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Preliminary Mitigated Negative Declaration

Date:	November 10, 2010
Case No.:	**2008.0550E**
Project Title:	**2001 Market Street Mixed-Use Development**
BPA Nos.:	None Filed
Zoning:	NCT-3 (Moderate Scale Neighborhood Commercial Transit District) *85-B and 40-X* Height and Bulk District
Block/Lots:	3535/1 and 2
Site Size:	31,227 square feet
Project Sponsor	Don Bragg, Prado Group, (415) 395-0880
Lead Agency:	San Francisco Planning Department
Staff Contact:	Irene Nishimura – (415) 575-9041 irene.nishimura@sfgov.org

PROJECT DESCRIPTION:

The proposed project is the demolition of three existing two-story buildings totaling 47,133 square feet on two adjoining parcels, and construction of an eight-story, approximately 187,400 gross square feet (gsf) mixed-use building with seven stories of residential units above a first floor grocery store and two basement levels of parking. The project site is on the east side of the block bounded by Market, Dolores, and 14th streets. The new building would have 82 residential units and approximately 31,000 gsf of retail space, with 101 parking spaces on two floors, to serve the retail and residential uses. There would also be an on-site loading dock on 14th Street serving the grocery store. The residential pedestrian entrance would be on Dolores Street approximately 50 feet from the corner of Market Street, and the retail pedestrian entrance would be at the corner of Market and Dolores streets. The garage entrance/exit for the retail parking would be on Dolores Street; the residential parking entrance/exit would be on 14th Street. Conditional Use Authorization is sought for development site size, size of retail space, formula retailer, replacing cellular equipment, demolishing residential units, and a Planned Unit Development (PUD).

FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Focused Initial Study) for the project, which is attached.

Mitigation measures are included in this project to avoid potentially significant effects. See each topic section for its related mitigation measure.

cc: Irene Nishimura, MEA Division
Michael Smith, Neighborhood Planning Division
Supervisor Bevan Dufty, District 8
Dan Safier, Project Sponsor
Virna Byrd, M.D.F./Bulletin Board
Distribution List

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Administrative Draft 2
INITIAL STUDY
(Case No.2008.0550E – 2001 Market Street)

A. PROJECT DESCRIPTION

Project Overview

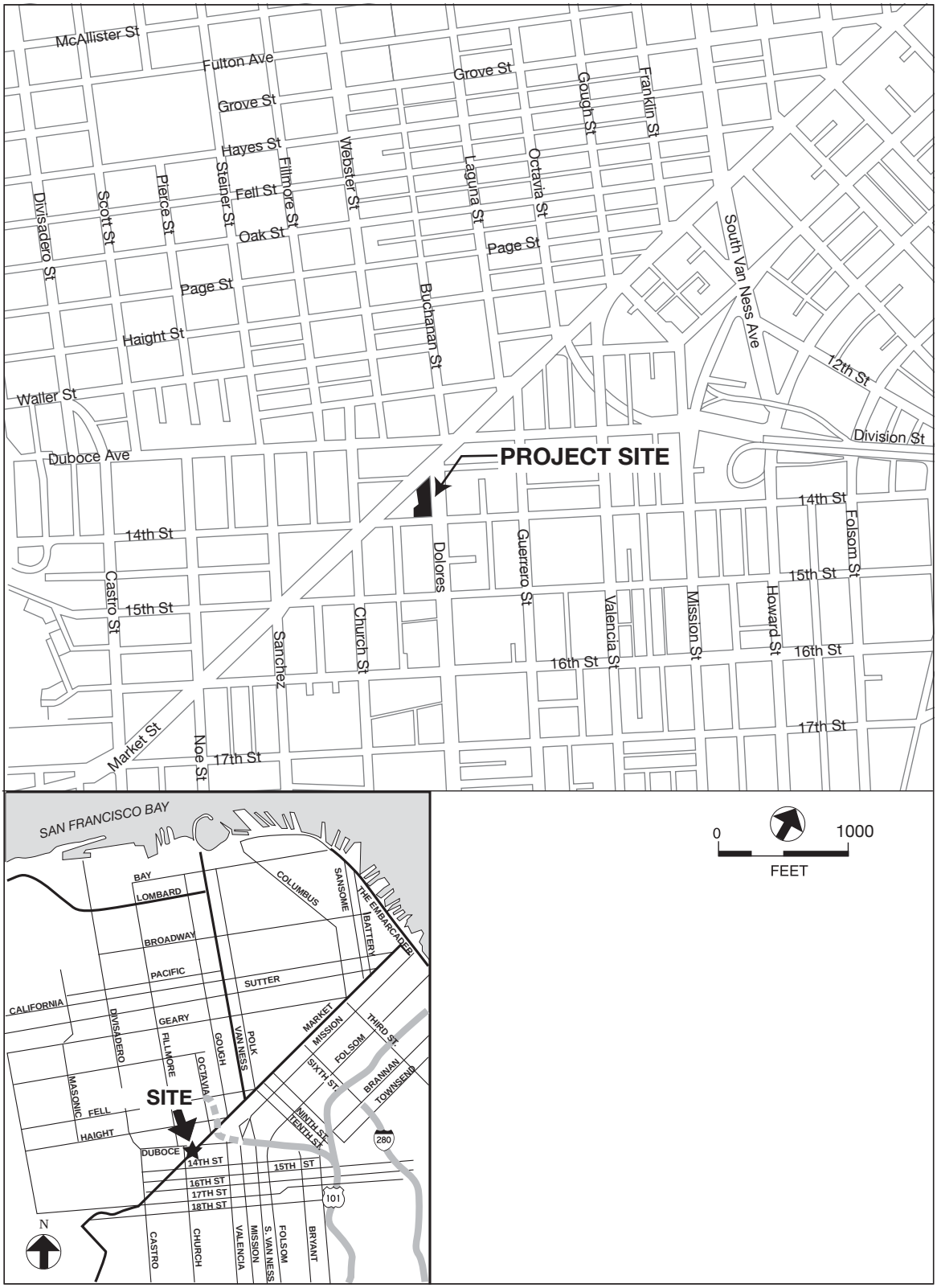
The 2001 Market Street site (the "project site") is located on the east side of a triangular block created by Market Street, Dolores Street, and 14th Street, in San Francisco's Dolores Heights neighborhood, in an area known as Upper Market (see Figure 1: Project Location). There are currently three buildings on the project site: the former S&C Ford dealership building, and two adjacent unoccupied residential buildings at 626-628 14th Street and 632-634 14th Street to the west of the S&C Ford building. The combined area of the three lots would be approximately 47,133 square feet (sq. ft.) (see Figure 2: Existing Site Plan).

Under the proposed project, the existing commercial and residential buildings would be demolished and replaced with a residential building with ground-floor retail/commercial space and two levels of basement parking (see Figure 3: Proposed Site Plan). The proposed building would be eight stories (85 feet) tall, plus an additional ten-foot-tall mechanical penthouse along Market Street and an elevator penthouse along Dolores Street, and would step down to four stories at 14th Street. The top two floors on Dolores Street and on 14th Street would be set back eight feet from the property line. The building would include about 102,400 gross square feet (gsf) of residential space containing 82 residential units on Floors 2 through 8 and a dedicated residential lobby; about 31,000 gsf of commercial space on the first floor (not including the loading dock); and about 52,000 gsf of combined retail and residential parking with up to 101 spaces.[1] The total gross building area would be approximately 187,400 sq. ft. The proposed project would also include private open space in terraces and balconies, and about 8,220 sq. ft of usable common open space in a courtyard on the third floor podium.

Proposed Building Form

The proposed building would be constructed generally along the property lines at the ground level and would have an articulated façade intended to break up the volume of the building into visually smaller-scaled distinct masses. The building would have three sections: the 85-foot tall Market Street

[1] In addition to the 101 car parking spaces, there would be 5 car share spaces and 1 delivery van space.

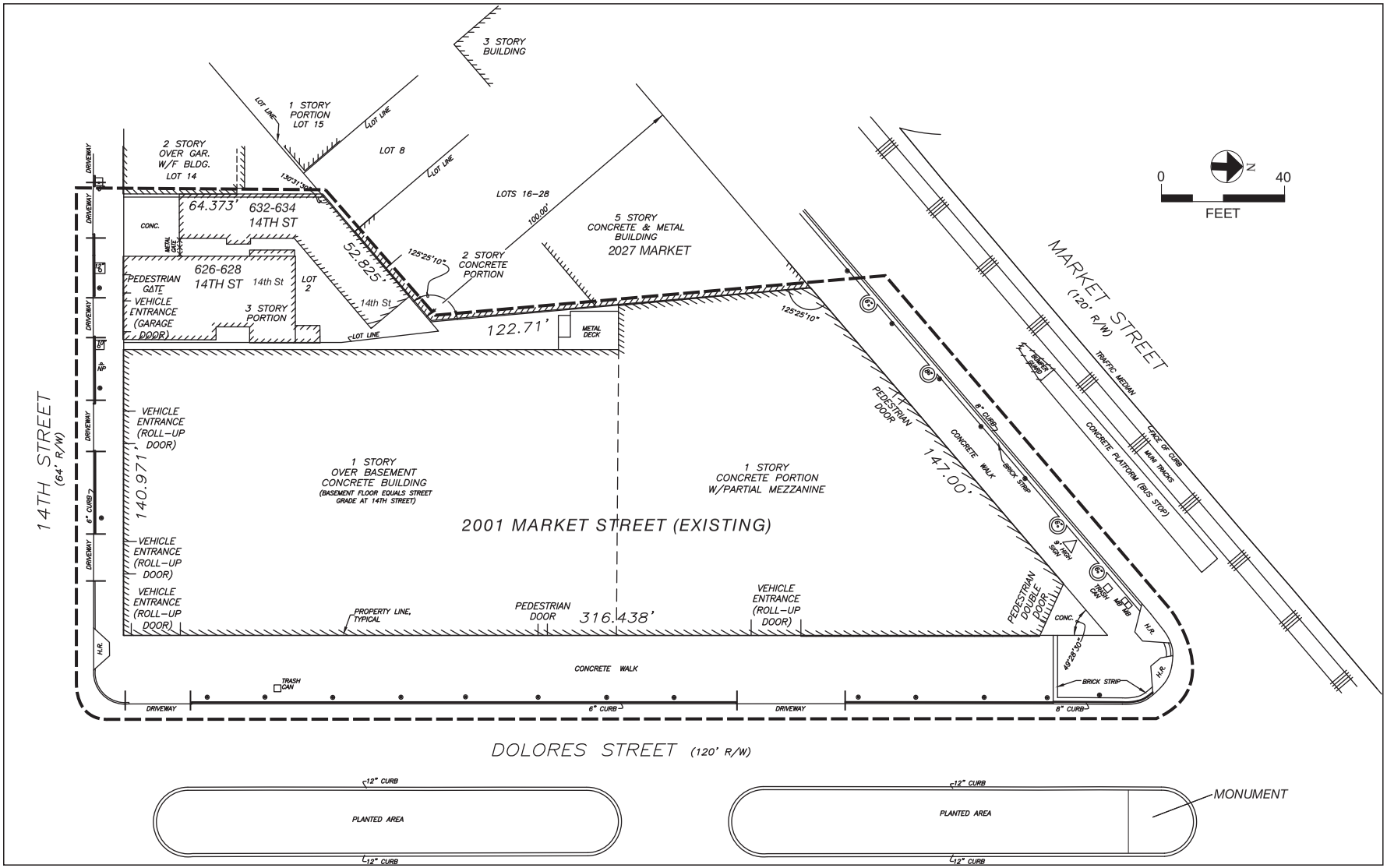


SOURCE: Turnstone Consulting

2001 MARKET STREET

2008.0550

FIGURE 1: PROJECT LOCATION



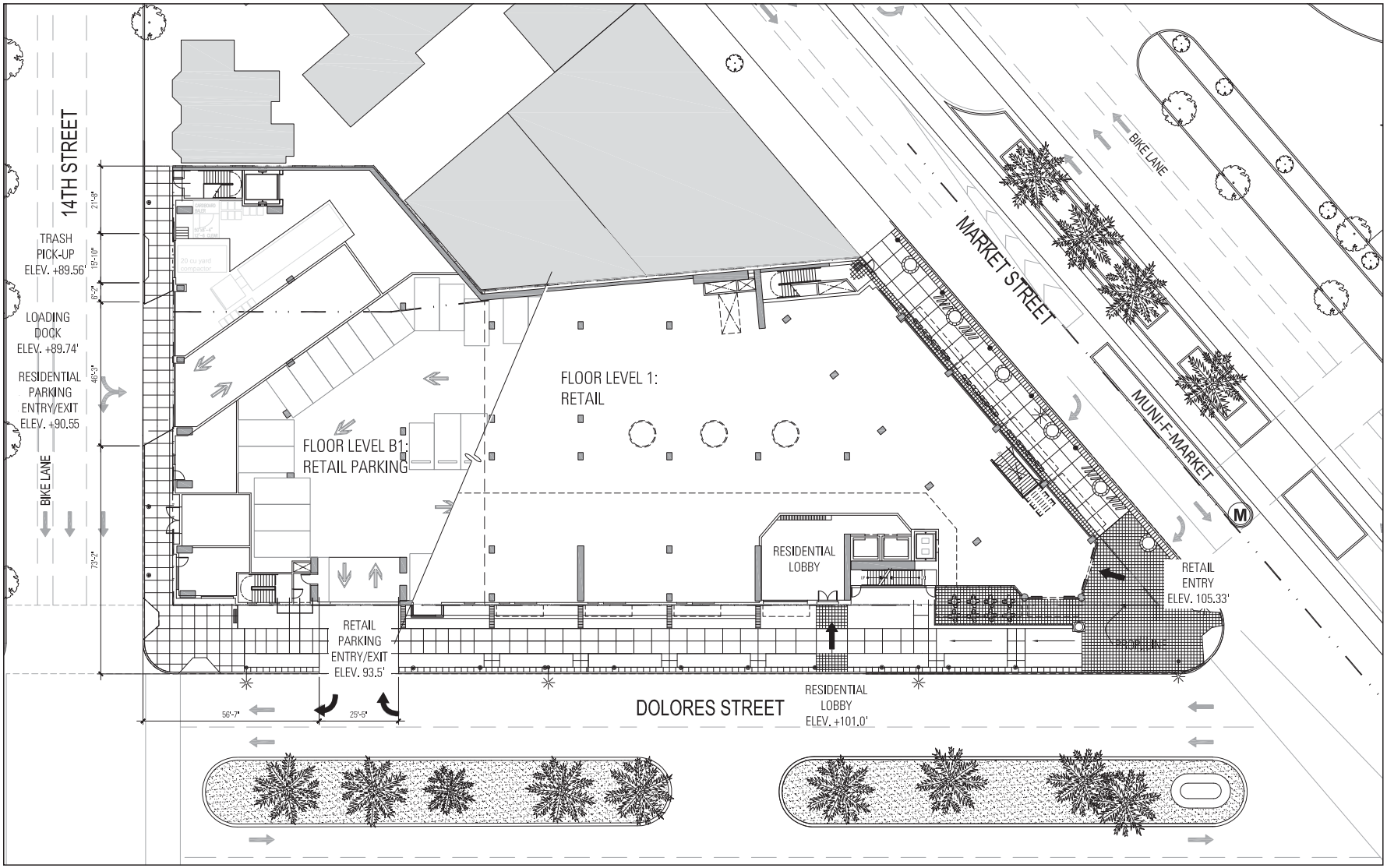
SOURCE: BAR Architects

PROJECT SITE

2001 MARKET STREET

2008.0550

FIGURE 2: EXISTING SITE PLAN



SOURCE: BAR Architects

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2001 MARKET STREET

2008.0550

FIGURE 3: PROPOSED SITE PLAN

section along the north side (the tallest element), the Dolores Street section (85 feet high with an eight-foot setback at 65 feet), and the 14th Street section (four stories tall with an eight-foot setback at the third floor). Each section is designed to be visually distinct from the others. The Market Street section of the proposed building would include a mechanical penthouse, and the Dolores section of the building would include the elevator penthouse. A variety of materials would be used for the building exterior to create vertical separation and to further differentiate the three building sections, which would include brick, tile, metal, glass, and cement plaster. An approximately 8,220 square-foot courtyard on the third floor podium would provide common usable open space for all the residential units.

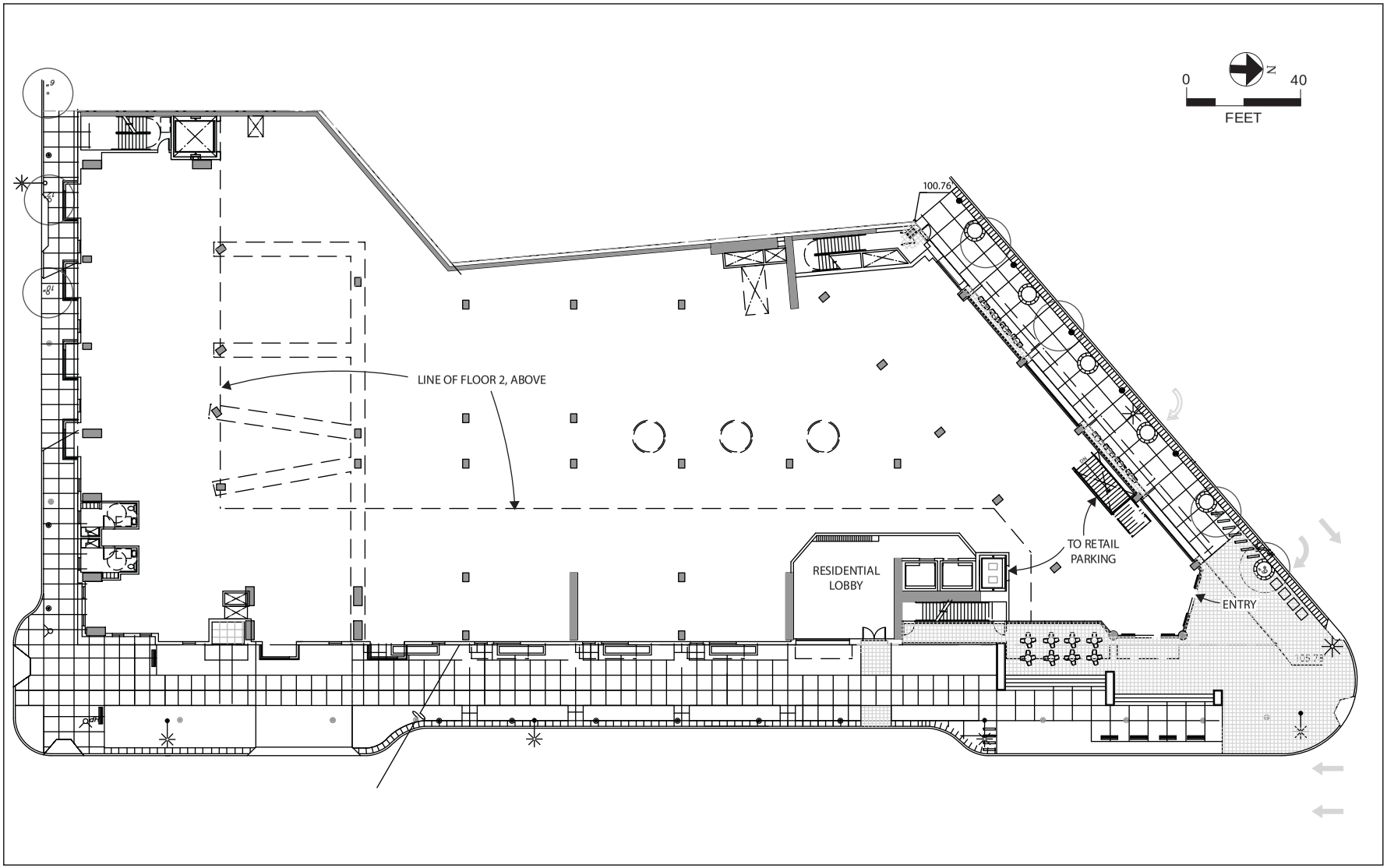
Proposed Building Program

As currently envisioned, the proposed 31,000 sq. ft. retail/commercial space would be occupied by a full-service grocery store (see Figure 4: Level 1 (Retail) Floor Plan). A pedestrian entrance and exit for the retail space would be located at the corner of Market and Dolores streets. An approximately 350 square-foot commercial space would be located at the corner of 14th and Dolores streets at ground level, as shown on Figure 5: Garage Level B1 Floor Plan, on p. 7.

In addition to the proposed commercial space, the first floor of the proposed building would contain the main residential lobby and service / core areas which would include stairwells and elevator shafts (retail and residential).

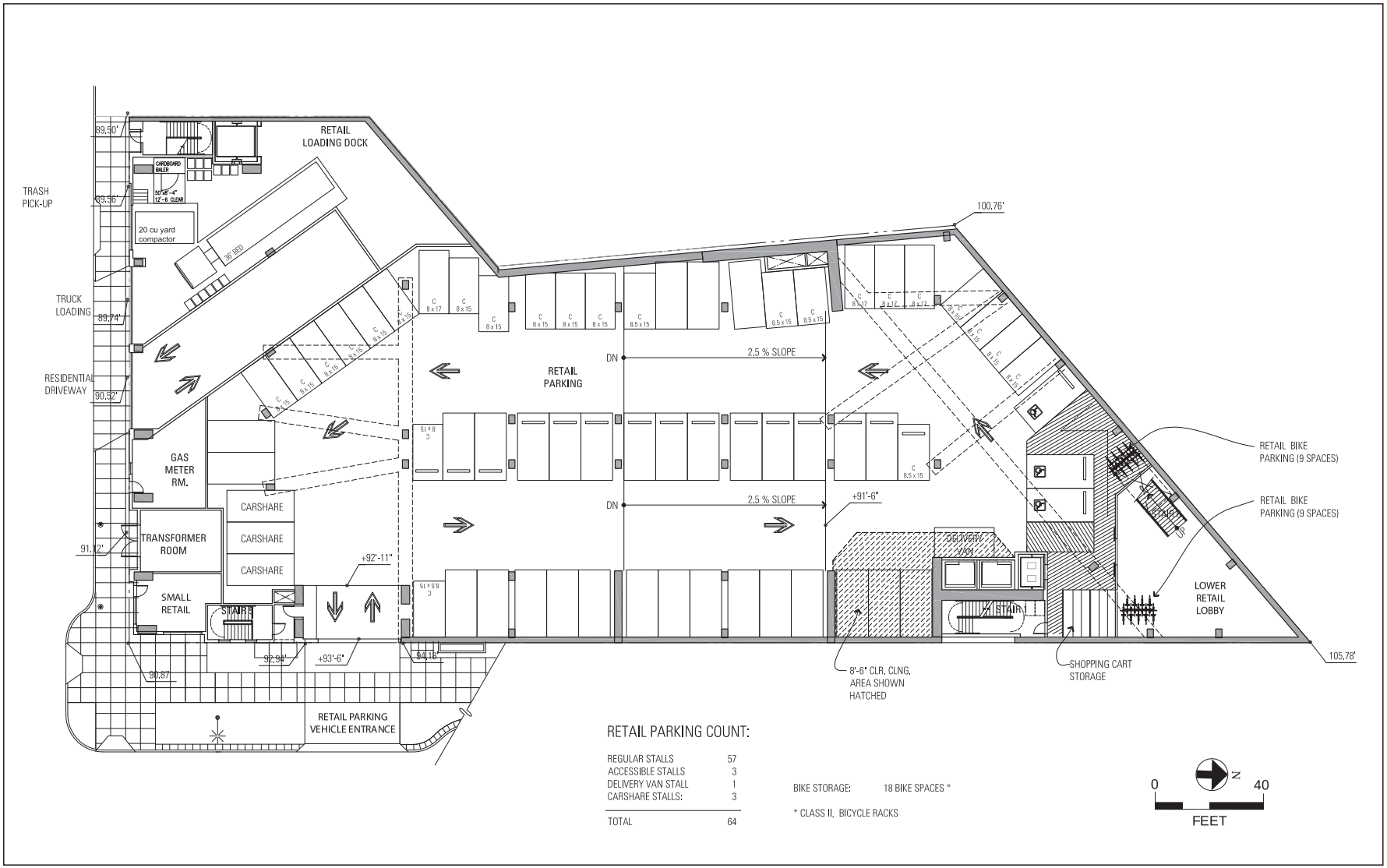
Market Street slopes downward from east to west at a grade of about 3 percent, and Dolores Street slopes downward from north to south at a grade of about 5 percent. Due to the north-south slope, the residential parking access, the retail parking access, and the retail loading dock would all be located on Garage Level B1, the floor below the first floor grocery store, which would be at ground level on 14th Street (see Figure 5: Garage Level B1 Floor Plan). The residential vehicle access leading to Garage Level B2 would be located on 14th Street, approximately in the middle of the building. Adjacent and west of that opening would be the retail loading dock, with trash and recycling facilities. The retail parking entry and exit would be on Dolores Street, about 55 feet north of the corner of 14th Street and about 250 feet south of the corner with Market Street.

Floors 2 through 8 would contain 82 residential units (approximately 102,400 sq. ft.) and core space. Floor 2 would have 14 residential units and Floor 3 would have 15 residential units. The southern third of the property would be built with one floor above the third floor podium, which would have a landscaped courtyard of approximately 8,220 sq. ft., a community room of 750 gsf, and a fitness room of 700 gsf for residents. Floors 4 through 7 would each have 11 units, and Floor 8 would have 9 units (see Figure 6: Level 3 Floor Plan, on p. 8, and Figure 7: Typical Upper Floor Plan, on p. 9. Elevations of the proposed project are shown in Figure 8: Market Street Elevation, p. 10; Figure 9: Dolores Street Elevation, p. 11; and Figure 10: 14th Street Elevation, p. 12. Sections are provided as Figure 11: North/South Section Looking East, p. 13; and Figure 12: East/West Section Looking North, p. 14).



SOURCE: BAR Architects

FIGURE 4: LEVEL 1 (RETAIL) FLOOR PLAN



RETAIL PARKING COUNT:

REGULAR STALLS	57
ACCESSIBLE STALLS	3
DELIVERY VAN STALL	1
CARSHARE STALLS:	3
TOTAL	64

BIKE STORAGE: 18 BIKE SPACES *

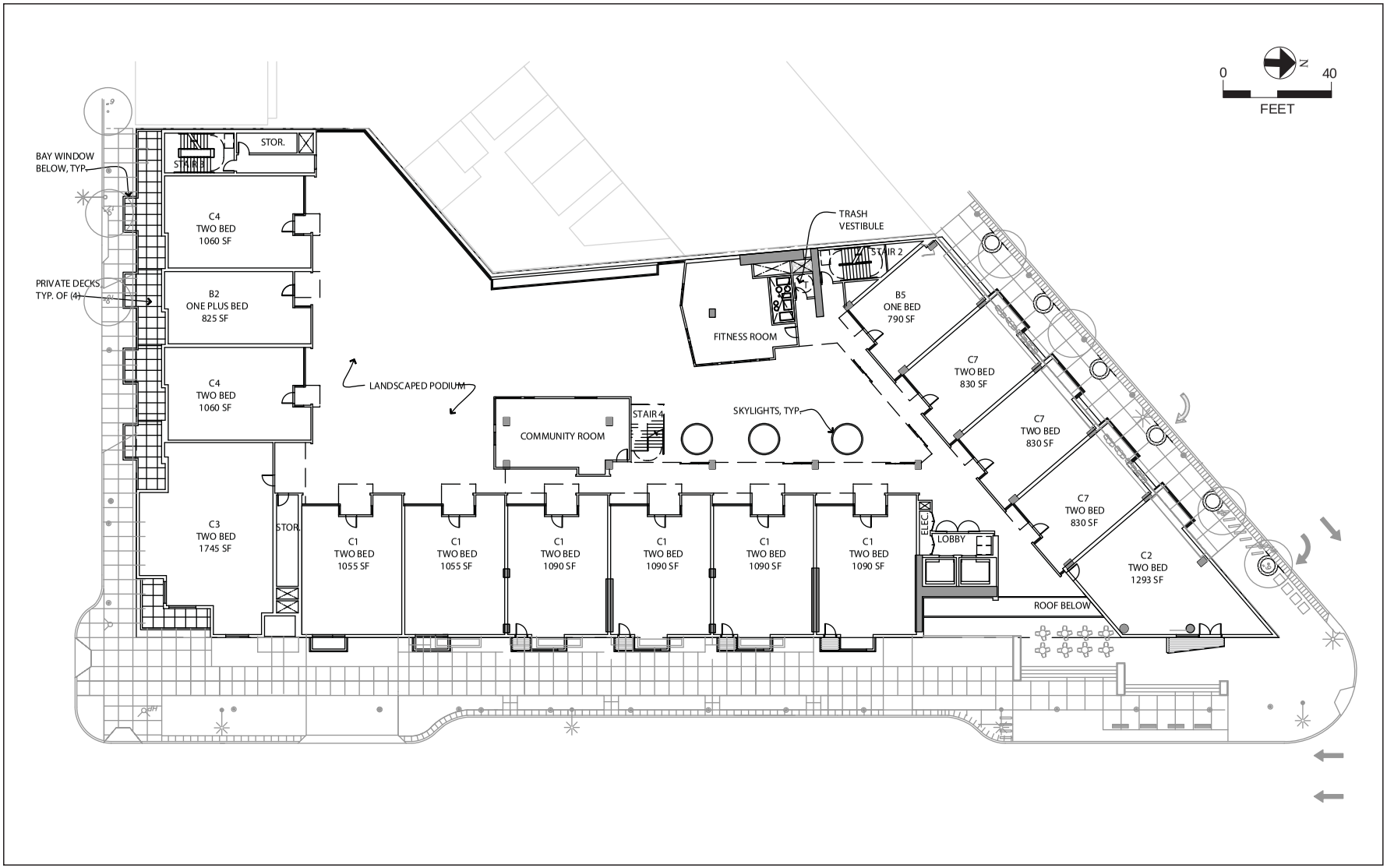
* CLASS II, BICYCLE RACKS

SOURCE: BAR Architects

2001 MARKET STREET

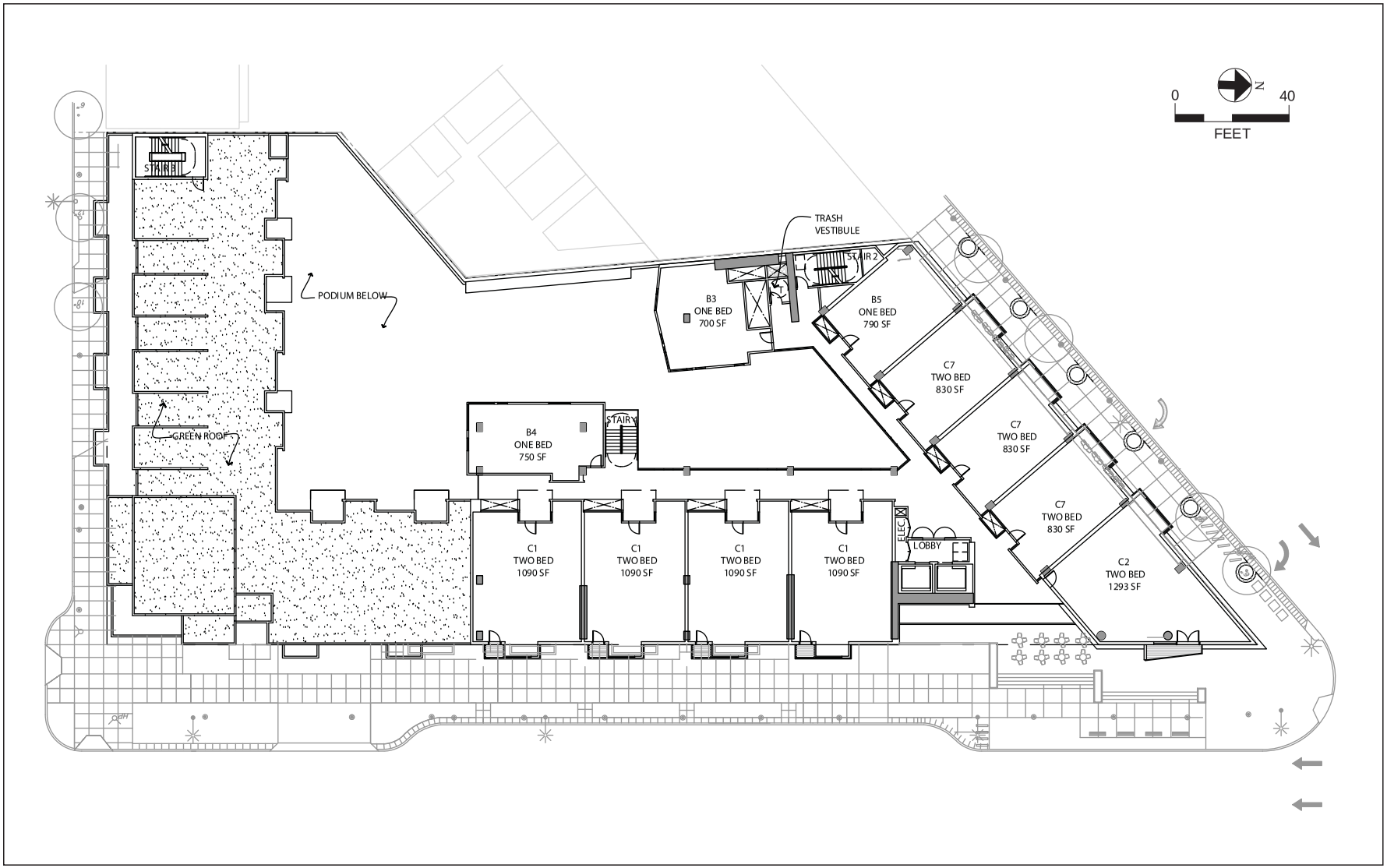
2008.0550

FIGURE 5: GARAGE LEVEL B1 FLOOR PLAN



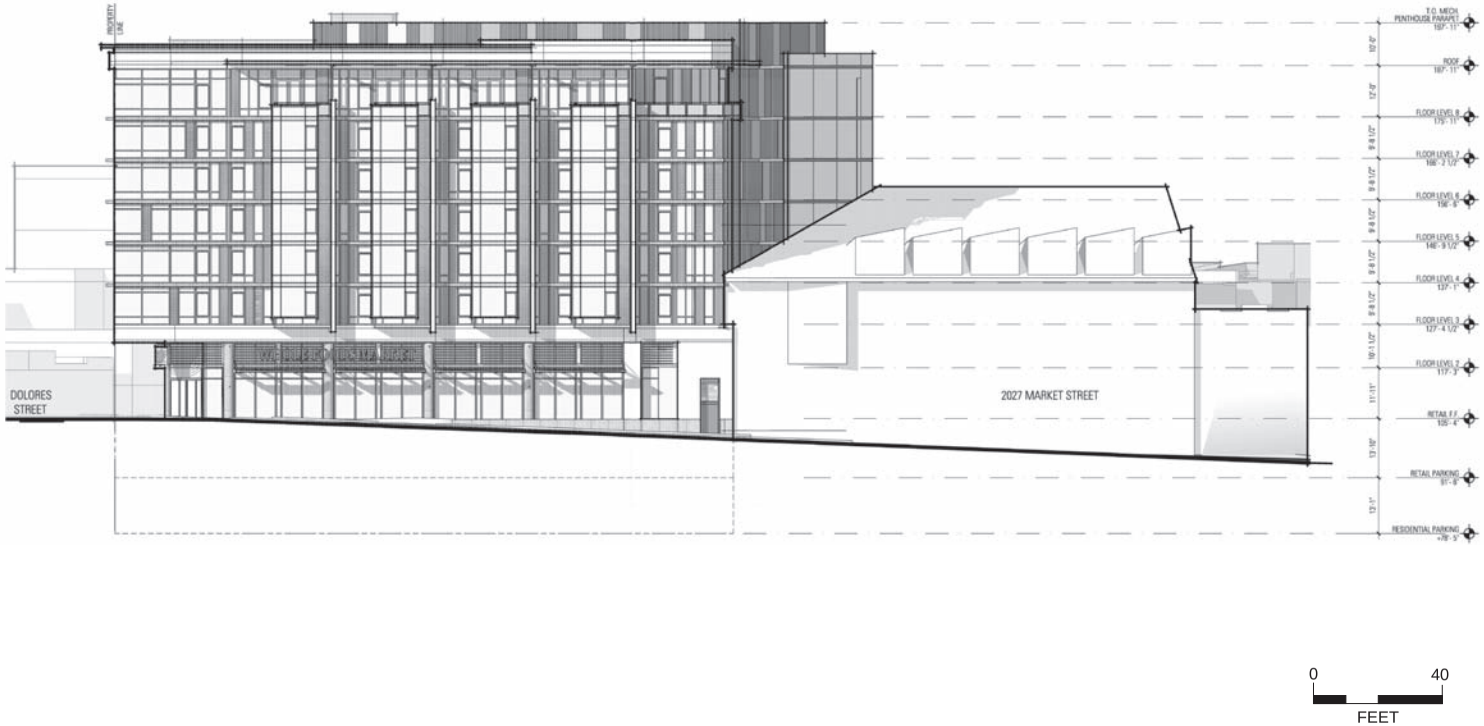
SOURCE: BAR Architects

FIGURE 6: LEVEL 3 FLOOR PLAN



SOURCE: BAR Architects

FIGURE 7: TYPICAL UPPER FLOOR

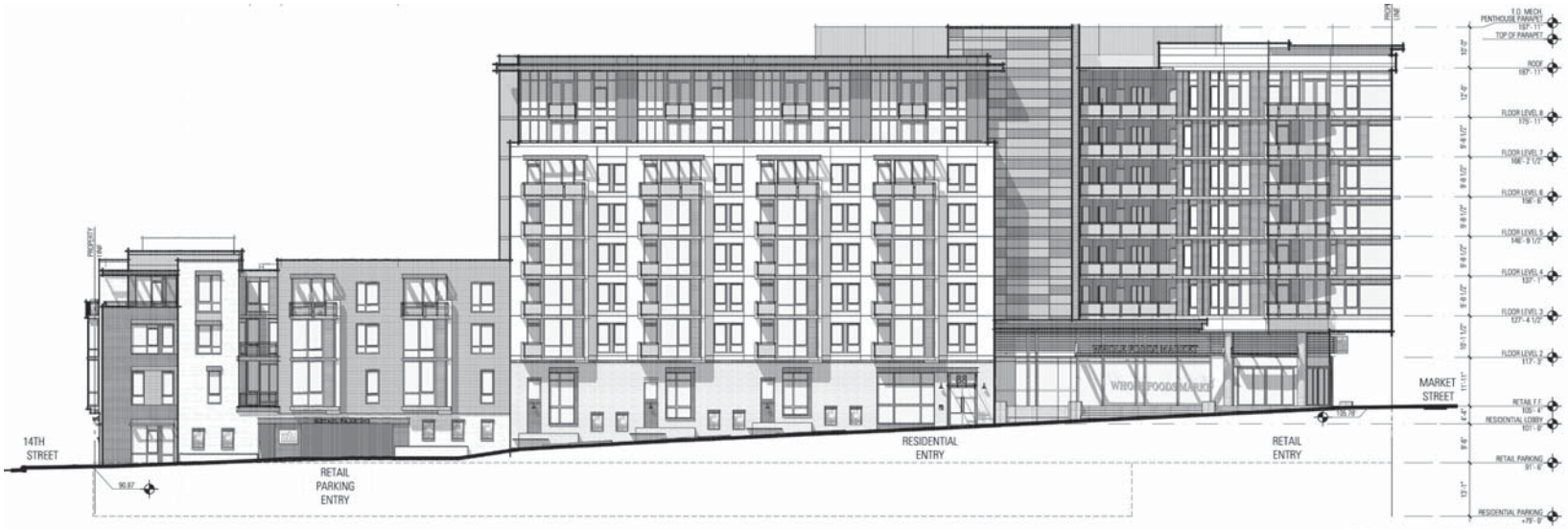


SOURCE: BAR Architects

2001 MARKET STREET

2008.0550

FIGURE 8: MARKET STREET ELEVATION

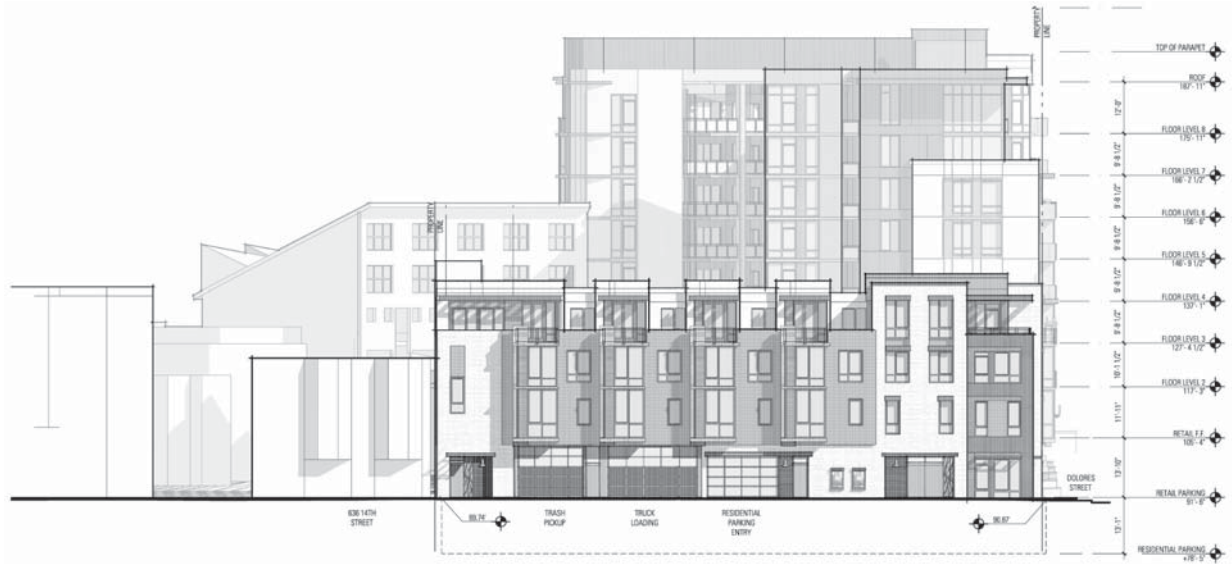


SOURCE: BAR Architects

2001 MARKET STREET

2008.0550

FIGURE 9: DOLORES STREET ELEVATION



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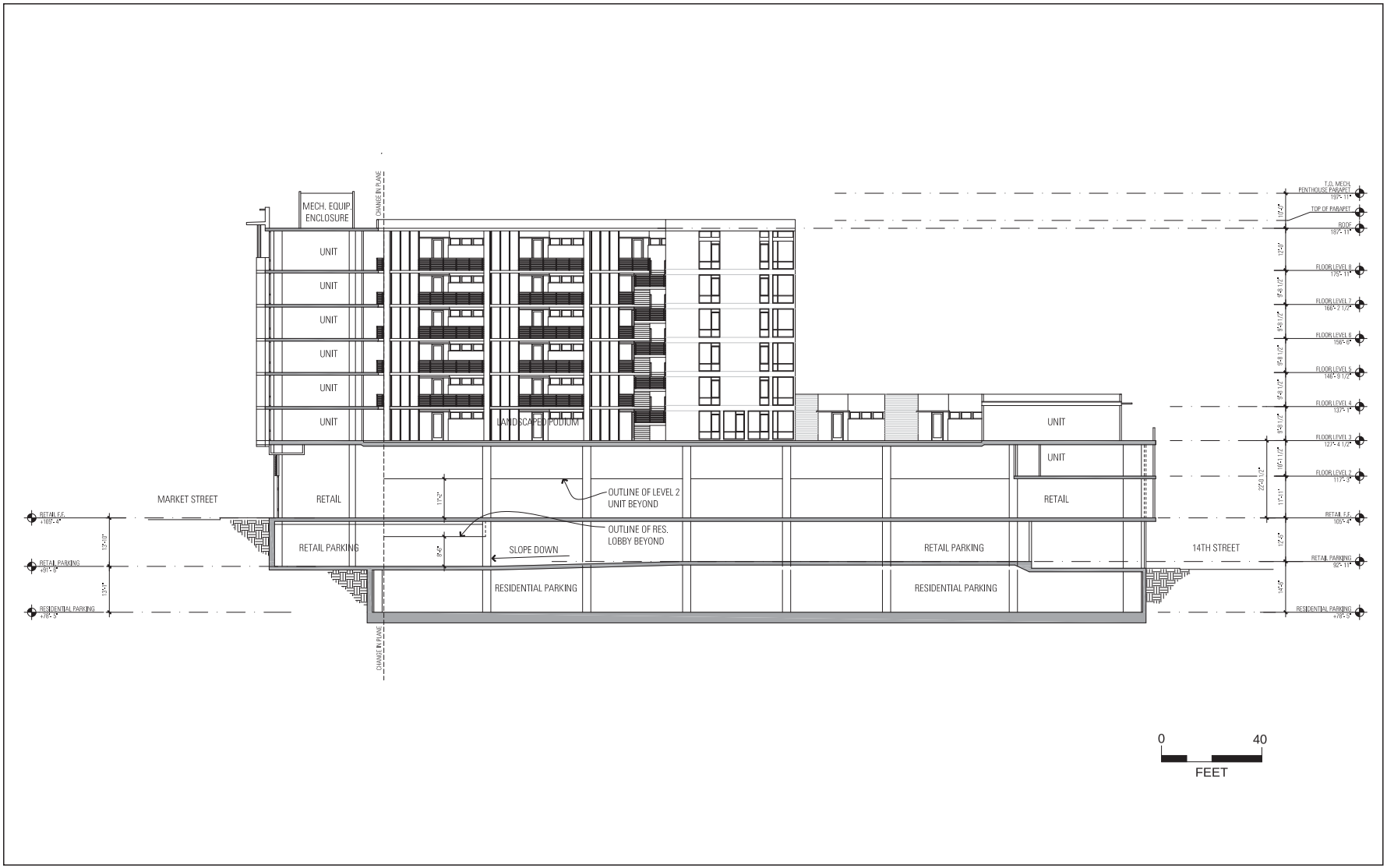
FEET

SOURCE: BAR Architects

FIGURE 10: 14TH STREET ELEVATION

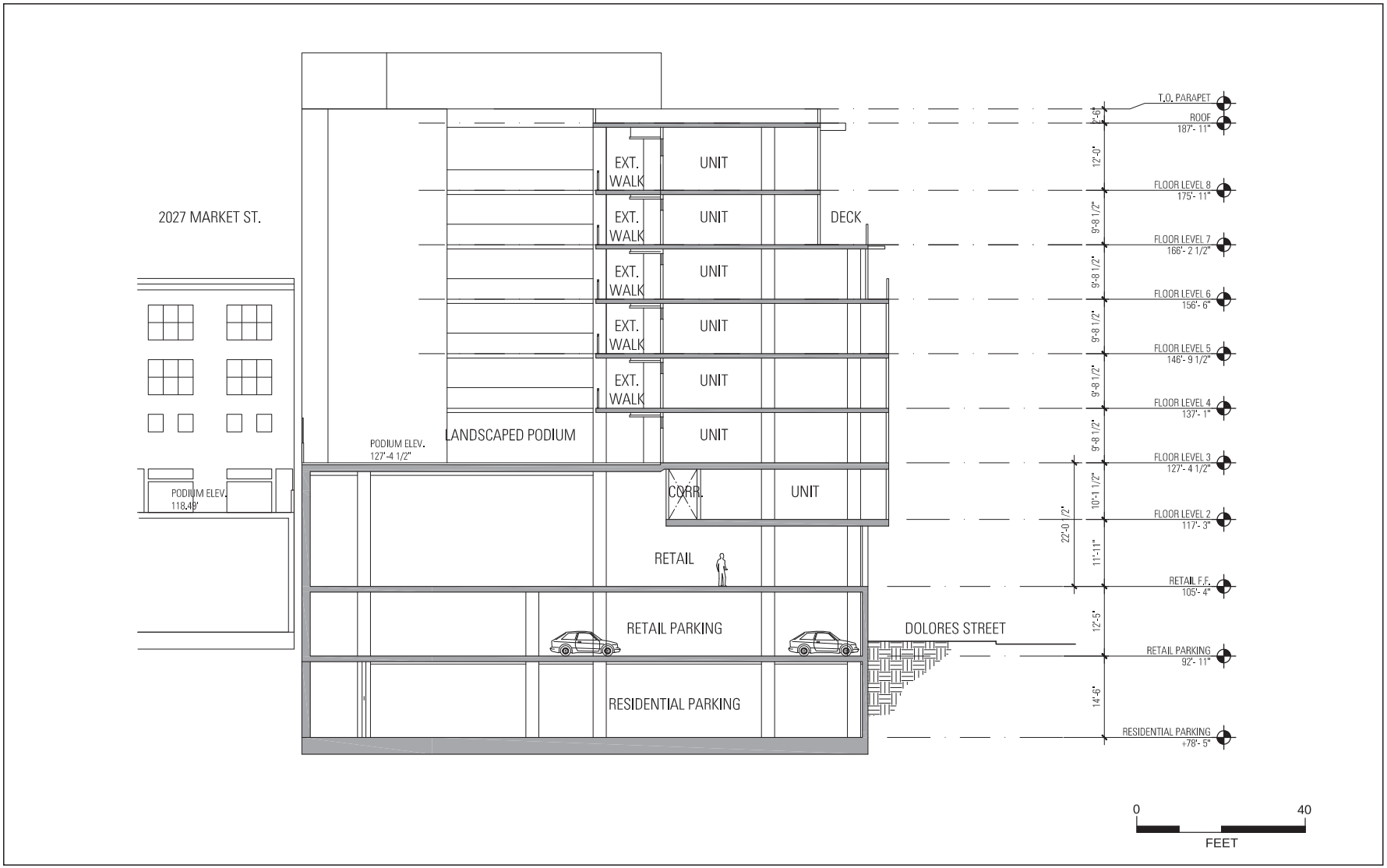


SOURCE: BAR Architects

2001 MARKET STREET

2008.0550

FIGURE 11: NORTH/SOUTH SECTION LOOKING EAST



SOURCE: BAR Architects

FIGURE 12: EAST WEST SECTION LOOKING NORTH

Of the 82 planned units, 7 would be studios, 27 would be one-bedroom units, 46 would be two-bedroom units, and 2 would be three-bedroom units. Pursuant to the Residential Inclusionary Housing Ordinance, Planning Code Section 315, as updated by Interim Controls initiated by the Board of Supervisors in February 2010, the project sponsor would be required to pay an affordable housing fee.[2]

Proposed Parking Program and Loading

The site currently has 100 parking spaces on two levels in the S&C Ford building, with two rollup doors on 14th Street providing vehicular access. The 632-634 14th Street site has a curb cut and garage; 626-628 14th Street has a curb cut and parking area. The S&C Ford site has two curb cuts on 14th Street and two on Dolores Street.

In the proposed project, parking for the residential and retail/commercial uses would be provided on two unconnected below-ground levels (about 54,000 sq. ft. of parking). The upper level of parking for the retail use (Garage Level B1) would be above grade at the southern end of the building due to the site's slope (see Figure 3: Proposed Site Plan). The lower level of parking, the residential parking, (Garage Level B2) would be approximately 27 feet below grade as measured at the northeast corner of the site, approximately 22 feet below grade as measured at the northwestern corner of the site, and approximately 13 feet deep at the south end of the site.

The existing site has six curb cuts, two on Dolores Street and four on 14th Street. In the proposed project, there would be three curb cuts, two on 14th Street and one on Dolores Street.

Residents would access the residential parking level through elevators in the residential lobby. Retail customers would access the retail parking level through an elevator and stairway inside the building near the corner of Market and Dolores streets.

The proposed parking program would include up to 101 spaces, of which 41 spaces on Garage Level B2 would be for the residential units, and 60 parking spaces on Garage Level B1 would be for retail use. Garage Level B1 also would have space for a grocery delivery van and three non-exclusive-use car share spaces. Garage Level B2 would have two exclusive-use car share spaces. Six of the parking spaces would be handicapped-accessible: three residential parking spaces on Garage Level B2, and three retail parking spaces on Garage Level B1. All parking spaces on both levels would be independently accessible.[3]

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[2] Board of Supervisors Resolution No. 3610, adopted February 2, 2010, File No. 100047.

[3] The Project Sponsor may request eight additional parking spaces for the residential portion of the proposed project at a later date. If approved, the sponsor would add independently accessible parking stackers to provide these spaces. This would increase the parking ratio from 0.5 spaces per dwelling unit to 0.6 and would require a Conditional Use Authorization (CU) pursuant to Planning Code Section 151.1(f), Section 303, and Section 304. No CU is required for the 0.5 spaces per unit included in the proposed project. The transportation impact study prepared for the proposed project analyzes 0.6 spaces per dwelling unit in a variant.

At least 16 Class II bicycle racks (accommodating 32 bicycles) would be provided at grade on Market Street and 18 Class II bicycle spaces in Garage Level B1 for the retail use.[4] Showers and lockers for employees who bike to work would be located within the store. There would also be at least 41 Class I bicycle parking spaces for residents' use on Garage Level B2 in a secure storage room near the elevators to Market Street.

The off-street loading dock located at Garage Level B1 with access from 14th Street would serve the proposed full-service grocery store. The proposed loading dock would be about 66 feet deep, and fully accommodate one truck with a 36-foot trailer. The loading dock door would be closed at all times except when trucks are arriving or departing the loading dock area.

The two on-street loading spaces on 14th Street would remain. A yellow loading zone is proposed for Dolores Street near 14th Street, and a white passenger loading zone is proposed adjacent to the residential lobby on Dolores Street near Market Street.

Proposed Open Space and Landscaping

According to Planning Code Section 135, the usable open space requirement for the proposed project would be 80 sq. ft. of private open space per residential unit or 106 sq. ft. per unit if provided in common. Ten units would have sufficient private open space. The common usable open space required for the other 72 units would be a minimum of 7,887 sq. ft. in accordance with the Planning Code requirements. The proposed project would provide 8,220 sq. ft. of common usable open space on the third floor podium. Thus, the proposed private and common open space would exceed Planning Code open space requirements.

Nine new street trees would be planted along Dolores Street to comply with Section 143 of the Planning Code. There are four existing street trees on Market Street and two on 14th Street. None of the existing trees has been designated as a landmark tree.[5] The four street trees along Market Street would remain, and two new trees would be added, for a total of six street trees on Market Street. On 14th Street, the two existing trees would be replaced and two new trees would be added, for a total of four trees on 14th Street.

The Planning Department is considering improvements to the sidewalks and travel lanes on Market, Dolores, and 14th streets, adjacent to the project site. These off-site improvements are analyzed as a variant of the proposed project in the *2001 Market Street Mixed-Use Development Transportation Impact Study,* under Case No. 2008.0550!, dated November 1, 2010, and prepared

[4] San Francisco has two classes of bicycle parking. Class II is a standard bike rack to which bikes can be locked. Class I is defined as, "Facilities which protect the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. Examples of this type of facility include (1) lockers, (2) check-in facilities, (3) monitored parking, (4) restricted access parking, and (5) personal storage. See San Francisco Planning Code Sec. 155.1.

[5] Tree Disclosure Statement for 2001 Market Street. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2008.0550E.

by Adavant Consulting.[6] They would involve widening the sidewalks adjacent to the project site to create bulb-outs on both east and west sides of the Market and Dolores Street corner and the Dolores and 14th Street corner; extensions of the Dolores Street median at Market Street and at 14th Street; straightening of the crosswalk across Market Street on the west side of Dolores Street; extension of the eastbound bike lane at the intersection of Market and Dolores Street; elimination of the existing eastbound right-turn only lane from Market to Dolores Street; and elimination of one travel lane in each direction on Dolores Street, between Market and 14th streets. If the bulb-outs are approved, two of the street trees proposed on Dolores Street as part of the project would be replaced with other landscaping. Some of these improvements may be constructed by the project sponsor as an in-kind contribution for some or all of the Market and Octavia Plan Area Community Improvement Fee that would be applied to the proposed project. An agreement to provide an in-kind contribution would need to be approved by the Market and Octavia Plan Area Citizens Advisory Committee.

Proposed Foundation and Earthwork

The proposed building would have a mat foundation without piles. The maximum depth of the proposed excavation on the northern portion of the site is approximately 27 feet below grade (as measured at the northeast corner of the proposed building). On the southern portion of the site the maximum depth of the proposed excavation would be approximately 13 feet below grade (as measured at the southwest corner of the proposed building). Approximately 20,650 cubic yards of soil and rock would be removed from the project site.

Project Construction

Project construction, including demolition, would take approximately 19 months. Demolition would take one month. Excavation to remove soil and rock would be accomplished with mechanical equipment, such as excavators, bulldozers, backhoes, and/or graders, and would take about three months. Subsurface construction would take three months. Superstructure, and exterior enclosure would take about eight months. Interior finish construction and landscaping would take about four months beyond completion of the enclosure. Assuming that construction would begin in the third quarter of 2011, the building would be ready for occupancy in the first quarter of 2013. The proposed project would be developed by 2001 Market Street, LLC, and is designed by BAR Architects in collaboration with William McDonough + Partners Architects. April Phillips Design Works is the landscape architect.

[6] The project's transportation study is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2008.0550E.

B. PROJECT SETTING

Project Site Conditions

The project site is located on the east side of a triangular block created by Market Street, Dolores Street, and 14th Street, in an area known as Upper Market in San Francisco. The site is located south of the U.S. Mint and three blocks north of the historic Mission San Francisco de Asís. The site consists of two parcels, Lot 1 and Lot 2 in Assessor's Block 3535. Lot 1 has the 2001 Market Street address, which is the former location of the approximately 30-foot tall S&C Ford Showroom and Sales building that covers the entire lot. This building contains an approximately 8,152-gross-square-foot (gsf) auto showroom and sales office and a 33,131 gsf attached garage. S&C Ford discontinued its use of the building in March, 2008, and the building is currently partially occupied by a rental car facility and a used car dealership.

The proposed project site also includes Lot 2, which has two residential buildings: the three-story 626-628 14th Street building which includes 2,780 gsf of residential space and a parking garage of 1,430 gsf; and the two-story 632-634 14th Street building with 1,230 gsf of residential space and 410 gsf of parking space. Both buildings have two residential units. Currently, none of the units is occupied.

The combined project lots form a right angle at the corner of 14th and Dolores streets, and an acute angle at Dolores and Market streets. Adjacent properties form the north and west sides of the project block. The combined lots measure about 320 feet along Dolores Street, about 150 feet along Market Street, and about 140 feet on 14th Street. The lots slope downward from north to south with approximately 15 feet of grade change from the corner of Market and Dolores streets to the corner of Dolores and 14th streets, about a 5 percent slope. The project site is located within the NCT-3 District (Moderate-Scale Neighborhood Commercial Transit District) within the Market and Octavia Better Neighborhoods Plan Area ("Market and Octavia Plan"). The site is split between two Height and Bulk Districts: the north portion is in an 85-B Height and Bulk District while the south portion is in a 40-X Height and Bulk District. There is no floor area ratio requirement in the Market and Octavia Plan Area and for the NCT-3 District in the San Francisco Planning Code applicable to the project site.

The vacant S&C Ford dealership building, constructed in 1920, occupies a 27,687 sq. ft. lot. The 626-634 14th Street buildings, constructed in 1945, occupy a 3,863 sq. ft. lot; for a combined lot area of approximately 31,550 sq. ft.

Land uses along the east side of Dolores Street across from the project site consist of residential uses and former sites of automotive light industrial uses. On the project block, directly to the west is a four-story, mixed-use building with vacant retail space on the ground floor. Retail uses predominate the rest of this block of Market Street, aside from 2059 Market Street, a five-story residential building with a small ground-story retail component. The 14th Street side of the

project block includes the rear of the 2059 Market Street building, and shorter multi-family residential buildings that are three to five stories in height.

14th Street, east of Dolores Street, is occupied by two- to six-story multi-family residential buildings. Dolores Street, south of 14th Street, is occupied by two- to four-story multi-family residential buildings. North of Market Street is the retail shopping center anchored by Safeway, with smaller retail and café spaces. North and east of Safeway is the U.S. Mint, constructed on a hill. The hill slopes downward to the east, to the block of Buchanan and Market, where there are five-, six-, and seven-story residential buildings over retail uses. To the west of Safeway, along Church Street, are many and varied buildings with retail ground floor uses, some with residences and offices above. Golden Produce is located on this block, occupying two store fronts directly across from Safeway.

Required Approvals

The proposed project would require the following approvals:

Conditional Use Authorization by the Planning Commission for:

- Development of a site in excess of 9,999 sq. ft. (Planning Code Section 731.11);
- Development of retail space in excess of 5, 999 sq. ft. (Planning Code Section 731.21);
- Development in which the proposed retailer for grocery store is a formula retailer (Planning Code Section 703.3);
- Modification of the Bulk Limit, for the proposed length of the building would exceed 110 feet and the diagonal measurement would exceed 125 feet (Planning Code section 270);
- Approval to demolish two unoccupied (as of April 25, 2007 and November 15, 2008) residential buildings containing a total of four rent-controlled dwelling units (Planning Code Section 207.7);
- A Planned Unit Development (Planning Code Section 304), and Conditional Use Authorization (Planning Code Section 303), which would allow:
    - Building Height Measurement (Planning Code Section 260): Zoning Administrator determination that the building height would be measured from mid-block of Market Street;
    - Rear Yard (Planning Code Section 134): Modification of the rear yard requirement to provide common usable open space at the podium level and not at the first level of residential units that is located below the podium, in order to satisfy the rear yard requirement;
    - Residential Loading Spaces (Planning Code Section 152): Request an exemption from providing a residential loading space. The proposed approximately 102,400 gsf of residential area only nominally exceeds the 100,000 gross residential square footage threshold. In addition, due to the building's design, with units on only one side of the hallway and sustainable design, the net-to-gross ratio is much less efficient (74 percent) than in a standard building (typically 85

percent). Thus, the project site would accommodate fewer units, and hence, fewer residents per gross building square foot, which would reduce the demand for a residential loading space. This authorization is contingent upon the Zoning Administrator granting an exemption for this requirement of the Planning Code; and,

- Conditional Use Authorization for the replacement and upgrade of the existing cellular equipment and antennae on the existing site. (Cellular Antenna Permit #831831). During the construction of the project, the project sponsors will require a temporary cellular antennae location.
- Approval from San Francisco Metropolitan Transportation Authority to designate a new metered, yellow-striped loading space on Dolores Street, and to designate a white passenger loading zone.

The proposed project would require further review and approval by the Department of Building Inspection (DBI) for demolition, construction, and site permits and by the Department of Public Works (DPW) for any work within the public right-of-way, including sidewalks.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☒	☐
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

Market and Octavia Plan

The project site is on the western edge of the Market and Octavia Plan Area. The Market and Octavia Plan Area covers most of the area approximately two blocks wide along Market Street between Noe and 9th streets, and two blocks wide along Octavia Boulevard, from Market to Turk streets. The Market and Octavia Plan includes both an Area Plan and a specific plan for those lots created by the demolition of the Central Freeway north of Market Street. For the Area Plan, the legislation created three new zoning districts: the Residential Transit-Oriented (RTO) District, the Downtown Residential (DTR) District, and the Neighborhood Commercial-Transit (NCT) District. The legislation altered height limits within this area, and adopted the Market and Octavia Area Plan within the *San Francisco General Plan*.

On April 5, 2007, San Francisco Planning Commission certified the Final EIR for the Market and Octavia Plan (Case No. 2003.0347E; State Clearinghouse No, 2004012118). The Program EIR analyzed amendments to the Planning Code and Zoning Maps and the then-proposed Market and Octavia Area Plan, which became an element of the *San Francisco General Plan* after completion of public reviews, Board of Supervisors adoption, and the Mayor's approval. The EIR analysis was based on assumed land use development and activities that were anticipated to

occur under the Market and Octavia Plan. The 2001 Market Street project site was designated and envisioned as a site to be developed with mid-rise buildings up to 85 feet in height along the Market Street frontage with residential units above retail uses on the ground floor. Subsequent to the certification of the Final EIR, in September 2007, 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 Plan Program EIR (Program EIR or PEIR).

The Market and Octavia Plan PEIR analyzed the following environmental issues: plans and policies, land use and zoning; population, housing, and employment; urban design and visual quality; shadow and wind; historical resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; and biology. The proposed 2001 Market project is in conformance with the height, use, and density for the site described in the Market and Octavia Plan EIR and would represent a portion of the growth that was forecast for the Market and Octavia Plan Area in the Program EIR.

The Citywide Planning, Neighborhood Planning, and MEA sections of the San Francisco Planning Department have determined that the proposed project is consistent with the Market and Octavia Neighborhood Area Plan; satisfies the provisions of the *General Plan* and the Planning Code; and is eligible for a Community Plan Exemption.[7]

The sufficiency of the Market and Octavia Plan Area PEIR for environmental review of the proposed project was considered in the Community Plan Exemption Checklist. Five of the topics addressed in the Community Plan Exemption Checklist were determined to require further analysis in this Initial Study: Cultural and Paleontological Resources, Air Quality, Greenhouse Gas Emissions, Biological Resources, Geology and Soils, and Hazards and Hazardous Materials. The case report for the project will contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies.

[7] Community Plan Exemption Eligibility Determination,as signed by Neighborhood Planning, and Citywide Planning and Policy Analysis, on November 5, 2010.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Land Use	☐ Air Quality	☒ Geology and Soils
☐ Aesthetics Hydrology and Water Quality	☐ Greenhouse Gases	☐ Wind and Shadow
☐ Population and Housing	☐ Recreation	☒ Hazards/Hazardous Materials
☒ Cultural Resources	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Transportation and Circulation	☐ Public Services	☐ Agricultural Resources
☐ Noise	☒ Biological Resources	
☒ Mandatory Findings of Signif.		

E. EVALUATION OF ENVIRONMENTAL EFFECTS

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
1. 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*?	☐	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	☐

Historical Resources

Impact CP-1: The proposed project would demolish three existing buildings which are not considered historically significant for the purposes of CEQA, and would have a less-than-significant impact on historical architectural resources. (Less than Significant)

The demolition of three buildings that is part of the proposed project would include the approximately 30-foot tall former S&C Ford Showroom and Sales building (an approximately 8,152-gross-square-foot (gsf) auto showroom and sales office and a 33,131 gsf attached garage), and two residential buildings: the three-story 626-628 14th Street building which includes 2,780 gsf of residential space and a 1,430 gsf parking garage; and the two-story 632-634 14th Street building with 1,230 gsf of residential space and 410 gsf of parking space.

Historical resource surveys were conducted for the Plan Area subsequent to the adoption of the Market and Octavia Neighborhood Plan EIR, with interim controls for evaluation and protection

of historical resources during the survey period. On December 17, 2008, the Landmarks Preservation Advisory Board adopted the Market and Octavia Area Plan Survey. The three buildings that would be demolished as part of the proposed project were included in this survey and were not listed as needing subsequent evaluation in the survey. The survey concluded that 2001 Market was "ineligible for National Register, California Register, or Local designation, but may warrant special consideration in local planning."[8]

The Planning Department prepared an Historic Resource Evaluation Response (HRER) as part of its review of the proposed project, which determined that the existing 2001 Market Street building is not an "historical resource" for the purposes of CEQA, and does not meet the criteria for listing on the California Register of Historical Resources.[9] The HRER also found that the proposed project would not have an adverse effect on off-site historic resources.[10] The original car dealership at this location, Krestellar Motor Company was not one of the pioneering car dealerships in the City, and because of its location, it is only loosely associated with the automobile uses clustered around Van Ness Avenue.[11] The S & C Ford building also "does not possess high artistic value," and it lacks physical integrity, due to alterations.[12]

Page & Turnbull also evaluated the three subject buildings in project-specific analyses, and determined that these buildings were not historical resources.[13] Page & Turnbull determined that none of the three buildings on the project site are individually eligible for national, state, or local historic registers and do not contribute to a historic district. The 14th Street residential buildings were assigned the California Historical Resources Status Code "6Z," indicating that the properties are ineligible for national, state, or local designation. Further, Page & Turnbull stated that the project site and buildings are not within the bounds of any historic district or potential historic district, noting that both the Market and Octavia Plan Historic Resource Survey and the Inner Mission North Historic Resource Surveys "determined that no potential historic districts are

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[8] Page & Turnbull, California Department of Parks and Recreation Primary Record, Market & Octavia Survey, March 2007. A copy of this document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

[9] Mark Luellen, Historic Resource Evaluation Response, 2001 Market Street, October 30, 2008. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

[10] *Ibid.*, p. 4.

[11] *Ibid.*, p. 2.

[12] *Ibid.*, p. 3

[13] Page & Turnbull, Historic Resource Assessment, 2001 Market Street, April 4, 2008 (hereinafter cited as "2001 Market Street HRA"); Caitlin Harvey & Rich Sucré, Page & Turnbull, Update to 2001 Market Street HRA, January 8, 2009, including California Department of Parks and Recreation Primary Record for 626-628 14th Street and 632-634 14th Street (hereinafter cited as "Update to 2001 Market Street HRA"). These documents are available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

present in the area."[14] The project would not contribute to any cumulative effects, because the project itself would not have an adverse effect on any historical resources.

Therefore, the demolition of the three buildings on the proposed project site would not result in a significant environmental impact, nor would the demolition cause peculiar impacts not addressed in the Market and Octavia Plan EIR.

Archeological Resources

Impact CP-2: The proposed project would result in damage to, or destruction of, as-yet unknown archaeological or human remains, should such remains exist beneath the project site. (Less than Significant with Mitigation)

Potential archeological impacts were identified in the Market and Octavia Plan EIR. The Market and Octavia Plan Program EIR found that the increased heights and density within the Market and Octavia Plan Area and the requirement of subgrade parking raise the likelihood of soils disturbance and could adversely affect potential subsurface archeological resources. The impact could be mitigated to a less-than-significant level through one of two mitigation measures, depending on whether the proposed project would be located on an archeologically documented property.[15]

Mitigation Measure 5.6.A2 in the Market and Octavia Plan EIR applies to any project disturbing soil deeper than four feet and to Plan Area properties for which no archeological assessment report has been prepared. This mitigation measure, outlined in the PEIR, states that a Preliminary Archeological Sensitivity Study (PASS) should be prepared to determine whether an Archaeological Research Design/Treatment Plan (ARD/TP) would be required.

Pursuant to Archeological Mitigation Measure 5.6.A2 of the Market and Octavia Plan PEIR, an archeological sensitivity study memorandum was prepared for the proposed project. Its evaluation concludes that the proposed project could affect CEQA-significant archaeological resources, based on the presence of documented archaeological sites in the vicinity of the project site.[16] The evaluation is summarized here. The lower southwest portion of the project site is a likely location for a serpentinite quarry used during the Hispanic Period (1776-1850). Serpentinite was used extensively during this period for building and wall foundations, for at least portions of the community aqueduct, and in some cases as an apparent paving or floor material. Stonework of this period is frequently documented archeologically and is visible through some basement windows and foundation remnants in the Mission District. A serpentinite quarry was the source

[14] Update to 2001 Market Street HRA, p. 1.

[15] *Market and Octavia Neighborhood Plan Final Program Environmental Impact Report* (PEIR), Planning Department Case No. 2003.0347E, September 2007, certified May 30, 2008, pp. 4-166 and 5-4.

of construction stone used in constructing the Protestant Orphans' Asylum in 1854. That quarry known as "Mint Hill," has not been located. Archeological study of the quarry surfaces would be highly informative in understanding the method of cuts, excavation, and removal, and based on surface markings, the tools involved.

The lower southwest portion of the project site might be a likely candidate for the Hispanic Period quarry based on an 1850 pencil drawing by William Dougal, which shows the only known graphic indication of what might have been the stone quarry at a location which could correspond to the lower part of the project site. The quarry would have been just to the northeast of the Camino de Presidio which appears to have passed to the southwest of the project site between the quarry and Mission Creek, just below 14th Street. The 1860 U.S. Surveyor General's plat land grant map for the *Suerte en Dolores* (F. Palomares) provides some additional support for the supposition that a portion of the quarry was within the Market, 14th, Dolores Street triangle and that excavation in the southwest corner of the project site may, with reasonable likelihood, encounter portions of the Hispanic Period serpentinite quarry.

Given the reasonable likelihood that some historic archeological evidence may be found, and pursuant to Mitigation Measure 5.6.A2 Archaeological Mitigation Measure - General Soil Disturbing Activities,[17] the staff determined that the potential for the project to adversely affect archeological resources may be avoided by implementation of MEA's second Standard Archeological Mitigation Measure (Monitoring). The full text of that mitigation measure is incorporated as Mitigation Measure M-CP-1:[18]

Mitigation Measure M-CP-1: Archeological Mitigation Measure (Archeological Monitoring)

> Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO[19] for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended

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[16] Randall Dean/Don Lewis, MEA Preliminary Archeological Review: Checklist, May 22, 2009. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

[17] PEIR, p. 5-6.

[18] Implementation of this mitigation measure meets the requirements of mitigation measure, 5.6.A2, Archeological Mitigation Measure – General Soil Disturbing Activities, from the Market and Octavia Plan EIR.

[19] ERO is an abbreviation for the Environmental Review Officer at the Planning Department.

beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

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

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

A. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B. An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and

consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

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

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

With the application of this mitigation measure identified in the Market and Octavia Plan EIR, there would be no significant archeological impacts from implementation of the proposed project.

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
2.	**BIOLOGICAL RESOURCES— Would the project:**					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☐	☒
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☐	☒
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	☒

The Market and Octavia Plan Program EIR addresses Biological Resources[20] and concludes there would be no significant impact, and therefore, no mitigation measure would be necessary.

Impact BI-1: Implementation of the proposed project would not impact any special status species, habitats, or protected wetlands, and would not conflict with any adopted plans or policies related to biological resources (Less than Significant)

The project site is within a developed urban area and is completely covered by impervious surfaces, with the exception of six street trees. There are four sparse street trees along the project site's frontage on Market Street, no tree on the Dolores Street sidewalk, and two thickly-leafed trees on 14th Street. None of these street trees are significant trees or landmark trees.[21] The proposed project would plant nine new street trees along Dolores Street to comply with Section 143 of the Planning Code. The four street trees along Market Street would remain, and two more would be added for a total of six on Market Street in front of the proposed new building. The two existing trees on 14th Street would be replaced, and two new trees would be added, for a total of four trees on the 14th Street frontage. These trees are not landmark trees or significant trees; but they are street trees, and thus the project sponsor would be required to apply for the appropriate DPW tree removal permit in advance of Planning Department approval.

The site and the six existing trees do not provide habitat for any rare or endangered plant or animal species; the trees are not themselves rare or endangered species; and the proposed project would not affect or substantially diminish plant or animal habitats. The proposed project would not affect any rare, threatened, or endangered species. Accordingly, the proposed project would result in no impact on sensitive species, special status species, or native or migratory fish species. There is no adopted habitat conservation plan applicable to the project site. Further, there is no riparian area or wetland on the project site. For these reasons, 3a, 3b, 3c, and 3f are not applicable.

Impact BI-2: Implementation of the proposed project could interfere substantially with the movement of native resident or migratory bird species or with bird migration corridors. (Less than Significant With Mitigation)

Loss of trees on the project site could affect active birds' nests if any were in these trees at the time of removal. Compliance with the requirements of state and federal law[22] would avoid any potentially significant impacts to migratory birds or nests. The requirements are incorporated as Mitigation Measure M-BI-1. With implementation of this mitigation measure, the proposed project would have less-than-significant biological impacts.

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[20] PEIR, pp. 4-350 to 4-351.

[21] Tree Disclosure Statement, April 18, 2009, This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

[22] California Fish and Game Code, Section 3500 et seq.; Migratory Bird Treaty Act, 16 USC 703-712, as amended.

Mitigation Measure M-BI-1: Nesting Migratory Birds

The project sponsor would implement the following protective measures to ensure implementation of the Migratory Bird Treaty Act and compliance with State regulations during construction.

Pre-construction surveys for nesting birds shall be conducted by a qualified ornithologist or wildlife biologist to ensure that no nests will be disturbed during project implementation. A pre-construction survey shall be conducted no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (January through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the qualified person shall inspect all trees in and immediately adjacent to the impact areas for nests. If an active nest is found close enough to the construction area to be disturbed by these activities, the ornithologist, in consultation with California Department of Fish and Game, shall determine the extent of a construction-free buffer zone to be established around the nest.

Aside from the migratory bird nest mitigation, the proposed project would be consistent with the analysis of biological resources in the Market and Octavia Plan PEIR. There is no other significant environmental effect peculiar to the project or its site. Thus no additional mitigation measure would be necessary.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
3. GEOLOGY AND SOILS— Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	☐	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☒	☐

The project is not within an Alquist-Priolo Earthquake Fault Zoning Map, so 4a (i) is not applicable. The project would not affect 4a (ii) or (iii). The project site and vicinity are not steep enough for landslides to be an issue, so 4a (iv) is not applicable.

Impact GE-1: The proposed project would not expose people or structures to adverse effects related to seismic activity or unstable soil. (Less than Significant)

The Market and Octavia Plan PEIR considered geology, soils, and seismicity,[23] and determined that the proposed project site has stable to generally stable slopes[24] and has a very low risk of soil liquefaction during a seismic event.[25] For the Market and Octavia Plan Area, the PEIR concluded that compliance with the San Francisco Building Code and review by DBI would reduce any impacts to less-than-significant levels.[26]

The project site slopes downward from north to south, with 15 feet of elevation change between Market Street and 14th Street along Dolores Street (about a 5 percent slope). Based on the geotechnical report prepared for the project site,[27] the project site is underlain by historic fill, stiff clay (colluviums), and bedrock. The fill varies from 4 to 15 feet thick; the clay is about 2 to 3 feet thick. The bedrock consists of serpentine rock[28] and shale of the Franciscan Complex, and dips deeper to the west.[29] According to the geotechnical investigation, the proposed building could be supported by a shallow mat foundation with tie-down anchors. The subsurface investigation included four borings drilled to depths of approximately 18 to 41 feet below ground surface (bgs) on the Market Street parcel, and a fifth boring to a depth of about 35 feet on the 626

[23] PEIR, pp. 4-315 - 4-332.

[24] PEIR, Figure 4-28, p. 4-318.

[25] PEIR, Figure 4-29, p. 4-320.

[26] PEIR, p. 4-325 and p. 4-327.

[27] *Geotechnical Investigation Proposed Residential Development, 2001 Market Street*, August 10, 2006, Treadwell & Rollo (hereinafter "Treadwell & Rollo 2006"). This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2008.0550E.

[28] See discussion under Topic 6, Hazards and Hazardous Materials.

[29] Treadwell & Rollo 2006, p. 5.

14th Street parcel.[30] Groundwater was encountered at a depth of 18 feet on Market Street to 23 feet at 626 14th Street.[31] A tied-back soldier pile and lagging system would be used during construction, which would prevent any undermining of adjacent properties. The maximum depth of the proposed excavation on the northern portion of the site is approximately 40 feet below grade (as measured at the northeast corner of the proposed building). On the southern portion of the site, the maximum depth of the proposed excavation would be approximately 15 feet below grade (as measured at the southeast corner of the proposed building). Approximately 20,650 cubic yards of soil and rock would be removed from the project site. Excavation could be accomplished by mechanical means and would take approximately three months.

The final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing geological hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geological hazards would be reduced during the permit review process through these measures. To ensure compliance with all Building Code provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. The above-referenced geotechnical investigation would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

Impact GE-2: The proposed project would not result in substantial erosion. (Less than Significant with Mitigation)

The Market and Octavia Neighborhood Plan PEIR identified a potential significant impact related to temporary construction on steeply sloping lots and determined that Mitigation Measure 5.11.A: Construction Related Soils Mitigation Measure, would reduce the impact to a less-than-significant level. The project site is gently sloping, and has stable to generally stable slopes.[32] Mitigation Measure 5.11.A: Construction Related Soils Mitigation Measure[33] would be applied to the proposed project as Mitigation Measure M-GE-1. Implementation of the mitigation measure would reduce impacts to less-than-significant levels.

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[30] *Addendum to Geotechnical Report*, Treadwell & Rollo, January 23, 2009 (hereinafter "Treadwell & Rollo 2009"). This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2008.0550E.

[31] Treadwell & Rollo 2006, Treadwell & Rollo 2009.

[32] PEIR, Figure 4-28, p. 4-318.

[33] PEIR, p. 5-21.

Mitigation Measure M-GE-1: Construction Related Soils Mitigation Measure (PEIR Measure 5.11A)

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

Best Management Practices (BMP) erosion control features shall be developed with the following objectives and basic strategy:

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

The description of geology and seismicity in the Market and Octavia Plan PEIR did not identify any other significant impacts. The project site is not located on expansive soils, so 4(d) is not applicable. The proposed project would not use a septic waste disposal system, so 4e is not applicable. Impacts and Mitigation Measures related to naturally occurring asbestos in the serpentine rock to be excavated during project construction are discussed in Section 4, Hazards and Hazardous Materials. The proposed project would be consistent with the geology information discussed in the Market and Octavia Plan PEIR, and there is no significant environmental effect related to geology and soils peculiar to the project or its site; thus no additional mitigation measure would be necessary.

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
4.	**HAZARDS AND HAZARDOUS MATERIALS** Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐	☐
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☐	☒	☐

Impact HZ-1: Demolition and excavation of the project site could result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant with Mitigation)

The Market and Octavia Plan PEIR discusses the potential hazardous materials in the project area, including petroleum hydrocarbons in the soil, serpentine rock, asbestos, lead based paint, and radon.[34] Given the wide variety of site conditions possible in the Market and Octavia Plan Area, the EIR requires the following mitigation measure, which would be applied to the proposed project as mitigation measure M-HZ-1:

Mitigation Measure M-HZ-1: Hazardous Materials Mitigation Measure (PEIR Measure 5.10A)

Program or project level mitigation measures would vary depending upon the type and extent of contamination associated with each individual project. Mitigation measures to protect the community generally shall include:

- Airborne particulates shall be minimized by wetting exposed soils, as appropriate, containing run-off, and tarping overnight and weekends.
- Storage stockpiles shall be minimized, where practical, and properly labeled and secured.
- Vehicle speeds across unpaved areas shall not exceed 15 mph to reduce dust emissions.
- Activities shall be conducted so as not to stack contaminants beyond the regulated area.
- Misting, fogging, or periodic dampening shall be used to minimize fugitive dust, as appropriate.
- Containments and regulated areas shall be properly maintained.

Implementation of the mitigation measure would reduce potential hazards to a less-than-significant level.

[34] PEIR, pp. 4-297-4-302.

Impact HZ-2: Excavation of the project site could result in handling and accidental release of contaminated soils associated with naturally-occurring asbestos. (Less than Significant with Mitigation)

The Market and Octavia Plan PEIR notes that serpentine rock is present in the project area, and that serpentine rock, or serpentinite, contains naturally-occurring asbestos. In addition, the Market and Octavia Plan EIR notes that the presence of asbestos in the soil requires implementation of the California Air Resources Board regulations contained in California Code of Regulations Title 17, Section 93105: Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (ATCM), and that implementation of those regulations would reduce any impacts due to the removal of serpentine soils to less-than-significant levels.[35]

The existence of asbestos in the serpentinite rock on the project site also led to preparation of a Phase II Environmental Site Assessment,[36] which has been reviewed by the San Francisco Department of Public Health (DPH). DPH concurred with the recommendation of the consultant, Environmental Risk Specialties, that a site-specific Dust Control Plan (DCP) with monitoring for asbestos and a Site Mitigation Plan (SMP) be required for excavation and development.[37]

The project sponsor would follow all procedures of the SMP and DCP once they are approved. Mitigation Measure M-HZ-2 contains the representative features that are expected to be included in the DCP and the SMP. Implementation of this mitigation measure would reduce impacts related to asbestos-containing serpentine rock, and its excavation and removal, to less-than-significant levels.

Mitigation Measure M-HZ-2: Dust Control Plan and Site Mitigation Plan

Dust Control Objective: The goal for dust control has been stated as "no visible dust" from construction activities.

Dust Control Plan: The Dust Control Plan shall include the following mitigation activities:

- use of gravel pads at access points to the site for vehicle movement,
- traffic control by posting speed limit signs (no greater than 10 mph),
- watering unpaved roads every two hours,
- sweeping twice daily,
- inspection of vehicles leaving the site,

[35] PEIR, p. 4-308.

[36] Subsurface Investigation Report, Environmental Risk Specialties Corp., David DeMent, PG, June 24, 2009. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

[37] Letter from Rajiv Bahtia, MD, MPH, to Lisa Congdon, Prado Group, July 6, 2009. This document is available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2008.0550E.

- stabilizing soils with a dust palliative and water,
- covering stockpiles,
- seeding and watering areas that are inactive for more than four days, and
- controlling heights from which materials would be dropped.

Monitoring for Visible Dust: The sponsor shall ensure visual observation at the site for visible dust during active work. Third party observers shall be the responsibility of the contractor working on the site. Dust management "best management practices" shall be verified at the end of each day.

Triggers for Corrective Action and Work Stoppage: The following actions shall be taken upon observance of visible dust during work activities:

- Any occurrence of observed visible dust on-site shall lead to more aggressive application of dust control measures.
- Persistent visible dust from work activities for greater than one hour shall require the work to cease.
- Any occurrence of visible dust resulting from work activities that goes beyond the site boundary for more than five minutes shall require the work to cease until effective dust control measures are applied.

Quantitative Dust Monitoring: Dust monitoring devices for PM_{10} shall be placed in the up- and down-wind directions at the property perimeters. At a minimum, one monitor shall be placed approximately every 500 feet. The perimeter dust monitoring equipment shall use real-time monitoring, complete with an alarm and recording method. Alarm should be triggered if levels exceed approximately 250 g/m³ over a five-minute period. The sponsor shall review and revise the dust control plan and activities as needed if any average 24 hour levels are greater than approximately 50 g/m³. The project sponsor shall submit monitoring data with related corrective activities to EHS-HWU on a weekly basis. Air monitoring shall be conducted throughout the demolition and grading phase of the project unless EHS-HWU deems, on the basis of monitoring results, that further monitoring is not indicated.

Real-time continuous air monitoring for dust shall occur at two locations along the perimeter of the project during the first month of soil excavation. Air monitoring continuation after one month shall be based on review of excavation and dust suppression activities by SFDPH and the success of dust suppression measures documented during the first month.

The project site is not within one-quarter mile of an existing or proposed school; Everett Middle School is about one-half mile from 2001 Market Street. Therefore, 5c — emission of hazardous emissions or handling hazardous materials, substances, or wastes within one-quarter mile of a school — is not applicable to the proposed project. Since the project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962, topic 5d is not applicable. Nor is the project site located within an airport land use plan, within 2 miles of an airport, or in the vicinity of a private airstrip. Thus topics 5e and 5f are not applicable.

The routine operation of the proposed project would not involve the routine transportation of hazardous materials. The proposed project would not affect emergency access to surrounding properties, and would follow current Building Code requirements related to fire safety and

emergency access. Therefore, the proposed project would have no significant effect on an adopted emergency response plan or fire hazards (5g and 5h).

Conclusion

Aside from the need for site-specific mitigation for serpentinite, the proposed project would be consistent with the hazards and hazardous materials analysis in the Market and Octavia Plan PEIR. There are no other significant environmental effects peculiar to the project or its site. Thus, no additional mitigation measure would be necessary.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
5. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	☐
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	☐

The Mitigation Measures M-CU-1, M-BI-1, M-GE-1, M-HZ-1, and M-HZ-2, set forth in their respective topic sections, have been incorporated into the proposed project to address potential construction-related impacts on Cultural and Paleontological Resources, Air Quality, Biological Resources, Geology and Soils, and Hazards and Hazardous Materials. Implementation of these measures would reduce these potential impacts of the proposed project to less-than-significant levels. Therefore, the proposed project would not result in any new significant environmental impacts not already described in the Market and Octavia Plan Program EIR.

F. PUBLIC NOTICE AND COMMENT

Public Notice was provided by mail to all residents and owners near the project site on May 6, 2009. Comments were received by phone, email, and mail from 15 people, and these

commenters expressed opinions on multiple topics, including questions regarding the development itself, concerns about construction and changes to the project site that would result from new development, and on the following environmental issues: traffic, parking, noise, shadow effects, design issues, concerns about more intensive land use, potential hazards and hazardous materials, the presence of nearby grocery stores, wind effects, air quality, whether neighboring buildings would be destabilized, historical resources, and whether there would be a soil control plan. These issues were considered in the Market and Octavia Plan EIR and in the discussions above in this Focused Initial Study.

G. DETERMINATION

On the basis of this initial study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning