



# SAN FRANCISCO PLANNING DEPARTMENT

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## Community Plan Exemption Checklist

*Case No.:* 2014.0161E  
*Project Address:* 2201 Market Street  
*Zoning:* Upper Market Street NCT (Neighborhood Commercial Transit) District  
60/65-X Height and Bulk District  
*Block/Lot:* 3559/001  
*Lot Size:* 4,082 square feet  
*Plan Area:* Market and Octavia Area Plan  
*Project Sponsor:* Chris Foley – Polaris Pacific  
(415) 361-4803, [cfoley@polarispacific.com](mailto:cfoley@polarispacific.com)  
*Staff Contact:* Michael Li  
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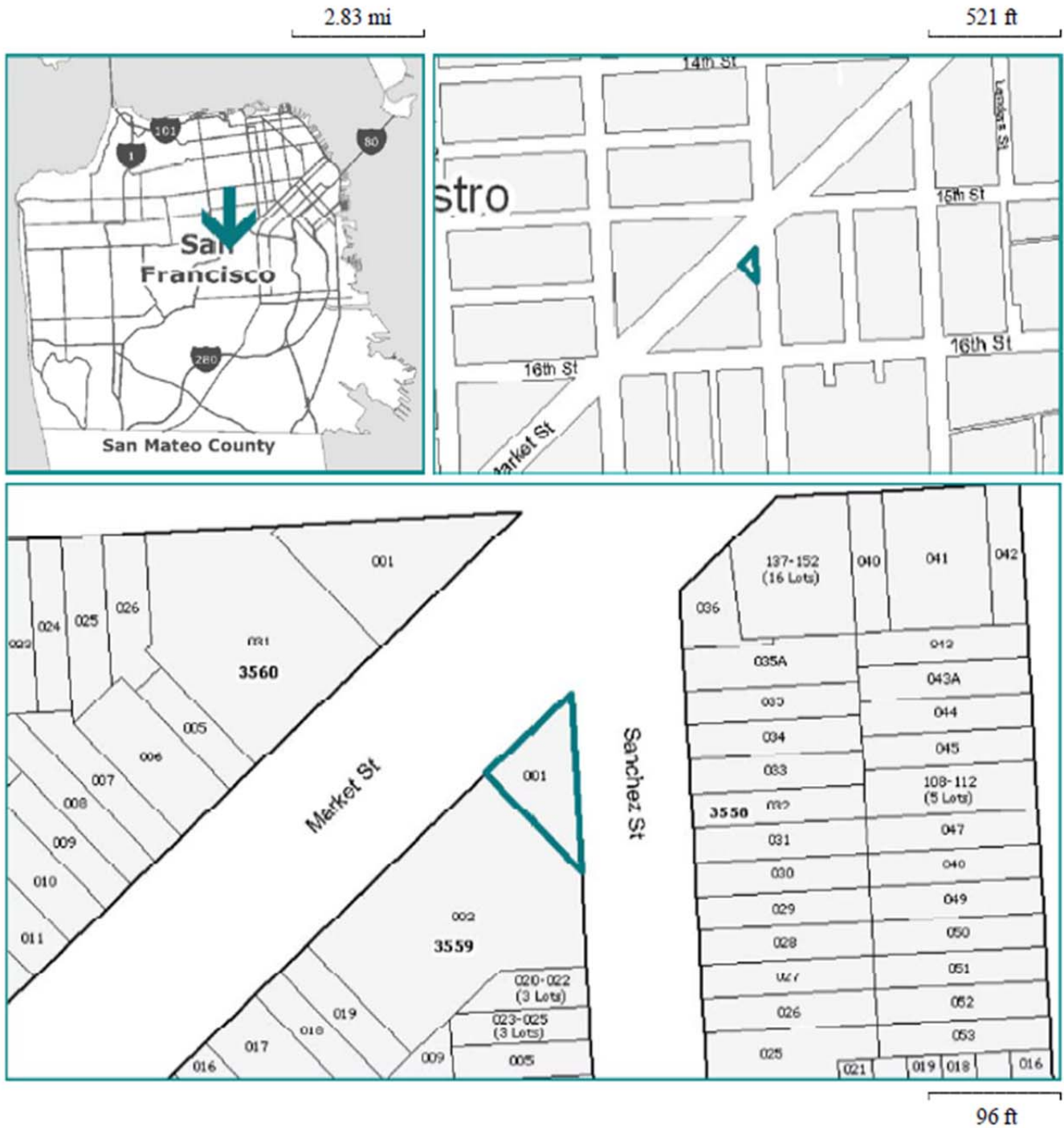
### PROJECT DESCRIPTION

The project site is a triangular parcel on the southwest corner of Market and Sanchez streets in San Francisco's Castro/Upper Market neighborhood (see Figure 1). The project site is occupied by a two-story, 18-foot-tall, approximately 3,700-gross-square-foot (gsf) commercial building and surface parking for seven vehicles.

The proposed project consists of demolishing the existing building and surface parking and constructing a six-story, 65-foot-tall building containing 14 dwelling units, approximately 2,650 gsf of ground-floor retail space, and six parking spaces (see Figures 2 through 7). There would be two eight-foot-tall stair penthouses and a 16-foot-tall elevator penthouse on the roof of the building; the maximum building height would be 81 feet. The dwelling units would be on the second through sixth floors. All six parking spaces would be in the basement, and they would be accessed by a garage door on Sanchez Street. The two existing curb cuts on Sanchez Street would be removed and replaced with one new 12-foot-wide curb cut and driveway. A total of 16 bicycle parking spaces would be provided; 14 Class 1 spaces would be provided in the basement, and two Class 2 spaces would be provided on the Sanchez Street sidewalk adjacent to the project site. Usable open space for the residents of the proposed project would be provided in the form of terraces at the second and sixth floors and a roof deck (see Figures 5, 7, and 8).

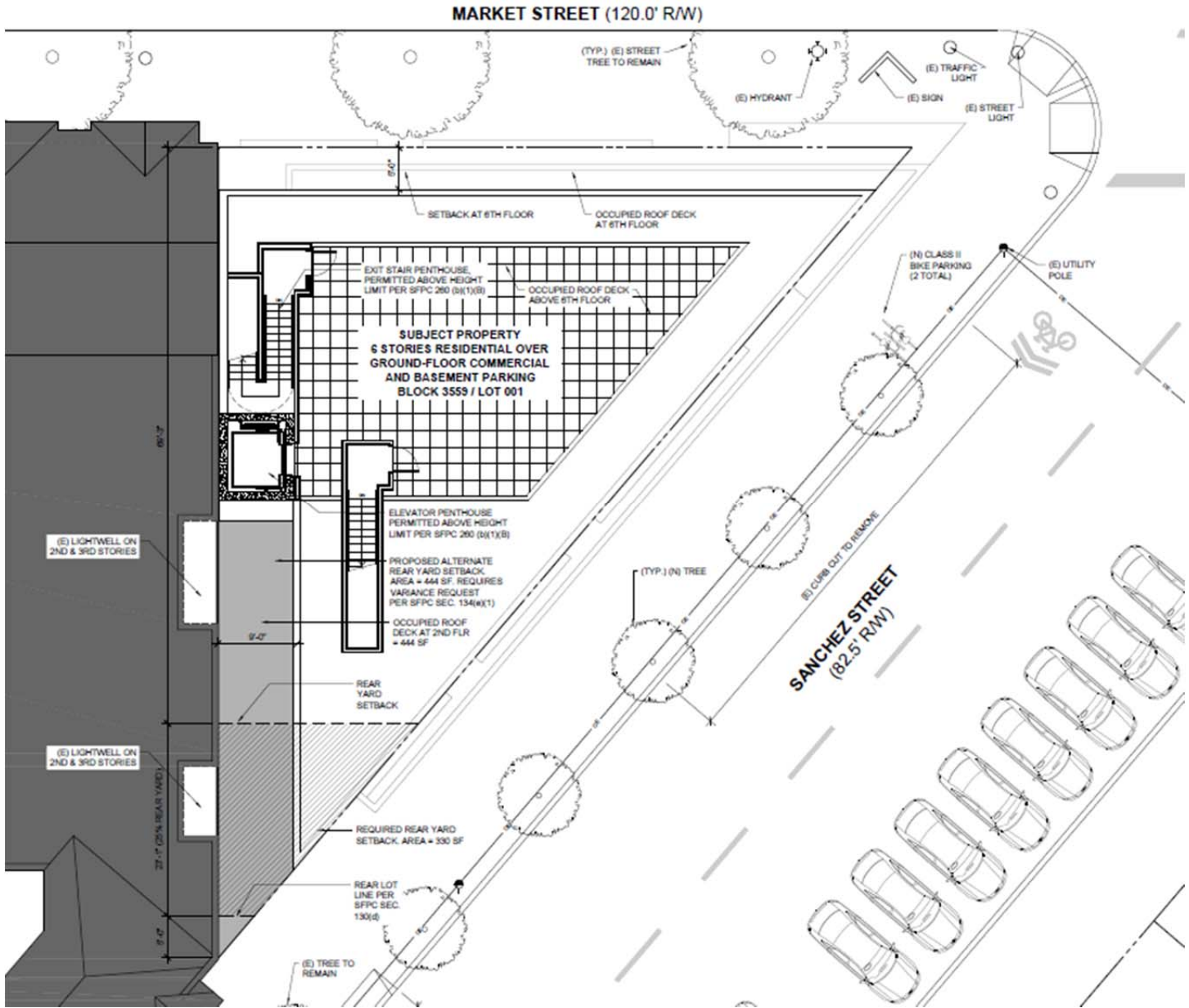
### Project Construction

Construction of the proposed project is expected to last about 14 months. The proposed building would be supported by a conventional spread footings foundation; pile driving is not required. Construction of the proposed project would require excavation to a depth of 14 feet below ground surface and the removal of about 2,106 cubic yards of soil.



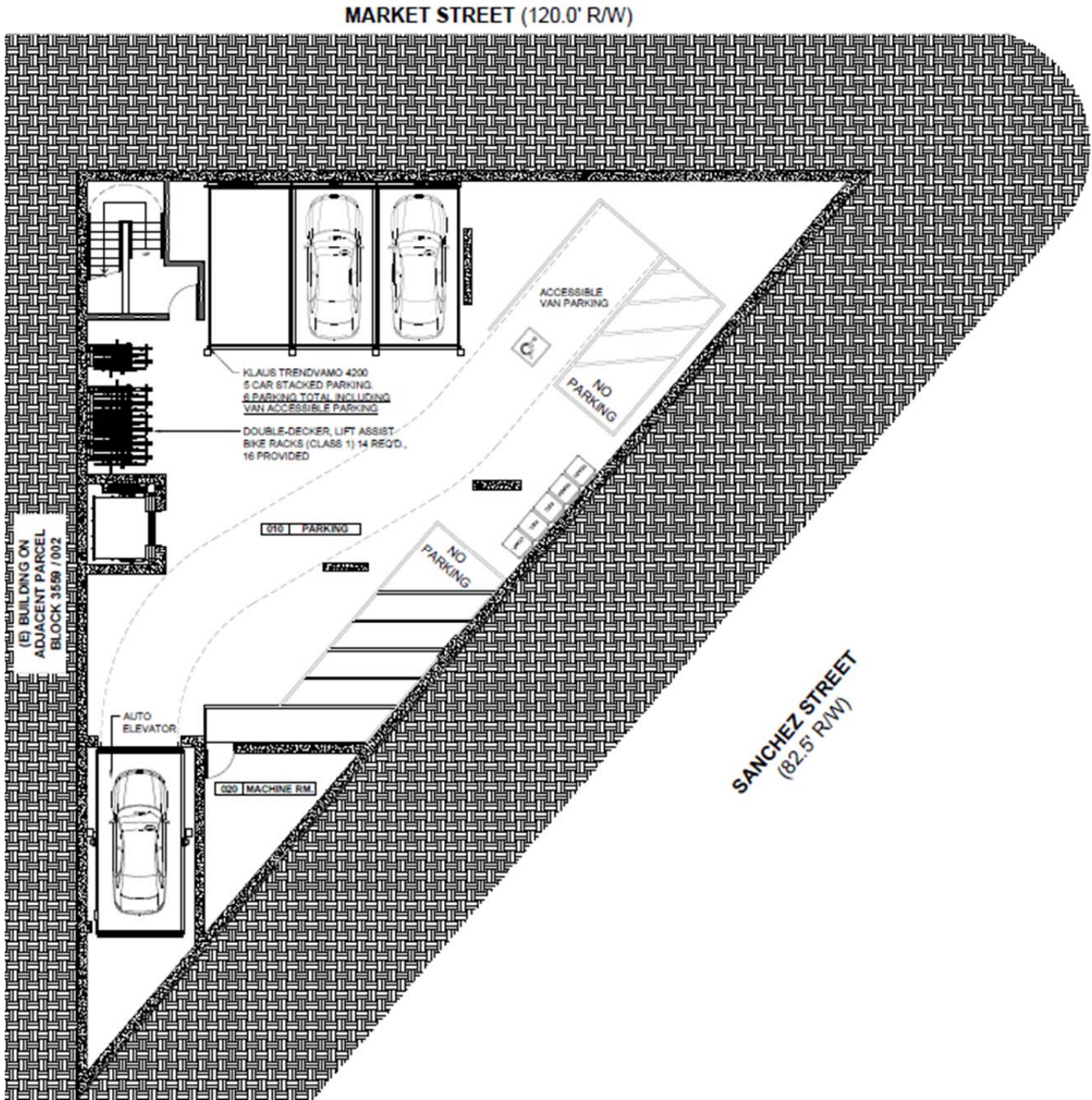
SOURCE: San Francisco Planning Department

FIGURE 1: PROJECT LOCATION



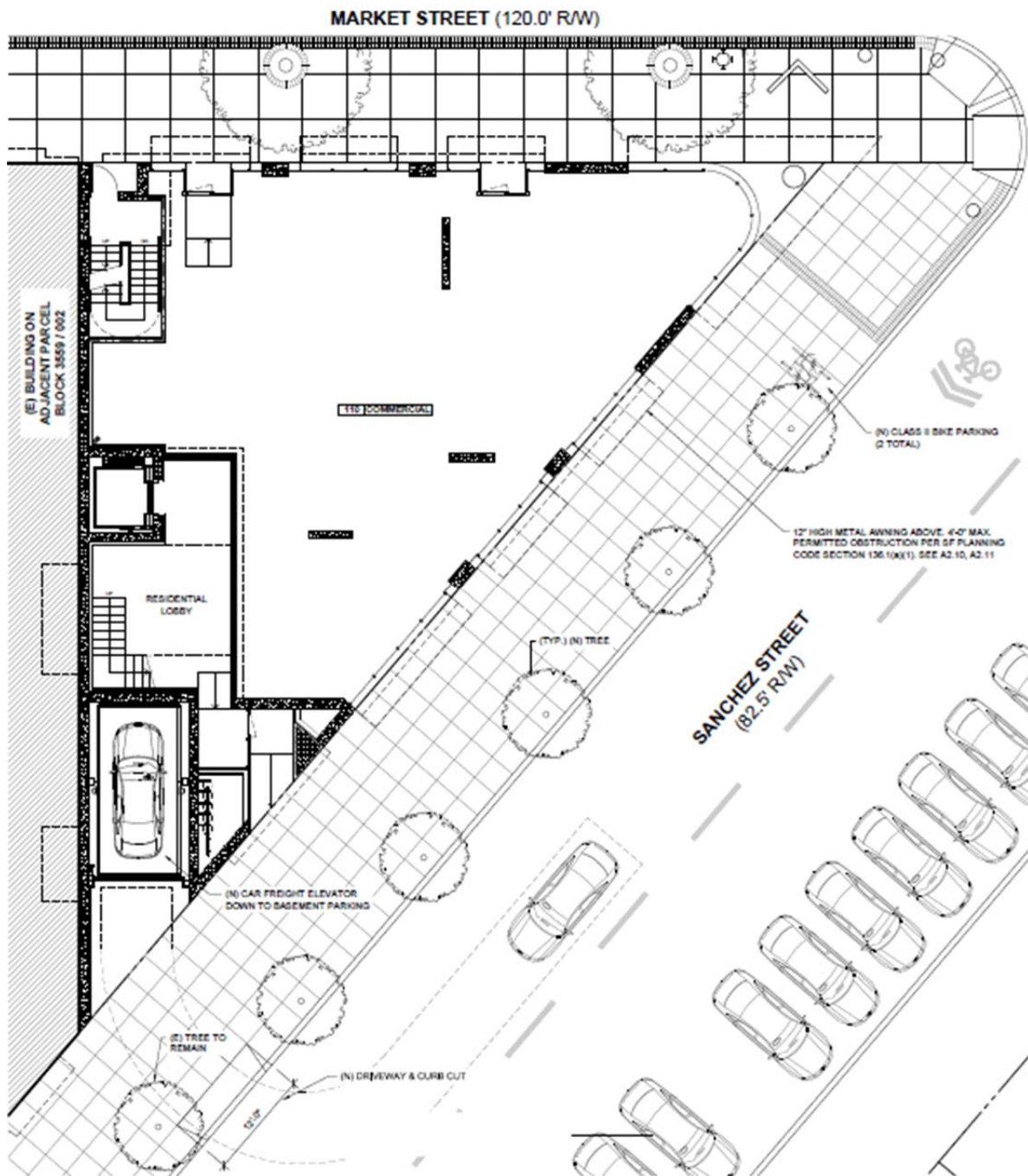
SOURCE: Edmonds + Lee Architects

FIGURE 2: PROPOSED SITE PLAN



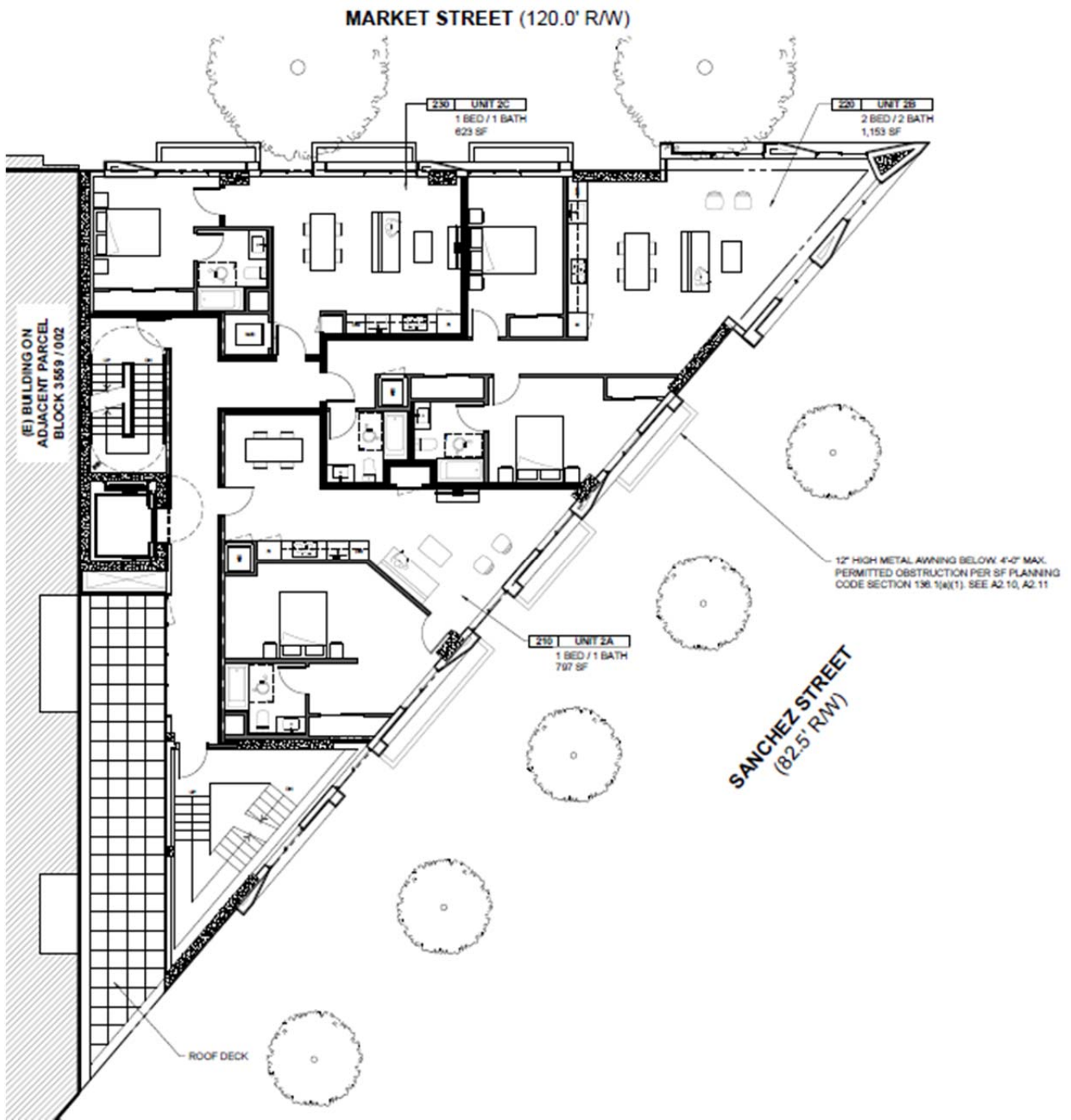
SOURCE: Edmonds + Lee Architects

FIGURE 3: PROPOSED BASEMENT PLAN



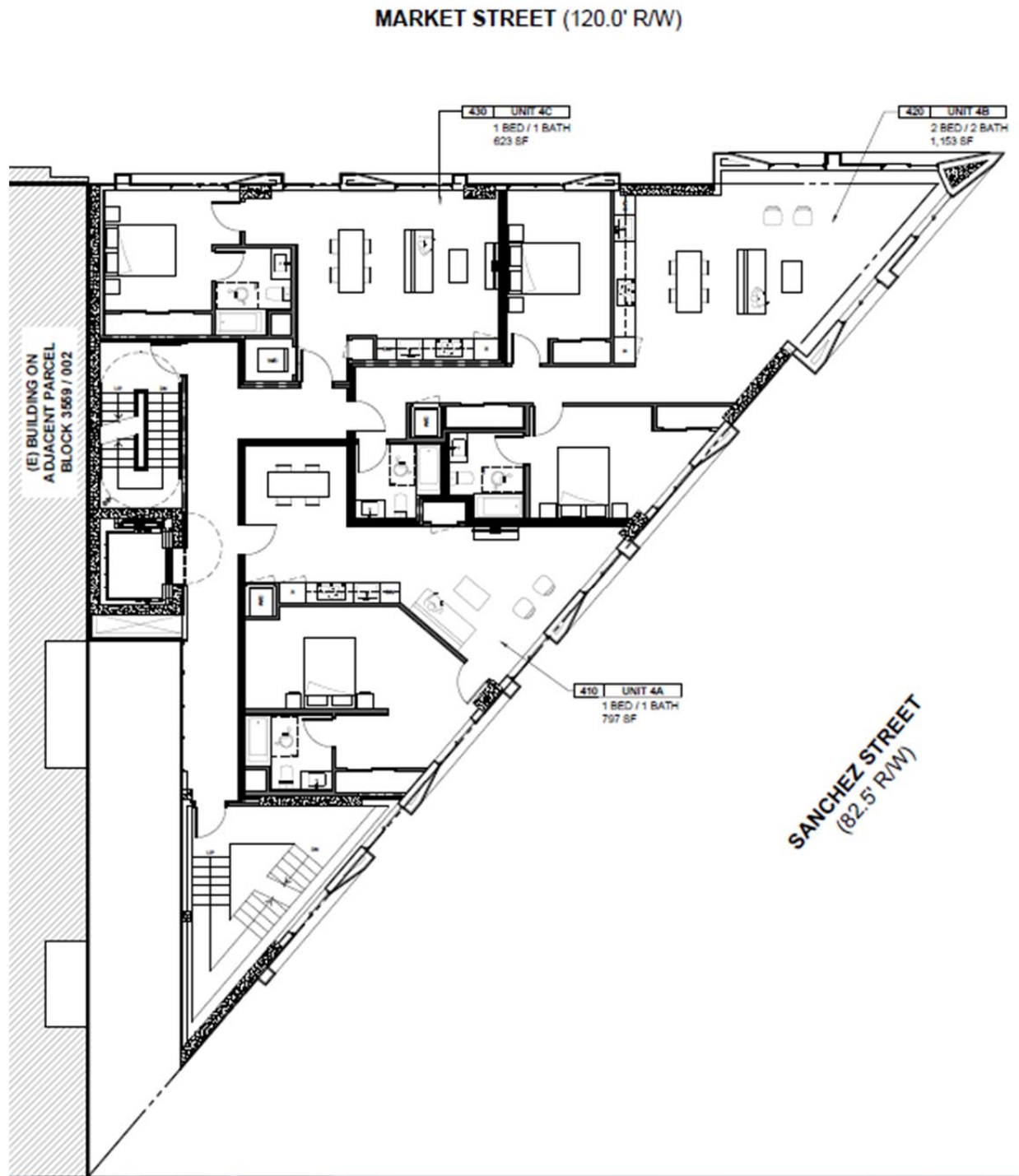
SOURCE: Edmonds + Lee Architects

FIGURE 4: PROPOSED GROUND FLOOR PLAN



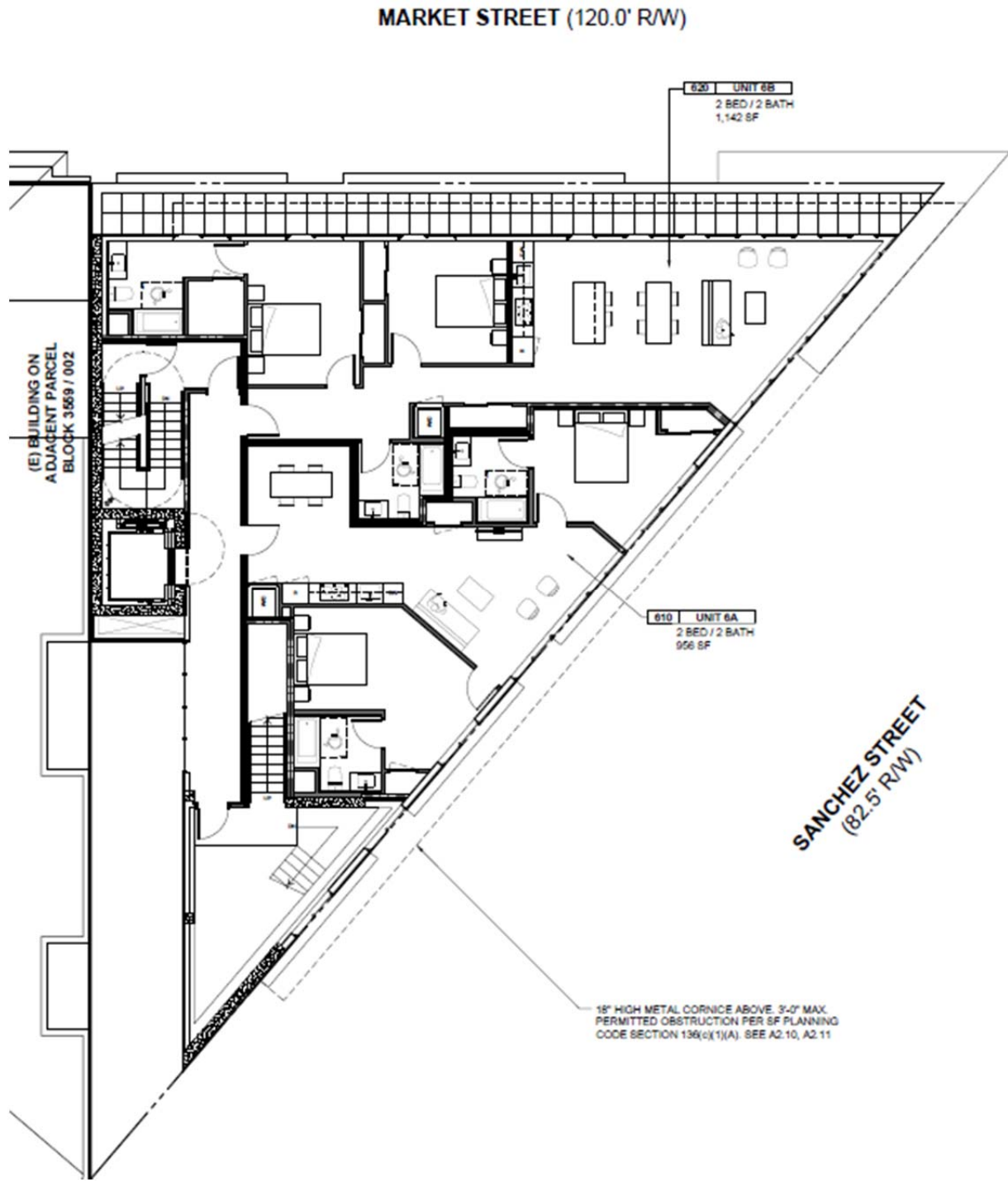
SOURCE: Edmonds + Lee Architects

FIGURE 5: PROPOSED SECOND FLOOR PLAN



SOURCE: Edmonds + Lee Architects

FIGURE 6: PROPOSED FOURTH FLOOR PLAN

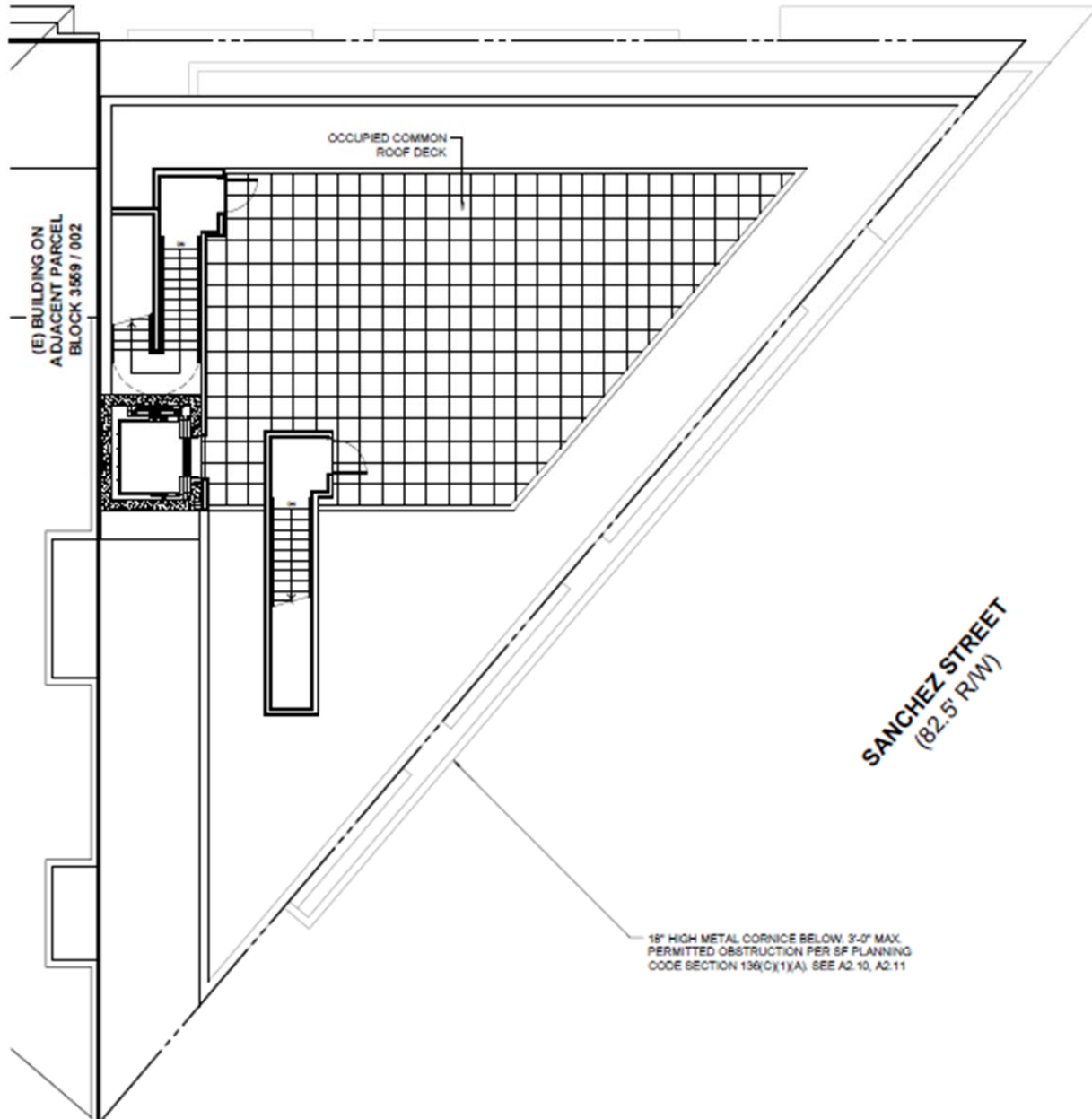


SOURCE: Edmonds + Lee Architects

FIGURE 7: PROPOSED SIXTH FLOOR PLAN



MARKET STREET (120.0' R/W)



SOURCE: Edmonds + Lee Architects

FIGURE 8: PROPOSED ROOF PLAN



FIGURE 9: PROPOSED MARKET STREET ELEVATION

SOURCE: Edmonds + Lee Architects



FIGURE 10: PROPOSED SANCHEZ STREET ELEVATION

SOURCE: Edmonds + Lee Architects

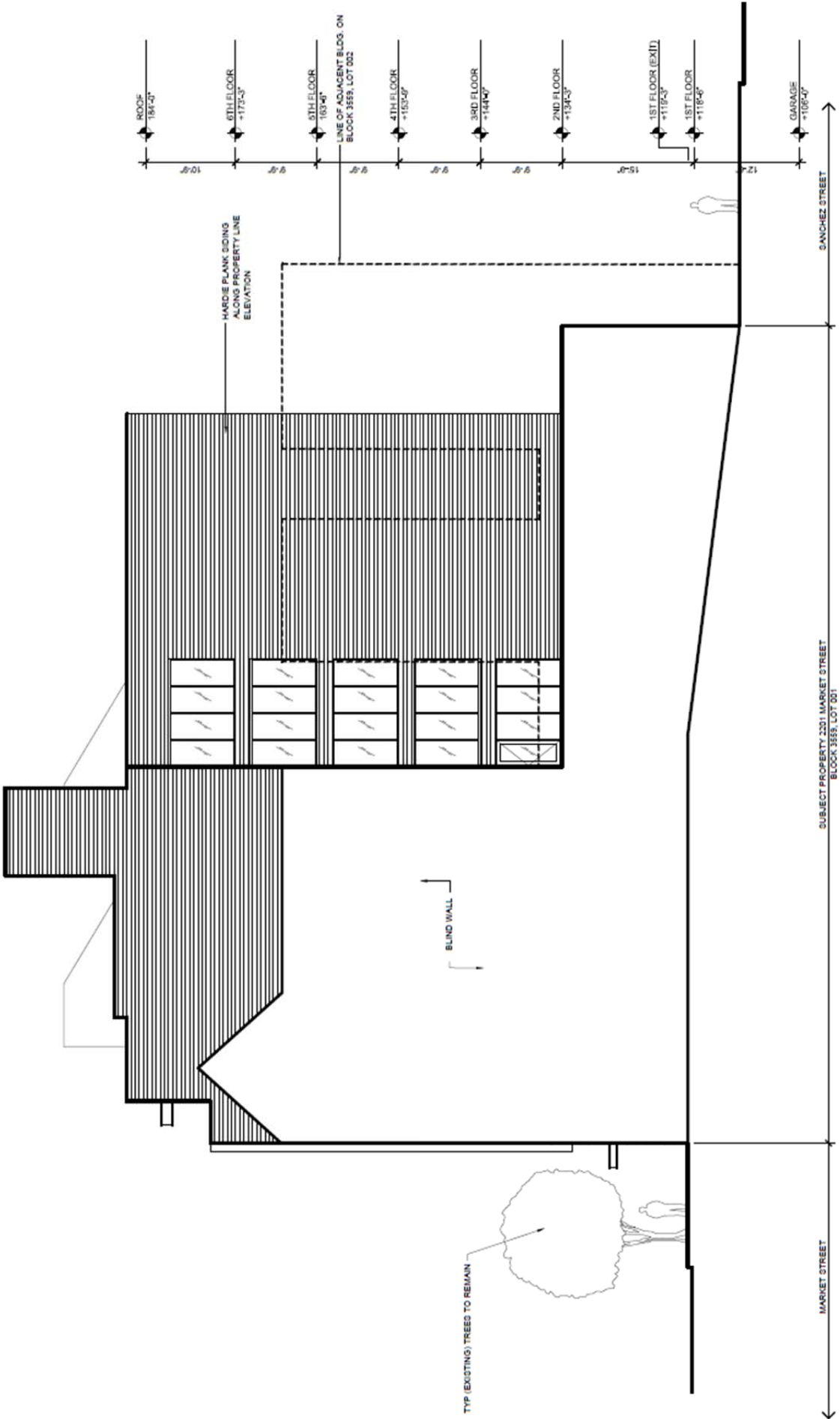


FIGURE 11: PROPOSED SOUTHWEST ELEVATION

SOURCE: Edmonds + Lee Architects



FIGURE 12: VIEW ALONG MARKET STREET

SOURCE: Edmonds + Lee Architects



SOURCE: Edmonds + Lee Architects

FIGURE 13: VIEW OF MARKET AND SANCHEZ STREETS

## Project Approval

The proposed project would require the following approvals:

- **Rear Yard Variance** (*Zoning Administrator*)
- **Demolition Permit** (*Planning Department and Department of Building Inspection*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

The proposed project is subject to notification under Planning Code Section 312. If discretionary review before the Planning Commission is requested, the discretionary review decision constitutes the Approval Action for the proposed project. If no discretionary review is requested, the issuance of the building permit by the Department of Building Inspection constitutes the Approval Action for the proposed 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.

## EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the Programmatic Environmental Impact Report for the Market and Octavia Area Plan (Market and Octavia PEIR).<sup>1</sup> The CPE Checklist indicates whether the proposed project would result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or 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.

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 demolition of the building and surface parking on the project site and the construction of a six-story, 65-foot-tall, approximately 23,460-gsf

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<sup>1</sup> San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, State Clearinghouse No. 2004012118, certified April 5, 2007. This document is available online at [www.sf-planning.org/index.aspx?page=1714](http://www.sf-planning.org/index.aspx?page=1714) or at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

building containing 14 dwelling units, approximately 2,650 gsf of ground-floor retail space, and six parking spaces. 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.

## SENATE BILL 743

### **Aesthetics and Parking**

In accordance with CEQA Section 21099: Modernization of Transportation Analysis for Transit Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

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

The proposed project meets each of the above criteria; therefore, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>2</sup> Project elevations and renderings are included in the project description.

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

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment under CEQA.

In January 2016, the OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#),<sup>3</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted the OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution No. 19579). The VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as riding transit, walking, and bicycling. Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures D3: Traffic Mitigation Measure for Laguna/Market/Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour), D4: Traffic Mitigation Measure for Market/Sanchez/ Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour), D5: Traffic Mitigation Measure for Market/Church/Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour), and

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<sup>2</sup> San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 2201 Market Street, March 14, 2016.

<sup>3</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).



D6: Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Intersection (LOS F to LOS F with increased delay PM peak-hour). Instead, VMT and induced automobile travel impact analyses are provided in the Transportation and Circulation section of this checklist.

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

The Market and Octavia PEIR determined that 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 demolition of a two-story, 3,700-gsf commercial building with surface parking and the construction of a 65-foot-tall building containing 14 dwelling units, approximately 2,650 gsf of retail space, and six parking spaces. 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 Upper Market Street NCT District and is consistent with the bulk, density, and land uses as envisioned in the *Market and Octavia Area Plan*.<sup>4,5</sup>

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

<sup>4</sup> Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.0161E, 2201 Market Street, March 18, 2016.*

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2014.0161E, 2201 Market Street, February 25, 2016.*

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

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 demolition of a two-story, 3,700-gsf commercial building with surface parking and the construction of a 65-foot-tall building containing 14 dwelling units, approximately 2,650 gsf of retail space, and six parking spaces. Implementation of the proposed project would result in a net decrease of about five employees and a net increase of about 26 residents on the project site.<sup>6, 7</sup> 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 that were not identified in the Market and Octavia PEIR.

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<sup>6</sup> San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002, Appendix C, Table C-1. An employment factor of 276 gsf per employee is used for general office uses. Based on 3,700 gsf of existing office space, there are 13 employees. An employment factor of 350 gsf per employee is used for general retail uses. Based on 2,650 gsf of proposed retail space, there would be eight employees. The difference between existing and proposed conditions is a net reduction of six employees.

<sup>7</sup> The Market and Octavia PEIR assumed that the Plan Area would have an average household size of 1.87 residents per dwelling unit in the year 2025.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>3. CULTURAL RESOURCES</b> —Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input 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.

Implementation of the proposed project would result in the demolition of the existing building on the project site. The Planning Department previously determined that the existing building, which was constructed in 1956, is not a historic resource.<sup>8</sup>

The project site is within the Upper Market Street Commercial Historic District, and the project sponsor provided a Historic Resource Evaluation (HRE) that assesses the proposed project’s design for compatibility with the character of the district.<sup>9</sup> The Planning Department reviewed the HRE and the plans for the proposed project and concluded that the design of the proposed project is compatible with the character of the Upper Market Street Commercial Historic District.<sup>10</sup>

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.

<sup>8</sup> San Francisco Planning Department, *Preservation Team Review Form, 2201 Market Street*, February 22, 2013.

<sup>9</sup> GPA Consulting, *Historic Resource Evaluation Part 2, 2201 Market Street, San Francisco*, March 2015.

<sup>10</sup> Tina Tam, San Francisco Planning Department, email to Michael Li, San Francisco Planning Department, March 21, 2016.

## 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,<sup>11</sup> applies to properties that have a final Archeological Resource Design/Treatment Plan (ARDTP) on file; it requires that an addendum to the ARDTP be completed. Mitigation Measure C2: General Soil-Disturbing Activities,<sup>12</sup> 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,<sup>13</sup> 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,<sup>14</sup> applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archeological Testing Program as well as an Archeological Monitoring Program and an Archeological Data Recovery Program, if appropriate.

The PEIR anticipated that development at the project site would have the potential to disturb archeological deposits. Market and Octavia PEIR Mitigation Measure C2 would apply to the proposed project because the project site requires soil disturbance to a depth of four feet bgs in an area for which no archeological assessment has been prepared. The Planning Department conducted a Preliminary Archeological Review and determined that the first standard archeological mitigation measure is applicable to the proposed project.<sup>15</sup> This mitigation measure, identified as Project Mitigation Measure 1: Accidental Discovery, is discussed on pp. 45-46. The project sponsor has agreed to implement Project Mitigation Measure 1.<sup>16</sup>

For these reasons, the proposed project would not result in significant project-specific or cumulative impacts on archeological resources that were not identified in the Market and Octavia PEIR.

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<sup>11</sup> Throughout this CPE, mitigation measures from the Market and Octavia PEIR are numbered based on the adopted Mitigation Monitoring and Reporting Program for the proposed project at 2201 Market Street; mitigation numbers from the PEIR are also provided for reference. Mitigation Measure C1 is Mitigation Measure 5.6.A1 in the PEIR.

<sup>12</sup> Mitigation Measure C2 is Mitigation Measure 5.6.A2 in the PEIR.

<sup>13</sup> Mitigation Measure C3 is Mitigation Measure 5.6.A3 in the PEIR.

<sup>14</sup> Mitigation Measure C4 is Mitigation Measure 5.6.A4 in the PEIR.

<sup>15</sup> Randall Dean, San Francisco Planning Department, email to Michael Li, San Francisco Planning Department, January 22, 2015.

<sup>16</sup> *Agreement to Implement Mitigation and Improvement Measures, Case No. 2014.0161E, 2201 Market Street, March 15, 2016.*

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

The Market and Octavia PEIR anticipated that growth resulting from the 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 Market Street/Sanchez Street/15th Street (adjacent to the project site) and at Market Street/Church Street/14th Street (one block 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.

As previously noted under “Senate Bill 743,” in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted Resolution No. 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are not discussed in this checklist.

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

As discussed above, the *Market and Octavia Area Plan* would not result in significant impacts on pedestrians, bicyclists, loading, emergency access, or construction. The proposed project is within the scope of development projected under the *Market and Octavia Area Plan*, and there are no conditions that are specific to the project site or the proposed project that would result in additional impacts beyond those analyzed in the PEIR.

As discussed on p. 16, parking effects of the project are not to be considered significant impacts on the environment. The transportation analysis below accounts for potential secondary effects from a parking shortfall, such as drivers circling and looking for parking spaces in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e., walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the project site would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, would reasonably address potential secondary effects.

### **Vehicle Miles Traveled Analysis**

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project site. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project site as opposed to the entire chain of trips. A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>17,18</sup>

For residential development, the regional average daily VMT per capita is 17.2.<sup>19</sup> For retail development, regional average daily work-related VMT per employee is 14.9. Please see Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone, 561, in which the project site is located.

**Table 1: Daily Vehicle Miles Traveled**

<u>Land Use</u>	<u>Bay Area</u>		<u>TAZ 561</u>
	<u>Regional Average</u>	<u>Regional Average Minus 15%</u>	
Households (Residential)	17.2	14.6	5.7
Employment (Retail)	14.9	12.6	8.9

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* ("proposed transportation impact guidelines") recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets screening criteria, then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required.

For residential development, the existing regional average daily household VMT per capita is 17.2, and the future 2040 regional average household VMT per capita is 16.1. For retail development, the existing regional average daily employee VMT per capita is 14.9, and the future 2040 regional average daily retail employee VMT per capita is 14.6.

<sup>17</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows all retail-related VMT to retail sites to be apportioned without double counting.

<sup>18</sup> San Francisco Planning Department, *Executive Summary: Resolution Modifying Transportation Impact Analysis*, Appendix F, Attachment A, March 3, 2016.

<sup>19</sup> Includes the VMT generated by the households in the development.

The project site is in transportation analysis zone (TAZ) 561, and the proposed project would include 14 dwelling units and approximately 2,650 square feet of retail space.

In TAZ 561, the existing average daily household VMT per capita is 5.7, and the existing average daily retail employee VMT per capita is 8.9. The TAZ 561 VMT averages are more than 15 percent below the existing regional VMT averages of 17.2 and 14.9, respectively, and the proposed project would not result in substantial additional VMT.<sup>20</sup>

In TAZ 561, the future 2040 average daily household VMT per capita is 5.1, and the future 2040 average daily retail employee VMT per capita is 9.1. The TAZ 561 VMT averages are more than 15 percent below the future 2040 regional VMT averages of 16.1 and 14.6, respectively, and the proposed project would not result in substantial additional VMT.<sup>21</sup>

Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential and retail uses would not cause substantial additional VMT.<sup>22</sup> For these reasons, the proposed project would not result in significant traffic impacts.

### **Induced Automobile Travel Analysis**

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

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The two existing curb cuts on Sanchez Street would be removed and replaced with one new curb cut and driveway. The proposed project would also include the installation of Class 2 bicycle parking facilities on the Sanchez Street sidewalk adjacent to the project site. These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.<sup>23</sup>

### **Trip Generation**

Localized 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.<sup>24</sup> The proposed project would generate an estimated 518 person trips (inbound and outbound) on a weekday daily basis, consisting of 288 person trips by auto, 110 transit trips, 100 walk trips, and 19 trips by other modes.

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<sup>20</sup> San Francisco Planning Department, *Eligibility Checklist for CEQA Section 21099: Modernization of Transportation Analysis*, 2201 Market Street, March 14, 2016.

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> San Francisco Planning Department, *Transportation Calculations*, 2201 Market Street, February 19, 2016.



During the p.m. peak hour, the proposed project would generate an estimated 57 person trips, consisting of 29 person trips by auto (18 vehicle trips accounting for vehicle occupancy data for the census tract in which the project site is located), 15 transit trips, 10 walk trips and three trips by other modes.

**Transit**

The project site is well served by public transportation (see Attachment B). Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the F Market, J Church, KT Ingleside/Third Street, L Taraval, and M Oceanview Muni Metro lines and the 22 Fillmore, 24 Divisadero, 37 Corbett, 47 Van Ness, and 49 Van Ness-Mission bus lines.

The proposed project would be expected to generate 110 daily transit trips, including 15 transit trips during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 15 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 15 p.m. peak-hour transit trips 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.

**Conclusion**

For these reasons, the proposed project would not result in significant project-specific impacts related to transportation and circulation beyond those identified in the Market and Octavia PEIR and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Market and Octavia PEIR.

<b>Topics:</b>	<b>Significant Impact Peculiar to Project or Project Site</b>	<b>Significant Impact not Identified in PEIR</b>	<b>Significant Impact due to Substantial New Information</b>	<b>No Significant Impact not Previously Identified in PEIR</b>
<b>5. NOISE</b> —Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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 14 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 dBA<sup>25</sup> at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of San Francisco Public Works (SFPW) 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 SFPW 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 14 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

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<sup>25</sup> The standard method used to quantify environmental noise involves evaluating the sound with an adjustment to reflect the fact that human hearing is less sensitive to low-frequency sound than to mid- and high-frequency sound. This measurement adjustment is called “A” weighting, and the data are reported in A-weighted decibels (dBA).

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 that were not 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*,<sup>26</sup> which would prevent significant operational impacts on sensitive receptors.

The proposed project would be required to comply with the interior noise standards set forth in Title 24. 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, to any cumulative noise impacts related to noise from mechanical equipment.

Ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (a 3-dB increase). As discussed under CPE Checklist Topic 4, Transportation and Circulation, the proposed project would generate 18 vehicle trips during the p.m. peak hour. Given the existing traffic volumes in the project vicinity, the 18 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, to any cumulative noise impacts resulting from project-generated traffic.

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 that were not identified in the PEIR, and no mitigation measures are necessary.

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<sup>26</sup> *San Francisco General Plan*. Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise. Last amended December. Available online at: [www.sf-planning.org/ftp/general\\_plan/l6\\_Environmental\\_Protection.htm](http://www.sf-planning.org/ftp/general_plan/l6_Environmental_Protection.htm), accessed March 1, 2016.

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

The Market and Octavia PEIR identified potentially significant air quality impacts resulting from temporary exposure to elevated levels of fugitive dust and diesel particulate matter (DPM) during construction of development projects under the Area Plan. The PEIR identified two mitigation measures that would reduce these air quality impacts to less-than-significant levels. Market and Octavia PEIR Mitigation Measures E-1 and E-2 address air quality impacts during construction. All other air quality impacts were found to be less than significant.

### Construction Dust Control

Market and Octavia PEIR Mitigation Measure E-1: 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 E-1. Therefore, PEIR Mitigation Measure E-1 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 criteria<sup>27</sup> for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the *Air Quality Guidelines*, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the *Air Quality Guidelines* screening criteria. The proposed project, with a total of 14 dwelling units, is below both the construction screening criterion ("apartment, high-rise, 249 dwelling units" land use type) and the operational screening criterion ("apartment, high-rise, 510 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 that were not 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 not 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<sub>2.5</sub> concentration and cumulative excess cancer risk. The APEZ incorporates health vulnerability factors and proximity to freeways. Projects within the APEZ 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 not within an identified APEZ. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial, and the remainder of Mitigation Measure E-1 that requires the minimization of construction exhaust emissions is not applicable to the proposed project.

## Siting Sensitive Land Uses

Implementation of the proposed project would result in the development of residential uses, which are considered sensitive land uses for the purposes of air quality evaluation. As discussed above, the project site is not in an APEZ. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial, and Article 38 is not applicable to the proposed project.

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<sup>27</sup> Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2011, pp. 3-2 to 3-3.

### *Siting New Sources*

The proposed project would not include a backup diesel generator or other equipment that would emit DPM or other toxic air contaminants. As discussed above, the ambient health risk to sensitive receptors from air pollutants is not considered substantial, and Article 38 is not applicable to the proposed project.

### **Conclusion**

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

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

### **Market and Octavia PEIR**

The State CEQA Guidelines were amended in 2010 to require an analysis of a project's greenhouse gas (GHG) emissions on the environment. The Market and Octavia PEIR was certified in 2007 and, therefore, did not analyze the effects of GHG emissions. In addition, the Bay Area Air Quality Management District (BAAQMD) has prepared guidelines that provide methodologies for analyzing air quality impacts under CEQA, including the impact of GHG emissions. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with a GHG reduction strategy to conclude that the project's GHG emissions are less than significant. The following analysis is based on BAAQMD and CEQA guidelines for analyzing GHG emissions. As discussed below, the proposed project would not result in any new significant impacts related to GHG emissions.

### **Proposed Project**

San Francisco's *Strategies to Address Greenhouse Gas Emissions*<sup>28</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>29</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2010 Clean Air Plan*,<sup>30</sup> Executive Order S-3-05,<sup>31</sup> and

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

<sup>29</sup> ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

<sup>30</sup> Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

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

The proposed project would increase the intensity of use of the site by introducing 14 dwelling units, approximately 2,650 gsf of retail space, and six parking spaces to replace a 3,700-gsf commercial building and surface parking for seven vehicles. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, Transportation Sustainability Fee, bicycle parking requirements, and low-emission car parking requirements would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code and the Residential Water Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>37</sup>

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

<sup>32</sup> California Legislative Information, Assembly Bill 32, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_0001-0050_ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>33</sup> Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan* set a target of reducing GHG emissions to below 1990 levels by the year 2020.

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

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

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

<sup>37</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump, and treat water required for the project.

The proposed project’s waste-related emissions would be reduced through compliance with the City’s Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>38</sup> and reducing the energy required to produce new materials.

Compliance with the City’s street tree planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>39</sup> Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.<sup>40</sup>

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

**Wind**

The Market and Octavia PEIR determined that new construction developed under the Area Plan, including new buildings and additions to existing buildings, could result in significant impacts related to ground-level winds. PEIR Mitigation Measure B1: Buildings in Excess of 85 Feet in Height,<sup>41</sup> and PEIR Mitigation Measure B2: All New Construction,<sup>42</sup> identified in the PEIR, require individual project sponsors to minimize the wind effects of new buildings developed under the Area Plan through site and

<sup>38</sup> Embodied energy is the total energy required for the extraction, processing, manufacture, and delivery of building materials to the building site.

<sup>39</sup> While not a GHG, VOCs are precursor pollutants that form ground-level ozone. Increased ground-level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

<sup>40</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 2201 Market Street*, March 21, 2016.

<sup>41</sup> Mitigation Measure B1 is Mitigation Measure 5.5.B1 in the Market and Octavia PEIR.

<sup>42</sup> Mitigation Measure B2 is Mitigation Measure 5.5.B2 in the Market and Octavia PEIR.



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. PEIR Mitigation Measure B1 is not applicable to the proposed project, because the proposed project does not exceed a height of 85 feet. PEIR Mitigation Measure B2 is applicable to the proposed project. As discussed below, the project sponsor has fulfilled the requirements of PEIR Mitigation Measure B2.

A proposed project's wind impacts are directly related to its height, orientation, design, location, and surrounding development context. Based on wind analyses for other development projects in San Francisco, a building that does not exceed a height of 85 feet generally has little potential to cause substantial changes to ground-level wind conditions. At a height of 65 feet (81 feet at the building's tallest point), the proposed project would be similar in height to the existing 65-foot-tall buildings at 2175 Market Street and 2200 Market Street and the 65-foot-tall building at 2200 Market Street that is currently under construction. Furthermore, the proposed project's long axis is aligned along the prevailing wind directions instead of across the prevailing wind directions (i.e., the proposed project's Market Street façade would allow overhead winds to continue flowing eastward instead of intercepting them and driving them down toward the sidewalk). Given its height, orientation, design, location, and surrounding development context, the proposed building has little potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site.

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

### **Shadow**

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. 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,<sup>43</sup> 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 a 65-foot-tall building (81 feet at the building's tallest point). 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.

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<sup>43</sup> Mitigation Measure A1 is Mitigation Measure 5.5.A2 in the Market and Octavia PEIR.

The shadow fan analysis prepared by the Planning Department determined that the project as proposed would not cast shadow on any nearby parks.<sup>44</sup> 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 that were not identified in the Market and Octavia PEIR.

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

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

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

<sup>44</sup> San Francisco Planning Department, *Shadow Fan Analysis for 2201 Market Street*, March 24, 2014.

ecology of the street environment. Two routes identified within the Green Connections Network cross the Market and Octavia Plan Area: Marina Green to Dolores Park (Route 15) and Bay to Beach (Route 4).

The proposed project would provide usable open space in the form of terraces at the second and sixth floors and a roof deck. 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 that were not identified in the Market and Octavia PEIR.

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

The Market and Octavia PEIR determined that the anticipated increase in population 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 that were not identified in the Market and Octavia PEIR.

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

The Market and Octavia PEIR determined that the anticipated increase in population 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 that were not identified in the Market and Octavia PEIR.

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

<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>
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 project site is within the area covered by the *Market and Octavia Area Plan*, and the proposed 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>
<b>13. GEOLOGY AND SOILS</b> —Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) 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,<sup>45</sup> 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.

In 2013, the San Francisco Public Utilities Commission (SFPUC) adopted the Construction Site Runoff Ordinance (Ordinance No. 260-13), which requires all construction sites, regardless of size to implement BMPs to prevent construction site runoff discharges into the City’s combined stormwater/sewer system. Furthermore, construction sites that disturb 5,000 square feet or more of ground surface are required to apply for a Construction Site Runoff Control Permit from the SFPUC and submit an Erosion and Sediment Control Plan that includes BMPs to prevent stormwater runoff and soil erosion during construction. The proposed project is subject to the Construction Site Runoff Ordinance, which supersedes Market and Octavia PEIR Mitigation Measure G1.

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.<sup>46</sup>

The geotechnical investigation included the drilling of two test borings on the project site to depths of 21.5 and 26 feet. Based on the test borings, the project site is underlain by about 2.5 feet of fill, and the fill is underlain by alluvium. No groundwater was encountered. 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

<sup>45</sup> Mitigation Measure G1 is Mitigation Measure 5.11.A in the Market and Octavia PEIR.

<sup>46</sup> Rockridge Geotechnical, *Geotechnical Investigation, Proposed Residential Building, 2201 Market Street, San Francisco, California* (hereinafter “*Geotechnical Report*”), January 6, 2013.

site is the San Andreas Fault, which is about 5.5 miles to the west. The project site is not in a landslide zone or a liquefaction zone.<sup>47</sup>

Construction of the proposed project would require excavation to a depth of 14 feet below ground surface and the removal of about 2,106 cubic yards of soil. The geotechnical report recommends that the proposed project be supported by a conventional spread footings foundation bearing on native alluvium.<sup>48</sup> Continuous footings should be at least 16 inches wide, isolated spread footings should be at least 24 inches wide, and footings should be founded at least 24 inches below the lowest adjacent soil subgrade and on firm native alluvium.<sup>49</sup> 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 ensures the safety of 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.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>14. HYDROLOGY AND WATER QUALITY</b> —Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>47</sup> San Francisco Planning Department, GIS database geology layer, accessed March 1, 2016.

<sup>48</sup> *Geotechnical Report*, p. 8.

<sup>49</sup> *Geotechnical Report*, p. 12.

<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>
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, which is occupied by an existing commercial building and surface parking, is completely paved. Implementation of the proposed project would not increase the amount of impervious surface area on the project site, would not substantially change existing surface runoff and drainage patterns, and would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding, 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.



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

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

The Market and Octavia PEIR found that impacts 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,<sup>50</sup> which would require implementation of construction best management practices to reduce dust emissions and tracking of contaminated soils beyond the site boundaries by way of construction vehicles' tires, would reduce impacts associated with construction-related hazardous materials to less-than-significant levels.

As discussed under Topic 6, Air Quality, on p. 28, 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). Compliance with the State Asbestos ATCM would ensure that the proposed project would not create a significant hazard to the public or the environment from the release of NOA. Therefore, PEIR Mitigation Measure F1 is not applicable to the proposed project.

### **Hazardous Building Materials**

Implementation of the proposed project would result in the demolition of the existing commercial building on the project site, which was built in 1956. Because this structure was built before the 1970s, hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos and lead-based paint are likely to be present in this structure. Demolishing the existing structure could expose workers or the community to hazardous building materials.

Asbestos is a common material that was used in the construction of buildings prior to 1978. Prior to obtaining a demolition or renovation permit, the BAAQMD requires sampling of suspected asbestos-containing material. If asbestos is detected, it must be abated in accordance with applicable regulations prior to the commencement of demolition or renovation activities. Pursuant to state law, the Department of Building Inspection (DBI) will not issue a permit for a proposed project until compliance with applicable regulations has been completed.

Lead-based paint and PCB-containing materials could also be encountered as a result of dust-generating activities during project construction. Required compliance with Chapter 36 of the San Francisco Building Code would ensure that there would be no adverse effects due to work involving lead paint. PCB-containing materials must be managed as hazardous waste in accordance with Occupational Safety and Health Administration worker protection requirements.

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

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<sup>50</sup> Mitigation Measure F1 is Mitigation Measure 5.10.A in the Market and Octavia PEIR.

### Soil and Groundwater Contamination

The proposed project would require excavation to a maximum depth of 15 feet below ground surface and the disturbance of about 2,106 cubic yards of soil. As discussed under Topic 13, Geology and Soils, on p. 38, groundwater was not detected during the geotechnical investigation; groundwater would not be encountered during excavation for the proposed project.

Construction of the proposed project would require the disturbance of more than 50 cubic yards of soil. For this reason, the proposed project is subject to the Maher Ordinance, which is administered and overseen by the DPH. The project sponsor is required to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the proposed project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agencies and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. A Phase I ESA has been prepared to assess the potential for site contamination.<sup>51</sup> The Phase I ESA did not identify any Recognized Environmental Conditions on the project site and concluded that no further investigation is required.<sup>52</sup>

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Ordinance Application to the DPH.<sup>53</sup> After reviewing the Maher Ordinance Application, the Phase I ESA, and other supporting documents, the DPH will determine if additional steps will be required of the project sponsor (soil and/or groundwater sampling and analysis, SMP) to remediate any site contamination. Pursuant to compliance with the Maher Ordinance, the proposed project would not result in significant impacts related to contaminated soil and/or groundwater beyond those identified in the Market and Octavia PEIR.

### Fire Hazards and Emergency Response

In San Francisco, fire safety is ensured through the provisions of the San Francisco Building and Fire Codes. During the review of the building permit application, the 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 that were not identified in the Market and Octavia PEIR, and no mitigation measures are necessary.

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<sup>51</sup> Olson Environmental, Inc., *Phase I Environmental Site Assessment, 2201 Market Street, San Francisco, CA 94114* (hereinafter "*Phase I ESA*"), March 25, 2011.

<sup>52</sup> *Phase I ESA*, p. 25.

<sup>53</sup> *Maher Ordinance Application, 2201 Market Street*, submitted March 17, 2016.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
<b>16. MINERAL AND ENERGY RESOURCES—</b>				
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, and no mitigation measures are necessary.

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
<b>17. AGRICULTURE AND FOREST RESOURCES: —Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) Involve other changes in the existing 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: 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 archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. 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 archeological 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 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 Archeological 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 of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

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