



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

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

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

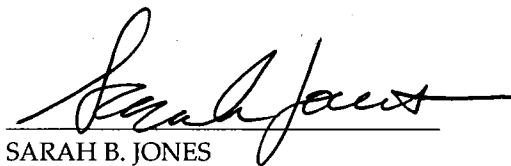
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EXEMPT STATUS

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

DETERMINATION

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



SARAH B. JONES
 Environmental Review Officer

February 4, 2016
 Date

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

PROJECT DESCRIPTION (continued)

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

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

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

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

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

PROJECT APPROVAL

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

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

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

COMMUNITY PLAN EXEMPTION OVERVIEW

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

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

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR for the Market and Octavia Area Plan by Motion 17406.² The certification of the PEIR was upheld on appeal to the Board of Supervisors at a public hearing on June 19, 2007. The PEIR analyzed amendments to the Planning Code, Zoning Maps, and the San Francisco General Plan to implement the Market and Octavia Area Plan. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Area Plan.

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

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

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

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

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

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

PROJECT SETTING

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

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

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

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

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

POTENTIAL ENVIRONMENTAL EFFECTS

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

Significant and unavoidable impacts were identified in the Market and Octavia PEIR related to transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21 Hayes Muni line), and shadow impacts on two open spaces (War Memorial and United Nations Plaza). The proposed project would not contribute to the significant unavoidable transportation impacts as traffic and transit ridership generated by the project would not considerably contribute to the traffic and transit impacts identified in the Market and Octavia PEIR. A preliminary shadow analysis of the project building indicated the potential for new shadow on the Noe-Beaver Mini Park, a Section 295 open space, but did not identify potential shading of other public parks. A more detailed analysis indicated that intervening buildings already cast shadows on this Section 295 open space and the proposed project would not result in any new shading at Noe-Beaver Mini Park.⁵

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

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

Table 1 – Market and Octavia PEIR Mitigation Measures

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

Table 1 – Market and Octavia PEIR Mitigation Measures

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

Table 1 – Market and Octavia PEIR Mitigation Measures

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

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

PUBLIC NOTICE AND COMMENT

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

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

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁶:

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

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

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



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

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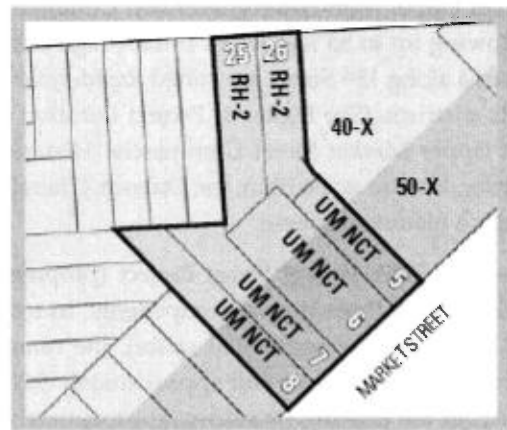
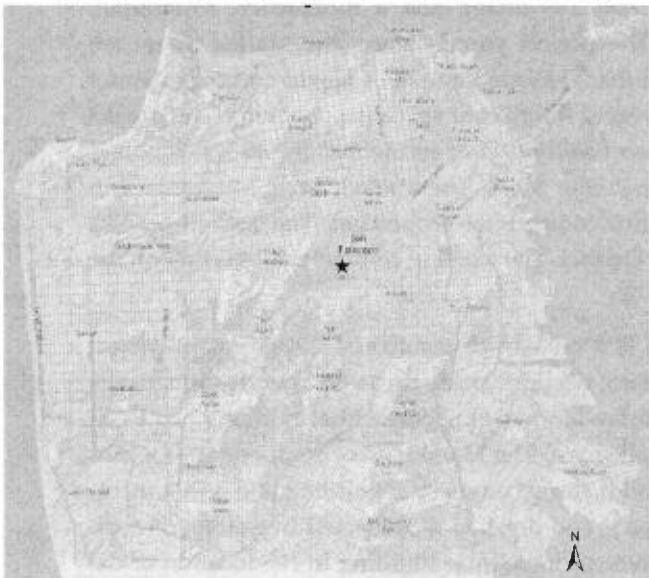
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PROJECT DESCRIPTION

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

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



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

Figure 1: Project Location

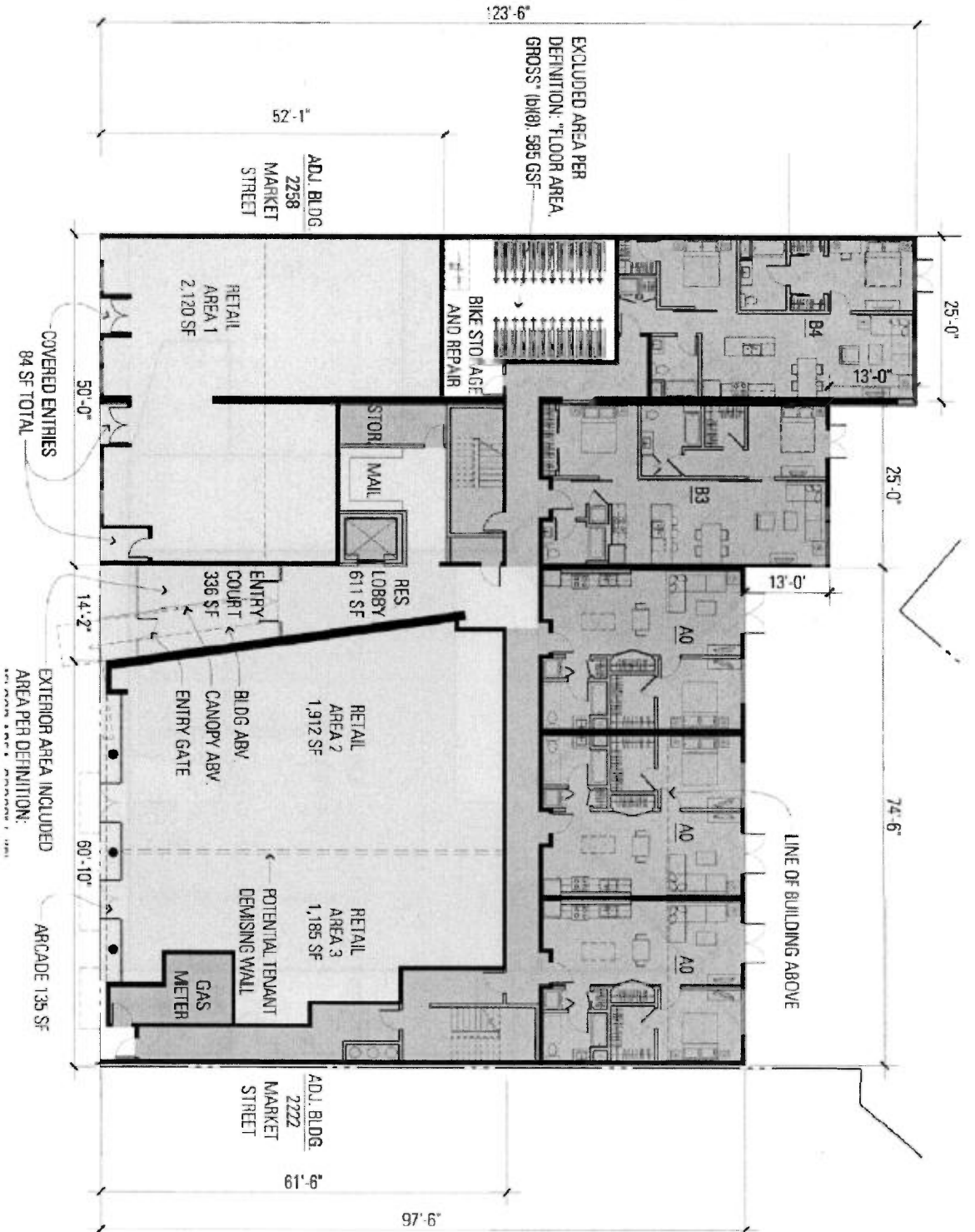
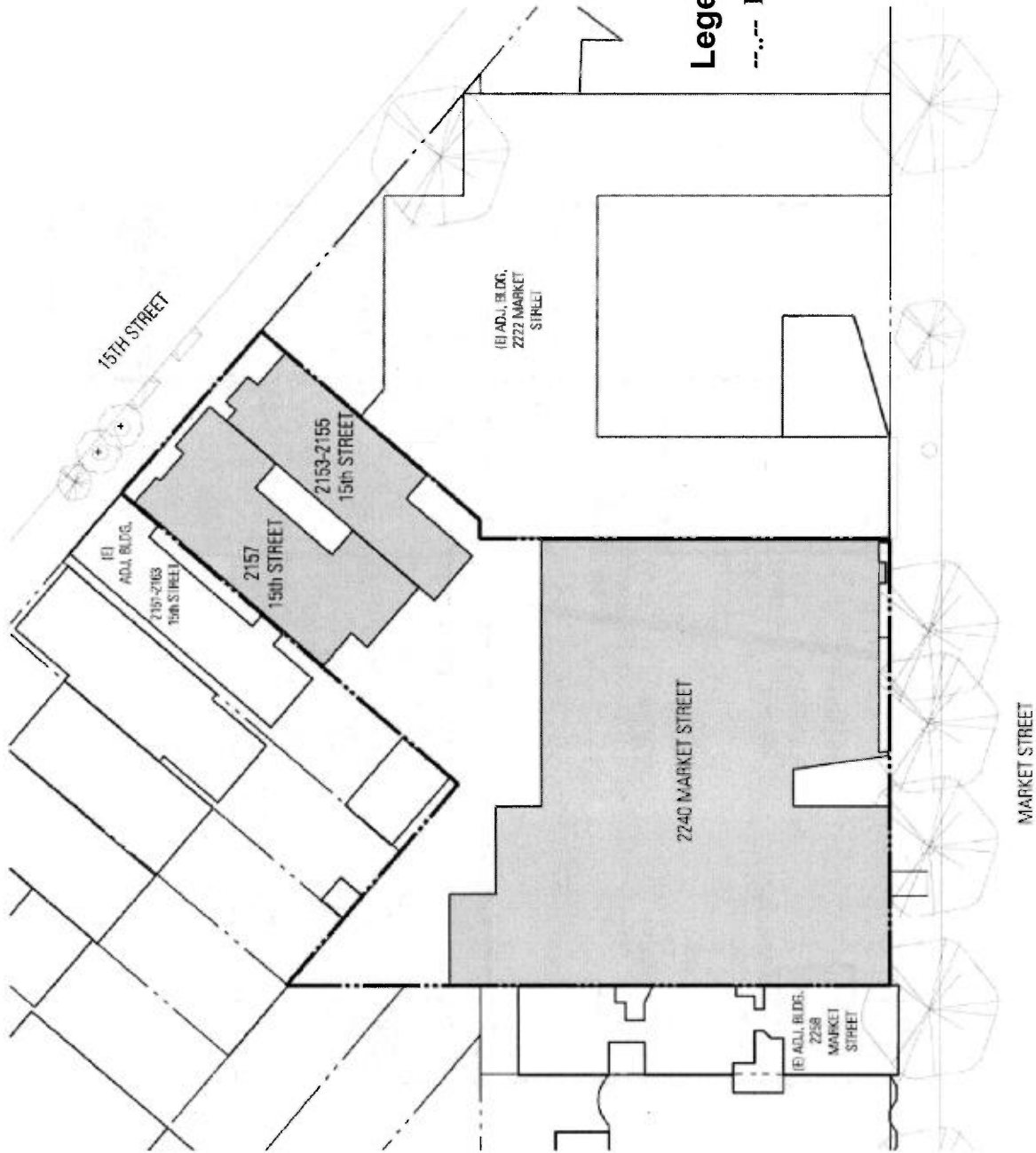


Figure 3 - 2240 Market Street Building Ground Floor Plan

Source: BAR Architects



Legend

----- Project Site Outline

Figure 2 - Project Site Plan

Source: BAR Architects

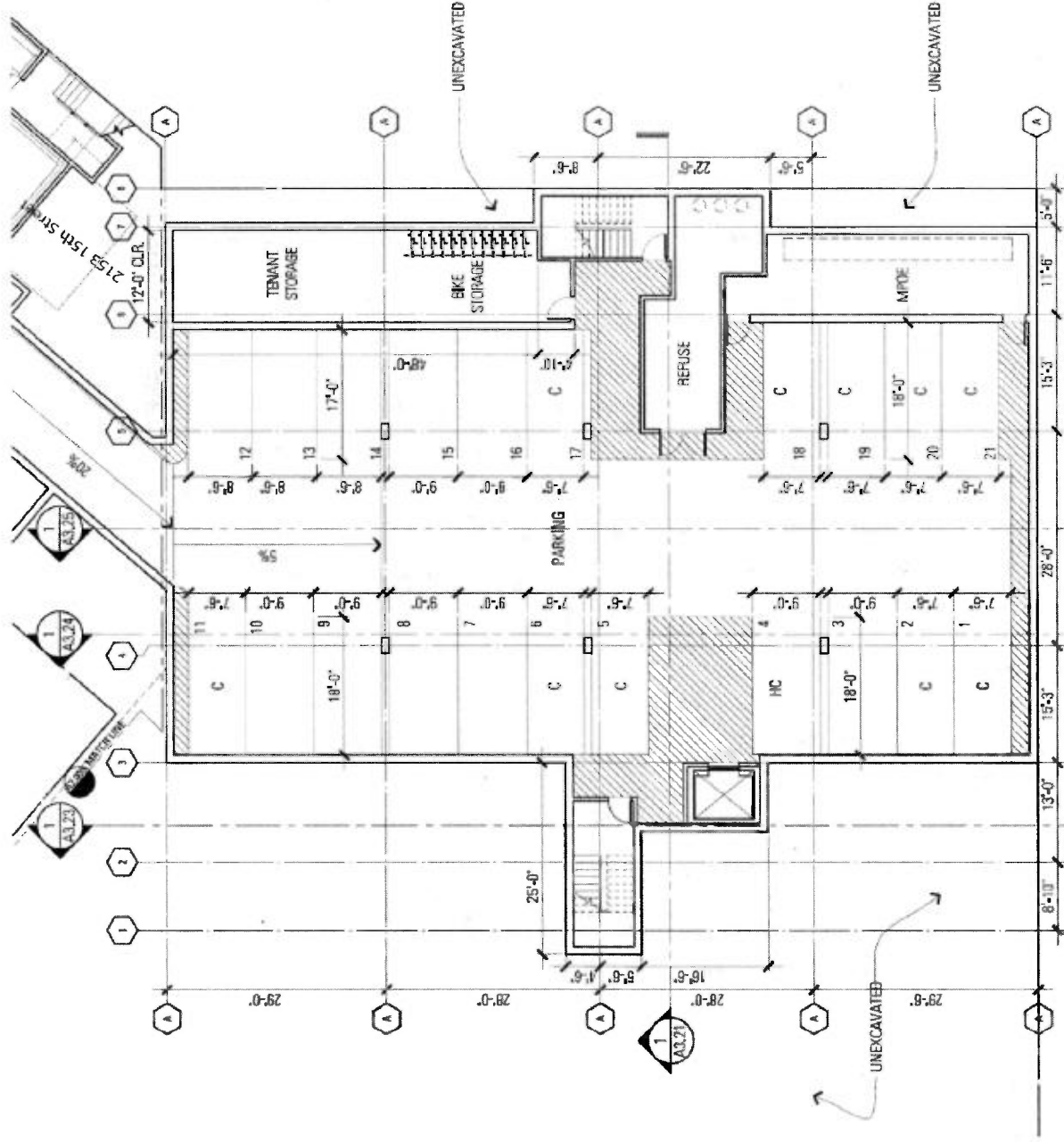


Figure 4 - 2238-2254 Market Street Building Basement Parking Level

Source: BAR Architects

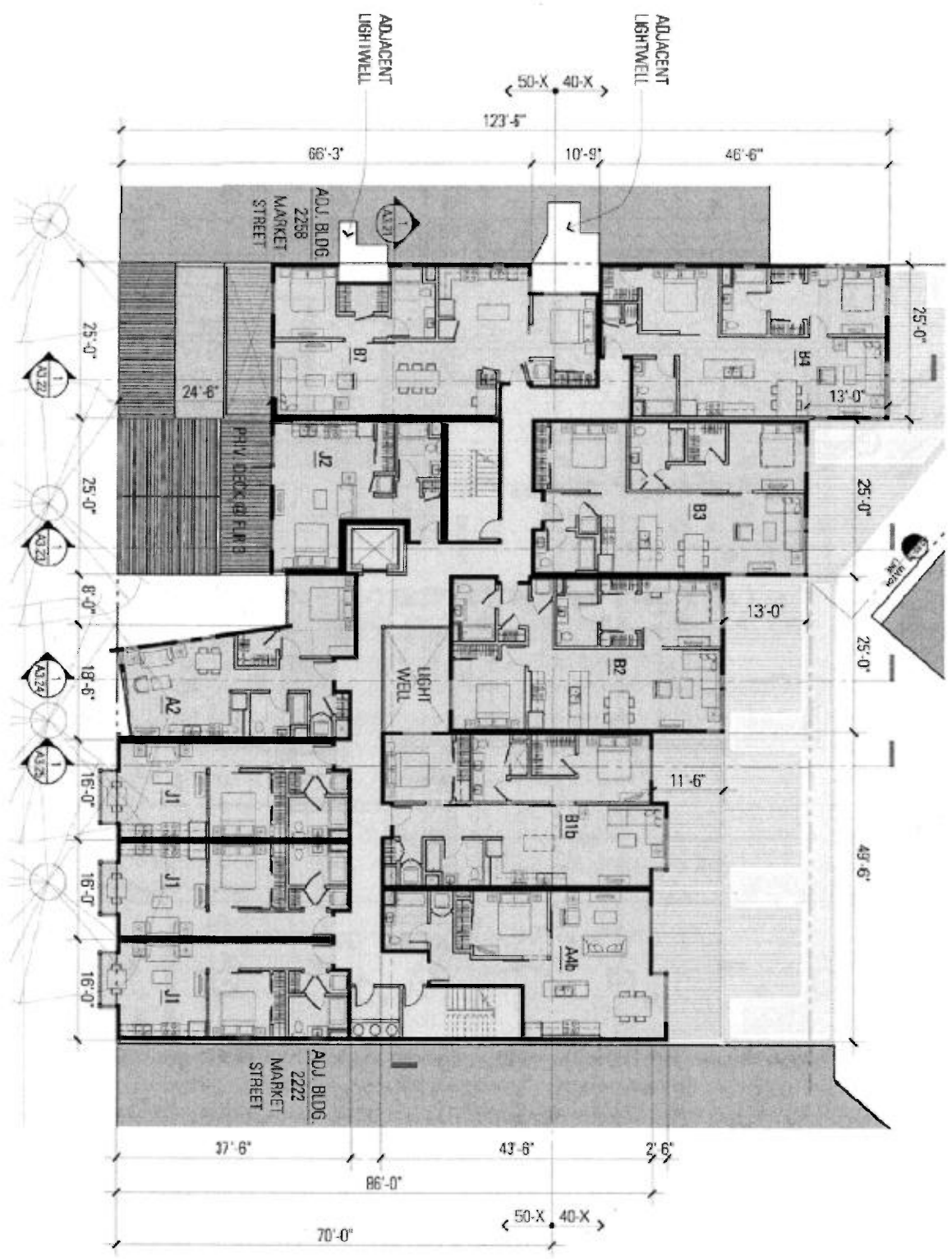


Figure 5 - 2240 Market Street Building, Third and Fourth Floor

Source: BAR Architects

Community Plan Exemption Checklist

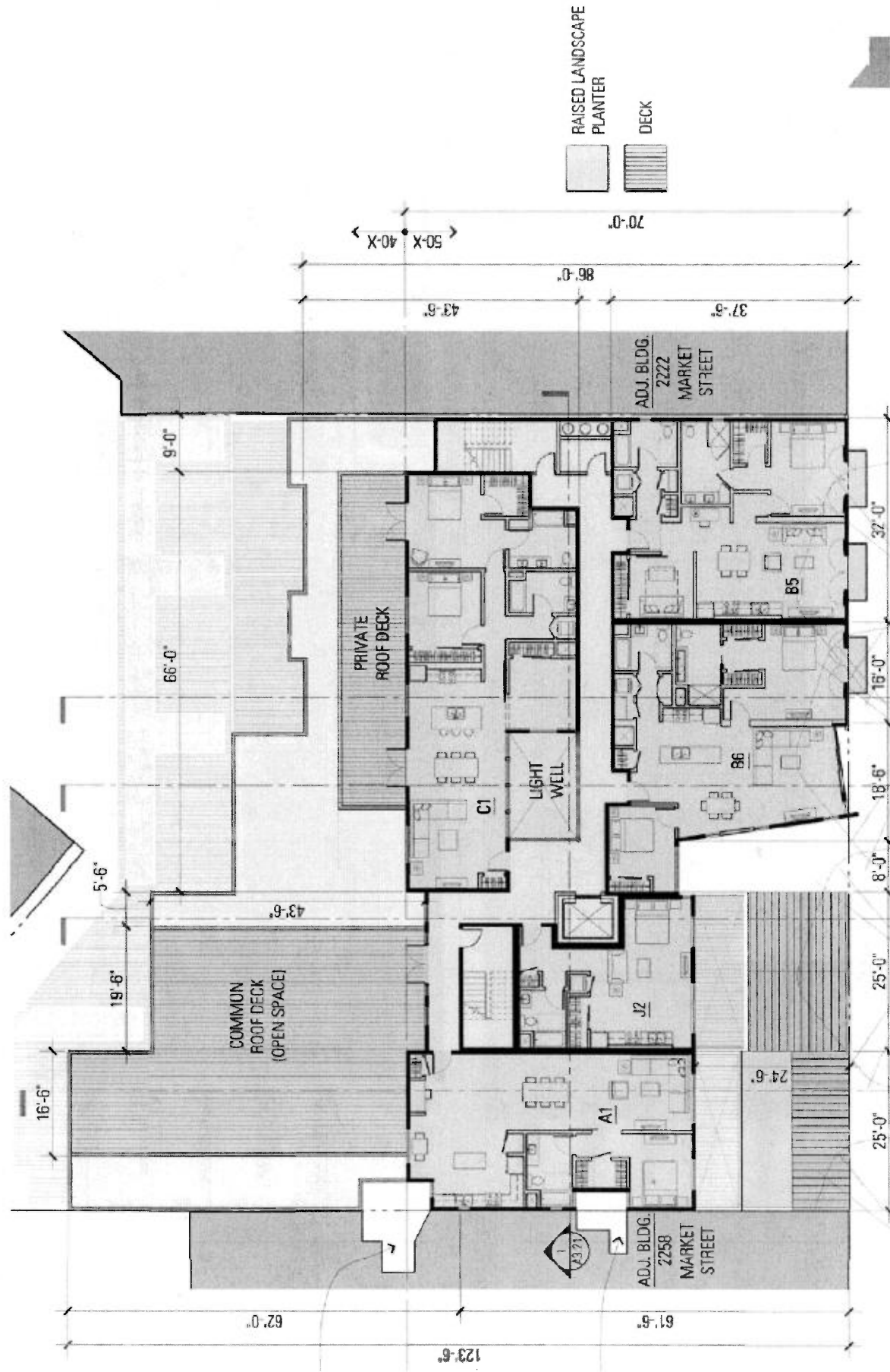


Figure 6 - 2240 Market Street Building Fifth Floor Plan

Source: BAR Architects

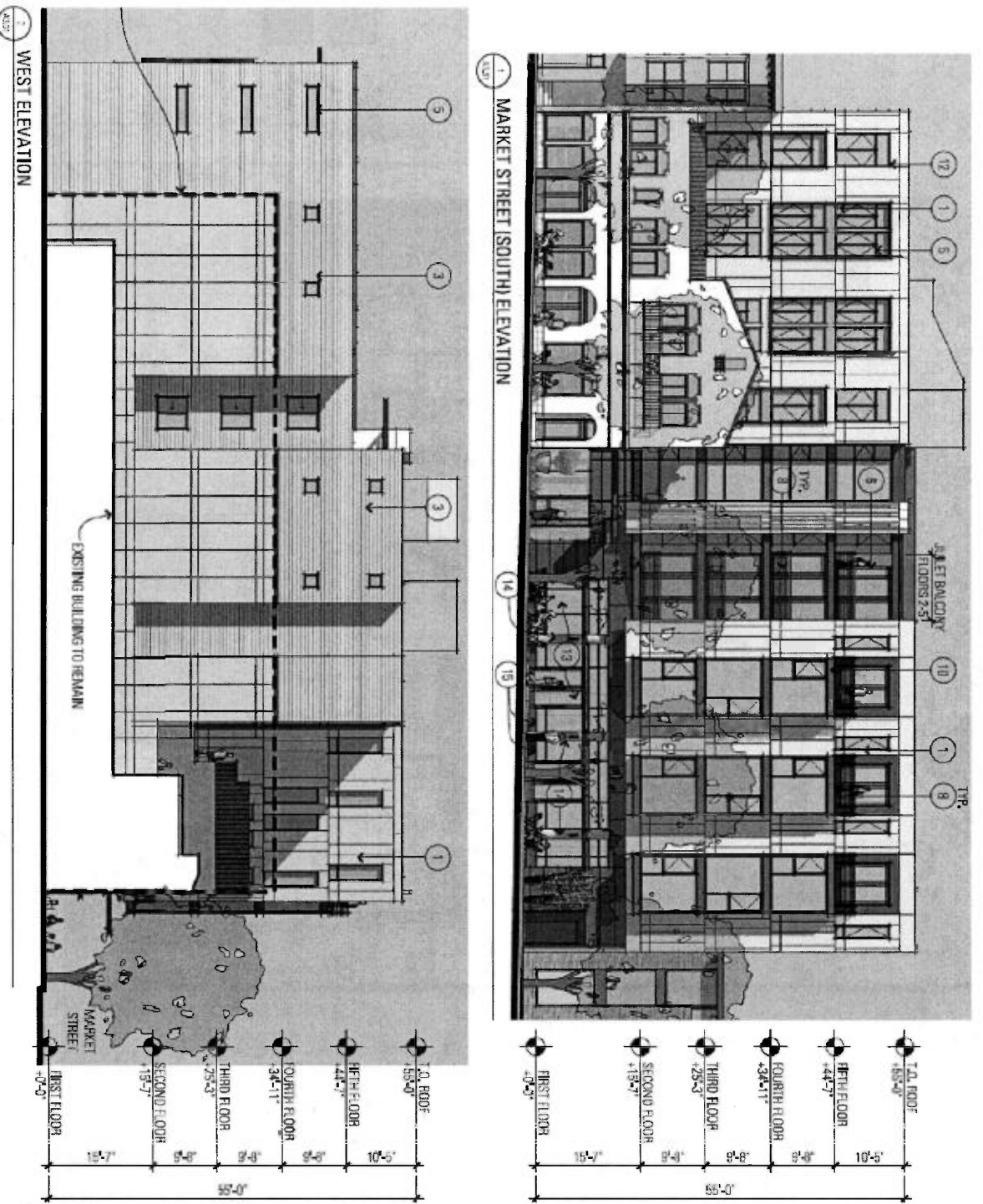


Figure 7 - Market Street Building South and West Elevations

Source: BAR Architects

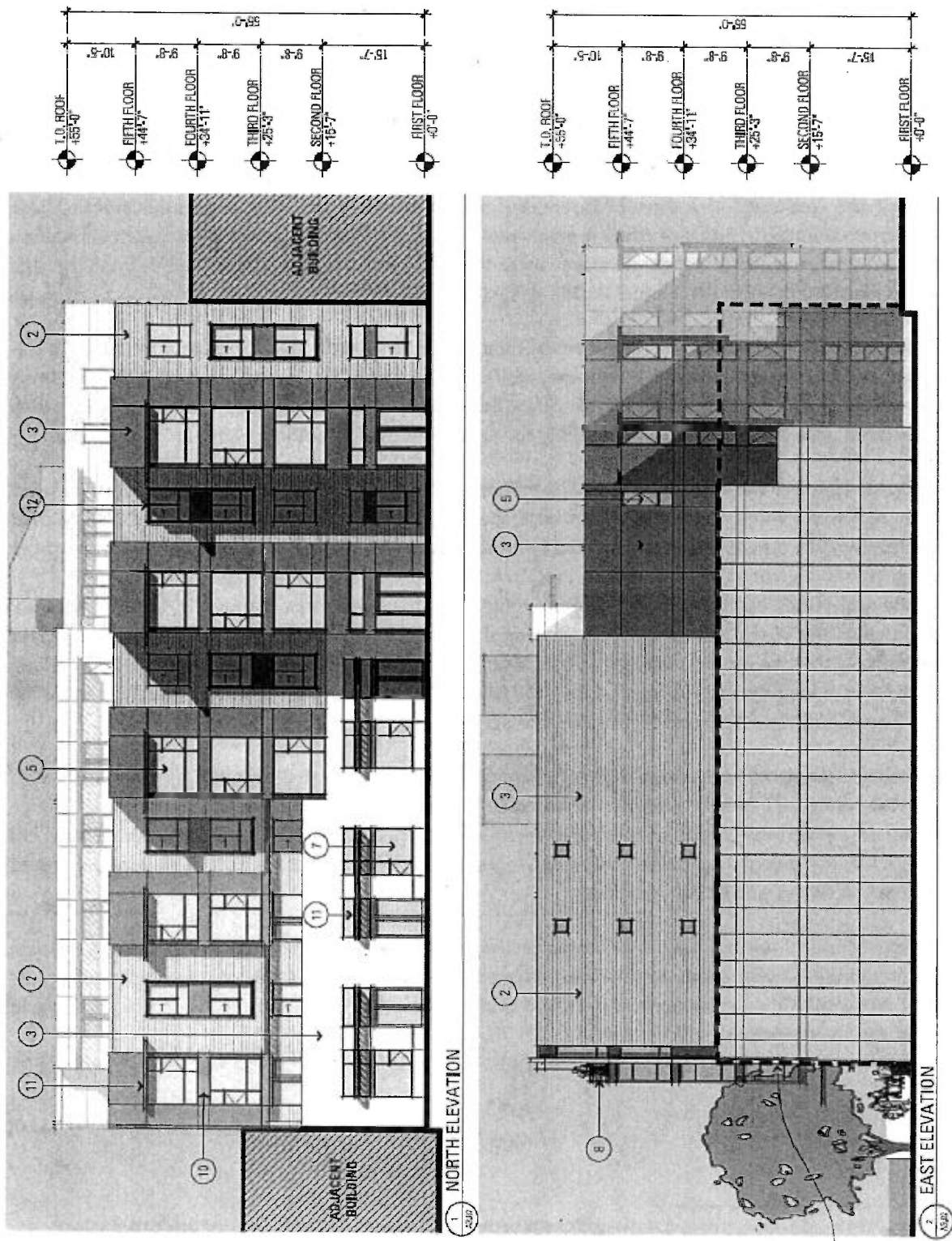


Figure 8 - Market Street Building North and East Elevations

Source: BAR Architects

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

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

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

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

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

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

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

² A green building standard set by the U.S. Green Building Council.

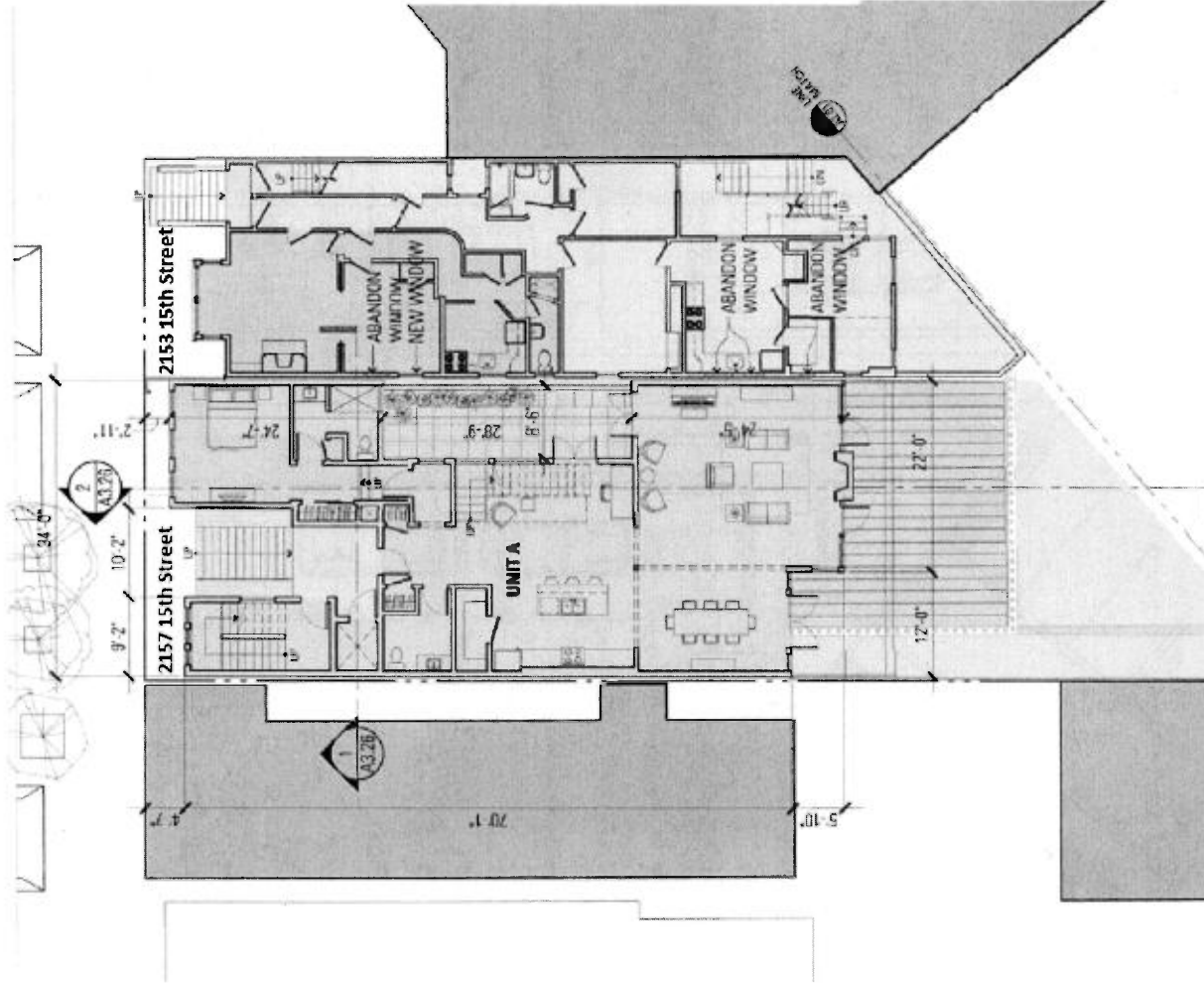


Figure 9 - 2153 and 2157 15th Street - Ground Floor Plans

Source: BAR Architects

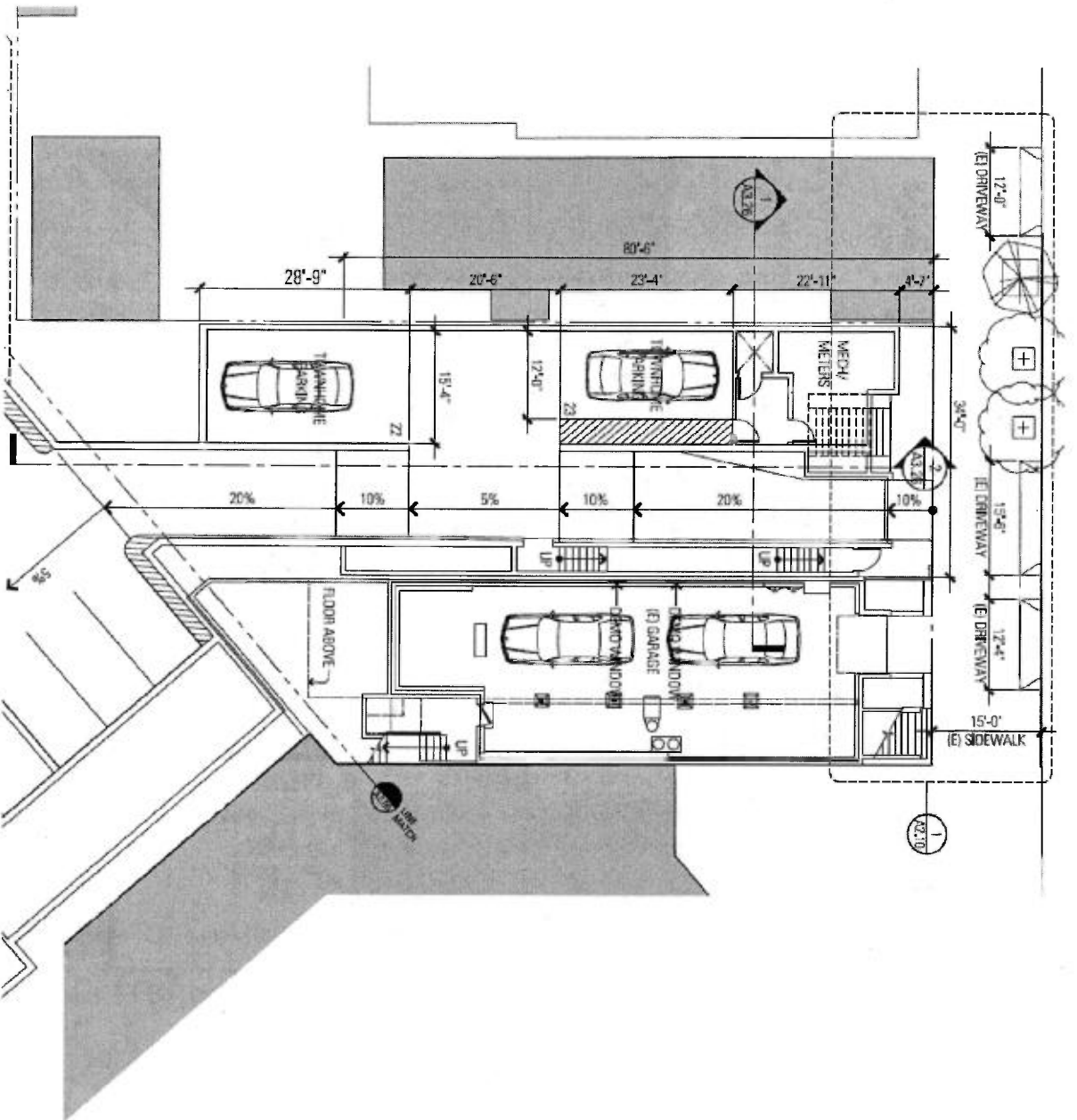


Figure 10 - 2153 and 2157 15th Street Townhomes - Garage Level

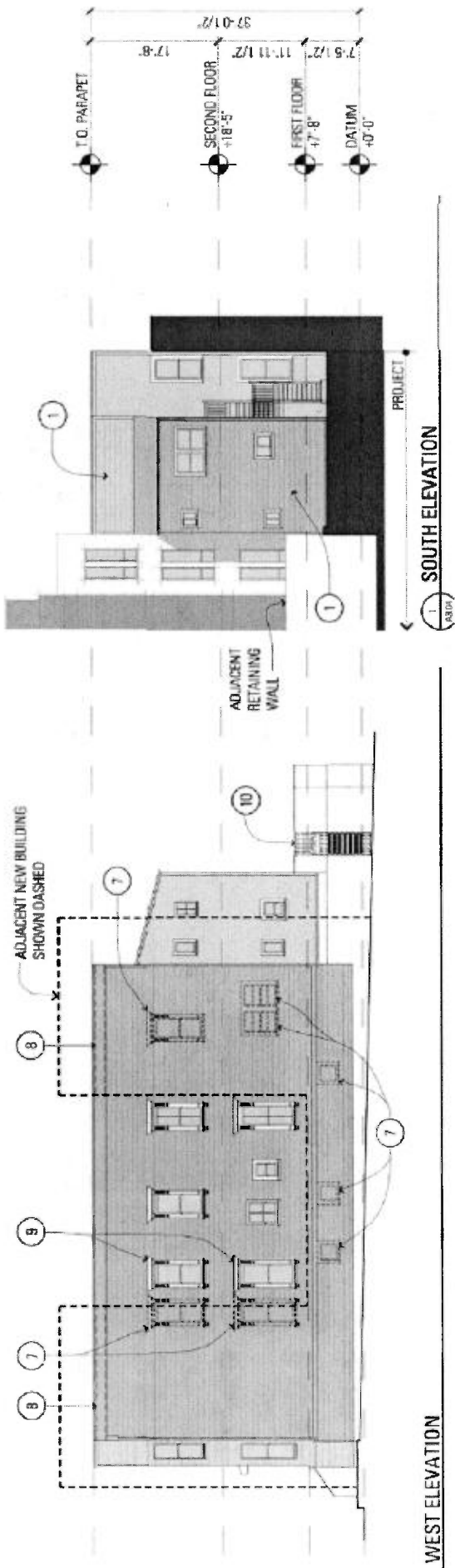
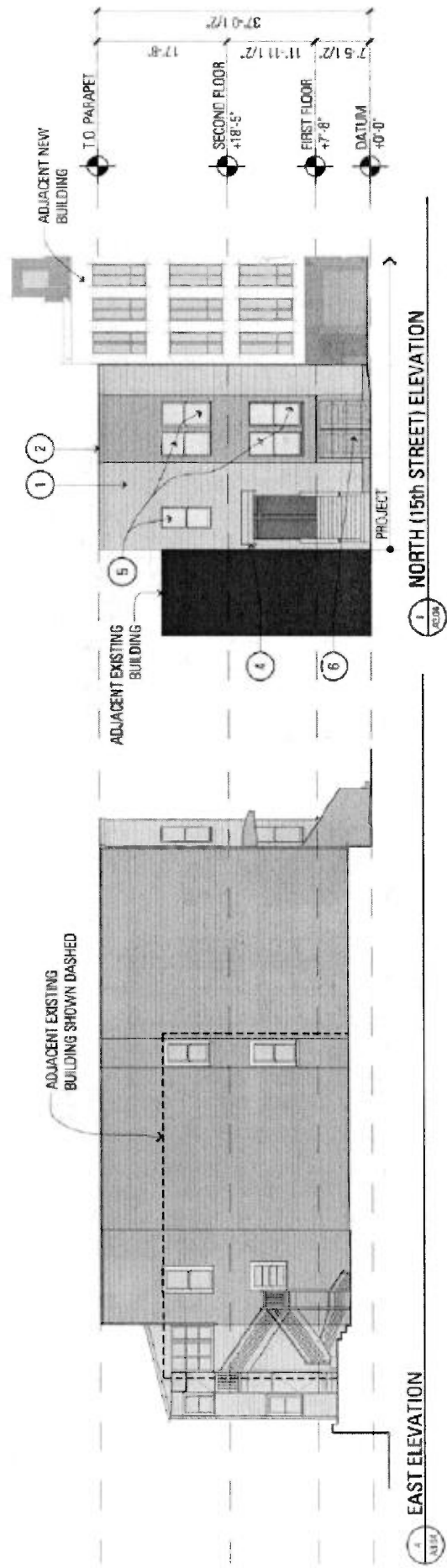


Figure 11 - 2153 15th Street Townhome - Elevations

Source: BAR Architects

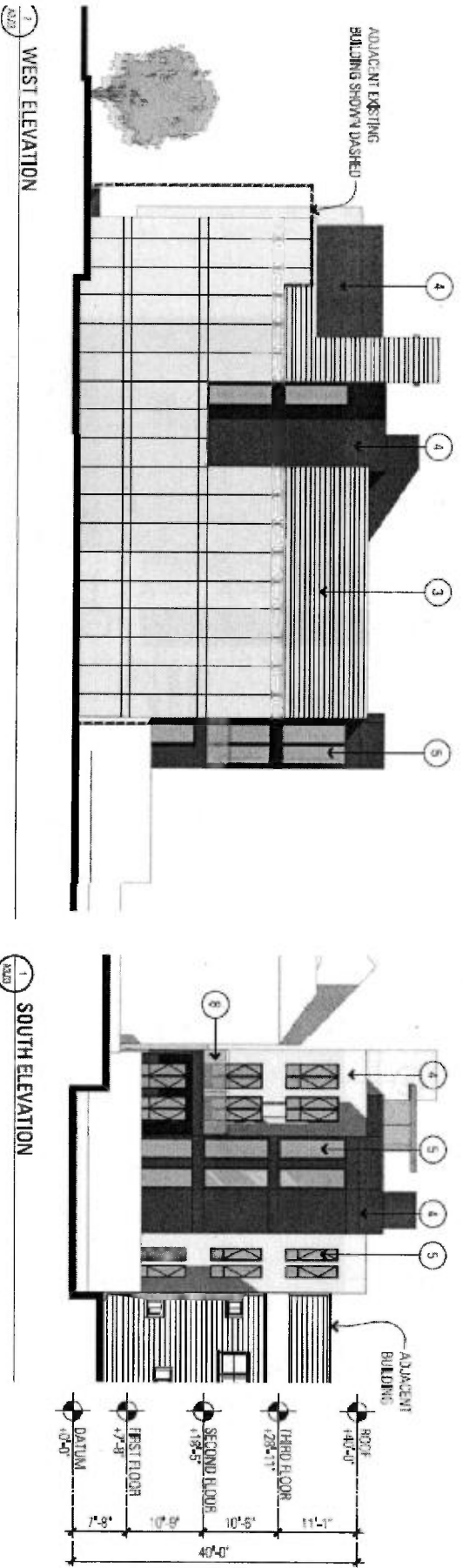
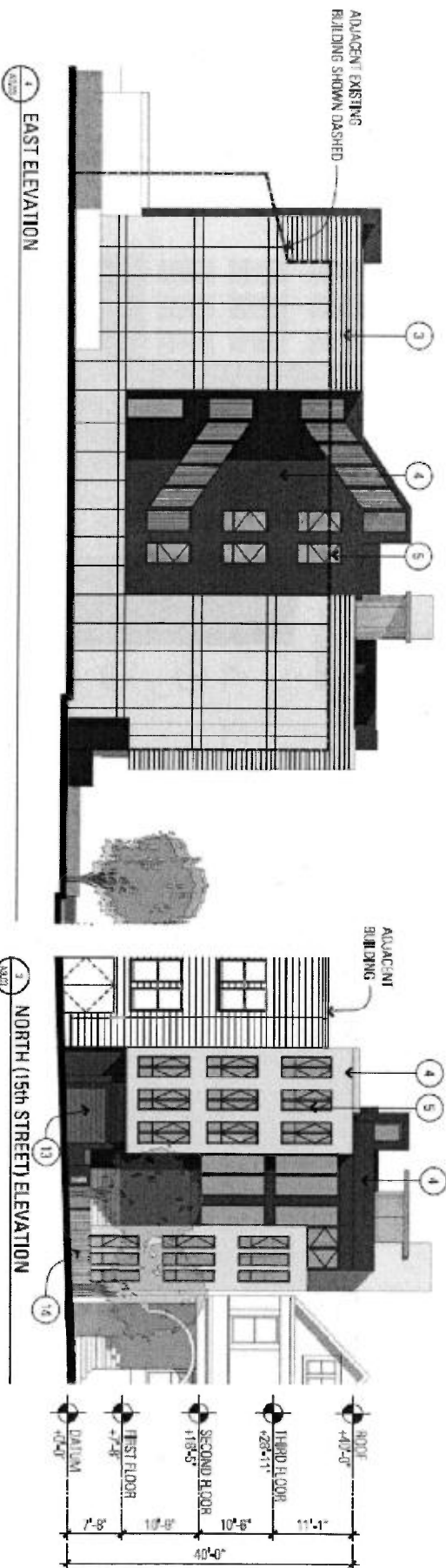


Figure 12 - 2157 15th Street Townhome - Elevations

Community Plan Exemption Checklist

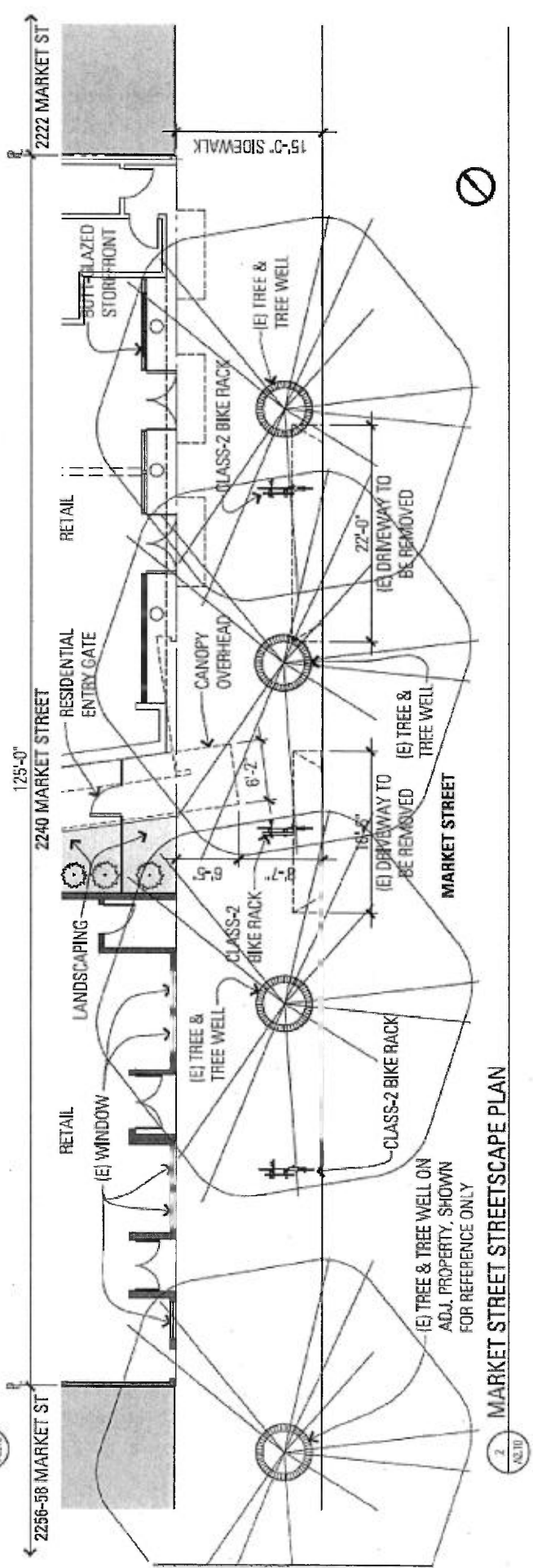
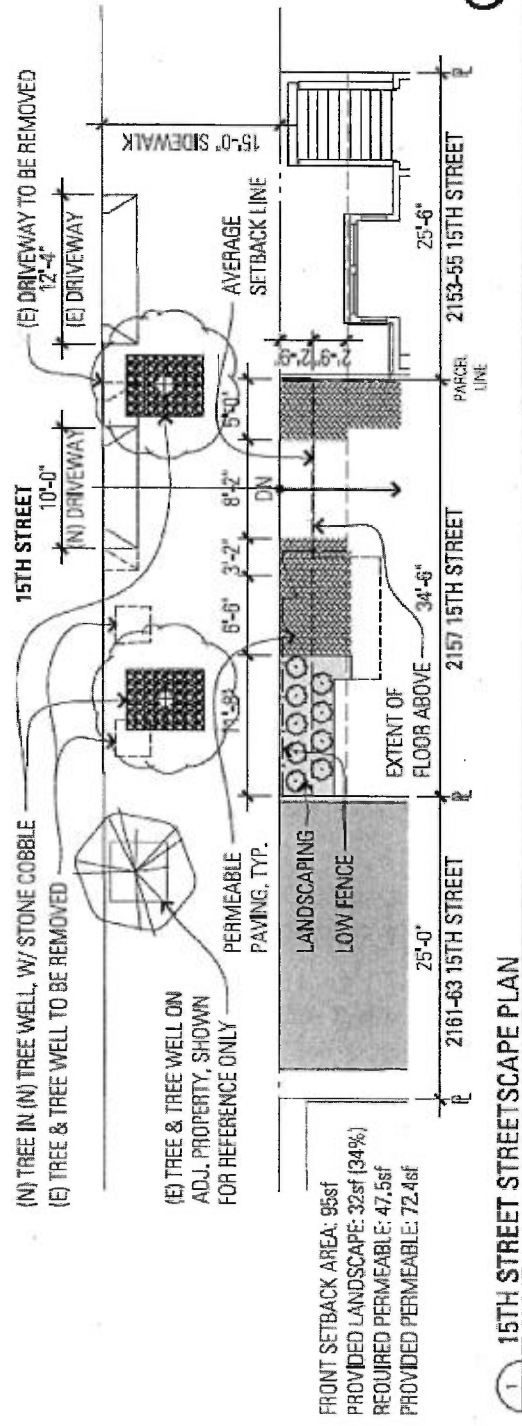


Figure 13 - Market Street and 15th Street - Streetscape Plans

Source: BAR Architects

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

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

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

Actions by the Planning Commission

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

Actions by other City Departments

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

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

PROJECT SETTING

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

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

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

EVALUATION OF ENVIRONMENTAL EFFECTS

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

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

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

The proposed project would include three project components consisting of up to 45 new dwelling units (52,000 sf of new residential space), the remodel of a three-unit existing residential building,

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

approximately 5,200 sf of retail space, and up to 24 vehicle parking spaces. The project proposes a three-story vertical addition of residential dwelling units to the existing funeral home building and development of a connected five-story, 55-foot-tall mixed-use building in the location of the existing adjacent surface parking lot to the east. The 2240 Market Street building would include 43 dwelling units (22 studio or one-bedroom units, 21 two-and three-bedroom units) and approximately 5,200 sf of ground-floor retail use. The project would also include a proposed new two-unit, approximately 6,300-sf townhome building located at 2157 15th Street on the existing surface parking lot accessed from 15th Street. The third component of the project would be the remodel of the existing three-unit (one 1-bedroom, one 2-bedroom, and one 4-bedroom) residential building with two existing parking spaces located at 2153 15th Street. The existing units at 2153 15th Street would remain rent-controlled. The Market Street building would include an underground 22-space parking garage with 60 bicycle parking spaces, with access under the residential building off of 15th Street. The new 2157 15th Street townhome building would include two parking spaces accessed from the same driveway as the 2240 Market Street building. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Market and Octavia PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁴ Project elevations are included in the project description.

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

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

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>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

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

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

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

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

A goal of the Area Plan is to implement citywide policies to increase the housing supply at higher densities in neighborhoods having sufficient transit facilities, neighborhood-oriented uses, and infill development sites. The Area Plan anticipates an increase of 7,620 residents in the Plan Area by the year 2025. The Market and Octavia PEIR determined that although the additional development that would result from adoption of the Area Plan would generate household growth; this anticipated growth would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

The proposed project would result in an overall reduction of commercial space: from the existing 9,400 sf retail space to approximately 5,200 sf of retail space in the 2240 Market Street building. The existing funeral home use would not be retained. The project would also include a total of 45 new residential units divided between the Market Street mixed-use building and the 2-unit 15th Street residential building, and the retention of the existing rent-controlled three-unit residential building at 2153 15th Street. The project would result in a net increase in housing and potential change in jobs on the project site as follows: an increase of 52,000 sf of residential uses (45 dwelling units), and a decrease of 4,200 sf of commercial use. Based on the 2010 Census Tract's (169) average household size of 1.83 residents per household, the increase in 45 dwelling units could result in an increased population of approximately 82 residents. For the retail space, the reduction of 4,200 sf of retail space, could represent a decrease of approximately 12 employees. These direct effects of the proposed project on population and housing are within the scope of

the population growth anticipated under the Market and Octavia Area Plan and evaluated in the Market and Octavia PEIR. Furthermore, the proposed project would not displace any existing housing or create demand for additional housing.

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

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

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Market and Octavia PEIR noted that although development would be allowed in the Plan Area, the implementation of urban design guidelines and other rules, such as evaluation under CEQA, would reduce the overall impact on historic architectural resources to a less-than-significant level. No mitigation measures were identified.

Under CEQA, evaluation of the potential for proposed projects to impact historical resources is a two-step process: the first is to determine whether the property is an historical resource as defined in Section 15064.5(a)(3) of CEQA; and, if it is determined to be an historical resource, the second is to evaluate whether the action or project proposed would cause a substantial adverse change to the resource. In order to evaluate both these steps, a historical resource evaluation (HRE) was completed for the project site and reviewed by City staff.⁷

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

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

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

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

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

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

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

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

Archeological Resources

The Market and Octavia PEIR determined that implementation of the Area Plan could result in significant impacts on archaeological resources, and identified four mitigation measures that would reduce these potential impacts to a less-than-significant level (Mitigation Measures C1 through C4). Mitigation Measure C1 – Soil-Disturbing Activities in Archaeologically Documented Properties⁹ applies to properties that have a final Archeological Resource Design/Treatment Plan (ARDTP) on file; it requires that an addendum to the ARDTP be completed. Mitigation Measure C2 – General Soils-Disturbing Activities¹⁰ was determined to be applicable for any project involving any soils-disturbing activities beyond a depth of 4 feet and located in the Area Plan for which no archaeological assessment report has been prepared. Mitigation Measure C2 requires that a Preliminary Archeological Sensitivity Study (PASS) be prepared by a qualified consultant. Mitigation Measure C3 – Soil-Disturbing Activities in Public Street and Open Space Improvements¹¹ applies to improvements to public streets and open spaces that would disturb soils beyond a depth of 4 feet; it requires an Archeological Monitoring Program. Mitigation Measure C4 – Soil-Disturbing Activities in the Mission Dolores Archeological District¹² applies to projects in the Mission Dolores Archeological District that result in substantial soils disturbance; it requires an Archeological Testing Program, as well as an Archeological Monitoring Program and Archeological Data Recovery Program, if appropriate.

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

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

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

⁹ Throughout this CPE, mitigation measures from the Market and Octavia PEIR are numbered based on the adopted Mitigation Monitoring and Reporting Program for the project; mitigation numbers from the PEIR are also provided for reference. Mitigation Measure C1 is Mitigation Measure 5.6.A1 in the PEIR.

¹⁰ Mitigation Measure C2 is Mitigation Measure 5.6.A2 in the PEIR.

¹¹ Mitigation Measure C3 is Mitigation Measure 5.6.A3 in the PEIR.

¹² Mitigation Measure C4 is Mitigation Measure 5.6.A4 in the PEIR.

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

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

With implementation of **Project Mitigation Measure 1: Archeological Mitigation Measure I (Accidental Discovery)**, project impacts related to archeological resources would be less than significant. With compliance with Project Mitigation Measure 1, the proposed project would not result in significant impacts that were not identified in the Market and Octavia PEIR related to archeological resources. For these reasons, the proposed project would not result in significant impacts on archeological resources that were not identified in the Market and Octavia PEIR.

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>
4. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 4c is not applicable. Similarly, consistent with the Market and Octavia PEIR, topic 4d is not applicable because the project does not include design features that would be expected to result in particular safety hazards or introduce incompatible uses.

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

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

The Market and Octavia PEIR identified significant traffic impacts related to the Plan growth at seven intersections, and one transit impact. In the vicinity of the proposed project, the Market and Octavia PEIR identified traffic impacts related to Plan Area growth at the intersections of Market/Sanchez/Fifteenth Streets (375 feet east of the project site) and Market/Church/14th Streets (approximately ¼ mile east of the project site). The other five intersections (Hayes/Gough Streets, Hayes/Franklin Streets, Laguna/Market/Hermann/Guerrero Streets, Mission Street/Otis Street/South Van Ness Avenue, and Hayes Street/Van Ness Avenue intersections) are located a further distance (1/2 mile to 1 mile) away. The Market and Octavia PEIR identified a significant and unavoidable cumulative transit delay impact to the 21 Hayes route during the weekday PM peak hour. This transit impact was a result of the increased vehicle delay along Hayes Street from Van Ness Avenue to Gough Street due to the proposed reconfiguration of Hayes Street included in the Plan.

The PEIR identified eight transportation mitigation measures—involving plan-level traffic management strategies; intersection and roadway improvements; and transit improvements—to be implemented by the Planning Department, the SFPW, and the SFMTA. The PEIR did not identify project-level transportation mitigation measures to be implemented by project sponsors for future development under the Market and Octavia Area Plan. Therefore, PEIR Mitigation Measures D1 through D6 would not be applicable to the proposed project. Mitigation Measures D7 and D8 related to changes at Hayes Street and Van Ness Avenue for traffic and transit impacts were not adopted as part of the PEIR, and would therefore not be applicable to any projects in the Plan Area. The PEIR determined that, even with implementation of the identified plan-level mitigation measures, the significant adverse effects at the seven intersections and the cumulative impacts on certain transit lines, including the 21 Hayes, resulting from delays at several Market Street intersections could not be fully mitigated. These impacts were found to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the approval of the Market and Octavia Ara Plan on August 7, 2008. The following is an analysis of the project's potential contribution to these significant and unavoidable impacts identified in the PEIR.

As discussed on page 20, above, parking effects of the project are not to be considered significant impacts on the environment. The transportation analysis accounts for potential secondary effects from a parking shortfall, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

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

Trip Generation

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

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

Traffic

The proposed project's vehicle trips (21 p.m. peak hour vehicle trips) would travel through the intersections surrounding the project block and on streets in the project vicinity. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with long delays; LOS A through D are considered acceptable operational levels in San Francisco.

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

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

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

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

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

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

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

Sources: Market Octavia FEIR, Chapter 4.7 Transportation Impacts

Under Cumulative conditions, the Market-Octavia Plan EIR analysis determined that the Plan Area growth contributions to the Market/Sanchez/15th Street and Market/Church/14th Street intersections operating at LOS E would be considered significant during the PM peak hour. The Market and Octavia PEIR proposed specific mitigation measures for the Market/Church/14th streets intersection and Market/Sanchez/15th Street intersections (PEIR Measures D5¹⁷ and D4,¹⁸ respectively) that included minor changes to signal timing, and the addition of a right-turn pocket on the westbound approach on 15th Street for the Market/Sanchez/15th Street intersection. However, the PEIR concluded that the feasibility of implementing these measures could not be fully assessed at that time, because implementation of the signal timing changes would be dependent on later assessments by SFMTA of transit and traffic coordination along Market Street to ensure that the changes would not substantially affect Muni bus operations, signal progressions, pedestrian minimum green time requirements, and programming limitations of signals. Consequently, the Planning Commission adopted a Statement of Overriding Considerations, acknowledging that implementation of the Plan growth would create a significant and unavoidable cumulative traffic impact at both these intersections. The proposed project, as part of this growth, would generate an estimated 21 new p.m. peak hour vehicle trips that could travel through surrounding intersections, including these two intersections operating at LOS E.

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

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

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

¹⁷ Mitigation Measure D5 is Mitigation Measure 5.7.E in the PEIR.

¹⁸ Mitigation Measure D4 is Mitigation Measure 5.7.D in the PEIR.

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

Transit

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

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

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

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

Construction

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

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

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

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

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

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

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

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

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

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

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

Construction Impacts

The Market and Octavia PEIR noted that the background noise level in San Francisco is elevated primarily due to traffic noise, and that some streets have higher background sound levels, such as Market Street. The PEIR identified an increase in the ambient sound levels during construction, dependent on the types of construction activities and construction schedules, and noise from increased traffic associated with construction truck trips along access routes to development sites. The PEIR determined that compliance with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) would reduce construction noise impacts to less-than-significant levels. Existing ambient noise in the vicinity of the project site was assessed in the noise study completed for the proposed project.¹⁹ The noise environment at the site is predominantly controlled by vehicular traffic along adjacent streets, in

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

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

Construction of the proposed project is anticipated to occur over 18 months. The proposed project would involve the installation of a conventional spread footing foundation with micro-piles along the front of the existing building. Therefore, while pile-driving is not proposed, other construction techniques used would result in increased noise. All construction activities for the proposed project would be subject to and would comply with the Noise Ordinance, which requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA²⁰ at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works or the Director of DBI to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of the Public Works authorizes a special permit for conducting the work during that period.

The closest noise sensitive receptors are residential uses along 15th Street and the adjacent motel use to the east along Market Street. Even though the project construction activities would be subject to and would comply with the Noise Ordinance, construction noise may at times interfere with indoor activities in nearby residences and businesses near the project site, and may be considered an annoyance by occupants of nearby properties. However, the increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the San Francisco Noise Ordinance.

Operational Impacts

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

Based on expected implementation of the noise study recommendations with respect to controlling exterior noise intrusion, acceptable interior noise levels would be attained by the proposed project. During review of the building permit, DBI would review project plans for compliance with applicable noise standards in Title 24. Compliance with applicable standards and with the City's General Plan would ensure that effects from exposure to ambient noise would result in less-than-significant impacts.

²⁰ 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).

²¹ San Francisco Planning Department, *San Francisco General Plan, Environmental Protection Element, Policy 11.1, Land Use Compatibility Chart for Community Noise*. Last amended December 2009. Available at http://www.sf-planning.org/ftp/general_plan/16_Environmental_Protection.htm, accessed December 4, 2015.

To achieve the objectives of the San Francisco General Plan Environmental Protection Element pertaining to lessening noise intrusion and development of appropriate uses that are compatible with the noise guidelines (Objectives 10 and 11), projects that are in noisy areas should protect open space, to the maximum feasible extent, from existing ambient noise levels. The noise study found that because the Fifth floor open space is completely shielded from the adjacent roadways, the proposed design provides at least 10 db of acoustical shielding, which would represent a 50% reduction in perceived noise levels. Therefore, the study did not recommend any further measures related to open space noise shielding.

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems. The project does not include a back-up diesel generator. The operation of mechanical equipment would be subject to Section 2909 of the San Francisco Noise Ordinance. The proposed project would comply with Article 29, Section 2909, by including acoustical construction improvements to achieve an interior day-night equivalent sound level of 45 A-weighted decibels (dBA). Compliance with Article 29, Section 2909, would minimize noise from building operations. Therefore, noise effects related to building operation would be less than significant, and the proposed project would not contribute, to a considerable increment, to any cumulative noise impacts from mechanical equipment.

As discussed above, ambient noise levels in San Francisco are largely influenced by traffic. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3-dB increase). As described in Section 4, Transportation, during the PM peak hour the proposed project would generate 21 net new vehicle-trips. Even if all of the 21 net new PM peak-hour vehicle trips associated with the proposed project are added to a single street such as Market Street or 15th Street, the proposed project would not double the traffic volumes along these streets. Therefore, the proposed project would not result in a perceptible noise increase from project-related traffic.

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

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

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

Construction

Market and Octavia PEIR Mitigation Measure E1 – Construction Mitigation Measure for Particulate Emissions, requires that individual projects involving construction activities include dust control measures.²² The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work, to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions.

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

Criteria Air Pollutants

Market and Octavia PEIR identified Mitigation Measure E2 – Construction Mitigation Measure for Short-Term Exhaust Emissions, which requires construction equipment to be maintained and operated so as to minimize exhaust emissions of particulates and other pollutants. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the excavation phase, or approximately four months of the anticipated 18-month construction period. The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria²³ for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria as it would not exceed the

²² Mitigation Measure E1 is Mitigation Measure 5.8.A in the Market and Octavia PEIR.

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