



EXECUTIVE SUMMARY CONDITIONAL USE

HEARING DATE: September 30, 2021

Continued from: July 29, 2021

Record No.: 2019-013528CUA
Project Address: 36-38 Gough Street
Zoning: Moderate Scale Neighborhood Commercial Transit District (NC -3) Zoning District
50-X Height and Bulk District
Block/Lot: 3504/028
Project Sponsor: Justin Zucker, Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: Really Maybe, LLC
12 Gough Street, Suite 100
San Francisco, CA 94103
Staff Contact: Ella Samonsky – (628) 652-7417
ella.samonsky@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project includes demolition of the existing duplex, and new construction of a five-story, 55-ft tall, residential building (approximately 7,300 square feet (sq. ft.)) with eight dwelling units, eight Class 1 bicycle parking spaces, and two Class 2 bicycle parking spaces. The Project includes a dwelling-unit mix consisting of one (1) three-bedroom units, four (4) two-bedroom units, two (2) one-bedroom units, and one (1) studio unit.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 317, to demolish an existing three-story, two-family residence and construct a new five-story residential building containing eight dwelling units.

Issues and Other Considerations

- **Public Comment & Outreach.**

- **Support/Opposition:** The Department has not received letters in support or opposition to the Project.
- **Outreach:** The Sponsor has hosted one meeting within the community, on March 21, 2019. which one person attended. Questions were raised about ADA access to the building and homeless encampments near the property.

- **Tenant History:**

- **Are any units currently occupied by tenants: No.**
 - The unit at 38 Gough Street has been vacant since March 1, 2017, and the unit at 36 Gough Street has been vacant since July 31, 2017.
- **Have any tenants been evicted within the past 10 years: No.**
 - The Rent Board has no records of an eviction for the Project Site.
- **Have there been any tenant buyouts within the past 10 years: Yes.**
 - Buyout agreement with John Li and Brandon Leggitt, for 38 Gough Street, was signed June 29, 2017.
 - Buyout agreement with Megumi Bell, Scott Hines and Dorothy Dao, for 36 Gough Street, was signed January 13, 2017.
- See Exhibit G for Eviction History documentation.

Environmental Review

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on July 21, 2021, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Market and Octavia Neighborhood Plan and was encompassed within the analysis contained in the Market and Octavia Plan EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market and Octavia Neighborhood Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

The Department has reviewed the proposed modifications to the building and has determined that the proposed Project is consistent with the development intensity analyzed under the CPE and that no additional analysis is required.

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Market and Octavia Area Plan and the Objectives and Policies of the General Plan. Although the Project will demolish an existing two-family home, the

Project will provide substantially more housing on site, including five family-sized units, in an established transit-rich neighborhood. The Project is well designed to compliment the existing and developing character of the neighborhood. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit A)

Exhibit B – Plans and Renderings

Exhibit C – Environmental Determination

Exhibit D – Land Use Data

Exhibit E – Maps and Context Photos

Exhibit F - Project Sponsor Brief

Exhibit G – Eviction History Documentation



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: September 30, 2021

Record No.: 2019-013528CUA
Project Address: 36-38 Gough Street
Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning District
55-X Height and Bulk District
Block/Lot: 3504/028
Project Sponsor: Justin Zucker, Reuben, Junius & Rose, LLP
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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 303 AND 317, TO ALLOW THE DEMOLITION OF THE EXISTING 1,875 SQUARE-FOOT, TWO-STORY TWO-FAMILY DWELLING AND NEW CONSTRUCTION OF A NEW FIVE-STORY 7,310 SQUARE-FOOT RESIDENTIAL BUILDING CONTAINING EIGHT DWELLING UNITS LOCATED AT 36-38 GOUGH STREET, LOT 028 IN ASSESSOR'S BLOCK 3504, WITHIN THE NCT-3 (MODERATE SCALE NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT AND A 50-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 3, 2019, Justin Zucker on behalf of Really Maybe, LLC (hereinafter "Project Sponsor") filed Application No. 2019-013528CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to construct a new five-story, 55-ft tall, residential building with 8 dwelling units (hereinafter "Project") at 36-38 Gough Street, Block 3504 Lot 028 (hereinafter "Project Site").

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on July 21, 2021, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Market and Octavia Neighborhood Plan and was encompassed within the analysis contained in the Market and Octavia Plan EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market and Octavia Neighborhood Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

The Department has reviewed the proposed modifications to the building and has determined that the proposed Project is consistent with the development intensity analyzed under the CPE and that no additional analysis is required.

On July 29, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-013528CUA, and continued it to September 30, 2021.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2019-013528CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use as requested in Application No. 2019-013528CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **The above recitals are accurate and constitute findings of this Commission.**
2. **Project Description.** The Project includes demolition of the existing duplex on the project site, and new construction of a five-story, 55-ft tall, residential building (approximately 7,300 gross square feet) with eight dwelling units, eight Class 1 bicycle parking spaces, and 2 Class 2 bicycle parking spaces. The Project includes a dwelling unit mix consisting of one three-bedroom unit, four two-bedroom units, two one-bedroom units, and one studio unit. The Project includes 504 square feet of common open in the rear yard and 375 square feet of private open space on decks and terraces.
3. **Site Description and Present Use.** The Project is located on a rectangular lot measuring 2,354 sf with 22-ft of frontage along Gough Street and 107-ft frontage on Colton Street. The project site contains an existing two-story duplex and a three-car garage with entrance from Colton Street.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the NCT-3 Zoning Districts in the Market and Octavia Area Plan. The immediate context is mixed in character with residential, office, commercial and institutional uses. The immediate neighborhood includes three-story office building to the north, the vacant San Francisco Community College District building to the west across Gough Street, a series of three-story residential properties to the south, and surface parking lots and two-story commercial building to the east along Colton Street. Other zoning districts in the vicinity of the project site include: P (Public), Hayes St NCT (Neighborhood Commercial Transit), and the C-3-G (Downtown General) Zoning District.
5. **Public Outreach and Comments.** The Department has not received correspondence regarding the proposed project.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Use.** Planning Code Section 752 permits residential uses, without density limit by lot area, in NTC-3 Zoning District.

The Project would construct a residential building containing eight dwelling units.
 - B. **Residential Demolition.** Pursuant to Planning Code Section 317 and 752, Conditional Use Authorization is required for applications proposing to demolish a residential unit in a NCT-3 Zoning District. This Code Section establishes criteria that the Planning Commission shall consider in the review of applications for Residential Demolition.

The Project proposes the demolition of an existing two-family building and therefore requires Conditional Use Authorization. The additional criteria specified under Section 317 have been incorporated as findings in Subsection 8 below.

- C. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 25 percent of the total depth, at the lowest level containing a dwelling unit, in NCT-3 Zoning Districts.

The subject property has a lot depth of 107 feet and is required to maintain a rear yard of at least 26 feet 9 inches. The Project proposes a rear yard of 26 feet 9 inches. Thus, the Project provides a code-compliant rear yard.

- D. **Useable Open Space.** In the NTC-3 Zoning District, Planning Code Section 135 requires 80 square feet of useable open space for each dwelling unit if all private, or 100 square feet of common usable open space for each dwelling unit.

The Project contains eight dwelling units. The rear yard provides 504 square feet of common open space. Three units, numbers 02, 04 and 06, each have access to private open space on a deck or patio. Thus, the Project provides a code complaint amount of usable open space for eight dwelling units.

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

The four front units have direct exposure onto the public street and the four rear units have direct exposure on to the Code-compliant rear yard.

- F. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses, that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The Project proposes a ground floor dwelling unit, which is an active use, for the full 22-foot frontage on Gough Street. The windows are clear and unobstructed.

- G. **Off-Street Parking.** Planning Code Section 151 does not require a minimum number of off-street parking spaces and permits a maximum of 0.5 parking space for each dwelling unit.

The Project will not provide off-street parking spaces.

- H. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for

each dwelling unit and one Class 2 bicycle parking space for each 20 dwelling units.

The Project proposes eight Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces.

- I. **Height.** Planning Code Section 252 and 270 establish a height limit of 50 feet, without bulk restrictions in the 50-X Height and Bulk District. An additional five feet of height is permitted for properties in the NC Zoning Districts which have an active ground floor use, pursuant to Planning Code Section 263.20. One additional foot of height, up to a total of five feet, is permitted above the designated height limit for each additional foot of ground floor clear ceiling height in excess of 10 feet from sidewalk grade.

The Project proposed a ground floor residential unit with a raised entry and a ceiling height that is 16 feet from sidewalk grade at the centerline of the building. The total height of the proposed building is 55 feet.

- J. **Narrow Streets.** Planning Code Section 261.1 requires that any frontage on a narrow street that is more than 60 feet from an intersection with a Street wider than 40 feet, set back the upper stories such that they avoid penetration of a sun access plane defined by an angle of 45 degrees extending from the most directly opposite property line.

As Colton Street is a narrow street, starting at the point 60 feet from Gough Street, the rear of the proposed building is reduced in mass so that it does not penetrate the sun access plane.

- K. **Residential Child-Care Impact Fee.** Planning Code Section 411 is applicable to any residential development that results in at least one new residential unit.

The Project includes approximately 7,102 gross square feet of new residential use. The Project shall receive credit for existing uses on the project site. This use is subject to Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A. This fee must be paid prior to the issuance of the building permit application.

- L. **Market and Octavia Community Improvement Impact Fees.** Planning Code Section 421 is applicable to any development project within the Market and Octavia Area Plan that results in at least one new dwelling unit.

The Project includes the construction of eight new dwelling units. The Project shall receive credit for existing uses on the project site. The residential use is subject to Market and Octavia Community Improvement Impact Fees, as outlined in Planning Code Section 421. These fees must be paid prior to the issuance of the building permit application.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The mid-size residential building is keeping with the general scale of development in the neighborhood and contributes to the mix of uses that provide vitality to the area. The building provides a transition between the more intense development along market street and smaller scale residential buildings found in the neighborhood. The ground floor residential unit will create an attractive active frontage along Gough Street, and the fenestration and material selection will add visual interest to Colton Street. While the Project proposes demolition of an existing duplex, the Project increases the number of dwelling units on the site. The proposed units are sized appropriately for the neighborhood and provides five family-sized units with two or more bedrooms. Therefore, the Project is necessary and desirable given the quality and design of the new residences and increase in the number of residential units.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed building will add height along Gough Street and step down the massing along Colton Street, which is a narrow street. The Project will provide an open rear yard to connect with the existing mid-block open space.

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require parking or loading for a 7,300 square-foot residential building. The Project provides eight bicycle parking spaces in a secured room accessed from Colton Street. The proposed use should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

As the Project is residential in nature, the proposed residential use is not expected to produce noxious or offensive emissions.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

Sufficient open space has been provided for the eight dwelling units in the rear yard, rear deck and roof decks. The ground floor dwelling unit has a front stoop with landscape, and access to building services is provided from Colton Street.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is

consistent with objectives and policies of the General Plan as detailed below.

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

The proposed project is consistent with the stated purposes of NCT-3 Districts in that it maximizes residential opportunities near major transit services and adds to a pedestrian-friendly mixed-use neighborhood.

8. Residential Demolition Findings. Section 317 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert residential buildings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met pursuant to Section 317(g)(6):

- a) Whether the property is free of a history of serious, continuing code violations;

A review of the Department of Building Inspection and the Planning Department databases does not show any serious or continuing code violations.

- b) Whether the housing has been maintained in a decent, safe, and sanitary condition;

The existing dwellings appears to be in decent, safe, and sanitary condition with no Code violations.

- c) Whether the property is an "historical resource" under CEQA;

The Market and Octavia Historic Survey determination that the property is not a historical resource.

- d) Whether the removal of the resource will have a substantial adverse impact under CEQA;

The existing building is not a historical resource and its removal will not have any substantial adverse impacts under CEQA.

- e) Whether the Project converts rental housing to other forms of tenure or occupancy;

The existing building was a rental property for both units. The lower unit, 38 Gough Street, was also used as an antiques restoration business prior to 2009. The Project proposes eight rental dwelling units.

- f) Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

The Planning Department cannot definitively determine whether a specific unit is subject to the Residential Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board. However, the Project Sponsor has reported that both existing units are subject to the Rent Stabilization and Arbitration Ordinance. The existing units are not Affordable Housing units.

- g) Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

The Project removes an existing duplex. While older housing stock may be more affordable than new construction, the increase in total housing provided on-site, and the mix of unit sizes will provide new opportunity for diverse households in the neighborhood.

- h) Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The Project conserves neighborhood character with appropriate scale, architecture, and pedestrian-oriented design that are consistent with the Urban Design Guidelines and the provisions of the NCT-3 Zoning District. The project also adds housing into the mixed use neighborhood, close to employment and retail uses.

- i) Whether the Project protects the relative affordability of existing housing;

The Project removes two existing dwelling units, a one-bedroom unit and a two-bedroom unit, which is generally considered more affordable than newly constructed units. The Project results in eight units, including one and two-bedroom units of comparable sizes, that contribute positively to the City's housing stock.

- j) Whether the Project increases the number of permanently affordable units as governed by Section 415;

The Project is not subject to the provisions of Planning Code Section 415, as the Project proposes fewer than ten units. The Project does not include construction of affordable housing, as defined in Planning Code Section 415.

- k) Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

The Project represents the redevelopment of a parcel within an established neighborhood, in an area well served by transit, that was planned for additional housing capacity in the Market and Octavia Area Plan.

- l) Whether the project increases the number of family-sized units on-site;

The Project increases the number of family-sized housing units on-site by constructing five dwelling units with two or more bedrooms. The property currently contains one two-bedroom dwelling unit.

- m) Whether the Project creates new supportive housing;

The Project does not create supportive housing.

- n) Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

On balance, the overall scale, design, and materials of the proposed building is consistent with the Urban Design Guidelines. The Project compliments the neighborhood character with a bay window and

finishes typical of nearby residential development and a ground floor dwelling unit designed to create an inviting interface with the street.

- o) Whether the Project increases the number of on-site dwelling units;

The Project would replace two dwelling units with eight dwelling units, for a net increase of six units on the project site.

- p) Whether the Project increases the number of on-site bedrooms.

The existing duplex contains a total of three bedrooms. The Project contains a total of eleven bedrooms and one studio unit.

- q) Whether or not the replacement project would maximize density on the subject lot; and,

The NTC-3 Zoning District does not have a residential density limit based on lot size; the maximum number of dwelling units is limited by other physical controls such as height, setbacks and dwelling unit exposure. The Project will maximize the allowed density on-site by providing eight dwelling units in a five story building that meets applicable setback and bulk requirements.

- r) If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all the existing units with new dwelling units of a similar size and with the same number of bedrooms.

The replacement project would provide one studio unit, two one-bedroom units, four two-bedroom units and one three-bedroom unit to replace the existing one-bedroom unit and two-bedroom unit. While there would be more units, on average the replacement units would be of a smaller area.

- 9. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.2

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas such as Treasure Island, Candlestick Park and Hunter's Point Shipyard.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

MARKET AND OCTAVIA AREA PLAN

Land Use

Objectives and Policies

OBJECTIVE 1.1

CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A SUSTAINABLE MIXED USE URBAN NEIGHBORHOOD.

Policy 1.1.2

Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot or by bicycle.

Policy 1.1.3

Encourage housing and retail infill to support the vitality of the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts.

OBJECTIVE 1.2

ENCOURAGE URBAN FORM THAT REINFORCES THE PLAN AREA'S UNIQUE PLACE IN THE CITY'S LARGER URBAN FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

Policy 1.2.2

Maximize housing opportunities and encourage high-quality commercial spaces on the ground floor.

Policy 1.2.3

Limit heights along the alleys in order to provide ample sunlight and air in accordance with the plan principles that relate building heights to street widths.

Housing
Objectives and Policies

OBJECTIVE 2.2

ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

Policy 2.2.2

Ensure a mix of unit sizes is built in new development and is maintained in existing housing stock.

OBJECTIVE 2.3

PRESERVE THE AFFORDABILITY OF EXISTING HOUSING STOCK AND STRENGTHEN TENANT PROTECTION PROGRAMS.

Policy 2.3.2

Prohibit residential demolitions unless they would result in sufficient replacement of existing housing units. Even when replacement housing is provided, demolitions should further be restricted to ensure affordable housing and historic resources are maintained

The Project is an infill residential development within an established neighborhood in the Market and Octavia Area Plan, which anticipated increased housing development. The Project adds residential density near to multiple mode of transit and within walking distance of the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts. While the Project will demolish two existing dwelling units, which generally are more affordable than new construction, it will provide eight new dwelling units for rent, including five family-sized units, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The Project adds a well-designed residential building, which features traditional forms and materials, including bay windows, smooth plaster and horizontal wood siding, to the transitioning neighborhood from the new development focused on Market Street to the established residential side streets. The Project massing is sympathetic to the narrow Colton Street as well as the existing irregular mid-block open space. The street frontage is designed with a residential stoop and lobby to create an inviting transition to the street. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

10. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The project site does not possess any neighborhood-serving retail uses. The Project provides eight new dwelling units, which will enhance the nearby retail uses by providing new residents, who may

patronize and/or own these businesses.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project removes two existing dwelling units to create eight new housing units. While preservation of existing housing is a goal of the City, the City also prioritizes increasing the housing supply to serve the City's growing population.

- C. That the City's supply of affordable housing be preserved and enhanced,

The Project does not currently possess any existing affordable housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project Site is well served by nearby public transportation options; it is located within a few blocks of six MUNI metro lines and eleven MUNI bus lines. The Project does not include on-site parking but provides sufficient bicycle parking for residents and their guests.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development. Although the project does not create new commercial space, it provides new housing near multiple commercial corridors and employment opportunities.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project Site does not contain any City Landmarks or historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project does not impact any nearby parks or public open spaces.

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

12. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2019-013528CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated April 27, 2021, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the CPE and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the CPE.

The Planning Commission hereby adopts the CPE and the MMRP attached hereto as Exhibit C and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the CPE and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 29, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: September 30, 2021

EXHIBIT A

Authorization

This authorization is for a conditional use to allow the demolition of an existing 1,875 square-foot, two-story two-family dwelling and the construction of a new five-story 7,310 square-foot residential building containing eight dwelling units located at 36-38 Gough Street, Block 3504, and Lot 028 pursuant to Planning Code Section(s) 303 and 317 within the NCT-3 District and a 50-X Height and Bulk District; in general conformance with plans, dated April 27, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2019-013528CUA and subject to conditions of approval reviewed and approved by the Commission on July 29, 2021 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 29, 2021 under Motion No. XXXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 6. Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Design – Compliance at Plan Stage

- 7. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Ella Samonsky, Planning Department at 628.652.7417, www.sfplanning.org

- 8. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Ella Samonsky, Planning Department at 628.652.7417 www.sfplanning.org

- 9. Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Ella Samonsky, Planning Department at 628.652.7417, www.sfplanning.org

- 10. Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

For information about compliance, contact the Ella Samonsky, Planning Department at 628.652.7417, www.sfplanning.org

Parking and Traffic

- 11. Bicycle Parking.** The Project shall provide no fewer than **eight (8)** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 12. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

- 13. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

For information about compliance, contact the Ella Samonsky, Planning Department at 628.652.7417, www.sfplanning.org

- 14. Market Octavia Community Improvements Fund.** The Project is subject to the Market and Octavia Community Improvements Fee, as applicable, pursuant to Planning Code Section 421.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7417, www.sfplanning.org

Monitoring - After Entitlement

- 15. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 16. Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463,

www.sfplanning.org

- 17. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Operation

- 18. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublicworks.org

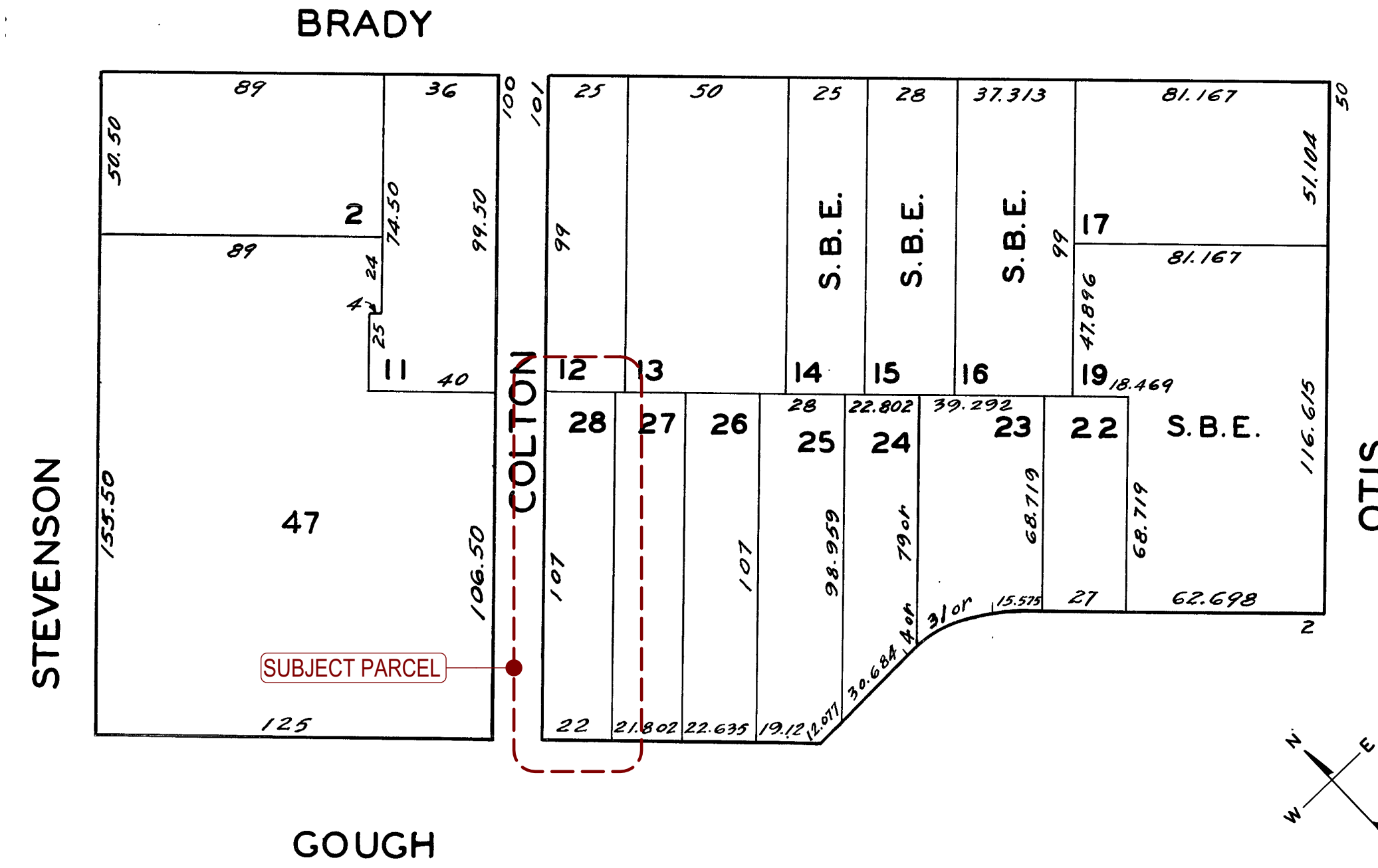
- 19. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

DRAWING INDEX

- A-0.1 COVER SHEET
- SURVEY
- A-1.1 SITE PLANS
- A-1.2 3D ILLUSTRATION / SITE PHOTOS (1)
- A-1.3 3D ILLUSTRATION (2), & WINDOW DETAILS
- A-2.0 EXISTING FLOOR PLANS (DEMO)
- A-2.1 PROPOSED FLOOR PLANS
- A-2.2 PROPOSED FLOOR PLANS
- A-2.3 PROPOSED FLOOR PLANS
- A-3.0 EXISTING ELEVATIONS & SECTION (DEMO)
- A-3.1 BUILDING ELEVATIONS (NORTH & SOUTH)
- A-3.2 BUILDING ELEVATION (WEST)
- A-3.3 BUILDING ELEVATION (EAST)
- A-4.1 BUILDING SECTION
- G-0.1 GREEN BUILDING CHECKLIST

ASSESSOR'S MAP



SCOPE OF WORK

PROPOSED NEW CONSTRUCTION OF A FIVE-STORY MIXED-USE RESIDENTIAL BUILDING, W/ 8 DWELLING UNITS

PROJECT NAME
36-38 Gough Street
San Francisco, CA 94103

PROJECT DATA

PLANNING DATA
 ADDRESS: 36 GOUGH STREET
 LOT AREA: 2,354 ± SF
 BLOCK / LOT: 3504 / 028
 ALLOWED BUILDING HEIGHT: 55-X
 ZONING: NCT-3

REAR YARD OPEN SPACE
 REQUIRED: 588 SF (25% OF LOT AREA: 2,354 S.F. x 0.25)
 PROVIDED: 588 SF (25% OF LOT AREA)

GROSS FLOOR AREA - PER PLANNING CODE
 1ST FLOOR: 1,680 ± SF
 2ND FLOOR: 1,633± SF
 3RD FLOOR: 1,324 ± SF
 4TH FLOOR: 1,340 ± SF
 5TH FLOOR: 1,340 ± SF

GROSS BUILDING AREA: 7,317 ± SF

SHEET TITLE
Cover Sheet

SIA consulting
SIA CONSULTING CORPORATION
4742 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292 / FAX: (415) 849.1252

BULK STUDY



USABLE OPEN SPACE
 REQUIRED: 500 SF COMMON OPEN SPACE (100 SF X 5 UNITS)
 240 SF PRIVATE OPEN SPACE (80 SF X 3 UNITS)
 PROVIDED: 504 ± SF COMMON OPEN SPACE @ REAR YARD
 375 SF PRIVATE OPEN SPACE @ 1ST, 2ND, & 3RD FLR

PARKING SUMMARY
 CAR PARKING: NOT REQ, PERMITTED 0.5 PER DWELLING UNIT
 CLASS I BICYCLE PARKING: 8 BICYCLE PARKING (REQ'D ONE PER DWELING)
 CLASS II BICYCLE PARKING: 1 @ SIDE WALK (REQ'D ONE PER 20 UNITS)

RESIDENTIAL UNIT MATRIX

FLOOR LEVEL	GROSS FLOOR AREA	STUDIO	1 BEDROOM	2 BEDROOM	3 BEDROOM	TOTAL	OPEN SPACE	
							PRIVATE	COMMON
1ST FLOOR	876 S.F.	1	1			2 UNITS	84 S.F.	504 S.F.
2ND FLOOR	1,408 S.F.			2		2 UNITS	132 S.F.	
3RD FLOOR	1,100 S.F.	1		1		2 UNITS	159 S.F.	
4TH FLOOR	1,116 S.F.			1	1	2 UNITS		
5TH FLOOR	1,165 S.F.							
TOTAL	5,665 S.F.	25%	12.5%	50%	12.5%	8 UNITS	375 S.F.	504 S.F.

NOTE:
 AREA CALCULATION AS SHOWN IS INTENDED FOR PERMIT APPLICATION PURPOSES ONLY & SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL SQ.FT & FINISHED DIMENSIONS MAY VARY FROM THESE PLANS DUE TO CONSTRUCTION VARIABLES.

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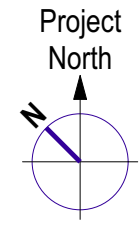
10/23/2018 PROJECT REVIEW @ SF PLANING

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DESIGN BY R.K.
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REVISED DATE 03/30/2020
JOB NO. 18-1814
SHEET NO.

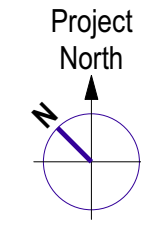
A-0.1



Existing Site Plan
1/8" = 1'-0"



Proposed Site Plan
1/8" = 1'-0"



PROJECT NAME
36-38 Gough Street
San Francisco, CA 94103

SIA consulting
SIA CONSULTING CORPORATION
4742 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292 / FAX: (415) 849.1252

SHEET TITLE
Site Plans

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A-1.1



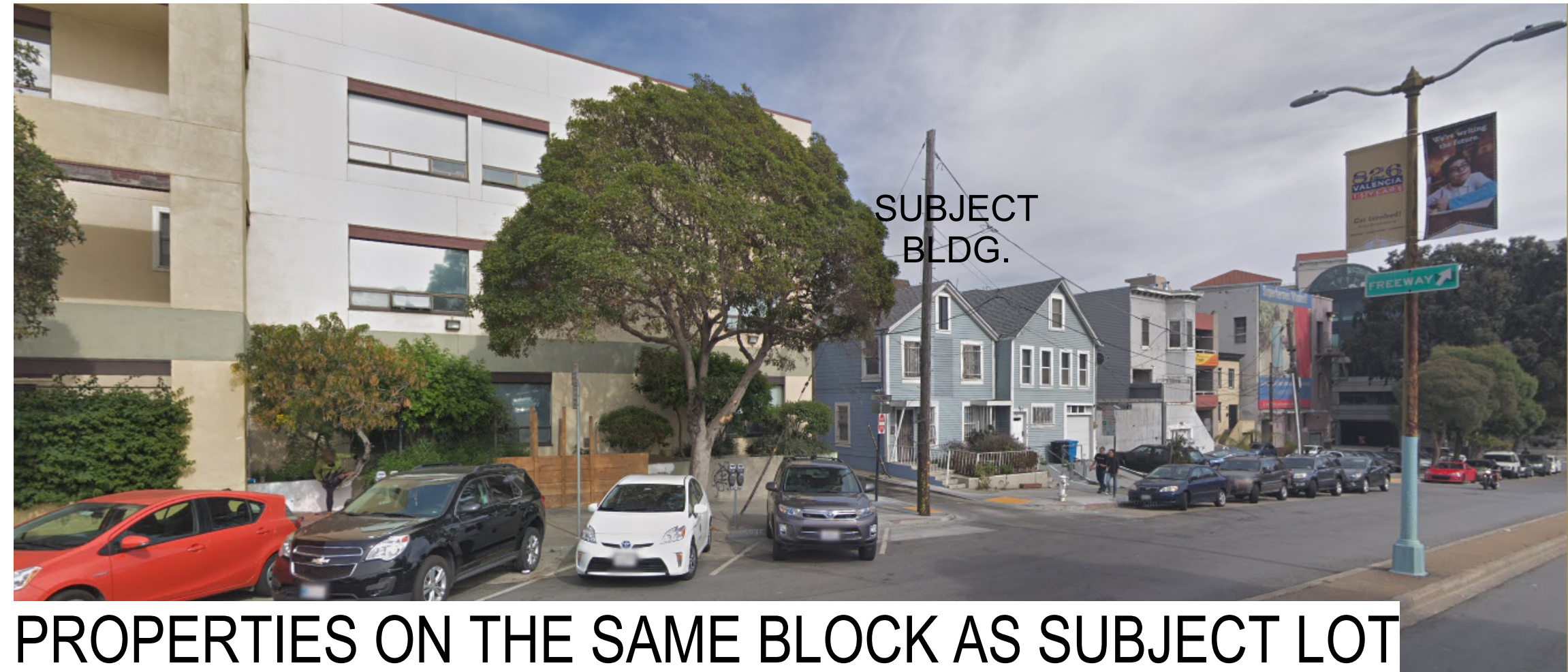
3D View (1)



3D View (2)



EXISTING FRONT ELEVATION



PROPERTIES ON THE SAME BLOCK AS SUBJECT LOT



PROPERTIES OPPOSITE OF SUBJECT LOT

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



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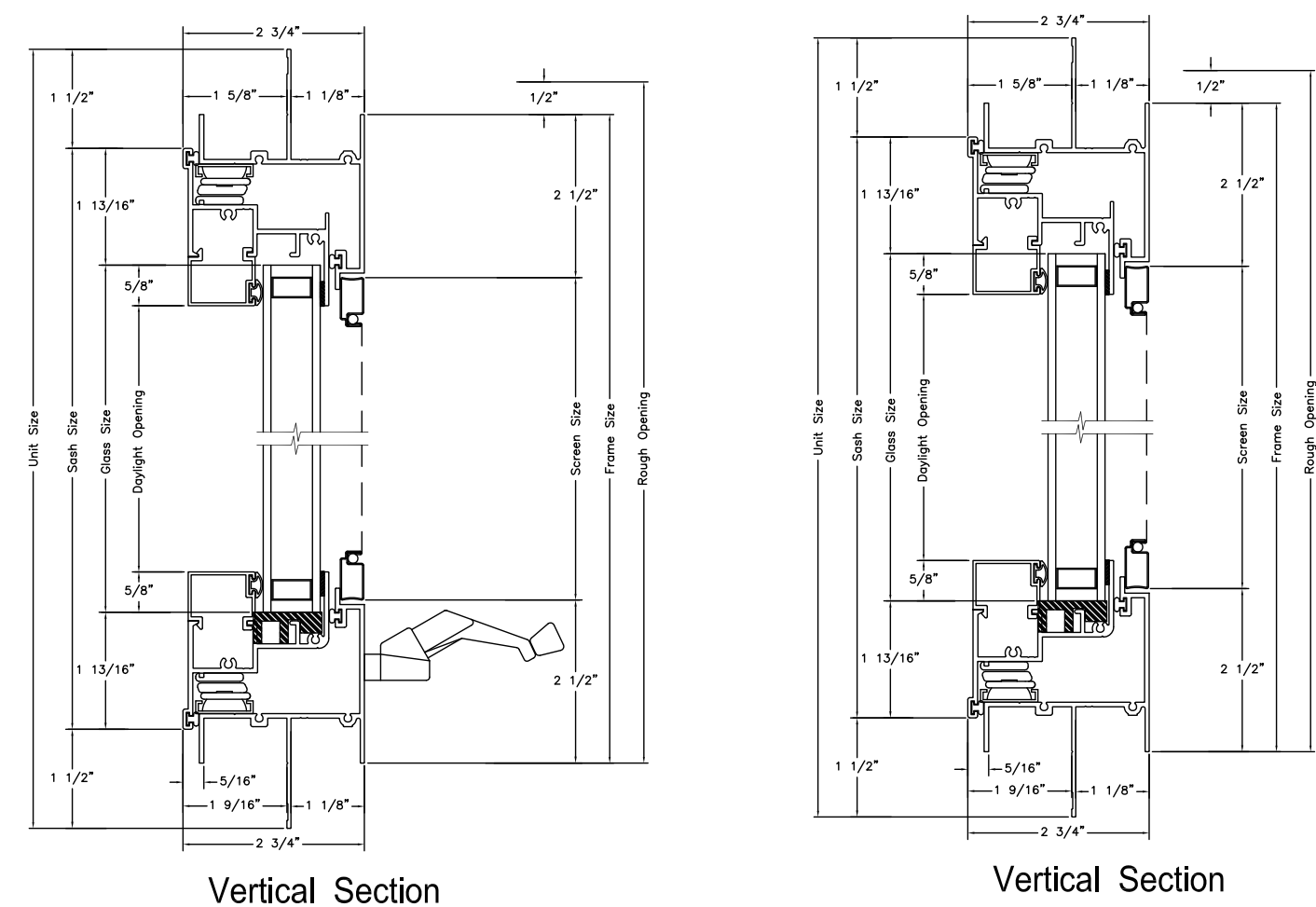
3D Illustration /
Site Photos (1)

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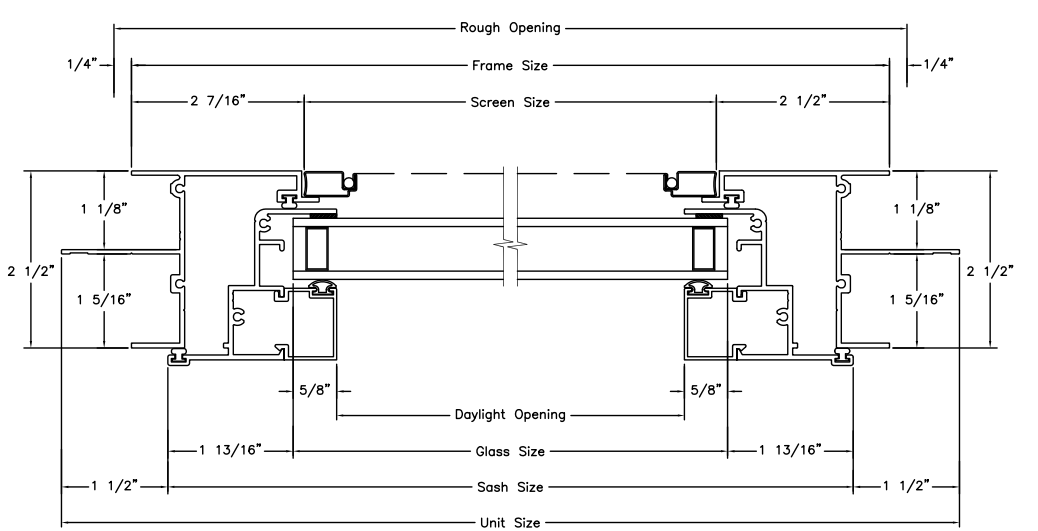
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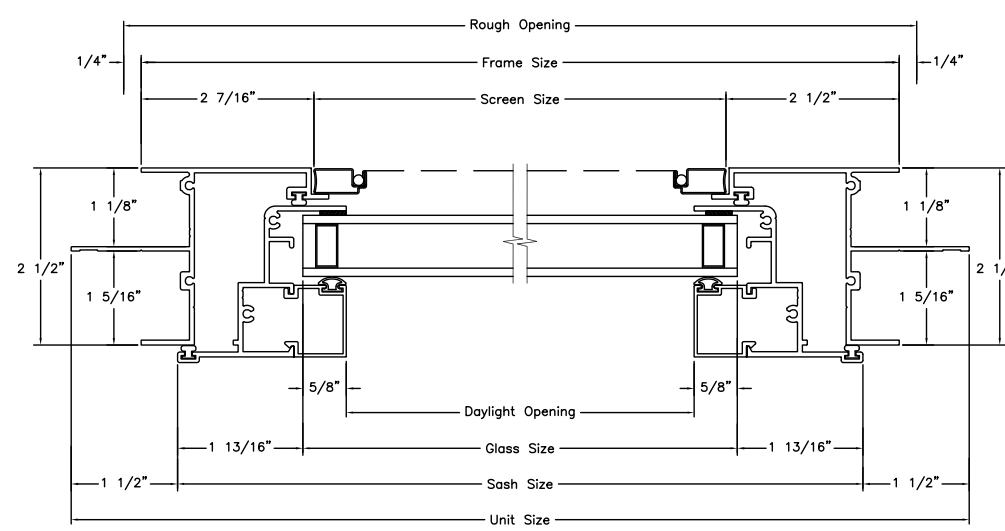


Vertical Section

Vertical Section



Horizontal Section



Horizontal Section

Window Typ. Details



3D View (3)



3D View (4)

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



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**3D Illustration (2),
& Window Details**

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A-1.3

1 2 3 4 5 6 7 8 9 10

A

B

C

D

E

F

A

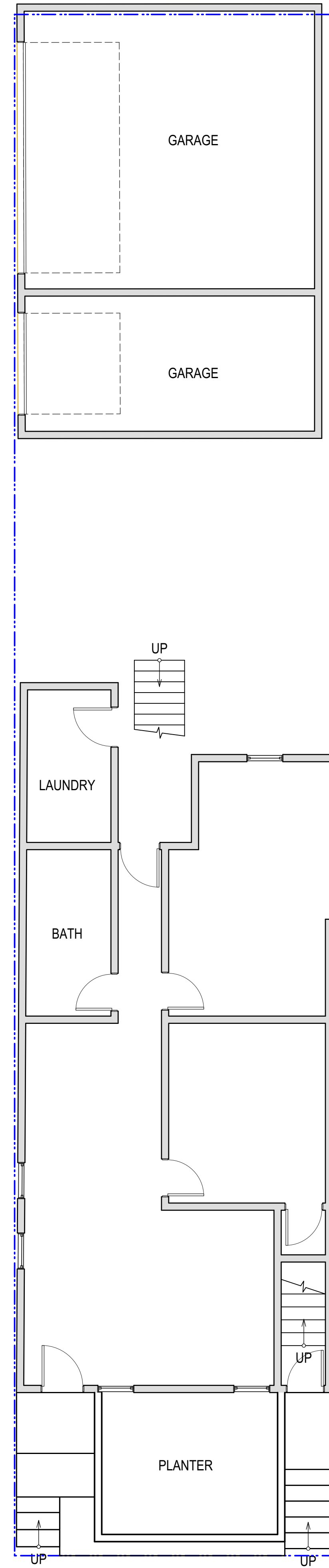
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C

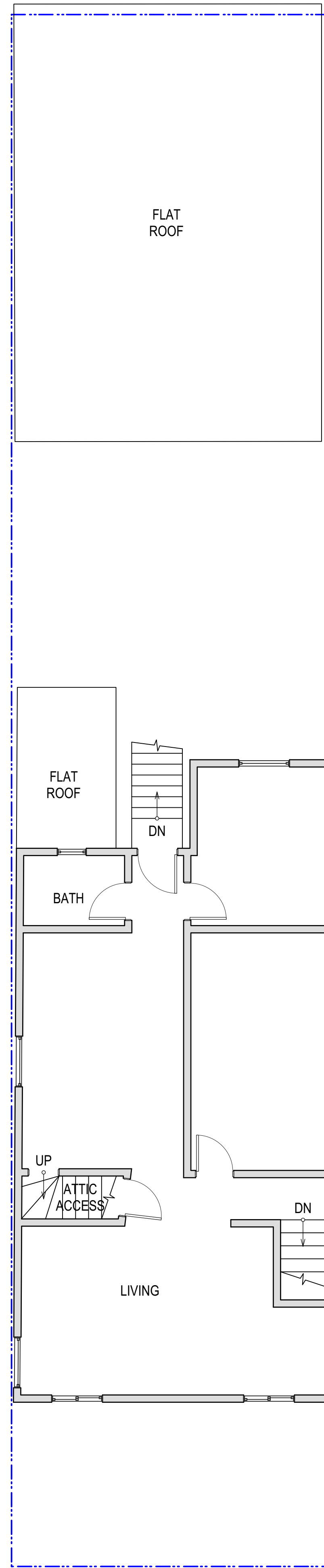
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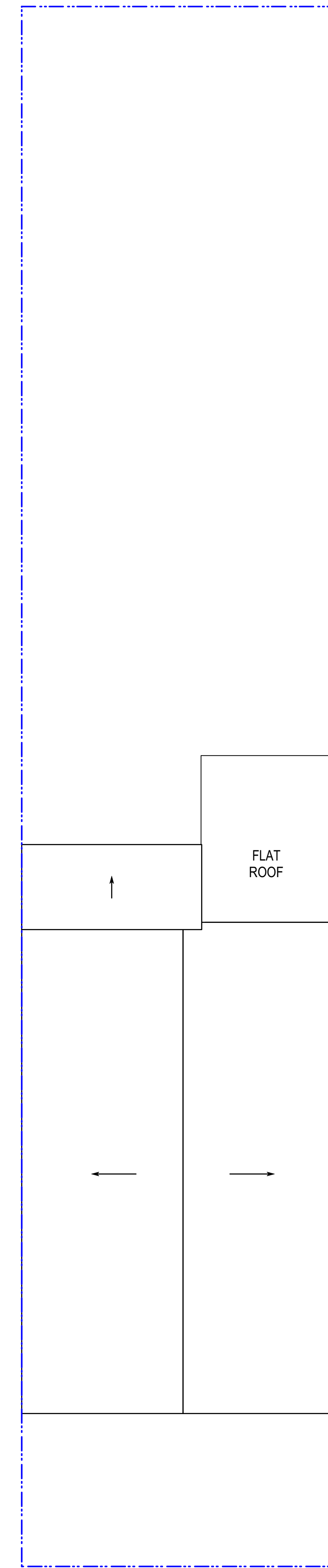
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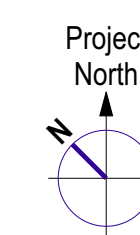
Existing First Floor Plan
3/16" = 1'-0"



Existing Second Floor Plan
3/16" = 1'-0"



Existing Roof Plan
3/16" = 1'-0"



PROJECT NAME

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San Francisco, CA 94103



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SHEET TITLE

**Existing Floor
Plans (Demo)**

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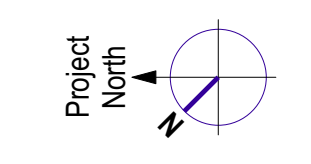
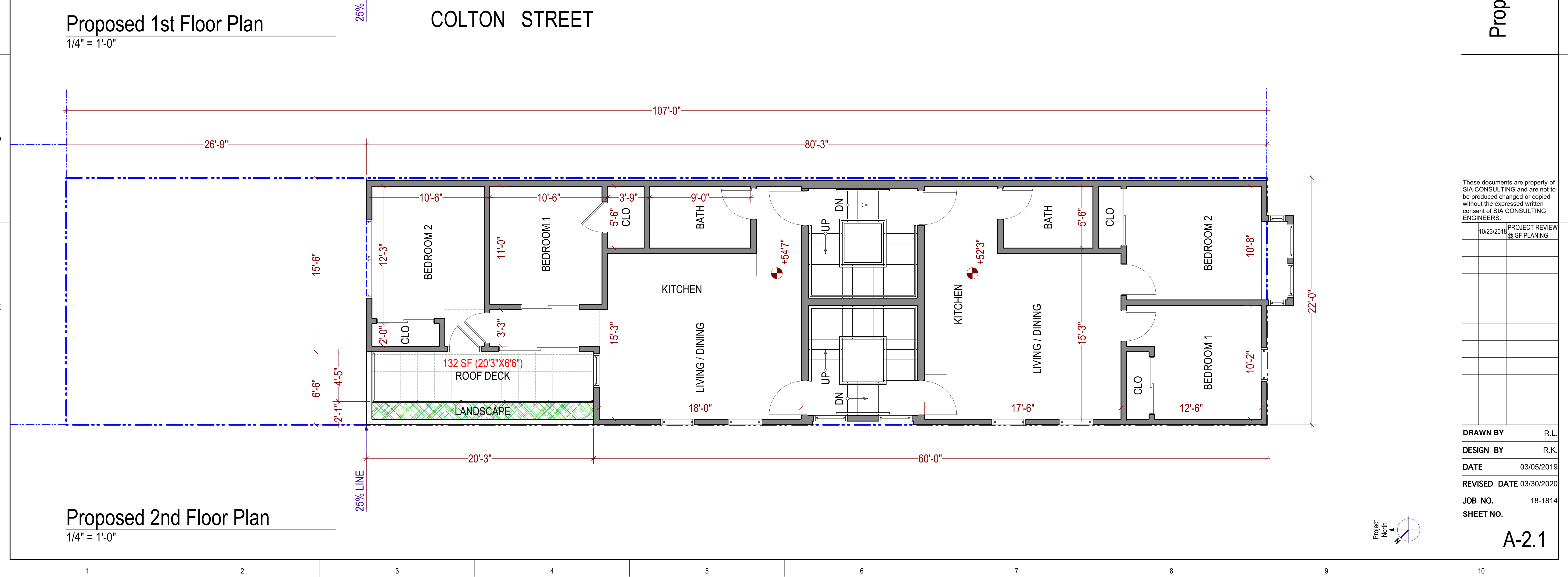
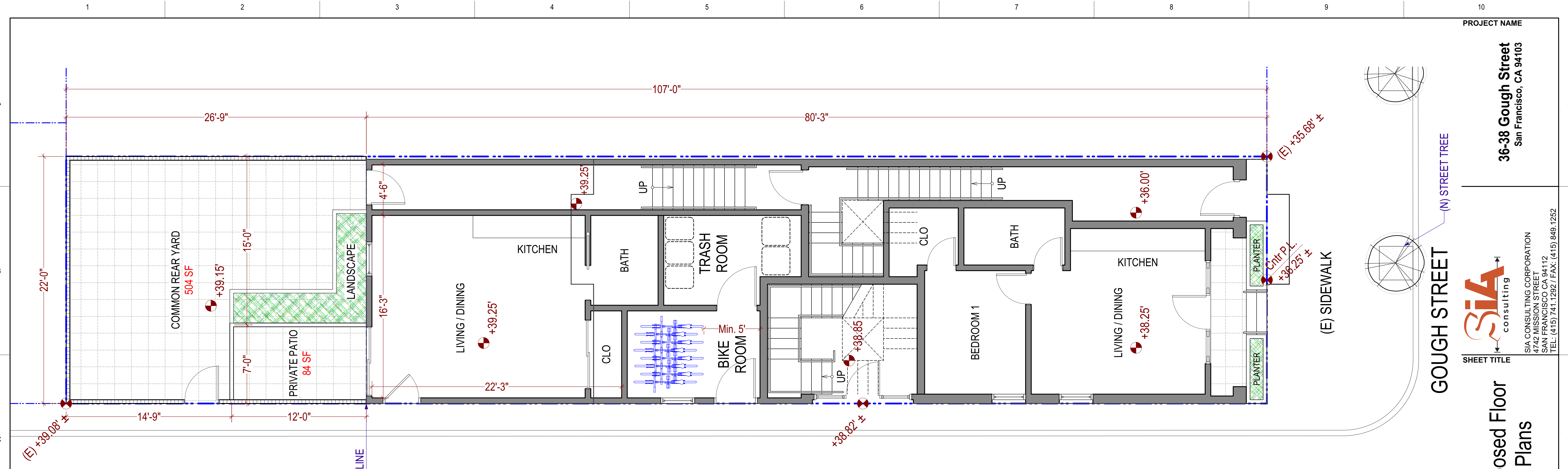
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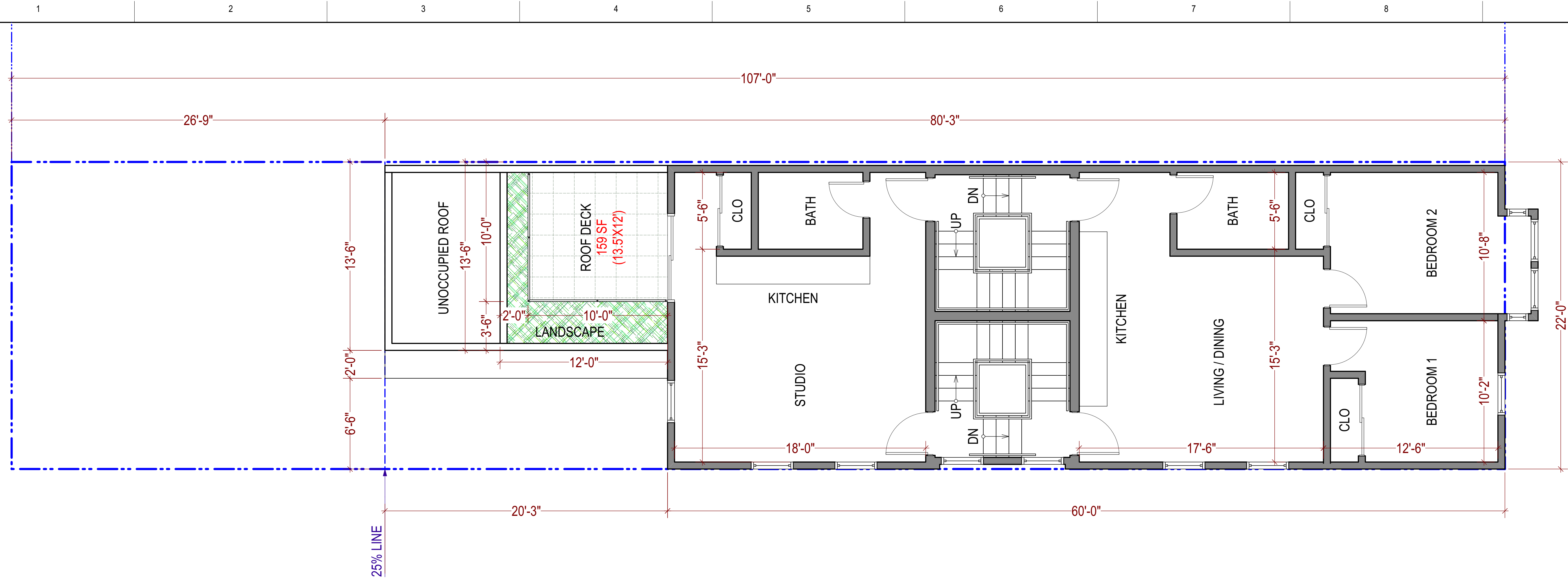
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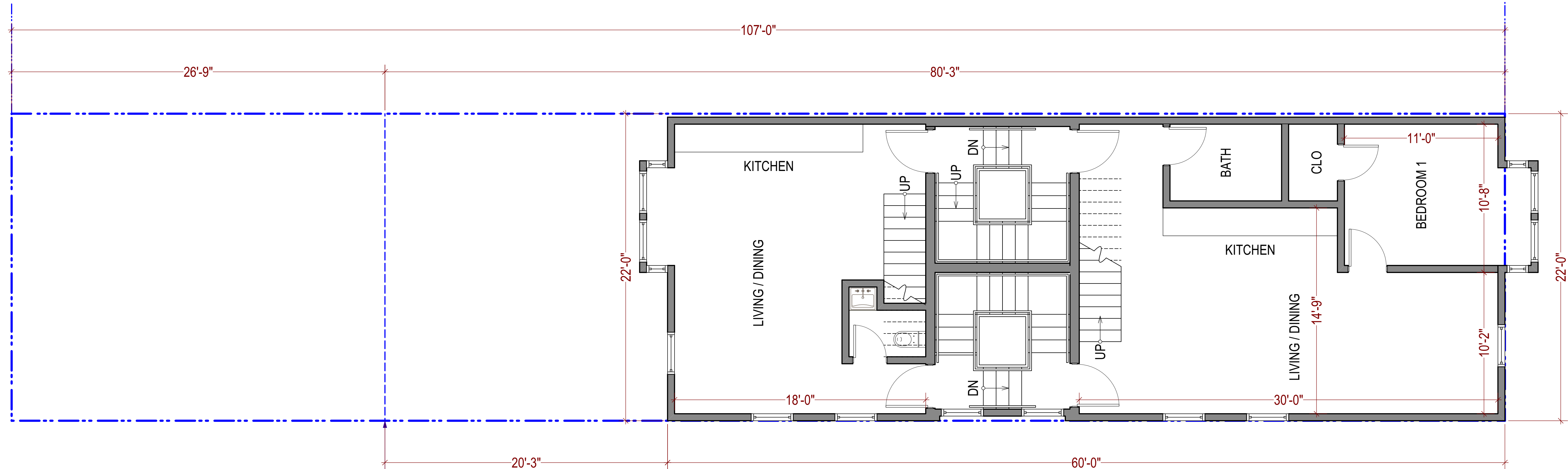
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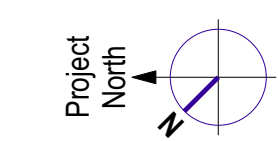
Proposed 3rd Floor Plan

1/4" = 1'-0"



Proposed 4th Floor Plan

1/4" = 1'-0"



PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



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SHEET TITLE

Proposed Floor Plans

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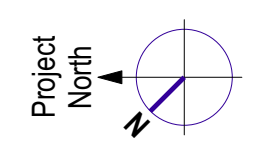
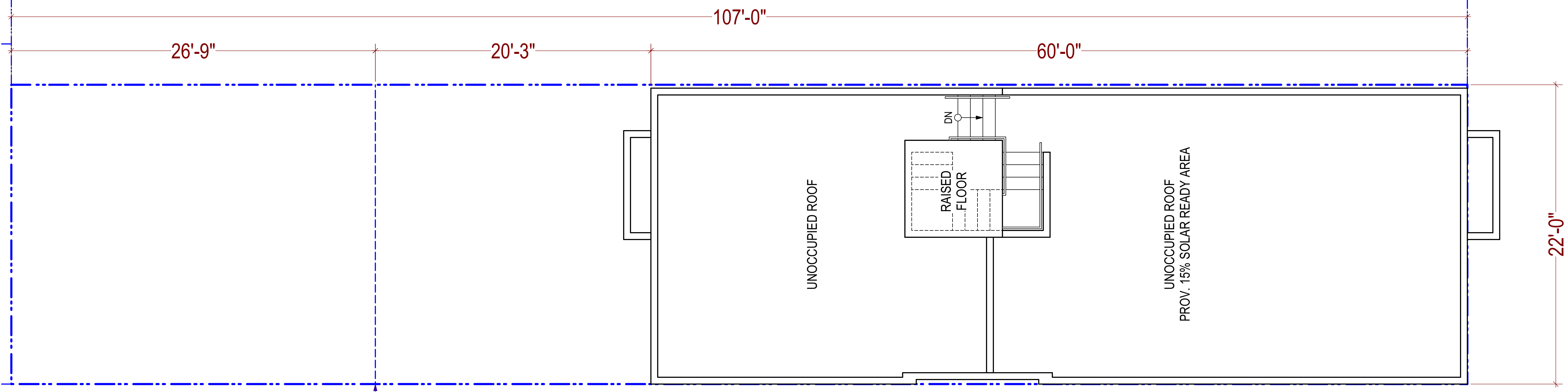
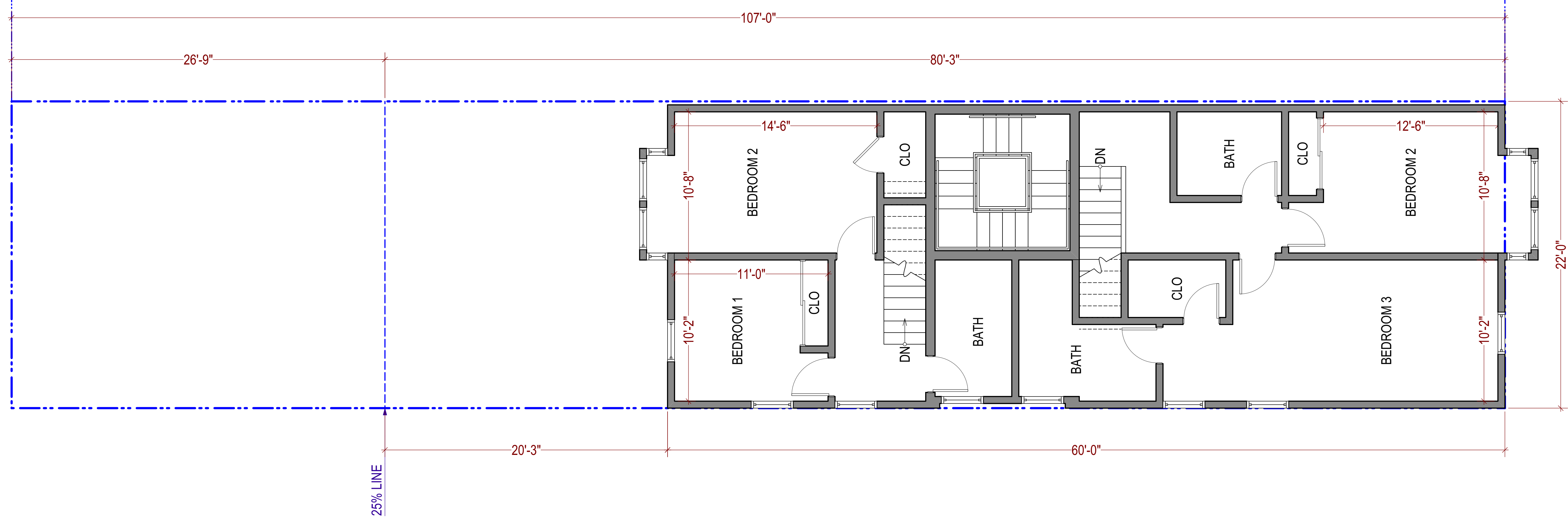
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A-2.2

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DATE 03/05/2019
REVISED DATE 03/30/2020
JOB NO. 18-1814
SHEET NO.



1 2 3 4 5 6 7 8 9 10

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



SIA CONSULTING CORPORATION
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SAN FRANCISCO CA 94112
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SHEET TITLE

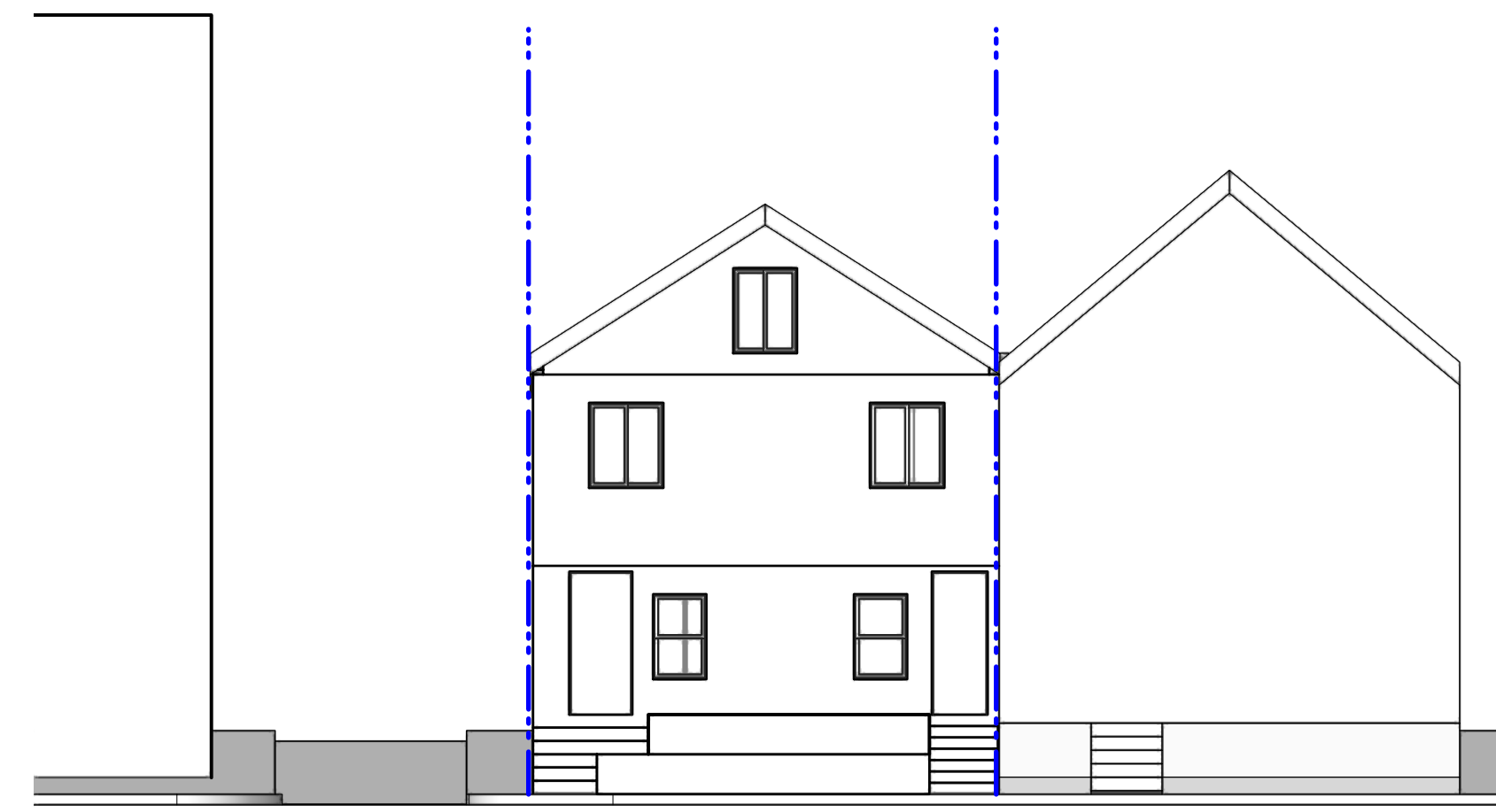
Existing Elevations
& Section (Demo)

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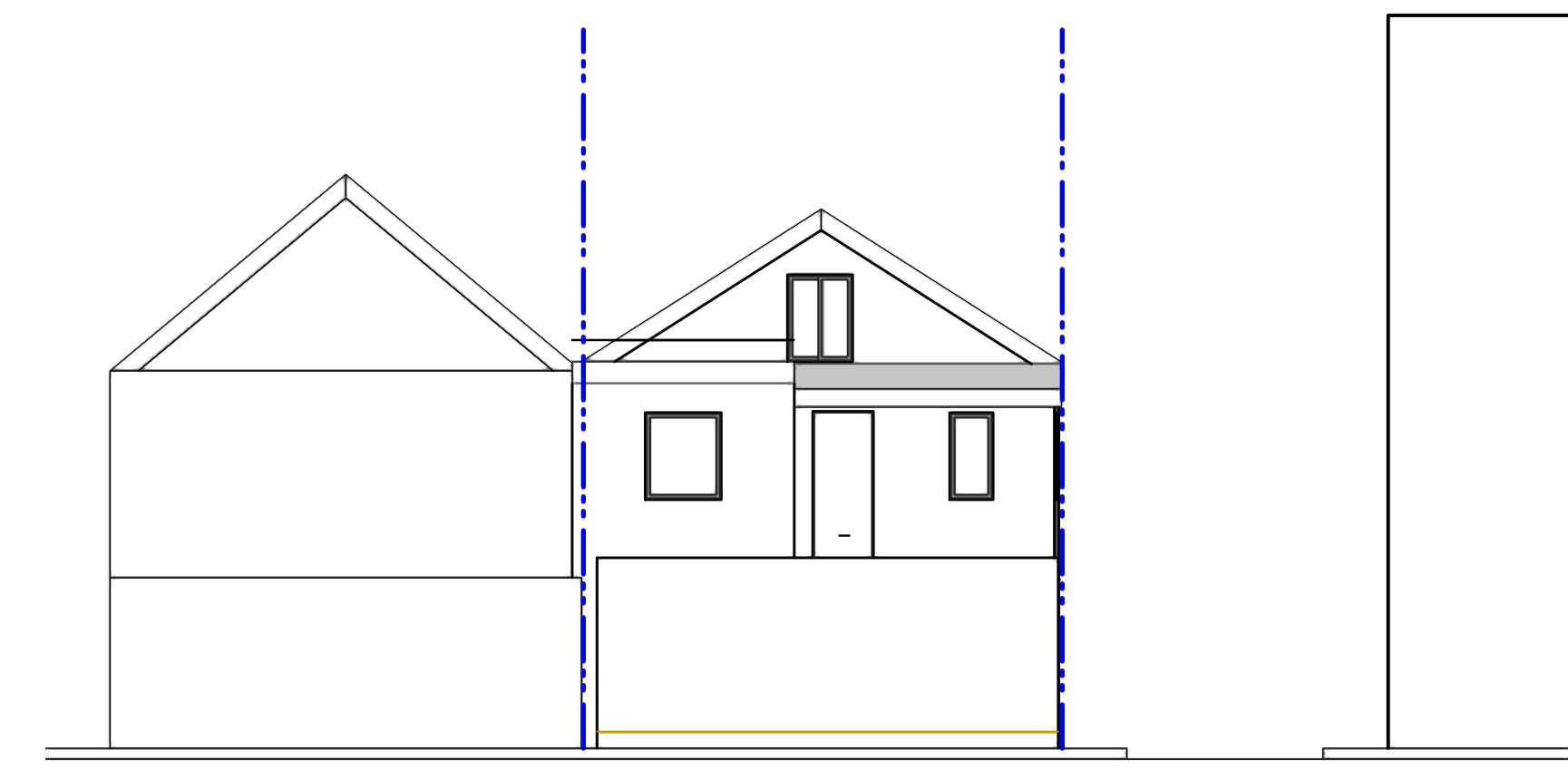
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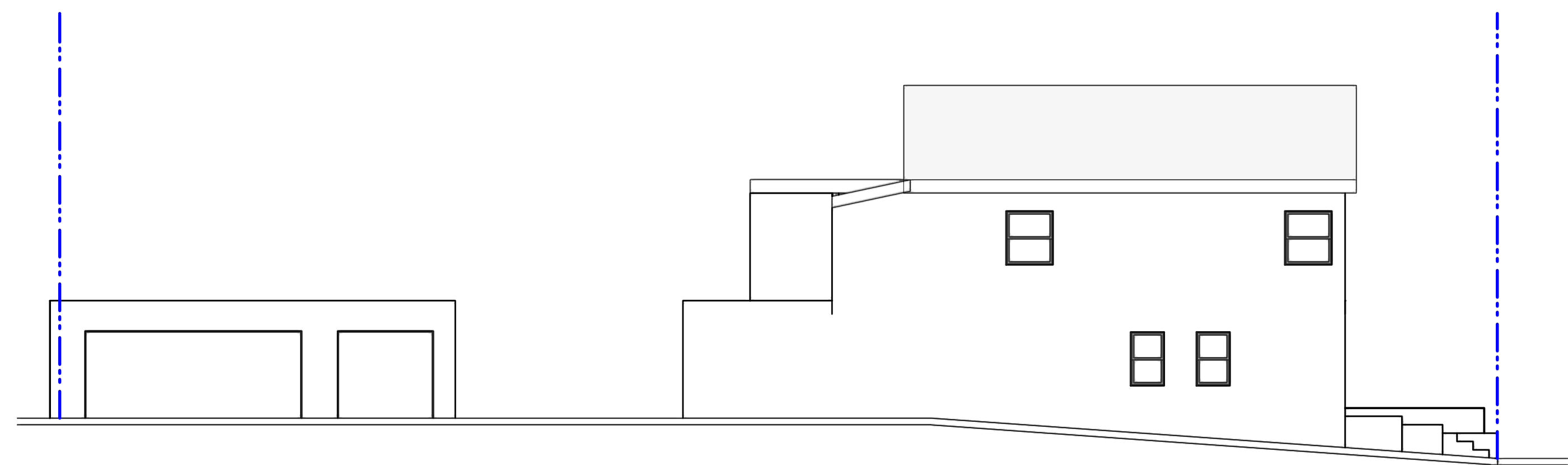
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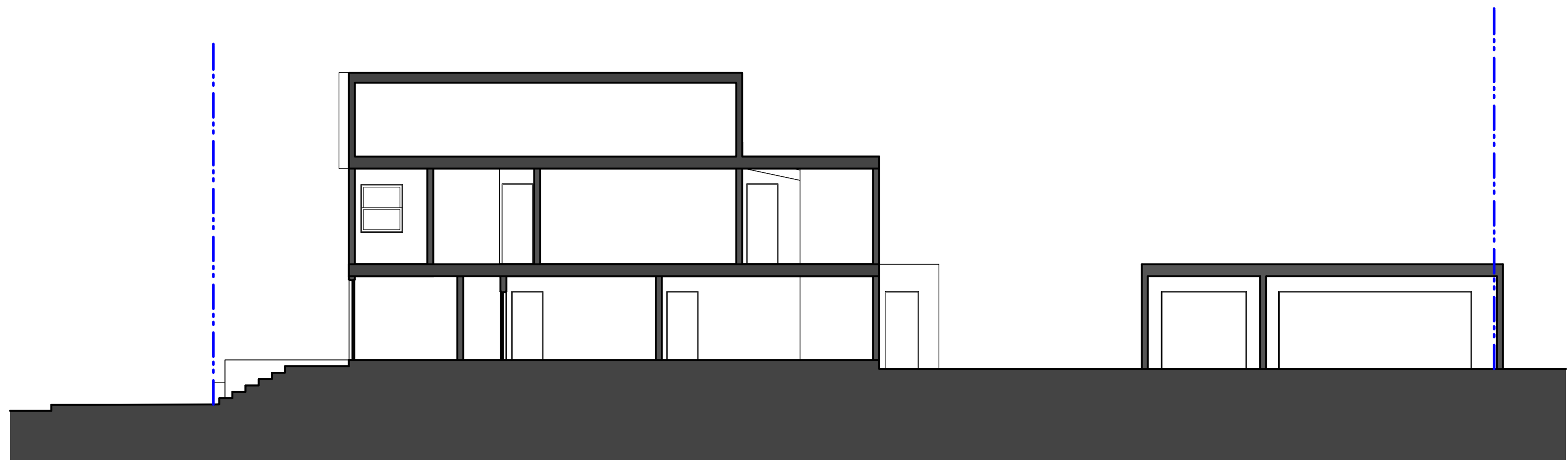
Existing Front Elevation (South)
1/8" = 1'-0"



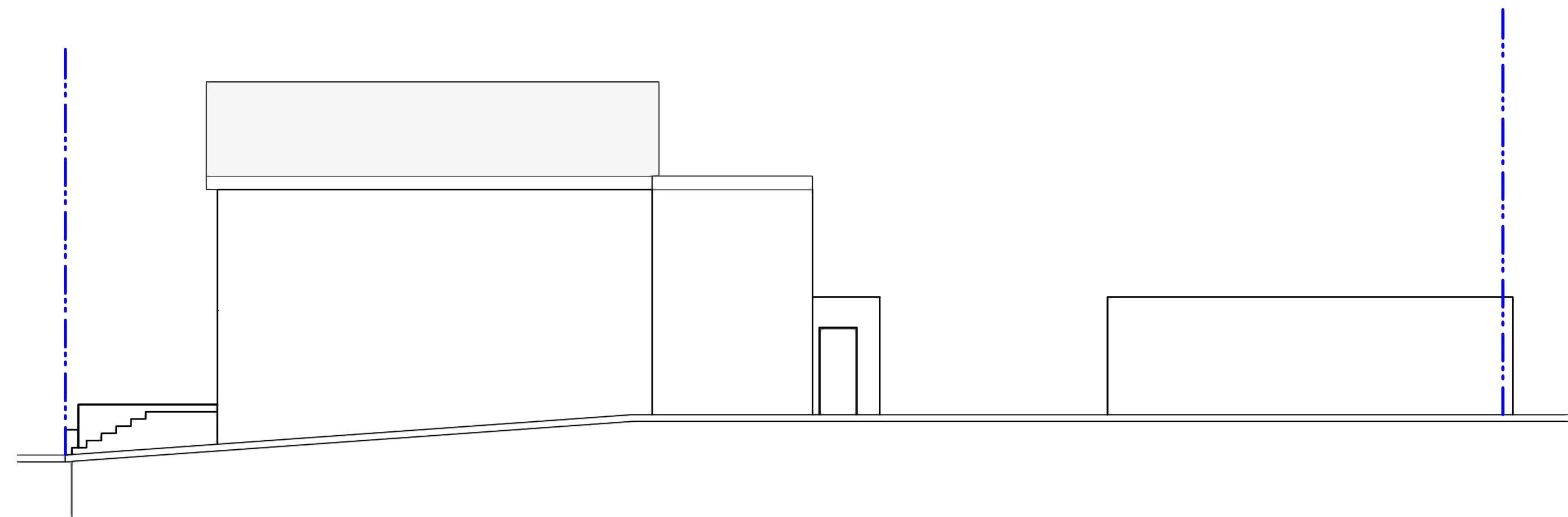
Existing Rear Elevation (North)
1/8" = 1'-0"



Existing Left Elevation (West)
1/8" = 1'-0"

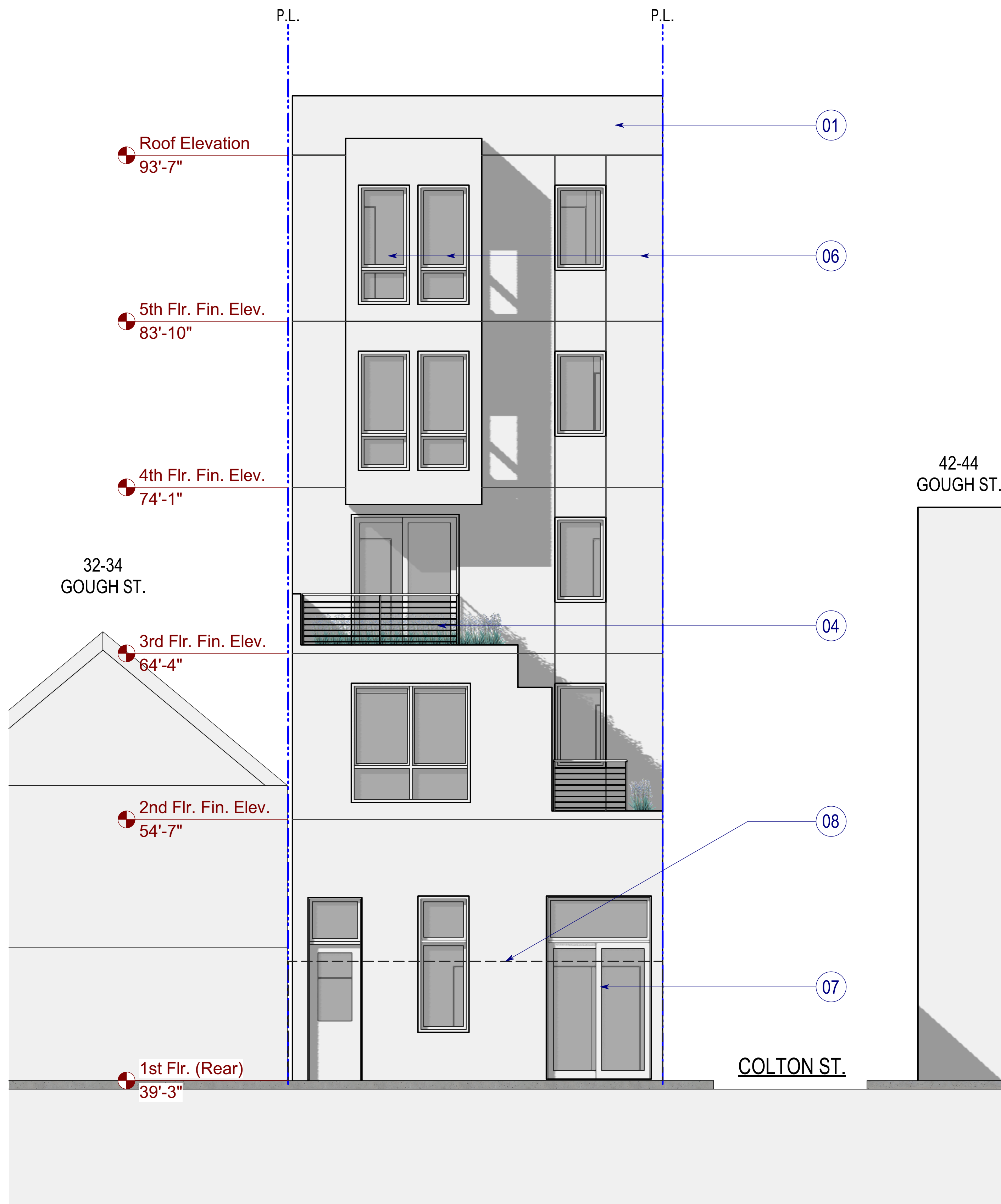


Existing Section
1/8" = 1'-0"



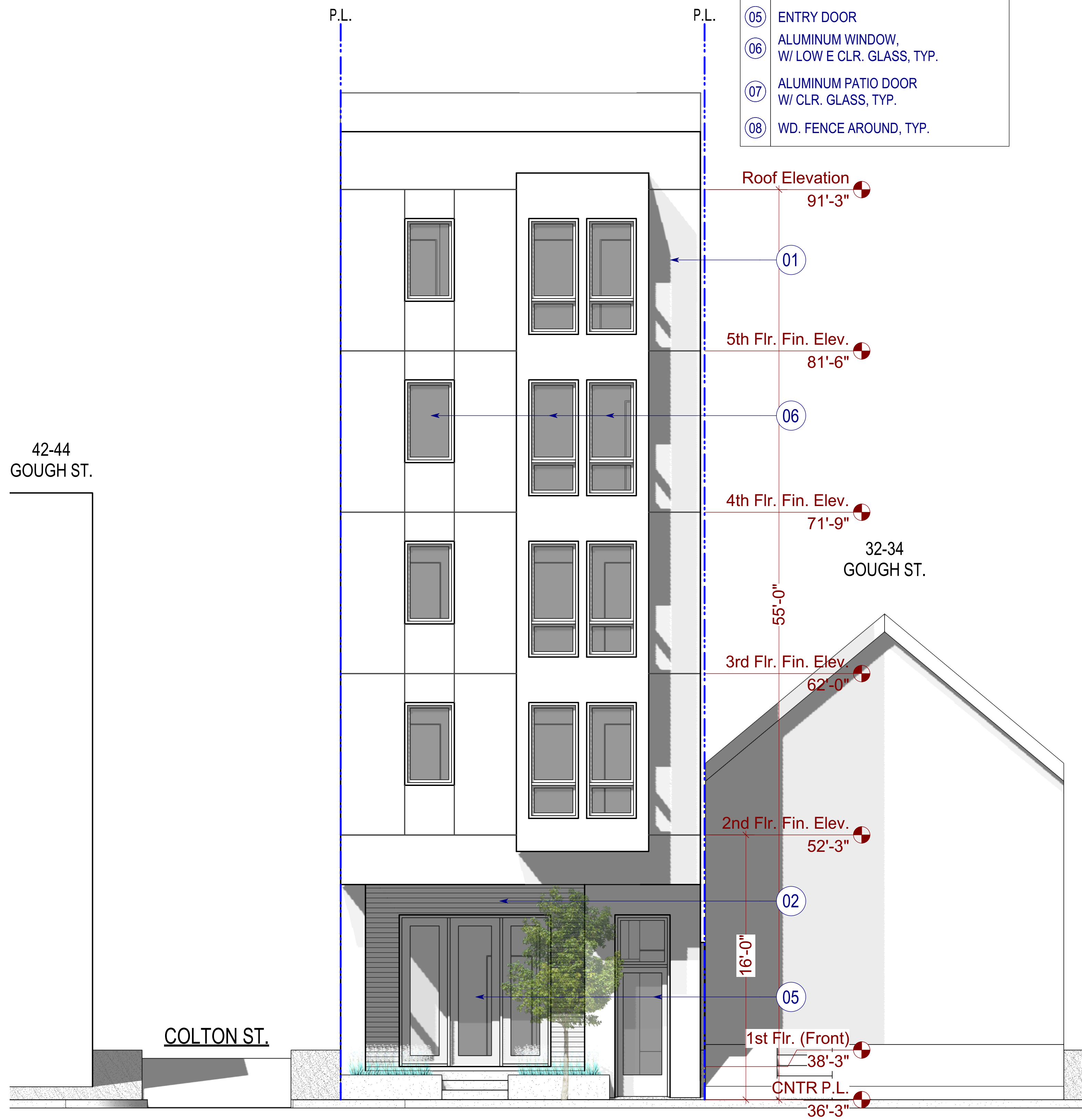
Existing Right Elevation (East)
1/8" = 1'-0"

1 2 3 4 5 6 7 8 9 10



Rear Elevation (North)

1/4" = 1'-0"



Front Elevation (South)

1/4" = 1'-0"

FACADE MATERIALS KEY NOTES:

- 01 HIGH QUALITY SMOOTH PLASTER, TYP.
- 02 HORIZONTAL SIDING, TYP.
- 03 WOOD TRIM, TYP.
- 04 METAL RAILINGS, 42" HIGH MIN., TYP.
- 05 ENTRY DOOR
- 06 ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
- 07 ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
- 08 WD. FENCE AROUND, TYP.

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



SHEET TITLE

**Building Elevations
(South & North)**

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10/23/2018 PROJECT REVIEW @ SF PLANING

DRAWN BY R.L.
DESIGN BY R.K.
DATE 03/05/2019
REVISED DATE 03/30/2020
JOB NO. 18-1814
SHEET NO.

A-3.1

P.L.

P.L.

Roof Elevation
93'-7"

5th Flr. Fin. Elev.
83'-10"

4th Flr. Fin. Elev.
74'-1"

3rd Flr. Fin. Elev.
64'-4"

2nd Flr. Fin. Elev.
54'-7"

1st Flr. (Rear)
39'-3"

Roof Elevation
91'-3"

5th Flr. Fin. Elev.
81'-6"

4th Flr. Fin. Elev.
71'-9"

3rd Flr. Fin. Elev.
62'-0"

2nd Flr. Fin. Elev.
52'-3"

1st Flr. (Front)
38'-3"

CNTR P.L.
36'-3"

ADJ. NEIGHBOR:
42-44 GOUGH ST.

04

07

8

05

01

01

06

02

FACADE MATERIALS KEY NOTES:

- 01 HIGH QUALITY SMOOTH PLASTER, TYP.
- 02 HORIZONTAL SIDING, TYP.
- 03 WOOD TRIM, TYP.
- 04 METAL RAILINGS, 42" HIGH MIN., TYP.
- 05 ENTRY DOOR
- 06 ALUMINUM WINDOW,
W/ LOW E CLR. GLASS, TYP.
- 07 ALUMINUM PATIO DOOR
W/ CLR. GLASS, TYP.
- 08 WD. FENCE AROUND, TYP.

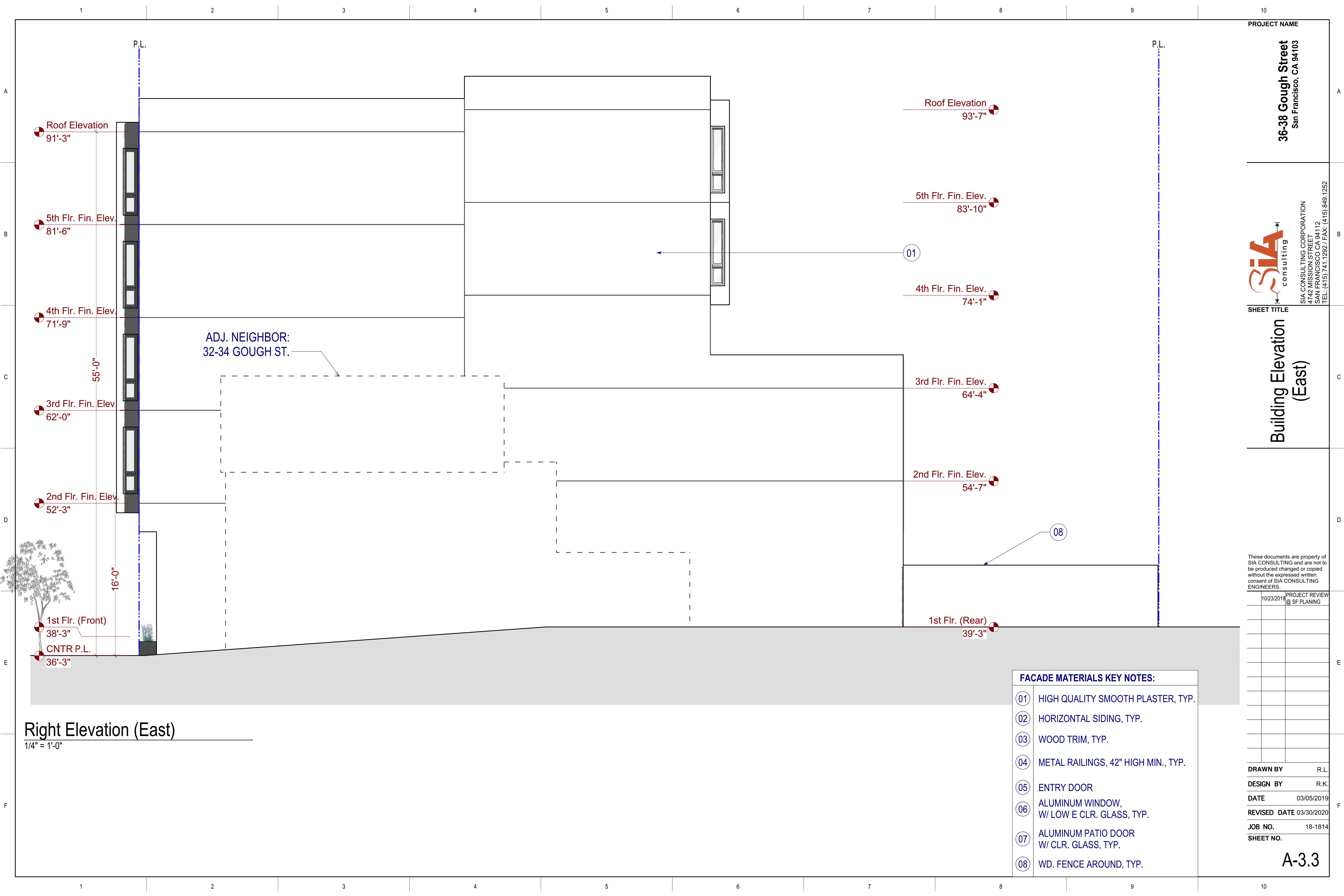
Left Elevation (West)

1/4" = 1'-0"

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SHEET NO.



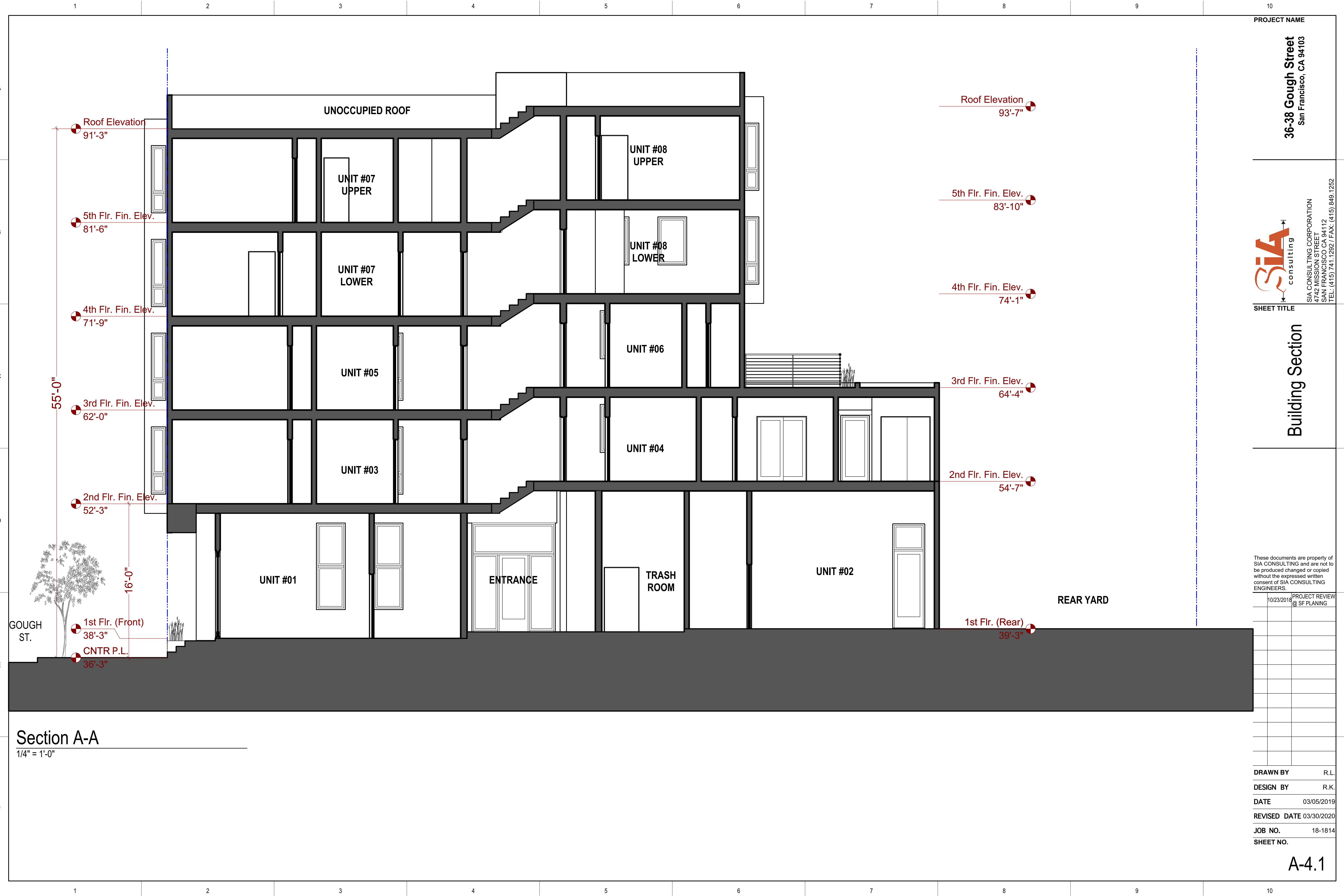
Right Elevation (East)

1/4" = 1'-0"

FACADE MATERIALS KEY NOTES:	
01	HIGH QUALITY SMOOTH PLASTER, TYP.
02	HORIZONTAL SIDING, TYP.
03	WOOD TRIM, TYP.
04	METAL RAILINGS, 42" HIGH MIN., TYP.
05	ENTRY DOOR
06	ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
07	ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
08	WD. FENCE AROUND, TYP.

ADJ. NEIGHBOR:
32-34 GOUGH ST.

FACADE MATERIALS KEY NOTES:	
01	HIGH QUALITY SMOOTH PLASTER, TYP.
02	HORIZONTAL SIDING, TYP.
03	WOOD TRIM, TYP.
04	METAL RAILINGS, 42" HIGH MIN., TYP.
05	ENTRY DOOR
06	ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
07	ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
08	WD. FENCE AROUND, TYP.



PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103

SIA consulting
SIA CONSULTING CORPORATION
4742 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292 / FAX: (415) 649.1252

SHEET TITLE

Building Section

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DESIGN BY	R.K.
DATE	03/05/2019
REVISED DATE	03/30/2020
JOB NO.	18-1814
SHEET NO.	

A-4.1

Section A-A
1/4" = 1'-0"



CERTIFICATE OF DETERMINATION COMMUNITY PLAN EVALUATION

Record No.: 2019-013528ENV, **36-38 Gough Street**
Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit District)
50-X Height and Bulk District
Plan Area: Market and Octavia Area Plan
Block/Lot: 3504/028
Lot Size: 2,352 square feet
Project Sponsor: Annabel McClellan, Really Maybe, LLC, 415.692.0509, annabel@thepollardgroup.net
Staff Contact: Megan Calpin, 628.652.7508, megan.calpin@sfgov.org

Project Description

The approximately 2,354-square-foot project site is located on Gough Street on the block bounded by Otis Street to the southeast, Gough Street to the southwest, Market Street to the northwest, and Brady Street to the northeast in the South of Market neighborhood. The project site is located at the intersection of Gough and Colton streets. The site is developed with an existing two-story, 1,640-square-foot, mixed-use residential building built in 1907 with two dwelling units. Small structures at the rear of the property include a one -story two car garage and one -story one car garage, with vehicle access via Colton Street. The existing uses include 850 square feet of office and 1,210 square feet of residential space.

The proposal is to construct a five-story, 55-foot-tall, approximately 7,310-square-foot residential building with eight dwelling units. The dwelling unit mix would be one studio, two one-bedrooms, four two-bedrooms, and one three-bedroom. Approximately 875 square feet of open space would be provided in the form of balconies and a rear yard. The proposal would include eight Class I bicycle parking spaces on the ground floor and one Class II parking space on the sidewalk. The project would not provide any vehicle parking. See Section G., Figures, at the end of this initial study for site map, existing site plan, and proposed project plans.

Construction of the proposed project would last approximately 20 months. The proposed foundation would be spread footing with a mat foundation. During construction, excavation would remove up to 130 cubic/ yards of soil to 5 feet in depth.

Approval Action: The approval action would be the approval of a conditional use authorization from the San Francisco Planning Commission. 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.

Community Plan Evaluation Overview

California Environmental Quality Act (CEQA) 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 36-38 Gough Street project described above and incorporates by reference information contained in the programmatic EIR for the Market and Octavia Plan EIR (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Market and Octavia PEIR.

Findings

As summarized in the initial study – community plan evaluation prepared for the proposed project (Attachment A)²:

1. The proposed project is consistent with the development density established for the project site in the Market and Octavia Neighborhood Plan³;
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;

1 San Francisco Planning Department, *Market and Octavia Neighborhood Plan*, Planning Department Record No. 2003.0347E and State Clearinghouse No. 2004012118, certified April 5, 2007. Available at: https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10. Accessed March 31, 2021.

2 The initial study – community plan evaluation is available for review at the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/>. The file can be viewed by clicking on the Planning Applications link, clicking the “More Details” link under the project’s environmental record number 2019-013528ENV and then clicking on the “Related Documents” link.

3 Ella Samonsky, Senior Planner, San Francisco Planning Department, email to Megan Calpin, Senior Environmental Planner, San Francisco Planning Department, “Re: 36-38 Gough Street – compliance with Market + Octavia Neighborhood Plan”, July 6, 2021.

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.

Mitigation measures are included in this project and the project sponsor has agreed to implement these measures. See the attached Mitigation Monitoring and Reporting Program (MMRP) (Attachment B) for the full text of required mitigation measures.

CEQA Determination

The project is eligible for streamlined environmental review per section 15183 of the 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 Gibson
Environmental Review Officer

July 21, 2021

Date

Attachments

- A. Initial Study – Community Plan Evaluation
- B. Mitigation Monitoring and Reporting Program

CC: Annabel McClellan, Really Maybe LLC, Project Sponsor;
Supervisor Matt Haney, District 6;
Ella Samonsky, Current Planning Division

INITIAL STUDY - COMMUNITY PLAN EVALUATION

Record No.: 2019-013528ENV, 36-38 Gough Street
Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit District)
50-X Height and Bulk District
Plan Area: Market and Octavia Area Plan
Block/Lot: 3504/028
Lot Size: 2,352 square feet
Project Sponsor: Annabel McClellan, Really Maybe, LLC, 415.692.0509, annabel@thepollardgroup.net
Staff Contact: Megan Calpin, 628.652.7508, megan.calpin@sfgov.org

A. Project Description

The approximately 2,354-square-foot project site is located on Gough Street on the block bounded by Otis Street to the southeast, Gough Street to the southwest, Market Street to the northwest, and Brady Street to the northeast in the South of Market neighborhood. The project site is located at the intersection of Gough and Colton streets. The site is developed with an existing two-story, 1,640-square-foot, mixed-use residential building built in 1907 with two dwelling units. Small structures at the rear of the property include a one-story two car garage and one-story one car garage, with vehicle access via Colton Street. The existing uses include 850 square feet of office and 1,210 square feet of residential space.

The proposal is to construct a five-story, 55-foot-tall, approximately 7,310-square-foot residential building with eight dwelling units. The dwelling unit mix would be one studio, two one-bedrooms, four two-bedrooms, and one three-bedroom. Approximately 875 square feet of open space would be provided in the form of balconies and a rear yard. The proposal would include eight Class I bicycle parking spaces on the ground floor and one Class II parking space on the sidewalk. The project would not provide any vehicle parking. See Section G., Figures, at the end of this initial study for site map, existing site plan, and proposed project plans.

Construction of the proposed project would last approximately 20 months. The proposed foundation would be spread footing with a mat foundation. During construction, excavation would remove up to 130 cubic yards of soil to 5 feet in depth.

Project Approvals

Approval Action: The approval action would be the approval of a conditional use authorization from the San Francisco Planning Commission. 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.

The proposed 36-38 Gough Street project would require the following approvals:

Actions by the Planning Commission

- Approval of the conditional use authorization for the demolition of two dwelling units.

Actions by other City Departments

- Approval of demolition and new construction permits from the department of building inspection.
- Approval of a street space permit from San Francisco Public Works.

B. Community Plan Evaluation Overview

CEQA section 21083.3 and CEQA Guidelines section 15183 mandate 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 that are peculiar to the project or its site. Guidelines 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 initial study evaluates the potential project-specific environmental effects of the proposed 36-38 Gough Street project described above and incorporates by reference information contained in the programmatic EIR for the Market and Octavia Neighborhood Plan (PEIR)¹. The following 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 PEIR²:

Project Specific Studies

Archeology review	Shadow fan
Geotechnical report	Greenhouse gas analysis checklist
Phase 1 Environmental Site Assessment	Phase 2 Environmental Site Assessment

1 Planning Department Record No. 2003.0347E and State Clearinghouse No. 2004012118. Available at: https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10. Accessed March 31, 2021.

2 Project specific studies prepared for the 36-38 Gough Street project are available for review on the San Francisco Property Information Map, which can be accessed at <https://sfplanning.org/resource/permits-my-neighborhood>. Individual files can be viewed by clicking on the Planning Applications link, clicking the “More Details” link under the project’s environmental record number 2019-013528ENV and then clicking on the “Related Documents” link.

C. Project Setting

Site Vicinity

The project site is located within a Moderate Scale Neighborhood Commercial Transit District (NCT-3) on Gough Street in the South of Market neighborhood. In addition to NCT-3, the immediate project vicinity includes the following zoning districts: Public (P) uses to the southwest across Gough Street and northeast across Brady Street; and Downtown-General (C-3-G) to the east and southeast across Otis Street. Buildings on the project block range from two- to nine-stories in height and are a mixture of land uses, including residential, mixed-use residential, offices, small-scale retail and restaurant, cultural and institutional buildings, and a surface parking lot.

Local access to the project site is provided via Gough and Colton streets, as well as nearby Otis and Market streets. Gough Street is a four-lane, bidirectional street with traffic traveling northwest towards Market Street and southeast towards Otis Street. Colton Street is a single-lane, one-way alley with traffic flowing southwest onto Gough Street (only a right turn may be made off Colton Street onto Gough Street). Gough and Colton streets have driveway curb cuts. Parallel and some diagonal on-street metered vehicle parking is provided on Gough Street.

The project site is well served by transit. The closest Muni bus stop is 360 feet to the northeast of the project site at Gough and Market streets, with additional nearby stops at Haight and Gough streets, and on Otis Street between South Van Ness Avenue and Brady Street. Within a 0.25-mile radius of the project site, the San Francisco Municipal Railway (Muni) transit operates lines 14-Mission, 14R-Mission Rapid, 47-Van Ness, 49-Van Ness/Mission, 6-Haight/Parnassus, 7-Haight/Noriega, and 7X-Noriega Express. Each of these routes has a.m. and p.m. headways of less than 15 minutes.

The project site is not located in a California Register or National Register historic district. The nearby Market Street Masonry district is located partially within the same Assessor's Block, 3504. The project site is not a historic resource.

Cumulative Setting

CEQA Guidelines section 15130(b)(1) provides two methods for cumulative impact analysis: the "list-based approach" and the "projections-based approach". The list-based approach uses a list of projects producing closely related impacts that could combine with those of a proposed project to evaluate whether the project would contribute to significant cumulative impacts. The projections-based approach uses projections contained in a general plan or related planning document to evaluate the potential for cumulative impacts. This project-specific analysis employs both the list-based and projections-based approaches, depending on which approach best suits the resource topic being analyzed.

The proposed project is located within the area of the city addressed under the Market and Octavia Neighborhood Plan. The Market and Octavia Neighborhood Plan PEIR evaluated the physical environmental impacts resulting from the rezoning of this plan area, including impacts resulting from an increase of up to 4,400 housing units and approximately 1.8 million square feet of non-residential uses by 2025. The cumulative impact analysis provided in this initial study uses updated projections as needed for certain topics to evaluate whether the proposed project could result in new or substantially more severe cumulative impacts than were anticipated in the Market and Octavia. For example, the cumulative transportation analysis in this initial study is based on projected 2040 cumulative conditions, whereas the Market and Octavia relied on 2025 cumulative transportation projections.

The cumulative analysis for certain localized impact topics (e.g., cumulative shadow and wind effects) uses the list-based approach. The following is a list of reasonably foreseeable projects within the project vicinity (approximately one-quarter mile) that are included:

- **2015-004568ENV - 10 South Van Ness Avenue** - The project includes demolition of the existing two-story commercial building on the project site and new construction of a 55-story, 590-ft tall, mixed-use residential building with 966 dwelling units, approximately 29,443 square feet of commercial uses, two basement garage levels consisting of 255 off-street parking spaces.
- **2015-000940ENV – 1540 Market Street** – The project includes demolition of the existing four-story commercial building and new construction of two buildings: one residential tower building, 400' in height, with 180 dwelling units and 50 parking spaces, and one 24-ft wide building, 65' in height, connected by pedestrian bridge at the third floor. The project includes three ground-floor commercial spaces.
- **2019-012676ENV – 159 Fell Street** – The project includes demolition of the existing two-story building and new construction of a new seven-story, 85-foot-tall building with office space and 24 residential units.
- **2014.1121ENV – 1601 Mission Street** - The proposed project would demolish an existing gas station and car wash and construct a 120-foot-tall, 12-story mixed-use building containing 200 dwelling units; 6,756 square feet of retail space; and 102 below-grade parking spaces that would be accessed from South Van Ness Avenue.
- **2014-002026ENV – 1726-1730 Mission Street** - The proposed project is to demolish the existing 3,500-square-foot, vacant two-story industrial building and construct a six-story, 68-foot-tall mixed-use building. The existing building on the 7,800 square foot subject lot was constructed in 1923. The proposed building would include 36 dwelling units, 29 parking spaces, and approximately 900 square feet of commercial space.
- **2014.0409ENV – 1740 Market Street** - The proposed project is to demolish the existing 25,108-square-foot commercial building and construct a nine-story, 85-foot tall mixed use building. The existing building on the 13, 642 square foot subject lot was constructed in 1940. The proposed new building would include 110 group housing units, 110 bicycle parking spaces, and 7,630 square feet of commercial space along Market Street.
- **2014.1060ENV – 1870 Market Street** – The proposed project is to demolish the existing, vacant single-story building (approximately 600 square feet). The exiting building was constructed in 1953. The proposal is to construct a new eight-story, 85-foot-high mixed-use building with nine dwelling units, 1,427 square feet of ground floor retail, and no off-street parking.
- **2019-014802ENV – 78 Haight Street** – The proposed project is to demolish an existing surface parking lot to construct a new eight-story, 63 dwelling unit building for transitional-aged youth who are at risk of homelessness and general population. This is a 100 percent affordable project. The basement would consist of a residential services office, bike storage and mechanical and utility spaces. The ground floor is organized around a licensed childcare center, and a residential entry.
- **2016-014802ENV – 98 Franklin Street** – The proposed project is to demolish an existing surface parking lot and construct a 26-story mixed-use building, with 286 dwelling units. Floors 1 through 5 would be for cultural, institutional and educational uses. Off street parking, service vehicle loading and residential bicycle parking would be provided in two below-grade garage levels.

- **Better Market Street** – San Francisco Public Works, in coordination with the San Francisco Planning Department and the San Francisco Municipal Transportation Agency would redesign and provide various transportation and streetscape improvements to the 2.2-mile segment of Market Street between Octavia Boulevard and The Embarcadero.

See Section G., Figures, Figure 2, to see the location of the above referenced cumulative projects in relation to the project site.

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 topic.

- | | | |
|---|--|---|
| <input type="checkbox"/> Land Use and Land Use Planning | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Geology and Soils |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Wind | <input type="checkbox"/> Hydrology and Water Quality |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Shadow | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Recreation | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Energy Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Wildfire |

E. Evaluation of Environmental Effects

The Market and Octavia PEIR included analyses of environmental issues including: plans and policies; land use and zoning; population, housing, and employment (growth inducement); urban design and visual quality; shadow and wind; archeological resources; historic architectural resources; transportation; air quality; noise; hazards; geology, soils, and seismicity; parks, recreation and open space; utilities; and other issues. The proposed 36-38 Gough Street project is in conformance with the height, bulk, use, and density for the site described in the Market and Octavia PEIR³ and, as documented below, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

This initial study evaluates the proposed project's individual and cumulative environmental effects to determine whether the environmental impacts of the proposed project are adequately addressed in the Market and Octavia PEIR.⁴ In accordance with CEQA Guidelines section 15183, this initial study examines whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Market and Octavia PEIR was certified, are determined to have a substantially more severe adverse impact than discussed and disclosed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Market and Octavia PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

Mitigation measures from the Market and Octavia PEIR that this initial study determines are applicable to the project are identified under each environmental topic and the full text of any applicable mitigation measures is provided in Attachment B, Mitigation Monitoring and Reporting Program.

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 the above impacts and reduced all impacts to less-than-significant except for 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).

The proposed project would include construction of a five-story, approximately 55-foot-tall, approximately 7,310-square-foot residential building with eight dwelling units. As discussed below in this initial study, the proposed project would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Market and Octavia.

Regulatory Changes

Since the certification of the Market and Octavia PEIR in 2007, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or

3 Ella Samonsky, Senior Planner, San Francisco Planning Department, email to Megan Calpin, Senior Environmental Planner, San Francisco Planning Department, "Re: 36-38 Gough Street – compliance with Market + Octavia Neighborhood Plan", July 6, 2021.

4 San Francisco Planning Department, *Market and Octavia Neighborhood Plan*, Planning Department Record No. 2003.0347E and State Clearinghouse No. 2004012118, certified April 5, 2007. Available at: https://sfplanning.org/environmental-review-documents?field_environmental_review_categ_target_id=214&items_per_page=10. Accessed March 31, 2021.

environmental review methodology for projects in the Market and Octavia Neighborhood Plan area. As discussed in each topic area referenced below, some of these policies, regulations, statutes, and funding measures have implemented or will implement certain mitigation measures or will reduce impacts determined to be less-than-significant in the PEIR. New and changed policies and regulations relevant to this initial study include:

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution 19579 replacing level of service analysis of automobile delay with vehicle miles traveled analysis, effective March 2016.
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014; Vision Zero adoption by various city agencies in 2014; Propositions A (Transportation and Road Improvement Bond) and B (Transportation Set-Aside) passage in November 2014; and the Transportation Sustainability Program consisting of adoption of a transportation sustainability fee, effective January 2016; and adoption of a transportation demand management program, effective March 2017.
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- San Francisco Health Code Article 22A amendments effective August 2013 (see initial study Hazardous Materials section).

CEQA Section 21099

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁵

⁵ San Francisco Planning Department, Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 36-38 Gough Street, October 14, 2020.

E.1 Land Use and Land Use Planning

Market and Octavia PEIR Land Use and Planning Findings

The Market and Octavia PEIR determined that implementation of the rezoning and area plans would not result in any new physical barriers in the plan areas because the rezoning and area plans do not provide for any new major roadways, such as freeways that would disrupt or divide the plan areas or individual neighborhoods or subareas. The Market and Octavia Neighborhood Plan establishes the applicable land use controls (e.g., allowable uses, height, and bulk) for new development within the plan area and the PEIR determined that the plan is consistent with various plans, policies, and regulations. Further, projects proposed under the plan must comply with all applicable regulations and thus would not cause a significant environmental impact due to a conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The Market and Octavia PEIR determined that implementation of the rezoning and area plans would not result in any significant impacts on land use and land use planning, and no mitigation measures were identified.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant physical environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.1.a) The proposed project would not result in the construction of a physical barrier to neighborhood access or the removal of an existing means of access; it would result in the construction of a new residential building within established lot boundaries. The proposed project would not alter the established street grid or permanently close any streets or sidewalks. Therefore, the proposed project would not physically divide an established community.

E.1.b) The proposed project would be consistent with the development density established in the Market and Octavia Neighborhood Plan. The proposed project would adhere to applicable environmental regulations, specifically, those of the general plan and the planning code. Therefore, the proposed project would not cause a significant physical environmental impact because of a conflict with applicable land use plans, policies, or regulations adopted for avoiding or mitigating an environmental effect.

Cumulative Analysis

The geographic context for this analysis of cumulative impacts related to land use is a 0.25-mile radius from the project site as impacts in this developed, urban setting would generally be localized.

Cumulative development, in combination with the proposed project, has and would continue to result in the development and redevelopment of infill or underutilized sites through the area. Cumulative projects would be developed within established lot boundaries and as infill projects in urban areas and would capitalize on existing transit systems and infrastructure as well as future transit systems such as the Van Ness Bus Rapid Transit. The

proposed project would have no impact with respect to physically dividing a community or cause a significant physical environmental impact because of a conflict with an applicable land use plan, policy, or regulation and, therefore, would not have the potential to contribute to a significant cumulative impact related to land use or planning. The Market and Octavia PEIR determined that the Market and Octavia Neighborhood Plan would not result in significant cumulative-level impacts related to land use and land use planning. The proposed project, in combination with cumulative projects, would not have a new or more severe cumulative land use impact than identified in the Market and Octavia PEIR

Conclusion

The proposed project would not result in a significant project-level or cumulative land use impact. Therefore, the proposed project would not result in significant physical environmental land use impacts not already disclosed in the Market and Octavia PEIR.

E.2 Population and Housing

Market and Octavia PEIR Population and Housing Findings

A goal of the Market and Octavia Neighborhood Plan is to implement citywide policies to increase the supply of high-density housing in neighborhoods having sufficient transit facilities, neighborhood-oriented uses, and infill development sites. The Market and Octavia PEIR analyzed a projected increase of 7,620 residents in the plan area by the year 2025 and determined that this anticipated growth would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

Pursuant to CEQA Guidelines 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as “blight” or “urban decay” have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts “shall not be considered a significant effect” per CEQA Guidelines 15382. While the Market and Octavia PEIR disclosed that adoption of the plan could contribute to some displacement of existing businesses or residences as specific sites are developed due to market pressure for higher density residential development or to accommodate planned transportation and public open space, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

Project Analysis

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

E.2.a) The proposed project would demolish the existing two-story, two-unit residential building and associated single-story rear yard garages and construct a five-story, eight-unit residential building. Based on the average household size of 2.36⁶ and number of units, the proposed project would increase new residents by about 19.

The Association of Bay Area Governments (ABAG) prepares projections of employment and housing growth for the Bay Area. The latest projections were prepared as part of Plan Bay Area 2040, adopted by ABAG and the Metropolitan Transportation Commission in 2017. ABAG's growth projections anticipate that by 2040 San Francisco will have a population of 1,169,485 persons and 872,510 employees,⁷ which is consistent with the housing element and other adopted plans.

The project's eight units would contribute to growth that is projected by ABAG. As part of the planning process for Plan Bay Area, San Francisco identified *priority development areas*, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Market-Octavia/Upper Market priority development area; thus, it would be implemented in an area where new population growth is both anticipated and encouraged.

The project would also be located in a developed urban area with available access to necessary infrastructure and services (transportation, utilities, schools, parks, hospitals, etc.). Since the project site is located in an established urban neighborhood and is not an infrastructure project, it would not indirectly induce substantial population growth. The physical environmental impacts resulting from housing and employment growth generated by the project are evaluated in the relevant resources topics in this initial study.

E.2.b) The proposed project would replace two existing dwelling units with eight dwelling units. There are currently no tenants residing in the existing two dwelling units.⁸ Therefore, the proposed project would remove two dwelling units, and would replace the project with eight dwelling units. Therefore, the project would result in a net six new units on the project site. Therefore, although the proposed project would displace two housing units, the project overall would increase housing units on the site and would not necessitate the construction of replacement housing elsewhere that could result in physical environmental effects.

Cumulative Analysis

The cumulative context for the population and housing topic is the City and County of San Francisco. The proposed project would provide housing units and commercial space that would result in increases in population (households and jobs). As discussed above, ABAG projects that by 2040 San Francisco will have a population of 1,169,485 and 872,510 employees.⁹ According to 2019 census information (based on 2018 data) San Francisco's population is 881,549 with 673,488 employees. As of the fourth quarter of 2020, approximately 72,414 net new housing units are in the development pipeline, i.e., are either under construction, have building permits approved

6 U.S. Census Bureau, San Francisco County, California, Families and Living Arrangements, Households, 2014-2018. Available online at: <https://www.census.gov/quickfacts/sanfranciscocountycalifornia>. Accessed September 30, 2020.

7 Metropolitan Transportation Commission and Association of Bay Area Government, Plan Bay Area 2040: Projections 2040: Forecasts for Population, Household and Employment for the Nine County San Francisco Bay Area Region. November 2018. This document is available online at: <http://projections.planbayarea.org/>. Accessed October 1, 2020.

8 Annabel McClellan, Really Maybe LLC, project sponsor, Correspondence with Ella Samonsky, Senior Planner, San Francisco Planning Department, April 26, 2021.

9 Metropolitan Transportation Commission and Association of Bay Area Government, Plan Bay Area 2040: Projections 2040.

or filed, or applications filed, including remaining phases of major multi-phased projects.¹⁰ Conservatively assuming that every housing unit in the pipeline is developed and at 100 percent occupancy (no vacancies), the pipeline (which includes the proposed project) would accommodate an additional 72,414 households, or an increased population of approximately 170,897 people.¹¹ The pipeline also includes projects with land uses that would result in an estimated 73,288 new employees.¹² As shown in **Table 1**, below, cumulative household and employment growth is below the ABAG projections for planned growth in San Francisco. Therefore, the proposed project in combination with citywide development would not result in significant cumulative environmental effects associated with inducing unplanned population growth or displacing substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.

Table 1: Citywide Development Pipeline Compared to ABAG 2040 Projections

<i>Data Source</i>	<i>Population/Residents</i>	<i>Employees</i>
2020 Q4 Development Pipeline	170,897	73,288
2019 Census	881,549	673,488
Cumulative Total	1,053,446	746,776
ABAG 2040 Projections	1,169,485	872,510
Pipeline Development within ABAG 2040 Projection? (Y/N)	Y	Y

¹References to information presented in this table are included in the text above.

Conclusion

The proposed project would contribute a small portion of the growth anticipated under the Market and Octavia Neighborhood Plan as well as for San Francisco as a whole under Plan Bay Area. The project’s incremental contribution to this anticipated growth would not result in a significant individual or cumulative impact related to population and housing. Therefore, the proposed project would not result in significant physical environmental impacts related to population and housing that were not identified in the Market and Octavia PEIR.

E.3 Cultural Resources

Market and Octavia PEIR Cultural Findings

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

10 Data SF. SF Development Pipeline 2020 Q1. Available online at: <https://data.sfgov.org/Housing-and-Buildings/SF-Development-Pipeline-2020-Q1/5s89-azqa>. Accessed August 25, 2020.

11 Population is estimated based the total number of housing units in the pipeline multiplied by the citywide average persons per household from the U.S. Census for San Francisco County, currently 2.36 persons per household.

12 Data SF. SF Development Pipeline 2020 Q1. Available online at: <https://data.sfgov.org/Housing-and-Buildings/SF-Development-Pipeline-2020-Q1/5s89-azqa>. Accessed August 25, 2020.

The Market and Octavia PEIR determined that implementation of the area plan could result in significant impacts on archeological resources and identified the four following mitigation measures that would reduce these potential impacts to a less than significant level. Market and Octavia PEIR Mitigation Measure C1: Soil-Disturbing Activities in Archeologically Documented Properties, applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department, and requires treatment of archeological resources that may be present in accordance with the approved plan. Mitigation Measure C2: General Soil-Disturbing Activities, applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation measure C2 requires that a Preliminary Archeological Sensitivity Study be prepared by a qualified consultant, and implementation of assessment and treatment measures based on the conclusions of that study. Mitigation Measure C3: Soil-Disturbing Activities in Public Street and Open Space Improvements, applies to improvements to public streets and open spaces if those improvements disturb soils below a depth of four feet below ground surface, and requires an Archeological Monitoring Program. Mitigation Measure C4: Soil-Disturbing Activities in the Mission Dolores Archeological District, applies to properties in the Mission Dolores Archeological District. It requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology, as well as an archeological monitoring program and archeological data recovery program if appropriate.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5, including those resources listed in article 10 or article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.3.a) Pursuant to CEQA Guidelines sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The existing two-story, two-unit building at the project site was constructed circa 1907—therefore the project is considered age-eligible to be a historic resource. As part of the Market and Octavia reconnaissance survey in 2006, the property was determined to be not a historic resource due to its lack of association with significant events, people, or architectural styles; further, changes in historical use and subsequent alterations.¹³ Under the survey, the status code of 6L was assigned to this property, meaning that it was found ineligible for local listing or

¹³ State of California & The Resource Agency, Department of Parks and Recreation, Primary Record: 38 Gough Street, August 31, 2006. Available at: <https://sfplanninggis.org/docs/DPRForms/3504028.pdf>, accessed April 16, 2021.

designation. Therefore, the proposed project is not considered an individual historic resource.¹⁴ The project is not located in a cultural district nor a historic district. No information was identified that would significantly associate this property with the discontinuous California Register-eligible LGBTQ historic district. The nearby Market Street Masonry Landmark District is a discontinuous district composed of eight architecturally significant buildings on or near Market Street between Franklin and Valencia Streets and has contributors on the same project block as the proposed project on the corner of Gough and Market streets. As these districts are discontinuous, new construction exists between the subject property and the closest district contributors, and the proposed new construction is a relatively modest five-story building, the proposed project will not result in any impacts to the setting of these nearby districts.¹⁵

The Market and Octavia PEIR did not identify a significant impact for historical architectural resources. The proposed project would not cause a substantial adverse change in a significant resource or historic district. The impact would be less-than-significant and no mitigation measures would apply to the proposed project.

E.3.b) The proposed project would demolish an existing two-story, two-unit building and two one-story rear yard garages then construct a five-story, eight unit residential building on spread footings supported on undisturbed stiff clays a minimum of 18 inches below grade or 12 inches into bedrock. Excavation would occur up to 5 feet below ground surface. Market and Octavia PEIR **Mitigation Measure C2: General Soil-Disturbing Activities** would apply. The project site does not have an archeological research design and treatment plan on file at the Northwest Information Center and the planning department, therefore PEIR Mitigation Measure C1 would not apply to this project. The project would not include soil-disturbing activities in a public street, open space, or in the Mission Dolores Archeological District, therefore PEIR Mitigation Measure C3 and C4 would not apply.

Market and Octavia PEIR Mitigation Measure C2 states that any project resulting in soils disturbance beyond a depth of 4 feet and located within properties within the Plan Area for which no archeological assessment report has been prepared shall be required to conduct a preliminary archeology sensitivity study (PASS) prepared by a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. Based on the study, a determination shall be made if additional measures are needed to reduce potential effects of a project on archeological resources to a less-than-significant level. The planning department's archeologist conducted a preliminary archeological review (PAR) of the project site in conformance with the study requirements of Mitigation Measure C2 and determined that the Planning Department's second standard archeological mitigation measure.

The planning department conducted a *preliminary archeological review*, in conformance with the study requirements of Mitigation Measure C2 and in accordance with department procedure. The preliminary archeological review revealed that several known prehistoric sites are within 0.5 mile of the project site, and that the project site is modeled as high sensitivity for near surface prehistoric resources. The project site is also sensitive for the presence of 19th century historic archeological resources. Based on the results of the preliminary archaeological sensitivity study conducted under PEIR Mitigation Measure C2, the project would be required to implement an archeological monitoring program as **Project Mitigation Measure 1**. The full text of the mitigation measure is in **Appendix B, Mitigation Monitoring and Reporting Plan (MMRP)**. Under this measure, an archaeological monitor would observe all ground-disturbing activities. In the event of a discovery during

¹⁴ Allison Vanderslice, CEQA Cultural Resources Team Manager, San Francisco Planning Department, Memorandum to File Re: 36-38 Gough Street, July 14, 2021.

¹⁵ Ibid.

construction, irrespective of whether a monitor is present, construction work would be stopped and the resource would be permanently protected in place if feasible. If this is not feasible, appropriate archeological assessment and treatment would be implemented. The measure also requires Native American consultation in the event of the discovery of a prehistoric resource, public interpretation of significant resources, reporting and curation of finds. Archeological monitoring during construction under Project Mitigation Measure 1 also would ensure that human remains that could unexpectedly be encountered would be protected. If the remains are Native American, Native American consultation would be conducted, consistent with the requirements of Public Resources Code 5097.98.

With implementation of Project Mitigation Measure 1, Archeological Monitoring Program, as described above, the proposed project would have a less-than-significant impact on archaeological resources and previously unknown human remains.

E.3.c) Archeological resources may include human burials. Human burials outside of formal cemeteries often occur in prehistoric or historic period archeological contexts. The potential for the proposed project to affect archeological resources, which may include human burials is addressed above under E.3.b. Furthermore, the treatment of human remains and of associated or unassociated funerary objects must comply with applicable state laws. This includes immediate notification to the county coroner (San Francisco Office of the Chief Medical Examiner) and, in the event of the coroner's determination that the human remains are Native American, notification of the California Native American Heritage Commission, which shall appoint a most likely descendant to provide recommendations for treatment and disposition of the remains.¹⁶

Cumulative Analysis

As discussed above, the proposed project would have no effect on historic architectural resources and therefore would not have the potential to contribute to any cumulative historic resources impact.

The cumulative context for archeological resources and human remains is generally site specific and limited to the immediate construction area. There are no known archeological resources on or immediately adjacent to the project site that would be affected by any of the cumulative projects. If a significant archeological resource is found on the project site, project impacts to that resource would be mitigated to a less-than significant level through implementation of Project Mitigation Measure 1, which implements PEIR Mitigation Measure CR-2. For these reasons, the proposed project, in combination with other cumulative projects, would not result in a cumulatively considerable impact on archeological resources or human remains.

Conclusion

The proposed project would not result in significant impacts to historic resources and impacts to archeological resources would be mitigated to less-than-significant levels with implementation of mitigation measures identified in the Market and Octavia PEIR. The project sponsor has agreed to implement Project Mitigation Measure 1. Therefore, the proposed project would not result in significant impacts on cultural resources that were not identified in the Market and Octavia PEIR.

¹⁶ California Public Resources Code section 5097.98

E.4 Tribal Cultural Resources

Market and Octavia PEIR Cultural Findings

Based on discussions with Native American tribal representatives in San Francisco all prehistoric archeological resources are presumed to be potential tribal cultural resources, and there are no other currently identified tribal cultural resources in San Francisco. Additionally, based on discussions with Native American tribal representatives, there are no other currently identified tribal cultural resources in San Francisco. Therefore, based on the results of this consultation between the City and County of San Francisco and local Native American tribal representatives, all archaeological resources of Native American origin are assumed to be potential tribal cultural resources. The preferred mitigation of impacts to such resources, developed in consultation with local Native American tribal representatives, is preservation in place or, where preservation is not feasible, development and implementation of archaeological and public interpretation plans for the resource in consultation with local Native American tribes. The Market and Octavia PEIR found that development under the area plans and rezoning could cause a substantial adverse change to the significance of archeological resources, including prehistoric archeological resources, because the entire plan area could be considered generally sensitive for archeological resources. On this basis, projects implemented under the PEIR have the potential to result in a substantial adverse change in tribal cultural resources.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (ii) A resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in this subdivision, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.4.a) As discussed in the Section E.3, Cultural Resources, above, the project site is sensitive for prehistoric resources, which may also represent tribal cultural resources. Therefore, the project's proposed excavation to

approximately 5 feet below ground surface could result in a significant impact, should tribal cultural resources be encountered.

The project has potential to adversely affect prehistoric resources, which are assumed to be potential tribal cultural resources based on Planning Department consultations with local Native American representatives. As discussed above, under Section E.3, Cultural Resources, Project Mitigation Measure 1 (Archeological Monitoring Program), which implements Market and Octavia PEIR Mitigation Measure C2, would mitigate impacts to tribal cultural resources to a less than significant level as it would include avoidance, as feasible, and public interpretation of archeological resources, including those that are tribal cultural resources, consistent with the recommendations of local Native American tribal representatives. With implementation of Project Mitigation Measure 1, the proposed project would have a less-than-significant impact on tribal cultural resources.

Cumulative Analysis

The cumulative context for tribal cultural resources is generally site specific and limited to the immediate construction area. For this reason, the proposed project, in combination with other cumulative projects, would not result in cumulative impacts to tribal cultural resources.

Conclusion

The proposed project’s impact to tribal cultural resources would be mitigated to less-than-significant levels with the implementation of Project Mitigation Measure 1. Therefore, the proposed project would not result in significant impacts to archaeological resources that constitute tribal cultural resources that were not identified in the Market and Octavia PEIR.

E.5 Transportation and Circulation

Market and Octavia PEIR Transportation and Circulation Findings

The Market and Octavia PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, or construction traffic. The PEIR states that in general, the analyses of pedestrian, bicycle, loading, emergency access, and construction transportation impacts are specific to individual development projects, and that project-specific analyses would need to be conducted for future development projects under the Market and Octavia Neighborhood Plan.

The Market and Octavia PEIR anticipated that growth resulting from future projects within the Plan area could result in a significant impact on the 21-Hayes Muni bus route during the weekday p.m. hour and identified one transit-specific transportation mitigation measure, M-TR-5.7.H: Transit Service Degradation. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less than significant level. Thus, the impact was found to be significant and unavoidable.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
a) Involve construction that would require a substantially extended duration or intensive activity, the effects of which would create potentially hazardous conditions for people walking, bicycling, or driving, or public transit operations; or interfere with emergency access or accessibility for people walking or bicycling; or substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create potentially hazardous conditions for people walking, bicycling, or driving or public transit operations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Interfere with accessibility of people walking or bicycling to and from the project site, and adjoining areas, or result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause substantial additional vehicle miles travelled or substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow travel lanes) or by adding new roadways to the network?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in a loading deficit, the secondary effects of which would create potentially hazardous conditions for people walking, bicycling, or driving; or substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Result in a substantial vehicular parking deficit, the secondary effects of which would create potentially hazardous conditions for people walking, bicycling, or driving; or interfere with accessibility for people walking or bicycling or inadequate access for emergency vehicles; or substantially delay public transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This initial study reflects two changes because of state and local actions. The state amended CEQA to remove automobile delay as a consideration (CEQA section 21099(b)(2)). In March 2016, Planning Commission resolution 19579 implemented this state-level change in San Francisco. In February 2019, the department updated its Transportation Impact Analysis Guidelines (2019 guidelines). The 2019 guidelines updated the department's transportation significance criteria, which are reflected in the transportation checklist questions used for this initial study. The update included deleting the transit capacity criterion. The deletion is consistent with state guidance about the environmental benefits of new transit riders and to reflect funding sources for, and policies that encourage, additional ridership.¹⁷ Therefore, impacts and mitigation measures from the Market and Octavia PEIR associated with automobile delay are not discussed in this initial study. The Market and Octavia PEIR did not evaluate VMT. The VMT analysis presented below evaluates the project's transportation effects using the VMT metric.

¹⁷ San Francisco Planning Department, "Transportation Impact Analysis Guidelines Update: Summary of Changes Memorandum", February 14, 2019.

E.5.a to g) The department estimated the number of trips and ways people would travel to and from the site. The department estimated these trips using data and methodology in the department’s 2019 guidelines.¹⁸ **Table 2** presents daily person and vehicle trip estimates. **Table 3** presents p.m. peak hour estimates.

Table 2: Person and Vehicle Trip Estimates – Daily

	DAILY PERSON TRIPS						Daily Vehicle Trips ¹
	Automobile	For-Hire	Transit	Walking	Bicycling	Total	
Residential	16	4	18	24	2	63	18

1. Automobile person trips, accounting for average vehicle occupancy data. Source: San Francisco Planning Department, Transportation Impact Analysis Guidelines.

Table 3: Person and Vehicle Trip Estimates – P.M. Peak Hour

	P.M. PEAK HOUR PERSON TRIPS						P.M. Peak Hour Vehicle Trips ¹
	Automobile	For-Hire	Transit	Walking	Bicycling	Total	
Residential	1	0	2	2	0	6	2

1. Automobile person trips, accounting for average vehicle occupancy data. Source: San Francisco Planning Department, Transportation Impact Analysis Guidelines.

The department used these estimates to inform the analysis of the project’s impacts on transportation and circulation during both construction and operation. The following considers effects of the project on potentially hazardous conditions, accessibility (including emergency access), public transit delay, vehicle miles traveled, and loading.

Construction

The 2019 guidelines set forth screening criteria for types of construction activities that would typically not result in significant construction-related transportation effects. Project construction would last approximately 20 months. During construction, the project may result in temporary closures of the public right-of-way. These closures may include Colton Street or the sidewalk at the project’s Gough Street frontage. Given the project site context and construction duration and magnitude, the project meets the screening criteria.

Further, the project would be subject to the San Francisco Regulations for Working in San Francisco Streets (the blue book). The blue book is prepared and regularly updated by the San Francisco Municipal Transportation Agency, under the authority derived from the San Francisco Transportation Code. It serves as a guide for contractors working in San Francisco streets. The blue book establishes rules and guidance so that construction work can be done safely and with the least possible interference with pedestrian, bicycle, transit, and vehicular traffic. Therefore, the project would have a less-than-significant construction-related transportation impact.

Potentially Hazardous Conditions and Accessibility

The project would remove three off-street vehicle parking spaces accessed via Colton Street. No new off-street parking or driveways would be installed. The project would add one p.m. peak hour vehicle trip. This vehicle trip would likely start from or end at the project’s Gough Street frontage and be dispersed along nearby streets. This number of vehicle trips is not substantial. No vehicles would be crossing the sidewalk and there are no bike lanes

¹⁸ San Francisco Planning Department, *Transportation Calculations for 36-38 Gough Street*, April 22, 2021.

along Gough or Colton streets. Therefore, the project would result in less-than-significant potentially hazardous conditions and accessibility impacts.

Public Transit Delay

The 2019 guidelines set forth a screening criterion for projects that would typically not result in significant public transit delay effects. The project would add one p.m. peak hour vehicle trip, which is less than the screening criterion of 300. Therefore, the project meets the screening criterion and the project would have a less-than-significant public transit delay impact.

Vehicle Miles Traveled

The 2019 guidelines set forth screening criteria for types of projects that would typically not result in significant vehicle miles traveled impacts. The project site is an area where existing vehicle miles traveled per capita is more than 15 percent below the existing regional per capita average. The project meets this locational screening criterion and the project would have a less-than-significant vehicle miles traveled impact.

The project also meets the proximity to transit screening criterion. The project site is within one-half mile of an existing major transit stop or an existing stop along a high-quality transit corridor and the project meets other characteristic requirements. This screening criterion also indicates the project would not cause substantial additional VMT.

Loading

During the average and peak period, the project's freight and delivery loading demand would be 0.016 trips. The project would not provide any off- or on-street freight loading facilities; however, given the low demand, the project would not result in a significant loading deficit.

During the peak period, the project's passenger loading demand is 0.01 trips. The project would not provide any off- or on-street passenger loading spaces; however an approximately 40 foot long passenger loading zone is available to the south of the project site in front of 2 Gough Street. Therefore, the project and surrounding project block would meet the anticipated passenger loading demand and would not result in a significant loading deficit. Overall, the project would have a less-than-significant loading impact.

Cumulative Analysis

Construction

None of the cumulative projects listed on page 4 of this initial study would be within one block of the project site. Therefore, it is unlikely that any of the cumulative projects would interfere with truck routing to or from the project site. All cumulative projects would be subject to the blue book. Given the context and temporary duration and magnitude of the cumulative projects' construction and the regulations that each project would be subject to, the project, in combination with cumulative projects, would not result in a significant cumulative construction-related transportation impact.

Potentially Hazardous Conditions and Accessibility

The PEIR disclosed that vehicular and other ways of travel (e.g., walking, bicycling) volumes would increase in the Market and Octavia Neighborhood Plan area because of the plan and other cumulative projects. This increase would result in a potential for more conflicts between various ways of travel. The following cumulative projects could overlap with the project's vehicle trips near the project site: 1740 Market Street, 1601 Mission Street, and 10 South Van Ness Avenue.

The vehicle trips from these cumulative projects would not combine to result in a potentially hazardous condition at any nearby vehicular turning movement. These cumulative projects would also not block access to a substantial number of people walking within the sidewalk. As described above, the project would include one small change to the public right of way – removing the off-street parking access via Colton Street. Cumulative projects would also include several changes to the public right-of-way that would lessen impacts. These changes include pedestrian walkways, sidewalk improvements, reduction in vehicle driveways on South Van Ness and Mission Streets. Therefore, the project, in combination with cumulative projects, would not result in significant cumulative potentially hazardous conditions and accessibility impacts.

Public Transit Delay

Public transit delay typically occurs from traffic congestion, including transit reentry, and passenger boarding delay. The PEIR used transit delay as a significance criterion. The Market and Octavia PEIR identified significant and unavoidable cumulative impacts relating to transit delays to the 21-Hayes Muni route. This degradation of transit service would occur as a result of changes to the configuration of Hayes Street, which were designed to enhance local vehicle circulation. The 21- Hayes route does not run near the project site and, as stated above, the project site is well served by other transit lines. Therefore, the proposed project would not contribute considerably to this significant cumulative transit impact.

The project would add one p.m. peak hour vehicle trips and two p.m. peak hour transit trips. These trips would be dispersed along Gough, Market, Otis, and 13th streets as well as South Van Ness Avenue, among the 14-Mission, 14R-Mission Rapid, 47-Van Ness, 49-Van Ness/Mission, 6-Haight/Parnassus, 7-Haight/Noriega, and 7X-Noriega Express. Each of these routes has a.m. and p.m. headways of less than 15 minutes. This minor number of trips would not contribute considerably to cumulative transit delay. Cumulative projects would also improve public transit, including Better Market Street. Therefore, the proposed project would not result in new or more severe transit delay impacts than were identified in the Market and Octavia PEIR.

Vehicle Miles Traveled

VMT by its nature is largely a cumulative impact. As described above, the project would not exceed the project-level quantitative thresholds of significance for VMT. Furthermore, the project site is an area where projected year 2040 VMT per capita is more than 15 percent below the future regional per capita average. Therefore, the project, in combination with cumulative projects, would not result in a significant cumulative VMT impact.

Loading

The proposed project is not located within the same block of any cumulative projects listed on page 4 that could conflict with passenger or freight loading at the project site. Therefore, the cumulative loading impacts would be less than significant. Given the cumulative projects would not result in a loading deficit, the project, in combination with cumulative projects, would not result in a significant cumulative loading impact.

Conclusion

The Market and Octavia PEIR projected substantial increases in public transit delay. For the reasons described above, the proposed project would not result in new or more severe transportation and circulation impacts than were identified in the Market and Octavia PEIR.

E.6 Noise

Market and Octavia PEIR Noise Findings

The Market and Octavia PEIR noted that the background noise levels in San Francisco are elevated primarily due to traffic noise and that some streets, such as Market Street, have higher background noise levels. The PEIR determined that implementation of the plan would not result in significant noise impacts during construction activities. The PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the plan would be less than significant. No mitigation measures related to noise were identified in the Market and Octavia PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.6.a) Increases in ambient noise levels could result from increases in traffic and/or noise-generating equipment or activities. A potentially significant increase in the ambient noise level due to traffic resulting from a proposed project is unlikely unless the project would cause a doubling of existing traffic levels, which is generally assumed to result in a 3 dBA increase in the existing ambient noise environment.¹⁹ An increase of less than 3 dBA is generally not perceptible outside of controlled laboratory conditions.²⁰ The proposed project would generate 16 daily vehicle trips. These vehicle trips would be dispersed along the local roadway network and would not result in a doubling of vehicle trips on roadways in the vicinity of the project site. Therefore, traffic noise impacts resulting from the project would be less than significant.

All construction activities for the proposed project (approximately 20 months) would be subject to the San Francisco Noise Ordinance. Construction noise is regulated by the noise ordinance, which requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact

¹⁹ Caltrans, *Technical Noise Supplement*, November 2009. Available at: <http://www.dot.ca.gov/env/noise/docs/tens-sep2013.pdf>. Accessed: December 18, 2017.

²⁰ California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, pp. 2-44 to 2-45, September 2013. Available: http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf. Accessed July 30, 2017.

tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating noise); (2) impact tools must have intake and exhaust mufflers that are approved by the director of San Francisco Public Works (public works) or the director of the San Francisco Department of Building Inspection (building department) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the director of public works authorizes a special permit for conducting the work during that period.

The building department is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8 a.m. to 5 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. The proposed project would not result in significant construction noise impacts.

The PEIR noted that plan-related land use changes would have the potential to create secondary noise impacts associated with projects' fixed-location heating, ventilating, or air-conditioning equipment and other localized noise-generating activities. The PEIR determined that existing ambient noise levels in the plan area would generally mask noise from new on-site equipment. Additionally, the projects fixed mechanical equipment would be required to comply with noise ordinance section 2909(a) which limits increases in noise to 5 dBA above ambient at the property line. Therefore, the increase in noise levels from operation of equipment would be less than significant.

The proposed project would be a five-story, eight-unit residential building. Operational noises anticipated to be associated with the building include some rooftop mechanical equipment for the building's heating and cooling system. As anticipated in the PEIR, the operational noises would not be substantial and are not anticipated to increase the ambient noise level

E.6.b) The proposed project would not require pile driving or other construction equipment that would generate vibration at levels that could result in significant impacts. The proposed foundation would consist of continuous spread type footings. No pile driving or drilling is proposed as part of project construction. The proposed project would be a five-story, eight-unit residential building with no off-street parking. Development projects, such as the proposed project, are not typically sources of operational vibration. Therefore, the proposed project would not result in significant impacts related to vibration.

E.6.c) The project site is not located within an airport land use plan area, within 2 miles of a public airport, or in the vicinity of a private airstrip. Therefore, initial study checklist question E.6.c is not applicable to the proposed project.

Cumulative Analysis

The cumulative context for traffic noise analyses are typically confined to the local roadways nearest the project site. As project generated vehicle trips disperse along the local roadway network, the contribution of project-generated traffic noise along any given roadway segment would similarly be reduced. As discussed in initial study checklist question E.6.a, the proposed project would not result in a perceptible increase in traffic noise. Therefore, the proposed project would not result in a considerable contribution to ambient noise levels from project traffic.

The cumulative context for point sources of noise, such as building heating, ventilation and air conditioning systems and construction noise are typically confined to nearby noise sources, usually not further than about 900

feet from the project site.²¹ Based on the list of projects under the Cumulative Setting section above, 1740 Market Street, 78 Haight St, 1601 Mission Street, 10 South Van Ness Avenue, and 98 Franklin are all within 900 feet of the project site. However, the proposed project would not contribute considerably to any increases in the ambient noise levels caused by the cumulative projects; the proposed project’s contribution would be negligible. Furthermore, the noise ordinance establishes limits for both construction equipment and for operational noise sources. All projects within San Francisco are required to comply with the noise ordinance. Compliance with the noise ordinance would ensure that no significant cumulative noise impact would occur.

Conclusion

The Market and Octavia PEIR determined that implementation of the Market and Octavia Neighborhood Plans would not result in significant noise impacts during construction activities or due to operation of new construction. The proposed project would not result in new or more severe noise or vibration impacts than were identified in the Market and Octavia PEIR.

E.7 Air Quality

Market and Octavia PEIR Air Quality Findings

The Market and Octavia PEIR identified potentially significant air quality impacts resulting from temporary exposure to elevated levels of fugitive dust and diesel particulate matter (DPM) during construction of development projects under the area plan. The PEIR identified two mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of the identified mitigation measures, development under the area plans would be consistent with the San Francisco Bay Area Air Basin 2000 Clean Air Plan Ozone Strategy, the applicable air quality plan at that time. Market and Octavia PEIR Mitigation Measure E1: Particulate Emissions During Construction and E2: Short-Term Exhaust Emissions were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

18 Typical construction noise levels can affect a sensitive receptor at a distance of 900 feet if there is a direct line-of-sight between a noise source and a noise receptor (i.e., a piece of equipment generating 85 dBA would attenuate to 60 dBA over a distance of 900 feet). An exterior noise level of 60 dBA will typically attenuate to an interior noise level of 35 dBA with the windows closed and 45 dBA with the windows open.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.7.a) The most recently adopted air quality plan for the air basin is the Bay Area Air Quality Management District’s 2017 Clean Air Plan. The primary goals of the clean air plan are to: (1) protect air quality and health at the regional and local scale; (2) eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and (3) reduce greenhouse gas emissions. The clean air plan recognizes that to a great extent, community design dictates individual travel modes, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. The compact development of the proposed project and the availability of non-auto transportation options in the project area would ensure that the project would avoid substantial growth in automobile trips and consequent air pollutant emissions. In addition, as discussed above in the Population and Housing resource topic, the project site is located within the Market-Octavia/Upper Market priority development area. Focusing development within such areas is a key land use strategy under Plan Bay Area to meet statewide greenhouse gas reduction goals pursuant to Senate Bill 375. Furthermore, for the reasons described below under topics E.7.b and c, the proposed project would not result in significant air pollutant emissions or expose sensitive receptors to substantial pollutant concentrations.²² Therefore, the proposed project would not obstruct implementation of the 2017 Clean Air Plan.

E.7.b) The Market and Octavia PEIR determined that at a program-level the Market and Octavia Neighborhood Plan would not result in significant regional air quality impacts.

Construction Dust Control

Market and Octavia PEIR Mitigation Measure E1: Particulate Emissions During Construction requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the dust control ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work to protect the health of the general public and of construction workers, minimize public nuisance complaints, and to avoid orders to stop work in response to dust complaints. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the dust control ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping, and other measures.

²² The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as persons occupying or residing in: 1) residential dwellings, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, p. 12.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements incorporate and expand upon the dust control provisions of PEIR Mitigation Measure E1. Therefore, compliance with the dust control ordinance would ensure that the proposed project would not result in substantial amounts of fugitive dust, including particulate matter, during construction activities and portions of PEIR Mitigation Measure E1 that address construction dust are not required.

Criteria Air Pollutants

The Bay Area Air Quality Management District prepared updated 2017 CEQA Air Quality Guidelines,²³ which provide methodologies for analyzing air quality impacts. These guidelines also provide thresholds of significance for ozone and particulate matter. The planning department uses these thresholds to evaluate air quality impacts under CEQA.

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM_{2.5}, and PM₁₀²⁴), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The bay area air basin is designated as either in attainment or unclassified for most criteria pollutants except for ozone, PM_{2.5}, and PM₁₀. For these pollutants, the air basin is designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.²⁵ Regional criteria air pollutant impacts resulting from the proposed project are evaluated below.

The air district has developed screening criteria to determine whether to undertake detailed analysis of criteria pollutant emissions for construction and operations of development projects. Projects that are below the screening criteria would result in less-than-significant criteria air pollutant impacts, and no further project-specific analysis is required. The proposed project would demolish an existing two-story, two-unit residential building and associated rear yard garages and construct a five-story, eight-unit residential building. The proposed project would meet the respective screening criteria for criteria air pollutants emissions during construction (240 dwelling units) and operation of the proposed project (494 dwelling units). Therefore, because the proposed project is below the construction and operational screening levels for criteria air pollutants, the proposed project would not result in a significant impact with regards to a cumulatively considerable net increase in non-attainment criteria air pollutants.

E.7.c) In addition to regional criteria air pollutants analyzed above, the following air quality analysis evaluates localized health risks to determine whether sensitive receptors would be exposed to substantial pollutant concentrations. Since certification of the PEIR, the San Francisco Board of Supervisors approved amendments to the San Francisco Building and Health Codes, referred to as Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, article 38 (Ordinance 224-14, amended December 8, 2014). The

23 Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2017.

24 PM₁₀ is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM_{2.5}, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

25 Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2017, page 2-1.

purpose of article 38 is to protect the public health and welfare by establishing an *air pollutant exposure zone* and imposing an enhanced ventilation requirement for all new sensitive uses within this zone. The air pollutant exposure zone as defined in article 38 includes areas that exceed health protective standards for cumulative PM_{2.5} concentration and cumulative excess cancer risk and incorporates health vulnerability factors and proximity to freeways. Projects within the air pollutant exposure zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Projects that propose sensitive uses and are located within the air pollutant exposure zone, such as the proposed project, must provide filtration to protect occupants from PM_{2.5}. Health code article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the San Francisco Department of Public Health (health department) that achieves protection from PM_{2.5} equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The building department will not issue a building permit without written notification from the director of the health department that the applicant has an approved Enhanced Ventilation Proposal. In compliance with Article 38, the project sponsor has submitted an initial application to the health department.²⁶

Construction Health Risk

The project site is located within an identified air pollutant exposure zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the anticipated 20-month construction period. Thus, **Project Mitigation Measure 2, Construction Air Quality**, has been identified to implement the portions of Market and Octavia PEIR **Mitigation Measure E2: Short-Term Exhaust Emissions**, related to emissions exhaust by requiring construction equipment with lower emissions. This measure would reduce diesel particulate matter exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.²⁷ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 2, Construction Air Quality.

Operational Health Risks

The project's incremental increase in localized TAC emissions resulting from new vehicle trips would be minor and would not contribute substantially to localized health risks. Additionally, the proposed project would not include a backup diesel generator, which would emit DPM, a TAC. No health risk impacts related to the siting of new air pollution sources would be associated with the project and the impact would be less than significant.

E.7.d) Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors

²⁶ San Francisco Department of Public Health, Article 38 Application for 36-38 Gough Street, November 14, 2019.

²⁷ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the U.S. Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

would be temporary and would not persist upon project completion. The proposed project includes residential uses that would not be expected to create significant sources of new odors. Therefore, odor impacts would be less than significant.

Cumulative Analysis

As discussed above, regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.²⁸ The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational (Topic E.7.b) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add new sources of TACs (e.g., construction new vehicle trips and off-road construction equipment) within an area already adversely affected by poor air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Project Mitigation Measure 2, Construction Air Quality, which could reduce construction period emissions by as much as 94 percent. Implementation of this mitigation measure would reduce the project's contribution to cumulative localized health risk impacts to a less-than-significant level. Furthermore, compliance with article 38 would ensure that new sensitive receptors are not substantially affected by existing or proposed sources of toxic air contaminants.

Conclusion

As explained above, the proposed project could result in significant air quality impacts, individually and cumulatively. However, these impacts were identified in the PEIR and with implementation of Project Mitigation Measure 2, Construction Air Quality, the project impact would be less than significant with mitigation. The project sponsor would also be required to comply with local ordinances, including the dust control ordinance and health code article 38.

E.8 Greenhouse Gas

Market and Octavia PEIR Greenhouse Gas Emissions Findings

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

²⁸ BAAQMD, *CEQA Air Quality Guidelines*, May 2017, page 2-1.

Project Analysis

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

E.8.a and b) The following analysis of the proposed project’s GHG impact focuses on the project’s contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on global climate, this analysis is in a cumulative context only, and the analysis of this resource topic does not include a separate cumulative impact discussion.

The air district has prepared guidelines and methodologies for analyzing the impact of GHG emissions subsequent to adoption of the Market and Octavia Neighborhood Plan. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant.

San Francisco’s *Strategies to Address Greenhouse Gas Emissions*²⁹ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the air district and CEQA Guidelines. These GHG reduction actions resulted in a 35 percent reduction in GHG emissions in 2018 compared to 1990 levels,³⁰ exceeding the year 2020 reduction goals outlined in the air district’s 2017 Clean Air Plan,³¹ Executive Order S-3-05³², and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{33,34} In addition, San Francisco’s GHG reduction goals are consistent with, or more

29 San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed April 24, 2019.

30 San Francisco Department of the Environment, *San Francisco’s Carbon Footprint (2020)*, October 2020. Available at <https://sfenvironment.org/carbon-footprint>, accessed October 20, 2020.

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

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

33 California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

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

aggressive than, the long-term goals established under Executive Orders S-3-05³⁵, B-30-15,^{36,37} and Senate Bill 32.³⁸ .^{39,40} Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy and demonstrated in the GHG checklist completed for the proposed project.⁴¹ The proposed project would comply with applicable regulations that would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants. Therefore, the proposed project would not generate significant GHG emissions and would not conflict with state, regional, and local GHG reduction plans and regulations.

Conclusion

For the reasons stated above, the proposed project would not result in a significant individual or cumulative GHG impact. Therefore, the proposed project would not result in significant GHG impacts that were not identified in the Market and Octavia PEIR.

E.9 Wind

Market and Octavia PEIR Wind Findings

The Market and Octavia PEIR concluded that wind impacts resulting from the development under the Market and Octavia Neighborhood Plan, including new buildings and additions to existing buildings, could result in significant impacts related to ground-level winds. PEIR Mitigation Measure B1: Buildings in Excess of 85 Feet in Height, and PEIR Mitigation Measure B2: All New Construction, identified in the PEIR, require individual projects sponsors to minimize the wind effects of new buildings developed under the Area Plan through site and building design measures. The Market and Octavia PEIR concluded that implementation of PEIR Mitigation Measures B1 and B2, in

35 Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

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

37 San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

38 Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

39 Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

40 Executive Order B-15-18, which was signed in September 2018, establishes a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions after. Available at <https://www.gov.ca.gov/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>, accessed September 25, 2018. The statewide executive order is slightly more aggressive than the commitment made by Mayor Mark Farrell in April 2018 for the City to reach net-zero greenhouse gas emissions by 2050. The San Francisco Department of the Environment is currently developing a plan to meet the goal of carbon neutrality.

41 San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 36-38 Gough Street*, October 14, 2020.

combination with existing planning code requirements, would reduce both project-level and cumulative wind impacts to less-than-significant levels.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Create wind hazards in publicly accessible areas of substantial pedestrian use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.9.a) To determine whether a project would alter wind in a manner that substantially affects public areas, the planning department applies the wind hazard criterion established in section 148 of the San Francisco Planning Code. In accordance with section 148, a project would result in hazardous wind conditions if it would cause ground-level wind speeds that exceed 26 mph for one hour or more per year.⁴² In most cases, projects under 80 feet in height do not result in wind impacts in accordance with this criterion. Although the proposed 55-foot-tall building would be taller than the immediately adjacent buildings, it is less than 80 feet tall, and would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project would not cause significant wind impacts that were not identified in the Market and Octavia PEIR.

Because the height of the proposed building would not exceed a height of 85 feet, PEIR Mitigation Measure B1 would not apply to the proposed project. PEIR Mitigation Measure B2, which applies to all new construction, would apply to the proposed project. However, since the proposed project does not have the potential to result in significant wind impacts, a project-level wind analysis is not required, and the project sponsor has fulfilled the requirements of PEIR Mitigation Measure B2.

Cumulative

The proposed project would not exceed 85 feet and has little potential to cause substantial changes to ground-level wind conditions adjacent to and near the project site. For these reasons, the proposed project would not combine with other projects in the vicinity to create significant cumulative wind impacts.

Conclusion

For the reasons stated above, the proposed project would not result in significant wind impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant wind impacts that were not identified in the Market and Octavia PEIR.

42 San Francisco Planning Code Section 148. Available at: [http://library.amlegal.com/nxt/gateway.dll/California/planning/article12dimensionsareasandopenspaces?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$anc=JD_138.1](http://library.amlegal.com/nxt/gateway.dll/California/planning/article12dimensionsareasandopenspaces?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=JD_138.1)

E.10 Shadow

Market and Octavia PEIR Shadow Findings

The Market and Octavia PEIR analyzed shadow impacts on nearby existing and proposed open spaces under the jurisdiction of the San Francisco Recreation and Park Commission as well as those that are not (the War Memorial Open Space and United Nations Plaza). The Market and Octavia PEIR determined that implementation of the area plan would not result in a significant shadow impact on Section 295 open spaces at the program or project level but identified potentially significant shadow impacts on non-Section 295 open spaces. Mitigation Measure A1: Parks and Open Space Not Subject to Section 295, would reduce but may not eliminate significant shadow impacts on the War Memorial open space and United Nations Plaza. The PEIR determined that shadow impacts on non-Section 295 open spaces could be significant and unavoidable.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.10.a) The proposed project would construct a 55-foot-tall building; therefore, a preliminary shadow fan analysis was prepared to determine whether the project would have the potential to cast new shadow on nearby parks.⁴³ There are no parks in the immediate vicinity near the proposed project and the analysis showed that the proposed project's potential net new shadow would not reach any nearby parks or open spaces. Therefore, Market and Octavia PEIR Mitigation Measure A1 would not be applicable to the proposed project.

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

Cumulative

The proposed project would be greater than 40 feet tall but would not cast shadow on any parks or public open spaces. For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create significant cumulative wind or shadow impacts.

Conclusion

For the reasons stated above, the proposed project would not result in significant shadow impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant shadow impacts that were not identified in the Market and Octavia PEIR.

⁴³ San Francisco Planning Department, *Preliminary Shadow Fan Analysis for 36-38 Gough Street*, February 24, 2020.

E.11 Recreation

Market and Octavia PEIR Recreation Findings

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

Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond, providing the Recreation and Park Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies locations where proposed open space connections should be built, specifically streets appropriate for potential “living alleys.” In addition, the amended ROSE identifies the role of both the Better Streets Plan and the Green Connections Network in open space and recreation. Green Connections are streets and paths that connect people to parks, open spaces, and the waterfront while enhancing the ecology of the street environment. Two routes identified within the Green Connections Network cross the Market and Octavia Plan Area: Marina Green to Dolores Park (Route 15) and Bay to Beach (Route 4).

Project Analysis

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

E.11.a) As discussed in Topic E.2, Population and Housing, the proposed project would add new residential units resulting in approximately 19 new residents. New residents and employees would be within walking distance of the War Memorial & Opera House, Patricia’s Green, Page and Laguna Mini Park, Page Street Community Garden, and Daniel E. Koshland Community Park, which are all neighborhood parks or other recreational facilities. Additionally, the proposed project would provide passive recreational uses onsite for the residents, including 500 square feet of common open space available to project residents and 375 square feet of private open space. Although the proposed project would introduce a new permanent population to the project site, the number of

new residents projected would not be large enough to substantially increase demand for, or use of, neighborhood parks or recreational facilities, such that substantial physical deterioration of the facilities would be expected.

E.11.b) The permanent residential population on the site would not require the construction of new recreational facilities or the expansion of existing facilities.

Cumulative

Cumulative development in the project vicinity would result in an intensification of land uses and an increase in the use of nearby recreational resources and facilities. The Recreation and Open Space Element of the General Plan provides a framework for providing a high-quality open space system for its residents, while accounting for expected population growth through year 2040. In addition, San Francisco voters passed three bond measures, in 2008, 2012, and 2020 to fund the acquisition, planning, and renovation of the City’s network of recreational resources. As discussed above, there are several parks, open spaces, or other recreational facilities within walking distance of the project site, and two new parks have recently been constructed within the plan area. These existing recreational facilities would be able to accommodate the increase in demand for recreational resources generated by nearby cumulative development projects without resulting in physical degradation of recreational resources. For these reasons, the proposed project would not combine with other projects in the vicinity to create a significant cumulative impact on recreational facilities.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact related to recreational resources. Therefore, the proposed project would not result in a significant recreational impact that was not disclosed in the Market and Octavia PEIR.

E.12 Utilities and Service Systems

Market and Octavia PEIR Utilities and Service System Findings

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

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Require or result in the relocation or construction of new or expanded wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant physical environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? Require or result in the relocation of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity or local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.12.a and c) The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater treatment and management for the east side of the city, including the project site. Project related wastewater and stormwater would flow into the city's combined sewer system and would be treated to standards contained in the city's National Pollutant Discharge Elimination System Permit for the Southeast Water Pollution Control Plant prior to discharge into the San Francisco Bay. The treatment and discharge standards are set and regulated by the Regional Water Quality Control Board. The Southeast Plant is designed to treat up to 85 million gallons per day of average dry weather wastewater flows and up to 250 million gallons per day of wet weather combined wastewater and stormwater flows. Average dry weather flows to the Southeast Plant ranged from 58 to 61 million gallons per day for the years 2012 to 2014 and are projected to increase to 69 million gallons per day by 2045.⁴⁴

The proposed project would not substantially increase the amount of stormwater entering the combined sewer system because the project would not increase impervious surfaces at the project site. Compliance with the city's Stormwater Management Ordinance and the Stormwater Management Requirements and Design Guidelines would ensure that the design of the proposed project includes installation of appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit discharges from the site from entering the city's combined stormwater/sewer system. Under the Stormwater Management Ordinance, stormwater generated by the proposed project is required to meet a performance standard that reduces the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm and therefore would not contribute additional volume of polluted runoff to the city's stormwater infrastructure.

⁵⁰ San Francisco Planning Department, *Biosolids Digester Facilities Project, Final Environmental Impact Report*, Record No. 2015-000644ENV, State Clearinghouse No. 2015062073, certified March 8, 2018.

The project site is located within a developed area served by existing electric power, natural gas, and telecommunications. While the project would require local connection to those utilities, it would not necessitate the construction of new power generation, natural gas, or telecommunications infrastructure. Although the proposed project would add approximately 19 new residents to the project site, the combined sewer system has capacity to serve projected growth through year 2045. Therefore, the incremental increase in wastewater treatment resulting from the project would be met by the existing sewer system and would not require expansion of existing wastewater facilities or construction of new facilities.

E.12.b) The San Francisco Public Utilities Commission (SFPUC) adopted the 2015 Urban Water Management Plan (UWMP) in June 2016. The plan estimates that current and projected water supplies will be sufficient to meet future retail demand⁴⁵ through 2035 under normal year, single dry-year and multiple dry-year conditions; however, if a multiple dry-year event occurs, the SFPUC would implement water use and supply reductions through its drought response plan and a corresponding retail water shortage allocation plan.

In December 2018, the State Water Resources Control Board adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, which establishes water quality objectives to maintain the health of our rivers and the Bay-Delta ecosystem (the Bay-Delta Plan Amendment).⁴⁶ The state water board has stated that it intends to implement the Bay-Delta Plan Amendment by the year 2022, assuming all required approvals are obtained by that time. Implementation of the Bay-Delta Plan Amendment would result in a substantial reduction in the SFPUC's water supplies from the Tuolumne River watershed during dry years, requiring rationing to a greater degree in San Francisco than previously anticipated to address supply shortages not accounted for in the 2015 Urban Water Management Plan.

The SFPUC has prepared a memorandum discussing future water supply scenarios given adoption of the Bay-Delta Plan Amendment.⁴⁷ As discussed in the SFPUC memorandum, implementation of the plan amendment is uncertain for several reasons and whether, when, and the form in which the Bay-Delta Plan Amendment would be implemented, and how those amendments could affect SFPUC's water supply, is currently unknown. The SFPUC memorandum estimates total shortfalls in water supply (that is, total retail demand minus total retail supply) to retail customers through 2040 under three increasingly supply-limited scenarios:

1. Without implementation of the Bay-Delta Plan Amendment wherein the water supply and demand assumptions contained in the 2015 Urban Water Management Plan and the 2009 Water Supply Agreement as amended would remain applicable
2. With implementation of a voluntary agreement between the SFPUC and the State Water Resources Control Board that would include a combination of flow and non-flow measures that are designed to benefit fisheries at a lower water cost, particularly during multiple dry years, than would occur under the Bay-Delta Plan Amendment)

45 "Retail" demand represents water the SFPUC provides to individual customers within San Francisco. "Wholesale" demand represents water the SFPUC provides to other water agencies supplying other jurisdictions.

46 State Water Resources Control Board Resolution No. 2018-0059, Adoption of Amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and Final Substitute Environmental Document, December 12, 2018, available at https://www.waterboards.ca.gov/plans_policies/docs/2018wqcp.pdf.

47 Memorandum from Steven R. Ritchie, SFPUC to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department, Environmental Planning Division, May 31, 2019.

3. With implementation of the Bay-Delta Plan Amendment as adopted.

As estimated in the SFPUC memorandum, water supply shortfalls during dry years would be lowest without implementation and highest with implementation of the Bay-Delta Plan Amendment. Shortfalls under the proposed voluntary agreement would be between those with and without implementation of the Bay-Delta Plan Amendment.⁴⁸

Under these three scenarios, the SFPUC would have adequate water to meet total retail demands through 2040 in normal years.⁴⁹ For single dry and multiple (years 1, 2 and 3) dry years of an extended drought, the SFPUC memorandum estimates that shortfalls of water supply relative to demand would occur both with and without implementation of the Bay-Delta Plan Amendment. Without implementation of the plan amendment, shortfalls would range from approximately 3.6 to 6.1 million gallons per day or 5 to 6.8 percent shortfall during dry years through the year 2040.

With implementation of the Bay-Delta Plan Amendment, shortfalls would range from 12.3 million gallons per day (15.6 percent) in a single dry year to 36.1 million gallons per day (45.7 percent) in years seven and eight of the 8.5-year design drought based on 2025 demand levels and from 21 million gallons per day (23.4 percent) in a single dry year to 44.8 million gallons per day (49.8 percent) in years seven and eight of the 8.5-year design drought based on 2040 demand.

The proposed project does not require a water supply assessment under the California Water Code. Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large “water demand” projects, as defined in CEQA Guidelines section 15155.⁵⁰ The proposed residential project would result in eight units; as such it does not qualify as a “water-demand” project as defined by CEQA Guidelines section 15155(a)(1) and a water supply assessment is not required and has not been prepared for the project.

While a water supply assessment is not required, the following discussion provides an estimate of the project’s maximum water demand in relation to the three supply scenarios. No single development project alone in San Francisco would require the development of new or expanded water supply facilities or require the SFPUC to take other actions, such as imposing a higher level of rationing across the city in the event of a supply shortage in dry years. Therefore, a separate project-only analysis is not provided for this topic. The following analysis instead considers whether the proposed project in combination with both existing development and projected growth

48 On March 26, 2019, the SFPUC adopted Resolution No. 19-0057 to support its participation in the voluntary agreement negotiation process. To date, those negotiations are ongoing under the California Natural Resources Agency. The SFPUC submitted a proposed project description that could be the basis for a voluntary agreement to the state water board on March 1, 2019. As the proposed voluntary agreement has yet to be accepted by the state water board as an alternative to the Bay-Delta Plan Amendment, the shortages that would occur with its implementation are not known with certainty; however, if accepted, the voluntary agreement would result in dry year shortfalls of a lesser magnitude than under the Bay-Delta Plan Amendment.

49 Based on historic records of hydrology and reservoir inflow from 1920 to 2017, current delivery and flow obligations, and fully implemented infrastructure under the 2018 Phased Water System Improvement Program Variant, normal or wet years occurred 85 out of 97 years. This translates into roughly nine normal or wet years out of every 10 years. Conversely, system-wide rationing is required roughly one out of every 10 years. This frequency is expected to increase as climate change intensifies.

50 Pursuant to CEQA Guidelines section 15155(1), “a water-demand project” means:

(A) A residential development of more than 500 dwelling units.

(B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.

(C) A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area.

(D) A hotel or motel, or both, having more than 500 rooms, (e) an industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

(F) A mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section.

(G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

through 2040 would require new or expanded water supply facilities, the construction or relocation of which could have significant cumulative impacts on the environment that were not identified in the PEIR. It also considers whether a high level of rationing would be required that could have significant cumulative impacts. It is only under this cumulative context that development in San Francisco could have the potential to require new or expanded water supply facilities or require the SFPUC to take other actions, which in turn could result in significant physical environmental impacts related to water supply. If significant cumulative impacts could result, then the analysis considers whether the project would make a considerable contribution to the cumulative impact.

Based on guidance from the California Department of Water Resources and a citywide demand analysis, the SFPUC has established 50,000 gallons per day as an equivalent project demand for projects that do not meet the definitions provided in CEQA Guidelines section 15155(a)(1).⁵¹ The development proposed by the project would represent 1.6 percent of the 500-unit limit and 0 percent of the 500,000 square feet of commercial space provided in section 15155(1)(A) and (B), respectively. In addition, the proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the city’s Green Building Ordinance. It is therefore reasonable to assume that the proposed project would result in an average daily demand of less than 50,000 gallons per day of water.

The SFPUC has prepared estimates of total retail demand in five-year intervals from 2020 through 2040.⁵² Assuming the project would demand no more than 50,000 gallons of water per day (or 0.05 million gallons per day), Table 4 compares this maximum with the total retail demand from 2020 through 2040. At most, the proposed project’s water demand would represent a small fraction of the total projected retail water demand, ranging from 0.07 to 0.06 percent between 2020 and 2040. As such, the project’s water demand is not substantial enough to require or result in the relocation or construction of new or expanded water facilities the construction or relocation of which could cause significant environmental effects.

Table 4: Proposed Project Demand Relative to Total Retail Demand (million gallons per day)

	2020	2025	2030	2035	2040
Total Retail Demand	72.1	79	82.3	85.9	89.9
Total Demand of Proposed Project	0.05	0.05	0.05	0.05	0.05
Total Demand of Proposed Project as Percentage of Total Retail Demand	0.07%	0.06%	0.06%	0.06%	0.06%

Sufficient water supplies are available to serve the proposed project and reasonably foreseeable future development in normal, dry, and multiple dry years unless the Bay-Delta Plan Amendment is implemented. As indicated above, the proposed project’s maximum demand would represent less than 0.06 percent of the total retail demand in 2040 when implementation of the Bay-Delta Plan Amendment would result in a retail supply shortfall of up to 49.8 percent in a multi-year drought. The SFPUC has indicated that it is accelerating its efforts to develop additional water supplies and explore other projects that would increase overall water supply resilience in the case that the Bay-Delta Plan Amendment is implemented. The SFPUC has identified possible projects that it

51 Memorandum, from Steven R. Ritchie, Assistant General Manager, Water Enterprise, San Francisco Public Utilities Commission to Lisa Gibson, Environmental Review Officer, San Francisco Planning Department – Environmental Planning, May 31, 2019.

52 San Francisco Public Utilities Commission, *2015 Urban Water Management Plan for the City and County of San Francisco*, June 2016. This document is available at <https://sfwater.org/index.aspx?page=75>

will study, but it has not determined the feasibility of the possible projects, has not made any decision to pursue any particular supply projects, and has determined that the identified potential projects would take anywhere from 10 to 30 years or more to implement. The potential impacts that could result from the construction and/or operation of any such water supply facility projects cannot be identified at this time. In any event, under such a worst-case scenario, the demand for the SFPUC to develop new or expanded dry-year water supplies would exist regardless of whether the proposed project is constructed.

Given the long lead times associated with developing additional water supplies, in the event the Bay-Delta Plan Amendment were to take effect sometime after 2022 and result in a dry-year shortfall, the expected action of the SFPUC for the next 10 to 30 years (or more) would be limited to requiring increased rationing. As discussed in the SFPUC memorandum, the SFPUC has established a process through its Retail Water Shortage Allocation Plan for actions it would take under circumstances requiring rationing. The level of rationing that would be required of the proposed project is unknown at this time. Both direct and indirect environmental impacts could result from high levels of rationing. However, the small increase in potable water demand attributable to the project compared to citywide demand would not substantially affect the levels of dry-year rationing that would otherwise be required throughout the city. Therefore, the proposed project would not make a considerable contribution to a cumulative environmental impact caused by implementation of the Bay-Delta Plan Amendment. Project impacts related to water supply would be less than significant.

E.12.d and e) The city disposes of its municipal solid waste at the Recology Hay Road Landfill, and that practice is anticipated to continue until 2025, with an option to renew the agreement thereafter for an additional six years. San Francisco Ordinance No. 27-06 requires mixed construction and demolition debris to be transported to a facility that must recover for reuse or recycling and divert from landfill at least 65 percent of all received construction and demolition debris. San Francisco's Mandatory Recycling and Composting Ordinance No. 100-09 requires all properties and persons in the city to separate their recyclables, compostables, and landfill trash.

The proposed project would incrementally increase total city waste generation; however, the proposed project would be required to comply with San Francisco ordinance numbers 27-06 and 100-09. Due to the existing and anticipated increase of solid waste recycling in the city and the requirements to divert construction debris from the landfill, any increase in solid waste resulting from the proposed project would be accommodated by the existing Hay Road landfill. Thus, the proposed project would have less-than-significant impacts related to solid waste.

Cumulative Analysis

As explained in the analysis above, existing service management plans for water, wastewater, and solid waste disposal account for anticipated citywide growth. Furthermore, all projects in San Francisco would be required to comply with the same regulations described above which reduce stormwater, potable water, and waste generation. Therefore, the proposed project, in combination with other cumulative development projects would not result in a cumulative utilities and service systems impact.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to utilities and service systems. Therefore, the proposed project would not result in a significant utilities and service system impact that was not disclosed in the Market and Octavia PEIR.

E.13 Public Services

Market and Octavia PEIR Public Services Findings

The Market and Octavia PEIR determined that the anticipated increase in population would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

Project Analysis

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

E.13.a) Project residents and employees would be served by the San Francisco Police Department and Fire Departments. The closest police station to the project site is the Mission Police Station, located approximately 0.65 mile from the site. The closest fire station to the project site is Fire Station #36, located approximately 0.16 mile from the project site. The increased population at the project site could result in more calls for police, fire, and emergency response. However, the increase in demand for these services would not be substantial given the overall demand for such services on a citywide basis. Moreover, the proximity of the project site to police and fire stations would help minimize the response time for these services should incidents occur at the project site.

The San Francisco Unified School District (school district) maintains a property and building portfolio that has capacity for approximately 63,400 students.⁵³ Between 2000 and 2010, overall enrollment in the school district experienced a large decline but the district has experienced a gradual increase in enrollment during the past decade.⁵⁴ Total enrollment in the district increased to about 52,763 in the 2017–2018 school year.^{55,56} In addition, for the 2018–2019 school year, approximately 4,502 students enrolled in public charter schools that are operated

⁵³ San Francisco Unified School District, August 31, 2016. San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, *Growing Population, Growing Schools*.

⁵⁴ Lapkoff & Gobalet Demographics Research, Inc., *Demographic Analyses and Enrollment Forecasts, San Francisco Unified School District*, January 2020.

⁵⁵ Ibid.

⁵⁶ Enrollment summaries do not include charter schools.

by other organizations but located in school district facilities.^{57,58} Thus, even with increasing enrollment, the school district currently has more classrooms district-wide than needed.⁵⁹ However, the net effect of housing development across San Francisco is expected to increase enrollment by at least 5,000 students by 2030 and eventually enrollment is likely to exceed the capacity of current facilities.⁶⁰

Lapkoff & Gobalet Demographic Research, Inc. conducted a study for the school district that project student enrollment through 2040.⁶¹ This study is being updated as additional information becomes available. The study considered several new and ongoing large-scale developments (Mission Bay, Candlestick Point, Hunters Point Shipyard/San Francisco Shipyard, and Treasure/Yerba Buena Islands, Parkmerced, and others) as well as planned housing units outside those areas.⁶² In addition, it developed student yield assumptions informed by historical yield, building type, unit size, unit price, ownership (rented or owner-occupied), whether units are subsidized, whether subsidized units are in standalone buildings or in inclusionary buildings, and other site-specific factors. For most developments, the study establishes a student generation rate of 0.80 Kindergarten through 12th grade students per residential unit in a standalone affordable housing site, 0.25 students per unit for inclusionary affordable housing developments, and 0.10 students per unit for market-rate housing.

The Leroy F. Greene School Facilities Act of 1998, or SB 50, restricts the ability of local agencies to deny land use approvals on the basis that public school facilities are inadequate. SB 50, however, permits the levying of developer fees to address local school facility needs resulting from new development. Local jurisdictions are precluded under state law from imposing school-enrollment-related mitigation beyond the school development fees. The school district collects these fees, which are used in conjunction with other school district funds, to support efforts to complete capital improvement projects within the city. The proposed project would be subject to the school impact fees.

The proposed project would be expected to generate approximately one school-aged child who would attend San Francisco public schools. The school district currently has capacity to accommodate this minor increase in demand without the need for new or physically altered schools, the construction of which may result in environmental impacts.

Impacts on parks and recreational facilities are addressed above in Topic E.11, Recreation.

Cumulative Analysis

The proposed project, combined with projected citywide growth through 2040, would increase demand for public services, including police and fire protection and public schools. The fire department, the police department, and other city agencies account for such growth in providing public services to the residents of San Francisco.

57 San Francisco Unified School District, Facts at a Glance, 2018, <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/sfusd-facts-at-a-glance.pdf>, accessed September 13, 2018.

58 Note that Enrollment summaries do not include charter schools. Approximately 4,283 students enrolled in charter schools are operated by other organizations but located in school district facilities.

59 San Francisco Unified School District, San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools, August 31, 2016, https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_pdf, accessed June 27, 2019.

60 Lapkoff & Gobalet Demographics Research, Inc., *Demographic Analyses and Enrollment Forecasts, San Francisco Unified School District*, January 2020.

61 Ibid.

62 Ibid.

With respect to public schools, as stated above the school district currently has capacity for additional students anticipated through 2030. The school district works with the planning department and other city agencies to develop public school student enrollment projections and inform its facility planning. The school district is currently assessing how best to incorporate the education field's best practices in terms of space utilization for 21st-century education. This assessment will inform how to accommodate the anticipated future school population and whether new or different types of facilities are needed. Should additional capacity be required to meet the updated educational space standards and projected public school student population, the district is considering several options. A new school anticipated to have capacity for 500 students is under development in Mission Bay located at the corner of Owens Street and Nelson Rising Lane. In addition, in the near term, there is an existing school site on Treasure Island that is leased by the school district.⁶³ There is also a project planned for the replacement, renovation, and expansion of the district's 135 Van Ness property for the Arts Center Campus. The school district could also renovate and reconfigure other existing school facilities and assets it owns but which are not currently in school use, as necessary. However, it is speculative to conduct a meaningful environmental review or identify significant cumulative impacts at this time without more information regarding what action or actions the school district would take to accommodate additional students. Regardless, the additional one public school students as a result of the project would not contribute considerably to a significant public service impact related to the provision of new school facilities, and no mitigation is necessary.

For the above reasons, the proposed project, in combination with projected cumulative development, would not result in a significant physical cumulative impact associated with the construction of new or expanded governmental facilities.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to public services. Therefore, the proposed project would not result in a significant public services impact that was not disclosed in the Market and Octavia PEIR.

E.14 Biological Resources

Market and Octavia PEIR Biological Findings

The Market and Octavia Neighborhood Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the plan area that could be affected by the development anticipated under the area plan. In addition, development envisioned under the Market and Octavia Neighborhood Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the area plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

⁶³ Renovation and expansion of that school site was studied in the Treasure Island/Yerba Buena Island Redevelopment Project Draft EIR. For more information, please see Treasure Island/Yerba Buena Island Redevelopment Project Draft EIR, Planning Case 2007.0903E.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.14.a-f) The project site is located within Market and Octavia Neighborhood Plan and therefore, the project site does not support habitat for any candidate, sensitive or special status species. Further, there are no riparian corridors, estuaries, marshes or wetlands on or adjacent to the project site and there are no environmental conservation plans applicable to the project site. The proposed project does involve the removal of two existing trees in the rear yard. The proposed project would plant one new street tree along the Gough Street frontage. Therefore, the proposed project would not result in significant biological resource impacts.

Cumulative Analysis

As the proposed project would have no impact on special status species or sensitive habitats, the project would not have the potential to contribute to cumulative impacts to special status species or sensitive habitats. All projects within San Francisco are required to comply with the Urban Forestry Ordinance, which would ensure that any cumulative impact resulting from conflicts with the city ordinance protecting trees would be less than significant.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact on biological resources. Therefore, the proposed project would not result in a significant biological resources impact that was not disclosed in the Market and Octavia PEIR.

E.15 Geology and Soils

Market and Octavia PEIR Geology and Soils Findings

The Market and Octavia PEIR concluded that implementation of the area plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, given the seismically active characteristics of the Bay Area but would reduce them to an acceptable level.

The Market and Octavia PEIR identified a potential significant impact related to soil erosion during construction. The PEIR found that implementation of Mitigation Measure G1: Construction-Related Soils Mitigation Measure, which consists of construction best management practices (BMPs) to prevent erosion and discharge of soil sediments into the storm drain system, would reduce any potential impacts to less-than-significant levels.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.15.a, c, and d) A geotechnical investigation was prepared for the proposed project.⁶⁴ The project site is sloped upwards slightly and is underlain with dense to medium dense sandstone bedrock near the surface to 4.5 feet; no groundwater was encountered during the investigation. The project site is not located in a liquefaction area nor is it subject to slope protection or landslides.

The geotechnical investigation stated that foundations for new structure should consist of continuous spread type footings. There may also be isolated interior column loads supporting floor joists and beams. These loads should be supported upon conventional isolated spread footings pads as well. The foundations for the residence should consist of spread footings supported on undisturbed stiff clays a minimum of 18 inches below grade or 12 inches into bedrock. Excavation is anticipated to up to 5 feet, though the greatest depth may be up to 5 feet for trenching and utility installation.

To ensure that the potential for adverse effects related to geology and soils are adequately addressed, San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code and the San Francisco Building Code, which is the state building code plus local amendments that supplement the state code, including the building department's administrative bulletins. The building department also provides its implementing procedures in information sheets. The project is required to comply with the building code, which ensures the safety of all new construction in the city. The building department will review the project plans for conformance with the recommendations in the project-specific geotechnical report during its review of the building permit for the project. In addition, the building department may require additional site-specific report(s) through the building permit application process and its implementing procedures, as needed. The building department's requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the building code would ensure that the proposed project would have not result in any significant impacts related to soils, seismicity or other geological hazards.

E.15.b) The project site is occupied by an existing two-story building with a paved front setback, rear yard garage, partially paved rear yard and is almost entirely covered with impervious surfaces. The existing impervious surface area is approximately 2,180 square feet; the proposed impervious surface area would be 2,280 square feet. For these reasons, construction of the proposed project would not result in the loss of substantial topsoil. Site

⁶⁴ John Campbell + Associates, *Geotechnical Investigation: Foundations for New Structure, 36 Gough Street, San Francisco*, April 7, 2020.

preparation and excavation activities would disturb soil to a depth of approximately 5 feet below ground surface, creating the potential for windborne and waterborne soil erosion.

The PEIR found that implementation of Mitigation Measure G1: Construction-Related Soils Mitigation Measure, which consists of construction best management practices to prevent erosion and discharge of soil sediments into the storm drain system, would reduce any potential impacts to less-than-significant levels. Subsequent to the certification of the Market and Octavia PEIR, the Board of Supervisors amended the San Francisco Public Works Code adding section 146, Construction Site Runoff Control,⁶⁵ which requires all construction sites, regardless of size to implement BMPs to prevent construction site runoff discharges into the City's combined stormwater/sewer system. For construction projects disturbing 5,000 square feet or more, a project must also implement an approved erosion and sediment control plan that details the use, location and emplacement of sediment and control devices. These measures would reduce the potential for erosion during construction.

The project site is approximately 2,360 square feet and the project would disturb less than 5,000 square feet, therefore the Construction Site Runoff Control permit would not be required. The project sponsor would be required to implement best management practices. Therefore, Mitigation Measure G1 from the Market and Octavia PEIR is superseded by public works code section 146. The project sponsor would be required to implement the best management practices, therefore the proposed project would not result in significant impacts related to soil erosion or the loss of top soil.

E.15.e) The project would connect to the city's existing sewer system. Therefore, septic tanks or alternative waste disposal systems would not be required, and this topic is not applicable to the project.

E.15.f) The proposed project would involve excavation of up to 130 cubic yards of soil and to a depth of 5 feet. The foundation would be continuous spread footing. The foundations would be supported on undisturbed stiff clays at a minimum of 18 inches below grade or 12 inches into Franciscan sandstone bedrock. Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. A unique geologic or physical feature embodies distinctive characteristics of any regional or local geologic principles, provides a key piece of information important to geologic history, contains minerals not known to occur elsewhere in the county, and/or is used as a teaching tool. There are no known unique geologic or physical features at the project site. Construction activities are not anticipated to encounter any below-grade paleontological resources. Therefore, the project would have no impact on paleontological resources or unique geologic features.

Cumulative Analysis

The project would not include septic systems or alternative waste disposal systems and would have no impacts on paleontological resources or unique geologic features. Therefore, the proposed project would not have the potential to combine with effects of cumulative projects to result in cumulative impacts to those topics.

Environmental impacts related to geology and soils are generally site-specific. All development within San Francisco is subject to the seismic safety standards and design review procedures of the California and local building codes and to the requirements of the Construction Site Runoff Ordinance. These regulations would ensure that cumulative effects of development on seismic safety, geologic hazards, and erosion are less than

⁶⁵ Added by Ordinance No. 260-13, File No. 103814, Effective December 14, 2013.

significant. For these reasons, the proposed project would not combine with cumulative projects in the project vicinity to create a significant cumulative impact related to geology and soils.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to geology and soils. Therefore, the proposed project would not result in a significant geology and soils impact that was not disclosed in the Market and Octavia PEIR.

E.16 Hydrology and Water Quality

Market and Octavia PEIR Hydrology and Water Quality Findings

The Market and Octavia PEIR determined that the anticipated increase in population resulting from implementation of the plan would not result in a significant impact on hydrology and water quality, including the combined sewer system and the potential for combined sewer outflows. No mitigation measures were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.16.a) The project would generate wastewater and stormwater discharges typical of urban residential uses. Wastewater and stormwater from the project site would be accommodated by the city’s sewer system and treated at the Southeast Water Pollution Control Plant to the standards set by the San Francisco Bay Regional Water Quality Control Board, therefore, the proposed project would not exceed the waste discharge requirements of the water quality board. Furthermore, as discussed in topic E. 15.b, the project is required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and waste runoff from a construction site. The city’s compliance with the requirements of its NPDES permit and the project’s compliance with Construction Site Runoff Ordinance would ensure that the project would not result in significant impacts to water quality.

E.16.b) As discussed under topic E.15, groundwater was not encountered at the site during the geotechnical investigation and is not anticipated to be encountered during excavation. Therefore, dewatering is not likely to be necessary during construction. The project would not require long-term dewatering and does not propose to extract any underlying groundwater supplies. In addition, the project site is located in the Downtown San Francisco Groundwater Basin. This basin is not used as a drinking water supply and there are no plans for development of this basin for groundwater production.⁶⁶ For these reasons, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge. This impact would be less than significant, and no mitigation measures are necessary.

E.16.c) No streams or rivers exist in the vicinity of the project site. Therefore, the proposed project would not alter the course of a stream or river, or substantially alter the existing drainage pattern of the project site or area. For the reasons discussed in topics E.12.a and E.15.b, the proposed project would not substantially increase the rate or amount of surface runoff such that substantial flooding, erosion, or siltation would occur on or offsite. Compliance with the city’s Stormwater Management Ordinance would ensure that design of the proposed project would include installation of appropriate stormwater management systems that retain runoff on site and limit substantial additional sources of polluted runoff.

E.16.d) The project site is not located within a 100-year flood hazard zone, or a tsunami or seiche hazard area. Therefore, topic 16.d is not applicable to the proposed project.

66 The San Francisco Public Utilities Commission (SFPUC) supplies water to all of San Francisco residents and businesses. The SFPUC’s groundwater supply program includes two groundwater projects: one along the peninsula and the other supplying groundwater from San Francisco’s Westside Groundwater Basin aquifer, approximately 400 feet below ground surface. For more information see: <https://sfwater.org/index.aspx?page=184>. Accessed November 19, 2018.

E.16.e) For the reasons discussed in topic E.16a, the project would not interfere with the San Francisco Bay water quality control plan. Further, the project site is not located within an area subject to a sustainable groundwater management plan and the project would not routinely extract groundwater supplies.

Cumulative Analysis

The proposed project would have no impact with respect to the following topics and therefore would not have the potential to contribute to any cumulative impacts for those resource areas: location of the project site within a 100-year flood hazard area, tsunami or seiche zone, alterations to a stream or river or changes to existing drainage patterns. The proposed project and other development within San Francisco would be required to comply with the stormwater management and construction site runoff ordinances that would reduce the amount of stormwater entering the combined sewer system and prevent discharge of construction-related pollutants into the sewer system. As the project site is not located in a groundwater basin that is used for water supply, the project would not combine with cumulative projects to result in significant cumulative impacts to groundwater. Therefore, the proposed project in combination with other projects would not result in significant cumulative impacts related to hydrology and water quality.

Conclusion

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to hydrology and water quality. Therefore, the proposed project would not result in a significant hydrology and water quality impact that was not disclosed in the Market and Octavia PEIR.

E.17 Hazards and Hazardous Materials

Market and Octavia PEIR Hazards and Hazardous Materials Findings

The Market and Octavia PEIR found that impacts related to hazards and hazardous materials would primarily originate from construction-related activities. Demolition or renovation of existing buildings could result in exposure to hazardous building materials such as asbestos, lead, mercury or polychlorinated biphenyls (PCBs). In addition, the discovery of contaminated soils and groundwater at a construction site could result in exposure to hazardous materials during construction. The PEIR identified a significant impact associated with soil disturbance during construction for sites in areas of naturally occurring asbestos. The PEIR found that compliance with existing regulations and implementation of Mitigation Measure F1: Program- or Project-Level Mitigation Measures for Hazardous Materials, which would require implementation of construction best management practices to reduce dust emissions and tracking of contaminated soils beyond the site boundaries by way of construction vehicles’ tires, would reduce impacts associated with construction-related hazardous materials to less-than-significant levels.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				

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

E.17.a) The proposed project's residential uses could use hazardous materials for building maintenance such as household chemicals for cleaning, and herbicides and pesticides for landscape maintenance. These materials are properly labeled to inform the user of potential risks as well as handling procedures. The majority of these hazardous materials would be consumed upon use and would produce very little waste. Any hazardous wastes that are produced would be managed in accordance with Article 22 of the San Francisco Health Code. In addition, the transportation of hazardous materials, are regulated by the California Highway Patrol and the California Department of Transportation. The use of any of these hazardous materials are not expected to cause any substantial health or safety hazards. Therefore, potential impacts related to the routine use, transport, and disposal of hazardous materials would be less than significant.

E.17.b and c) The following discusses the project's potential to emit hazardous materials.

Hazardous Building Materials

Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints.

Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. Regulations are in place to address the proper removal and disposal of asbestos containing building materials and lead based paint. Compliance with these regulations would ensure the proposed project would not result in significant impacts from the potential release of hazardous building materials.

Soil and Groundwater Contamination

Since certification of the PEIR, Article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the city where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with current or former industrial uses or underground storage tanks, sites with historic bay fill, and sites close to freeways or underground storage tanks. The Maher Ordinance, which is implemented by the San Francisco Department of Public Health, requires appropriate handling, treatment, disposal, and remediation of contaminated soils that are encountered in the building construction process. All projects in the city that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater are subject to this ordinance. Some projects that disturb less than 50 cubic yards may also be subject to the Maher Ordinance if they propose to a change of use from industrial (e.g., gas stations, dry cleaners, etc.) to sensitive uses (e.g., residential, medical, etc.).

The proposed project would involve excavation of up to 130 cubic yards of soil and to a depth of 5 feet. The site is identified on the Maher map. Therefore, the project is subject to the Maher Ordinance. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a *phase 1 environmental site assessment*.

The phase 1 assessment would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis known as a *phase 2 environmental site assessment*. Where such analysis reveals the presence of hazardous substances that exceed state or federal standards, the project sponsor is required to submit a site mitigation plan to the health department or other appropriate state or federal agency(ies), and to remediate any site contamination prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has filed an application for a Maher permit with the health department in November 2019 and, in May 2020, submitted a phase 1 site assessment.⁶⁷ The phase 1 site assessment found no likely presence of hazardous substances or petroleum products in, on, or at the project site. The assessment did identify that lead paint or asbestos containing materials could potentially be present in the existing structures site due to the age of the existing structure. The health department reviewed the proposed plan and phase 1 site assessment and determined that a phase 2 site assessment was warranted.⁶⁸

The project sponsor submitted a phase 2 site assessment.⁶⁹ Soil samples were collected and analyzed to investigate the subsurface conditions in accordance with the Maher Ordinance. The assessment concluded that none of the chemicals identified in the soil samples were at concentrations above their applicable thresholds. The health department subsequently approved the phase 2 site assessment and determined the project complied

67 San Francisco Department of Public Health, *Maher Ordinance Application: 36-38 Gough Street*, received November 18, 2019; San Francisco Department of Public Health, *SFHC Article 22A Non Compliance (APN 3504/028), 36-38 Gough Street, EHB-SAM No. SMED: 1915*, April 1, 2020; Innovative and Creative Environmental Solutions, *Phase One Environmental Assessment Report: 36 Gough Street*, May 13, 2020.

68 San Francisco Department of Public Health, *Phase II Work Plan Request (APN 3504/028), 36-38 Gough Street, EHB-SAM No. SMED: 1915*, June 10, 2020.

69 Basics Environmental Inc., *Limited Phase II Environmental Site Sampling Report: 36 Gough Street*, August 1, 2020.

with health code article 22A.⁷⁰ Compliance with this code article would ensure that the proposed project would not result in any significant impacts related to hazardous materials.

E.17.d) The proposed project is not located on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. For the reasons described in the analysis of topic E.17.b and c, above, the proposed project would not create a significant hazard to the public or environment.

E.17.e) The project site is not located within an airport land use plan area or within 2 miles of a public airport. Therefore, topic 17.e is not applicable to the proposed project.

E.17.f) The proposed project, located within a city block, would not impair implementation of an emergency response or evacuation plan adopted by the City of San Francisco. Project construction and operation would not close roadways or impede access to emergency vehicles or emergency evacuation routes. Thus, the proposed project would not obstruct implementation of the city's emergency response and evacuation plans, and potential impacts would be less than significant.

E.17.g) As discussed above, the Market and Octavia Neighborhood Plan area is not located in or near wildland areas with high fire risk. Construction of the proposed project would conform to the provisions of the building code and fire code. Final building plans would be reviewed by the building and fire departments to ensure conformance with the applicable life-safety provisions, including development of an emergency procedure manual and an exit drill plan. Therefore, the proposed project would not obstruct implementation of the city's emergency response plan, and potential emergency response and fire hazard impacts would be less than significant.

Cumulative Analysis

Environmental impacts related to hazards and hazardous materials are generally site-specific. Nearby cumulative development projects would be subject to the same regulations addressing use of hazardous waste (article 22 of the health code), hazardous soil and groundwater (article 22B of the health code) and building and fire codes addressing emergency response and fire safety. For these reasons, the proposed project would not combine with other projects in the project vicinity to create a significant cumulative impact related to hazards and hazardous materials.

Conclusion

The proposed project's impact related to hazardous materials would be less than significant and would not result in significant hazards and hazardous materials impacts that were not identified in the Market and Octavia PEIR.

E.18 Mineral Resources

Market and Octavia PEIR Mineral Resources Findings

The Market and Octavia PEIR did not analyze the area plan's effects on mineral and energy resources, and no mitigation measures were identified.

70 San Francisco Department of Public Health, *SFHC Article 22a Compliance (APN 3504/028)*, 36-38 Gough Street, EHB-SAM No. SMED: 1915, August 26, 2020.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.18.a, b) The project site is not located in an area with known mineral resources and would not routinely extract mineral resources. Therefore, the proposed project would have no impact on mineral resources.

Cumulative

The proposed project would have no impact on mineral resources and therefore would not have the potential to contribute to any cumulative mineral resource impact.

Conclusion

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to mineral resources. Therefore, although the Market and Octavia PEIR did not analyze impacts to mineral resources, the proposed project would not result in a significant impact.

E.19 Energy Resources

Market and Octavia PEIR Energy Resources Findings

The Market and Octavia PEIR did not analyze the area plan's effects on energy resources, and no mitigation measures were identified.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.19.a) Energy demand for the proposed project would be typical of residential projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including the Green Building Ordinance and Title 24 of the California Code of Regulations. As documented in the GHG compliance checklist for the proposed project, the project would be required to comply with applicable regulations promoting water conservation and reducing potable water use. As discussed in topic E.5, Transportation and Circulation, the project site is located in a transportation analysis zone that experiences low levels of VMT per capita. Therefore, the project would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

E.19.b) In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2017. In November 2008, Executive Order S-14-08 was signed requiring all retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In 2015, Senate Bill 350 codified the requirement for the renewables portfolio standard to achieve 50 percent renewable energy by 2030, and in 2018, Senate Bill 100 requires 60 percent renewable energy by 2030 and 100 percent by 2045.⁷¹

San Francisco's electricity supply is 41 percent renewable, and San Francisco's goal is to meet 100 percent of its electricity demand with renewable power.⁷² CleanPowerSF is the city's Community Choice Aggregation Program operated by the SFPUC, which provides renewable energy to residents and businesses. GreenFinanceSF allows commercial property owners to finance renewable energy projects, as well as energy and water efficiency projects, through a municipal bond and repay the debt via their property tax account.

As discussed above in topic E.19.a, the project would comply with the energy efficiency requirements of the state and local building codes and therefore would not conflict with or obstruct implementation of city and state plans for renewable energy and energy efficiency.

Cumulative

All development projects within San Francisco are required to comply with applicable regulations in the city's Green Building Ordinance and Title 24 of the California Code of Regulations that reduce both energy use and potable water use. The majority of San Francisco is located within a transportation analysis zone that experiences low levels of VMT per capita compared to regional VMT levels. Therefore, the proposed project, in combination with other reasonably foreseeable cumulative projects would not encourage activities that result in the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

Conclusion

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to energy resources. Therefore, although the Market and Octavia PEIR did not analyze impacts to energy resources, the proposed project would not result in a significant impact.

71 California Energy Commission, California Renewable Energy Overview and Programs, available at: <https://www.energy.ca.gov/renewables/>, accessed April 24, 2019.

72 San Francisco Mayor's Renewable Energy Task Force Recommendations Report, September 2012, available at: https://sfenvironment.org/sites/default/files/fliers/files/sfe_re_renewableenergytaskforcerecommendationsreport.pdf, accessed on April 24, 2019.

E.20 Agriculture and Forest Resources

Market and Octavia PEIR Agriculture and Forest Resources Findings

The Market and Octavia PEIR did not analyze the area plan's effects on agricultural and forest resources, and no mitigation measures were identified.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

E.20.a-e) The project site is within an urbanized area in the City and County of San Francisco that does not contain any prime farmland, unique farmland, or farmland of statewide importance; forest land; or land under Williamson Act contract. The area is not zoned for any agricultural uses. Topics 20 a through e are not applicable to the proposed project and the project would have no impact either individually or cumulatively on agricultural or forest resources.

Conclusion

For the above reasons, the proposed project would not result in new or more severe impacts to agricultural or forest resources not identified in the Market and Octavia PEIR.

E.21 Wildfire

Market and Octavia PEIR Wildland Fire Findings

The plan area is located within an urbanized area that lacks an urban-wildland interface. The Market and Octavia PEIR did not analyze the area plan's effects on wildfire emergency response or wildfire risks. No mitigation measures were identified in the PEIR.

Project Analysis

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E.21.a - d) The project site is not located in or near state responsibility lands for fire management or lands classified as very high fire hazard severity zones. Therefore, this topic is not applicable to the project.

F. Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on November 17, 2020 to adjacent occupants and owners of properties within 300 feet of the project site, South of Market, and city-wide neighborhood group lists. 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. There was only one comment received; it expressed concern about cumulative construction impacts on nearby residents, including dust, noise, and general quality of life. 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.

G. Figures

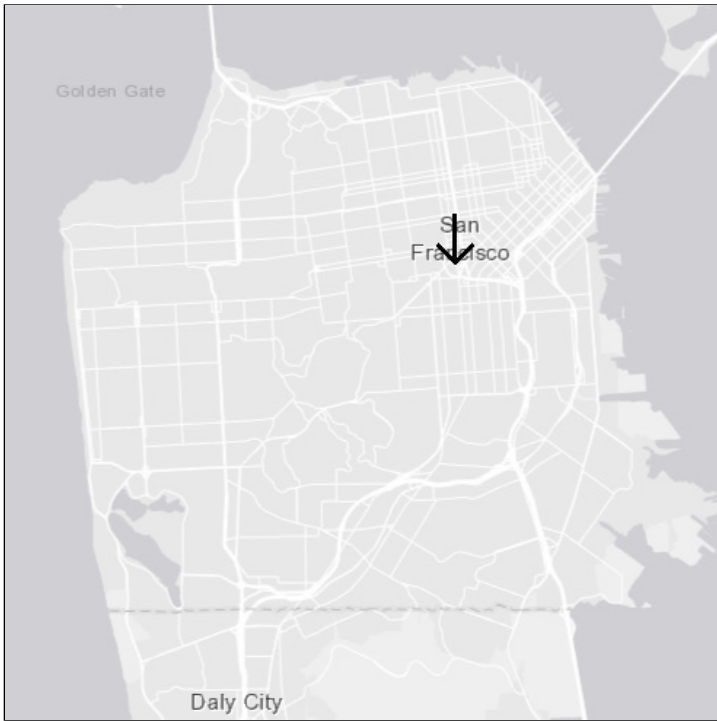
The figures below include:

- Figure 1: Project Location Map
- Figure 2: Cumulative Projects Map
- Sheet A-1.1: Existing Site Plan, Proposed Site Plan
- Sheet A-2.0: Existing Site Plans (Demo)
- Sheet A-2.1: Proposed Floor Plans (1st and 2nd Floors)
- Sheet A-2.2: Proposed Floor Plans (3rd and 4th Floors)
- Sheet A-2.3: Proposed Floor Plans (5th Floor and Roof Plan)
- Sheet A-3.1: Building Elevations (South & North)
- Sheet A-3.2: Building Elevation (West)
- Sheet A-3.3: Building Elevation (East)
- Sheet A-4.1: Building Section

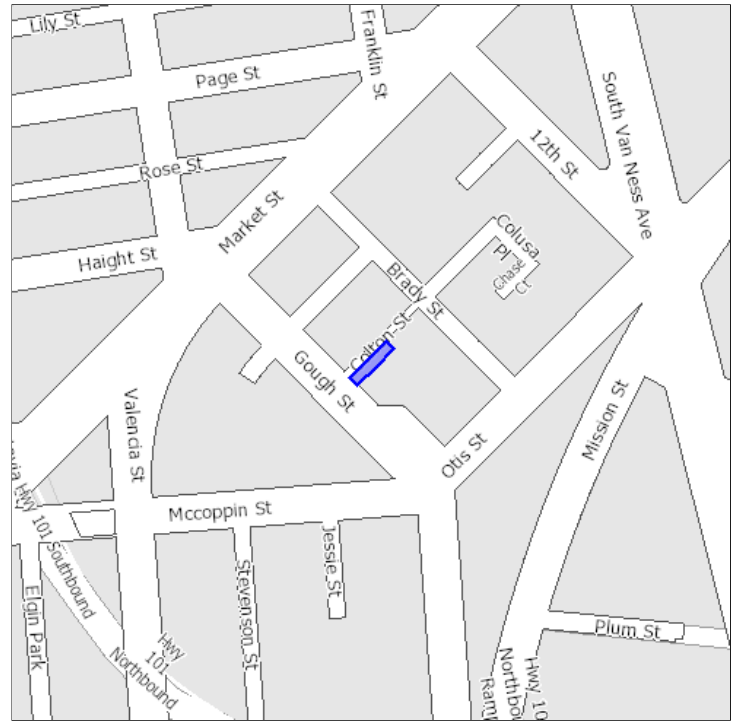


36-38 Gough St

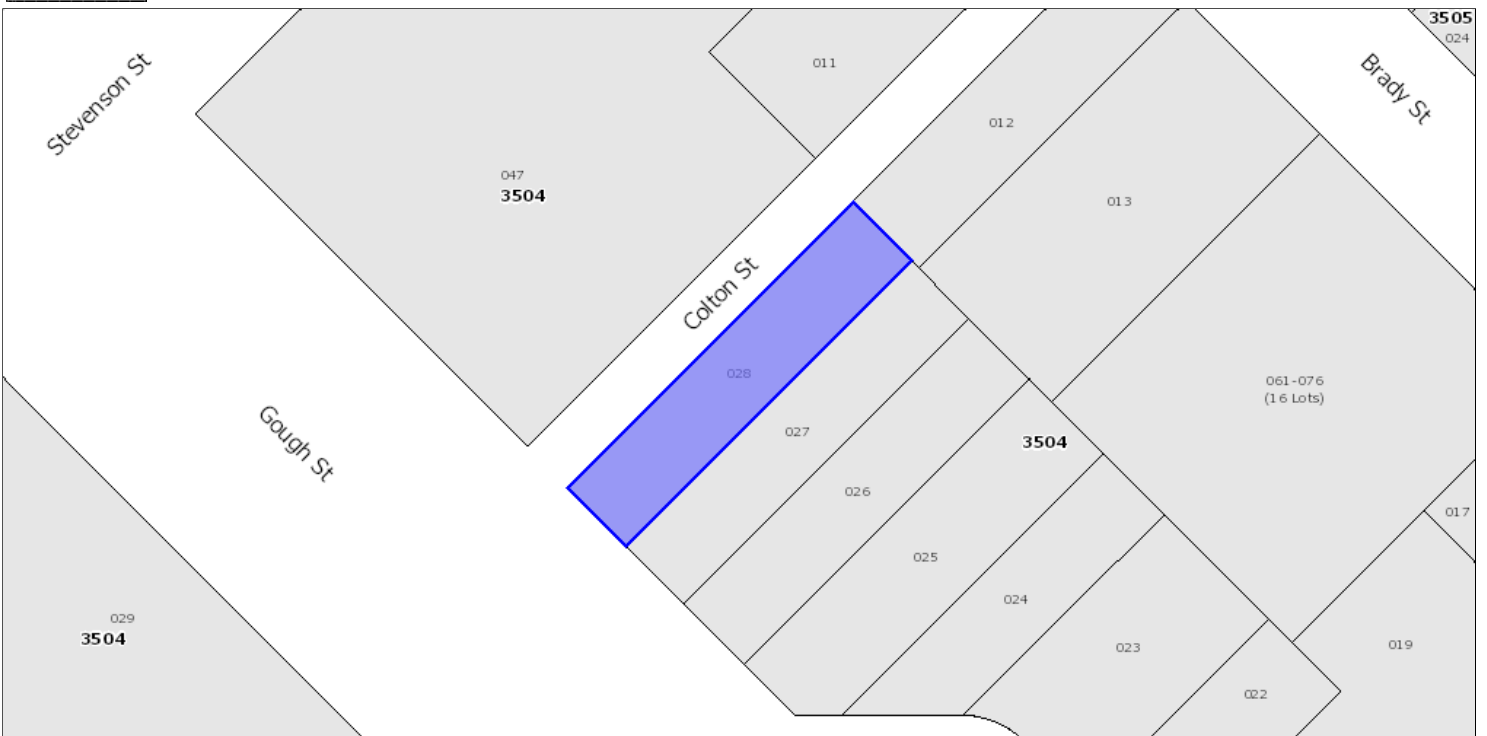
1.83 mi



302 ft

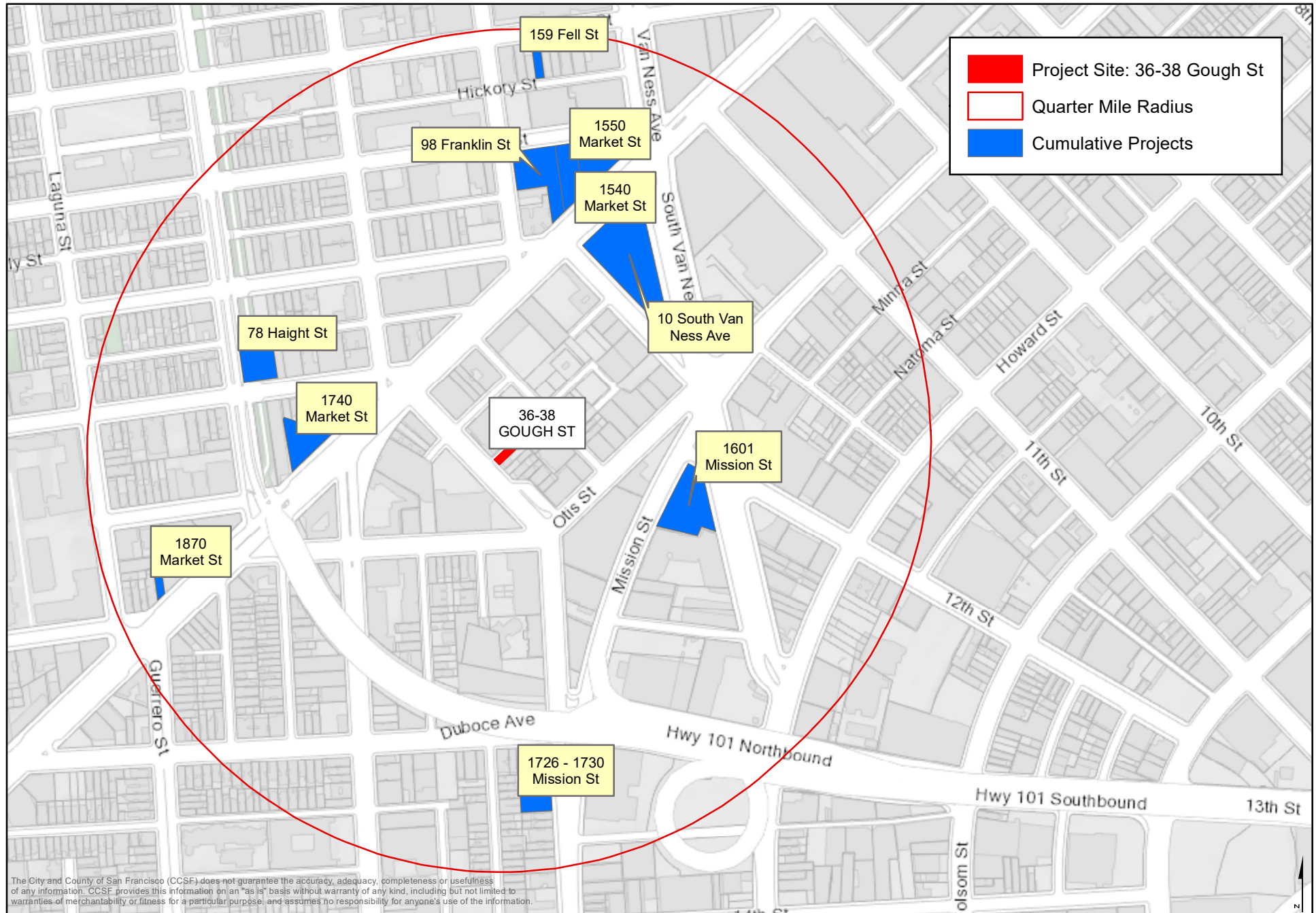


38 ft



Printed: 7/6/2021

Figure 2. Cumulative Projects within 0.25 Miles of 36-38 Gough St

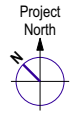


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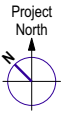
0 250 500 1,000 Feet



Existing Site Plan
1/8" = 1'-0"



Proposed Site Plan
1/8" = 1'-0"



PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



SHEET TITLE

Site Plans

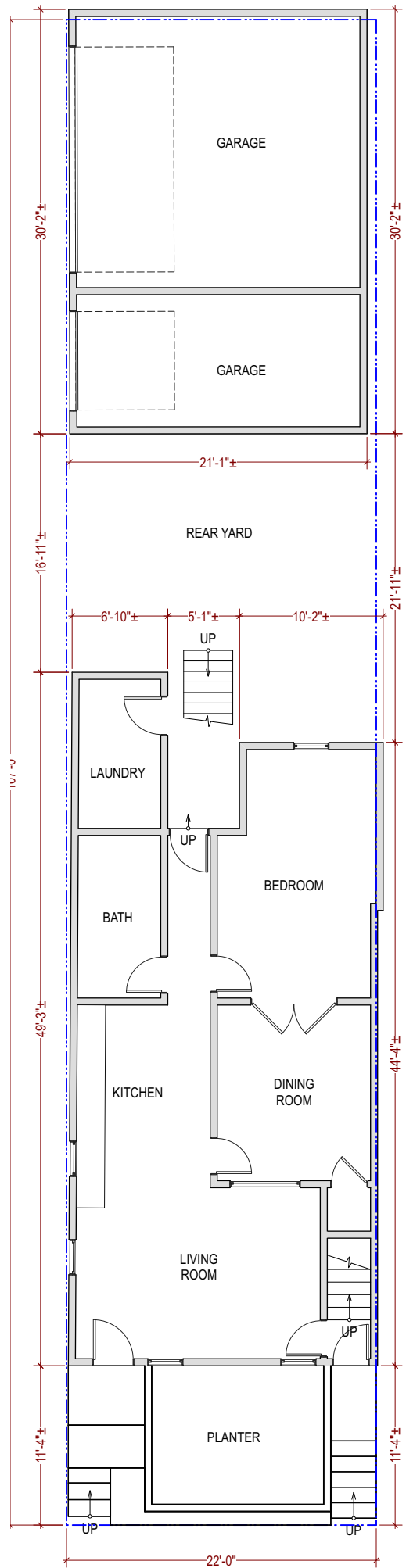
SIA CONSULTING CORPORATION
4653 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292 / FAX: (415) 849.1252

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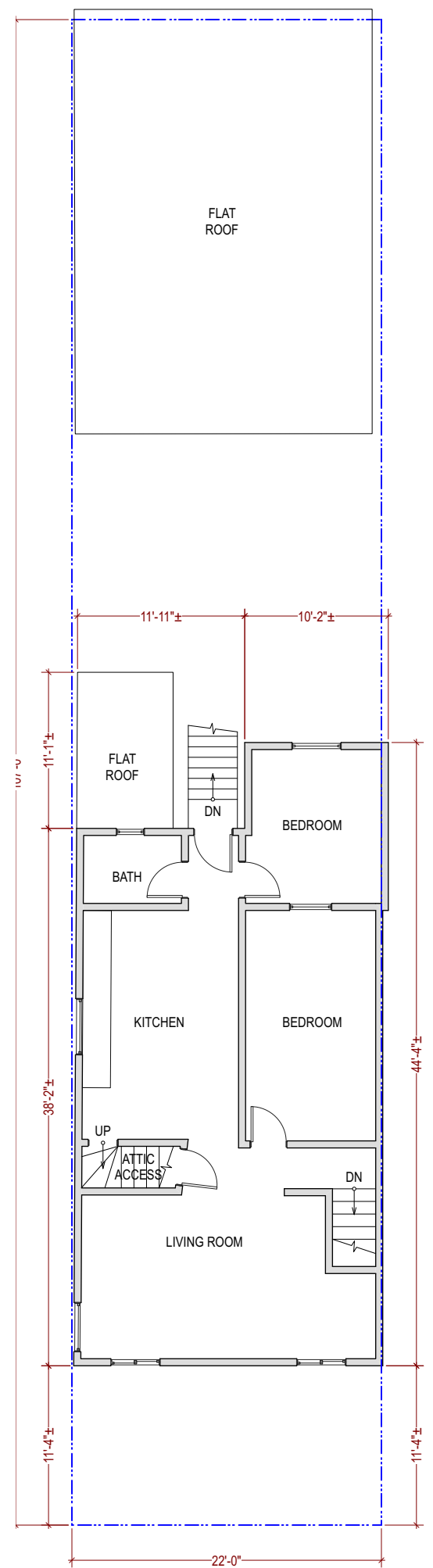
10/23/2018 PROJECT REVIEW @ SF PLANNING

DRAWN BY	R.L.
DESIGN BY	R.K.
DATE	03/05/2019
REVISED DATE	04/27/2021
JOB NO.	18-1814
SHEET NO.	

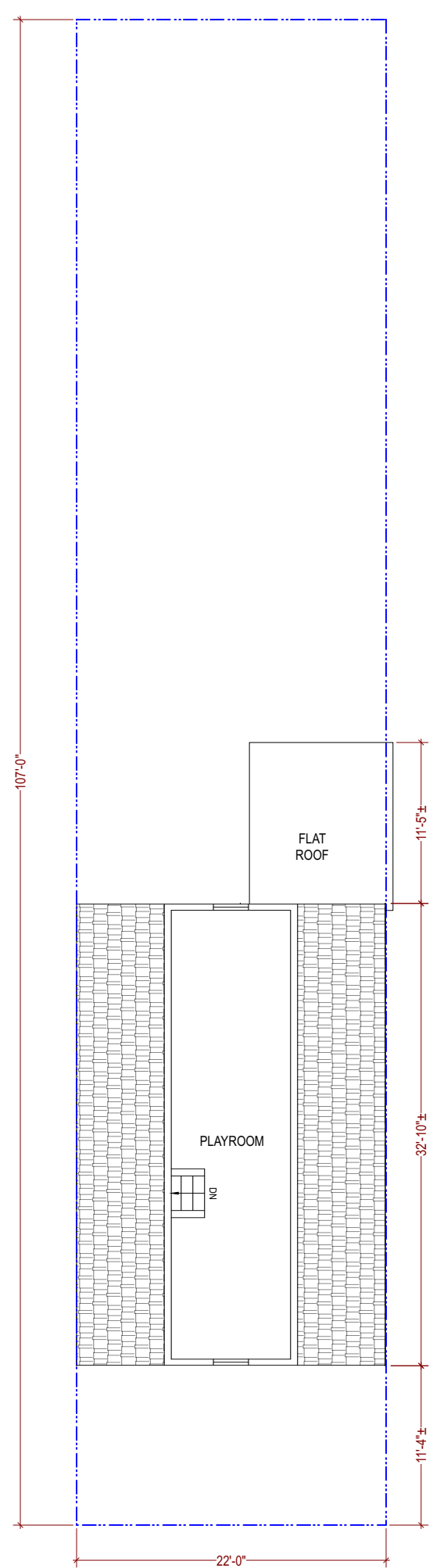
A-1.1



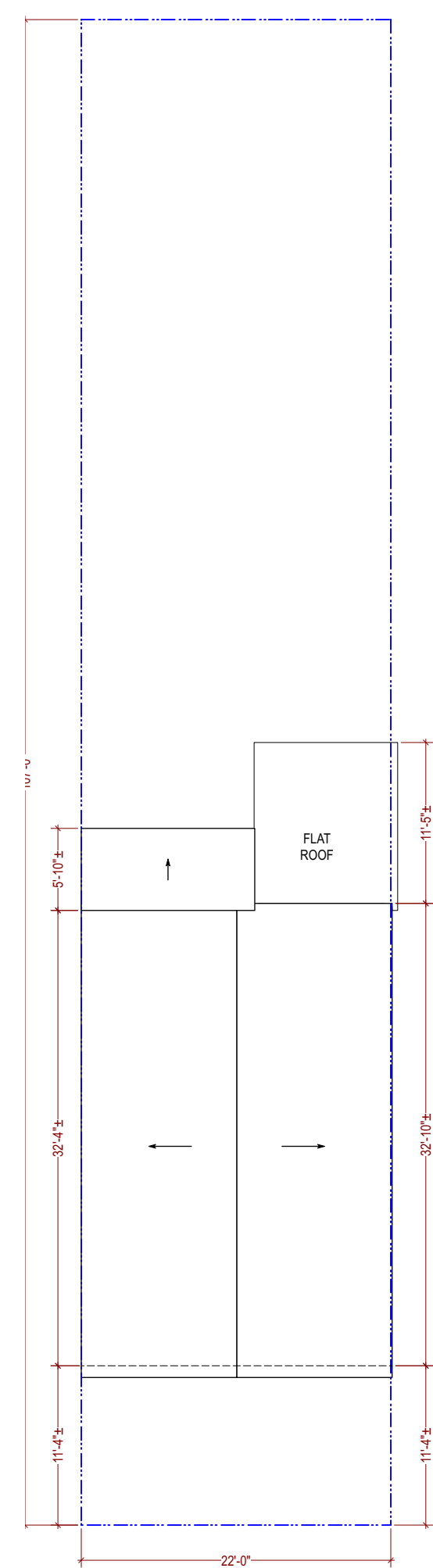
Existing First Floor Plan
3/16" = 1'-0"



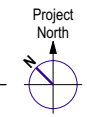
Existing Second Floor Plan
3/16" = 1'-0"



Existing Attic
3/16" = 1'-0"



Existing Roof Plan
3/16" = 1'-0"



PROJECT NAME
36-38 Gough Street
San Francisco, CA 94103

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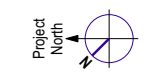
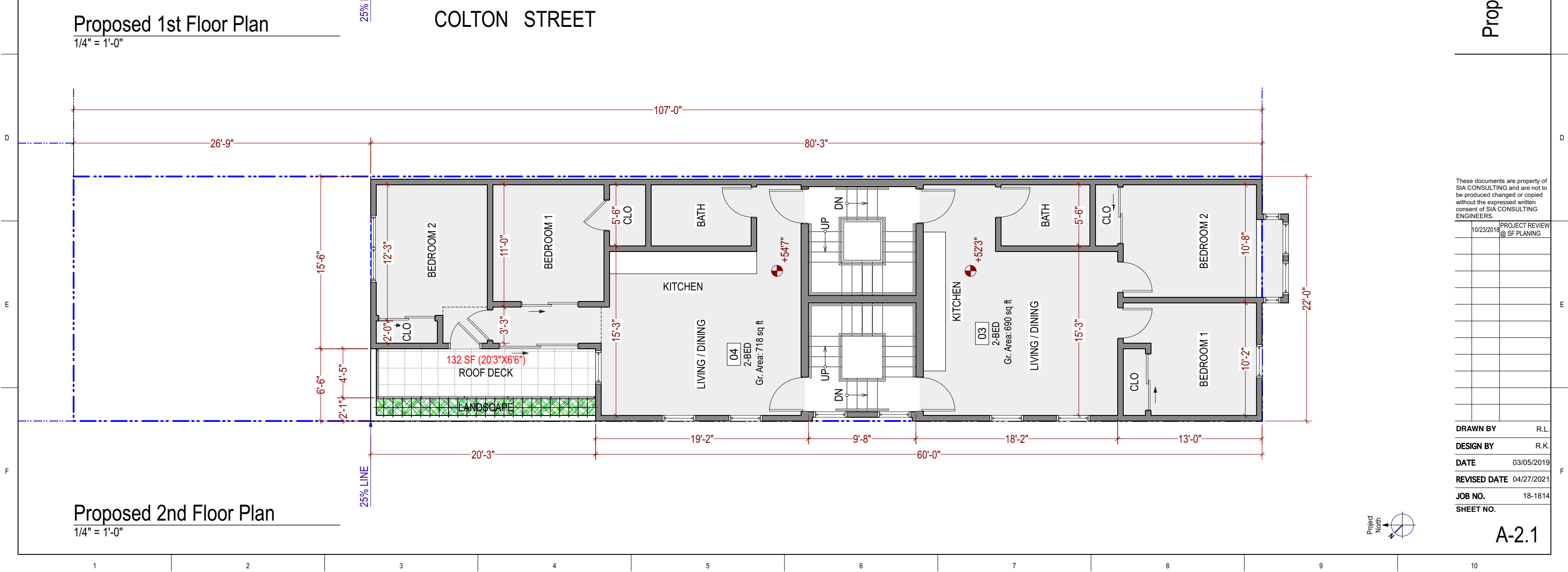
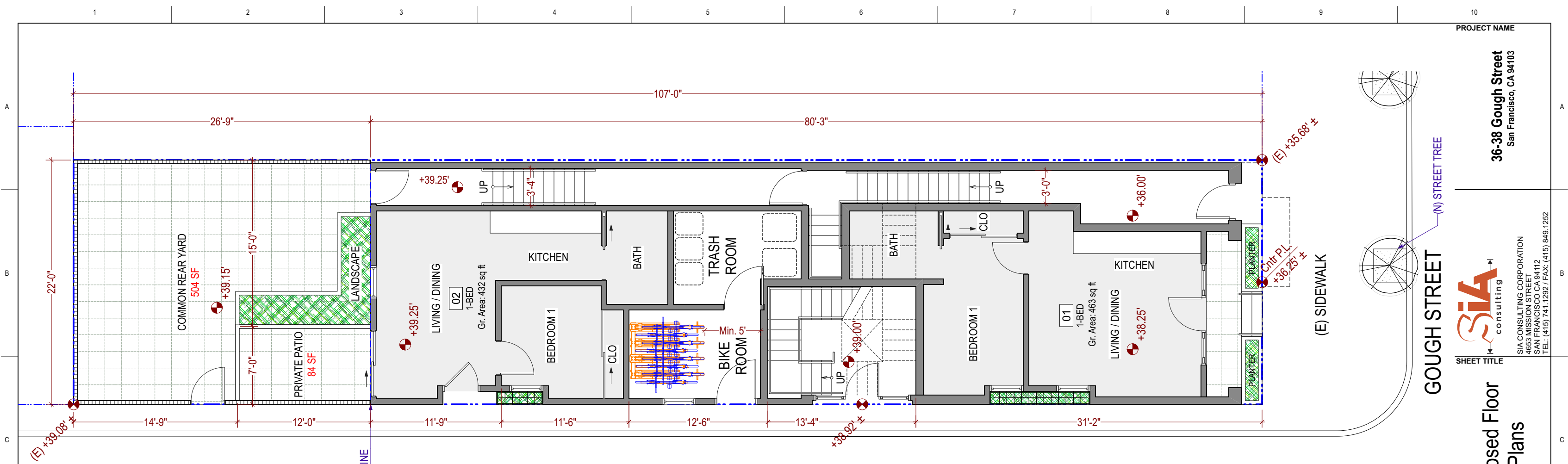
SHEET TITLE
Existing Floor
Plans (Demo)

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DATE 03/05/2019
REVISED DATE 04/27/2021
JOB NO. 18-1814
SHEET NO.

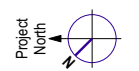
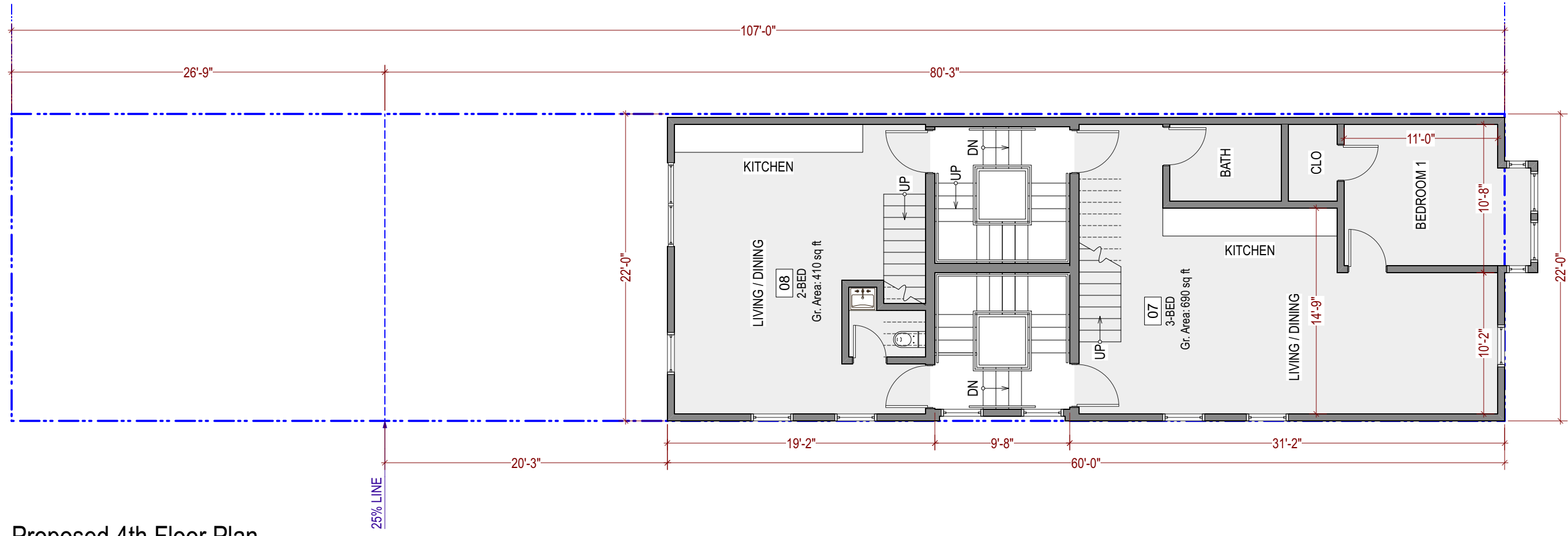
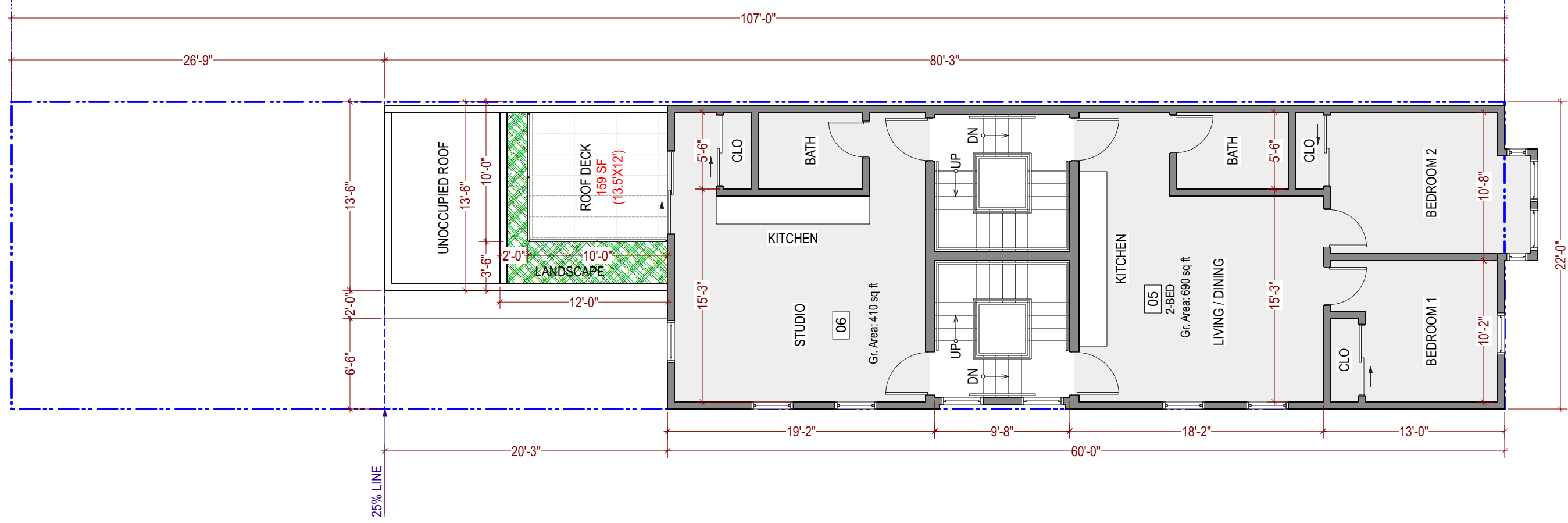
A-2.0



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SHEET NO.	





Proposed 5th Floor Plan

1/4" = 1'-0"

Proposed Roof Plan

1/4" = 1'-0"

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



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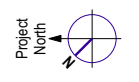
Proposed Floor Plans

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SHEET NO.	

A-2.3



FACADE MATERIALS KEY NOTES:

- 01 HIGH QUALITY SMOOTH PLASTER, TYP.
- 02 HORIZONTAL SIDING, TYP.
- 03 PARAPET CAP, TYP.
- 04 METAL RAILINGS, 42" HIGH MIN., TYP.
- 05 ENTRY DOOR
- 06 ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
- 07 ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
- 08 WD. FENCE AROUND, TYP.

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103

SIA consulting
SIA CONSULTING CORPORATION
4653 MISSION STREET
SAN FRANCISCO CA 94112
TEL.: (415) 741.1292 / FAX: (415) 849.1252

SHEET TITLE

**Building Elevations
(South & North)**

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DESIGN BY R.K.

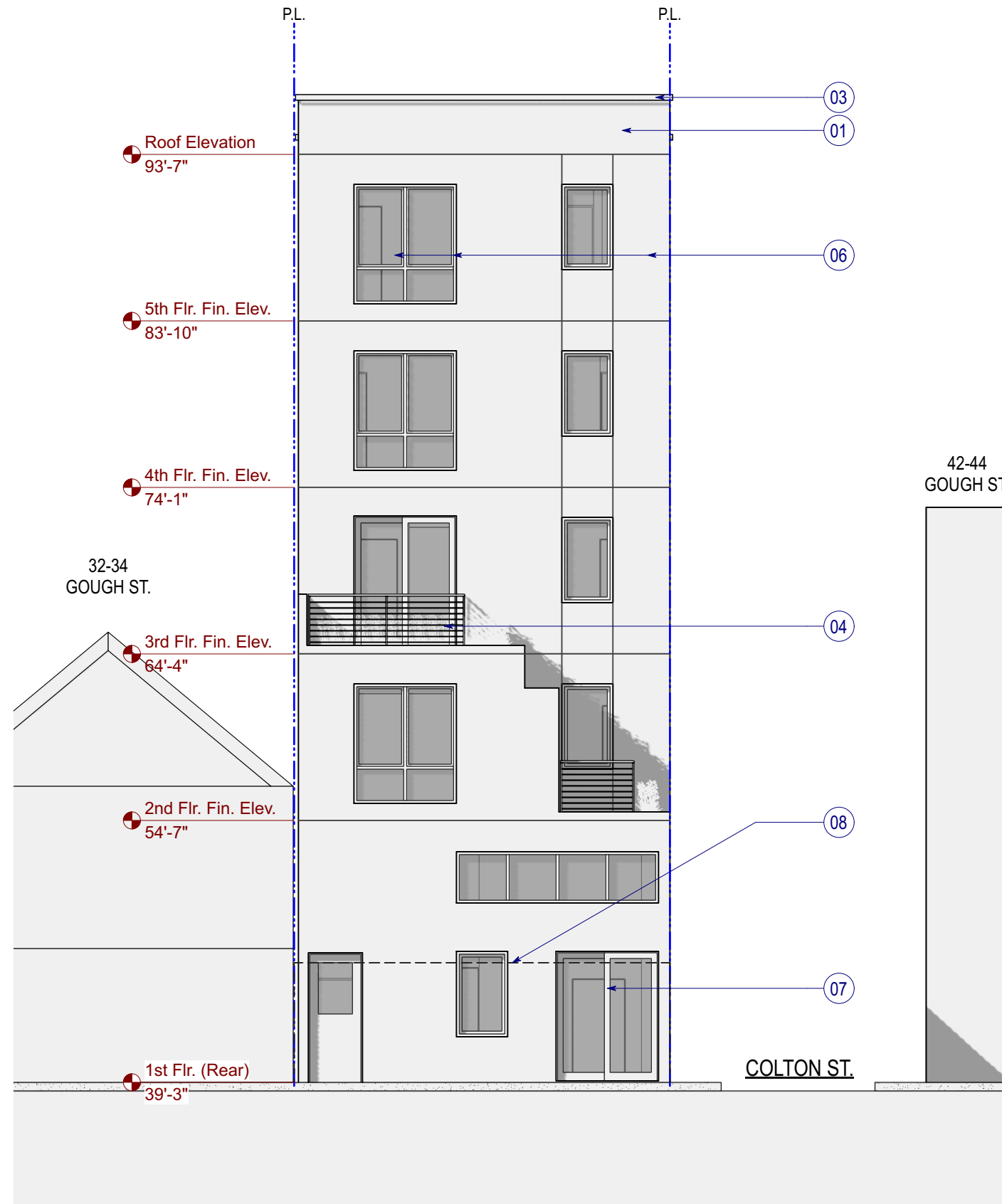
DATE 03/05/2019

REVISED DATE 04/27/2021

JOB NO. 18-1814

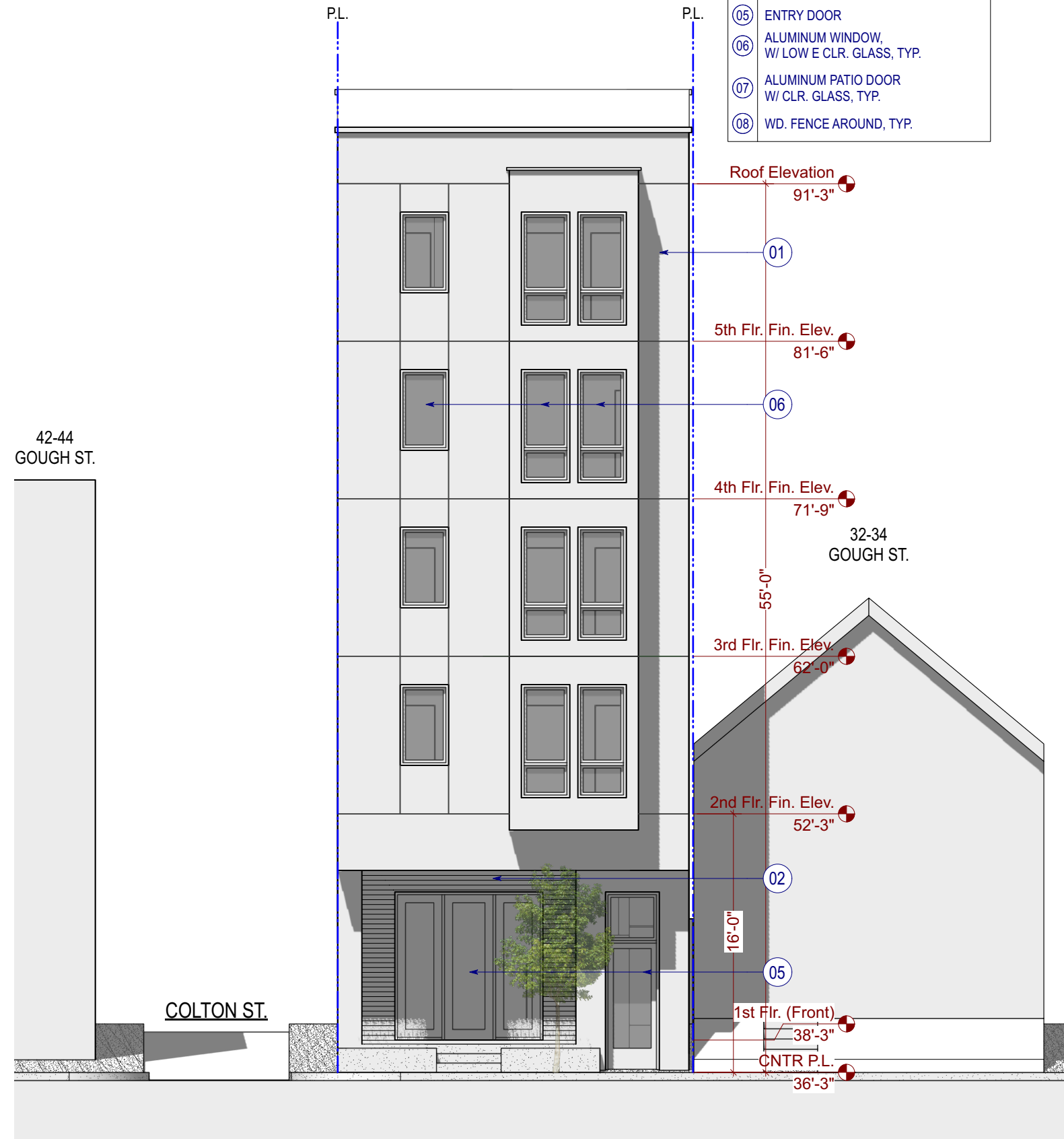
SHEET NO.

A-3.1



Rear Elevation (North)

1/4" = 1'-0"



Front Elevation (South)

1/4" = 1'-0"

P.L.

P.L.

Roof Elevation
93'-7"

5th Flr. Fin. Elev.
83'-10"

4th Flr. Fin. Elev.
74'-1"

3rd Flr. Fin. Elev.
64'-4"

2nd Flr. Fin. Elev.
54'-7"

1st Flr. (Rear)
39'-3"

Roof Elevation
91'-3"

5th Flr. Fin. Elev.
81'-6"

4th Flr. Fin. Elev.
71'-9"

3rd Flr. Fin. Elev.
62'-0"

2nd Flr. Fin. Elev.
52'-3"

1st Flr. (Front)
38'-3"

CNTR P.L.
36'-3"

ADJ. NEIGHBOR:
42-44 GOUGH ST.

54'-4"

25'-1"

16'-0"

03

01

01

06

02

04

07

8

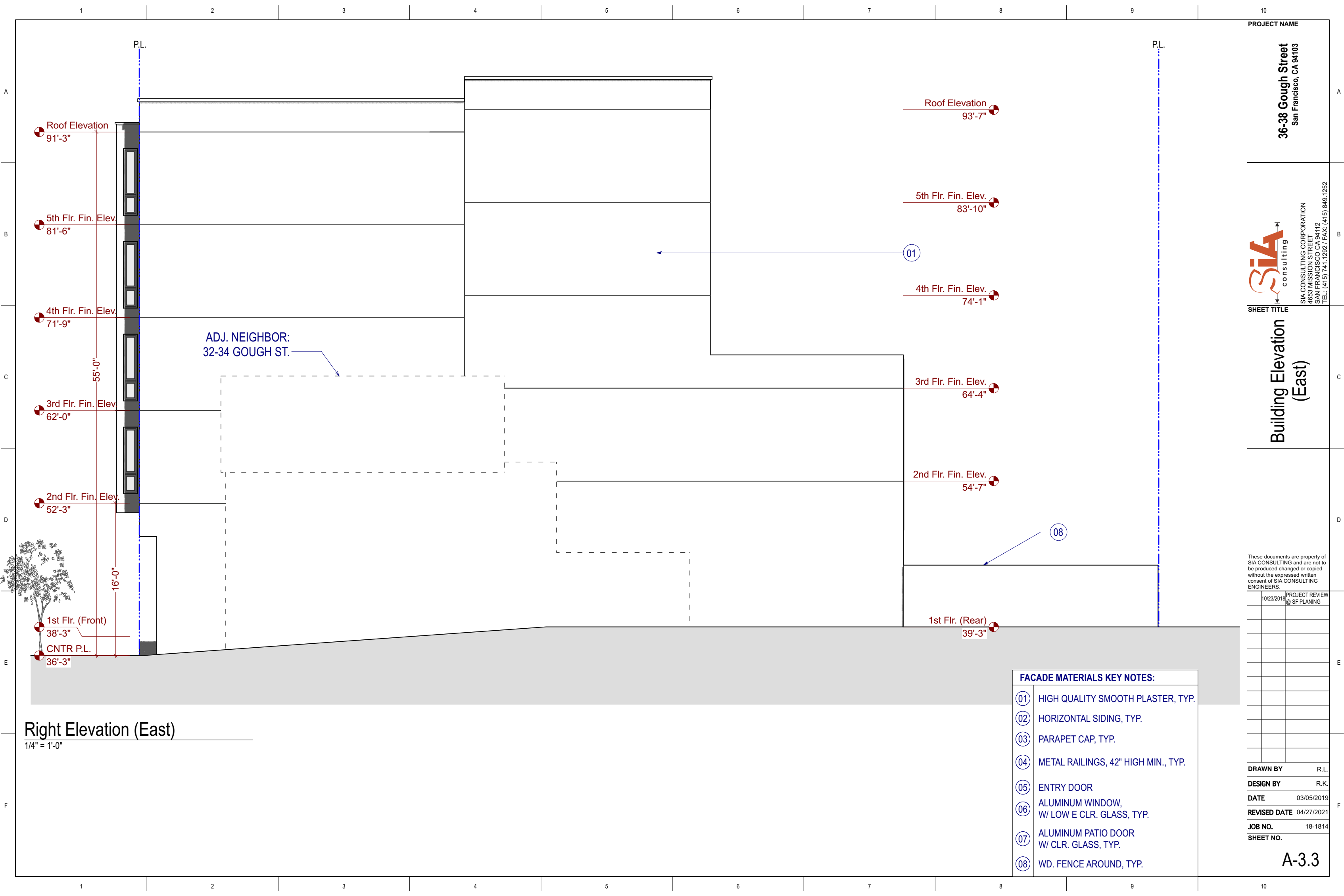
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FACADE MATERIALS KEY NOTES:

- 01 HIGH QUALITY SMOOTH PLASTER, TYP.
- 02 HORIZONTAL SIDING, TYP.
- 03 PARAPET CAP, TYP.
- 04 METAL RAILINGS, 42" HIGH MIN., TYP.
- 05 ENTRY DOOR
- 06 ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
- 07 ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
- 08 WD. FENCE AROUND, TYP.

Left Elevation (West)

1/4" = 1'-0"



Right Elevation (East)

1/4" = 1'-0"

FACADE MATERIALS KEY NOTES:	
01	HIGH QUALITY SMOOTH PLASTER, TYP.
02	HORIZONTAL SIDING, TYP.
03	PARAPET CAP, TYP.
04	METAL RAILINGS, 42" HIGH MIN., TYP.
05	ENTRY DOOR
06	ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
07	ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
08	WD. FENCE AROUND, TYP.

ADJ. NEIGHBOR:
32-34 GOUGH ST.

Roof Elevation
93'-7"

5th Flr. Fin. Elev.
83'-10"

4th Flr. Fin. Elev.
74'-1"

3rd Flr. Fin. Elev.
64'-4"

2nd Flr. Fin. Elev.
54'-7"

1st Flr. (Rear)
39'-3"

Roof Elevation
91'-3"

5th Flr. Fin. Elev.
81'-6"

4th Flr. Fin. Elev.
71'-9"

3rd Flr. Fin. Elev.
62'-0"

2nd Flr. Fin. Elev.
52'-3"

1st Flr. (Front)
38'-3"

CNTR P.L.
36'-3"

55'-0"

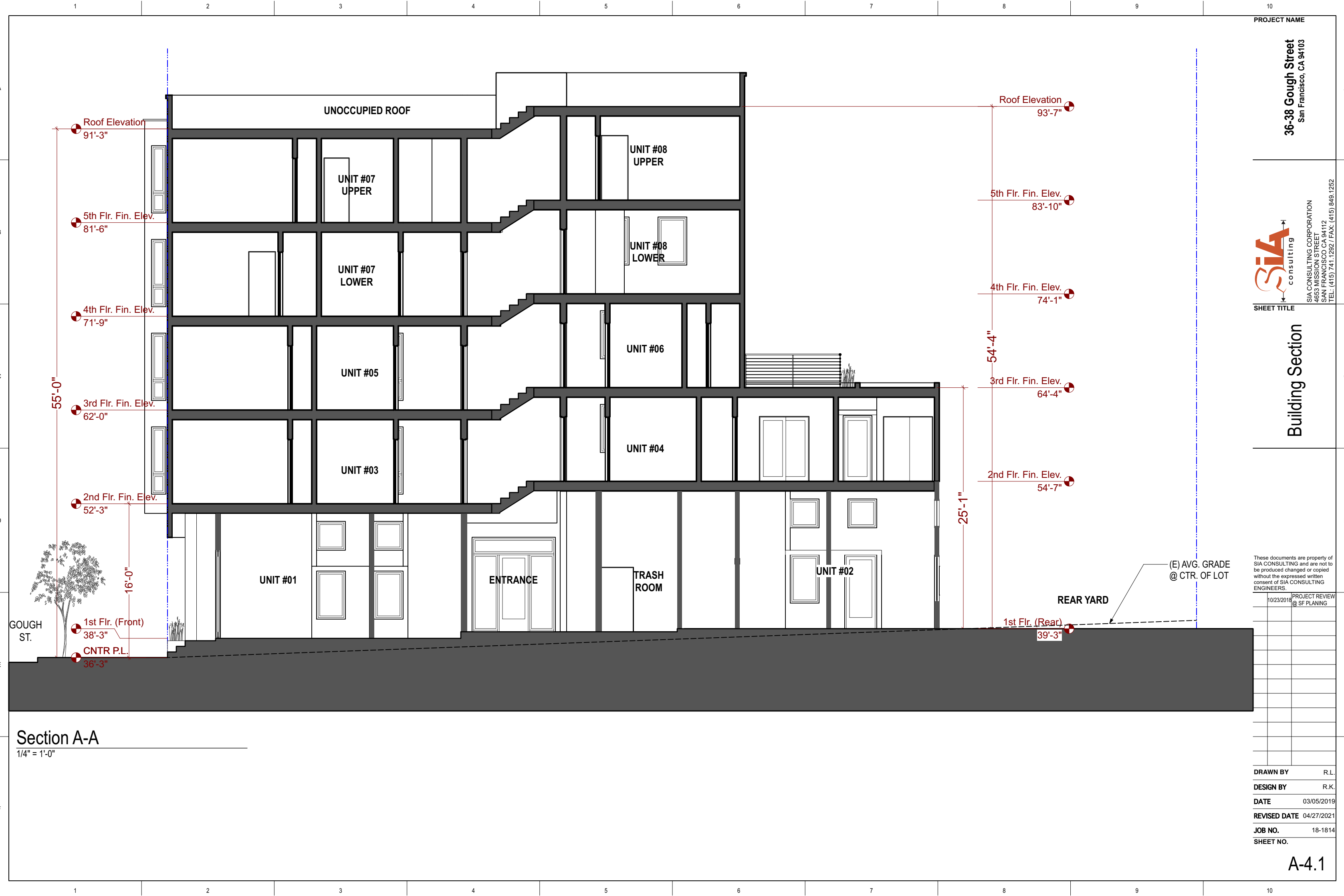
16'-0"

P.L.

P.L.

01

08



Section A-A

1/4" = 1'-0"

AGREEMENT TO IMPLEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Record No.:	2019-013528ENV	Block/Lot:	3504/028
Project Title:	36-38 Gough Street	Lot Size:	2,350 square feet
BPA Nos:	201906244274, 201906244268	Project Sponsor:	Annabel McClellan, Really Maybe, LLC, 415.692.0509
Zoning:	NCT-3 Use District	Lead Agency:	San Francisco Planning Department
	50-X Height and Bulk District	Staff Contact:	Megan Calpin, 628.652.7508, megan.calpin@sfgov.org


The table below indicates when compliance with each mitigation measure must occur. Some mitigation measures span multiple phases. Substantive descriptions of each mitigation measure’s requirements are provided on the following pages in the Mitigation Monitoring and Reporting Program.

Adopted Mitigation Measure	Period of Compliance			Compliance with Mitigation Measure Completed?
	Prior to the Start of Construction*	During Construction**	Post-construction or Operational	
Project Mitigation Measure 1: Archeological Monitoring Program	X	X		
Project Mitigation Measure 2: Construction Air Quality	X	X	X	

NOTES:

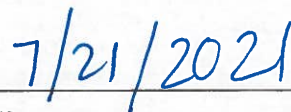
* Prior to any ground disturbing activities at the project site.

** Construction is broadly defined to include any physical activities associated with construction of a development project including, but not limited to: site preparation, clearing, demolition, excavation, shoring, foundation installation, and building construction.

 I agree to implement the attached mitigation measure(s) as a condition of project approval.



 Property Owner or Legal Agent Signature



 Date

Note to sponsor: Please contact CPC.EnvironmentalMonitoring@sfgov.org to begin the environmental monitoring process prior to the submittal of your building permits to the San Francisco Department Building Inspection.

MITIGATION MONITORING AND REPORTING PROGRAM

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR				
HISTORIC ARCHITECTURAL/CULTURAL RESOURCES				
<p>Project Mitigation Measure 1: Archeological Monitoring Program (Implementing Market and Octavia PEIR Mitigation Measure C2)</p> <p>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 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 <i>construction</i> can be extended 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).</p>	Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).	Prior to issuance of site permits.	Project Sponsor shall retain archeological consultant to undertake archeological monitoring program in consultation with ERO.	Complete when Project Sponsor retains qualified archeological consultant.
<p><u>Archeological Monitoring Program.</u> The archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the Archeological Monitoring Plan (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, 	The Project Sponsor and archeological consultant at the direction of the ERO.	Prior to issuance of site permits.	Consultation with ERO on scope of AMP	After consultation with and approval by ERO of AMP.

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to Archeological resources and to their depositional context;</p> <ul style="list-style-type: none"> ▪ 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 Archeological 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 				
<p><u>Discovery Treatment Determination.</u> 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. 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.</p>	<p>The archeological consultant, Project Sponsor and project contractor at the direction of the ERO.</p>	<p>Monitoring of soils disturbing activities.</p>	<p>Archeological consultant to monitor soils disturbing activities specified in AMP and immediately notify the ERO of any encountered archeological resource.</p>	<p>Determination and approval by ERO</p>
<p>If the ERO in consultation with the archeological consultant determines that a significant archeological resource or tribal cultural resource is present and that the resource could be adversely affected by the proposed project, the ERO, in consultation with the project sponsor, shall determine whether preservation of the resource in place is feasible. If so, the proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource and the archeological consultant shall prepare an archeological resource preservation plan, which shall be implemented by the project sponsor during construction. The consultant shall submit a draft preservation plan to the planning department for review and approval. If</p>	<p>ERO, archeological consultant, and Project Sponsor.</p>	<p>Following discovery of significant archeological resource that could be adversely affected by project.</p>	<p>Redesign of project to avoid adverse effect or undertaking of Archeological data recovery program.</p>	<p>Considered complete upon avoidance of adverse effect</p>

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
preservation in place is not feasible, a 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.				
<u>Consultation with Descendant Communities.</u> On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Archeological Resources Report (ARR) shall be provided to the representative of the descendant group.	The archeological consultant, Project Sponsor and project contractor at the direction of the ERO.	Monitoring of soils disturbing activities.	Consultation with ERO on identified descendant group	Descendant group provides recommendations and is given a copy of the ARR.
<u>Archeological Data Recovery Plan.</u> An archeological data recovery program shall be conducted in accordance with an Archeological Data Recovery Plan (ADRP) if all three of the following apply: 1) a resource has potential to be significant, 2) preservation in place is not feasible, and 3) the ERO determines that an archeological data recovery program is warranted. 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.	ERO, archeological consultant, and Project Sponsor.	After determination by ERO that an archeological data recovery program is required	Archeological consultant to prepare an ADRP in consultation with ERO	Considered complete upon approval of ADRP by ERO.
<u>Human Remains and Funerary Objects.</u> The treatment of human remains and of funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the	Project sponsor/archeological consultant in	Discovery of human remains	Notification of County/City Coroner	Considered complete on finding by ERO that all State laws regarding

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<p>Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains.</p> <p>The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.</p> <p>Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and/or associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains and/or associated or unassociated funerary objects are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance.</p> <p>Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project Archeological treatment document, and other</p>	<p>consultation with the City, San Francisco Medical Examiner, California State Native American Heritage Commission, and most likely descendant</p>		<p>and, as warranted, notification of NAHC.</p>	<p>human remains/burial objects have been adhered to, consultation with MLD is completed as warranted, that sufficient opportunity has been provided to the Archeological consultant for any scientific /historical analysis of remains/funerary objects specified in the Agreement, and the agreed-upon disposition of the remains has occurred</p>

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
relevant agreement established between the project sponsor, Medical Examiner and the ERO.				
<u>Archeological Public Interpretation Plan.</u> The project archeological consultant shall submit an Archeological Public Interpretation Plan (APIP) if a significant archeological resource is discovered during a project. If the resource to be interpreted is a tribal cultural resource, the APIP shall be prepared in consultation with and developed with the participation of Ohlone tribal representatives. The APIP shall describe the interpretive product(s), locations or distribution of interpretive materials or displays, the proposed content and materials, the producers or artists of the displays or installation, and a long-term maintenance program. The APIP shall be sent to the ERO for review and approval. The APIP shall be implemented prior to occupancy of the project.	Archeological consultant at the direction of the ERO will prepare APIP. Measure laid out in APIP are implemented by sponsor and consultant.	Following completion of cataloguing, analysis, and interpretation of recovered archeological data.	Archeological consultant submits draft APIP to ERO for review and approval.	APIP is complete on review and approval of ERO. Interpretive program is complete on certification to ERO that program has been implemented
<u>Archeological Resources Report.</u> Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO. The archeological consultant shall submit a draft Archeological Resources Report (ARR) to the ERO that evaluates the historical value of any discovered archeological resource, describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, and if applicable, discusses curation arrangements. Formal site recordation forms (CA DPR 523 series) shall be attached to the ARR as an appendix.	Archeological consultant at the direction of the ERO	Following completion of cataloguing, analysis, and interpretation of recovered archeological data	Preparation of ARR	ARR is complete on review and approval of ERO
Once approved by the ERO, copies of the ARR shall be distributed as follows: California Historical Resources Information System, Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the approved ARR to the NWIC. The environmental planning division of the planning department shall receive one (1) bound hardcopy of the ARR. Digital files that shall be submitted to the environmental division include an unlocked, searchable PDF version of the ARR, GIS shapefiles of the site and feature locations, 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. The PDF ARR, GIS files, recordation forms, and/or nomination documentation should be submitted via USB or other stable storage device. If a	Archeological consultant at the direction of the ERO	Following completion of ARR by ERO	Distribution of ARR after ERO approval	Complete on certification to ERO that copies of the approved ARR have been distributed

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
descendant group was consulted during archeological treatment, a PDF of the ARR shall be provided to the representative of the descendant group.				
Curation. Significant archeological collections shall be permanently curated at an established curatorial facility selected in consultation with the ERO and the local Native American representative or other affiliated descendent community representative.	Project archeologist prepares collection for curation and project sponsor pays for curation costs	In the event a significant archeological resource is discovered	Upon submittal of the collection for curation the sponsor or archaeologist shall provide a copy of the signed curatorial agreement to the ERO	Considered complete upon acceptance of the collection by the curatorial facility
AIR QUALITY				
<p>Project Mitigation Measure 2: Construction Air Quality (Implementing Market and Octavia PEIR Mitigation Measure E2)</p> <p>The project sponsor or the project sponsor's contractor shall comply with the following:</p> <p>A. Engine Requirements:</p> <ol style="list-style-type: none"> All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (CARB) Tier 4 Interim or Tier 4 Final off-road emission standards. Where access to alternative sources of power are available, portable diesel engines shall be prohibited. 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. <p>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.</p>	Project sponsor and construction contractor	<p>Prior to issuance of construction permits project sponsor to submit:</p> <ol style="list-style-type: none"> Construction emissions minimization plan for review and approval, and <p>Signed certification statement</p>	Planning Department	Considered complete upon planning department review and acceptance of construction emissions minimization plan, implementation of the plan, and submittal of final report summarizing use of construction equipment pursuant to the plan.
<p>B. Waivers:</p> <p>The Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the contractor</p>				

Adopted Mitigation Measure	Monitoring and Reporting Program ^a															
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria												
<p>must submit documentation that the equipment used for onsite power generation meets the engine requirements of Subsection (A)(1).</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of Tier 4 interim or Tier 4 final off-road equipment 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 Tier 4 compliant. If the ERO grants the waiver, the contractor must use the next cleanest piece of off-road equipment, according to Table M-AQ-2, below. Emerging technologies with verifiable emissions reductions supported by substantial evidence may also be employed in lieu of the step-down schedule below.</p> <p>Off-Road Equipment Compliance Step-Down Schedule</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 3 VDECS*</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> </tbody> </table> </div> <p>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 project sponsor cannot supply off-road equipment meeting Compliance Alternative 1, then the project sponsor must meet Compliance Alternative 2. If the ERO determines that the project sponsor cannot supply off-road equipment meeting Compliance Alternative 2, then the project sponsor must meet Compliance Alternative 3. * ARB= air resources board VDECS= verified diesel emissions control strategy</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 3 VDECS*	2	Tier 2	ARB Level 2 VDECS	3	Tier 2	ARB Level 1 VDECS				
Compliance Alternative	Engine Emission Standard	Emissions Control														
1	Tier 2	ARB Level 3 VDECS*														
2	Tier 2	ARB Level 2 VDECS														
3	Tier 2	ARB Level 1 VDECS														
<p>C. Construction Emissions Minimization Plan: Before starting on-site construction activities, the contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the contractor will meet the engine requirements of Section A.</p>																

Adopted Mitigation Measure	Monitoring and Reporting Program ^a			
	Implementation Responsibility	Mitigation Schedule	Monitoring/Reporting Responsibility	Monitoring Actions/Completion Criteria
<ul style="list-style-type: none"> The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel use and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contractor's contract specifications. The Plan shall include a certification statement that the contractor agrees to comply fully with the Plan. The contractor shall make the Plan available to the public for review on-site during working hours. The contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way. 				
<p>D. Monitoring: After start of construction activities, the contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>				

NOTES:

^a Definitions of MMRP Column Headings:

Adopted Mitigation and Improvements Measures: Full text of the mitigation measure(s) copied verbatim from the final CEQA document.

Implementation Responsibility: Entity who is responsible for implementing the mitigation measure. In most cases this is the project sponsor and/or project's sponsor's contractor/consultant and at times under the direction of the planning department.

Mitigation Schedule: Identifies milestones for when the actions in the mitigation measure need to be implemented.

Monitoring/Reporting Responsibility: Identifies who is responsible for monitoring compliance with the mitigation measure and any reporting responsibilities. In most cases it is the Planning Department who is responsible for monitoring compliance with the mitigation measure. If a department or agency other than the planning department is identified as responsible for monitoring, there should be an expressed agreement between the planning department and that other department/agency. In most cases the project sponsor, their contractor, or consultant are responsible for any reporting requirements.

Monitoring Actions/Completion Criteria: Identifies the milestone at which the mitigation measure is considered complete. This may also identify requirements for verifying compliance.

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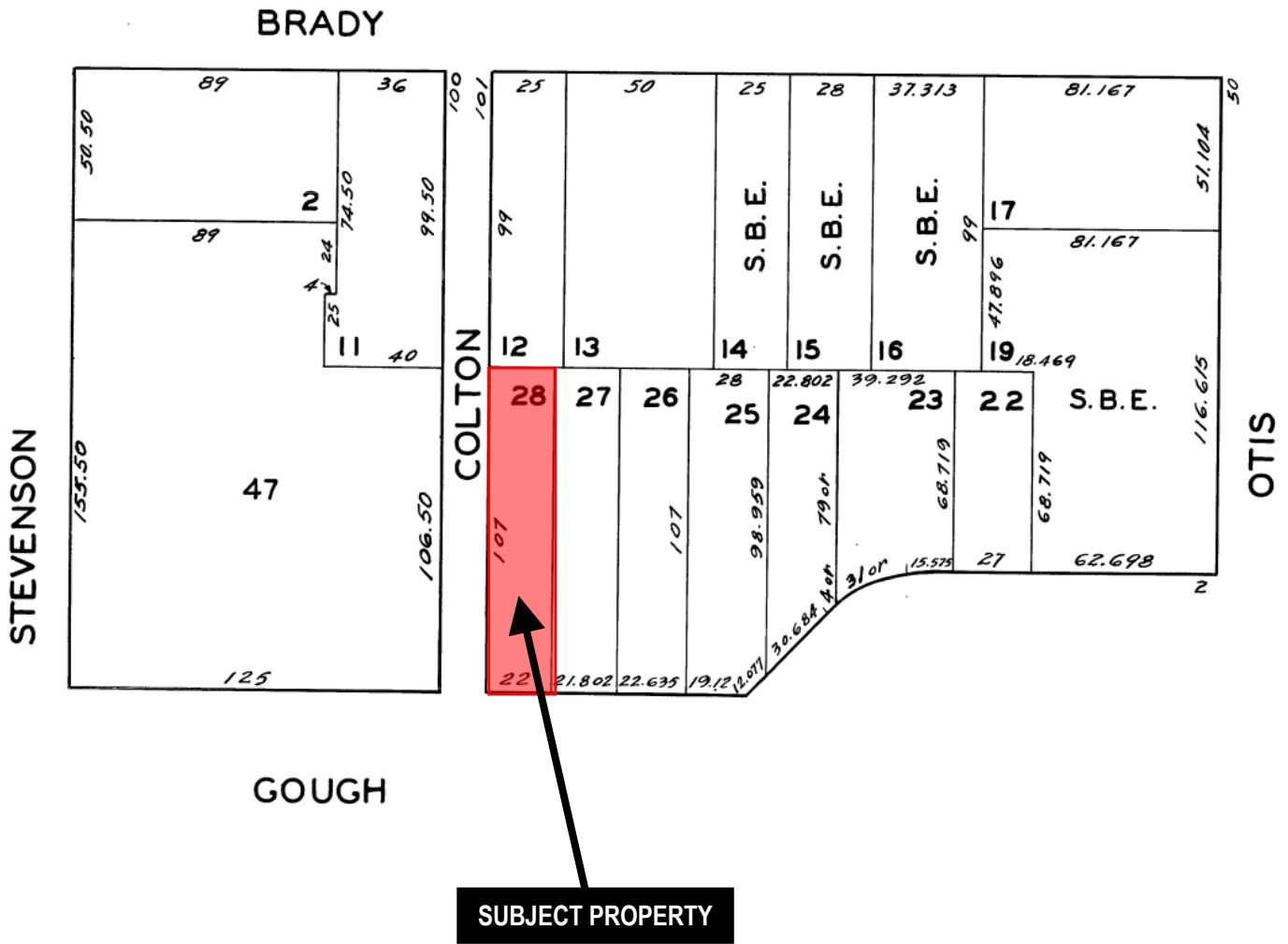
LAND USE INFORMATION

PROJECT ADDRESS: 36 GOUGH STREET
RECORD NO.: 2019-013528PRJ

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	840	0	-840
Residential GSF	1640	7,317	5,677
Retail/Commercial GSF			
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>			
Medical GSF			
Visitor GSF			
CIE GSF			
Usable Open Space	478	879	401
Public Open Space			
Other ()			
TOTAL GSF			
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	2	8	6
Dwelling Units - Total	2	8	6
Hotel Rooms			
Number of Buildings	1	1	0
Number of Stories	2	5	3
Parking Spaces	3	0	-3
Loading Spaces			
Bicycle Spaces	0	8	8
Car Share Spaces			
Other ()			

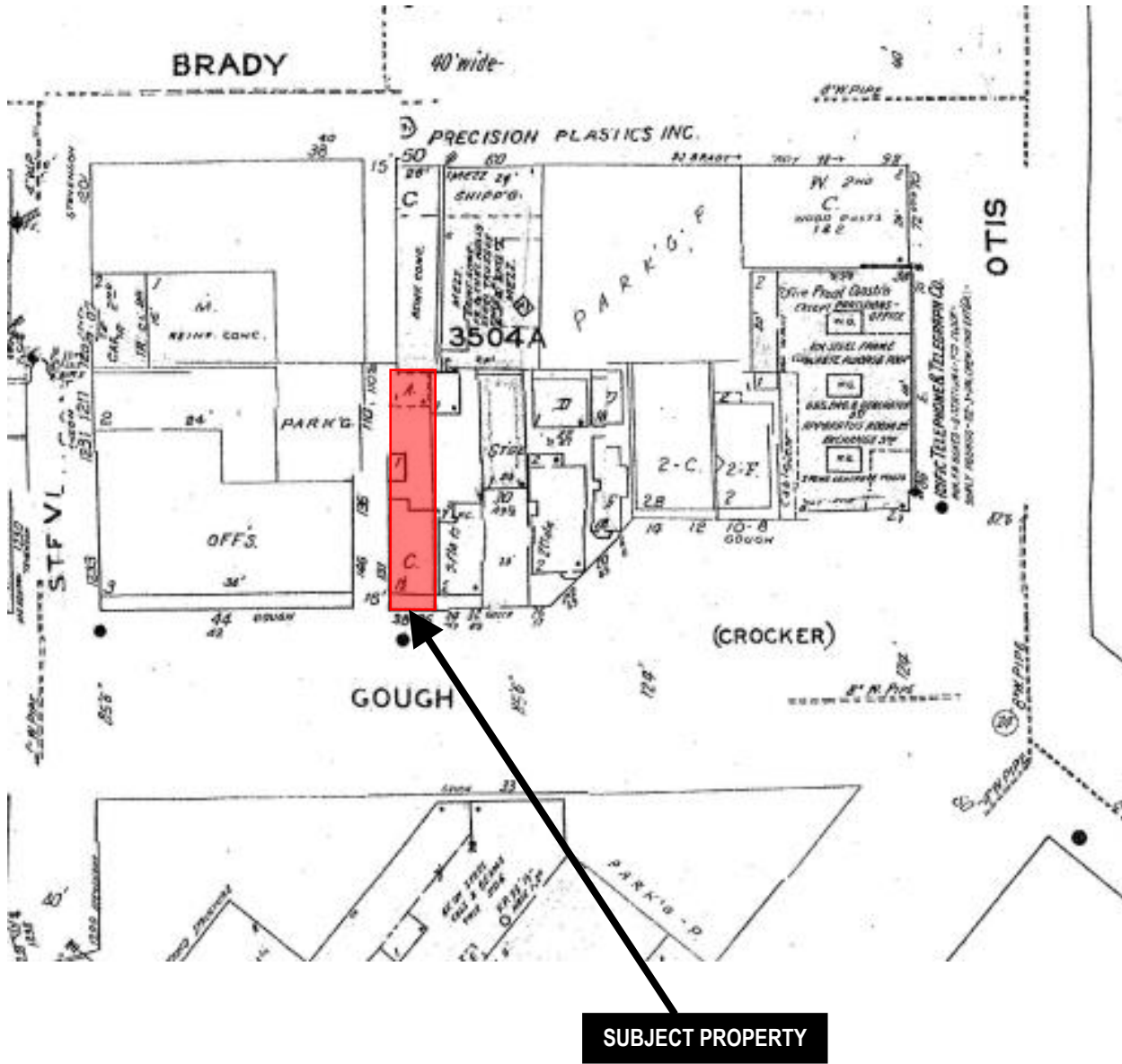
	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	1	1
One Bedroom Units	1	2	1
Two Bedroom Units	1	4	3
Three Bedroom (or +) Units	0	1	1
Group Housing - Rooms			
Group Housing - Beds			
SRO Units			
Micro Units			
Accessory Dwelling Units			

Parcel Map



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Sanborn Map*

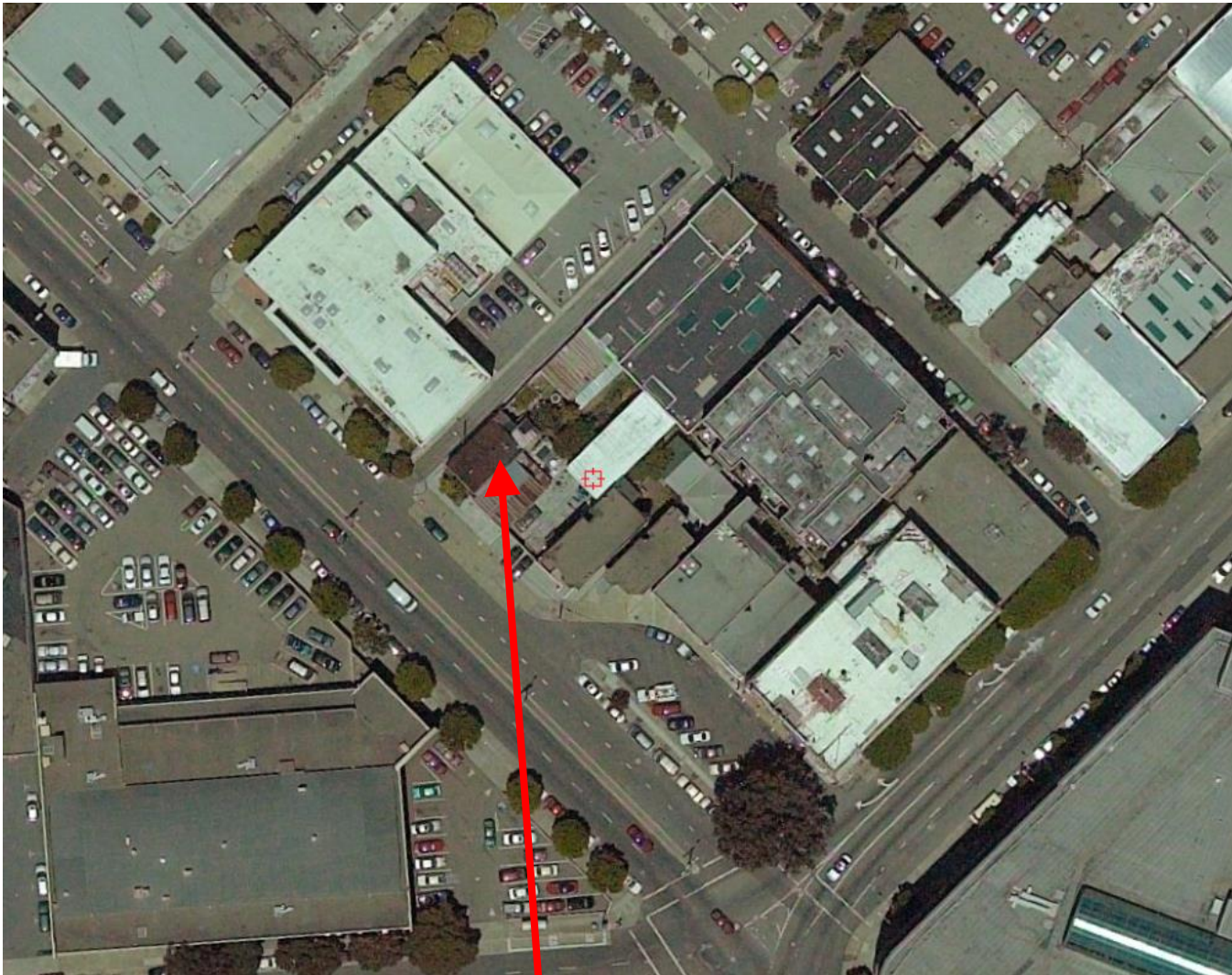


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Aerial Photo – View 1

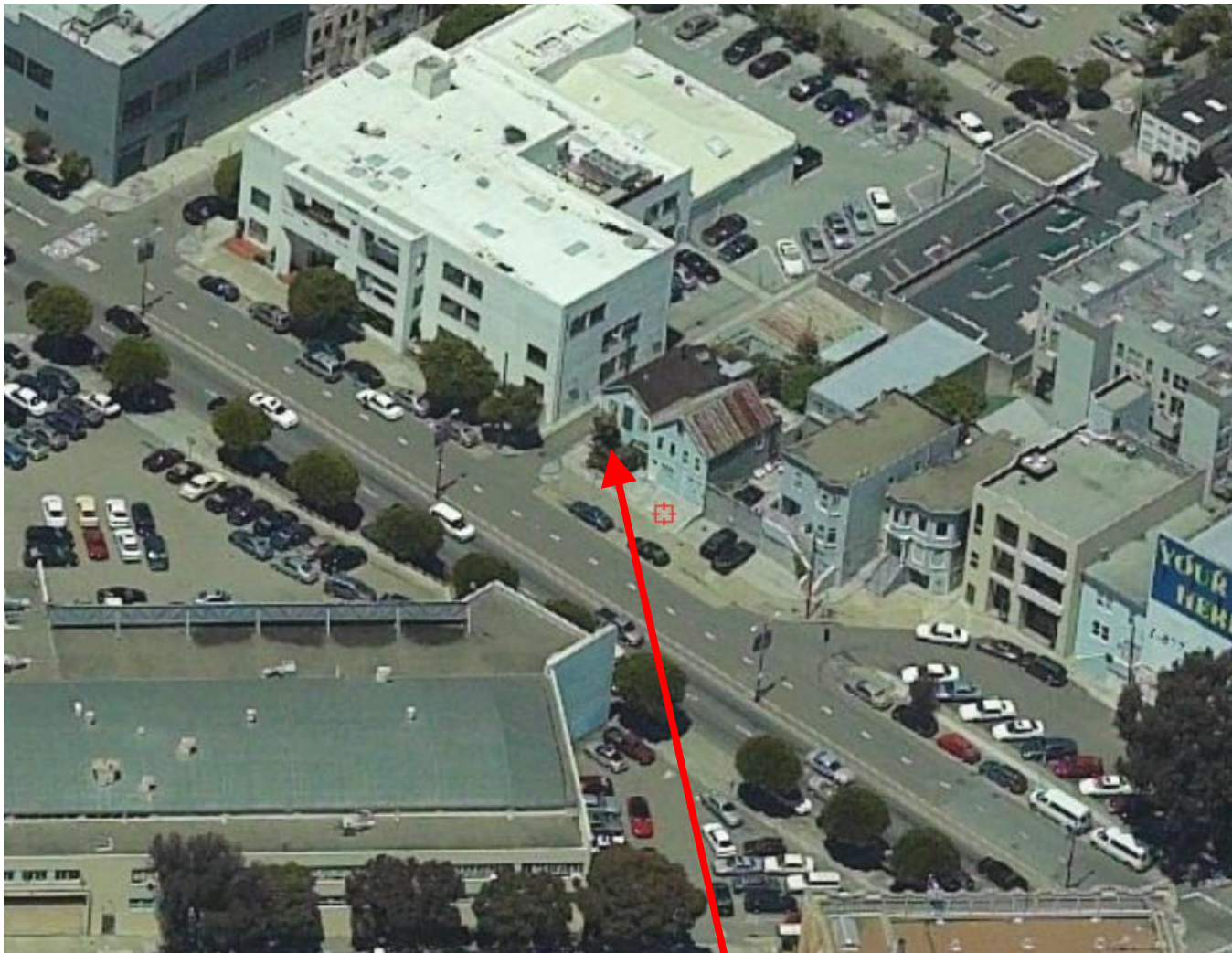


SUBJECT PROPERTY



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Aerial Photo – View 2



SUBJECT PROPERTY



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Aerial Photo – View 3

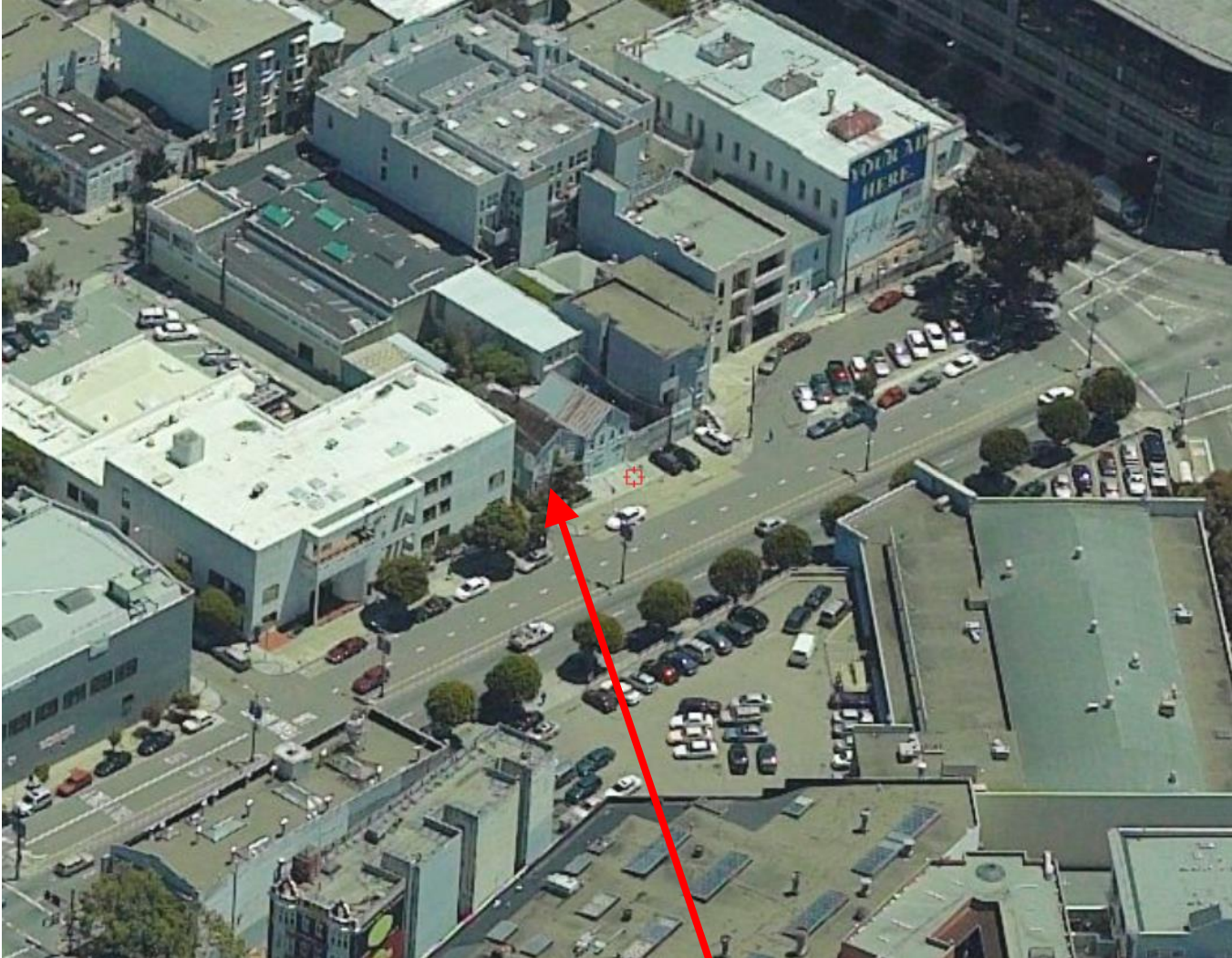


SUBJECT PROPERTY



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Aerial Photo – View 4

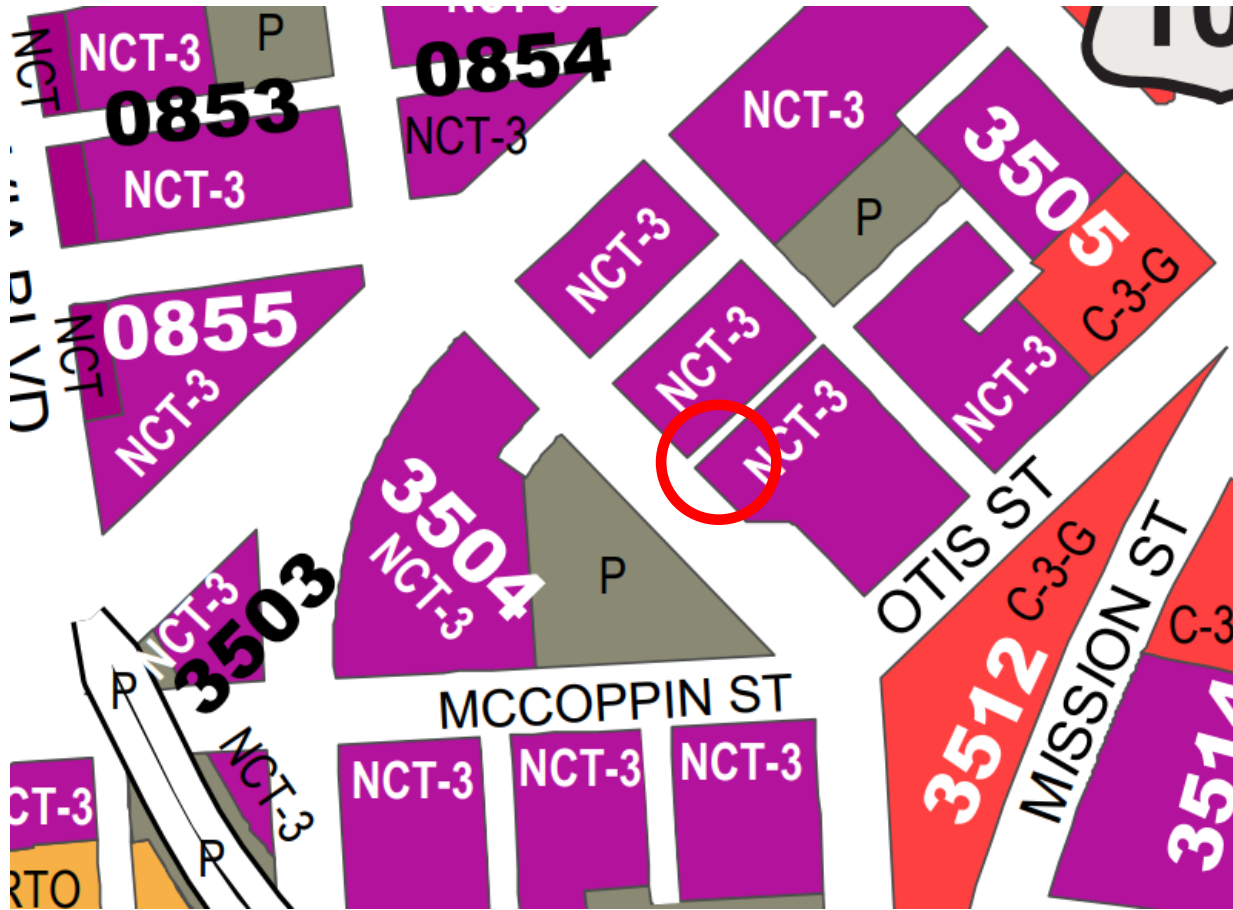


SUBJECT PROPERTY



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Zoning Map



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Site Photo



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

Site Photo



Planning Commission Hearing
Case Number 2019-013528CUA
36-38 Gough Street
Residential Demolition

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker
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September 1, 2021

Delivered Via Email

President Joel Koppel
San Francisco Planning Commission
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
ella.samonsky@sfgov.org

**Re: 36-38 Gough Street
Project Sponsor Submittal
Planning Department Case No. 2019-013528CUA
Hearing Date: September 30, 2021
Our File No.: 10403.04**

Dear President Koppel and Commissioners:

Our office is working with Really Maybe, LLC, property owner and sponsor (“**Project Sponsor**”) of the proposed project at 36-38 Gough Street (the, “**Property**”). The Property is a corner lot adjacent to Gough and Colton Streets. It is improved with an aged but non-historic 3-story 2-unit residential building with two 1-bedroom units and a noncomplying 1-story accessory 3-car garage structure at the rear of the lot. The project proposes to demolish the two existing structures and construct one Code-compliant 5-story structure with eight new units with five of the eight (62.5%) units family sized (the, “**Project**”). The Property is not currently occupied by paying tenants, rather a relative of the Project Sponsor has been residing at the Property and will move out when needed for Project construction. Plans for the Project are attached as **Exhibit A**.

The Project requires a Conditional Use authorization for residential demolition in the NCT-3 zoning district pursuant to Planning Code Sections 303 and 317(g)(6). We respectfully request that the Planning Commission approve the Conditional Use permit and the Project as proposed due to the following substantial benefits:

- The Project quadruples the number of dwelling units at the Property from two to eight, adding five family-sized units. The remaining three units are reasonably sized and consist of two 1-bedroom units and one studio, making them more affordable by design.

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- The Project is compatible with the existing neighborhood character. The façade treatment and materials have been carefully selected to be harmonious with the neighborhood. The Project removes the existing raised planter in the front pushing the proposed front façade toward the street with active use from a residential dwelling opening to the street with planters and new street tree, increasing the pedestrian public realm experience. Rendering of Project attached as **Exhibit B**.
- The Project will enhance the existing neighborhood safety by increasing eyes on street and activating the secondary facade with the building entrance and bike room entrance fronting Colton Street.
- Project Sponsor has worked with neighbors to ensure the Project's compatibility with its surrounding and neighborhood support. The Project has no privacy, shadow, or view impacts on neighbors. Staff recommends approval of the Project as proposed. We respectfully urge the Planning Commission adopt Staff's recommendation.

I. THE FINDINGS OF PLANNING CODE SECTIONS 303 AND 317 ARE MET

A. Section 303

Under Planning Code section 303(c), the City Planning Commission shall approve the application and authorize a conditional use if the facts presented establish the following:

- 1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.**

The Project is necessary and desirable because it will replace a deteriorated two-unit building with a non-complying accessory 3-car garage structure in the rear yard with a single, cohesive, five-story building housing eight dwelling units. The Project adds five family-sized dwelling units to the Property.

Further, the Project will improve the Property by bringing it into compliance with the Planning Code by removing the nonconforming structure at the rear portion of the lot, thus opening the lot and enhancing the very limited mid-block open space. The entirety of the new building is within the buildable area and will not require any variances or modifications.

The Project will create six net new dwelling units within a Neighborhood Commercial Transit District, fulfilling General Plan policies that encourage provision of new housing. The Project will positively contribute to the City's housing supply, including the creation of dwelling units with two and three bedrooms suitable for growing families. The Project will aesthetically

enhance the neighborhood by proposing a design that is interesting and compatible with the existing neighborhood character.

Under the proposed Market and Octavia Plan Amendment (formerly The Hub Plan), Colton Street is an alley proposed for improvements and several open spaces will be established nearby, including Brady Park (in coordination with the development at 1601-1637 Market [Plumbers Union]), Valencia Hub (in coordination with the development at 1699 Market [former Flax site]), Gough Street/Otis Street (in coordination with the development at 33 Gough [City College site]), and 12th Street/Otis Street (in coordination with the development at 30 Otis [Carpet Store site]). These open spaces will be conveniently located for use by families residing in the Project. The ground floor dwelling unit will have direct access to Gough Street and the building's main entrance and bike storage entrance are located on the Colton Street façade, activating all of the Project's frontages.

The new building is compatible with the neighborhood and zoning, and the Project will bring the lot into compliance with the Planning Code.

2. **That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**
 - (a) **The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.**

The existing neighborhood lacks a “defined visual character” that is recognized in the Residential Design Guidelines due to the mix of both modern and historic/older homes and commercial buildings, including a varied mix of building materials. For example, there are a variety of different types of rooflines, including other horizontal rooflines as proposed by the Project. The Project's proposed height and massing will be in line with other buildings in the neighborhood, including the 9-story The Rise Building under construction at 1699 Market Street, 5-story Allen Hotel at 1693 Market Street that also fronts Stevenson Street, 3-story McRoskey Building at 1687 Market Street that likewise fronts Stevenson Street, the 4-story building at 1 McCoppin Street, the 5-story buildings that housed the Planning Department and Department of Building Inspection, and 5-story building at 74 Brady Street. The proposed size, shape, and arrangement of the Project will also match that of neighboring structures, and the Project overall will aesthetically enhance the neighborhood.

(b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

The Project will not result in any new traffic impacts due to the Property's proximity to public transit and provision of eight Class 1 bicycle parking spaces and one Class 2 bicycle parking space. MUNI light rail lines are accessible within a quarter of a mile at the Van Ness Station, which connect with Bart and Caltrain providing access to the east bay and south bay. There are fourteen MUNI bus line stops within a quarter mile of the Property, including the 06, 07, 09, 14, 14L, 16A, 16B, 26, 30, 47, 49, 71, 71L, and 90 Owl.

(c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.

The Project proposes a new 5-story, eight-unit residential building. The proposed uses are not expected to generate any noxious or offensive emissions, such as noise, glare, dust, or odor. The Project will comply with all applicable regulations regarding construction noise and dust, and will not produce, or include, any permanent uses that will generate substantial levels of noxious or offensive emissions, such as excessive noise, glare, dust, and odor.

(d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

The Project will replace a two-unit building with a non-complying structure in the rear yard with a thoughtfully designed, visually-appealing, code-compliant, eight-unit residential building. The facade treatment and materials of the building have been appropriately selected to be compatible with the surrounding neighborhood. The Project will provide landscaping in the front setback area and install a new street tree. Extensive landscaping will also be provided in the Project's 504 square feet of common open space and 375 square feet of private open space. In addition, the Project's removal of the existing noncomplying accessory structure currently located in the rear yard will enhance the near non-existent mid-block open space.

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan:

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan, including the Housing and Urban Design elements, as well as the Market and Octavia Area Plan as detailed below:

Housing Element

OBJECTIVE 1 IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY’S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.6: Consider greater flexibility in number and size of units within established building envelopes in community-based planning processes, especially if it can increase the number of affordable units in multi-family structures.

Policy 1.10: Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking, and bicycling for the majority of daily trips.

OBJECTIVE 4 FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1: Develop new housing, and encourage the remodeling of existing housing, for families with children.

OBJECTIVE 11 SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO’S NEIGHBORHOODS.

Policy 11.1: Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2: Ensure implementation of accepted design standards in project approvals.

OBJECTIVE 12 BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY’S GROWING POPULATION.

Policy 12.1: Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.3: Ensure new housing is sustainably supported by the City’s public infrastructure systems.

OBJECTIVE 13 PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1: Support “smart” regional growth that located new housing close to jobs and transit.

Policy 13.3: Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project will thoughtfully redevelop the lot with an eight-unit residential building with a majority – five out of eight – of the units being family-sized. The Project supports “smart” growth, being located in a transit rich area with a MUNI light rail station within a quarter mile and fourteen MUNI bus line stops within a quarter mile. The MUNI light rail options connect to Bart and Caltrain, providing access to the east bay and south bay.

Urban Design Element

OBJECTIVE 3 MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1: Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.3 Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.6: Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

Policy 4.4: Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.12: Install, promote and maintain landscaping in public and private areas.

The Project has been thoughtfully designed to integrate into the neighborhood by taking into consideration the existing adjacent buildings as well as other proposed projects in the area. The neighborhood does not have a consistent design character; rather, it is characterized by its eclectic building styles and types. Overall, the Project is in line with the scale, form, and proportion of older development in and around the Project site, while not creating a false sense of history. The Project has been designed to include landscaping and ample open space for all the dwelling units.

Market and Octavia Area Plan

OBJECTIVE 1.1 CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD’S POTENTIAL AS A MIXED-USE URBAN NEIGHBORHOOD.

- Policy 1.1.2** Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot.
- Policy 1.1.3** Encourage housing and retail infill to support the vitality of the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts.
- OBJECTIVE 1.2** ENCOURAGE URBAN FORM THAT REINFORCES THE PLAN AREA'S UNIQUE PLACE IN THE CITY'S LARGER URBAN FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.
- Policy 1.2.1** Relate the prevailing height of the buildings to street widths throughout the plan area.
- Policy 1.2.2** Maximize housing opportunities and encourage high-quality commercial spaces on the ground floor.
- OBJECTIVE 2.2** ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.
- Policy 2.2.2** Ensure a mix of unit sizes is built in new development and is maintained in existing housing stock.
- Policy 2.3.1** Prohibit residential demolitions unless they would result in sufficient replacement of existing housing units.
- OBJECTIVE 3.1** ENCOURAGE NEW BUILDINGS THAT CONTRIBUTE TO THE BEAUTY OF THE BUILT ENVIRONMENT AND THE QUALITY OF STREETS AS PUBLIC SPACE.
- Policy 3.1.1** Ensure that new development adheres to principles of good urban design.
- Policy 4.1.2** Enhance the pedestrian environment by planting trees along sidewalks, closely planted between pedestrians and vehicles.
- Policy 5.2.4** Support the choice to live without a car.
- Policy 5.5.2** Provide secure and convenient bicycle parking throughout the area.
- OBJECTIVE 7.1** CREATE A VIBRANT NEW MIXED-USE NEIGHBORHOOD IN SOMA WEST.

The Project advances these objective and policies. It provides a high-quality designed residential building quadrupling the number of on-site dwelling units. Though the Project results

in the demolition of a structure with two dwelling units, the Project will produce eight dwelling units, of which five will be two- and three-bedroom units suitable for families.

The proposed 5-story building will complement the nearby buildings that are 5-stories and greater. As part of the Project, landscaping and a new street tree will be installed. The Project does not include any off-street parking. The Project provides eight Class 1 and one Class 2 bicycle parking spaces, encouraging residents to live without a car.

4. Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District

The Project's residential uses are in conformity with the stated purpose of the NCT-3 Zoning District, which aims to maximize residential opportunities near major transit services.

B. Section 317

Under Planning Code Section 317(g)(6), The Planning Commission shall consider the following additional criteria in the review of applications for Residential Demolition:

1. Whether the property is free of a history of serious, continuing Code violations;

Since the current owner purchased the Property in September 2016, there have been no Code violations. Prior thereto, the owner is unaware of any history of serious or continuing code violations.

2. Whether the housing has been maintained in a decent, safe, and sanitary condition;

While the Property is in a safe and sanitary condition, it has become run down and worn over time. The Property is in need of renovation and repair.

3. Whether the property is an "historical resource" under CEQA;

The existing structures at the Property are not historical resources under CEQA. A historic survey conducted on January 1, 2010, by the Department of Parks and Recreation found the Property "ineligible for local listing or designation."

4. Whether the removal of the resource will have a substantial adverse impact under CEQA;

The existing structures at the Property are not historical resources under CEQA and therefore their removal will not generate a substantial adverse impact under CEQA.

5. Whether the project converts rental housing to other forms of tenure or occupancy;

The Project will not convert rental housing to other forms of tenure. The two existing dwelling units are market rate rental units. The Project will result in the creation of eight market-rate rental units.

6. Whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing;

Due to the age of the building, the two existing dwelling units are subject to the Residential Rent Stabilization and Arbitration Ordinance. However, those two units will be replaced by eight units, the majority of which are family sized. No affordable housing units exist at the Property; none will be removed.

7. Whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;

The Project will remove two existing dwelling units that are market rate but subject to the Residential Rent Stabilization and Arbitration Ordinance. The dwelling unit removals are necessary for the construction of an eight-unit residential building with one 3-bedroom unit and four 2-bedroom units, family-sized units, and two 1-bedroom units and a studio unit in a building compatible with the existing neighborhood context. Accordingly, the Project will preserve the housing stock in the neighborhood and provide a diverse range of unit types.

8. Whether the project protects the relative affordability of existing housing;

The Project will not eliminate any affordable housing.

9. Whether the project increases the number of permanently affordable units;

The Project is not subject to the City's inclusionary housing program.

10. Whether the project locates in-fill housing on appropriate sites in established neighborhoods;

The Property is currently developed with two dwelling units. The Project will quadruple the number of on-site units in an appropriately scaled Code-compliant building. The Project is more in keeping with the development pattern on the block, which is a transit-rich area experiencing a buildout, while maintaining the open space and character of the block.

11. Whether the project increases the number of family-sized units on-site;

The Project will add five family sized units to the Property – one 3-bedroom unit and four 2-bedroom units.

12. Whether the project creates new supportive housing;

The Project does not involve new supportive housing.

13. Whether the project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

The Project is of superb architectural and urban design that has been thoughtfully designed to integrate into the neighborhood by taking into consideration the existing adjacent buildings as well as other proposed projects in the area. The neighborhood does not have a consistent design character; rather, it is characterized by its eclectic building styles and types. The facade treatment and materials of the building have been appropriately selected to be compatible with the surrounding neighborhood. The building includes the use of solids and voids, with massing elements that extend and recede from each other, with a front bay window extending the upper four floors to counterbalance the recessed street entry to the front dwelling unit. There are numerous balconies and open spaces, all with greenery integrated throughout. Design of the Project with the building's entrance and bike storage entrance off Colton Street activates the secondary façade.

14. Whether the project increases the number of on-site Dwelling Units;

The Project quadruples the number dwelling units at the Property from two to eight, with five being family-sized units.

15. Whether the project increases the number of on-site bedrooms;

The Project will increase the number of on-site bedrooms more than sixfold. There are two bedrooms in the two existing units. The Project will result in one 3-bedroom unit, four 2-bedroom units, two 1-bedroom units, and one studio unit, increasing the number of on-site bedrooms from two to thirteen plus a studio.

16. Whether or not the replacement project would maximize density on the subject lot; and

The Property is located in an NCT-3 Zoning District, which is a form-based district. The Project would maximize the residential density at the Property, consistent with project design, massing, dwelling unit mix, and all other applicable planning code standards, while maximizing the number of family-sized units.

17. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

The Project will replace the two market-rate 1-bedroom units with eight new dwelling units with a range of sizes and bedroom configurations, including one 3-bedroom unit, four 2-bedroom units, two 1-bedroom units, and one studio unit, exponentially increasing the overall amount of housing at the site.

II. CONCLUSION

The Project seeks to redevelop the Property with an improved eight-unit residential project, quadrupling the number of units, with a majority of them family-sized units. The additional residents will provide eyes on the street to improve neighborhood safety. Further, the Project will enhance the neighborhood by adding a contextually compatible yet modern building. For all of the foregoing reasons, we respectfully request that the Planning Commission approve the Project as proposed.

Please let me know if you have any questions. I look forward to presenting this Project to you on September 30, 2021.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin A. Zucker

Enclosures:

Exhibit A – Project Plans
Exhibit B – Project Rendering

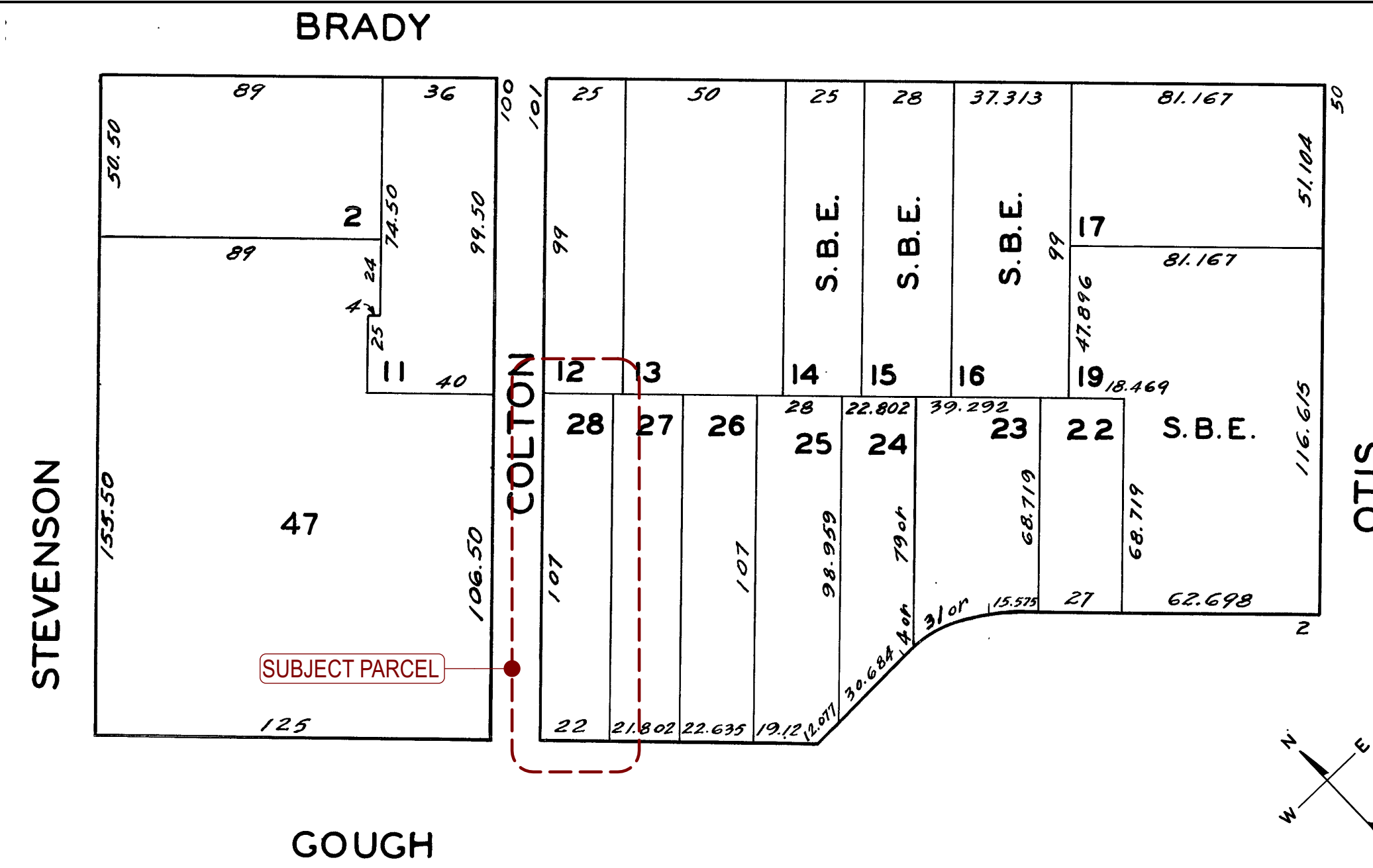
cc: Kathrin Moore, Vice President
Deland Chan, Commissioner
Sue Diamond, Commissioner
Frank S. Fung, Commissioner
Theresa Imperial, Commissioner
Rachel Tanner, Commissioner
Ella Samonsky, Project Planner
Client (via email only)

EXHIBIT A

DRAWING INDEX

- A-0.1 COVER SHEET
- C1 SURVEY
- A-1.1 SITE PLANS
- A-1.2 3D ILLUSTRATION / SITE PHOTOS (1)
- A-1.3 3D ILLUSTRATION (2), & WINDOW DETAILS
- A-2.0 EXISTING FLOOR PLANS (DEMO)
- A-2.1 PROPOSED FLOOR PLANS
- A-2.2 PROPOSED FLOOR PLANS
- A-2.3 PROPOSED FLOOR PLANS
- A-3.0 EXISTING ELEVATIONS & SECTION (DEMO)
- A-3.1 BUILDING ELEVATIONS (NORTH & SOUTH)
- A-3.2 BUILDING ELEVATION (WEST)
- A-3.3 BUILDING ELEVATION (EAST)
- A-4.1 BUILDING SECTION
- G-0.1 GREEN BUILDING CHECKLIST

ASSESSOR'S MAP



SCOPE OF WORK

PROPOSED NEW CONSTRUCTION OF A FIVE-STORY RESIDENTIAL BUILDING, W/ 8 DWELLING UNITS

PROJECT NAME
36-38 Gough Street
San Francisco, CA 94103

PROJECT DATA

PLANNING DATA
 ADDRESS: 36 GOUGH STREET
 LOT AREA: 2,354 ± SF
 BLOCK / LOT: 3504 / 028
 ALLOWED BUILDING HEIGHT: 55-X
 ZONING: NCT-3

REAR YARD OPEN SPACE
 REQUIRED: 588 SF (25% OF LOT AREA: 2,354 S.F. x 0.25)
 PROVIDED: **588 SF (25% OF LOT AREA)**

(N) BUILDING GROSS FLOOR AREA - PER PLANNING CODE
 1ST FLOOR: 1,497 ± SF (RESIDENTIAL)
 208 ± SF (OTHERS: TRASH, BIKE ROOM, ETC)
 2ND FLOOR: 1,633 ± SF (RESIDENTIAL)
 3RD FLOOR: 1,324 ± SF (RESIDENTIAL)
 4TH FLOOR: 1,324 ± SF (RESIDENTIAL)
 5TH FLOOR: 1,324 ± SF (RESIDENTIAL)

RESIDENTIAL AREA SUBTOTAL: **7,102 ± SF**
 OTHERS: 208 ± SF
 GROSS BUILDING AREA: 7,310 ± SF

USABLE OPEN SPACE
 REQUIRED: 500 SF COMMON OPEN SPACE (100 SF X 5 UNITS)
 240 SF PRIVATE OPEN SPACE (80 SF X 3 UNITS)
 PROVIDED: 504 ± SF COMMON OPEN SPACE @ REAR YARD
 375 SF PRIVATE OPEN SPACE @ 1ST, 2ND, & 3RD FLR

PARKING SUMMARY
 CAR PARKING: NOT REQ. PERMITTED 0.5 PER DWELLING UNIT
 CLASS I BICYCLE PARKING: 8 BICYCLE PARKING (REQ'D ONE PER DWELING)
 CLASS II BICYCLE PARKING: 1 @ SIDE WALK (REQ'D ONE PER 20 UNITS)

SIA consulting
 SIA CONSULTING CORPORATION
 4653 MISSION STREET
 SAN FRANCISCO CA 94112
 TEL.: (415) 741.1292 / FAX: (415) 849.1252

BULK STUDY



SHEET TITLE
Cover Sheet

RESIDENTIAL UNIT MATRIX

FLOOR LEVEL	GROSS FLOOR AREA	STUDIO	1 BEDROOM	2 BEDROOM	3 BEDROOM	TOTAL	OPEN SPACE	
							PRIVATE	COMMON
1ST FLOOR	895 S.F.		2			2 UNITS	84 S.F.	504 S.F.
2ND FLOOR	1,408 S.F.			2		2 UNITS	132 S.F.	
3RD FLOOR	1,100 S.F.	1		1		2 UNITS	159 S.F.	
4TH FLOOR	1,100 S.F.			1	1	2 UNITS		
5TH FLOOR	1,149 S.F.							
TOTAL	5,652 S.F.	12.5%	25%	50%	12.5%	8 UNITS	375 S.F.	504 S.F.

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10/23/2018 PROJECT REVIEW @ SF PLANING

NOTE:
 AREA CALCULATION AS SHOWN IS INTENDED FOR PERMIT APPLICATION PURPOSES ONLY & SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL SQ.FT & FINISHED DIMENSIONS MAY VARY FROM THESE PLANS DUE TO CONSTRUCTION VARIABLES.

(E) BUILDING PROJECT DATA

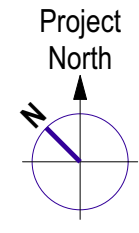
(E) BUILDING GROSS FLOOR AREA	FLOOR LEVEL	UES OF AREA	TOTAL # OF UNIT
1ST FLOOR: 979 ± SF (OFFICE) 637 ± SF (GARAGE)	1ST FLOOR	OFFICE	1
2ND FLOOR: 896 ± SF (RESIDENTIAL) ATTIC: 311 ± (RESIDENTIAL)	2ND FLOOR	RESIDENTIAL	1
	ATTIC	RESIDENTIAL	
TOTAL RESIDENTIAL AREA: 1,207 ± SF GROSS BUILDING AREA: 1,875 ± SF (EXCL. GARAGE)			
(E) USABLE OPEN SPACE PROVIDED: 5422 ± SF COMMON OPEN SPACE @ REAR YARD			
(E) PARKING SUMMARY CAR PARKING PROVIDED: 3			

DRAWN BY R.L.
DESIGN BY R.K.
DATE 03/05/2019
REVISED DATE 04/27/2021
JOB NO. 18-1814
SHEET NO.

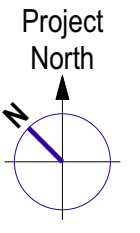
A-0.1



Existing Site Plan
1/8" = 1'-0"



Proposed Site Plan
1/8" = 1'-0"



PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



SHEET TITLE

Site Plans

SIA CONSULTING CORPORATION
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SAN FRANCISCO CA 94112
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A-1.1



3D View (1)



3D View (2)



EXISTING FRONT ELEVATION



PROPERTIES ON THE SAME BLOCK AS SUBJECT LOT



PROPERTIES OPPOSITE OF SUBJECT LOT

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



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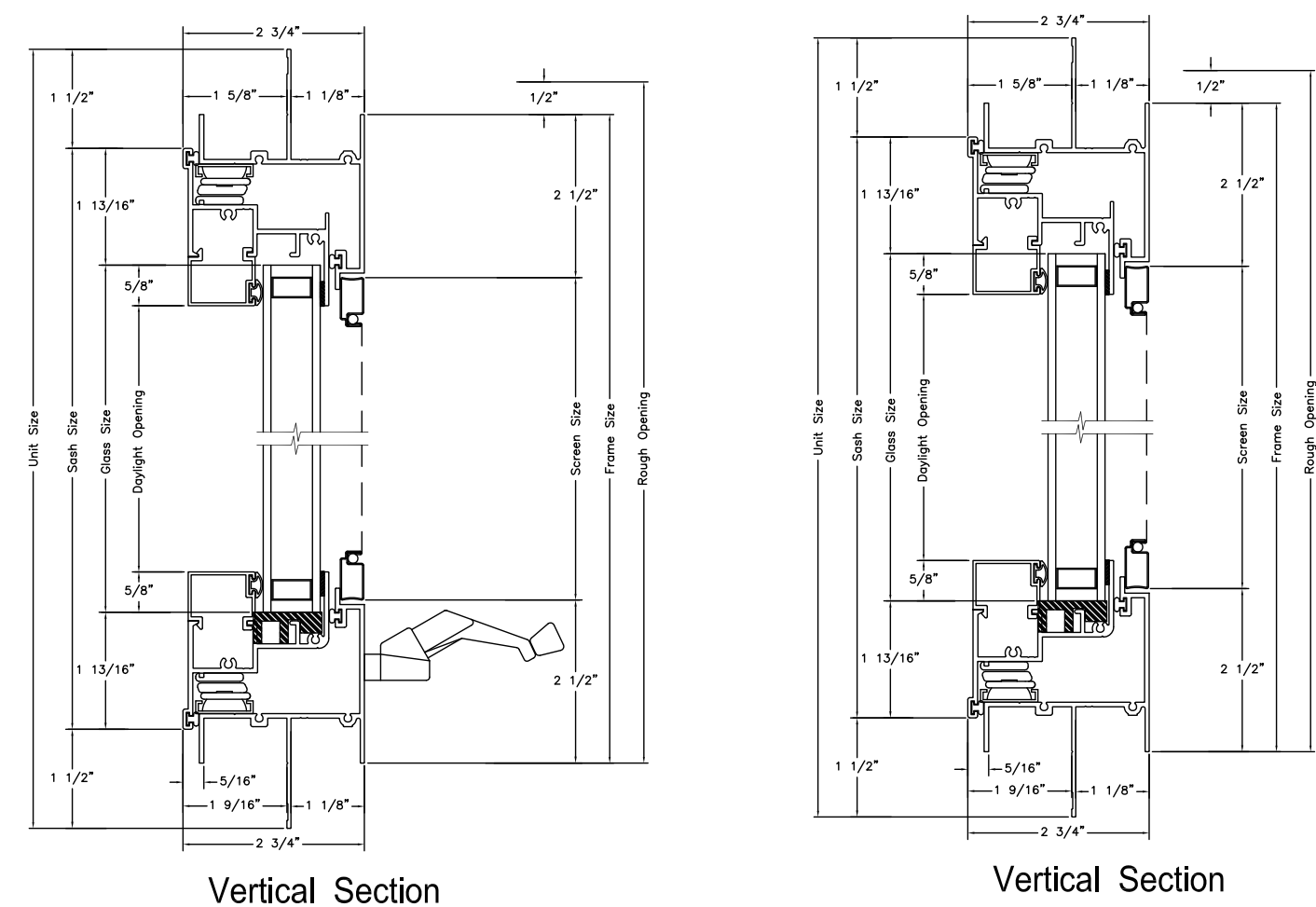
3D Illustration /
Site Photos (1)

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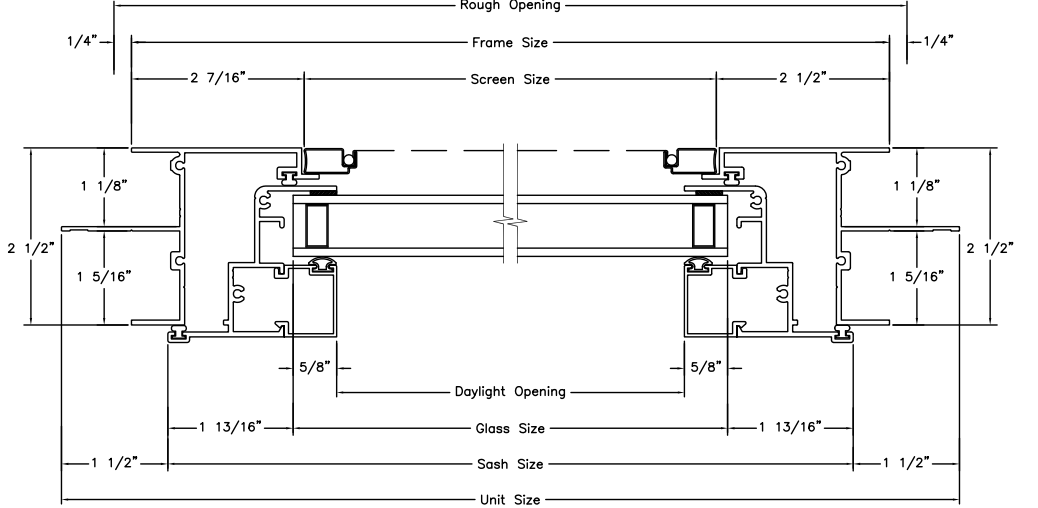
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A-1.2

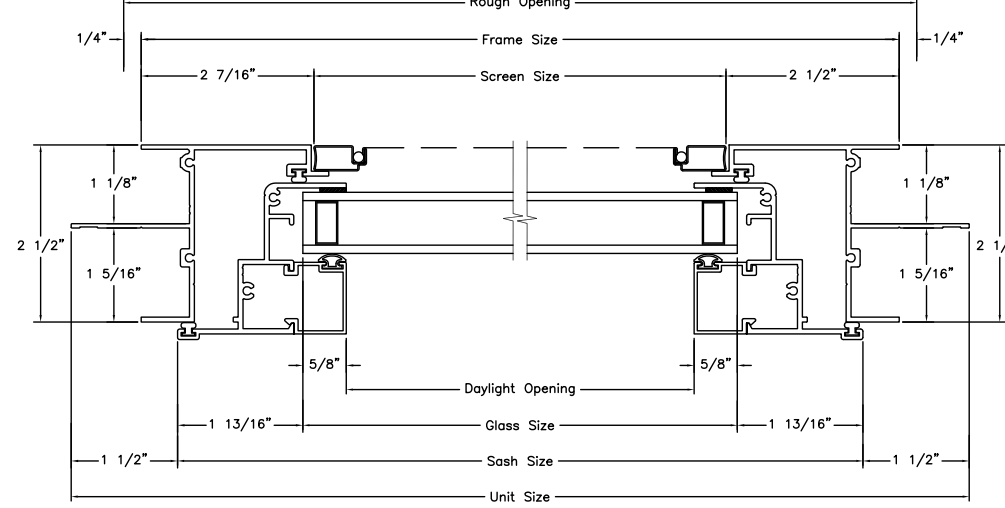


Vertical Section

Vertical Section

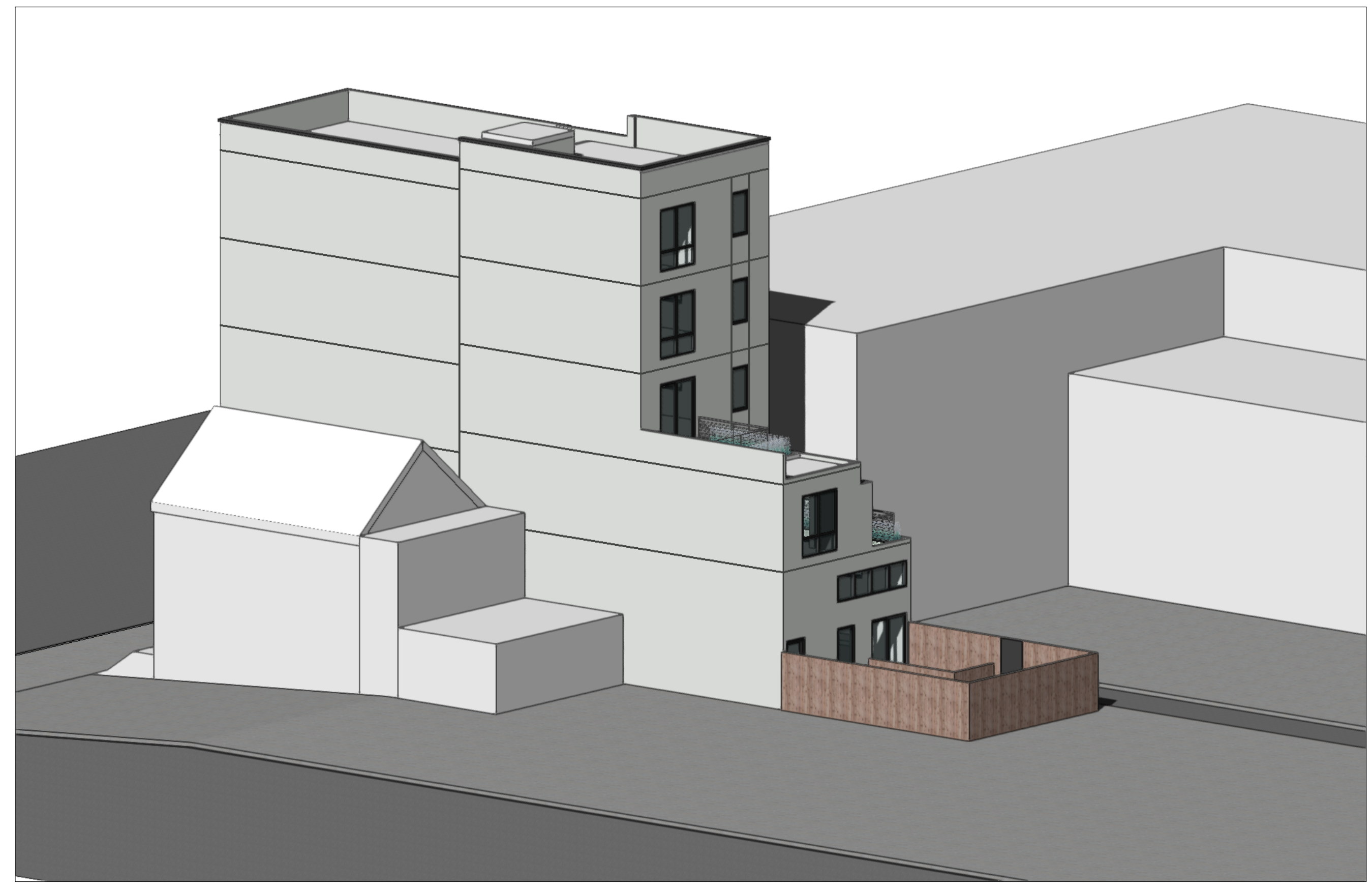


Horizontal Section



Horizontal Section

Window Typ. Details



3D View (3)



3D View (4)

PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



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4653 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292 / FAX: (415) 849.1252

SHEET TITLE

**3D Illustration (2),
& Window Details**

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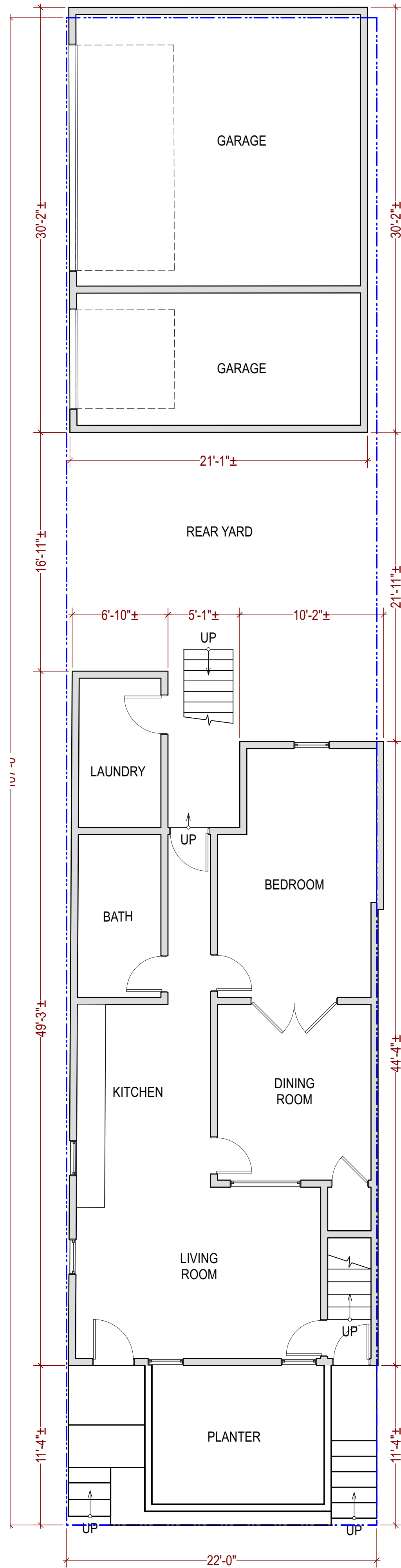


Existing Floor
Plans (Demo)

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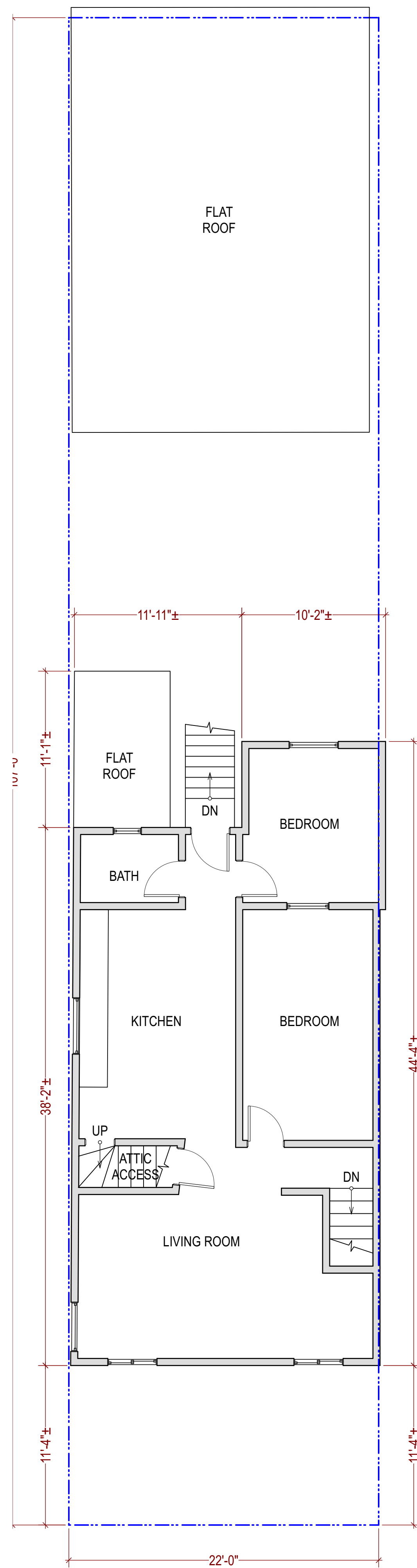
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@ SF PLANING

DRAWN BY R.L.
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DATE 03/05/2019
REVISED DATE 04/27/2021
JOB NO. 18-1814
SHEET NO.



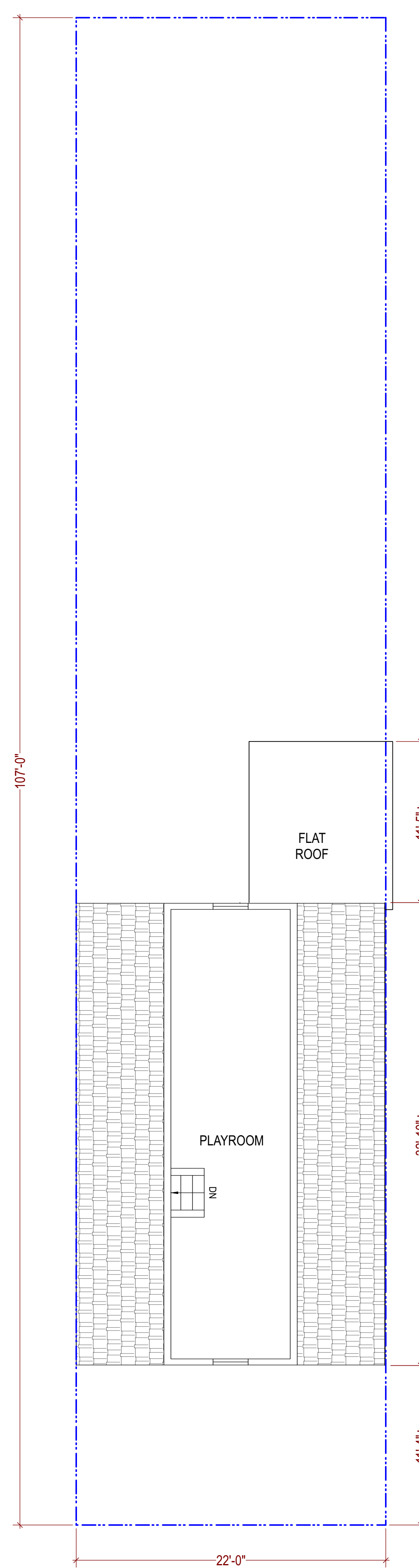
Existing First Floor Plan

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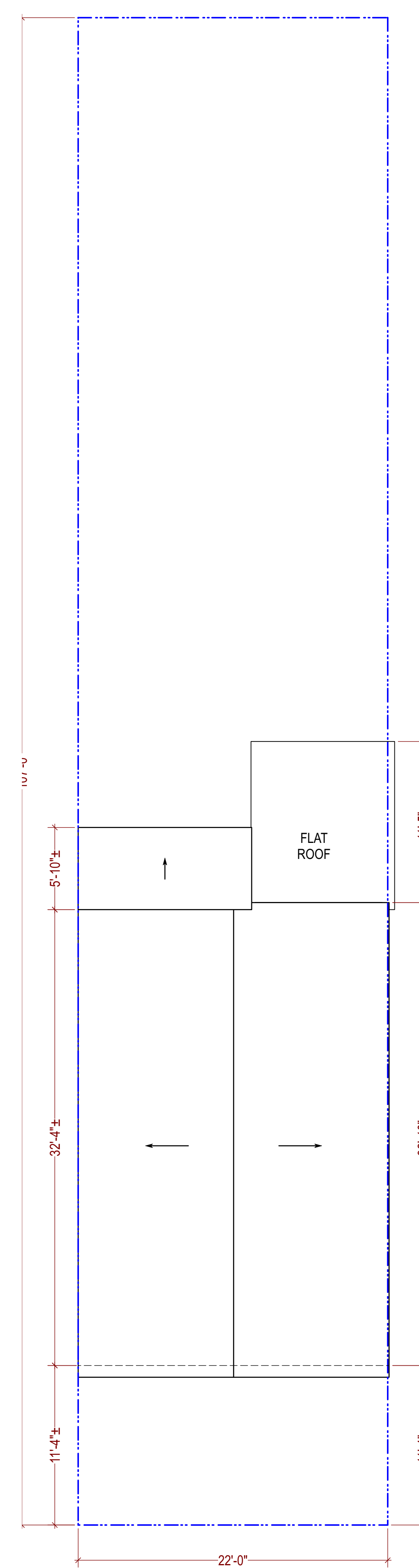
Existing Second Floor Plan

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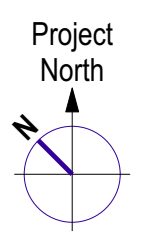
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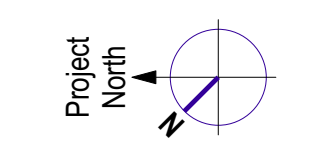
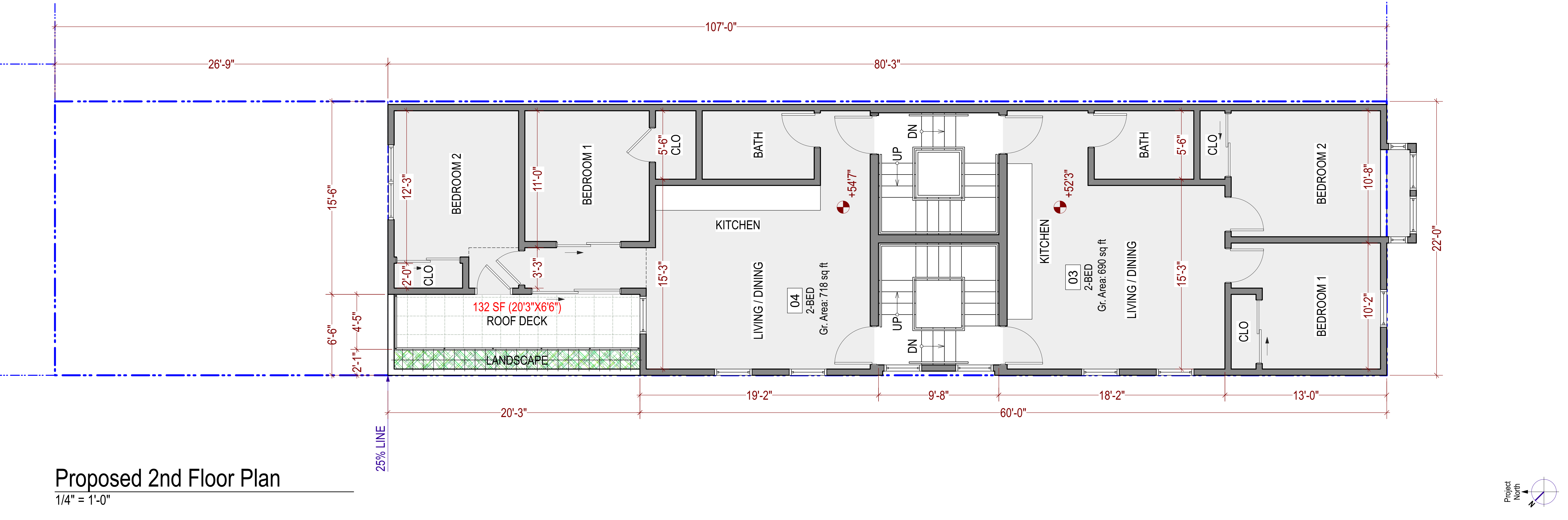
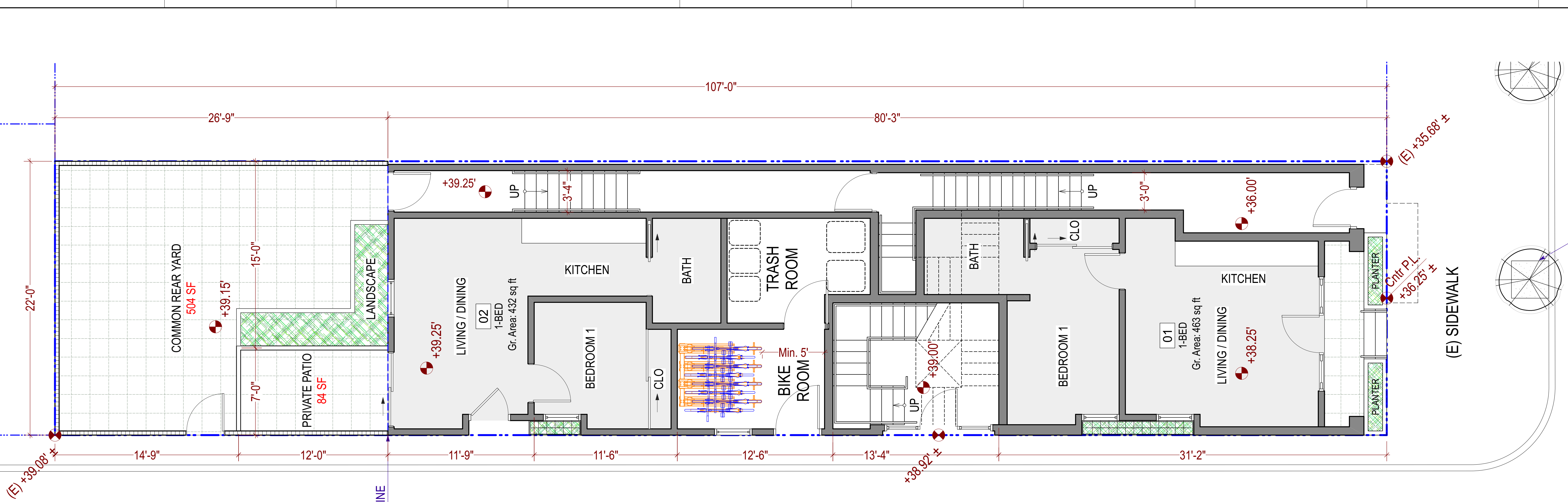
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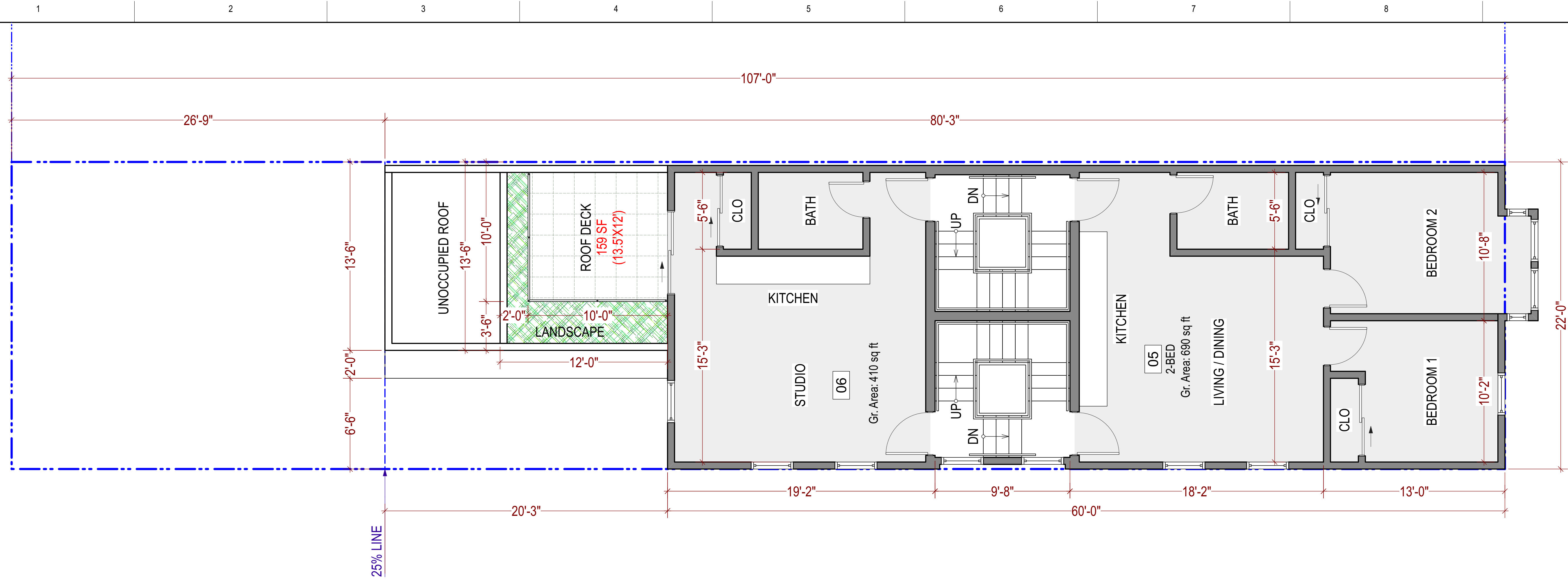


Existing Roof Plan

3/16" = 1'-0"

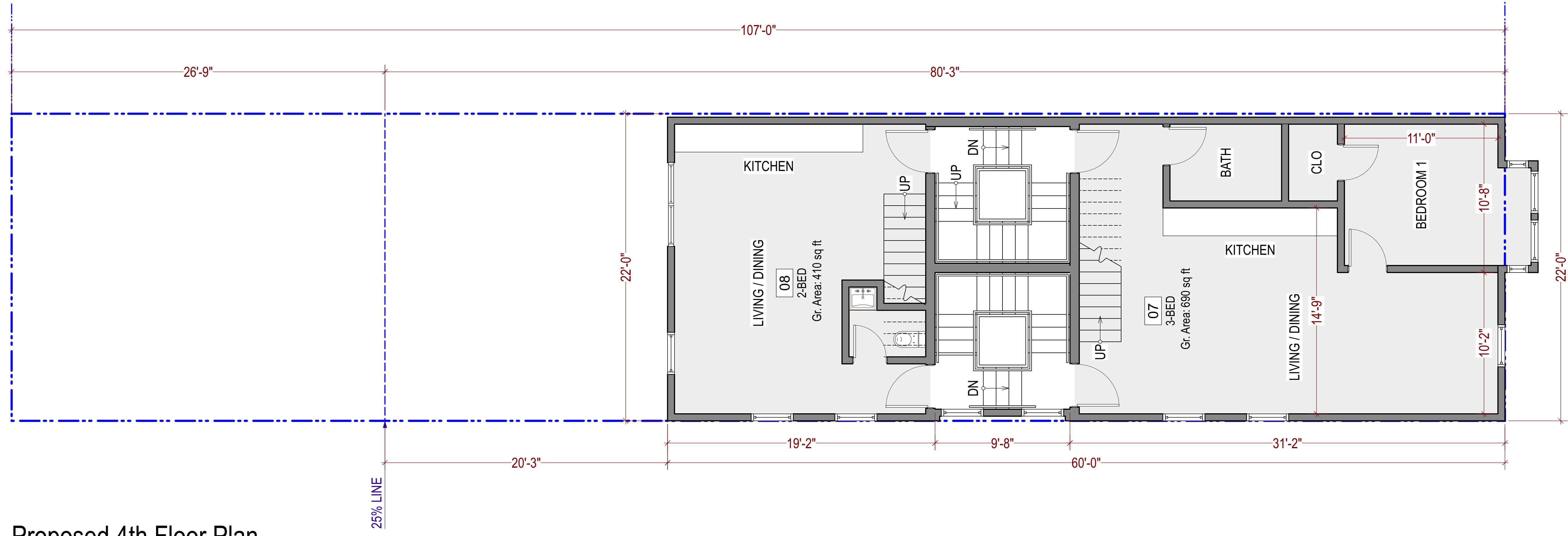






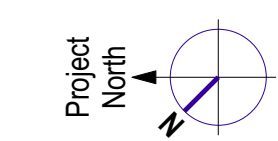
Proposed 3rd Floor Plan

1/4" = 1'-0"



Proposed 4th Floor Plan

1/4" = 1'-0"



PROJECT NAME

36-38 Gough Street
San Francisco, CA 94103



SIA CONSULTING CORPORATION
4653 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292 / FAX: (415) 849.1252

SHEET TITLE

Proposed Floor Plans

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DESIGN BY	R.K.
DATE	03/05/2019
REVISED DATE	04/27/2021
JOB NO.	18-1814
SHEET NO.	

A-2.2



Proposed 5th Floor Plan

1/4" = 1'-0"

Proposed Roof Plan

1/4" = 1'-0"

PROJECT NAME

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San Francisco, CA 94103



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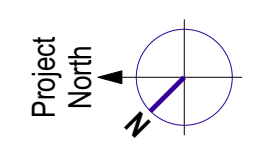
Proposed Floor Plans

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A-2.3





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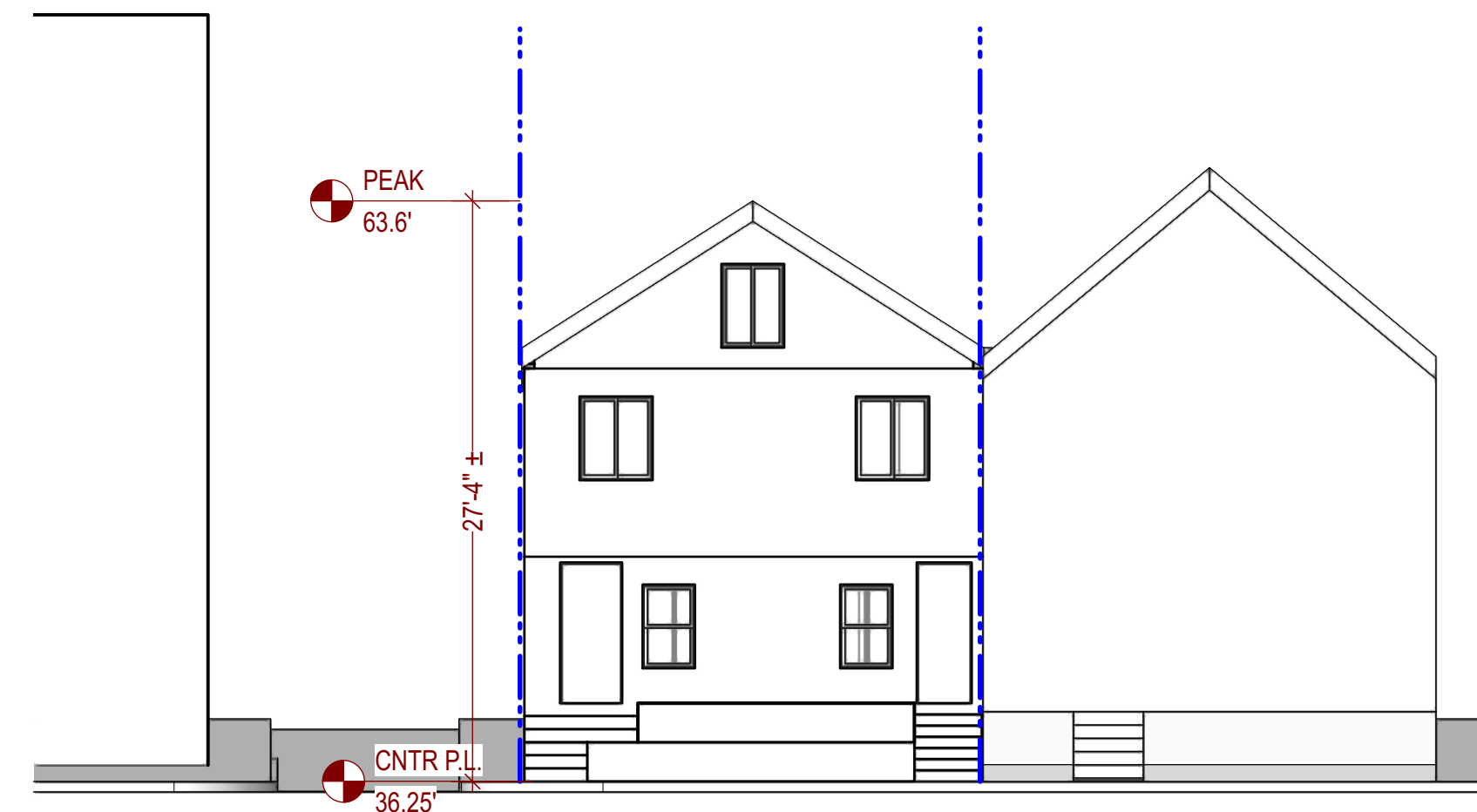
DESIGN BY R.K.

DATE 03/05/2019

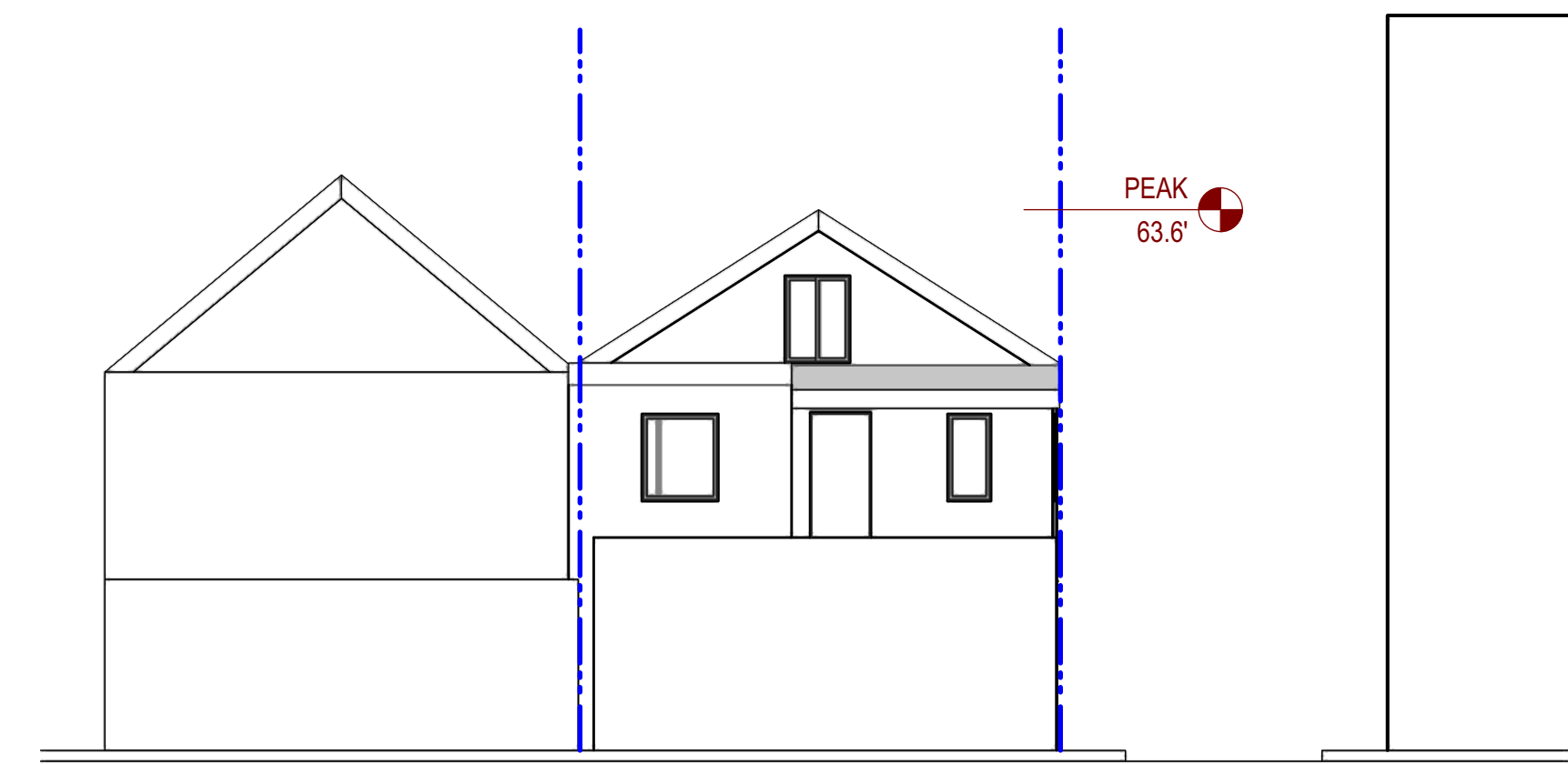
REVISED DATE 04/27/2021

JOB NO. 18-1814

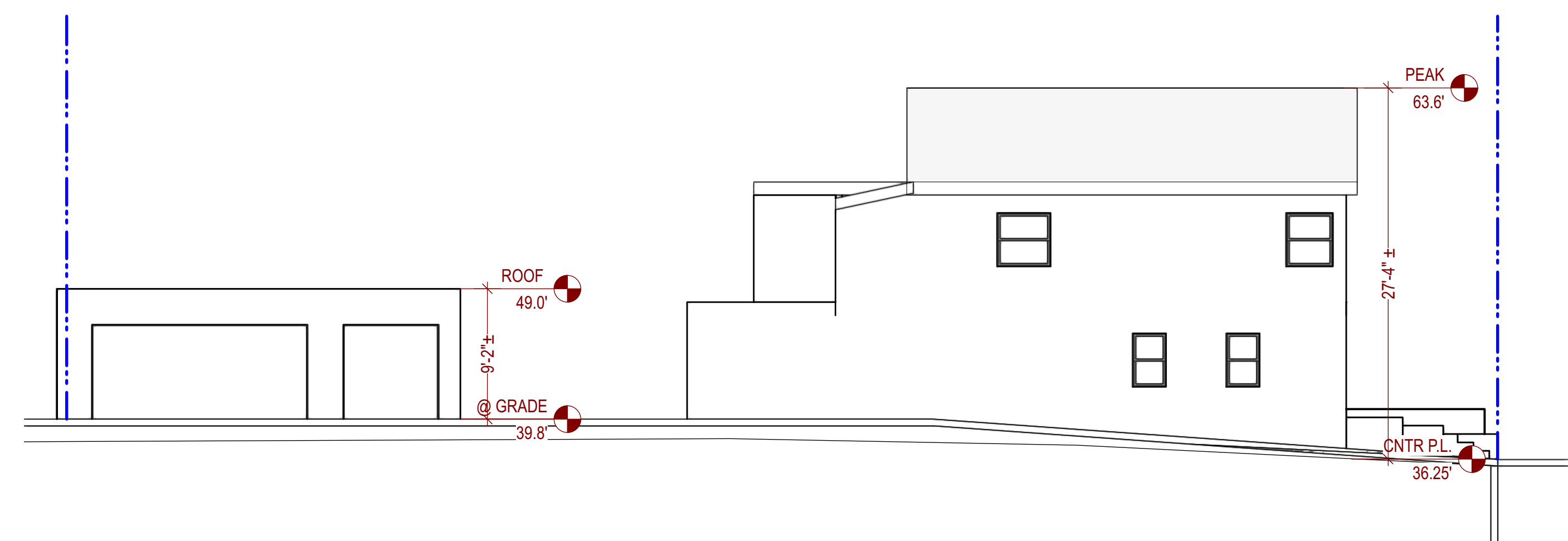
SHEET NO.



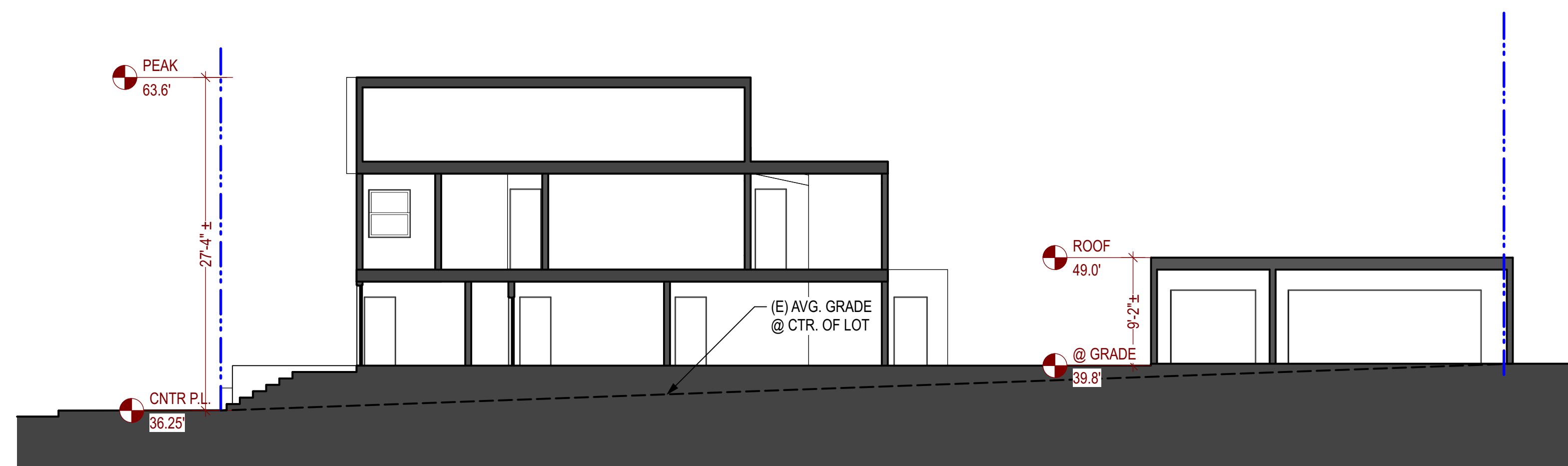
Existing Front Elevation (South)
1/8" = 1'-0"



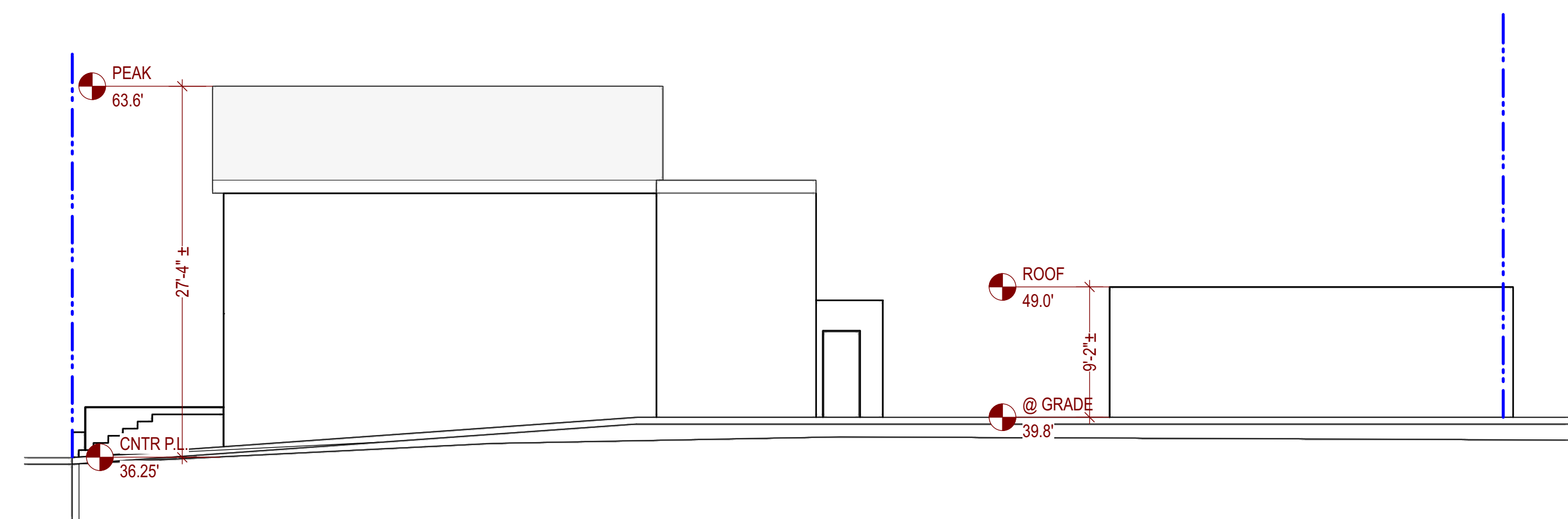
Existing Rear Elevation (North)
1/8" = 1'-0"



Existing Left Elevation (West)
1/8" = 1'-0"



Existing Section
1/8" = 1'-0"



Existing Right Elevation (East)
1/8" = 1'-0"

FACADE MATERIALS KEY NOTES:

- 01 HIGH QUALITY SMOOTH PLASTER, TYP.
- 02 HORIZONTAL SIDING, TYP.
- 03 PARAPET CAP, TYP.
- 04 METAL RAILINGS, 42" HIGH MIN., TYP.
- 05 ENTRY DOOR
- 06 ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
- 07 ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
- 08 WD. FENCE AROUND, TYP.

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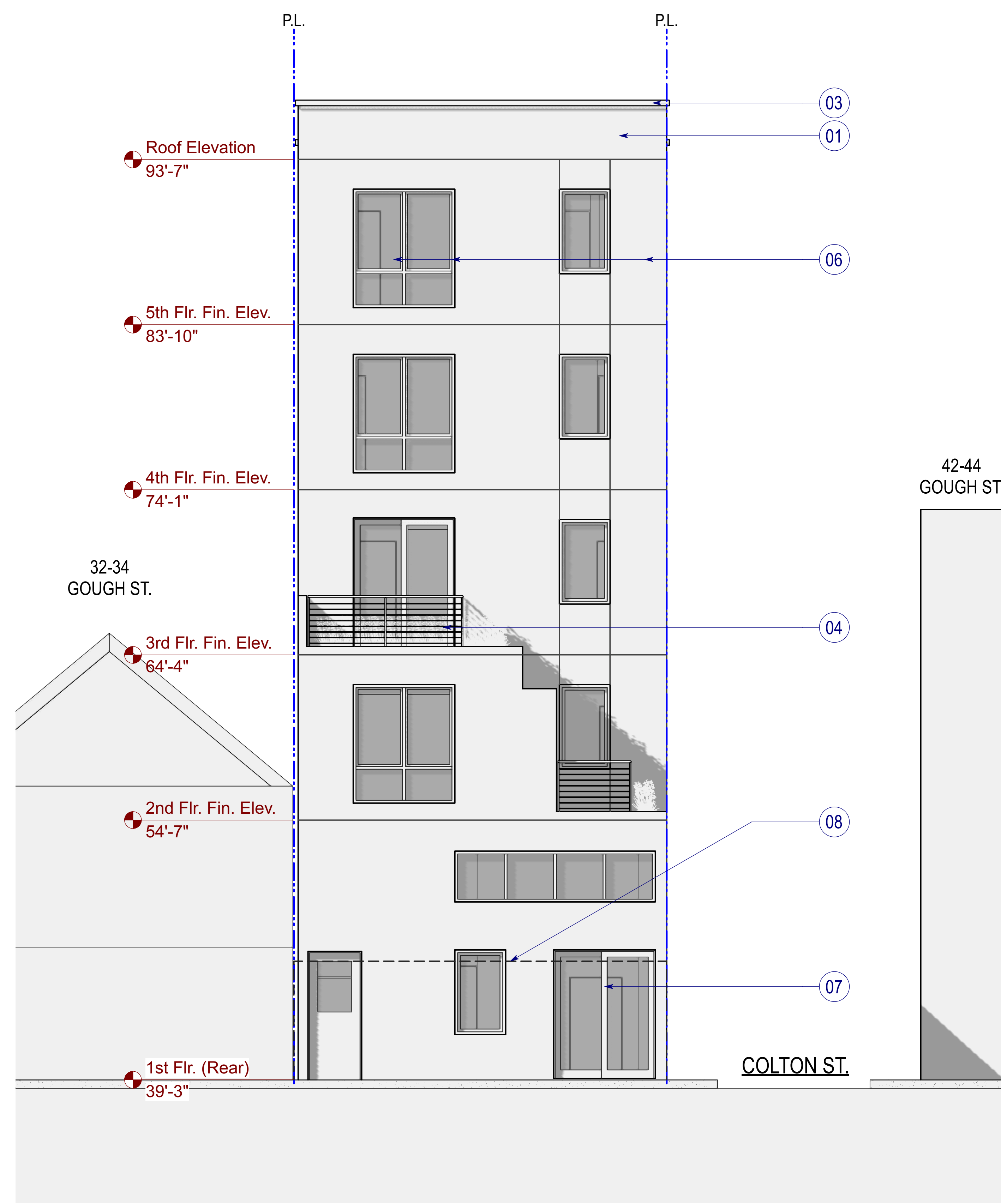
**Building Elevations
(South & North)**

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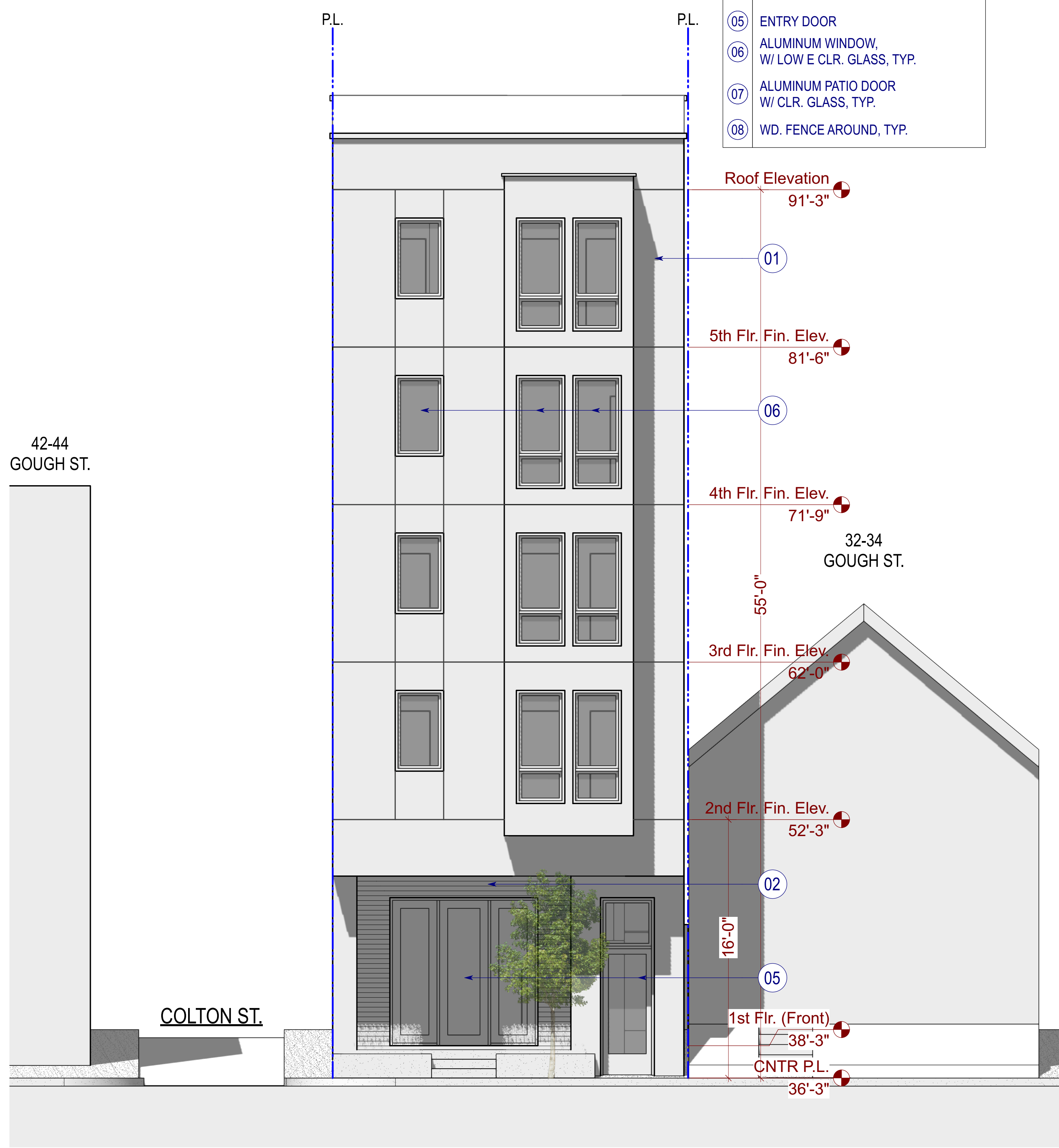
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DATE 03/05/2019
REVISED DATE 04/27/2021
JOB NO. 18-1814
SHEET NO.

A-3.1



Rear Elevation (North)

1/4" = 1'-0"



Front Elevation (South)

1/4" = 1'-0"

P.L.

P.L.

Roof Elevation
93'-7"

5th Flr. Fin. Elev.
83'-10"

4th Flr. Fin. Elev.
74'-1"

3rd Flr. Fin. Elev.
64'-4"

2nd Flr. Fin. Elev.
54'-7"

1st Flr. (Rear)
39'-3"

Roof Elevation
91'-3"

5th Flr. Fin. Elev.
81'-6"

4th Flr. Fin. Elev.
71'-9"

3rd Flr. Fin. Elev.
62'-0"

2nd Flr. Fin. Elev.
52'-3"

1st Flr. (Front)
38'-3"

CNTR P.L.
36'-3"

ADJ. NEIGHBOR:
42-44 GOUGH ST.

04

07

8

05

03

01

01

06

02

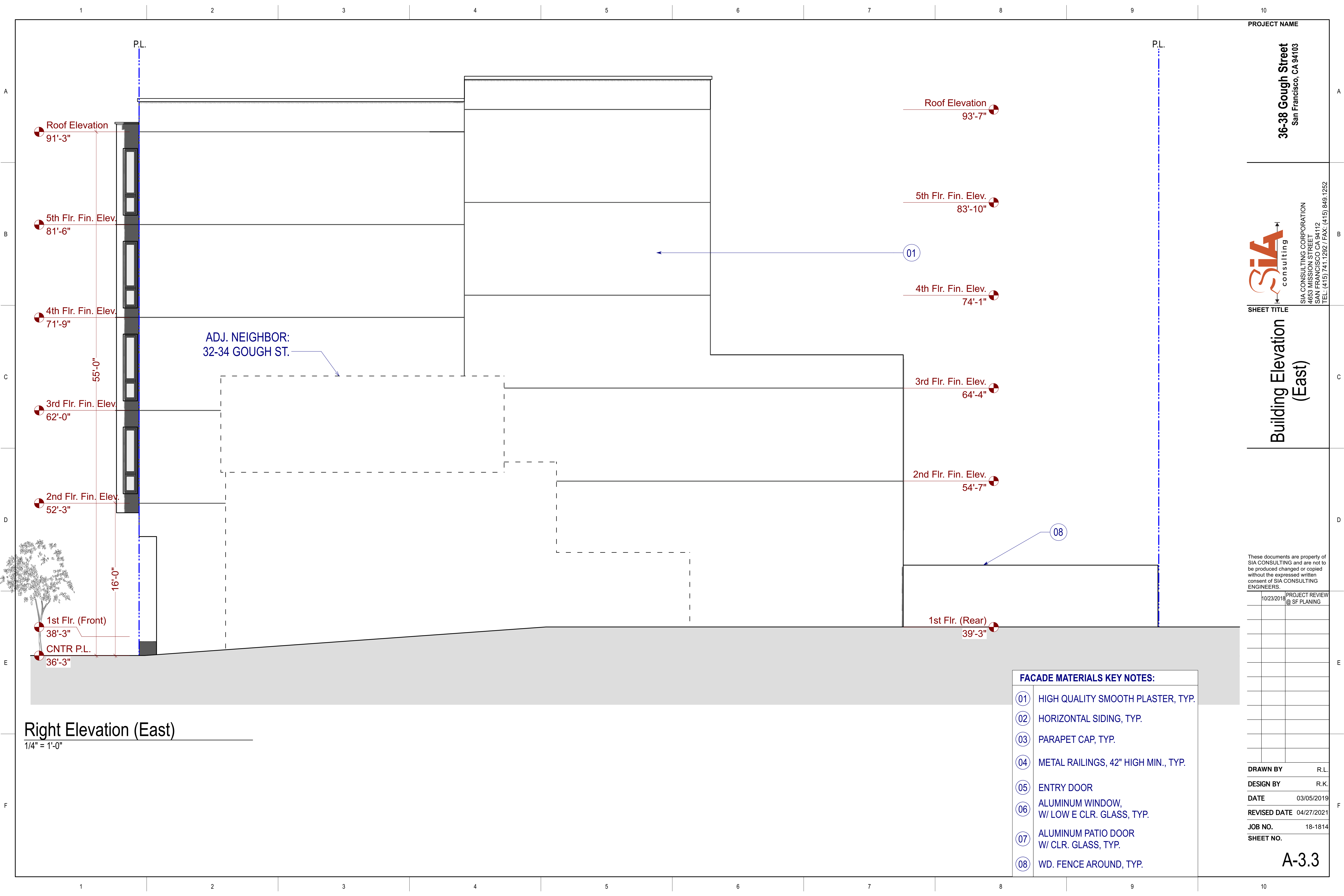
FACADE MATERIALS KEY NOTES:

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- 02 HORIZONTAL SIDING, TYP.
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- 04 METAL RAILINGS, 42" HIGH MIN., TYP.
- 05 ENTRY DOOR
- 06 ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
- 07 ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
- 08 WD. FENCE AROUND, TYP.

Left Elevation (West)

1/4" = 1'-0"



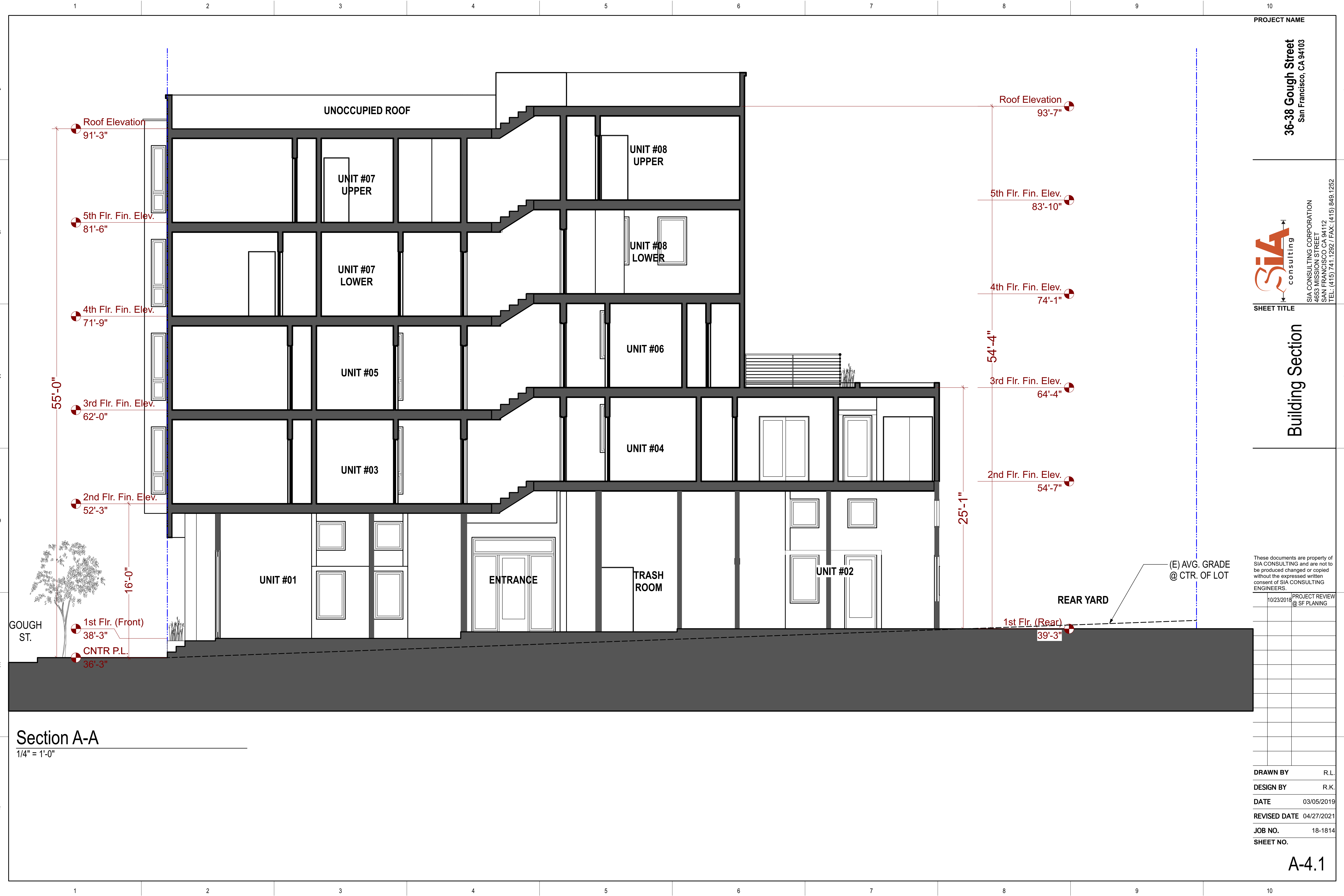


Right Elevation (East)

1/4" = 1'-0"

FACADE MATERIALS KEY NOTES:

01	HIGH QUALITY SMOOTH PLASTER, TYP.
02	HORIZONTAL SIDING, TYP.
03	PARAPET CAP, TYP.
04	METAL RAILINGS, 42" HIGH MIN., TYP.
05	ENTRY DOOR
06	ALUMINUM WINDOW, W/ LOW E CLR. GLASS, TYP.
07	ALUMINUM PATIO DOOR W/ CLR. GLASS, TYP.
08	WD. FENCE AROUND, TYP.



Section A-A

1/4" = 1'-0"

GOUGH ST.

F

F

GS1: San Francisco Green Building Site Permit Submittal Form

Form version: February 1, 2018 (For permit applications January 2017 - December 2019)

INSTRUCTIONS:			NEW CONSTRUCTION				ALTERATIONS + ADDITIONS					PROJECT INFO	
<p>1. Select one (1) column to identify requirements for the project. For addition and alteration projects, applicability of specific requirements may depend upon project scope.</p> <p>2. Provide the Project Information in the box at the right.</p> <p>3. A LEED or GreenPoint Rated Scorecard is not required with the site permit application, but using such tools as early as possible is recommended.</p> <p>4. To ensure legibility of DBI archives, submittal must be a minimum of 24" x 36".</p> <p>Attachment GS2, GS3, GS4, GS5 or GS6 will be due with the applicable addendum. A separate "FINAL COMPLIANCE VERIFICATION" form will be required prior to Certificate of Completion. For details, see Administrative Bulletin 93. For Municipal projects, additional Environment Code Chapter 7 requirements may apply, see GS6.</p>			<p style="margin: 0;">CHECK THE ONE COLUMN →</p> <p style="margin: 0;">THAT BEST DESCRIBES YOUR PROJECT</p>										<p>PROJECT NAME</p> <hr/> <p>BLOCK/LOT</p> <hr/> <p>ADDRESS</p> <hr/> <p>PRIMARY OCCUPANCY</p> <hr/> <p>GROSS BUILDING AREA</p> <hr/> <p>DESIGN PROFESSIONAL or PERMIT APPLICANT (sign & date)</p>
LEED/GPR	TITLE	SOURCE OF REQUIREMENT	DESCRIPTION OF REQUIREMENT	LOW-RISE RESIDENTIAL	HIGH-RISE RESIDENTIAL	LARGE NON-RESIDENTIAL	OTHER NON-RESIDENTIAL	RESIDENTIAL MAJOR ALTERATIONS + ADDITIONS	OTHER RESIDENTIAL ALTERATIONS + ADDITIONS	NON-RESIDENTIAL MAJOR ALTERATIONS + ADDITIONS	FIRST-TIME NON-RESIDENTIAL INTERIORS	OTHER NON-RESIDENTIAL INTERIORS, ALTERATIONS + ADDITIONS	
				R 1-3 Floors	R 4+ Floors	A, B, E, I, M 25,000 sq.ft. or greater	F, H, L, S, U or A, B, E, I, M less than 25,000 sq.ft.	R 25,000 sq.ft. or greater	R adds any amount of conditioned area	B, M 25,000 sq.ft. or greater	A, B, I, M 25,000 sq.ft. or greater	A, B, E, F, H, L, I, M, S, U more than 1,000 sq.ft. or \$200,000	
	Required LEED or GPR Certification Level	SFGBC 4.103.1.1, 4.103.2.1, 4.103.3.1, 5.103.1.1, 5.103.3.1 & 5.103.4.1	Project is required to achieve sustainability certification listed at right.	LEED SILVER (50+) or GPR (75+) CERTIFIED	LEED SILVER (50+) or GPR (75+) CERTIFIED	LEED GOLD (60+) CERTIFIED	n/r	LEED GOLD (60+) or GPR (75+) CERTIFIED	n/r	LEED GOLD (60+) CERTIFIED	LEED GOLD (60+) CERTIFIED	n/r	
	LEED/GPR Point Adjustment for Retention/Demolition of Historic Features/Building	SFGBC 4.104, 4.105, 5.104 & 5.105	Enter any applicable point adjustments in box at right.	n/r	n/r	n/r	n/r	n/r	n/r	n/r	n/r	n/r	
MATERIALS	LOW-EMITTING MATERIALS	CALGreen 4.504.2.1-5 & 5.504.4.1-6, SFGBC 4.103.3.2, 5.103.1.9, 5.103.3.2 & 5.103.4.2	Use products that comply with the emission limit requirements of 4.504.2.1-5, 5.504.4.1-6 for adhesives, sealants, paints, coatings, carpet systems including cushions and adhesives, resilient flooring (80% of area), and composite wood products. Major alterations to existing residential buildings must use low-emitting coatings, adhesives and sealants, and carpet systems that meet the requirements for GPR measures K2, K3 and L2 or LEED EQc2, as applicable. New large non-residential interiors and major alterations to existing residential and non-residential buildings must also use interior paints, coatings, sealants, and adhesives when applied on-site, flooring and composite wood that meet the requirements of LEED credit Low-Emitting Materials (EQc2).	4.504.2.1-5	4.504.2.1-5	LEED EQc2	5.504.4.1-6	LEED EQc2 or GPR K2, K3 & L2	4.504.2.1-5	LEED EQc2	LEED EQc2	5.504.4.1-6	
	INDOOR WATER USE REDUCTION	CALGreen 4.303.1 & 5.303.3, SFGBC 5.103.1.2, SF Housing Code sec. 12A10, SF Building Code ch.13A	Meet flush/flow requirements for: toilets (1.28gpf); urinals (0.125gpf wall, 0.5gpf floor); showerheads (2.0gpm); lavatories (1.2gpm private, 0.5gpm public/common); kitchen faucets (1.8gpm); wash fountains (1.8gpm); metering faucets (0.2gpc); food waste disposers (1gpm/8gpm). Residential projects must upgrade all non-compliant fixtures per SF Housing Code sec. 12A10. Large non-residential interiors, alterations & additions must upgrade all non-compliant fixtures per SF Building Code ch.13A. New large non-residential buildings must also achieve minimum 30% indoor potable water use reduction as calculated to meet LEED credit Indoor Water Use Reduction (WEc2).	•	•	LEED WEc2 (2 pts)	•	•	•	•	•	•	
	NON-POTABLE WATER REUSE	Health Code art.12C	New buildings ≥ 40,000 sq.ft. must calculate a water budget. New buildings ≥250,000 sq.ft. must treat and use available rainwater, graywater, and foundation drainage and use in toilet and urinal flushing and irrigation. See www.sfwater.org for details.	n/r	•	•	n/r	n/r	n/r	n/r	n/r	n/r	
	WATER-EFFICIENT IRRIGATION	Administrative Code ch.63	New construction projects with aggregated landscape area ≥500 sq.ft., or existing projects with modified landscape area ≥1,000 sq.ft. shall use low water use plants or climate appropriate plants, restrict turf areas and comply with Model Water Efficient Landscape Ordinance restrictions by calculated ETAF (.55 for residential, .45 for non-residential or less) or by prescriptive compliance for projects with <2,500 sq.ft. of landscape area. See www.sfwater.org for details.	•	•	•	•	•	•	•	•	•	
	WATER METERING	CALGreen 5.303.1	Provide submeters for spaces projected to consume >1,000gal/day (or >100gal/day in buildings >50,000 sq.ft.).	n/r	n/r	•	•	n/r	n/r	•	•	•	
ENERGY	ENERGY EFFICIENCY	CA Energy Code	Comply with all provisions of the CA Title 24 Part 6 Energy Standards.	•	•	•	•	•	•	•	•	•	
	BETTER ROOFS	SFGBC 4.201.1 & 5.201.1.2	New non-residential buildings >2,000 sq.ft. and ≤10 occupied floors, and new residential buildings of any size and ≤10 occupied floors, must designate 15% of roof Solar Ready, per Title 24 rules. Install photovoltaics or solar hot water systems in this area. With Planning Department approval, projects subject to SFPUC Stormwater Requirements may substitute living roof for solar energy systems.	•	≤10 floors	•	•	n/r	n/r	n/r	n/r	n/r	
	RENEWABLE ENERGY	SFGBC 5.201.1.3	Non-residential buildings with ≥11 floors must acquire at least 1% of energy from on-site renewable sources, purchase green energy credits, or achieve 5 points under LEED credit Optimize Energy Performance (EAc2).	n/r	n/r	•	•	n/r	n/r	n/r	n/r	n/r	
	COMMISSIONING (Cx)	CALGreen 5.410.2 - 5.410.4.5.1	For projects ≥10,000 sq.ft. include OPR, BOD, and commissioning plan in design & construction. Commission to comply. Alterations & additions with new HVAC equipment must test and adjust all equipment.	n/r	n/r	LEED EAc1 opt. 1	•	n/r	n/r	•	•	•	
PARKING	BICYCLE PARKING	CALGreen 5.106.4, Planning Code 155.1-2	Provide short- and long-term bike parking equal to 5% of motorized vehicle parking, or meet SF Planning Code sec.155.1-2, whichever is greater.	SF Planning Code sec.155.1-2	SF Planning Code sec.155.1-2	•	•	if applicable SF Planning Code sec.155.1-2	if applicable SF Planning Code sec.155.1-2	•	•	if >10 stalls added	
	DESIGNATED PARKING	CALGreen 5.106.5.2	Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles.	n/r	n/r	•	•	n/r	n/r	•	•	if >10 stalls added	
	WIRING FOR EV CHARGERS	SFGBC 4.106.4 & 5.106.5.3	Permit application January 2018 or after: Construct all new off-street parking spaces for passenger vehicles and trucks with dimensions capable of installing EVSE. Install service capacity and panelboards sufficient to provide ≥40A 208 or 240V to EV chargers at 20% of spaces. Install ≥40A 208 or 240V branch circuits to ≥10% of spaces, terminating close to the proposed EV charger location. Installation of chargers is not required. Projects with zero off-street parking exempt. See SFGBC 4.106.4 or SFGBC 5.106.5.3 for details. Permit applications prior to January 2018 only: Install infrastructure to provide electricity for EV chargers at 6% of spaces for non-residential (CALGreen 5.106.5.3), 3% of spaces for multifamily with ≥17 units (CALGreen 4.106.4.2), and each space in 1-2 unit dwellings (CALGreen 4.106.4.1). Installation of chargers is not required.	•	•	•	•	applicable for permit application January 2018 or after	n/r	applicable for permit application January 2018 or after	n/r	n/r	
WASTE DIVERSION	RECYCLING BY OCCUPANTS	SF Building Code AB-088	Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials.	•	•	•	•	•	•	•	•	•	
	CONSTRUCTION & DEMOLITION (C&D) WASTE MANAGEMENT	SFGBC 4.103.2.3 & 5.103.1.3.1, Environment Code ch.14, SF Building Code ch.13B	For 100% of mixed C&D debris use registered transporters and registered processing facilities with a minimum of 65% diversion rate. Divert a minimum of 75% of total C&D debris if noted.	•	75% diversion	75% diversion	•	•	•	•	75% diversion	•	
HVAC	HVAC INSTALLER QUALS	CALGreen 4.702.1	Installers must be trained and certified in best practices.	•	•	n/r	n/r	•	•	n/r	n/r	n/r	
	HVAC DESIGN	CALGreen 4.507.2	HVAC shall be designed to ACCA Manual J, D, and S.	•	•	n/r	n/r	•	•	n/r	n/r	n/r	
	REFRIGERANT MANAGEMENT	CALGreen 5.508.1	Use no halons or CFCs in HVAC.	n/r	n/r	•	•	n/r	n/r	•	•	•	
GOOD NEIGHBOR	LIGHT POLLUTION REDUCTION	CA Energy Code, CALGreen 5.106.8	Comply with CA Energy Code for Lighting Zones 1-4. Comply with 5.106.8 for Backlight/Uplight/Glare.	n/r	n/r	•	•	n/r	n/r	•	•	•	
	BIRD-SAFE BUILDINGS	Planning Code sec.139	Glass facades and bird hazards facing and/or near Urban Bird Refuges may need to treat their glass for opacity.	•	•	•	•	•	•	•	•	•	
	TOBACCO SMOKE CONTROL	CALGreen 5.504.7, Health Code art.19F	For non-residential projects, prohibit smoking within 25 feet of building entries, air intakes, and operable windows. For residential projects, prohibit smoking within 10 feet of building entries, air intakes, and operable windows and enclosed common areas.	•	•	•	•	•	•	•	•	•	
POLLUTION PREVENTION	STORMWATER CONTROL PLAN	Public Works Code art.4.2 sec.147	Projects disturbing ≥5,000 sq.ft. in combined or separate sewer areas, or replacing ≥2,500 impervious sq.ft. in separate sewer area, must implement a Stormwater Control Plan meeting SFPUC Stormwater Management Requirements. See www.sfwater.org for details.	•	•	•	•	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	
	CONSTRUCTION SITE RUNOFF CONTROLS	Public Works Code art.4.2 sec.146	Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices. See www.sfwater.org for details.	if disturbing ≥5,000 sq.ft.	•	if disturbing ≥5,000 sq.ft.	if disturbing ≥5,000 sq.ft.	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	
INDOOR ENVIRONMENTAL QUALITY	ACOUSTICAL CONTROL	CALGreen 5.507.4.1-3, SF Building Code sec.1207	Non-residential projects must comply with sound transmission limits (STC-50 exteriors near freeways/airports; STC-45 exteriors if 65db Leq at any time; STC-40 interior walls/floor-ceiling between tenants). New residential projects' interior noise due to exterior sources shall not exceed 45dB.	•	•	•	•	n/r	n/r	•	•	•	
	AIR FILTRATION (CONSTRUCTION)	CALGreen 4.504.1-3 & 5.504.1-3	Seal permanent HVAC ducts/equipment stored onsite before installation.	•	•	•	•	•	•	•	•	•	
	AIR FILTRATION (OPERATIONS)	CALGreen 5.504.5.3, SF Health Code art.38	Non-residential projects must provide MERV-8 filters on HVAC for regularly occupied, actively ventilated spaces. Residential new construction and major alteration & addition projects in Air Pollutant Exposure Zones per SF Health Code art.38 must provide MERV-13 filters on HVAC.	if applicable	if applicable	•	•	if applicable	n/r	•	•	•	
	CONSTRUCTION IAQ MANAGEMENT PLAN	SFGBC 5.103.1.8	During construction, meet SMACNA IAQ guidelines; provide MERV-8 filters on all HVAC.	n/r	n/r	LEED EQc3	n/r	n/r	n/r	n/r	n/r	n/r	
RESIDENTIAL	GRADING & PAVING	CALGreen 4.106.3	Show how surface drainage (grading, swales, drains, retention areas) will keep surface water from entering the building.	•	•	n/r	n/r	if applicable	if applicable	n/r	n/r	n/r	
	RODENT PROOFING	CALGreen 4.406.1	Seal around pipe, cable, conduit, and other openings in exterior walls with cement mortar or DBI-approved similar method.	•	•	n/r	n/r	•	•	n/r	n/r	n/r	
	FIREPLACES & WOODSTOVES	CALGreen 4.503.1	Install only direct-vent or sealed-combustion, EPA Phase II-compliant appliances.	•	•	n/r	n/r	•	•	n/r	n/r	n/r	
	CAPILLARY BREAK, SLAB ON GRADE	CALGreen 4.505.2	Slab on grade foundation requiring vapor retarder also requires a capillary break such as: 4 inches of base 1/2-inch aggregate under retarder; slab design specified by licensed professional.	•	•	n/r	n/r	•	•	n/r	n/r	n/r	
	MOISTURE CONTENT	CALGreen 4.505.3	Wall and floor wood framing must have <19% moisture content before enclosure.	•	•	n/r	n/r	•	•	n/r	n/r	n/r	
	BATHROOM EXHAUST	CALGreen 4.506.1	Must be ENERGY STAR compliant, ducted to building exterior, and its humidistat shall be capable of adjusting between <50% to >80% (humidistat may be separate component).	•	•	n/r	n/r	•	•	n/r	n/r	n/r	

PROJECT NAME

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SHEET TITLE

Green Building Checklist

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10/23/2018 PROJECT REVIEW @ SF PLANNING

DRAWN BY R.L.
DESIGN BY R.K.
DATE 03/05/2019
REVISED DATE 04/27/2021
JOB NO. 18-1814
SHEET NO.

G-0.1

EXHIBIT B



Rent Board Response to Request for Planning Department Records Search

Re: 36-38 Gough

This confirms that the undersigned employee of the San Francisco Rent Board has reviewed its database records pertaining to the above-referenced unit(s) to provide records that may demonstrate evidence of residential use. All searches are based on upon the street addresses provided.

No database records were identified.

There are no Rent Board records in our database related to your search request for the property address requested. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board, unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

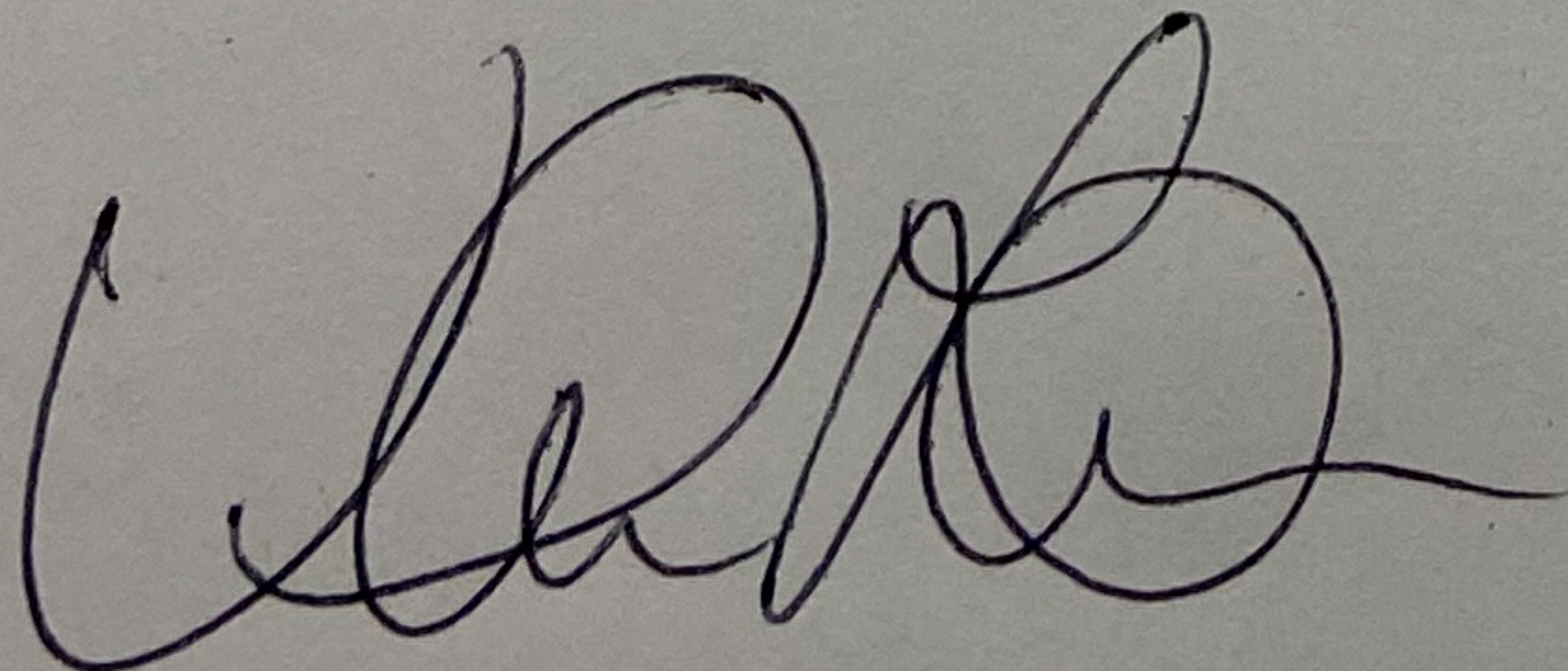
Yes, the following records were identified:

- o See attached documents.

Pursuant to your request, we have searched the Rent Board's database for records related to the property requested. Attached are some Rent Board records resulting from our search. These records can be used as evidence of prior and/or current residential use of the property. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board, unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

Regarding the records provided, please note that the data in the "# of units" field was imported from another department's database in 2002 and might not be accurate. It does not represent a determination by the Rent Board of the number of units at the property.

Signed:



Dated:

3-17-21

Van Lam

The Rent Board is the originating custodian of these records; the applicability of these records to Planning permit decisions resides with the Planning Department.



**Residential Rent Stabilization and Arbitration Board
City & County Of San Francisco**

Action Log

***Buyout # B163455
36-38 Gough Street***

Date	Action	By
10/31/16	L files Pre-Buyout Negotiations Disclosure Form Required by Ord. 37.9E. This document is not required to be filed at RB. Therefore, tenant names were not redacted and the document was placed on confidential side of the file.	Cathy Helton
10/31/16	Declaration re Service of Disclosure Form filed	Candy Cheung



San Francisco Residential Rent Stabilization and Arbitration Board

INSTRUCTIONS

- (1) The landlord must provide all of the requested information and file this Declaration at the Rent Board prior to commencing Buyout Negotiations with the tenant.
- (2) Only one rental unit may be included on each Declaration form, but more than one tenant in the unit can be listed on the same form.

RECEIVED
 2016 OCT 31 AM 10:19
 SF RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD
 Rent Board Date Stamp

Declaration of Landlord Regarding Service of Pre-Buyout Negotiations Disclosure Form

(1) The address of the rental unit that may be the subject of Buyout Negotiations:

36 GOUGH STREET San Francisco CA 94103
 Tenant's Address: Street Number Street Name Unit Number City State Zip Code

(2) The landlord's name, business address, business email address and business telephone number:

REALLY MAYBE LLC / GINA WEYANT
 Landlord's Name

1760 MISSION ST SF CA 94103
 Business Address: Street Number Street Name Unit Number City State Zip Code

(415) 603 8460 weyant17@gmail.com
 Business Phone Number Business Email Address

(3) The name of each tenant with whom the landlord intends to enter into Buyout Negotiations at the above address:

[Redacted] [Redacted]
 First Name (Tenant) Middle Initial Last Name

 First Name (Tenant) Middle Initial Last Name

 First Name (Tenant) Middle Initial Last Name

DECLARATION OF LANDLORD

I declare under penalty of perjury under the laws of the State of California that the landlord provided each tenant listed above with the Pre-Buyout Negotiations Disclosure Form required by Ordinance Section 37.9E(d) prior to commencing Buyout Negotiations.

GINA WEYANT
Print Landlord's Name Here

[Signature]
Landlord's Signature

10/27/2016
Date



San Francisco Residential Rent Stabilization and Arbitration Board

INSTRUCTIONS

- (1) The landlord must provide all of the requested information and file this Declaration at the Rent Board prior to commencing Buyout Negotiations with the tenant.
- (2) Only one rental unit may be included on each Declaration form, but more than one tenant in the unit can be listed on the same form.

2017 MAR 29 AM 8:29
 SF RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD
 Rent Board Date Stamp

Declaration of Landlord Regarding Service of Pre-Buyout Negotiations Disclosure Form

(1) The address of the rental unit that may be the subject of Buyout Negotiations:

38 Gough ST San Francisco CA 941
 Tenant's Address: Street Number Street Name Unit Number City State Zip Code

(2) The landlord's name, business address, business email address and business telephone number:

Gina Weyant
 Landlord's Name
1760 Mission St. San Francisco CA 94103
 Business Address: Street Number Street Name Unit Number City State Zip Code
415-603-8460 weyant17@gmail.com
 Business Phone Number Business Email Address

(3) The name of each tenant with whom the landlord intends to enter into Buyout Negotiations at the above address:

[Redacted] [Redacted]
 First Name (Tenant) Middle Initial Last Name
 [Redacted] [Redacted]
 First Name (Tenant) Middle Initial Last Name
 First Name (Tenant) Middle Initial Last Name

DECLARATION OF LANDLORD

I declare under penalty of perjury under the laws of the State of California that the landlord provided each tenant listed above with the Pre-Buyout Negotiations Disclosure Form required by Ordinance Section 37.9E(d) prior to commencing Buyout Negotiations.

Gina Weyant [Signature] 3/29/2017
 Print Landlord's Name Here Landlord's Signature Date

