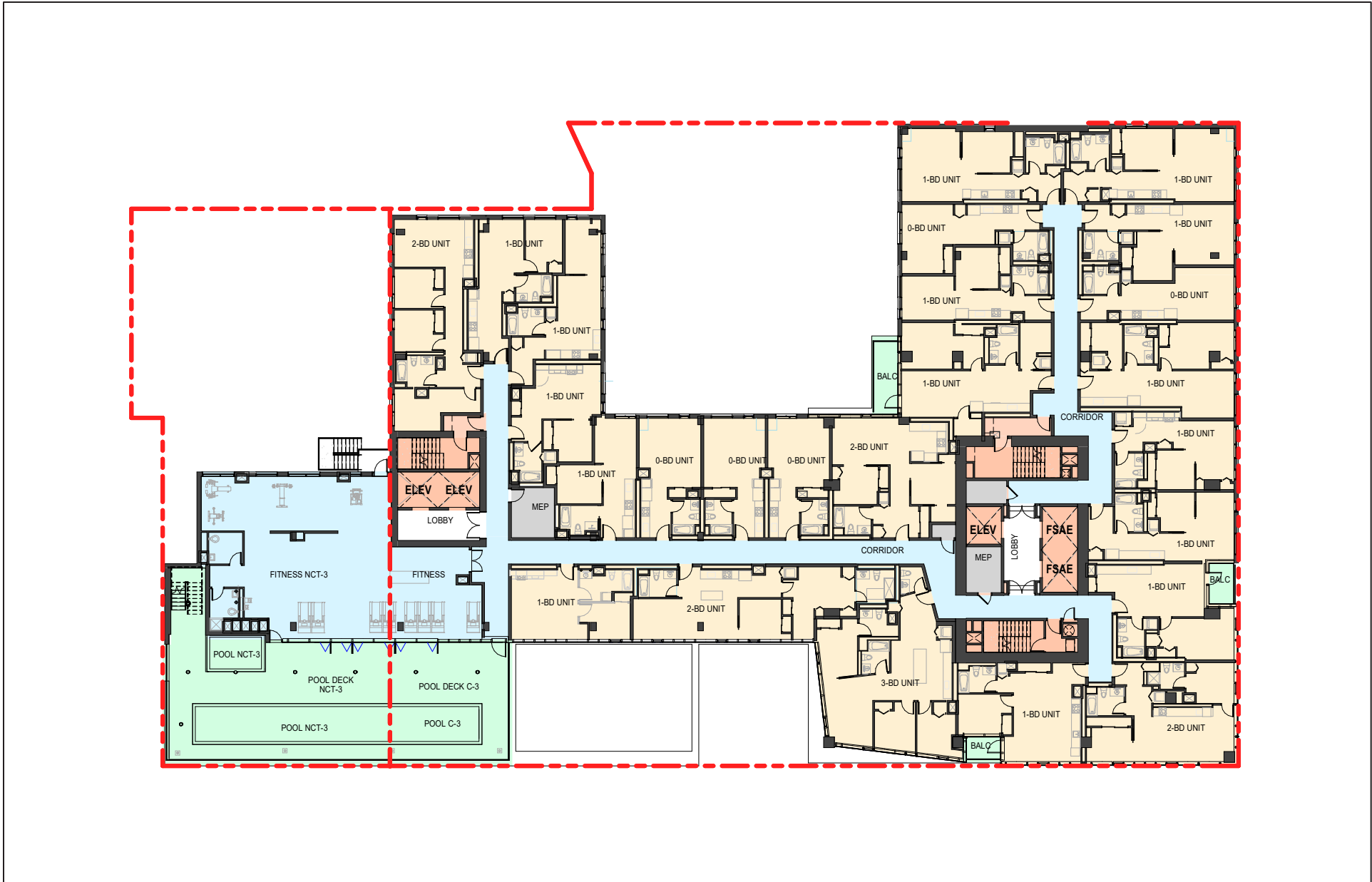
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 8: FLOORS 4 THROUGH 9 TYPICAL FLOOR PLAN**



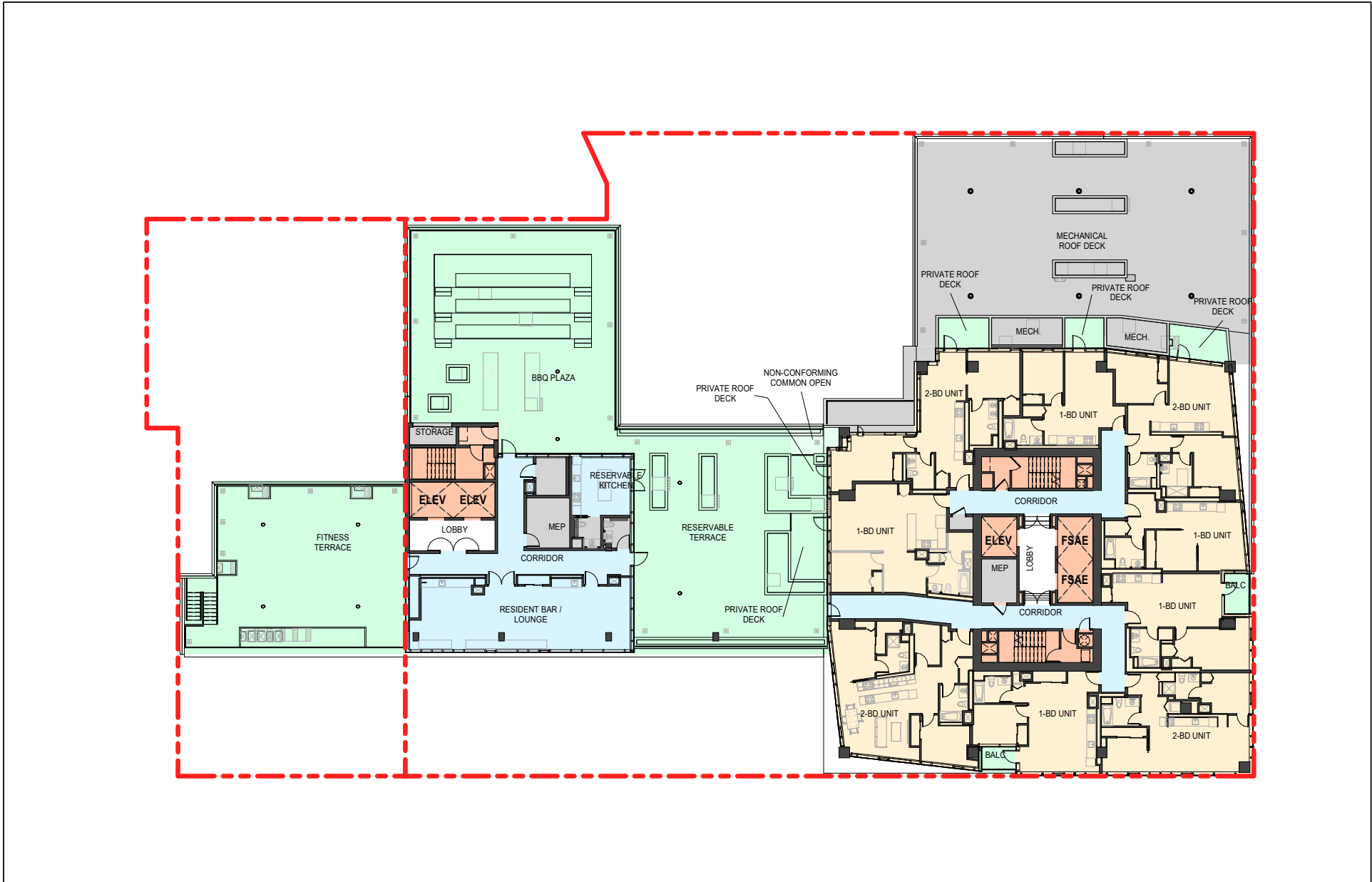
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 9: PROPOSED 10th FLOOR PLAN**



SOURCE: GOULDEVANS

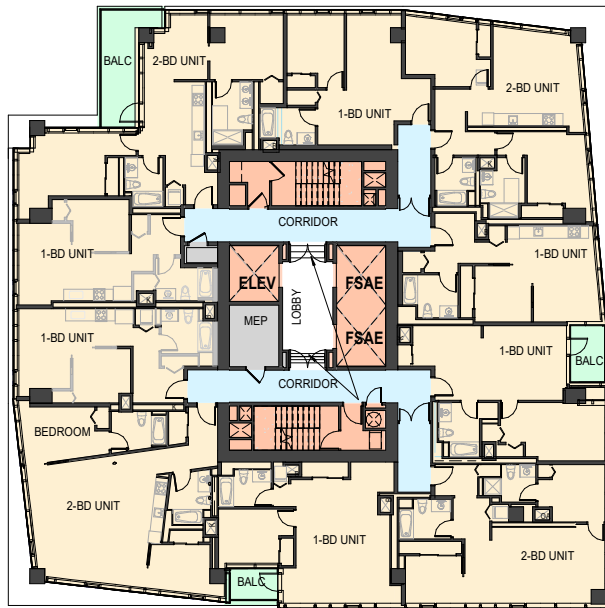
FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

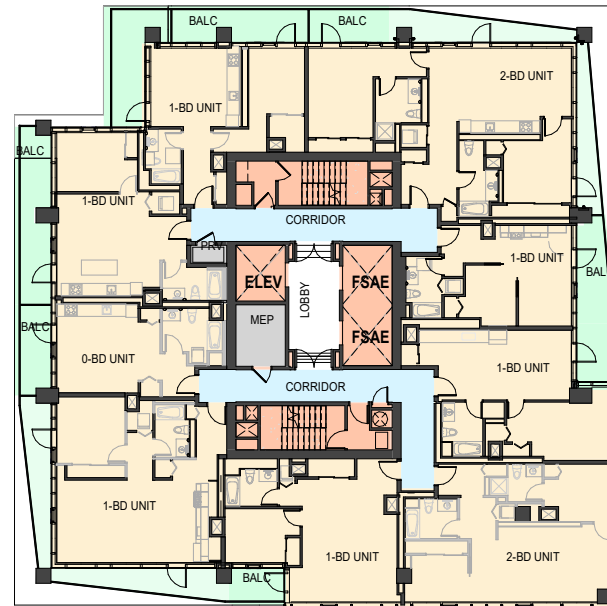
Case No. 2015-010013ENV

**FIGURE 10: PROPOSED 11th FLOOR PLAN**





FLOORS 12-21



FLOORS 22-25

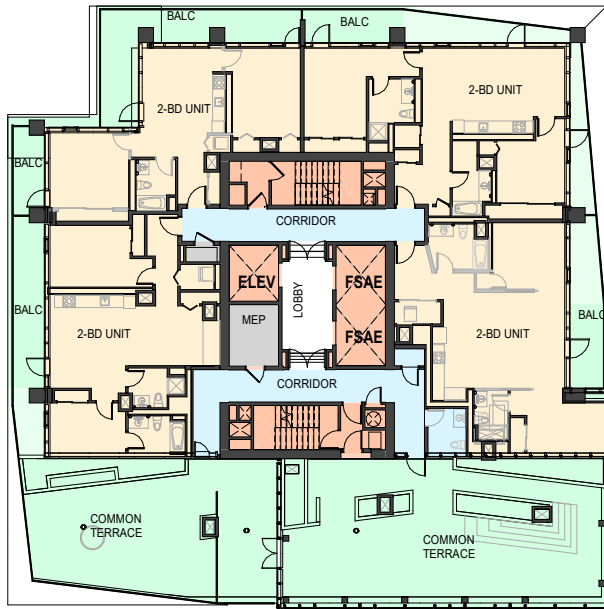
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

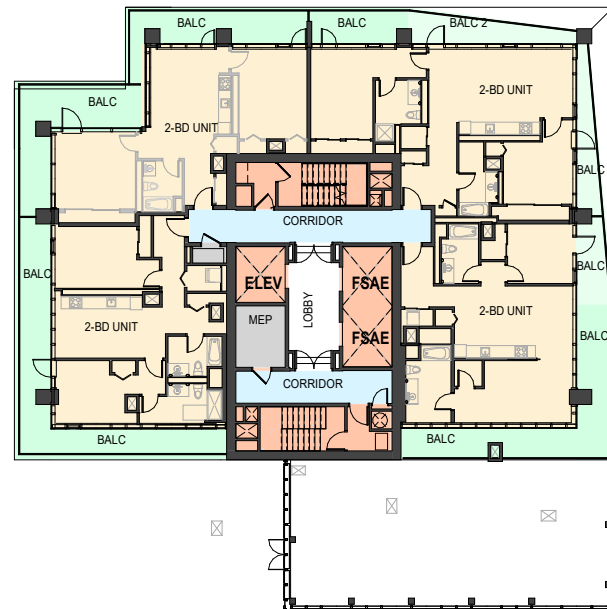
**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 11: FLOORS 12 THROUGH 25 TYPICAL FLOOR PLAN**



FLOOR 26



FLOOR 27

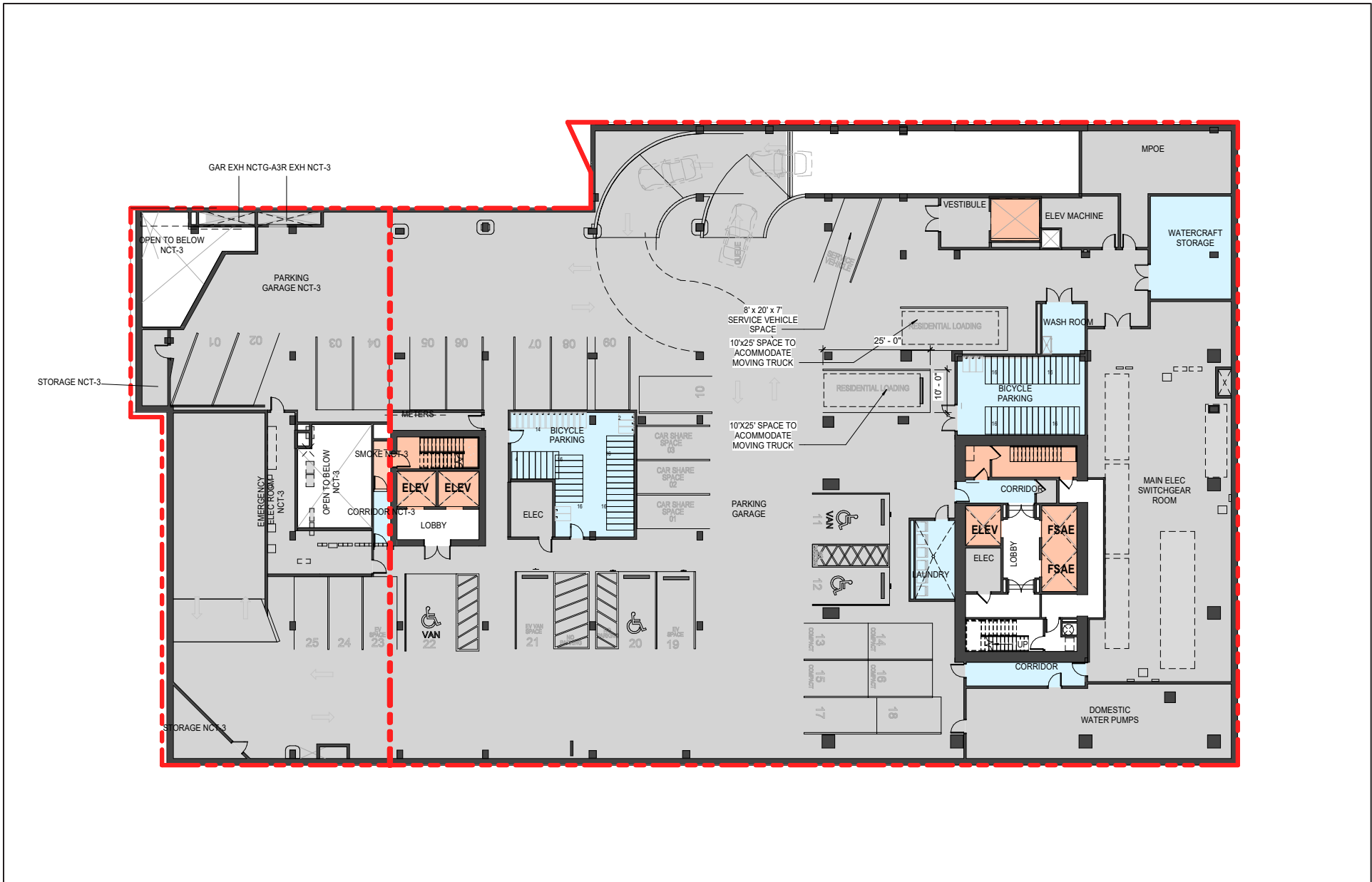
SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 12: PROPOSED 26th and 27th FLOOR PLAN**



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

**30 OTIS STREET PROJECT**

Case No. 2015-010013ENV

**FIGURE 13: PROPOSED BASEMENT LEVEL 1 PLAN**



SOURCE: GOULDEVANS

FIGURE NOT TO SCALE

### 30 OTIS STREET PROJECT

Case No. 2015-010013ENV

**FIGURE 14: PROPOSED BASEMENT LEVEL 2 PLAN**

## PROJECT APPROVALS

The proposed 30 Otis Street project would require the following approvals:

### Actions by the Planning Commission

- Approval of an application for a Planning Code section 309 downtown project authorization for the construction of a new building in a Downtown (C-3) Zoning District and for granting exceptions to Planning Code section 148 for ground-level wind currents.
- Approval of an *in-kind improvement agreement* under Planning Code section 421.3(d) for community improvements for neighborhood infrastructure within the Market and Octavia Plan area, and Planning Code section 424.3(c) for community improvements for the neighborhood infrastructure within the Van Ness and Market Downtown Residential Special Use District (Neighborhood Infrastructure Fee).
- *General plan referral* for sidewalk changes, and 15-foot, 6-inch curb cut.

### Actions by the Zoning Administrator

- Granting of variances from the Planning Code's requirements for an awning that functions as a wind canopy (Planning Code section 136.1) and ground floor height requirements (Planning Code section 145.1).
- Granting of an exemption from requirements to height for elevator overrun above 16 feet (Planning Code section 260(b)(1)(B)).
- Granting of a modification to rear yard requirements in the NCT District (Planning Code section 134).

### Actions by other City Departments

- Approval of site, demolition, grading, and building permits (Planning Department and Department of Building Inspection).
- Approval of permits for streetscape improvements in the public right-of-way, including new curb cuts on 12<sup>th</sup> Street (Department of Public Works).
- Approval of project compliance with the stormwater design guidelines (San Francisco Public Utilities Commission).
- Approval of a stormwater control plan (San Francisco Public Utilities Commission).
- Approval of a site mitigation plan and issuance of a certification of registration for a diesel backup generator (San Francisco Department of Public Health).

### Actions by Other Government Agencies

- Approval of permit for installation, operation, and testing of a diesel backup generator (Bay Area Air Quality Management District).

## EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report (PEIR) for the Market and Octavia Neighborhood Plan (Market and Octavia PEIR).<sup>5</sup> The initial study considers 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 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, focused mitigated negative declaration or environmental impact report (EIR). If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Market and Octavia PEIR and this project-specific initial study in accordance with the CEQA guidelines sections 21083.3 and 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 initial study.

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

The proposed project would demolish the five existing buildings on the proposed project site and construct a single mixed-use residential-over-retail and arts activities building, totaling approximately 485,000 sf (or 405,000 gsf per the San Francisco Planning Code). The proposed building would include a 250-foot-tall, 27-story tower in the southeastern portion of the site, and an 85-foot-tall, 10-story podium extending along Otis Street. The new building would include 423 residential units, approximately 5,600 sf of ground-floor retail space, approximately 17,000 sf of arts activities space, and approximately 23,000 sf of open space. As discussed below in this initial study, with the exception of historic architectural resources, construction-related transportation impacts, and cumulative wind conditions, 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.

## CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Market and Octavia PEIR in 2007, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Market and Octavia neighborhood plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

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<sup>5</sup> San Francisco Planning Department, Market and Octavia Neighborhood Plan Final Environmental Impact Report (PEIR), Planning Department Case No. 2003.0347E, State Clearinghouse No.2004012118, certified April 5, 2007. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>.

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “Automobile Delay and Vehicle Miles Traveled” heading below).
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various city agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program (see initial study Transportation section).
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element (ROSE) of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan (UWMP) adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).
- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

### **Aesthetics and Parking**

In accordance with CEQA section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets 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>6</sup> Project elevations are included in the project description for information purposes.

### **Automobile Delay and Vehicle Miles Traveled**

CEQA section 21099(b)(1) also requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to section

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<sup>6</sup> San Francisco Planning Department. Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis for 30 Otis Street, May 10, 2017. 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. 2015-010013ENV.

21099(b)(1), automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA<sup>7</sup> recommending that transportation impacts for projects be measured using a VMT metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). In November 2017, OPR published the text of the proposed new CEQA Guidelines section 15064.3, Determining the Significance of Transportation Impacts, and will commence a formal rulemaking process to adopt the proposed changes. (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures D1 Traffic Mitigation Measure for Hayes and Gough Streets Intersection (LOS C to LOS F p.m. peak hour), D2 Traffic Mitigation Measure for Hayes and Franklin Streets Intersection (LOS D to LOS F p.m. peak hour), D3 Traffic Mitigation Measure for Laguna/Market/Hermann/Guerrero streets Intersection (LOS D to LOS E p.m. peak hour), D4 Traffic Mitigation Measure for Market/Sanchez/Fifteenth streets Intersection (LOS E to LOS E with increased delay p.m. peak hour), D5 Traffic Mitigation Measure for Market/Church/Fourteenth streets Intersection (LOS E to LOS E with increased delay p.m. peak hour), D6 Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Avenue Intersection (LOS F to LOS F with increased delay p.m. peak hour), and D7 Traffic Mitigation Measure for Hayes Street/Van Ness Avenue Intersection (LOS F to LOS F with increased delay p.m. peak hour). Instead, a VMT and induced automobile travel impact analysis is provided in the Transportation section.

<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"/>

The Market and Octavia PEIR determined that implementation of the neighborhood plan would not result in significant impacts on land use and land use planning, and no mitigation measures were identified. The proposed project would demolish the existing five buildings on the project site and construct a single mixed-use residential-over-retail and arts activities building, totaling approximately 485,000 sf with a 250-foot-tall, 27-story tower and an 85-foot-tall 10-story podium that would contain 423

<sup>7</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).



residential units, and approximately 5,600 sf of retail space, and approximately 17,000 sf of arts activities space. The proposed project is within the scope of development projected under the Market and Octavia Neighborhood Plan.

The Citywide Planning and Current Planning divisions of the department have determined that the proposed project is permitted in the zoning districts in which the project site is located, and would be consistent with bulk districts, density, and land uses as envisioned in the Market and Octavia Area Plan, described below.<sup>8,9</sup>

The area plan designates the portion of the project site on lots 010, 012, 013, 016 as within the C-3-G (Downtown General Zoning District) and Van Ness and Market Downtown Residential Use District, and the portion of the project site on lot 018 as within the NCT-3 (Moderate Scale Neighborhood Commercial Transit District). Three of the lots (010, 016 and 018) are in an 85-X height and bulk district and two of the lots (012 and 013) are in an 85/250 R-2 height and bulk district. The 85-X height and bulk district permits buildings up to 85 feet in height with no bulk restrictions, and the 85/250-R-2 height and bulk district permits buildings up to 250 feet in height with bulk restrictions pursuant to Planning Code section 270.

The Market and Octavia Area Plan allows for intensive commercial uses and residential towers clustered around the intersection of Market Street and Van Ness Avenue. The proposed project is consistent with the area plan's goals for mixed-use, high-density development near transit. It is also consistent with the area plan's goals to retain arts uses and to provide neighborhood serving retail. The proposed project would provide limited onsite parking that supports transit trips, consistent with the plan's policies. The building façade, street-level retail uses, and pedestrian-scale design along Otis and 12<sup>th</sup> streets are consistent with the area plan's design principles. The C-3-G district and Van Ness and Market Downtown Residential Special Use District encourage the development of a transit-oriented, high-density, mixed-use neighborhood around the intersection of Van Ness Avenue and Market Street, adjacent to downtown. The NCT-3 zoning encourages a wide variety of ground floor retail uses with residential development above.

The proposed project would have a floor area ratio (FAR) of 12:1 in the C-3-G district, which would exceed the allowed base FAR of 6:1, as well as the maximum allowed FAR of 9:1. The project sponsor would pay the fees to exceed the FAR, as allowed under Planning Code section 424. The proposed project would also require an exception to requirements for ground-level wind currents (Planning Code section 148). The proposed project would require a variance for planning code's requirements for an overhead horizontal projection that functions as a wind canopy (Planning Code section 136.1) and ground floor height requirements (Planning Code section 145.1). An exemption from requirements to height for elevator overrun above 16 feet (Planning Code section 260(b)(1)(B)) and a modification to rear yard requirements (Planning Code section 134) are also required. The intensification or changes in land uses at the project site would not physically divide an established community or conflict with applicable land use plans, policies, and regulations adopted to avoid or reduce environmental effects, beyond that identified in the PEIR.

Because the proposed project would be consistent with the development density established in the Market and Octavia Neighborhood Plan, implementation of the proposed project would not result in

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<sup>8</sup> San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 30 Otis Street, Case No. 2015-010013ENV. June 20, 2017.

<sup>9</sup> San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning, 30 Otis Street, Case No. 2015-010013ENV. July 21, 2017.

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—</b>				
<b>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"/>

One goal of the Market and Octavia neighborhood plan is to implement citywide policies to increase the supply of high-density housing in neighborhoods having sufficient transit facilities, neighborhood-oriented uses, and infill development sites. The Market and Octavia PEIR analyzed a projected increase of 7,620 residents in the plan area by the year 2025 and determined that 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 remove the existing buildings on the project, which provide approximately 53,200 square feet of retail, office, industrial/PDR, and arts activities uses with an estimated 37 existing employees.<sup>10</sup> No residential uses exist on the project site. The proposed project would construct 423 new residential units, approximately 5,600 sf of retail, and approximately 17,000 sf of arts activities spaces. The project would result in a net increase in housing and a net increase in jobs on the project site as follows: an increase of 423 dwelling units and approximately 791 residents; an increase of approximately 6,600 sf of art uses for the City Ballet School; and a decrease of approximately 2,600 sf of retail space. There would be an increase of 80 retail employees, 17 building management and service staff, and 12 ballet school staff, a total of 109 net new employees.<sup>11</sup>

The project would not displace existing housing units. The inclusion of 423 new dwelling units would provide additional housing that could be used by future employees at the site. While approximately 37 existing employees from the PDR, office, and retail uses would be displaced, the project would result in approximately 109 new employees from proposed residential, retail, and expanded arts activity uses.

<sup>10</sup> Align Otis, LLC, communication dated October 18, 2017.

<sup>11</sup> The Market and Octavia PEIR assumed that the plan area would have an average household size of 1.87 residents per dwelling unit in the year 2025. Retail employment was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review (Transportation Guidelines)*.

These direct effects of the proposed project on population and housing are within the scope of the population and housing growth anticipated under the Market and Octavia neighborhood plan and would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Market and Octavia PEIR.

The project’s contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use, transportation and circulation, noise, air quality, greenhouse gas (GHG) emissions, recreation, utilities and service systems, and public services.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>3. CULTURAL RESOURCES—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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Historic Architectural Resources**

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 Plan PEIR analyzed the various historic resources within the plan area and listed the identified historical resources. The 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.

The proposed project would demolish the existing five buildings on the site, and construct a new 27-story tower and 10-story podium. A *historic resource evaluation*<sup>12</sup> evaluated the proposed project for potential impacts on historic resources. The evaluation determined that one of the buildings, 14–18 Otis Street, is a well-preserved and notable example of a 1920s industrial loft building, which contained the former Lotus Fortune Cookie Co. Factory. The building appears eligible for individual local listing in the California Register of Historic Resources and is considered an individual historical resource under CEQA.

<sup>12</sup> VerPlanck Historic Preservation Consulting. Historic Resource Evaluation. 30 Otis Street Project. San Francisco, California. August 8, 2016

Therefore, demolition of the 14–18 Otis Street building would have a significant adverse effect on a historic resource that was not identified in the Market and Octavia PEIR. The focused EIR for the proposed project will evaluate the project impacts on this historic architectural resource.

### Archeological Resources

The Market and Octavia PEIR determined that implementation of the area plan could result in significant impacts on archeological resources and identified four mitigation measures that would reduce these potential impacts to a less-than-significant level. Market and Octavia PEIR Mitigation Measure C1: Soil-Disturbing Activities in Archeologically Documented Properties applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center (NWIC) and the planning department. Mitigation Measure C2: General Soil-Disturbing Activities applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation measure C2 requires that a *preliminary archeological sensitivity study* be prepared by a qualified consultant. Mitigation Measure C3: Soil-Disturbing Activities in Public Street and Open Space Improvements applies to improvements to public streets and open spaces if those improvements disturb soils below a depth of 4 feet bgs, and requires an *archeological monitoring program*. Mitigation Measure C4: Soil-Disturbing Activities in the Mission Dolores Archeological District applies to properties in the Mission Dolores Archeological District.

No previous archeological studies have been previously completed for the property and the proposed project site is not within the Mission Dolores Archeological District; therefore, Mitigation Measures C1: Soil-Disturbing Activities in Archeologically Documented Properties, and C4: Soil-Disturbing Activities in the Mission Dolores Archeological District do not apply to the proposed project.

As a property with no previous archeological study and streetscape improvements, the proposed project is subject to Market and Octavia PEIR Mitigation Measures C2 and C3, requiring a preliminary archeological sensitivity study and an archeological monitoring program for excavation in public streets. In accordance with these PEIR mitigation measures, the San Francisco Planning Department completed a *preliminary archeological review*, which fulfills the requirement for preparation of a preliminary archeological sensitivity study.<sup>13</sup> The preliminary archeological review determined that the Colma Formation (which has the potential to contain historic-period and prehistoric archeological resources within the top 3 to 5 feet of the formation) is present beneath the project site at a depth of approximately 20 feet bgs. As the proposed mat slab foundation would likely extend into the Colma Formation, the department determined that an *archeological testing program* would be required, as described under Project Mitigation Measure 1: Archeological Testing Program. Under the archeological testing program, the project sponsor would be required to engage an archeologist from the Planning Department Qualified Archeological Consultants List to develop and implement a testing plan for archeological resources and human remains beneath the project site (including streetscape improvements) in accordance with planning department guidance. There are no known human remains, including those interred outside of formal cemeteries, located in the immediate vicinity of the project site. However, because of the potential depth of excavation, there is a possibility that previously unknown human remains could be discovered during excavation. Under the archeological testing program, measures for the handling of those remains would be included should an inadvertent discovery occur. Implementation of the archeological testing

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<sup>13</sup> San Francisco Planning Department, Environmental Planning Preliminary Archeological Review. November 4, 2016, updated October 24, 2017.

program would ensure that the proposed project would not result in significant impacts not identified in the Market and Octavia PEIR (see Project Mitigation Measure 1 at the end of this initial study for full mitigation measure text).

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.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION—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 nonmotorized 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Market and Octavia PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects, and that project-specific analyses would need to be conducted for future development projects under the Market and Octavia Neighborhood Plan. Accordingly, a *transportation impact study* and supplemental memorandum, under planning department direction, conducted a project-level analysis of the pedestrian, bicycle, loading, and emergency vehicle access transportation impacts of the proposed project.<sup>14,15</sup> Based on this

<sup>14</sup> Fehr & Peers. *Final - Transportation Impact Study. 30 Otis Street Project*. February 2018.

project-level review, the department determined that the proposed project would have potentially significant construction-related transportation impacts that are peculiar to the project or the project site and which will be analyzed in a focused EIR.

The Market and Octavia PEIR anticipated that growth resulting from future projects within the plan area could result in a significant impact on the 21 Hayes Muni route during the weekday p.m. hour, and identified one transit-specific transportation mitigation measure, which is described further below in the transit subsection. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less-than-significant level. Thus, the impact was found to be significant and unavoidable.

As discussed above, under Evaluation of Environmental Effects - Automobile Delay and Vehicles Miles Travelled, in response to state legislation that called for removing automobile delay from CEQA analysis, the planning commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are not discussed in this initial study.

The Market and Octavia PEIR did not evaluate VMT or the potential for induced automobile travel. The VMT analysis and induced automobile travel analysis presented below evaluate the project's transportation effects using the VMT metric.

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, initial study checklist topic 4c is not applicable to the proposed project.

### **VMT Analysis**

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses or located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the city have lower VMT ratios than other areas of the city. These areas of the city can be expressed geographically through *transportation analysis zones (TAZ)*. TAZ are used in transportation planning models for transportation analysis and other planning purposes. TAZ vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The transportation authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day,

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<sup>15</sup> Fehr & Peers. *Supplemental Memorandum. 30 Otis Street 12th Street Access Alternative*. February 2018.

not just trips to and from the project. For retail uses, the transportation authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>16,17</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>18</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>19</sup> Average daily VMT for both land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 3: Average Daily VMT, which includes the TAZ in which the project site is located, 578.

**Table 3: Average Daily VMT**

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 578	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 578
Households (Residential)	17.2	14.6	3.7	16.1	13.7	3.1
Employment (Retail)	14.9	12.6	8.9	14.6	12.4	9.0

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State OPR’s Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA (“proposed transportation impact guidelines”) recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts on VMT. If a project meets one of the three screening criteria provided (map-based screening, small projects, and proximity to transit stations), then it is presumed that VMT impacts would be less-than-significant for the project and a detailed VMT analysis is not required. Map-based screening is used to determine if a project site is located within a TAZ that exhibits low levels of VMT; small projects are projects that would generate fewer than 100 vehicle trips per day; and the proximity to transit stations criterion includes projects that are within one-half mile of an existing major transit stop, have a FAR of greater than or equal to 0.75, vehicle parking that is less than or equal to that required or allowed by the

<sup>16</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

<sup>17</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>18</sup> Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

<sup>19</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other nonwork, nonschool tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

planning code without conditional use authorization, and are consistent with the applicable sustainable communities strategy.<sup>20</sup>

### **VMT Analysis - Residential**

As noted previously, existing average daily household VMT per capita is 3.7 for TAZ 578. This is 78 percent below the existing regional average daily VMT per capita of 17.2. Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential uses would not result in substantial additional VMT and impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates that the proposed project's residential uses would not cause substantial additional VMT.

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, using the same methodology as outlined for existing conditions, but includes residential and job growth estimates and reasonably foreseeable transportation investments through 2040. Projected 2040 average daily household VMT per capita is 3.1 for TAZ 578, the transportation analysis zone in which the project site is located. This is 81 percent below the projected 2040 regional average daily VMT per capita of 16.1.<sup>21</sup> Given that the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's residential uses would not result in substantial additional VMT. Therefore, the proposed project's residential uses would not contribute considerably to any substantial cumulative increase in VMT.

### **VMT Analysis - Retail**

As mentioned previously, existing average daily VMT per employee is 8.9 for TAZ 578. This is 40 percent below the existing regional average daily VMT per employee of 14.9. Given that the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's retail/commercial uses would not result in substantial additional VMT and impacts would be less than significant. Furthermore, the project site meets the *Proximity to Transit Stations screening criterion*, which also indicates that the proposed project's retail uses would not cause substantial additional VMT.

Projected 2040 average daily VMT per employee is 9.0 for the TAZ 578. This is 38 percent below the projected 2040 regional average daily VMT per capita of 14.6.<sup>22</sup> Given that the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's retail uses would not result in substantial additional VMT. Therefore, the proposed project's retail uses would not contribute considerably to any substantial cumulative increase in VMT.

Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant.

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<sup>20</sup> San Francisco Planning Department. Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis for 30 Otis Street. Prepared by Fehr and Peers March 6, 2017.

<sup>21</sup> Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

<sup>22</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other nonwork, nonschool tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.



### **Induced Automobile Travel Analysis**

A project would have a significant effect on the environment if it would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network. OPR's proposed transportation impact guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant and a detailed VMT analysis is not required.

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. These features would be sidewalk widening, on-street loading zones, bicycle parking, and curb cuts. These features fit within the general types of projects identified that would not substantially induce automobile travel. As the proposed project would not substantially induce automobile travel, the project would have a less-than-significant impact. Although the proposed project would not result in a significant loading impact, to further reduce the less-than-significant freight loading impacts, Improvement Measure TR-1 could be implemented to lessen the effect of loading operations in the proposed project vicinity.

### **Trip Generation**

The proposed project would contain 423 residential units, 71 auto spaces, three car share spaces, 361 class I and 32 class II bicycle parking spaces between the street level and two-level garage, approximately 5,600 sf of retail space on the ground floor, and approximately 17,000 sf of performing arts space for use by the City Ballet School.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in transportation impact study. The proposed project would generate an estimated net total of 4,479 person trips (inbound and outbound) on a weekday daily basis, consisting of 1,223 person trips by auto (vehicle trips), 1,746 transit trips, 960 walk trips and 548 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated net total 710 person trips, consisting of 191 person trips by auto (158 vehicle trips accounting for vehicle occupancy data for this census tract), 292 transit trips, 139 walk trips, and 88 trips by other modes.

### **Transit**

The project site is located within a quarter mile of several local transit lines including Muni bus lines 6, 7, 9, 14, 21, 47, and 49, and rapid bus lines 7R, 9R, and 14R, Muni light rail lines J, K, L, M, and N, and Muni historic streetcar F-line. The proposed project would be expected to generate 1,705 daily transit trips, including 284 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 284 p.m. peak hour transit trips would be accommodated by existing capacity. As such, transit service demand generated by the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays such that significant adverse impacts in transit service could result.

The Market and Octavia PEIR identified significant and unavoidable cumulative impacts relating to transit delays to the 21 Hayes Muni route. This degradation of transit service would occur as a result of changes to the configuration of Hayes Street, which were designed to enhance local vehicle circulation. The 21 Hayes route does not run near the project site, and as stated above, the project site is well served by other transit lines. Therefore, the proposed project would not contribute considerably to this significant cumulative transit impact.

### Pedestrians, Bicyclists, and Loading

The project-specific transportation analysis conducted for the 30 Otis Project determined that the project impacts related to pedestrian capacity and safety, bicycle access and hazards, and commercial/freight and passenger loading would be less than significant. While the proposed project would not create potentially hazardous conditions affecting traffic, transit, bicycles, or pedestrians, nor would it cause delays to transit, the sponsor has agreed to implement two improvement measures, Develop an Active Loading Management Plan, and Monitoring and Abatement of Queues, to further reduce these less-than-significant impacts. See “Improvement Measures” section at the end of this document for the full text of these improvement measures.

### Construction

The project-specific transportation analysis determined that temporary project construction impacts could result in a substantial interference with pedestrian, bicycle, or vehicle circulation and accessibility to adjoining areas, and potential disruptions to transit, thereby resulting in potentially hazardous conditions, which would be a significant impact. Further, the proposed project is anticipated to be under construction at the same time as other cumulative development projects in the vicinity, resulting in a significant cumulative construction transportation impact, to which the proposed project’s contribution would be considerable. These construction transportation impacts will be evaluated in the EIR.

### Conclusion

For the above reasons, the operation of the proposed project would not result in significant impacts that were not identified in the Market and Octavia PEIR related to transportation and circulation and would not contribute considerably to transportation and circulation impacts that were identified in the Market and Octavia PEIR. However, the department determined that the project could have project-level construction-related transportation impacts and a considerable contribution to significant cumulative construction-related transportation impacts. These would be significant impacts that are peculiar to the project and the project site that were not identified in the Market and Octavia PEIR. As such, a focused EIR will analyze those cumulative construction-related transportation impacts.

<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>
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#### 5. NOISE—Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<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>
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 Market and Octavia PEIR noted that the background noise levels in San Francisco are elevated primarily due to traffic noise and that some streets, such as Market Street, have higher background noise levels. The PEIR determined that implementation of the plan would not result in significant noise impacts during construction activities. The PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the plan would be less than significant. No mitigation measures related to noise were identified in the Market and Octavia PEIR.

**Construction Noise**

The PEIR identified an increase in the ambient noise 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 (noise ordinance), codified as article 29 of the San Francisco Police Code, would reduce construction impacts to less-than-significant levels.

All construction activities for the proposed project (approximately 28 months) would be subject to the noise ordinance. Construction noise is regulated by the noise ordinance, which requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 A-weighted decibels (dBA) 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 the Department of Building Inspection (building department) 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 p.m. and 7 a.m., unless the Director of Public Works authorizes a special permit for conducting the work during that period.

The building department is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8 a.m. to 5 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 28 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. 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 required to comply with the noise ordinance, which would reduce construction noise impacts to a less-than-significant level.

Construction vibration could be felt by nearby receptors during the 28-month construction period. However, construction vibration would be intermittent and limited to the period of construction, and would generally be most noticeable during demolition. The nearest sensitive receptors to the project site are residential uses along Brady Street adjacent to the northwest of the project site, which have the potential to be intermittently exposed to vibration noise levels greater than the ambient conditions.

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

### **Operational Noise**

The PEIR noted that plan-related land use changes would have the potential to create noise impacts associated with projects' fixed-location heating, ventilating, or air-conditioning equipment and other localized noise-generating activities. The PEIR determined that existing ambient noise levels in the plan area would generally mask noise from new onsite equipment. Therefore, the increase in noise levels from operation of mechanical equipment would be less than significant.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. The acoustical requirements of Title 24 are incorporated into the San Francisco Green Building Code. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical requirement for nonresidential uses. Both compliance methods require wall, floor/ceiling, and window assemblies to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise standards are achieved. In compliance with Title 24, the building department would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies would meet Title 24 acoustical requirements. If determined necessary by the building department, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

The proposed project would include residential, retail, and arts activities uses, which are not considered noise-generating uses and likely would not generate noise levels above the ambient levels observed in the project vicinity, which is dominated by vehicular traffic noise. The proposed uses would also not generate vibration or ground-borne noise levels above the ambient levels, as those are also dominated by vehicular and transit traffic.

The project site is not located within an airport land use plan area, within 2 miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA guidelines, Appendix G is not applicable.

For the above reasons, the proposed project would not result in significant noise impacts 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>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 nonattainment 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 during construction of development projects under the area plan. The PEIR identified two mitigation measures that would reduce these air quality impacts to less-than-significant levels. Market and Octavia PEIR Mitigation Measures E1 and E2 address air quality impacts during construction. All other air quality impacts were found to be less than significant.

**Construction Dust Control**

Market and Octavia PEIR Mitigation Measure E1: Construction Mitigation Measure for Particulate Emissions requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. 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 dust control ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the building department. 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. The building department 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. Because these requirements provide the same dust control provisions as PEIR Mitigation Measure, E1: Construction Mitigation Measure for Particulate Emissions, this measure related to dust control is no longer necessary to reduce construction-related dust impacts of the proposed project. Therefore, the proposed project would not result in significant impacts related to construction dust that were not identified in the Market and Octavia PEIR and no mitigation is required.

### Criteria Air Pollutants

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six *criteria air pollutants*: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the San Francisco Bay Area Air Basin (SFBAAB) experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment or unclassified for most criteria pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, for which these pollutants are designated as nonattainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in nonattainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.<sup>23</sup>

The Bay Area Air Quality Management District (BAAQMD) prepared the updated 2017 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines),<sup>24</sup> which provide thresholds of significance for those criteria air pollutants that the SFBAAB is in nonattainment. The city uses these thresholds of significance.

#### *Construction*

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 620-working day period, including approximately 40 days for demolition, 70 days for site preparation and grading, and a total of approximately 510 days for the various construction elements. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model and provided within an *air quality technical memorandum*.<sup>25</sup> The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to pounds/day using the estimated construction duration of 620 working days. As shown in **Table 4, Daily Project Construction Emissions**, unmitigated project construction emissions would be below the threshold of significance for the construction-related criteria air pollutants.

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<sup>23</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2017, pp. 2-1.

<sup>24</sup> Ibid. Table 2-1.

<sup>25</sup> San Francisco Planning Department. Air Quality Technical Memorandum, 30 Otis Street, Project File 2015.010013ENV. August 16, 2017.

**Table 4: Daily Project Construction Emissions**

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NOx	Exhaust PM <sub>10</sub>	Exhaust PM <sub>2.5</sub>
Unmitigated Project Emissions	11.51	10.58	0.49	0.46
Significance Threshold	54.0	54.0	82.0	54.0
Exceeds Threshold	No	No	No	No
Emissions over threshold levels are in <b>bold</b> .				
Source: BAAQMD 2011; San Francisco Planning Department 2017				

*Operation*

The proposed project would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating, and combustion of other fuels by building and grounds maintenance equipment), and energy usage. Operational-related criteria air pollutants generated by the proposed project were also quantified using the California Emissions Estimator Model and provided within the air quality technical memorandum. Default assumptions were used where project-specific information was unknown.

The average daily and maximum annual emissions associated with operation of the proposed project are shown in **Table 5, Operational Criteria Air Pollutant Emissions**. Table 5 also includes the city’s thresholds of significance. As shown in Table 5, the proposed project would not exceed the threshold of significance for operational criteria air pollutant emissions.

**Table 5: Operational Criteria Air Pollutant Emissions**

	ROG	NOx	PM <sub>10</sub>	PM <sub>2.5</sub>
Project <i>Average Daily</i> Emissions (lbs./day)	21.8	17.8	0.45	0.43
Significance Threshold (lbs./day)	54	54	82	54
Exceeds Threshold	No	No	No	No
Project <i>Maximum Annual</i> Emissions (tpy)	3.98	3.23	0.08	0.08
Significance Threshold (tpy)	10.0	10.0	10.0	10.0
Exceeds Threshold	No	No	No	No
lbs./day = pounds per day tpy = tons per year Source: BAAQMD 2011; San Francisco Planning Department 2017				

Based on the information above, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the Market and Octavia PEIR related to violations of air quality standards or substantial increases in nonattainment criteria air pollutants.

**Health Risk**

Since certification of the PEIR, San Francisco Board of Supervisors approved amendments to the San Francisco Building and Health Codes, referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, article 38 (ordinance 224-14, amended December 8, 2014) (article 38). 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.

The project site is located within an *Air Pollutant Exposure Zone*. For sensitive use projects (which include residential development) within the air pollutant exposure zone, the ordinance requires that the project sponsor submit an *enhanced ventilation proposal* for approval by the Department of Public Health that achieves protection from PM<sub>2.5</sub> (fine particulate matter) equivalent to that associated with a *Minimum Efficiency Reporting Value 13 filtration*. The building department will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved enhanced ventilation proposal. In compliance article 38, the project sponsor has submitted an initial application to the public health department.<sup>26</sup>

#### *Construction*

The project site is located within an identified air pollutant exposure zone and the proposed project would require heavy-duty off-road diesel vehicles and equipment during the majority of the anticipated 28-month construction period; therefore, the ambient health risk to sensitive receptors from air pollutants generated by construction emission exhaust is considered substantial. Thus, Project Mitigation Measure 2: Construction Air Quality has been identified to implement the Market and Octavia PEIR Mitigation Measure E2. Project Mitigation Measure 2: Construction Air Quality would require construction equipment engines meeting higher emission standards (lower emissions) which reduce diesel particulate matter exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.<sup>27</sup> Therefore, impacts related to health risks from project construction emissions would be less than significant through implementation of Project Mitigation Measure 2: Construction Air Quality (see Project Mitigation Measure 2 at the end of this initial study for full mitigation measure text).

#### *Siting New Sources*

The proposed project would include a backup diesel generator. As described in the project description, the generator would be equipped with the best available control technology for diesel generators, which would reduce diesel particulate matter exhaust from stationary sources by 89 to 94 percent compared to uncontrolled stationary sources. Typically, backup generators are operated for a short duration for periodic testing and during occasional power outages. Given the limited operation and that the generator would be equipped with best available control technology, impacts related to health risks from siting new sources would be less than significant.

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<sup>26</sup> Department of Public Health, Environmental Health. Application for Article 38 Compliance Assessment. 14-38 Otis; 74-98 12th Streets. May 11, 2017.

<sup>27</sup> PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr. and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr.) and Tier 1 (0.60 g/bhp-hr.). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr.) and Tier 0 (0.40 g/bhp-hr.). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr.) and 94 percent (0.0225 g/bhp-hr.) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr.) or Tier 0 engines (0.40 g/bhp-hr.).



**Odors**

During construction, the various diesel-powered vehicles and equipment used onsite would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is therefore considered less than significant. Other potential land uses associated with the proposed project, including the podium rooftop lounge and restaurants, are not expected to produce any offensive odors that would result in odor complaints. Therefore, odor impacts would be less than significant.

**Conclusion**

For the above reasons, the proposed project would not result in significant air quality impacts 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>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 GHG emissions on the environment. The Market and Octavia PEIR was certified in 2007, before the amendment of the state CEQA Guidelines and, therefore, the PEIR did not analyze the effects of GHG emissions.

The air district has prepared guidelines and methodologies for analyzing the impact of GHG emissions. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant. The following analysis is based on air district and CEQA guidelines for analyzing GHG emissions. As discussed below, the proposed project would not result in any new significant impacts related to GHG emissions.

San Francisco’s *Strategies to Address Greenhouse Gas Emissions*<sup>28</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the air district and CEQA guidelines. These GHG reduction actions have resulted in a 28 percent reduction in GHG emissions in 2015 compared to 1990 levels,<sup>29</sup> exceeding the year 2020 reduction

<sup>28</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

<sup>29</sup> SF Environment, *San Francisco’s 2015 Greenhouse Gas Emissions*, June 2017. Available at <https://sfenvironment.org/carbon-footprint>, accessed June 30, 2016.

goals outlined in the air district's 2010 *Clean Air Plan*,<sup>30</sup> Executive Order S-3-05<sup>31</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>32,33</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,<sup>34</sup> B-30-15,<sup>35,36</sup> and Senate Bill 32.<sup>37,38</sup> Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would replace the existing five buildings totaling approximately 60,000 sf with a single mixed-use building totaling approximately 485,000 sf and increase the intensity of use of the site through the addition of 423 residential units and inclusion of retail and expanded arts activities uses. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential, retail, and expanded arts operations resulting in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the city's transportation demand management programs, Transportation Sustainability Fee, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the city's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation

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<sup>30</sup> Bay Area Air Quality Management District, *Clean Air Plan*, April 2017. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed June 30, 2017.

<sup>31</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>32</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>33</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>34</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>35</sup> Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>36</sup> San Francisco's GHG reduction goals are codified in section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

<sup>37</sup> Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

<sup>38</sup> Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project’s energy-related GHG emissions.<sup>39</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project’s energy-related GHG emissions.

The proposed project’s waste-related emissions would be reduced through compliance with the city’s Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>40</sup> and reducing the energy required to produce new materials.

Compliance with the city’s Street Tree Planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>41</sup> Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.<sup>42</sup>

Therefore, the proposed project 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, which would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions 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>8. WIND AND SHADOW—Would the project:</b>				
a) Alter wind in a manner that substantially affects public areas?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 winds. PEIR Mitigation Measure B1: Buildings in Excess of 85 Feet in Height, and PEIR Mitigation Measure B2: All New Construction, identified in the PEIR, require individual project sponsors

<sup>39</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.  
<sup>40</sup> Embodied energy is the total energy required for the extraction, processing, manufacture, and delivery of building materials to the building site.  
<sup>41</sup> While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.  
<sup>42</sup> San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 30 Otis Street Project, July 22, 2017.

to minimize the wind effects of new buildings developed under the area plan through site and building design measures. The Market and Octavia PEIR concluded that implementation of PEIR Mitigation Measures B1 and B2, in combination with existing planning code requirements, would reduce both project-level and cumulative wind impacts to less-than-significant levels.

San Francisco Planning Code section 148, Reduction of Ground-level Wind Currents in C-3 Districts, outlines wind reduction criteria for projects in C-3 districts and sets criteria for wind comfort and hazards, requiring buildings to be shaped so as not to cause ground-level wind currents to exceed these criteria. The planning code establishes a comfort criterion of 11 miles per hour (mph) in areas of substantial pedestrian use and 7 miles per hour in public seating areas based on wind speeds measured and averaged over a period of 1 minute (equivalent wind speed, which is an average wind speed (mean velocity), adjusted to include the level of gustiness and turbulence). The code requires that ground level wind speeds not exceed these comfort criteria more than 10 percent of the time year round between 7 a.m. and 6 p.m., with certain exceptions. The wind hazard criteria established by the planning code is 26 mph in public areas based on wind speeds measured and averaged over a period of 1 hour. Comparing the two criteria and stated on the same time basis, the hazard criterion wind speed (26 mph averaged over 1 hour) is equivalent to a 1-minute average wind speed of 36 mph, which is a speed where wind gusts can blow people over, and therefore, are hazardous. For the purposes of evaluating impacts under CEQA, the planning code hazard criterion is used.

Because the proposed project's 250-foot tall tower would exceed 85-feet in height, a pedestrian wind assessment was prepared by a qualified wind consultant for the proposed project to evaluate the potential wind impacts of the proposed development. The preliminary study followed planning department protocols, and conducted a wind-tunnel assessment under the existing, project, and cumulative scenarios. Due to the potential for wind hazard exceedances in the cumulative development scenario, a comprehensive wind assessment is being prepared. This would be a significant impact that is peculiar to the project and the project site that was not identified in the Market and Octavia PEIR. As such, a focused EIR will analyze the wind topic.

### **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. Public open spaces that are not under the jurisdiction of the Recreation and Park Commission as well as private open spaces are not subject to Planning Code section 295.

In the project area, public plazas and other publicly accessible spaces are protected under Planning Code section 147, Reduction of Shadows on Certain Public or Publicly Accessible Open Spaces in C-3, SoMa Mixed Use, and Eastern Neighborhoods Mixed Use Districts. Under section 147, new buildings over 50 feet tall in those areas (such as the proposed project) shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on those open spaces.

The Market and Octavia PEIR analyzed shadow impacts on nearby existing and proposed open spaces under the jurisdiction of the San Francisco Recreation and Park Commission as well as the War Memorial open space and United Nations Plaza which are not. The Market and Octavia PEIR

determined that implementation of the area plan would not result in a significant shadow impact on section 295 open spaces at the program or project level, but could result in potentially significant shadow impacts on non-section 295 open spaces. Market and Octavia PEIR Mitigation Measure A1: Parks and Open Space Not Subject to Section 295, was determined to reduce but may not eliminate significant shadow impacts on the War Memorial open space and United Nations Plaza. The PEIR noted that potential new towers at Market Street and Van Ness Avenue could cast new shade on the United Nations Plaza, which could result in a significant and unavoidable impact on this public open space.

The Market and Octavia PEIR also analyzed potential shadow impacts on new and proposed parks and open spaces. These include Hayes Green, Octavia Plaza, McCoppin Square, and Brady Park. Given that these parks and open spaces had not been constructed at the time the PEIR was prepared, the PEIR found that potential shadow impacts on Hayes Green, Octavia Plaza, McCoppin Square, and Brady Park would not be significant. Thus, no mitigation measures were identified in the PEIR. However, the PEIR determined that once these parks and open spaces were constructed they would be subject to section 295 or Market Octavia PEIR Mitigation Measure A1, as appropriate. Since the publication of the PEIR, Hayes Green (now called Patricia's Green), Octavia Plaza, and McCoppin Square (now called McCoppin Hub Plaza), have been constructed. Patricia's Green is located on Octavia Street between Fell and Hayes streets. Octavia Plaza is located on Market Street, just west of the Central Freeway touch down and north of Elgin Park. McCoppin Hub Plaza (McCoppin Hub) is bounded by the Central Freeway to the west, Valencia Street to the east, and developed lots to the north and south.

The proposed project would construct a 250-foot-tall tower on the northeastern portion of the site, and an 85-foot-tall podium on the remaining lots southwest along Otis Street. 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>43</sup> The preliminary shadow fan did not show any potential shadows on existing parks subject to Planning Code section 295, but the preliminary shadow fan did indicate that the proposed project could cast shadows on the future Brady Block Park, which is not and will not be under the jurisdiction of the Recreation and Park Commission, the future Natoma & 11<sup>th</sup> Street Park that will be subject to Section 295, as well as existing public open spaces such as McCoppin Hub. Therefore, Market and Octavia PEIR Mitigation Measure A1 is applicable to the proposed project. As discussed below, the project sponsor has fulfilled the requirements of Market and Octavia PEIR Mitigation Measure A1.

A shadow study was prepared by a qualified expert to determine the potential shadow impacts from the proposed project.<sup>44</sup> The shadow study consisted of quantitative analysis of the potential shadow impacts, including shadow effects of existing surrounding buildings and cumulative projects (i.e., other proposed development projects). According to the shadow analysis methodologies used under Planning Code section 295, shadow conditions are described with reference to the Theoretical Available Annual Sunlight (TAAS), which is the amount of sunlight that would be available in a park or open space in the course of a year if there were no shadows from structures, trees, or other objects. TAAS is calculated in square foot-hours (sfh), which is an expression of sunlight or shadow calculated by multiplying the square foot area of the park/open space by 3,721.4 (the maximum number of hours of sunlight available on an annual basis in San Francisco during the hours covered by Planning Code section 295). The analysis was based

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<sup>43</sup> San Francisco Planning Department, Preliminary Project Assessment, 30 Otis Street, Case No. 2015-010013PPA, October 27, 2015.

<sup>44</sup> FASTCAST. Shadow Analysis Report 30 Otis Street. February, 2 2018.

on a “solar year” to provide a sample of representative sun angles throughout the entire calendar year. The solar year is from June 21 through December 20. The sun angles from December 21 through June 20 mirror the solar year sun angles. The shadow study findings are summarized below.

*Future Brady Block Park*

The approximately 21,000-sf Brady Block Park would be part of a proposed development at 1629 Market Street located approximately 150 feet northwest of the proposed 30 Otis project site. Because the Brady Block Park has not yet been constructed, the potential impacts of the proposed 30 Otis Street project on the future Brady Block Park are discussed for informational purposes. . This park would not be subject to Planning Code section 295. The 1629 Market Street project includes four buildings that would cast shadows on the park when constructed, resulting in annualized shading of 46.6 percent of the TAAS. Another adjacent project at 53 Colton Street would also shade the future park. Under this future development scenario, the Brady Block Park would be shaded during the fall, winter, and spring months (approximately September through March) in the morning between approximately 8 a.m. and 10 a.m., resulting in annualized shading of 57.9 percent of the TAAS. The proposed project’s shadow would result in a 1.85 percent increase in the TAAS on the park. The maximum new shadow cast by the proposed project would be approximately 5,500 square feet, occurring on August 2 (May 10 mirror date) at 9:15 am, and would last for approximately 15 minutes. The average duration of new shadow throughout the year would be approximately 2 hours and 36 minutes. The longest duration of net new shadow would be for 3 hours and 48 minutes, and occur on August 9 and May 3. Shadows from the 30 Otis project would occur primarily in the morning hours and affect less than one quarter of the park area. Because Brady Block Park has not yet been constructed, future park programming and peak user periods are not currently known; however, future peak use patterns would be expected to occur in midday to afternoon periods, based on historic park usage for urban infill parks. For these reasons, the project’s shadow impacts would not be considered to substantially affect the use and enjoyment of Brady Block Park..

*Future Natoma and 11<sup>th</sup> Streets Park*

The Natoma and 11<sup>th</sup> Streets Park would be developed on parcels that have been purchased by the Recreation and Park Department, located along 11<sup>th</sup> Street between Minna and Natoma streets, approximately 900 feet east of the proposed project site in the western SoMa neighborhood. The approximately 19,600 sf park would not be developed until the current leases expire in 2024. Therefore, the potential impacts of the proposed 30 Otis Street project on the future Natoma and 11<sup>th</sup> Streets Park are discussed for informational purposes. The future Natoma and 11<sup>th</sup> Street Park is estimated to have 72,927,692 sfh of TAAS, with a predicted shadow load of 15,160,278 sfh annually, or 20.8 percent of the TAAS. Under the future cumulative development scenario, other nearby projects would contribute a very small amount of net new shadow on the future park. The proposed project would add 199,590 sfh of shadow on the Natoma and 11<sup>th</sup> Street Park, increasing the total percentage of TAAS by 0.27 percent. The maximum shadow by area would be 11,984 sf (on October 4<sup>th</sup> and March 8<sup>th</sup>), at 5:47 p.m. and lasting approximately 8 minutes. The average shadow duration would be approximately 30 minutes, and the longest shadow duration would be 50 minutes. New shadows would be cast during the fall and spring months (approximately September to October, and February to March) on the southeastern part of the park during the evening hours, between approximately 5:30 p.m. and 6 p.m. Plans for Natoma and 11<sup>th</sup> Street Park and future user patterns are not known at this time, but future peak use patterns would be expected to occur in midday to afternoon periods based on historic park usage for urban infill parks. Therefore, the proposed project’s shading on Natoma and 11<sup>th</sup> Street Park would not be expected to substantially affect the use of this proposed park.

*McCoppin Hub*

The potential shadow cast upon McCoppin Hub from the 30 Otis project would be extremely minimal, occurring for approximately 7 minutes on June 21. This shadow would cover approximately 19.6 square feet, and occur at no other time throughout the year. Therefore, the proposed project’s shading on McCoppin Hub would not be expected to have a significant impact on the use of this open space.

*Nearby public and private areas*

The proposed project would also shade portions of nearby streets and sidewalks and private property at times 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.

For the above reasons, the proposed project would not result in significant impacts project-specific or cumulative shadow 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>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 Park 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 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 Green Connections Network cross the Market and Octavia Plan Area: Marina Green to Dolores Park (Route 15) and Bay to Beach (Route 4).

The planning code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The planning code open space requirements would help offset some of the additional open space needs generated by increased residential population to the project area. The proposed project would meet the Planning Code requirements and would include approximately 23,000 sf of open space. The proposed project also would include construction, through an in-kind agreement, of a new plaza at 12<sup>th</sup> Street and South Van Ness Avenue proposed by the city as part of its proposed Market Street Hub rezoning.<sup>45</sup>

Because the proposed project would not degrade recreational facilities and would be within the development density projected under the Market and Octavia Neighborhood 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 stormwater 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"/>

<sup>45</sup> City and County of San Francisco. Planning Department 2017. The Market Hub Project. Available at <http://sf-planning.org/market-street-hub-project>. Accessed on October 12, 2017.



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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 UWMP in June 2011. The UWMP update includes city-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20 percent reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

The SFPUC is also 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 and Octavia Neighborhood Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects such as the Wiggle Neighborhood Green Corridor.<sup>46</sup>

As the proposed project is consistent with the development density established under the Market and Octavia Neighborhood Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the Market and Octavia PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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**11. PUBLIC SERVICES—Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The Market and Octavia PEIR determined that the anticipated increase in population under the area plan would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

<sup>46</sup> SFPUC, Green Infrastructure Projects, June 2017. Available at <http://sfwater.org/index.aspx?page=671>, accessed June 30, 2017.

As the proposed project is consistent with the development density established under the Market and Octavia Neighborhood Plan, the project would not result in new or substantially more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>12. BIOLOGICAL RESOURCES—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 discussed in the Market and Octavia PEIR, the Market and Octavia plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the Plan Area that could be affected by the development anticipated under the area plan. In addition, development envisioned under the Market and Octavia Neighborhood 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.

The project site is located within the Market and Octavia plan area and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts on biological resources 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>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 groundshaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite 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 exposed to geologic hazards such as earthquakes, seismic groundshaking, 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 acceptable levels 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, which consists of construction best management practices (BMPs) to prevent erosion and discharge of soil sediments into the storm drain system, would reduce any potential impacts to less-than-significant levels.

Subsequent to the certification of the Market and Octavia PEIR, the Board of Supervisors amended the San Francisco Public Works Code adding section 146, Construction Site Runoff Control,<sup>47</sup> which requires all construction sites, regardless of size to implement BMPs to prevent construction site runoff discharges into the city's combined stormwater/sewer system. Construction sites that disturb 5,000 sf 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 that includes BMPs to prevent stormwater runoff and soil erosion during construction.

Because the proposed project would involve land-disturbing activities, the construction contractor is required to implement BMPs in compliance with these regulations. For this reason, PEIR Mitigation Measure G1: Construction-Related Soils Mitigation Measure, is no longer necessary to reduce any potential impacts of surface runoff and sedimentation. Compliance with these city requirements would ensure that the proposed project would not have a significant effect related to soil erosion that was not identified in the Market and Octavia PEIR.

A geotechnical investigation was prepared for the proposed project.<sup>48</sup> The geotechnical investigation relied on several available geotechnical studies and test boring results from the site and in the immediate vicinity to determine subsurface conditions at the site, and to provide recommendations. The geotechnical investigation determined that the site is underlain by approximately 9 to 12 feet of fill material, consisting of very loose to medium dense sand and silty sand with debris and rubble fragments. The fill is underlain by loose to dense sand (dune sand), to a depth of approximately 20 feet bgs. The dune sand is anticipated to be underlain by up to 7 feet of medium dense clayey sand and medium stiff to very stiff sandy clay and clay with sand (marsh deposit). Finally, dense to very dense sand, clayey sand, and silty sand (Colma Formation) is anticipated to the maximum depth explored in the vicinity (approximately 130 feet). Groundwater has previously been encountered at depths of approximately 14 to 17 feet bgs, however, due to fluctuations in the groundwater table caused by seasonal rainfall as well as excavation and dewatering activities at nearby construction sites, groundwater could be encountered at shallower depths. The proposed project site is not in an Alquist-Priolo Earthquake Fault Zone. There are no known active earthquake faults that run underneath the project site or in the project vicinity; the closest active fault to the project site is the San Andreas Fault, which is approximately 11 miles to the west. The proposed project site is located on geological units with moderate to high liquefaction potential; it is not in a landslide zone.

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<sup>47</sup> Added by Ordinance No. 260-13, File No. 103814, Effective December 14, 2013.

<sup>48</sup> Rollo & Ridley Geotechnical Engineers and Scientists. 2016. Geotechnical Report Feasibility Study. 30-40 Otis Street, San Francisco, California. June 22, 2016.

Project construction would require excavation to a depth of up to 35 feet bgs for a two-level garage and foundations, requiring the removal of up to approximately 38,000 cubic yards of soil. The geotechnical report indicates that if excavations reach a depth of at least 20 to 25 feet bgs, dune sand and marsh deposits are capable of supporting the proposed building with the use of a shallow foundation system.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the city. The building department will review the project-specific geotechnical report during its review of the building permit for the project. In addition, the building department may require additional site specific soils report(s) through the building permit application process, as needed. The requirement for a geotechnical report and review of the building permit application pursuant to the building department’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.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>14. HYDROLOGY AND WATER QUALITY—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 offsite?	<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 offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<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>
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 would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the PEIR.

The project site is completely covered by the existing buildings or paved. The proposed building would occupy the entire site and there would not be any change in the amount of impervious surface coverage, which in turn could increase the amount of stormwater runoff. In accordance with the city’s Stormwater Management Ordinance (Ordinance No. 64-16) and Public Works Code section 147, the proposed project would be subject to the San Francisco Public Utilities Commission Stormwater Management Requirements and Design Guidelines, incorporating low impact design approaches and stormwater management system into the project which would reduce peak stormwater discharges. To achieve this, the proposed project would implement and install appropriate stormwater management systems that would manage stormwater on-site and limit demand on both collection system and wastewater facilities resulting from stormwater discharges. The project would include a non-potable water collection system that would be located in the basement. As a result, the proposed project would not increase stormwater runoff and would not result in flooding, substantial erosion, or siltation.

The proposed project would be constructed in compliance with all applicable federal, state, and local regulations governing water quality and discharges into surface and underground bodies of water. Runoff from the project site would drain into the city’s combined stormwater/sewer system, ensuring that such runoff is properly treated at the Southeast Water Pollution Control Plant before being discharged into San Francisco Bay. As a result, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.

Stormwater runoff during construction must comply with the Construction Site Runoff Ordinance (Ordinance No. 260-13) and the Public Works Code section 146. Construction activities that disturb 5,000 square feet or more, such as the project, must submit an erosion and sediment control plan to the SFPUC for review and approval prior to construction. The plan would outline the best management practices to be implemented during construction to prevent the discharge of sediment, non-stormwater, and waste runoff from the project site.

The proposed project site is not located within a 100-year Flood Hazard Zone,<sup>49</sup> a dam failure area,<sup>50</sup> or a tsunami hazard area.<sup>51</sup> No mudslide hazards exist on the proposed project site, nor is it located near any

<sup>49</sup> Federal Emergency Management Agency. 2007. *Draft Special Flood Hazard Areas (San Francisco)*. September 21.

<sup>50</sup> City of San Francisco. 2012. *General Plan*. Community Safety Element, October 2012, Map 6.

<sup>51</sup> Ibid, Map 5.

landslide-prone areas.<sup>52</sup> A seiche is an oscillation of a waterbody, such as a bay, which may cause local flooding. A seiche could occur in the San Francisco Bay due to seismic or atmospheric activity. However, the proposed project site is located approximately 1.75 miles from San Francisco Bay, and thus, would not be subject inundation due to a seiche. The proposed project would not significantly alter the site topography or increase the rate or amount of surface runoff in a manner that would result in on- or offsite flooding beyond current conditions.

For these reasons, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Market and Octavia PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>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"/>
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"/>

<sup>52</sup> Ibid, Map 4.

The Market and Octavia PEIR found that impacts related to hazards and 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. In addition, the discovery of contaminated soils and groundwater at a construction site could result in exposure to hazardous materials during construction. The PEIR identified a significant impact associated with soil disturbance during construction for sites in areas of naturally occurring asbestos. The PEIR found that compliance with existing regulations and implementation of Mitigation Measure F1: Program- or Project-Level Mitigation Measures for Hazardous Materials, which would require implementation of construction best management practices 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 less-than-significant levels.

As discussed under topic 6, Air Quality, subsequent to the certification of the Market and Octavia PEIR, the San Francisco Board of Supervisors adopted the construction dust control ordinance. The regulations and procedures set forth by the construction dust control ordinance would ensure that construction dust impacts would not be significant. The project site is not located in an area of naturally occurring asbestos, however, construction activities in such areas would also be subject to regulation under the State Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations, which is implemented in San Francisco by the air district. Mandatory compliance with these regulations makes PEIR Mitigation Measure F1 no longer necessary to reduce the construction-related impacts from release of hazardous materials in dust. The proposed project would not result in significant impacts related to construction dust.

### **Hazardous Building Materials**

The Market and Octavia PEIR determined that future development in the plan area may involve demolition or renovation of existing structures containing hazardous building materials, which could expose workers or the community to hazardous building materials if improperly handled. The proposed project would demolish the five existing buildings on the project site, which all were constructed prior to 1980 and therefore could potentially contain hazardous building materials. Hazardous building materials addressed in the PEIR include asbestos and lead-based paints. The air district regulates the demolition and renovation of buildings that may contain asbestos. The air district must be notified of all demolitions and renovation of 100 sf of asbestos and requires abatement of asbestos-containing materials in accordance with applicable regulations prior to the start of demolition or renovation activities. Pursuant to state law, building department will not issue a demolition permit until asbestos abatement has been completed. California's health and safety code and San Francisco building code section 3407 requires compliance with work practices for all pre-1979 buildings undergoing additions, alterations, or demolition that may disturb or remove lead-based paints to minimize or eliminate the risk of lead contamination of the environment. California law requires that fluorescent lamps and tubes (which contain mercury) be recycled or disposed of at a hazardous waste disposal facility.<sup>53</sup> In addition, electrical equipment such as transformers and light ballasts that may contain polychlorinated biphenyls or DEHP (a toxic phthalate) must be removed and disposed of properly.<sup>54</sup> Required compliance with applicable

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<sup>53</sup> CCR Title 22, section 66261.50 *et seq.*

<sup>54</sup> CCR Title 22, section 67426.1 *et seq.*



federal, state, and local regulations would ensure that the proposed project would not result in any significant impacts related to hazardous building materials that were not identified in the Market and Octavia PEIR.

### **Soil and Groundwater Contamination**

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, remediation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater are subject to this ordinance.

The proposed project construction would involve excavation of up to 38,000 cubic yards of soil on a project site with potential subsurface contamination resulting from past and present auto repair uses. . Therefore, the project is subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a *phase I environmental site assessment* (phase I ESA) that meets the requirements of Health Code section 22.A.6 to evaluate 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* to the health department or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved site mitigation plan prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to the health department for oversight of site investigation and cleanup. As required, a phase I ESA and *phase II subsurface investigation* have been conducted to assess the potential for site contamination. The phase I ESA determined that, based on the historical presence of approximately six underground storage tanks (USTs), historical site usages including auto repair facilities, tire companies, electronics manufacturing, and other commercial uses, there is a potential for contaminated soil and/or groundwater to be present onsite.<sup>55</sup> The phase I ESA also concluded that based on the historic age of buildings present on the site, potential for lead-based paint and asbestos containing materials to be present within construction materials exists. In response to the recommendations in the phase I ESA, a phase II environmental investigation collected soil, soil vapor, and groundwater samples at the site to determine the presence of subsurface hazardous materials.<sup>56</sup>

Seven exploratory borings were advanced to depths of 20 to 25 feet bgs from various locations at the site to test for soil and groundwater conditions. Two additional soil vapor probes were also advanced to approximately 5 feet bgs. Based on the findings of the phase II investigation, elevated levels of lead, mercury, total petroleum hydrocarbons as diesel, total petroleum hydrocarbons as oil, polycyclic

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<sup>55</sup> Cornerstone Earth Group. 2015. Phase I Environmental Site Assessment. 74, 90 and 98 12th Street, and 14, 18, 30, and 32 Otis Street, San Francisco, California. May 12, 2015.

<sup>56</sup> Cornerstone Earth Group. 2015. Preliminary Soil, Soil Vapor, and Ground Water Quality Evaluation Report. 12th Street and Otis Street, San Francisco, California.

aromatic hydrocarbon benzol[a]pyrene, and polycyclic aromatic hydrocarbon benzo[b]flouranthene were present in soils above their respective residential *environmental screening levels*,<sup>57</sup> with the primary constituent of concern being lead detected in the fill material. While contaminants were detected above laboratory reporting limits in groundwater and soil vapor, no concentrations were present above residential environmental screening levels, and no further investigation or action at the site was required. The Phase II report indicated that contaminated soils would require removal and disposal at a class I hazardous materials facility at the time of excavation.

The Phase II report indicates that the existing USTs would require removal from the site prior to construction activities. Localized areas of impacted materials could be encountered at that time. The health department will require a site-specific health and safety plan, a dust control plan, and a site mitigation plan that presents protocols for properly managing/disposing the impacted fill material and USTs during excavation.

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

### **Fire Hazards and Emergency Response**

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

### **Airport Hazards**

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the proposed project would not result in any significant impact related to airport or airstrip hazards that were not identified in the Market and Octavia PEIR.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to hazards and hazardous materials that were not identified in the Market and Octavia PEIR.

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<sup>57</sup> Bay Area Regional Water Quality Control Board *User's Guide: Derivation and Application of Environmental Screening Levels (ESLs), Interim Final*, February 2016. ESLs provide conservative screening levels below which concentrations of contaminants are not considered to pose a chemical threat.

<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—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 did not analyze the area plan’s effects on mineral and energy resources, and no mitigation measures were identified. The project site is not a designated mineral resource recovery site, and implementation of the proposed project would not result in the loss of availability of any mineral resources. The PEIR determined that the area plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy 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 California Code of Regulations enforced by the building department.

For these reasons, the proposed project would not result in any significant impacts related to mineral and energy resources.

<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 nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 nonforest 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>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or forest land to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No agricultural resources exist in the Market and Octavia Area Plan. Therefore, the Market and Octavia PEIR did not analyze the area plan's effects on agriculture and forest resources, and no mitigation measures were identified. The project site is not zoned for or occupied by agricultural uses, forest land, or timberland, and implementation of the proposed project would not convert agricultural uses, forest land, or timberland to nonagricultural or nonforest uses.

For these reasons, the proposed project would have no impacts related to agriculture and forest resources.

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## MITIGATION MEASURES

### *Archeological Resources*

#### **Project Mitigation Measure 1: Archeological Testing Program (Implementing Market Octavia PEIR Mitigation Measure C2 and C3)**

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List maintained by the planning department archeologist. The project sponsor shall contact the department archeologist to obtain the names and contact information for the next three archeological consultants on the Qualified Archeological Consultants List. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

*Consultation with Descendant Communities.* On discovery of an archeological site<sup>58</sup> associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative<sup>59</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report (FARR) shall be provided to the representative of the descendant group.

*Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan. The archeological testing program shall be conducted in accordance with the approved archeological testing plan. The archeological testing plan shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or

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<sup>58</sup> By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

<sup>59</sup> An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes a historical resource under CEQA.

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

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the archeological monitoring program reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context.
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource.
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits.
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities\_and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an

archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

*Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accordance with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an onsite/offsite public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and nonintentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, who shall appoint a Most Likely Descendant (MLD) (Public Resources Code section 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond 6 days of discovery to make all reasonable efforts to develop an agreement for the treatment of human

remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines, section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

*FARR.* The archeological consultant shall submit a draft 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 testing/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.

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

### *Air Quality*

#### **Project Mitigation Measure 2: Construction Air Quality (Implementing Market Octavia PEIR Mitigation Measure E2)**

The project sponsor or the project sponsor's Contractor shall comply with the following

##### *A. Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and



operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

1. The Planning Department’s ERO or designee may waive the alternative source of power requirement of subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.

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

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

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative

1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

\*\* Alternative fuels are not a VDECS.

C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the

- description shall also specify the type of alternative fuel being used.
2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
  3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

## IMPROVEMENT MEASURES

### *Transportation*

#### **Project Improvement Measure 1: Develop an Active Loading Management Plan**

The project sponsor will develop an active loading management plan that incorporates the following elements:

- *Coordinated Service Deliveries*  
Building management should work with delivery providers (UPS, FedEx, DHL, USPS, etc.) to coordinate regular delivery times, and retail tenants will be required to schedule their deliveries. Management shall instruct all delivery services that trucks will not stop on the 12<sup>th</sup> Street loading driveway, but rather will pull all the way into the 12<sup>th</sup> Street loading zone. The project will consider including an unassisted delivery system (i.e., a range of delivery systems that eliminate the need for human intervention at the receiving end) into the site design, particularly for when the receiver site (e.g., retail space) is not in operation. Examples could include the receiver site providing a key or electronic fob to loading vehicle operators, which enables the loading vehicle operator to deposit the goods inside the business or in a secured area that is separated from the business.
- *Managed Move-In/Move-Out Operations*  
Building management will be responsible for coordinating and scheduling all move-in and move-out operations. To the extent possible for the Proposed Project, moves that use 15-foot box trucks or smaller, building management will direct drivers to use the move-in/move-out loading space on the first basement level.
- *Managed Usage of 12<sup>th</sup> Street Loading Zone*  
In order to minimize the potential for conflicts at the loading zone entrance and driveway, building management will provide a spotter to be used when a vehicle is actively using the loading area. When the loading zone is not in use, the loading zone door will be closed to signal that the area is inactive, and so that students do not enter the loading area.

- *Managed Garbage and Recycling Operations*  
Building management will ensure that garbage and recycling bins be cleared from the curbside after garbage and recycling has occurred. They will also ensure that the loading space and driveway be kept free of debris, garbage, and garbage bins.

## **Project Improvement Measure 2: Monitoring and Abatement of Queues**

As an improvement measure to reduce the potential for queuing of vehicles accessing the Project site, it will be the responsibility of the project sponsor to ensure that recurring vehicle queues or vehicle conflicts do not occur adjacent to the site. A vehicle queue is defined as one or more vehicles blocking any portion of adjacent sidewalks or travel lanes for a consecutive period of three minutes or longer on a daily and/or weekly basis.

If recurring queuing occurs, the owner/operator of the facility will employ abatement methods as needed to abate the queue. Appropriate abatement methods would vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking and loading 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 to facilitate parking lot ingress and egress.

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

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