



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Community Plan Evaluation

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

*Case No.:* 2015-002825ENV  
*Project Address:* 1965 Market Street/255-291 Duboce Avenue  
*Zoning:* NCT-3 (Moderate Scale Neighborhood Commercial Transit District)  
RTO (Residential Transit Oriented District)  
40-X, 50-X, 85-X  
*Block/Lot:* 3534/058, 059, 061, 062  
*Lot Size:* 16,823 square feet  
*Plan Area:* Market and Octavia Area Plan  
*Project Sponsor:* Keller Grover Properties, LLC, Contact: David Prowler, 415-544-0445  
*Staff Contact:* Alana Callagy, 415-575-8734, alana.callagy@sfgov.org

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### PROJECT DESCRIPTION

The project site totals 16,823 square feet and is currently composed of one existing two- and three-story building at 1965 Market Street, with retail (3,760 square feet) and commercial office (10,000 square feet) uses, and a surface parking lot. The existing surface lot contains 25 off-street parking spaces. The proposed project would merge the four lots comprising the project site into one lot.

The 2011 Inner Mission North historic resources survey considers the existing building at 1965 Market Street an individually eligible historic resource.<sup>1</sup> The proposed project would retain the 1965 Market Street building's historically significant façade, stylistically distinct materials, features, roof line, and wall openings, and portions of the existing building interior. Within the retained façade and preserved interior, non-original, incompatible alterations presently obscuring the building's character-defining features would be removed where possible.

### CEQA DETERMINATION

The project is eligible for streamlined environmental review 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.

  
\_\_\_\_\_  
LISA M. GIBSON  
Environmental Review Officer

11/16/17  
\_\_\_\_\_  
Date

cc: David Prowler for Keller Grover Properties LLC, Project Sponsor; Supervisor Jeff Sheehy, District 8; Elizabeth Gordon Jonckheer, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

<sup>1</sup> San Francisco Planning Department, *Inner Mission North Historic Resources Survey*, 2011. On file with City and County of San Francisco Planning Department.

## PROJECT DESCRIPTION (continued)

The proposed project would include a vertical addition of four to five floors of residential dwelling units above a portion of the existing building to a total height of 75 feet (approximately 85 feet tall with rooftop structures), set back from the historic façade by 35 feet along Market Street and 15.5 feet along Duboce Avenue. The proposed project would retain 3,760 square feet of retail use at the ground floor level. The proposed project would construct a new eight-story 85-foot tall (approximately 95 feet tall with rooftop structures) residential building on the existing surface parking lot and interconnect to the new existing building addition. The project proposes a total of 96 dwelling units (52 one-bedroom, 44 two-bedroom), including 14 on-site affordable units.

The seven-story portion of the proposed project is below the applicable 85-foot height limit along Market Street. The height of the eight-story residential building element would exceed the 50-foot height limit along Duboce Avenue by approximately 35 feet. The state density bonus law (California Government Code sections 65915-65918), as implemented by planning code section 206.6, permits project sponsors to select waivers or concessions from local development standards if a certain percentage of affordable units are included in the project. Under the state density bonus law, the proposed project is seeking one development standard waiver: an increase in the height limit from 50 to 85 feet along Duboce Avenue.

The retained historic features of the 1965 Market Street building would contain the primary points of entry for the residential building (i.e., the residential entrance and lobby on Duboce Avenue) and a corner-anchoring neighborhood retail space along Market Street. The new extended portion of the building, eastward along Duboce Avenue would include residential stoops connecting directly with the sidewalk.

A below-grade parking garage would be accessible from a curb cut on Duboce Avenue. A total of 48 off-street vehicle parking spaces would be provided for residential use in the proposed basement-level garage, including 42 spaces in mechanical stackers, three additional standard spaces not in stackers, two *Americans with Disabilities Act* spaces, and one car share parking space. A *class 1* bicycle storage facility and bicycle repair station in the garage would provide parking for at least 97 bicycles. Additional bicycle parking spaces (16 *class 2* spaces in sidewalk racks) would be provided near pedestrian entrances on Market Street and Duboce Avenue. Commercial loading would be accommodated on-street in a proposed commercial loading (yellow curb) zone along the Duboce Avenue frontage.<sup>2</sup> Pedestrian loading would be accommodated on-street in a proposed passenger loading (white curb) zone also along the Duboce Avenue frontage.

## PROJECT APPROVAL

Conditional use authorization is being sought to allow for development of a lot larger than 10,000 square feet in the NCT-3 zoning district and for the merger of lots creating a lot greater than 5,000 square feet in the RTO zoning district. The San Francisco Planning Commission action on the conditional use authorization would constitute the *approval action* for the proposed project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

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<sup>2</sup> Section 155.1(a) of the planning code defines class 1 bicycle spaces as "spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees" and defines class 2 bicycle spaces as "spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use."

## COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code section 21083.3 and CEQA Guidelines section 15183 provide that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific 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 1965 Market Street/255-291 Duboce Avenue project described above, and incorporates by reference information contained in the Programmatic EIR for the Market and Octavia Area Plan (PEIR).<sup>3</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Market and Octavia PEIR. This analysis is contained in the project-specific initial study prepared for the project, which is available for review on the planning department website: <http://www.sf-planning.org/cpe>.

On April 5, 2007, the San Francisco Planning Commission certified the Market and Octavia PEIR by motion 17406.<sup>4,5</sup> The Market and Octavia PEIR analyzed amendments to the San Francisco General Plan to create the Market and Octavia Area Plan and amendments to the planning code and zoning maps, including the creation of the NCT-3 (Moderate Scale Neighborhood Commercial Transit) and RTO (Residential Transit Oriented) districts. The Market and Octavia PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the Market and Octavia Area Plan. The proposed 1965 Market Street/255-291 Duboce Avenue project is in conformance with the density established for the site under the Market and Octavia Area Plan<sup>6</sup> 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 1965 Market Street/255-291 Duboce Avenue project.

NCT-3 districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. NCT-3 districts support neighborhood-serving commercial uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The district's form can be

<sup>3</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

<sup>4</sup> San Francisco Planning Department, Market and Octavia Area Plan Final Environmental Impact Report, Case No. 2003.0347E, certified April 5, 2007. This document is available online at [www.sfplanning.org/index.aspx?page=1714](http://www.sfplanning.org/index.aspx?page=1714), accessed January 6, 2016.

<sup>5</sup> San Francisco Planning Commission Motion No. 17406, April 5, 2007. Available online at: <http://www.sfplanning.org/Modules/ShowDocument.aspx?documentid=568>, accessed January 6, 2016.

<sup>6</sup> The proposed project's bulk and density are consistent with that permitted under the NCT-3 district and is permitted under the RTO district in combination with the density bonus requested by the sponsor under California Government Code sections 65915-65918, as implemented by planning code section 206.6.

either linear along transit-priority corridors, concentric around transit stations, or broader areas where transit services criss-cross the neighborhood. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Residential parking is not required and generally limited. Commercial establishments are discouraged or prohibited from building accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic. There are prohibitions on access (i.e., driveways, garage entries) to off-street parking and loading on critical stretches of neighborhood commercial and transit streets to preserve and enhance the pedestrian-oriented character and transit function.

RTO districts are intended to recognize, protect, conserve, and enhance areas characterized by a mixture of houses and apartment buildings, covering a range of densities and building forms. RTO districts are composed of multi-family, moderate-density areas that are well served, within short walking distance of transit and neighborhood commercial areas. Limited small-scale neighborhood-oriented retail and services is common and permitted throughout the neighborhood on corner parcels to provide goods and services to residents within walking distance, but the districts are otherwise residential. The overall residential density is regulated by the permitted and required height, bulk, setbacks, and open space of each parcel, along with residential design guidelines. Because of the high availability of transit service and the proximity of retail and services within walking distance, many households do not own cars; it is common that not every dwelling unit has a parking space, and overall off-street residential parking is limited. In RTO districts, open space is provided on-site, in the form of rear yards, decks, balconies, roof-decks, and courtyards, and is augmented by nearby public parks, plazas, and enhanced streetscapes.

In May 2008, subsequent to the certification of the Market and Octavia PEIR, the board of supervisors approved and the mayor signed into law revisions to the planning code, zoning maps, and general plan that constituted the "project" analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls, which allow for flexible types of new housing to meet a broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable neighborhoods meeting everyday needs. The Market and Octavia Area Plan, as evaluated in the Market and Octavia PEIR and as approved by the board of supervisors, in concert with the state density bonus accommodates the proposed use, design, and density of the 1965 Market Street/255-291 Duboce Avenue project.

Individual projects that could occur in the future under the Market and Octavia Area 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 1965 Market Street/255-291 Duboce Avenue 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 1965 Market Street/255-291 Duboce Avenue project, and identified the mitigation measures applicable to the 1965 Market Street/255-291 Duboce Avenue project. The proposed project is also consistent with the zoning controls and the provisions of the planning code applicable to the project site.<sup>7,8</sup> Therefore, no further CEQA evaluation for the 1965 Market

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<sup>7</sup> Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 1965 Market Street, October 26, 2017.

Street/255-291 Duboce Avenue project is required. Overall, the Market and Octavia PEIR and this Certificate of Determination for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site is located on the southern side of Duboce Avenue at the corner of Duboce Avenue and Market Street, between Market Street and Guerrero Street, Lots 58, 59, 61, and 62 of Assessor's Block 3534. The parcel includes the addresses 1965 Market Street, and 255, 263, 275-277, and 291-293 Duboce Avenue.

The project site is within both the NCT-3 district and the 40- and 85-X height and bulk districts (1965 Market Street); and, the RTO district and 50-X height and bulk district (255, 263, 275-277, and 291-293 Duboce Avenue). The property is within the boundaries of the Market and Octavia Area Plan.

The project site is within the Mission neighborhood and borders the Western Addition and Castro/Upper Market Street neighborhoods. The project site is located next to a Pet Food Express, across Dolores Avenue from a Whole Foods Market (grocery), and across Market Street from a Safeway shopping center (grocery). Across Market Street to the north is an eight story, 115-unit residential building, farther to the west is the U.S. Mint. To the east of the project site along the southern side of Duboce Avenue is a mix of two to four story residential buildings. To the south of the project site is a mix of two to four story residential development, including units along Clinton Park that border to the rear of the project site. On the northern side of Duboce Avenue to the east of the project are one to two story commercial buildings and a two story residential building. Along Market Street parcels are zoned for heights up to 85 feet. Along Duboce Avenue, parcels are zoned for heights up to 50, 60/65, and 80 feet.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Market and Octavia PEIR analyzed 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 archeological) resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; biology; and growth inducement. The proposed 1965 Market Street/255-291 Duboce Avenue project is in conformance with the density established for the site under the Market and Octavia Area Plan and would represent a small part of the growth that was forecast for the plan area. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 1965 Market Street/255-291 Duboce Avenue 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.

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeology, transportation, air quality, hazardous materials, and geology. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations Plaza) and transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21-Hayes Muni line). A shadow fan analysis prepared by the planning department determined that the proposed project would not substantially affect any public parks or open spaces due to shade.<sup>9</sup> Therefore, the proposed project would

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<sup>8</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1965 Market Street, October 11, 2017.

<sup>9</sup> San Francisco Planning Department, Shadow Fan Analysis for 1965 Market Street, August 15, 2017.

not contribute to the significant and unavoidable shadow impacts identified in the Market and Octavia PEIR. In response to state legislation that called for removing automobile delay from CEQA analysis, the San Francisco Planning Commission adopted resolution 19579 replacing automobile delay with a *vehicle miles traveled* (VMT) metric for analyzing traffic impacts of a project. Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are no longer applicable. The analysis for the proposed project determined that the project would not cause substantial additional VMT or transit impacts and would not substantially contribute to the impacts on the 21-Hayes Muni line identified in the Market and Octavia PEIR because that route does not run near the project site, which is well-served by other transit lines. Therefore, the project would not contribute to significant and unavoidable impacts identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **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.

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

Mitigation Measure	Applicability	Compliance
<b>A. Shadow</b>		
A1. Parks and Open Space Not Subject to Section 295	Applicable: Project exceeds a height of 50 feet.	<b>Completed:</b> The planning department generated a shadow fan and determined that the proposed project would not result in shadow that would substantially affect any public parks or open spaces.
<b>B. Wind</b>		
B1: Buildings in Excess of 85 Feet in Height	Applicable: Project involves new construction of an 85-foot-tall (up to 100 feet with rooftop equipment) building.	<b>Completed:</b> The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions, as demonstrated in the submitted <i>wind analysis</i> .
B2: All New Construction	Applicable: Project involves new construction.	<b>Completed:</b> The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions, as demonstrated in the submitted wind analysis.

Mitigation Measure	Applicability	Compliance
<b>C. Archeological Resources</b>		
C1: Soil-Disturbing Activities in Archeologically Documented Properties	Not Applicable: Project site is not an archeologically documented property.	Not Applicable
C2: General Soil-Disturbing Activities	Applicable: Project would include soil-disturbing activities.	The planning department has conducted a <i>preliminary archeological review</i> . The project sponsor has agreed to implement a mitigation measure related to the accidental discovery of archeological resources (see Project Mitigation Measure 1).
C3: Soil-Disturbing Activities in Public Street and Open Space Improvements	Not Applicable: Project would not include soil-disturbing activities associated with public street or open space improvements.	Not Applicable
C4: Soil-Disturbing Activities in the Mission Dolores Archeological District	Not Applicable: Project site is not in the <i>Mission Dolores Archeological District</i> .	Not Applicable
<b>D. Transportation</b>		
D3: Traffic Mitigation Measure for Laguna/Market/Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour)	Not Applicable: Automobile delay removed from CEQA analysis.	Not Applicable
D4: Traffic Mitigation Measure for Market/Sanchez/Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour)	Not Applicable: Automobile delay removed from CEQA analysis.	Not Applicable
D5: Traffic Mitigation Measure for Market/Church/Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)	Not Applicable: Automobile delay removed from CEQA analysis.	Not Applicable
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: Automobile delay removed from CEQA analysis.	Not Applicable

Mitigation Measure	Applicability	Compliance
<b>E. Air Quality</b>		
E1: Construction Mitigation Measure for Particulate Emissions	Not Applicable: Superseded by construction dust control ordinance.	Not Applicable
E2: Construction Mitigation Measure for Short-Term Exhaust Emissions	Applicable: Project site is in an air pollutant exposure zone.	The project sponsor has agreed to comply with engine requirements and develop and implement a <i>construction emissions minimization plan for health risks and hazards</i> (see Project Mitigation Measure 2).
<b>F. Hazardous Materials</b>		
F1: Program- or Project-Level Mitigation Measures	Not Applicable: Superseded by construction dust control ordinance and federal, state, and local regulations related to abatement and handling of hazardous materials.	Not Applicable
<b>G. Geology, Soils, and Seismicity</b>		
G1: Construction-Related Soils Mitigation Measure	Not Applicable: Superseded by San Francisco Public Utilities Commission's construction site runoff ordinance (San Francisco Public Works Code, ordinance 260-13).	Not Applicable

Please see the attached *Mitigation Monitoring and Reporting Program* 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.

#### **PUBLIC NOTICE AND COMMENT**

A "Notification of Project Receiving Environmental Review" was mailed on August 2, 2017 to adjacent occupants and 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. Three emails with written comments and three phone calls were received in response to the notice. In total, five commenters responded (one commenter sent both an email and called to give comments). The comments received identified concerns related to building height, traffic and circulation, noise, and construction-period air quality, noise, and waste impacts. 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 and Octavia PEIR.



## CONCLUSION

As summarized above and further discussed in the project-specific initial study:<sup>10</sup>

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

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

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<sup>10</sup> The initial study is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2015-002825ENV.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
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**MITIGATION MEASURES AGREED TO BY THE PROJECT SPONSOR**

**ARCHEOLOGICAL RESOURCES**

***Project Mitigation Measure 1: Accidental Discovery (Implementing Market and Octavia PEIR Mitigation Measure C2)***

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

Project sponsor	Prior to any soil disturbing activities	Distribute planning department archeological resource "ALERT" sheet to prime contractor, sub-contractors and utilities firms.	Project sponsor, archaeologist and environmental review officer (ERO)	Prior to any soil disturbing activities
Project sponsor	Accidental discovery	Suspend any soils disturbing activity.	Notify ERO of accidental discovery	Upon encountering discovery

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>additional measures should be undertaken.</p> <p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the planning department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>	Project sponsor	In case of accidental discovery	If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained. Identify and evaluate archeological resources	Make recommendation to the ERO	Upon determination by ERO that an archeological resource may be present
<p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the environmental planning division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	Project sponsor		After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.	Implementation of Archeological measure required by ERO.	Upon determination by ERO
<p>The project archeological consultant shall submit a final <i>archeological resources report</i> to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	Project sponsor		Following completion of any* archeological field program. (* required.)	Submittal of draft/final archeological resources report to ERO.	

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<ul style="list-style-type: none"> <li>Copies of the draft archeological resources report shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the final report shall be distributed as follows: California Archaeological Site Survey Northwest Information Center shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the final report to the Northwest Information Center. The Environmental Planning division of the planning department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD of the final report along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</li> </ul>	Project sponsor		Distribution of Final archeological resources report.		Considered complete
<p style="text-align: center;"><b>AIR QUALITY</b></p> <p style="text-align: center;"><b><i>Project Mitigation Measure 2: Construction Air Quality (Implementing Market and Octavia PEIR Mitigation Measure E2)</i></b></p> <p>The project sponsor or the project sponsor's contractor shall comply with the following:</p> <p>A. <i>Engine Requirements.</i></p> <p>1. All off-road equipment greater than 25 horse power and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency or California Air Resources Board tier 2 off-road emission standards, and have been retrofitted with an air board level 3 verified diesel emissions control strategy. Equipment with engines meeting "tier 4 interim" or "tier 4 final" off-road emission standards automatically meet</p>					
	Project sponsor and construction contractor(s)	Prior to the start of and during construction activities using diesel equipment	Compliance with terms of the measure	Project sponsor/contractor(s), planning department, ERO to review and approve health risk assessment, or other appropriate analysis.	Considered complete upon submittal of certification statement.

MONITORING AND REPORTING PROGRAM

Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
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Adopted Mitigation Measures

this requirement.

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

1. The planning department's ERO may waive the alternative source of power requirement of subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the environmental review officer (ERO) grants the waiver, the contractor must submit documentation that the equipment used for onsite power generation meets the requirements of subsection (A)(1).
2. The ERO may waive the equipment requirements of subsection (A)(1) if: a particular piece of off-road equipment with an air board level 3 emissions control is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an air board level 3 emissions control. If the ERO grants the waiver,

MONITORING AND REPORTING PROGRAM

Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
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Adopted Mitigation Measures

the contractor must use the next cleanest piece of off-road equipment, according to table below.

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

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

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

\* California Air Resource Board verified diesel emissions control strategy level or alternative fuels, which is not an emissions control.

- C. *Construction Emissions Minimization Plan*. Before starting onsite construction activities, the contractor shall submit a construction emissions minimization plan to the ERO for review and approval. The plan shall state, in reasonable detail, how the contractor will meet the requirements of section A.
- The plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment

Project sponsor, contractor(s)	Project sponsor, contractor(s)	Prepare and submit a construction emissions minimization plan to the ERO	Project sponsor, contractor(s)	Considered complete upon findings by the ERO that the plan is complete.
Project sponsor, contractor(s)	Project sponsor, contractor(s)	Prepare and submit a construction emissions minimization plan to the ERO	Project sponsor, contractor(s)	Considered complete upon findings by the ERO that the plan is complete.

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>identification number, engine model year, engine certification (tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For emissions control installed, the description may include: technology type, serial number, make, model, manufacturer, air board verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>2. The project sponsor shall ensure that all applicable requirements of the plan have been incorporated into the contract specifications. The plan shall include a certification statement that the contractor agrees to comply fully with the plan.</p> <p>3. The contractor shall make the plan available to the public for review onsite during working hours. The contractor shall post at the construction site a legible and visible sign summarizing the plan. The sign shall also state that the public may ask to inspect the plan for the project at any time during working hours and shall explain how to request to inspect the plan. The contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p>	<p>Project sponsor, contractor(s)</p>	<p>Quarterly</p>	<p>Prepare and submit reports.</p>	<p>Project sponsor, contractor(s)</p>	<p>Considered complete upon findings by the ERO that he plan is being/has been implemented.</p>
<p>D. <i>Monitoring.</i> After start of construction activities, the contractor shall submit quarterly reports to the ERO documenting compliance with the construction emissions minimization plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the plan.</p>	<p>Project sponsor, contractor(s)</p>	<p>Quarterly</p>	<p>Prepare and submit reports.</p>	<p>Project sponsor, contractor(s)</p>	<p>Considered complete upon findings by the ERO that he plan is being/has been implemented.</p>

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
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**IMPROVEMENT MEASURES AGREED TO BY THE PROJECT SPONSOR**

*Project Improvement Measure 1: Queue Abatement*

As an improvement measure to minimize the vehicle queues at the project driveway into the public right-of-way, the project would be subject to the planning department's vehicle queue abatement conditions of approval:

It will be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility will employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the planning director, or his or her designee, suspects that a

Owner/operator, planning department	Project operation	Conduct queue monitoring and/or implement queue abatement methods	Project sponsor to implement in consultation with the planning department	Throughout project operation
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MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>recurring queue is present, the department will notify the property owner in writing. Upon request, the owner/operator will hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant will prepare a monitoring report to be submitted to the department for review. If the department determines that a recurring queue does exist, the facility owner/operator will have 90 days from the date of the written determination to abate the queue.</p>					
<p><b><i>Project Improvement Measure 2: Reserve Temporary "No Parking" or "No Stopping" Signs for Large Trucks</i></b></p>					
<p>To ensure the availability of curb space for large truck (i.e., semi-truck) deliveries, the commercial tenant/building management will request temporary tow away no stopping signage and reserve the necessary curb space for all large truck deliveries. The commercial tenant/building management will follow San Francisco Municipal Transportation Agency's (SFMTA) application process for temporary signage. The process and applicable fees are outlined on the program website: <a href="https://www.sfmta.com/services/streets-sidewalks/temporary-signage">https://www.sfmta.com/services/streets-sidewalks/temporary-signage</a>.</p>	Owner/operator	Project operation	As specified in measure	Project sponsor to implement in consultation with the planning department and SFMTA	Throughout project operation
<p>To minimize the disruption of the flow of traffic and transit vehicles on adjacent streets, the commercial tenant/building management will work with delivery providers and, to the extent possible, schedule deliveries to occur during off-peak hours or on weekends.</p>					
<p>The commercial tenant/building management will instruct delivery services that trucks are not permitted to stop on Market Street, or to impede the movement of transit vehicles, other vehicles, or bicycles. Freight loading/service vehicles will be discouraged from parking illegally or obstructing traffic, transit, bicycle, or pedestrian flow along Market Street.</p>					
<p><b><i>Project Improvement Measure 3: Schedule and Coordinate Loading Activities</i></b></p>					

MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measures	Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
<p>The commercial tenant/building management will work with delivery providers to schedule and coordinate loading activities to ensure that any freight loading/service vehicles can be accommodated either in the proposed on-street or onsite/off-street loading space. Deliveries will be scheduled to minimize loading activities during peak periods and reduce potential for conflicts with traffic, transit, bicyclists, and pedestrians on Duboce Avenue and Market Street.</p> <p>The commercial tenant/building management will monitor loading activity and in the event that the on-street commercial loading zone becomes permanently unavailable, or is consistently occupied, the commercial tenant/building management will work with delivery providers to encourage the use of smaller delivery vehicles that can be accommodated in the onsite/off-street loading space.</p> <p>The commercial tenant/building management will instruct delivery services that trucks are not permitted to stop on Market Street, or to impede the movement of transit vehicles, other vehicles, or bicycles. Freight loading/service vehicles will be discouraged from parking illegally or obstructing traffic, transit, bicycle, or pedestrian flow along Market Street.</p>	Owner/operator	Project operation	As specified in measure	Project sponsor in coordination with planning department	Throughout project operation
<p><b>Project Improvement Measure 4: Construction Management Plan</b></p> <p>The project sponsor and/or construction contractor will develop a construction management plan to minimize potential disruptions to transit, traffic, and pedestrian and bicyclists. The construction management plan will include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> <li>Coordinate with SFMTA, public works, and construction manager(s)/contractor(s) for nearby developments, as applicable, to develop construction phasing and operations plans that would result in the least amount of disruption that is feasible to transit operations, pedestrian and bicycle activity, and vehicular traffic in the area</li> </ul>	Project sponsor	Prior to issuance of demolition and construction permits	Implement construction management plan	Project sponsor in coordination with SFMTA and public works	Considered complete once construction activities are complete

MONITORING AND REPORTING PROGRAM

Responsibility for Implementing	Mitigation Schedule	Mitigation Action	Monitoring/ Reporting Responsibility	Monitoring Schedule
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Adopted Mitigation Measures

- Establish construction phasing/staging schedule and sequence that minimizes impacts of a work zone on traffic by using operationally-sensitive phasing and staging throughout the life of the project
- Coordinate and schedule utilities work to minimize potential work disruptions or interruptions and reduce overall construction duration
- Identify arrival/departure times for trucks and construction workers to avoid peak periods of adjacent street traffic and minimize traffic effects
- Identify optimal truck routes to and from the site to minimize impacts to traffic, transit, pedestrians, and bicyclists
- Encourage construction workers to commute via sustainable means of transportation, including public transit, ridesharing, bicycling, and walking
- Identify off-street parking alternatives for construction workers
- The construction management plan will disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The program will supplement and expand, rather than modify or supersede, any manual, regulations, or provisions set forth by SFMTA, public works, or other city departments and agencies, including the California Department of Transportation (Caltrans).