



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: 2013.1005E
Project Address: 22-24 Franklin Street
Zoning: C-3-G (Downtown – General)
 Van Ness & Market Downtown Residential District
 85-X Height and Bulk District
Block/Lot: 0836/011-012
Lot Size: 4,337 square feet total
Plan Area: Market and Octavia Area Plan
Project Sponsor: Reza Khoshnevisan (SIA Consulting Corporation)
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PROJECT DESCRIPTION

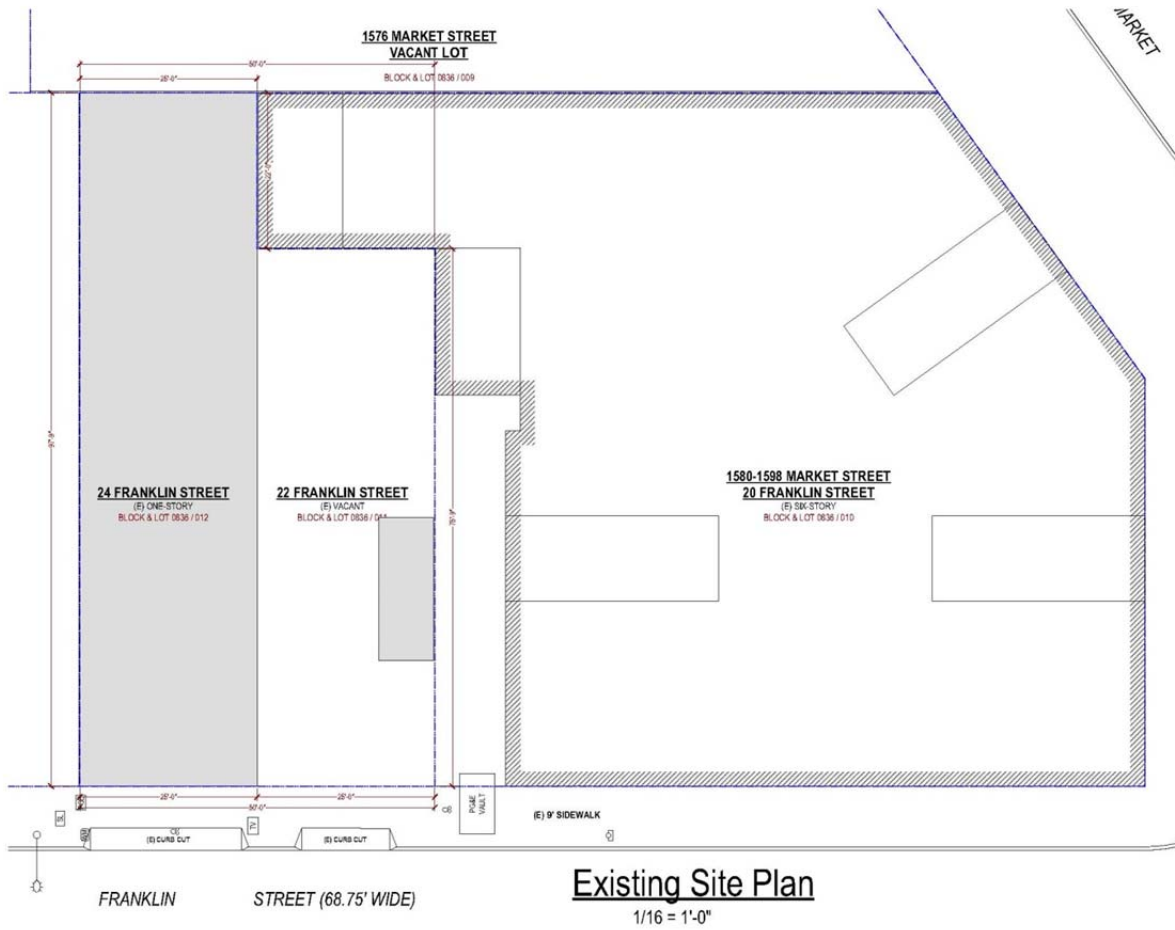
The proposed project site is located at 22 – 24 Franklin Street (Assessor’s Block 0836, Lots 011 and 012), on the east side of Franklin Street between Page and Oak streets near the western edge of San Francisco’s Downtown/Civic Center neighborhood (Figure 1). Lot 011 is currently a paved parking lot and lot 012 is occupied by a one-story reinforced concrete commercial building that houses an auto body shop; the two lots have a total area of approximately 4,337 square feet (sf). The block on which the site is located is bounded by Franklin Street to the west, Van Ness Avenue to the east, Oak Street to the north, and Page and Market streets to the south. The site is located within the Market and Octavia Area Plan, which was analyzed in the Market and Octavia Area Neighborhood Plan Programmatic Final Environmental Impact Report (Market and Octavia PEIR). The project vicinity includes a mix of residential, retail/commercial, office, and institutional uses, including several schools. The area is well served by transit, with bus, streetcar, and Muni Metro subway lines located approximately one block away and the BART Civic Center station located about five blocks away.

The proposal is to merge lots 011 and 012 into a single lot, demolish the existing commercial building on lot 012, and construct an 8-story, 85-foot tall mixed-use building at the site. With rooftop mechanical structures, the building would be approximately 100 feet tall. The proposed new building would include 35 dwelling units and 2,100 gross square feet (gsf) of retail space along Franklin Street. Approximately 2,900 sf of open space would be provided through a combination of private and common roof decks. The project would also provide 35 Class 1 bicycle parking spaces on the ground floor; no vehicle parking would be included in the project. An existing curb cut on Franklin Street would be removed. Figures 2 through 10 show the existing and proposed site plans, proposed floor plans, and conceptual elevations.

Project Construction

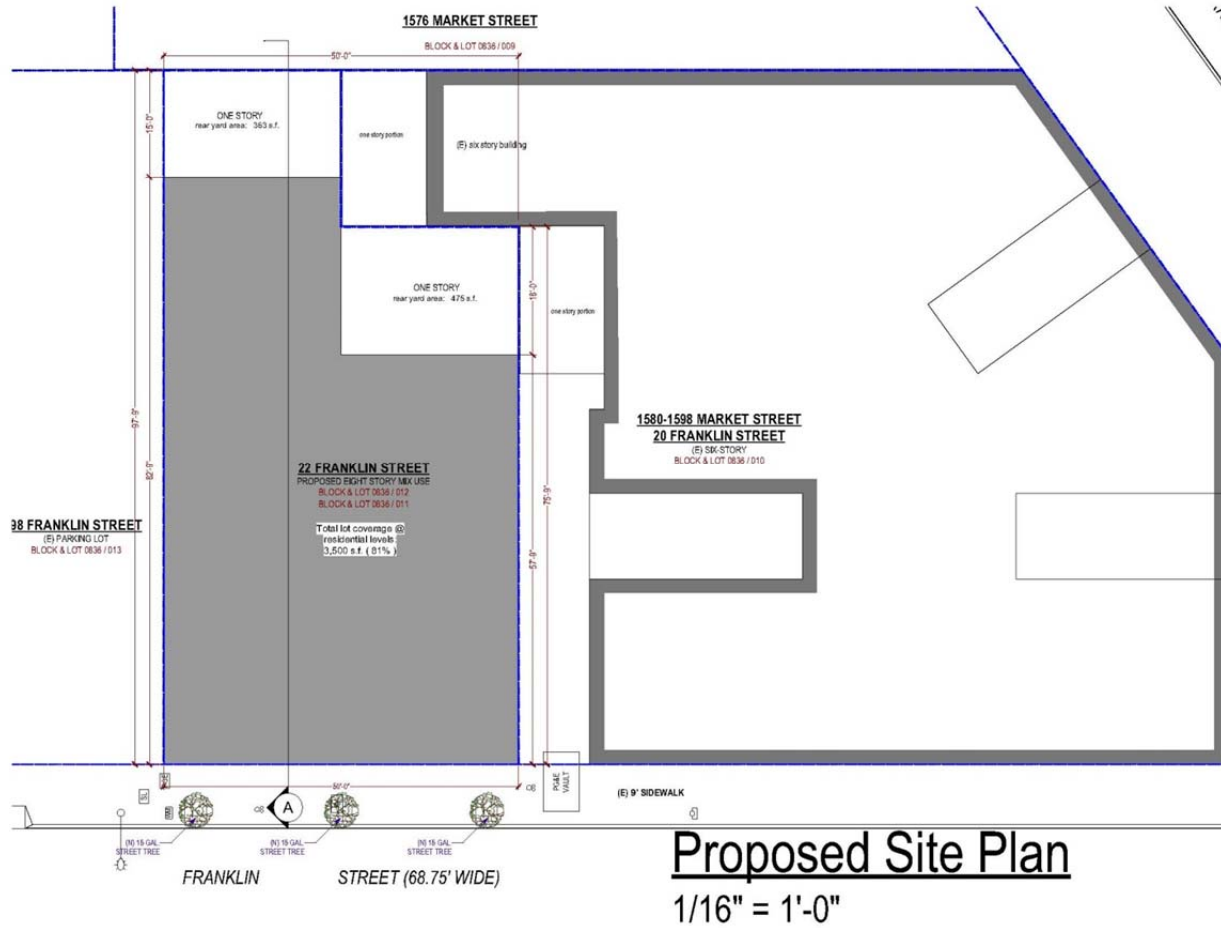
The project sponsor anticipates that construction would begin in 2016 and would last about 13 months, with building occupancy in 2017. Construction of the proposed project would require minor excavation for the foundation and the removal of about 140 cubic yards of soil. The proposed building would rest on a mat foundation; no pile driving would be required.

FIGURE 2: EXISTING SITE PLAN



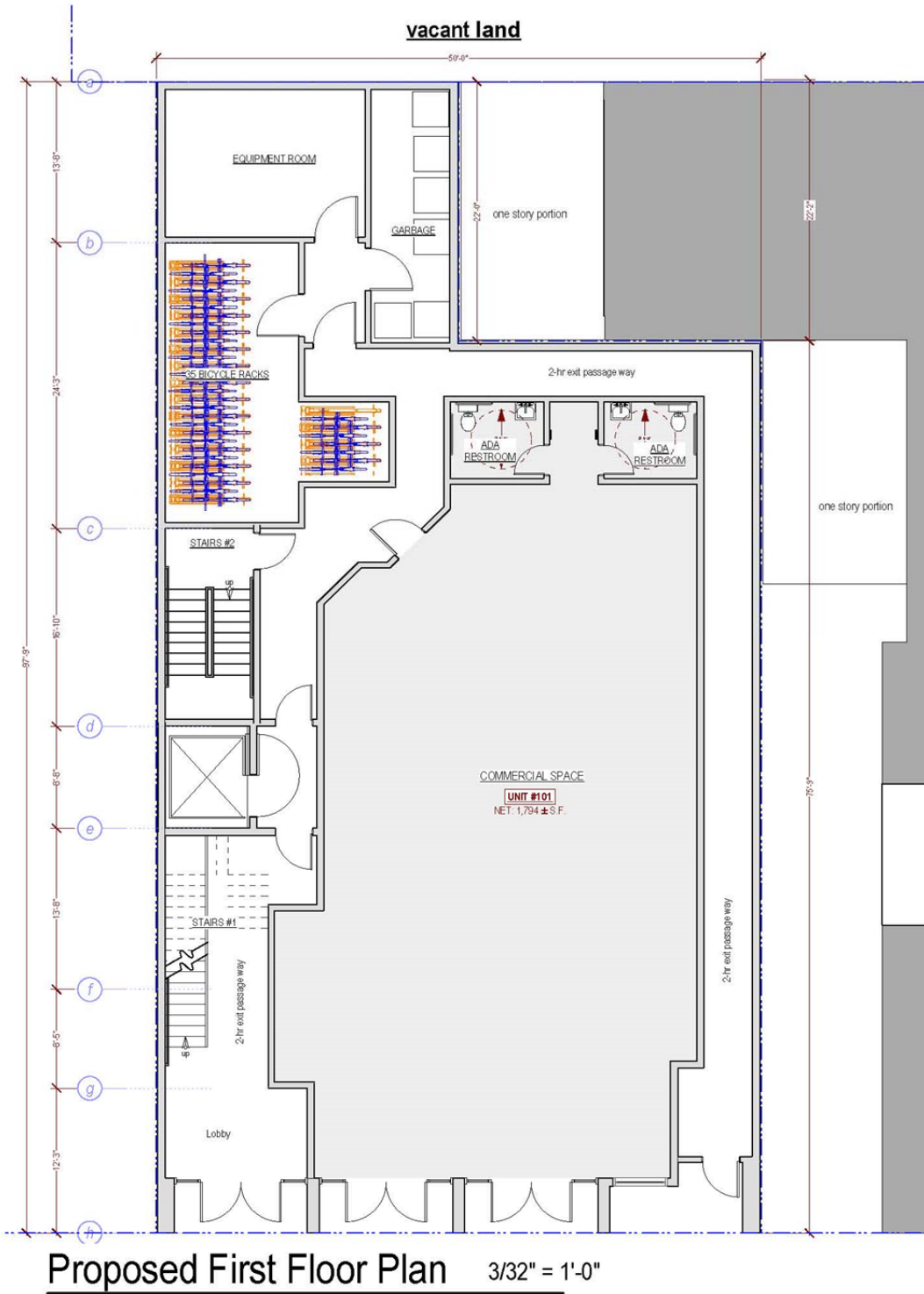
Source: SIA Consulting

FIGURE 3: PROPOSED SITE PLAN



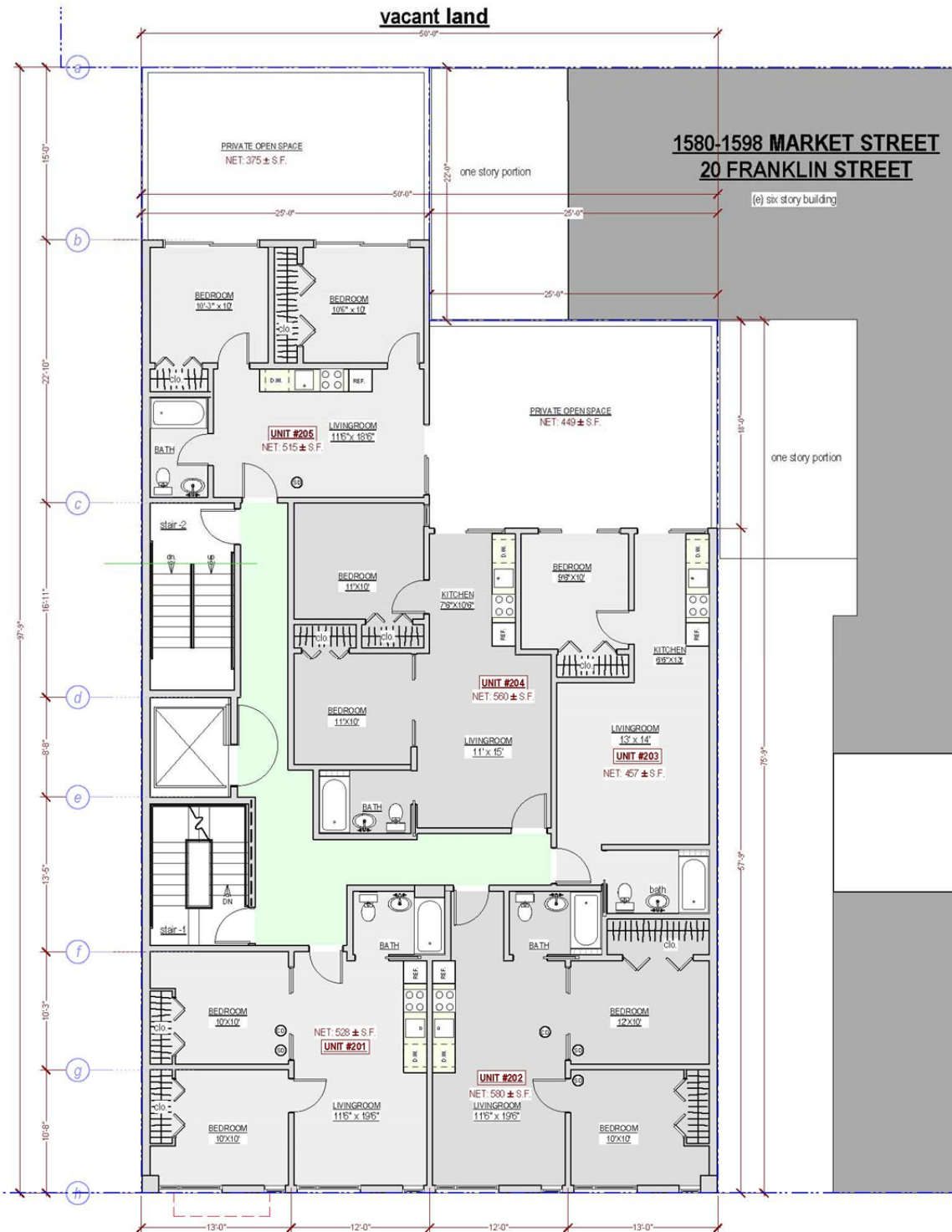
Source: SIA Consulting

FIGURE 4: PROPOSED FIRST FLOOR PLAN



Source: SIA Consulting

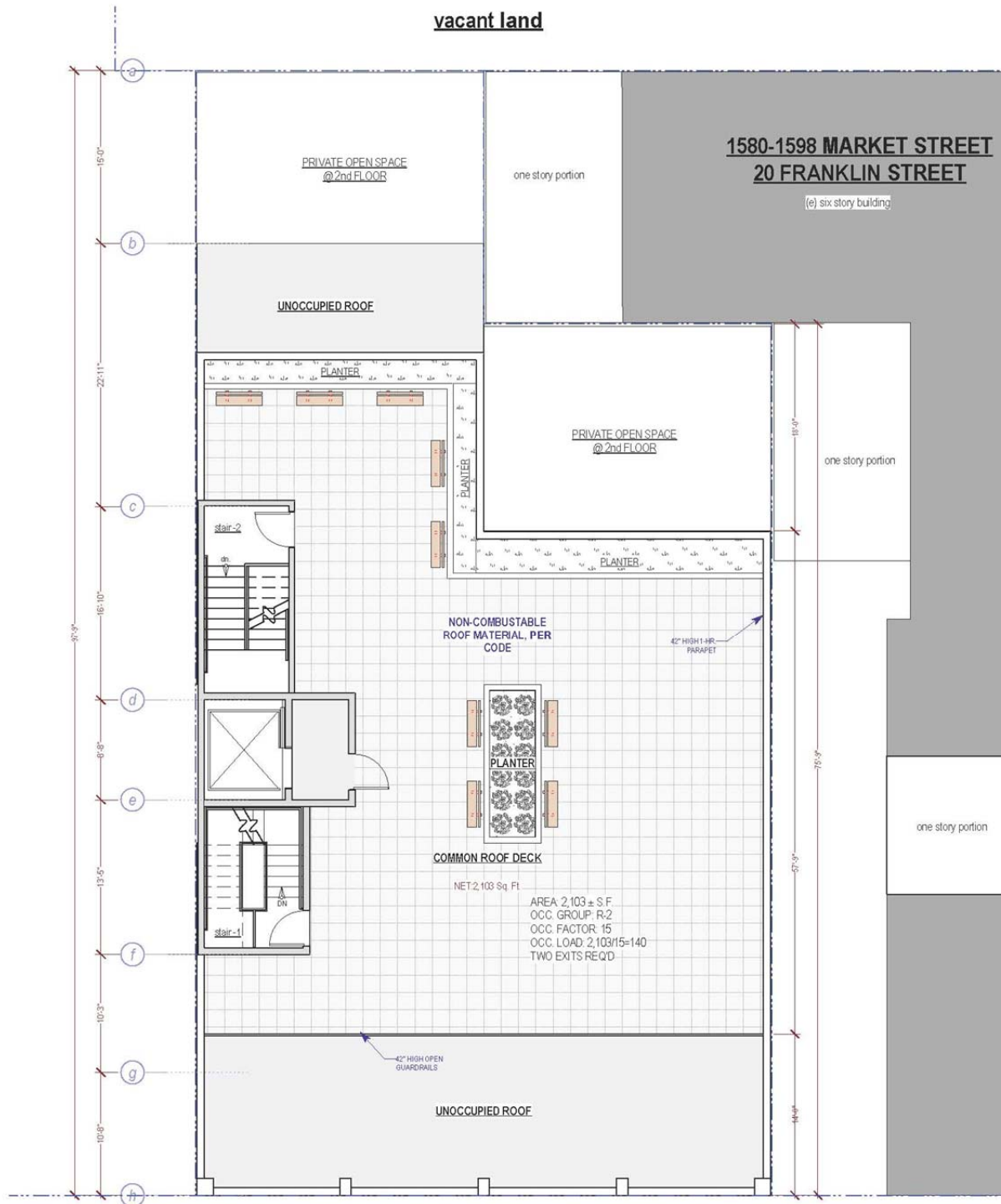
FIGURE 5: TYPICAL RESIDENTIAL FLOOR PLAN



Proposed Second Floor Plan

3/32" = 1'-0"

FIGURE 6: ROOF PLAN

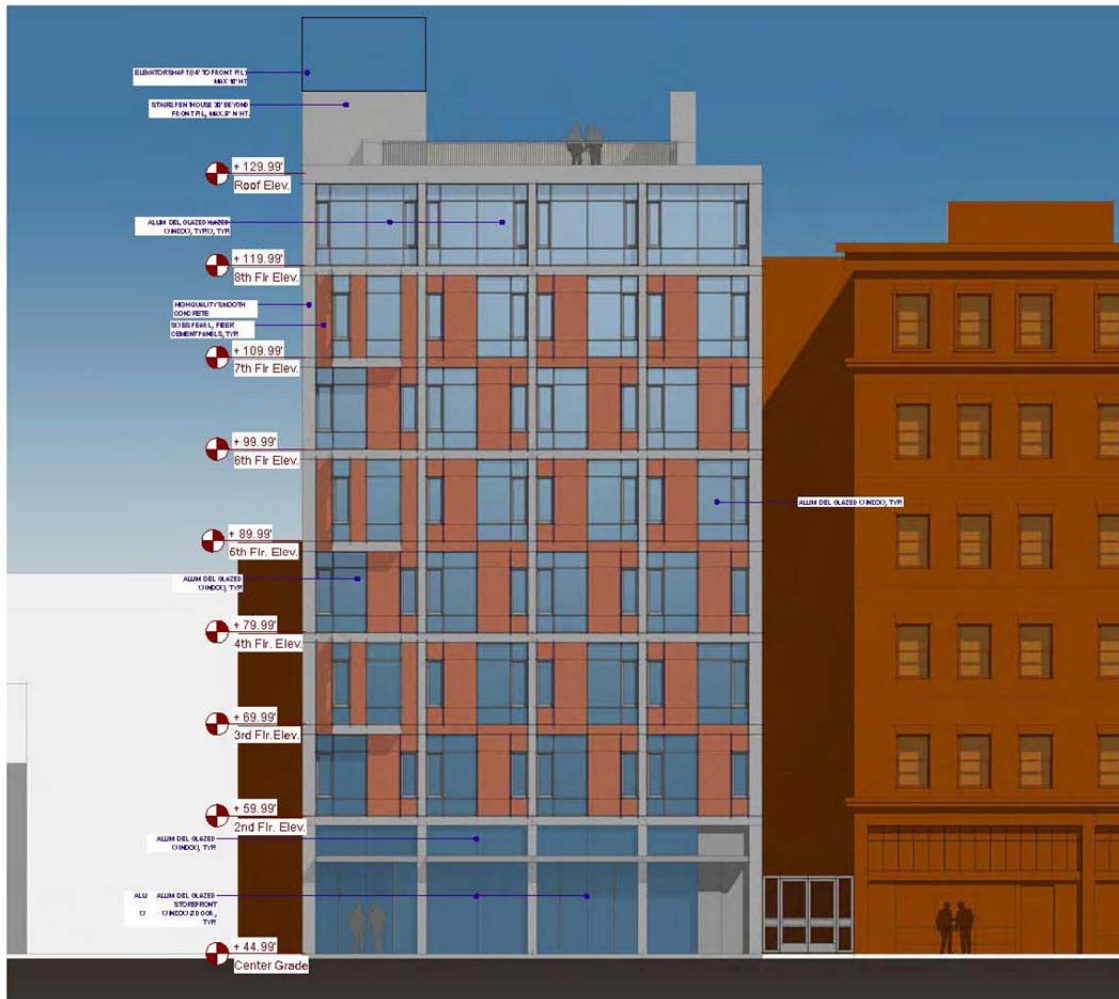


Proposed Roof Plan

3/32" = 1'-0"

Source: SIA Consulting

FIGURE 7: PROPOSED WEST ELEVATION WITH FAÇADE ALONG FRANKLIN STREET

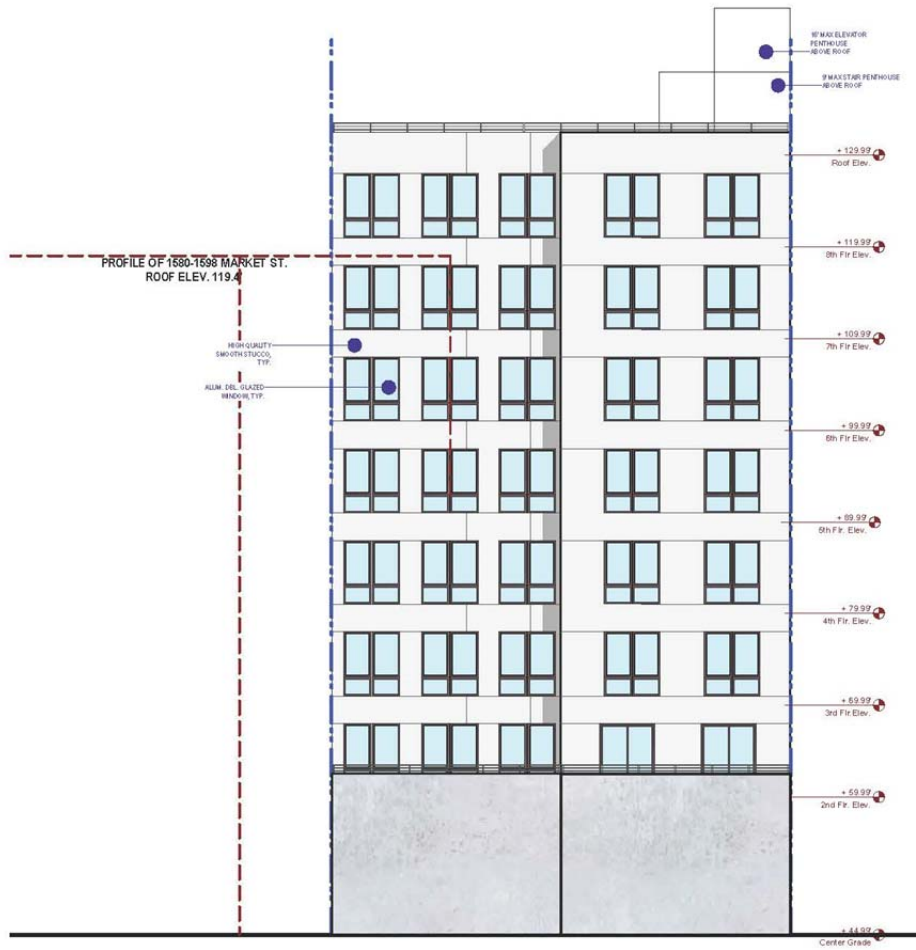


Proposed Front Elevation (Franklin Ave.)

1/16" = 1'-0"

Source: SIA Consulting

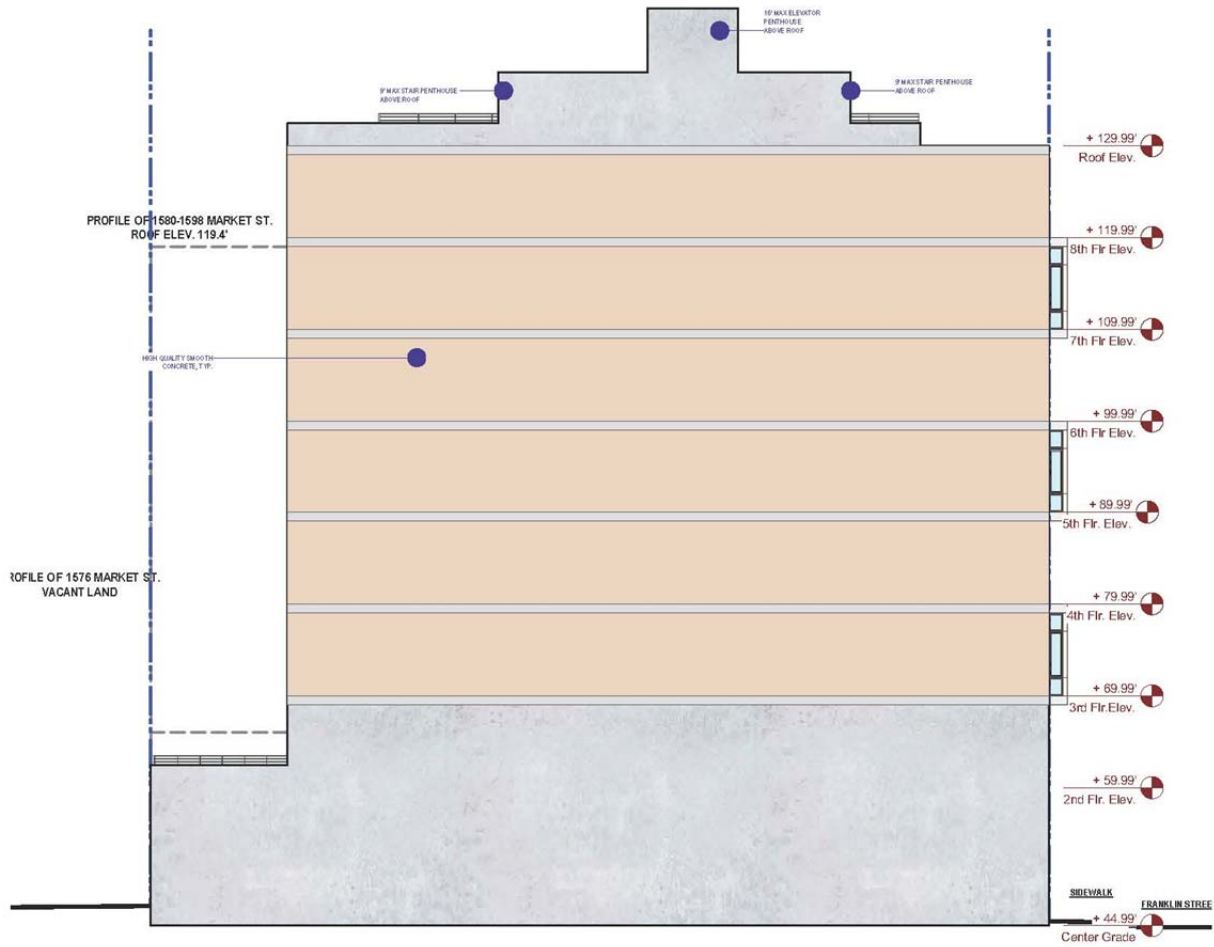
FIGURE 8: PROPOSED EAST (REAR) ELEVATION



Proposed Rear Elevation (East)

1/16" = 1'-0"

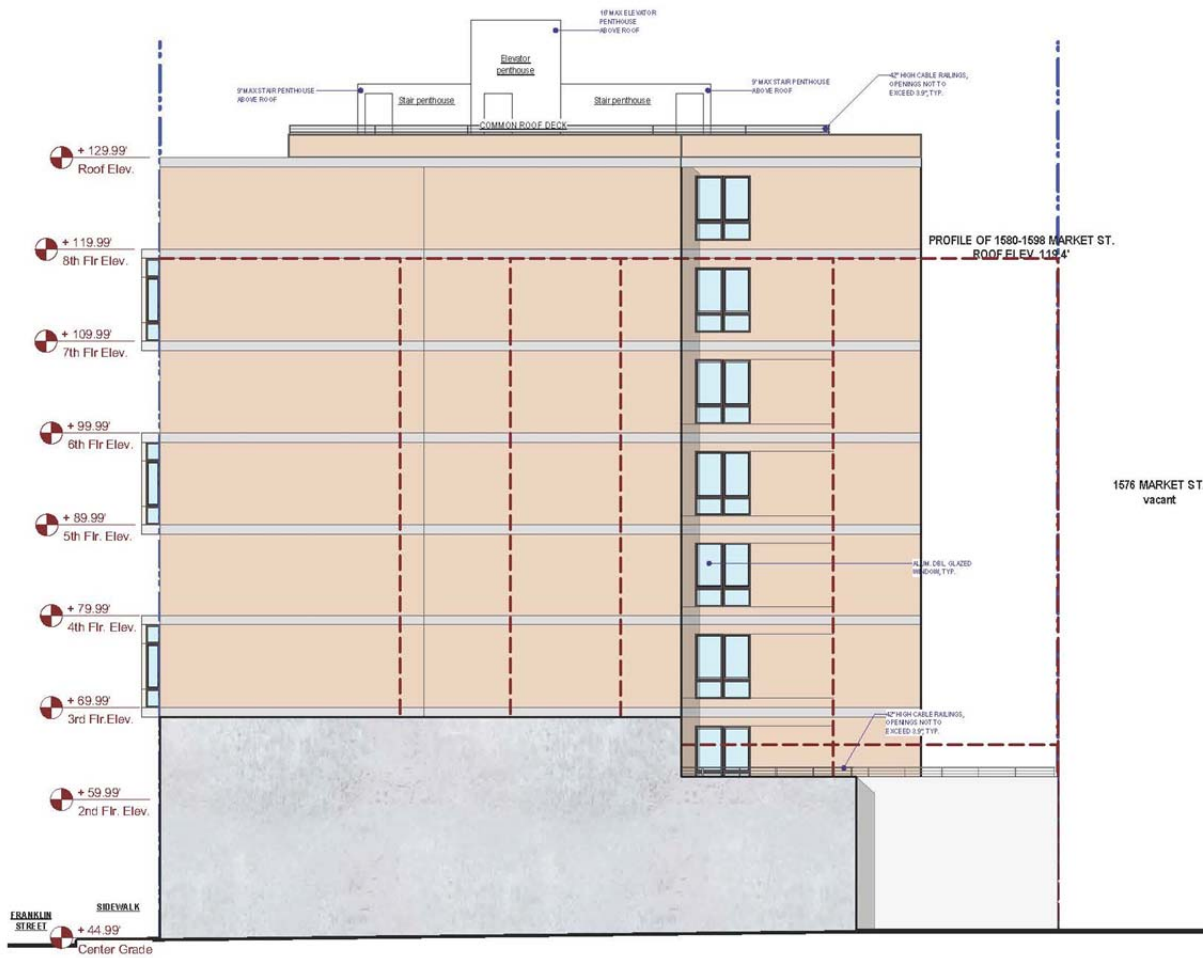
FIGURE 9: PROPOSED NORTH ELEVATION



Proposed Left Elevation (North)
1/16" = 1'-0"

Source: SIA Consulting

FIGURE 10: PROPOSED SOUTH ELEVATION



Proposed Right Elevation (South)

1/16" = 1'-0"

Source: SIA Consulting

Project Approval

Actions by the Planning Commission

- **Approval of a Large Project Authorization** from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 75 feet in height and 25,000 gross square feet in size. The approval of the Large Project Authorization would be the Approval Action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.
- **Downtown Project Authorization** pursuant to Planning Code Section 309 with exceptions to the requirements for ground level wind currents pursuant to Planning Code Section 148 and lot coverage pursuant to Planning Code Section 249.33(b)(5).

Actions by City Departments

- **San Francisco Planning Department (Planning Department).** Approval of a Variance from the Dwelling Unit Exposure requirements pursuant to Planning Code Section 140.
- **Department of Building Inspection (DBI).** Demolition, grading, and building permits for the demolition of the existing building and construction of the new building.
- **Department of Public Health (DPH).** Approval of a Site Mitigation Plan prior to the commencement of any excavation work.
- **Department of Public Works (DPW).** Street and sidewalk permits for any modifications to public streets and sidewalks. Approval of a condominium map if requested.
- **San Francisco Public Utilities Commission.** Approval of any changes to sewer laterals.

EVALUATION OF ENVIRONMENTAL EFFECTS

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

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

¹ San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, State Clearinghouse No. 2004012118, certified April 5, 2007. This document, and other cited Market and Octavia Area Plan documents, are available online at www.sf-planning.org/index.aspx?page=1714 or at the Planning Department, 1650 Mission Street, Suite 400.

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).

Implementation of the proposed project would result in the construction of a new building that would be eight stories and 85 feet tall. The building would contain 35 dwelling units and 2,100 gsf of retail space. As discussed below in this CPE Checklist, the proposed project would not result in new, significant environmental effects or effects of greater severity than were already analyzed and disclosed in the Market and Octavia PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

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

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

The proposed project meets each of the above criteria; therefore, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.² Project elevations are included in the project description for informational purposes.

<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>
1. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

² San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 22-24 Franklin Street*, November 3, 2015. This document, and other documents cited in the CPE Checklist, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.1005E.

The Market and Octavia PEIR determined that implementation of the *Market and Octavia Area Plan* would not result in a significant adverse impact related to land use and land use planning, and no mitigation measures were identified. The proposed project consists of the construction of a new building that would be eight stories and 85 feet tall. The building would contain 35 dwelling units and 2,100 gsf of retail space. The proposed project is within the scope of development projected under the *Market and Octavia Area Plan*. Furthermore, the Citywide Planning and Current Planning divisions of the Planning Department have determined that the proposed project is permitted in the C-3-G (Downtown General) District and Van Ness & Market Downtown Residential District and is consistent with the bulk, density, and land uses as envisioned in the *Market and Octavia Area Plan*.^{3, 4}

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to land use and land use planning beyond those identified in the Market and Octavia PEIR.

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>
2. POPULATION AND HOUSING—				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One goal of the *Market and Octavia Area 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 consists of the construction of a new building that would be eight stories and 85 feet tall. The building would contain 35 dwelling units and 2,100 gsf of retail space. Implementation of the

³ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, *Citywide Planning and Policy Analysis*, Case No. 2013.1005E, 22-24 Franklin Street, October 21, 2014.

⁴ Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis*, Case No. 2013.1005E, 22-24 Franklin Street, November 2, 2015.

proposed project would result in a net increase of about 65 residents and 6 employees on the project site.⁵ The population growth associated with the proposed project is within the scope of the population growth that was anticipated under the *Market and Octavia Area Plan* and analyzed in the Market and Octavia PEIR.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to population and housing beyond those 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>
3. CULTURAL RESOURCES —Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

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

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

According to a recent Historic Resource Evaluation (HRE) prepared for the project site, the buildings on site are not considered historic resources under CEQA.⁶ The small outbuilding at 22 Franklin Street may have served as an enclosure for a parking attendant or as an office for the associated auto repair businesses; its age is unknown. 24 Franklin Street was designed by architect G. Albert Lansburgh and constructed in 1927 by an unknown builder for Mrs. Marion Leventrett, who owned several other properties in the vicinity. As a light-industrial building with auto-related uses, it appears to have been a consistent building type and use for this neighborhood during the post-1906 earthquake and fire redevelopment. 24 Franklin Street was constructed within the period of significance (1906-1929) for the

⁵ 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)*.

⁶ Garavaglia Architecture. January 2, 2015. *22-24 Franklin Historic Resource Evaluation & Standards Compliance Review*.

post-1906 Reconstruction period. However, its construction date of 1927 places it outside of the primary phase of redevelopment and reduces its ability to embody this broad pattern of San Francisco's history. Both previous surveys and the HRE determined that because of its relatively late date of construction and lack of significant associations, the building is not eligible for listing on the California Register under Criterion 1 as a property "associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States." The Historic Resource Evaluation Response prepared by the Planning Department's Preservation staff concurs with this conclusion.⁷

The project site is not eligible for listing Criterion 2, as a property "associated with the lives of persons important in our local, regional or national past." Previous surveys and the HRE prepared for this project found that none of the owners or occupants of the subject properties was historically significant.

Lansburgh was a well-known and prolific architect active in the City's post-1906 reconstruction efforts; he was best known as a theater and auditorium architect, and his surviving work in San Francisco includes the Warfield and Golden Gate Theaters. He also designed both the War Memorial Opera House and War Memorial Veterans Building. However, the HRE concluded that 24 Franklin Street is a very minor example of Lansburgh's work. It is a utilitarian building that is not evocative of a particular design or style, does not significantly embody the distinctive characteristics of a type, period, or method of construction. Accordingly, it does not appear to be eligible for the California Register under Criterion 3, as a property that "embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values." The HRE also concluded that 22 Franklin Street, as a utilitarian building of unknown date with no distinctive characteristics, no association with a master architect or builder, and no high artistic value, does not appear to be eligible for the California Register under Criterion 3.

Based upon a review of information in the Planning Department's records, the subject property is not significant under Criterion 4, which is typically associated with archaeological resources. Archeological resources are discussed in greater detail below.

The project site is not located within a historic district, although it is adjacent to a building (Miramar Apartments, 1582 Market Street) that is a contributor to the Market Street Masonry Landmark District. Compatibility with this Landmark District has been addressed through the design review process.

For these reasons, the proposed project would not contribute to the significant project-specific or cumulative historic resource impacts identified in the Market and Octavia PEIR, and no historic resource mitigation measures are applicable to the proposed project.

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 less-than-significant levels (Mitigation Measures C1 through C4). Mitigation Measure C1: Soil-Disturbing Activities in Archeologically Documented Properties,⁸ applies to properties

⁷ San Francisco Planning Department, *Historic Resource Evaluation Response, 22-24 Franklin Street*, February 20, 2015.

⁸ Throughout this CPE, mitigation measures from the Market and Octavia PEIR are numbered based on the adopted Mitigation Monitoring and Reporting Program for the proposed project at 22-24 Franklin Street; mitigation measure numbers from the PEIR are also provided for reference. Mitigation Measure C1 is Mitigation Measure 5.6.A1 in the Market and Octavia PEIR.

that have a final Archeological Resource Design/Treatment Plan (ARDTP) on file; it requires that an addendum to the ARDTP be completed. Mitigation Measure C2: General Soil-Disturbing Activities,⁹ was determined to be applicable to any project involving any soil-disturbing activities below a depth of four feet below ground surface (bgs) and located in areas for which no archeological assessment report has been prepared. Mitigation Measure C2 requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by a qualified consultant or that a Preliminary Archeological Review (PAR) be conducted by Planning Department staff. Mitigation Measure C3: Soil-Disturbing Activities in Public Street and Open Space Improvements,¹⁰ applies to improvements to public streets and open spaces if those improvements disturb soils below a depth of four feet bgs; it requires an Archeological Monitoring Program. Mitigation Measure C4: Soil-Disturbing Activities in the Mission Dolores Archeological District,¹¹ applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archeological Testing Program as well as an Archeological Monitoring Program and an Archeological Data Recovery Program, if appropriate.

The PEIR anticipated that development at the project site would have the potential to disturb archaeological deposits, and that Market and Octavia PEIR Mitigation Measure C2 would apply to the proposed project. Based on a review of San Francisco Planning Department records, no previous archaeological investigations have occurred in the project site. However, pursuant to Market and Octavia PEIR Mitigation Measure C2, a PAR was conducted by Planning Department staff for the proposed project. Based on the PAR, it has been determined that the Planning Department's first standard archaeological mitigation measure (accidental discovery) would apply to the proposed project.¹² Although no archaeological resources have been previously identified within the project area, the project site may harbor previously undiscovered CRHR-eligible prehistoric and/or historic-era archaeological resources. Because the proposed project would require approximately 140 cubic yards of soil excavation (including soil removal) up to a depth of 6 feet, project ground-disturbing activities and soil amendments would have the potential to affect previously undocumented CRHR-eligible resources, were they to be present below the project site. Therefore, Mitigation Measure 1 – Archaeology – Accidental Discovery (Market and Octavia PEIR Mitigation Measure C2), listed in the Mitigation Measures section below, is required to reduce potential significant impacts of the proposed project to archaeological resources to a less-than-significant level. With implementation of this mitigation measure, the proposed project would not result in significant project-specific or cumulative impacts on archaeological resources that were not identified in the Market and Octavia PEIR.

⁹ Mitigation Measure C2 is Mitigation Measure 5.6.A2 in the Market and Octavia PEIR.

¹⁰ Mitigation Measure C3 is Mitigation Measure 5.6.A3 in the Market and Octavia PEIR.

¹¹ Mitigation Measure C4 is Mitigation Measure 5.6.A4 in the Market and Octavia PEIR.

¹² Email from Randall Dean, San Francisco Planning Department, to Elizabeth Purl, November 13, 2015, "Preliminary Archeological Review completions."

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

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

The Market and Octavia PEIR identified significant traffic impacts at seven intersections and one significant transit impact. In the vicinity of the project site, the Market and Octavia PEIR identified cumulatively considerable impacts at the intersections of Hayes Street/Franklin Street (two blocks north of the project site), Market Street/Van Ness Avenue (one block east), Hayes Street/Gough Street (three blocks northwest), and Hayes Street/Van Ness Avenue (three blocks northeast). The Market and Octavia PEIR identified a significant and unavoidable cumulative transit impact on the 21 Hayes Muni route during the weekday p.m. peak hour. This impact was a result of the increased vehicle delay along Hayes Street from Van Ness Avenue to Gough Street due to the proposed reconfiguration of Hayes Street under the *Market and Octavia Area Plan*.

The PEIR identified eight transportation mitigation measures involving plan-level traffic management strategies, intersection and roadway improvements, and transit improvements to be implemented by the Planning Department, the Department of Public Works (DPW), and the San Francisco Municipal Transportation Agency (SFMTA). The PEIR did not identify project-level transportation mitigation measures to be implemented by project sponsors for future development under the *Market and Octavia Area Plan*. The PEIR determined that, even with implementation of the identified plan-level mitigation measures, the significant adverse effects at seven intersections and the cumulative impacts on certain

transit lines resulting from delays at several Hayes Street intersections could not be fully mitigated. These impacts were found to be significant and unavoidable.

Because the proposed project is within the scope of development projected under the *Market and Octavia Area Plan*, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the PEIR. Although the proposed project would not result in any new significant traffic, bicycle, or pedestrian impacts, the project sponsor has agreed to implement the improvement measures, listed in the Improvement Measures section below (p. 45), which would further reduce these less-than-significant impacts.

Trip Generation

Trip generation for the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review (Transportation Guidelines)* developed by the San Francisco Planning Department.¹³ The proposed residential and retail uses would generate an estimated 648 person trips (inbound and outbound) on a weekday daily basis, consisting of 269 person trips by auto, 187 transit trips, 125 walk trips, and 67 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 30 person trips by auto. Accounting for vehicle occupancy data for the project site's census tract, the proposed project would generate 169 daily vehicle trips, 20 of which would occur during the p.m. peak hour.

Traffic

Vehicle trips associated with the proposed project would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by Level of Service (LOS), which ranges from A to F, and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco.

The Market and Octavia PEIR analyzed traffic impacts at 32 intersections in the Plan Area. Of these 32 intersections, the seven intersections closest to the project site are shown in Table 1: Weekday P.M Peak-Hour Levels of Service at Nearby Intersections. As shown in Table 1, the LOS data for these intersections indicate that all but one of these intersections operate at LOS C or better during the weekday p.m. peak hour under existing conditions. The intersection of Mission Street/Otis Street/Van Ness Avenue operates at LOS E during the weekday p.m. peak hour under existing conditions. Cumulative (2025) conditions represent future conditions after the buildout of the *Market and Octavia Area Plan*. Under cumulative conditions, five of the intersections closest to the project site would operate at LOS D or better during the weekday p.m. peak hour.

¹³ San Francisco Planning Department, *Transportation Calculations, 22-24 Franklin Street*, November 3, 2015.

Table 1: Weekday P.M. Peak-Hour Levels of Service at Nearby Intersections

Intersection	Existing LOS (2008)	Cumulative LOS (2025)
Market/Franklin/Page streets	C	D
Oak/Franklin streets	A	B
Fell/Franklin streets	A	D
Oak/Gough streets	C	C
Market Street/Van Ness Avenue	C	E
Mission Street/Otis Street/Van Ness Avenue	E	F
Market /Gough/Haight streets	C	D

Source: Market and Octavia PEIR, Table C-9, 2007.

Notes:

(1) **LOS E or F** indicates intersection operates at unacceptable LOS conditions (LOS E or F).

The proposed project would generate an estimated 20 p.m. peak-hour vehicle trips that could travel through nearby intersections. These vehicle trips would not substantially increase traffic volumes at nearby intersections, would not substantially increase the average delay to the degree that the LOS of nearby intersections would deteriorate from acceptable to unacceptable, and would not substantially increase the average delay at intersections that currently operate at an unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions, because its contribution of an estimated 169 daily and 20 p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by *Market and Octavia Area Plan* projects. In addition, the proposed project would not contribute considerably to 2025 cumulative traffic conditions and would not have any significant cumulative traffic impacts.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on traffic beyond those identified in the Market and Octavia PEIR.

Transit

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following transit service: 6 Haight/Parnassus, 7 Haight/Noriega, 7R Haight/Noriega Rapid, 7X Noriega Express, 9 San Bruno, 9R San Bruno Rapid, 14 Mission, 14R Mission Rapid, 21 Hayes, 47 Van Ness, 49 Mission/Van Ness, and 90 Owl bus lines; the F Market historic streetcar; and the J Church, KT Ingleside/Third Street, L Taraval, M Ocean View, N Judah Muni Metro light rail lines. In addition, the BART Civic Center station is located less than one-half mile from the project site.

The proposed project would be expected to generate 187 daily transit trips, including 30 transit trips during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 30 p.m. peak-hour transit trips would be accommodated by existing capacity. Therefore, the proposed project would not result in unacceptable levels of transit service or cause an increase in transit delays or operating costs such that significant adverse impacts to transit service would result.

As discussed above, the Market and Octavia PEIR identified significant and unavoidable cumulative transit delay impacts to the 21 Hayes Muni route. The proposed project would not contribute considerably to these conditions as its contribution of 30 p.m. peak-hour transit trips would be distributed among several nearby transit lines and would not be a substantial proportion of the overall additional transit volume generated by projects developed under the *Market and Octavia Area Plan*. The proposed project would also not contribute considerably to 2025 significant cumulative transit impacts.

For these reasons, the proposed project would not result in significant project-specific impacts related to transit beyond those identified in the Market and Octavia PEIR and would not contribute considerably to cumulative transit impacts that were 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>
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"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Construction Impacts

The Market and Octavia PEIR noted that the background noise 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 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. No mitigation measures related to noise from construction were identified in the Market and Octavia PEIR.

All construction activities for the proposed project (approximately 13 months) would be subject to and would comply with the Noise Ordinance, which requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA¹⁴ 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 the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of the DPW authorizes a special permit for conducting the work during that period.

The DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Although pile driving is not required or proposed, occupants of nearby properties could be disturbed by construction noise during the 13-month construction period for the proposed project. There may be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise levels in the project vicinity during construction of the proposed project would not be considered a significant impact, because the construction noise would be temporary, intermittent, and restricted in occurrence and level due to required compliance with the Noise Ordinance.

For these reasons, the proposed project would not result in significant project-specific or cumulative construction-related noise and vibration impacts beyond those identified in the PEIR, and no mitigation measures are necessary.

Operational Impacts

The PEIR noted that Area Plan-related land use changes would have the potential to create secondary 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 on-site equipment. Therefore, the increase in noise levels from operation of equipment would be less than significant. The PEIR also determined that all new development in the Plan Area would be required to comply with Title 24 of the California Code of Regulations and with the Land Use Compatibility Guidelines for Community Noise in the Environmental Protection Element of the of the *General Plan*,¹⁵ which would prevent significant operational impacts on sensitive receptors.

Ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (a 3-dB increase). As discussed under CPE Checklist Topic 4, Transportation and

¹⁴ The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called "A" weighting, and the data are reported in A-weighted decibels (dBA).

¹⁵ San Francisco Planning Department, 2004. San Francisco General Plan, Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise. Last amended December 2, 2004. Available online at: www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm.

Circulation, the proposed project would generate 20 vehicle trips during the p.m. peak hour. Given the existing traffic volumes in the project vicinity, the project-related increase in vehicle trips during the p.m. peak hour would not double the traffic volumes on any given street in the project vicinity. Therefore, the proposed project would not result in a perceptible increase in noise levels from project-related traffic and would not contribute to a considerable increment or to any cumulative noise impacts related to traffic.

An environmental noise study was completed for the proposed project to assess existing noise conditions and make recommendations for building materials specifications to meet Title 24 requirements.¹⁶ The noise study found that ambient noise levels at the boundaries of the project site range from 66.7 to 71.6 dBA. The proposed project would be required to comply with the Noise Ordinance by including sound-attenuating improvements to achieve an interior day-night equivalent sound level of 45 dBA. The noise report recommended installation of windows with a minimum Outside-Inside Transmission Class rating of 24.0 for all rooms facing Franklin Street.

During the review of the building permit application, the DBI would check project plans for compliance with applicable noise standards. Compliance with applicable noise standards would ensure that project-related impacts from exposure of building residents to ambient noise and project-related operational noise would result in less-than-significant impacts.

The proposed project includes the installation of mechanical equipment, such as heating and ventilation systems, that could produce operational noise. The operation of this equipment would be required to comply with the standards set forth in Section 2909 of the Noise Ordinance, which would minimize noise from building operations. Therefore, noise impacts related to the proposed project's operation would be less than significant. The proposed building would also not contribute to a considerable increment or to any cumulative noise impacts related to noise from mechanical equipment.

The project site is not in an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, CPE Checklist Topics 5e and 5f above are not applicable.

For these reasons, the proposed project would not result in significant project-specific or cumulative noise and vibration impacts beyond those identified in the PEIR, and no mitigation measures are necessary.

¹⁶ King, Robert, ARC Management. August 2, 2013. *Environmental Noise Report Prepared for 22 Franklin Street, San Francisco.*

<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>
6. AIR QUALITY —Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR identified potentially significant air quality impacts resulting from temporary exposure to elevated levels of fugitive dust and diesel particulate matter (DPM) during construction of development projects under the Area Plan. The 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 to minimize exhaust emissions of particulates and other pollutants. Subsequent to the certification of the Market and Octavia PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, sweeping streets and sidewalks, and other measures.

The regulations and procedures set forth in the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure E1. Therefore, the portion of PEIR Mitigation Measure E1 that addresses dust control is no longer applicable to the proposed project.

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, particulate matter, nitrogen dioxide, sulfur dioxide, 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. The Bay Area Air Quality Management District's *CEQA Air Quality Guidelines (Air Quality Guidelines)* provide screening criteria¹⁷ for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the *Air Quality Guidelines* screening criteria. The proposed project, with a total of 35 dwelling units, is below both the construction screening criterion ("condo/townhouse, general, 240 dwelling units" land use type) and the operational screening criterion ("condo/townhouse, general, 451 dwelling units" land use type). Therefore, the proposed project would not result in any significant project-specific or cumulative impacts related to criteria air pollutants beyond those identified in the Market and Octavia PEIR. A detailed air quality assessment is not required, and no mitigation measures are necessary.

Health Risk

Subsequent to certification of the Market & Octavia PEIR, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes (Ordinance No. 224-14, effective December 7, 2014), generally referred to as Health Code Article 38: Enhanced Ventilation Required for Urban Infill Sensitive Use Developments (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone (APEZ) and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the APEZ. The project site is within an APEZ. The APEZ, as defined in Article 38, consists of areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ, such as the proposed project, require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

The project site is within an identified APEZ; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. Market and Octavia PEIR Mitigation Measure E2 – Construction Mitigation Measure for Short-Term Exhaust Emissions, requires construction equipment to be maintained and operated so as to minimize exhaust emissions of particulates and other pollutants.¹⁸ Implementation of the proposed project would require diesel construction equipment. Thus, in accordance with the Market and Octavia PEIR requirements, the project sponsor has agreed to implement PEIR Mitigation Measure E2 as Project Mitigation Measure 2, which would reduce exhaust emissions from construction equipment. Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 2 - Construction Air Quality. The full text of the mitigation measure is provided in the Mitigation Measures Section below.

¹⁷ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2011, pp. 3-2 to 3-3.

¹⁸ Mitigation Measure E2 is Mitigation Measure 5.8.B in the Market and Octavia PEIR.

Siting Sensitive Land Uses

For sensitive-use projects within an APEZ, such as the proposed project, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The DBI will not issue a building permit without written notification from the Director of the DPH that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor has submitted an initial application for an Enhanced Ventilation Proposal to the DPH.¹⁹ The regulations and procedures set forth in Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore, impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

The proposed project would not generate more than 10,000 vehicle trips per day, more than 100 truck trips per day, or more than 40 refrigerated truck trips per day. In addition, the proposed project would not include a backup diesel generator or other sources that would emit DPM or other TACs. Therefore, the proposed project would have no impacts related to introducing new sources of air pollutants.

Conclusion

For these reasons, the proposed project would not result in significant air quality impacts beyond those identified in the PEIR.

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

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

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco’s GHG emissions have been measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan’s GHG reduction goals for the year 2020. The proposed

¹⁹ Application for Article 38 Compliance Assessment, 22 Franklin Street, submitted November 10, 2015.

project was determined to be consistent with San Francisco’s GHG Reduction Strategy.²⁰ Other existing regulations, such as those implemented through Assembly Bill 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to GHG emissions, and not 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>
8. WIND AND SHADOW —Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

The Market and Octavia PEIR determined that new construction developed under the Area Plan, including new buildings and additions to existing buildings, could result in significant impacts related to ground-level winds. PEIR Mitigation Measure B1: Buildings in Excess of 85 Feet in Height,²¹ and PEIR Mitigation Measure B2: All New Construction,²² identified in the PEIR, require individual project sponsors 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.

Because of the height of the proposed approximately 85-foot-tall building (approximately 100 feet tall with mechanical penthouse), PEIR Mitigation Measure B1 would apply to the proposed project. In addition, PEIR Mitigation Measure B2, which applies to all new construction, would apply to the proposed project. To determine project compliance with these mitigation measures, a pedestrian wind assessment was prepared for the proposed project by a qualified wind consultant.²³ The objective of the

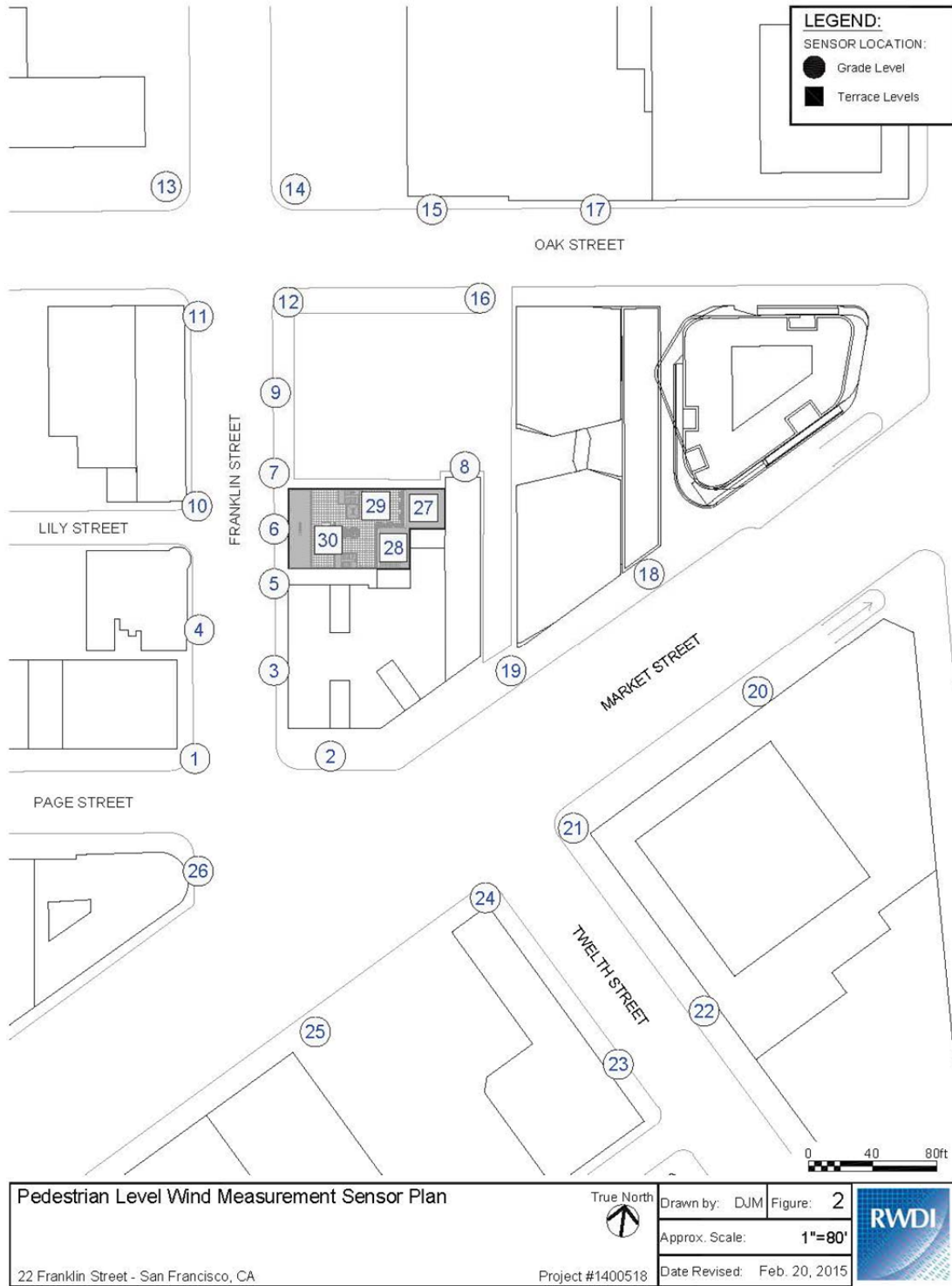
²⁰ San Francisco Planning Department, *Greenhouse Gas Compliance Checklist, 22 Franklin Street*, December 18, 2013.

²¹ Mitigation Measure B1 is Mitigation Measure 5.5.B1 in the Market and Octavia PEIR.

²² Mitigation Measure B2 is Mitigation Measure 5.5.B2 in the Market and Octavia PEIR.

²³ Rowan Williams Davies & Irwin, Inc. March 12, 2015. *22 Franklin Street, San Francisco, CA, Pedestrian Wind Conditions Consultation – Wind Tunnel Tests*.

FIGURE 11: WIND TEST POINTS



Source: RWDI, Inc., 2015

wind assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development. Figure 11 shows the 30 locations evaluated as part of the wind assessment. The test points include 26 locations at grade level (approximately 5 feet above the ground) and four locations at the level of the proposed roof terraces.

The wind assessment found that the existing wind conditions on adjacent streets in the project vicinity do not exceed the 26 mph wind hazard criterion established in San Francisco Planning Code Section 148. With the implementation of the proposed project, no additional locations in the project vicinity or on the project site (the roof decks) would experience exceedances of the wind hazard criterion and conditions would remain generally the same as under existing conditions.

Under the cumulative project development scenario, the pedestrian wind hazard criterion would be exceeded at one new location (Location 19 on the north side of Market Street east of Franklin Street) beyond existing and existing-plus-project conditions. The pedestrian wind hazard criterion would be exceeded at Location 19 for a total of seven hours a year under cumulative-plus-project conditions. Field observations indicate that pedestrians typically walk through Location 19 in a transitory fashion. The wind study concluded that the increased wind speed and the addition of one hazard criterion exceedance location is attributable to the interaction of wind with a proposed building at 1554-1564 Market Street, and would not be influenced by the proposed project at 22-24 Franklin Street.

Overall, the proposed project would not increase the overall number of wind hazard exceedance locations compared to existing conditions and the proposed project would not contribute to an increase in the number of wind hazard locations or hours of hazards criterion exceedance under cumulative-plus-project conditions. Therefore, the proposed project would not have significant wind impacts and would not result in project-specific or cumulative significant impacts related to wind that were not identified in the Market and Octavia PEIR.

For these reasons, the proposed project would not result in any significant project-specific or cumulative wind impacts beyond those identified in the Market and Octavia PEIR.

The wind assessment also evaluated pedestrian comfort conditions, based on the 11 mph pedestrian comfort criterion outlined in San Francisco Planning Code Section 148. Although exceedances of the pedestrian comfort criterion as a result of the project would not represent a significant impact, an exception to the ground-level wind current requirements under Planning Code Section 148 would be necessary to approve the project. The proposed project's effects related to the comfort criterion are presented here for informational purposes.

The wind assessment found that wind speeds on adjacent streets in the project vicinity exceed the 11 mph pedestrian comfort criterion under existing conditions; 11 of the 26 evaluated locations (primarily along Market Street and east-west streets surrounding the project site) experience wind speeds that exceed this criterion. With the implementation of the proposed project, two additional locations would exceed the Section 148 pedestrian wind comfort criterion (identified in the wind study report as Location 26 at the southwest corner of Franklin/Market/Page streets and Location 30 on the proposed roof deck of the new building). Thus the number of locations in the project vicinity that would exceed the pedestrian comfort criterion would increase from 11 to 13.

Under the cumulative project development scenario, pedestrian comfort criterion exceedances would occur at eight new locations, including seven at grade level and one on the proposed roof deck, while

three locations where pedestrian wind comfort criterion exceedances occur under existing or existing-plus-project conditions would be eliminated. The total number of locations that would experience exceedances of the comfort criterion would increase from 11 (under existing conditions) to 18 locations total under the cumulative scenario.

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.

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 those that are not (the War Memorial Open Space and United Nations Plaza). 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 identified potentially significant shadow impacts on non-Section 295 open spaces. Mitigation Measure A1: Parks and Open Space Not Subject to Section 295,²⁴ would reduce but may not eliminate significant shadow impacts on the War Memorial Open Space and United Nations Plaza. The PEIR determined that shadow impacts on non-Section 295 open spaces could be significant and unavoidable.

Implementation of the proposed project would result in the construction of an 85-foot-tall building. The Planning Department prepared a preliminary shadow fan analysis to determine whether the proposed project would have the potential to cast new shadow on nearby parks. The shadow fan analysis prepared by the Planning Department determined that the project as proposed would not cast shadow on any nearby parks or open spaces.²⁵ Therefore, Market and Octavia PEIR Mitigation Measure A1 would not be applicable to the proposed project.

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

For these reasons, the proposed project would not result in significant project-specific or cumulative shadow impacts beyond those identified in the Market and Octavia PEIR.

²⁴ Mitigation Measure A1 is Mitigation Measure 5.5.A2 in the Market and Octavia PEIR.

²⁵ San Francisco Planning Department, *Shadow Fan Analysis for 22 Franklin Street*, September 5, 2013.

<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>
9. RECREATION —Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The proposed project would include usable open space in the form of private and common roof decks. This usable open space would help alleviate the demand for recreational facilities.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any significant project-specific or cumulative impacts related to recreation beyond those identified in the Market and Octavia PEIR.

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

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

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

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
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 a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

The proposed project would be within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any project-specific or cumulative impacts on public services beyond those 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>
12. BIOLOGICAL RESOURCES —Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The proposed project is within the scope of development projected under the *Market and Octavia Area Plan* and would not result in any project-specific or cumulative impacts on biological 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>
13. GEOLOGY AND SOILS —Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR did not identify any significant operational impacts related to geology, soils, and seismicity. Although the PEIR concluded that implementation of the Area Plan would indirectly increase the population that would be exposed to geologic hazards such as earthquakes, seismic ground shaking, liquefaction, and landslides, the PEIR noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to 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,²⁶ 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.

²⁶ Mitigation Measure G1 is Mitigation Measure 5.11.A in the Market and Octavia PEIR.

Market and Octavia PEIR Mitigation Measure G1, referred to in this CPE Checklist as Mitigation Measure 3, would apply to the proposed project and would address potential impacts related to soil erosion during project construction. As stated above, this measure would require implementation of construction BMPs to prevent erosion and discharge of soil sediments into the storm drain system and would reduce any potential impacts to less-than-significant levels.

A preliminary geotechnical investigation was conducted for the proposed project to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations of the geotechnical investigation are presented in a geotechnical report and summarized below.²⁷

The geotechnical investigation included the drilling of a test boring on the project site to a depth of 20 feet below ground surface (bgs). In addition, the geotechnical report included information from a test pit and cone penetration test performed on an adjacent lot in 2002. Based on the test boring, the project site is underlain by about 12 feet of fill consisting of fine- to medium-grained sand with brick fragments, and the fill is underlain by fine- to medium-grained sand. No groundwater was encountered in the test boring. 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 depths shallower than the maximum depth of the test boring of 20 feet bgs.²⁸ The 2002 cone penetration test found similar subsurface materials, with groundwater encountered at approximately 7 to 8 feet bgs.²⁹ The 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 about 7.1 miles to the southwest. The project site is located in a mapped liquefaction zone; it is not in a landslide zone.

Construction of the proposed project would require excavation in certain locations to a depth of approximately 6 feet for the foundation and the removal of about 140 cubic yards of soil. The geotechnical report recommends that soil to a depth of 15 feet beneath the building footprint should be densified using permeation grouting, and that the proposed project be supported by a rigid raft slab/mat system on the densified soil.³⁰ The geotechnical report includes recommendations related to shoring and underpinning, surface and subsurface drainage, foundations, retaining walls, and concrete slabs on grade. The project sponsor has agreed to implement these and other recommendations specified in the geotechnical report.

The proposed project is required to comply with the San Francisco Building Code (Building Code), which includes seismic safety standards for all new construction in San Francisco. The Department of Building Inspection (DBI) will review the project-specific geotechnical report during its review of the building permit application for the proposed project. In addition, the DBI may require additional site-specific soils report(s) as needed. Implementation of the recommendations in the geotechnical report, in combination with the requirement for a geotechnical report and the review of the building permit application pursuant to the DBI's implementation of the Building Code would minimize the risk of loss, injury, or death due to seismic or other geologic hazards.

²⁷ P. Whitehead and Associates Consulting Engineers, *Geotechnical Report, 22 Franklyn (sic) Street, San Francisco, California* (hereinafter "*Geotechnical Report*"), December 4, 2013.

²⁸ *Geotechnical Report*, p. 2.

²⁹ *Geotechnical Report*, Attachment 3.

³⁰ *Geotechnical Report*, p. 4.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to geology and soils beyond those 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>
14. HYDROLOGY AND WATER QUALITY —Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR determined that the anticipated increase in population as a result of implementation of the Area Plan would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. Groundwater

encountered during construction would be required to be discharged in compliance with the City's Industrial Waste Ordinance (Ordinance No. 199-77) and would meet specified water quality standards. No mitigation measures were identified in the PEIR.

The project site is completely covered by impervious surfaces. Implementation of the proposed project would not substantially change existing surface runoff and drainage patterns or substantially increase the rate or amount of surface runoff in a manner that would result in flooding or substantial erosion or siltation. The rate or amount of surface runoff would not increase to the point that it would exceed the capacity of existing or planned stormwater drainage systems. Furthermore, the proposed project would be constructed in compliance with all applicable federal, state, and local regulations governing water quality and discharges 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 the 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.

Development in the City and County of San Francisco must account for flooding potential. Areas located on fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. The project site is not within an area in the City prone to flooding during storms.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on hydrology and water quality beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

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

The Market and Octavia PEIR found that impacts 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 (PCBs). 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 (NOA). The PEIR found that compliance with existing regulations and implementation of Mitigation Measure F1: Program- or Project-Level Mitigation Measures for Hazardous Materials,³¹ 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.

³¹ Mitigation Measure F1 is Mitigation Measure 5.10.A in the Market and Octavia PEIR.

As discussed under Topic 6, Air Quality, on pp. 24-26, 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. These requirements supersede the dust control provisions of Market and Octavia PEIR Mitigation Measure F1. In addition, construction activities in areas containing NOA are subject to regulation under the State Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, which is implemented in San Francisco by Bay Area Air Quality Management District (BAAQMD). The proposed project site is not in an area identified as having NOA and therefore would not create a significant hazard to the public or the environment from the release of NOA. For these reasons, PEIR Mitigation Measure F1 is not applicable to the proposed project.

Hazardous Building Materials

Because the building on the project site was constructed in 1927, it is possible that hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos, and lead-based paint are still present on the project site. Prior to demolition on the project site, such materials must be abated in accordance with applicable federal, state, and local regulations. Compliance with such regulations would ensure that the proposed project would not result in significant project-specific or cumulative impacts related to hazardous building materials beyond those identified in the Market and Octavia PEIR.

Soil and Groundwater Contamination

The proposed project would require excavation to a maximum depth of approximately six feet below ground surface and the disturbance of approximately 140 cubic yards of soil. As discussed under Topic 13, Geology and Soils, on p. 35, groundwater could be encountered during excavation. The project site is mapped as potentially containing hazardous materials in soils or groundwater.³² A Phase I Environmental Site Assessment (ESA) indicated that there is no evidence of contaminated soil and/or groundwater at the project site.³³ A Phase II ESA was subsequently performed; it included soil sampling from three borings on site. No groundwater was encountered to the total boring depth of 10 feet. The soil samples were analyzed for petroleum hydrocarbons and volatile organic compounds; low levels of petroleum compounds, below regulatory thresholds for locations where groundwater is not used for drinking, were found in two of the shallow soil samples. No volatile organic compounds were detected.³⁴

The DPH Environmental Health Division reviewed these findings and approved the Phase I and Phase II ESAs. The Environmental Health Division concluded that further soil sampling and testing for heavy metals is required in compliance with Health Code Article 22A (the "Maher Ordinance"), Section 7, and requested a Phase II Subsurface Addendum and Site Mitigation Plan. The project sponsor must comply with these requirements prior to the issuance of a site permit. Compliance with the requirements of the Maher Ordinance would reduce any potential impacts related to contaminated soil or groundwater to a less-than-significant level.

³² San Francisco Planning Department, Expanded Maher Area Map, March 2015. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf. Accessed November 10, 2015.

³³ AEI Consultants, *Phase I Environmental Site Assessment, 22-24 Franklin Street, San Francisco, CA 94102*, October 18, 2013, pp. ii-iv.

³⁴ Cushing, Stephanie, San Francisco Department of Public Health, *Conditional Phase II Approval and Site Mitigation Plan Request, 22 and 24 Franklin Street, San Francisco, CA 94102, EHB-SAM No.: 1052*, September 10, 2014.

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts related to contaminated soil or groundwater beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

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

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
16. MINERAL AND ENERGY RESOURCES—				
Would the project:				
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 imported 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 *Market and Octavia Area Plan* would facilitate the new construction of both residential and commercial uses. Development of these uses would not result in the use of large amounts of water, gas, and electricity in a wasteful manner, or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet or exceed current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection.

For these reasons, the proposed project would not result in any significant project-specific or cumulative impacts related to mineral and energy resources beyond those identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
17. AGRICULTURE AND FOREST RESOURCES: —Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural uses, 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 fore land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environmental which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Market and Octavia PEIR 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 non-agricultural or non-forest uses.

For these reasons, the proposed project would have no project-specific or cumulative impacts related to agriculture and forest resources, and no mitigation measures are necessary.

MITIGATION MEASURES

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

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

contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

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

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

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

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Project Mitigation Measure 2: Construction Air Quality (Implementing 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 horsepower (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 (USEPA) 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 Environmental Review Officer (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 on-site 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.

Table – 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 ERO 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.

Project Mitigation Measure 3: Construction-Related Soils (Implementing PEIR Mitigation Measure G1)

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

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

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

IMPROVEMENT MEASURES**Project Improvement Measure 1 – Transportation Demand Management**

The Project Sponsor will establish a Transportation Demand Management (TDM) program for building tenants, in an effort to expand the mix of travel alternatives available for the building tenants. The Project Sponsor has chosen to implement the following measures as part of the building's TDM program:

- Selection of a TDM Coordinator responsible for the implementation and ongoing operation of all other TDM measures included as part of the project;
 - Provision of a transportation insert as part of the resident move-in packet that includes information on transit service (local and regional routes, schedules, and fares), location of transit pass vendors, information on the 511 Regional Rideshare Program and nearby bike- and car-share programs, and information on where to find additional web-based alternative transportation resources;
 - Provision of project access to city staff for data collection needs; and
 - Provision of less than half the amount of vehicle parking spaces permitted by the Planning Code.
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