

File No. 111240

Committee Item No. 4

Board Item No. 17

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date November 28, 2011

Board of Supervisors Meeting

Date 1/10/12

Cmte Board

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| * <input checked="" type="checkbox"/> | * <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 10400</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Mitigation Monitoring and Reporting Program</u> |
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Completed by: Alisa Miller Date November 23, 2011

Completed by: Alisa Miller Date December 1, 2011

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA
2 Expansion/Fire Station No. 1 Relocation and Housing Project)]
3

4 **Ordinance amending the San Francisco General Plan Map 2 of the Community**
5 **Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA)**
6 **Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings,**
7 **including environmental findings and findings of consistency with the General Plan**
8 **and Planning Code Section 101.1.**

9 NOTE: Additions are *single-underline italics Times New Roman*;
10 deletions are *strike through italics Times New Roman*.
11 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
14 hereby finds and determines that:

15 (a) Pursuant to San Francisco Charter Section 4.105 and Planning Code Section
16 340, any amendments to the General Plan shall first be considered by the Planning
17 Commission and thereafter recommended for approval or rejection by the Board of
18 Supervisors. On November 10, 2011, the Commission conducted a duly noticed public
19 hearing on the proposed General Plan Amendments pursuant to Planning Code Section 340
20 and, by Resolution No. 18488, adopted the General Plan Amendments, and recommended
21 them for approval to the Board of Supervisors. A copy of Planning Commission Resolution
22 No. 18488 is on file with the Clerk of the Board of Supervisors in File No. 111240.

23 (b) The Board of Supervisors finds that the proposed General Plan amendments
24 are in conformity with the priority policies of Planning Code Section 101.1 and on balance is
25 consistent with the General Plan as it is proposed for amendment herein, and hereby adopts

1 the findings set forth in Planning Commission Resolution No. 18488 and incorporates such
2 findings herein by reference.

3 (c) Pursuant to Planning Code Section 340, the Board finds that the proposed
4 General Plan amendments will serve the public necessity, convenience and welfare for the
5 reasons set forth in Planning Commission Resolution No. 18488, which reasons are
6 incorporated herein by reference as though fully set forth.

7 (d) California Environmental Quality Act. At its hearing on November 10, 2011, and
8 prior to adopting and recommending the proposed General Plan amendments for approval,
9 the Planning Commission certified a Final Environmental Impact Report (FEIR) for the Project
10 pursuant to the California Environmental Quality Act (California Public Resources Code
11 Section 21000 *et seq.*), the CEQA Guidelines (14 Cal. Code Reg. Section 15000 *et seq.*) and
12 Chapter 31 of the Administrative Code. In accordance with the actions contemplated herein,
13 this Board has reviewed the FEIR and concurs with its conclusions, affirms the Planning
14 Commission's certification of the FEIR, and finds that the actions contemplated herein are
15 within the scope of the Project described and analyzed in the FEIR. The Board hereby adopts
16 and incorporates by reference as though fully set forth herein the Commission's CEQA
17 approval findings, including a statement of overriding considerations, adopted by the Planning
18 Commission on November 10, 2011. This Board also adopts and incorporates by reference as
19 though fully set forth herein the Project's Mitigation Monitoring and Reporting Program
20 (MMRP). Said findings and MMRP are on file with the Clerk of the Board of Supervisors in
21 File No. 111240.

1 Section 2. The Board of Supervisors hereby approves the following amendments to
2 Map 2 of the Community Facilities Element of the General Plan:

3 Map 2 is amended to:

- 4 (i) Delete reference to 676 Howard Street as a fire facility; and
5 (ii) Add a reference to 935 Folsom Street as a fire facility.
6

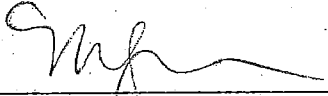
7 Section 3. The Board of Supervisors hereby approves the following amendment to the
8 General Plan Land Use Index:

9 The Land Use Index shall be updated as necessary to reflect the amendments set forth
10 in Section 2, above.
11

12 Section 4. Effective Date. This ordinance shall become effective 30 days from the
13 date of passage.
14

15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By:


18 _____
19 MARLENA G. BYRNE
20 Deputy City Attorney
21
22
23
24
25

LEGISLATIVE DIGEST

[General Plan Amendment - 676 Howard Street and 935 Folsom Street (SFMOMA Expansion/Fire Station No. 1 Relocation and Housing Project)]

Ordinance amending the San Francisco General Plan Map 2 of the Community Facilities Element as part of the San Francisco Museum of Modern Art (SFMOMA) Expansion/Fire Station No. 1 Relocation and Housing Project; and adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Existing Law

Map 2 of the Community Facilities Element of the San Francisco General Plan currently refers to 676 Howard Street as a fire facility.

Amendments to Current Law

The proposed amendment would amend Map 2 of the Community Facilities Element of the San Francisco General Plan to delete reference to 676 Howard Street as a fire facility and add reference to 935 Folsom Street as a fire facility.

Background Information

The proposed General Plan amendment is part of the San Francisco Museum of Modern Art / Fire Station Relocation and Housing Project, which proposed demolition of the existing Fire Station No. 1 at 676 Howard Street and construction of a new fire station at 935 Folsom Street.



SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

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lu

November 14, 2011

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Re: Board File Numbers 111080 (Zoning Map Amendment),
and 111121 (General Plan Amendment)
Transmittal of Planning Department Case Number 2009.0291MR and 2010.0275MR:
San Francisco Museum of Modern Art Expansion/Fire Station Relocation
and Housing Project
Planning Commission Recommendation: *Approval*

Dear Ms. Calvillo,

On November 10, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinance;

The proposed Ordinance for Case Nos. 2009.0291M and 2010.0275M would amend Map 2 (Fire Facilities Plan) of the Community Facilities Element of the San Francisco General Plan to delete the reference to the property at 676 Howard Street as a Fire Facility, and to add a reference to the property at 935 Folsom Street as a Fire Facility, in order to reflect the proposed relocation of Fire Station No. 1 that would occur in association with the expansion of the San Francisco Museum of Modern Art.

The proposed Ordinance for Case Nos. 2001.0291Z and 2010.0275Z would amend Sectional Map ZN01 of the Zoning Maps of the San Francisco Planning Code to change the use classification of 676 Howard Street from Public (P) to Downtown—Support District (C-3-S) and a portion of 935 Folsom Street from Mixed Use—Residential (MUR) to Public (P), in order to enable the expansion of San Francisco Museum of Modern Art and the relocation of Fire Station No. 1.

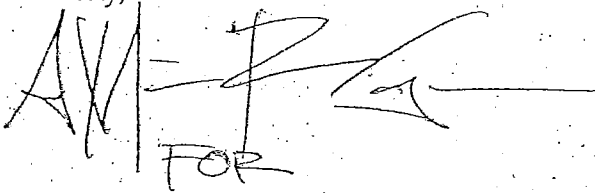
On November 10, 2011, the Commission certified the Environmental Impact Report prepared for the project in and adopted findings pursuant to the California Environmental Quality Act, including a Statement of Overriding Considerations and adoption of Mitigation, Monitoring, and Reporting Programs.

At the November 10th hearing, the Commission adopted Resolution Number 18488 recommending that the Board of Supervisors approve the proposed Ordinance regarding the General Plan Amendment.

At the November 10th hearing, the Commission adopted Resolution Number 18489 recommending that the Board of Supervisors approve the proposed Ordinance regarding the Zoning Map Amendment.

Please find attached documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "AM FOR". The signature is stylized and somewhat illegible.

John Rahaim
Director of Planning

cc: Supervisor Kim

Attachments [one copy of each of the following]

Planning Commission Resolution Numbers 18488 and 18489

Executive Summary - Planning Commission Hearing of November 10, 2011



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution 18488 General Plan Amendment

HEARING DATE: NOVEMBER 10, 2011

Date: November 3, 2011
Case No.: 2009.0291EMRZ; 2010.0275EMRZ
Project Address: 151 THIRD STREET; 670-676 HOWARD STREET;
 935 FOLSOM STREET
Zoning: 151 Third Street:
 C-3-O (Downtown, Office)
 500-I Height and Bulk District
 670 Howard Street:
 C-3-S (Downtown, Support)
 320-I Height and Bulk District
 676 Howard Street:
 P (Public)
 320-I Height and Bulk District
 935 Folsom Street:
 MUR (Mixed Use-Residential)
 45-X/85-X Height and Bulk District
 SOMA Youth and Family Special Use District
Block/Lot: 676 Howard Street: 3722/028; 935 Folsom Street: 3753/140
Project Sponsor: Greg Johnson
 San Francisco Museum of Modern Art
 151 Third Street
 San Francisco, CA 94103
Staff Contact: Kevin Guy - (415) 558-6163
 kevin.guy@sfgov.org
Recommendation: **Recommend Approval**

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RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS AMEND MAP 2 (FIRE FACILITIES PLAN) OF THE COMMUNITY FACILITIES ELEMENT OF THE SAN FRANCISCO GENERAL PLAN TO DELETE REFERENCE TO 676 HOWARD STREET, BLOCK 3722, LOT 028 AS A FIRE FACILITY, AND ADD REFERENCE TO 935 FOLSOM STREET, BLOCK 3753, LOT 140 AS A FIRE FACILITY, AND ADOPTING FINDINGS THAT THE PROPOSED AMENDMENT TO THE GENERAL PLAN IS CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF SECTION 101.1(b) OF THE PLANNING CODE, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECITALS

1. WHEREAS, Fire Station No. 1 is currently located at 676 Howard Street (Block 3722, Lot 028). The adjacent San Francisco Museum of Modern Art ("SFMOMA") is proposed to be expanded, a project which would include the acquisition of the property at 676 Howard Street and the demolition of the existing Fire Station No. 1 (collectively, "SFMOMA Expansion Project"). In order to avoid interruption in fire protection service, the property at 935 Folsom Street (Block 3753, Lot 140) would be acquired, the existing vacant commercial building on the site would be demolished, and a new Fire Station No. 1 would be constructed on a portion of the property to permit the expansion of SFMOMA (collectively, "Fire Station Relocation Project").
2. WHEREAS, the Fire Station Relocation Project requires an amendment to Map 2 (Fire Facilities Plan) of the Community Facilities Element of the San Francisco General Plan to delete the reference to the property at 676 Howard Street as a Fire Facility, and to add a reference to the property at 935 Folsom Street as a Fire Facility.
3. WHEREAS, on October 20, 2011, the Planning Commission ("Commission") initiated a General Plan Amendment to amend Map 2 of the Community Facilities Element of the San Francisco General Plan to delete the reference to 676 Howard Street as a fire facility and add a reference to 935 Folsom Street as a fire facility (Resolution R-18463, Case Nos. 2009.0291M and 2010.0275M).
4. WHEREAS, on October 25, 2011, the Board of Supervisors approved a motion urging the Commission to review and consider the above-referenced General Plan Amendment to Map 2 of the Community Facilities Element of the General Plan (Board of Supervisors File No. 111121, Case Nos. 2009.0291M and 2010.0275M).
5. WHEREAS, the General Plan consists of goals, objectives, policies and the programs for the future physical development of the City and County of San Francisco that take into consideration social, economic, and environmental factors.
6. WHEREAS, the General Plan shall be periodically amended in response to changing physical, social, economic, environmental or legislative conditions.
7. WHEREAS, the Department published a Draft Environmental Review Report (EIR) on July 11, 2011 analyzing the proposed General Plan Amendment and other actions related to the SFMOMA Expansion Project and Fire Station Relocation Project, as well as a future residential development on the southerly portion of the 935 Folsom Street site (Case Nos. 2009.0291E and 2010.0275E). The Draft EIR was available for public comment until August 25, 2011. On August 11, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On October 27, 2011, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project. On November 10, 2011, the

Commission certified the Project's final EIR, as set forth in Motion No. 18484, including a Statement of Overriding Considerations and adopted findings pursuant to CEQA, as set forth in Motion No. 18486, and adopted the Mitigation, Monitoring, and Reporting Programs, as set forth in Exhibits A and B of Motion No. 18486, which are incorporated herein by this reference thereto as if fully set forth in this Resolution.

8. **WHEREAS**, the Fire Station Relocation Project will promote the public necessity, convenience, and general welfare in that it will construct a state-of-the-art fire station to provide fire protection services as the expansion of SFMOMA proceeds. Therefore, the relocation of the fire station will facilitate the SFMOMA Expansion Project, which will strengthen the cultural vitality of San Francisco, bolster tourism, and support the local economy by drawing local, national, and international patrons.
9. **WHEREAS**, The Project would affirmatively promote, be consistent with, and would not adversely affect the General Plan, for the reasons set forth set forth in Section #8 of Motion No. 18487, Case Nos. 2009.0291R and 2010.0275R (General Plan Referral) which are incorporated herein as though fully set forth.
10. **WHEREAS**, Section 101.1(b) establishes eight priority planning policies and requires the review of permits for consistency with said policies. The Project complies with these policies, on balance, as follows:
 - A. That existing neighborhood-serving retail/personal services uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The SFMOMA expansion will include expanded restaurant uses. These businesses could serve museum patrons, as well as area residents and employees. In addition, SFMOMA patrons will also shop for goods and services at off-site establishments in the vicinity, bolstering the overall viability of the retail environment of the area.

The relocation of Fire Station No. 1 will not result in the loss of any retail or personal-service establishments, and will provide for continuity of fire protection services in the vicinity.
 - B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

No housing would be demolished by either the expansion of SFMOMA or the relocation of Fire Station No. 1. The expansion of gallery space within SFMOMA will further enhance the cultural vitality of the City, and will strengthen the economy by creating a draw for local, national, and international tourism.
 - C. That the City's supply of affordable housing be preserved and enhanced.

The Project would not demolish any existing housing. The subdivision of the southerly portion of the site at 935 Folsom Street will allow for the future construction of a

residential development containing up to 13 dwelling units, including compliance with the City's Affordable Housing Program.

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

Museum attendance is generally highest during the weekend, when patron travel would not conflict with commuter traffic. SFMOMA is situated in an area of excellent transit service. The site is located less than two blocks from Market Street, a major transit corridor that provides access to various Muni and BART lines. In addition, the Project Site is within one block of the future Fourth Street subway corridor, and two blocks from the proposed Transbay Terminal.

The EIR prepared for the Project concludes that commuter traffic associated with the Projects would not result in significant congestion on surrounding streets. Neighborhood parking would not be overburdened.

The relocated Fire Station is staffed by approximately 13 firefighters at any given time. Therefore, the Station is not anticipated to generate substantial commuter traffic.

- 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 the development of any commercial office uses, and would provide enhanced opportunities for service sector employments.

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

Both the SFMOMA expansion building and the newly-constructed Fire Station No. 1 will meet or exceed all current structural and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The Project includes the demolition of the existing building at 935 Folsom Street, which is considered individually eligible for listing in the California Register. The Project also includes the demolition of the existing Fire Station No. 1 building at 676 Howard Street, which is a contributor to the potential San Francisco 1952 Firehouse Bond Act Thematic Historic District. The EIR prepared for the Project has determined that the demolition of 935 Folsom Street would result in a significant and unavoidable impact in the area of cultural resources, while the demolition of 676 Howard Street would result in less-than significant impacts to the potential historic district. Neither of the buildings to be demolished is identified as a landmark building. The Commission has adopted a Statement of Overriding Considerations in accordance with findings under CEQA that the economic, legal, social, technological, and other benefits of the Project outweigh the adverse environmental effects to historic resources.

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

The Project's EIR evaluated potential impacts of the SFMOMA expansion on parks and other open spaces, and determined that it would not significantly increase shadows on Yerba Buena Gardens, the SFMOMA sculpture garden, or other open spaces in the vicinity. Because the SFMOMA site is level and is largely surrounded by high-rise development, the Project would not impede views from parks and open spaces. A shadow study confirmed that no public parks protected by Section 295 would be shaded by the SFMOMA expansion or the Fire Station No. 1 Relocation.

10. WHEREAS, a proposed ordinance, attached hereto as Exhibit A, has been drafted in order to make the necessary amendment to the General Plan to implement the Project (Proposed Ordinance).
11. WHEREAS, the Proposed Ordinance would amend Map 2 of the Community Facilities Element of the San Francisco General Plan to delete the reference to 676 Howard Street as a fire facility and add a reference to 935 Folsom Street as a fire facility.
12. WHEREAS, the Office of the City Attorney has reviewed the Proposed Ordinance and approved it as to form.
13. WHEREAS, Section 4.105 of the City Charter and Section 340 of the Planning Code require that the Commission consider any proposed amendments to the City's Zoning Maps and Planning Code, and make a recommendation for approval or rejection to the Board of Supervisors before the Board of Supervisors acts on the proposed amendments.
15. WHEREAS, on November 10, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Proposed Zoning Map Amendment.
16. WHEREAS, the Commission has had available to it for its review and consideration studies, case reports, letters, plans, and other materials pertaining to the Project contained in the Department's case files, and has reviewed and heard testimony and received materials from interested parties during the public hearings on the Project.

Resolution 18488
November 10, 2011

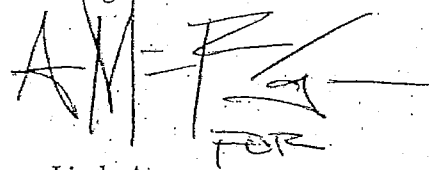
CASE NOS. 2009.0291EMRZ AND 2010.0275EMRZ
151 THIRD STREET; 670-676 HOWARD STREET;
935 FOLSOM STREET

DECISION

NOW, THEREFORE BE IT RESOLVED THAT, the Commission finds, based upon the entire Record, the submissions by the Applicant, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, that the public necessity, convenience and general welfare require that Map 2 of the Community Facilities Element of the San Francisco General Plan be amended to delete the referice to 676 Howard Street as a fire facility and add a reference to 935 Folsom Street as a fire facility; and,

BE IT FURTHER RESOLVED THAT, the Planning Commission recommends the Board of Supervisors approve the proposed General Plan Amendment.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on November 10, 2011.



Linda Avery
Commission Secretary

AYES: Miguel, Antonini, Borden, Fong, Moore, Sugaya.

NOES:

ABSENT: Olague.

ADOPTED: November 10, 2011



**SAN FRANCISCO
PLANNING DEPARTMENT**

**Executive Summary
San Francisco Museum of Modern Art Expansion/
Fire Station Relocation and Housing Project**

**ADOPTION OF CEQA APPROVAL FINDINGS
GENERAL PLAN AMENDMENT
ZONING MAP AMENDMENT
GENERAL PLAN REFERRAL**

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HEARING DATE: NOVEMBER 10, 2011

Date: November 3, 2011
Case No.: 2009.0291EMRZ; 2010.0275EMRZ
Project Address: 151 THIRD STREET; 670-676 HOWARD STREET;
935 FOLSOM STREET
Zoning: 151 Third Street:
C-3-O (Downtown, Office)
500-I Height and Bulk District
670 Howard Street:
C-3-S (Downtown, Support)
320-I Height and Bulk District
676 Howard Street:
P (Public)
320-I Height and Bulk District
935 Folsom Street:
MUR (Mixed Use-Residential)
45-X/85-X Height and Bulk District
SOMA Youth and Family Special Use District
Block/Lot: 676 Howard Street: 3722/028; 935 Folsom Street: 3753/140
Project Sponsor: Greg Johnson
San Francisco Museum of Modern Art
151 Third Street
San Francisco, CA 94103
Staff Contact: Kevin Guy – (415) 558-6163
kevin.guy@sfgov.org
Recommendations: *Adopt Findings (CEQA and General Plan Referral)*
Recommend Approval (General Plan/Zoning Map Amendments)

PROJECT DESCRIPTION

The Project proposes to demolish the existing buildings located at 670 and 676 Howard Street to accommodate an expansion at the rear of the existing San Francisco Museum of Modern Art

(SFMOMA) that measures approximately 230,000 square feet, reaching a height of approximately 200 feet. The expansion would include additional gallery space to display the existing permanent collection, the Doris and Donald Fisher Collection, and other special exhibitions. The expansion will also add areas for free, publicly accessible art displays and other public functions, consolidate and enlarge the administrative and support functions for the SFMOMA organization, and enable the reconfiguration and improvement of the entry lobby and circulation spaces, retail and cafe functions, and ticketing areas.

As part of the Project, an existing commercial building located at 935 Folsom Street will be demolished to allow construction of a new Fire Station No. 1 on the northern portion of the site, measuring approximately 15,000 square feet and reaching a height of approximately 34 feet. This work will be paid for by SFMOMA. The SFMOMA expansion will require the demolition of the existing Fire Station No. 1 at 676 Howard Street. To avoid disruption in fire protection services, the new Fire Station will be constructed on the northern portion of the property at 935 Folsom Street, and all operations will be shifted to the new location to permit construction of the SFMOMA expansion. A future residential project would be constructed on the southerly portion of the 935 Folsom Street site, containing up to 13 dwelling units and reaching a height of approximately 43 feet. While a conceptual residential project is analyzed in the EIR, there is no proposal for a specific residential development being considered at this time.

SITE DESCRIPTION AND PRESENT USE

The property located at 151 Third Street, on the east side between Market and Mission Street, Block 3722, Lot 078, measures 59,195 square feet, and is developed with the existing SFMOMA. The existing museum was constructed in 1995, measuring approximately 225,000 square feet, and reaching a height of 105 feet. The building contains galleries, retail space, a cafe, a theater, an education center, lobby and circulation spaces, and storage, loading, and administrative support areas. As discussed under "Project Description" above, the Project would expand SFMOMA onto several adjacent properties within the block, and relocate Fire Station No. 1.

The expanded SFMOMA would occupy a vacated portion of the Hunt Street right-of-way, as well as the properties at 670-676 Howard Street. The Hunt Street right-of-way is a landlocked street measuring 3,500 square feet, situated to the southeast of the property at 151 Third Street. The western portion of Hunt Street that formerly connected to Third Street was vacated in 1979, and was conveyed to the developer of the W Hotel. This right-of-way is currently utilized for surface parking by firefighters, and would be vacated as part of the Project in order to be incorporated in the SFMOMA expansion site. The property located at 670 Howard Street, Block 3722, Lot 027, measures 7,260 square feet, and is developed with a four-story plus basement building formerly occupied by Heald College. This building is currently used for museum support functions, and would be demolished to accommodate the expansion of SFMOMA. The property located at 676 Howard Street, Block 3722, Lot 028, measures 4,400 square feet, and is currently developed with Fire Station No. 1. This building would also be demolished to accommodate the expansion of SFMOMA, and a new fire station would be constructed at 935 Folsom Street, approximately one-half mile to the southwest.

The property located at 935 Folsom Street is located on the south side, between Fifth and Sixth Streets at the corner of Falmouth Street, Block 3753, Lot 140. The property measures 14,400 square feet, and is currently developed with a vacant one-story commercial building, formerly occupied by a laundry and a sewing factory. The building would be demolished in order to accommodate the construction of the relocated Fire Station No. 1 on the northern portion of the property, and the construction of a future residential project on the southern portion of the property.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The SFMOMA expansion site is situated in the C-3-O and C-3-S Downtown Commercial zoning districts, and is within the former Yerba Buena Redevelopment Area, a context characterized by intense urban development and a diverse mix of uses. Aside from SFMOMA itself, numerous cultural institutions are clustered in the immediate vicinity, including the Yerba Buena Center for the Arts, the Museum of the African Diaspora, the Contemporary Jewish Museum, the Museum of Craft & Folk Art, Zeum, the California Historical Museum, and others. Multiple hotels and high-rise residential and office buildings are also located in the vicinity, including the adjacent W Hotel, the St. Regis Hotel and Residences, the Four Seasons, the Palace Hotel, the Paramount Apartments, One Hawthorne Street, the Westin, the Marriott Marquis, and the Pacific Telephone building. Significant open spaces in the vicinity include Yerba Buena Gardens and Jessie Square, immediately to the west of the project site. The Moscone Convention Center facilities are located one block to the southwest of the SFMOMA site, and the edge of the Union Square shopping district is situated two blocks northwest of the site. The Financial District is located in the blocks to the northeast and to the north.

The site of the relocated Fire Station No. 1, at 935 Folsom Street, is located in the Mixed-Use Residential (MUR) zoning district and the SOMA Youth and Family Special Use District, within the South of Market area (SOMA), a neighborhood characterized by an eclectic mix of land uses that generally occupy low-rise structures. Many of the uses can be broadly categorized as Production, Distribution, and Repair uses, including auto repair, auto body shops, light manufacturing, and contractor's offices. There are also numerous low-rise residential buildings in the area, often situated on mid-block alleys, including on Shipley Street across from the 935 Folsom Street property. Surface parking lots are also common in the area, serving as public parking or for use by specific establishments. Significant open spaces in the area include the Gene Friend Recreation Center and Victoria Manolo Draves Park, both located to the southwest of the Fire Station site.

ENVIRONMENTAL REVIEW

On July 11, 2011, the Department published a draft Environmental Impact Report (EIR) for public review (Case Nos. 2009.0291E and 2010.0275E). The draft EIR was available for public comment until August 25, 2011. On August 11, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On October 27, 2011, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project.

HEARING NOTIFICATION REQUIREMENTS

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	October 21, 2011	October 21, 2011	20 days
Posted Notice	20 days	October 21, 2011	October 21, 2011	20 days
Mailed Notice	10 days	October 31, 2011	October 21, 2011	20 days

PUBLIC COMMENT

The Department has received no comments with respect to the proposed Rezoning, General Plan Amendment, and General Plan Referral associated with the proposed projects. Comments regarding the Draft EIR were submitted to the Department during the specified comment review period, and these comments are addressed separately in the Comments and Responses document, published on October 27, 2011, consistent with CEQA and the requirements of Administrative Code Chapter 31.

ISSUES AND OTHER CONSIDERATIONS

- **General Plan and Zoning Map Amendments.** As discussed above, the expansion of SFMOMA will necessitate the relocation of Fire Station No. 1 from its existing location at 676 Howard Street to a new building to be constructed at 935 Folsom Street. The property at 676 Howard Street would then be incorporated into the site for the SFMOMA expansion. Several Zoning Map and General Plan Map amendments would be required to enable these changes in use. The property at 676 Howard Street would need to be rezoned from Public (P) to Downtown - Support District (C-3-S), and a portion of the property at 935 Folsom Street would need to be rezoned from Mixed-Use Residential (MUR) to Public (P). The Board of Supervisors initiated this rezoning action on October 4, 2011. In addition, Map 2 ("Fire Facilities Plan") of the Community Facilities Element of the General Plan would need to be amended to graphically depict the relocation of Fire Station No. 1. The Planning Commission initiated this General Plan Amendment on October 20, 2011.
- **General Plan Referral.** The San Francisco Charter and the San Francisco Administrative Code require that, for projects that include certain types of actions, the Commission must review these actions and determine whether the project is in conformity with the objectives and policies of the General Plan, as well as the Priority Policies of Section 101.1. The following aspects of the project trigger the requirement for a General Plan referral:
 - **Vacation and Change of Use of Hunt Street Right-of-Way.** This portion of right-of-way measures approximately 115 feet by 30 feet, and is situated between the properties at 151 Third Street and 670-676 Howard Street. The right-of-way is a landlocked area that does not connect to any other public street. Pursuant to a previously-authorized General Plan referral and Conditional Land Disposition

and Acquisition Agreement approved by the Board of Supervisors in 2010, the City has agreed to a transactional framework to convey the underlying land (as well as the property at 676 Howard Street) to SFMOMA, in exchange for the conveyance of a portion of the property at 935 Folsom Street and the construction of a new fire station on that site, conditioned on the City's discretionary approval of the proposed SFMOMA Expansion and Fire Station Relocation and Housing Project. The Hunt Street right-of-way would be vacated and incorporated into the overall development site for the SFMOMA expansion.

- **Construction of a New Fire Station at 935 Folsom Street.** The SFMOMA expansion will require the demolition of the existing Fire Station No. 1 at 676 Howard Street. To avoid disruption in fire protection services, a new Fire Station will be constructed on the northern portion of the property at 935 Folsom Street, and all operations will be shifted to the new location to permit construction of the SFMOMA expansion.
- **Subdivision of 935 Folsom Street into Two Lots.** The new Fire Station No. 1 and associated parking areas would occupy the northerly portion of the property at 935 Folsom Street measuring 9,025 square feet, but would not require the entire site. Therefore, the lot would be subdivided to create a separate lot on the southerly portion of the site measuring 5,444 square feet. A future residential project would be constructed on this newly created lot.

REQUIRED ACTIONS

In order for the project to proceed, the Commission must 1) Adopt findings under the California Environmental Quality Act, including findings rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations and Mitigation, Monitoring, and Reporting Programs; 2) Recommend approval to the Board of Supervisors of an amendment of the Zoning Map ZN01 to change the Use classification for the property at 676 Howard Street from Public (P) to Downtown - Support District (C-3-S), and a portion of the property at 935 Folsom Street from Mixed-Use Residential (MUR) to Public (P) (Planning Code Section 302); 3) Recommend approval to the Board of Supervisors of an amendment to Map 2 ("Fire Facilities Plan") of the Community Facilities Element of the General Plan (Planning Code Section 340) to delete the reference to 676 Howard Street as a fire facility and add a reference to 935 Folsom Street as a fire facility, and; 4) Adopt the Findings of the General Plan Referral (as described under "Issues and Other Considerations" above).

In addition, the SFMOMA expansion would require future approval of a Determination of Compliance and Request for Exceptions under Planning Code Section 309. Should the actions described above be approved, the approval under Planning Code Section 309 would be scheduled for a future hearing before the Planning Commission.

BASIS FOR RECOMMENDATION

- The relocation of the fire station will facilitate the expansion of SFMOMA, including a downtown location for the exhibition of the Doris and Donald Fisher Collection, a project

which will strengthen the cultural vitality of San Francisco, bolster tourism, and support the local economy by drawing local, national, and international patrons.

- The project will promote the public necessity, convenience, and general welfare in that it will construct a state-of-the-art fire station to provide continued fire protection services as the expansion of SFMOMA proceeds.
- Public transit, retail goods and services, and restaurants are abundant in the area surrounding SFMOMA. Patrons and employees would be able to walk or utilize transit to commute and satisfy convenience needs without reliance on the private automobile. This pedestrian traffic will activate the sidewalks and open space areas in the vicinity.

RECOMMENDATION: Approval with Conditions

Attachments:

- Draft CEQA Findings Motions, including Mitigation, Monitoring, and Reporting Programs
- Draft General Plan Referral Motion
- Draft Resolution and Ordinance for General Plan Amendment
- Draft Resolution and Ordinance for Zoning Map Amendment
- Block Book Map
- Sanborn Map
- Aerial Photograph
- Zoning District Map
- Brief from Project Sponsor, dated November 2, 2011
- Graphics Package from Project Sponsor



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Motion 18486 CEQA Findings

HEARING DATE: NOVEMBER 10, 2011

Date: November 3, 2011
Case No.: 2009.0291EMRZ; 2010.0275EMRZ
Project Address: 151 THIRD STREET; 670-676 HOWARD STREET;
 935 FOLSOM STREET
Zoning: 151 Third Street:
 C-3-O (Downtown, Office)
 500-I Height and Bulk District
 670 Howard Street:
 C-3-S (Downtown, Support)
 320-I Height and Bulk District
 676 Howard Street:
 P (Public)
 320-I Height and Bulk District
 935 Folsom Street:
 MUR (Mixed Use-Residential)
 45-X/85-X Height and Bulk District
 SOMA Youth and Family Special Use District
Block/Lot: 676 Howard Street: 3722/028; 935 Folsom Street: 3753/140
Project Sponsor: Greg Johnson
 San Francisco Museum of Modern Art
 151 Third Street
 San Francisco, CA 94103
Staff Contact: Kevin Guy – (415) 558-6163
 kevin.guy@sfgov.org
Recommendation: Adopt Findings

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS REJECTING ALTERNATIVES AS INFEASIBLE, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING MITIGATION, MONITORING, AND REPORTING PROGRAMS, RELATING TO THE EXPANSION OF THE EXISTING SAN FRANCISCO MUSEUM OF MODERN ART LOCATED AT 151 THIRD

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>CULTURAL AND PALEONTOLOGICAL RESOURCES</p> <p>M-CP-2</p> <p>Based on a reasonable presumption that archaeological 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 an archaeological consultant from the Planning Department (Department) pool of qualified archaeological consultants as provided by the Department archaeologist. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). [For the SFMOMA Expansion, the archaeological consultant's work shall be conducted in accordance with this mitigation measure, and with the requirements of the project archaeological research design and treatment plan (Far Western Anthropological Research Group, <i>Archaeological Research Design and Treatment Plan for the Transit Center District Plan Area</i>, February 2010) at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirement of the project archaeological research design and treatment plan and of this archaeological mitigation measure, the requirements of this archaeological mitigation measure shall prevail.] 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. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of 4 weeks. At the direction of the ERO, the suspension of construction can be extended beyond 4 weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Section 15064.5 (a)(c).</p> <p><i>Archaeological Testing Program.</i> The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes an historical resource under CEQA.</p>	<p>Project sponsor and archaeological consultant.</p>	<p>Prior to any soil-disturbing activities.</p>	<p>The ERO to review and approve all plans and reports.</p>	<p>Considered complete upon ERO approval of plans and reports.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>M-CF-2 Continued</i></p> <p>At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant finds that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>A. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or</p> <p>B. A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p> <p><i>Archaeological Monitoring Program.</i> If the ERO, in consultation with the archaeological consultant, determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils disturbing activities. The ERO, in consultation with the archaeological consultant, shall determine what project activities shall be archaeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; The archaeological 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 archaeological resource; The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits; 	<p>Project sponsor, archaeological consultant, archaeological monitor, ERO.</p>	<p>Prior to and during soil-disturbing activities.</p>	<p>The ERO to review and approve the archaeological monitoring program and findings from the monitoring program (as applicable).</p>	<p>Considered complete upon ERO's receipt of the written report of findings from the monitoring program.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>M-CP-2 Continued</i></p> <ul style="list-style-type: none"> The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO. <p>Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><i>Archaeological Data Recovery Program.</i> The archaeological data recovery program shall be conducted in accordance with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological 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 archaeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. 	<p>Project sponsor, archaeological consultant, ERO.</p>	<p>Prior to soil-disturbing activities.</p>	<p>The ERO to review and approve the archaeological data recovery program.</p> <p>Considered complete upon ERO's receipt of the written report of findings from the archaeological data recovery program or ERO's direction to implement further measures.</p>	<p>Completed</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-CP-2 Continued</u></p> <ul style="list-style-type: none"> <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program. <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities. <i>Final Report.</i> Description of proposed report format and distribution of results. <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p> <p><i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.</p>	<p>Project sponsor, construction contractor, and archaeological consultant.</p>	<p>During soil-disturbing activities.</p>	<p>ERO and County Coroner.</p>	<p>Considered complete upon latter of ERO's drafting of memo or ERO's direction to implement further measures.</p>
	<p>Project sponsor and archaeological consultant.</p>	<p>Following completion of any archaeological field program.</p>	<p>ERO to review Draft FARR and transmittals to specified agencies.</p>	<p>Considered complete upon ERO approval of Draft FARR and review of evidence of distribution.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-CP-2</u> <i>Continued</i></p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive one bound, one unbound, and one unlocked, searchable PDF copy on CD or DVD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p> <p>NOISE</p>				
<p><u>M-NO-2a</u></p> <p>The following two-part measure shall be implemented:</p> <ul style="list-style-type: none"> • To reduce daytime noise impacts associated with construction activities to the maximum extent feasible, the following measures shall be implemented in addition to all measures set forth in the Noise Ordinance: <ul style="list-style-type: none"> ○ At least 10 days prior to the start of construction, the project sponsor shall notify occupants of properties within 100 feet of the project site's lot line (comprising the following addresses: 151 Third Street and 670 and 676 Howard Street). Notification shall include an estimation of the duration of construction activities, including anticipated start and completion dates and the daily construction times. ○ Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). ○ Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. 	Project sponsor and construction contractor.	At least 10 days prior to the start of construction, during construction, and prior to issuance of grading permits.	DBI to review notification procedure and vibration impact assessment.	Considered complete upon DBI approval of vibration impact assessment and review of evidence of notification.

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>M-NO-2a <i>Continued</i></p> <ul style="list-style-type: none"> ○ Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled, and enclosed within temporary sheds. Insulation barriers or other measures shall be incorporated to the extent feasible. ○ Ground clearing, excavation, foundation pouring, building erection and exterior finishing activities shall be limited to between the hours of 7:00 a.m. to 8:00 p.m. <p>The project applicant shall prepare a vibration impact assessment to determine potential construction-related groundborne vibration impacts for all structures located within 25 feet of construction activities expected to generate more than 90 VdB. Measures shall be identified and implemented that would reduce groundborne vibration impacts from extreme noise generators by prescribing methods of construction to be utilized so as not to exceed the FTA's groundborne vibration damage threshold of 90 VdB at the nearest façade of all adjacent structures. Such methods may include restrictions on the number or types of construction equipment that may operate at a time within 25 feet of structures, restrictions on equipment hours of operation, or requirements to use alternative construction techniques. The vibration impact assessment shall be submitted to the Planning Department for review and approval prior to issuance of grading permits.</p> <p>HAZARDS AND HAZARDOUS MATERIALS</p> <p>M-HZ-1a</p> <p>The following actions shall be implemented by the project sponsor:</p> <p><i>Step 1 (Preparation of a Phase II Environmental Site Assessment):</i> The project sponsor shall conduct a Phase II Environmental Site Assessment of the Hunt Street and Natoma Street parking pad portions of the project site. If residual contamination is identified on the project site that requires preparation and implementation of a Site Mitigation Plan, Step 2 (and subsequent steps) shall be implemented.</p>				
	Project sponsor.	Prior to issuance of grading or building permits.	DPH to review Phase II Environmental Site Assessment and subsequent mitigation plan(s), as warranted, for adequacy.	Considered complete upon approval of Phase II Environmental Site Assessment and subsequent mitigation plan(s) by DPH and Planning Department.

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-HZ-1a Continued</u></p> <p><i>Step 2 (Preparation of Site Mitigation Plan):</i> A Site Mitigation Plan shall be prepared, if warranted based on the results of the Phase II Environmental Site Assessment. The SMP shall include a discussion of the level of contamination of soils and groundwater on the project site and mitigation measures for managing contaminated soils on the site, including, but not limited to: 1) the alternatives for managing contaminated soils on the site (e.g., encapsulation, partial or complete removal, treatment, recycling for reuse, or a combination of methods); 2) the preferred alternative for managing contaminated soils on the site and a brief justification as to why; and 3) the specific practices to be used to handle, haul, and dispose of contaminated soils on the site. The SMP shall be submitted to the DPH for review and approval. A copy of the SMP shall be submitted to the Planning Department to become part of the case file.</p> <p><i>Step 3 (Handling, Hauling, and Disposal of Contaminated Soils):</i> The following measures shall be implemented:</p> <p>(a) Specific work practices: If, based on the results of the soil tests conducted, DPH determines that the soils on the project site are contaminated at or above potentially hazardous levels, the construction contractor shall be alert for the presence of such soils during excavation and other construction activities on the site (detected through soil odor, color, and texture and results of onsite soil testing), and shall be prepared to handle, profile (i.e., characterize), and dispose of such soils appropriately (i.e., as dictated by local, State, and federal regulations) when such soils are encountered on the site. If excavated materials contain over 1 percent friable asbestos, they shall be treated as hazardous waste, and shall be transported and disposed of in accordance with applicable State and federal regulations. These procedures are intended to mitigate any potential health risks related to chrysotile asbestos, which may or may not be located on the site.</p> <p>(b) Dust suppression: Soils exposed during excavation for site preparation and project construction activities shall be kept moist throughout the time they are exposed, both during and after construction work hours.</p> <p>(c) Surface water runoff control: Where soils are stockpiled, visqueen shall be used to create an impermeable liner, both beneath and on top of the soils, with a berm to contain any potential surface water runoff from the soil stockpiles during inclement weather.</p> <p>(d) Soils replacement: If necessary, clean fill or other suitable material(s) shall be used to bring portions of the project site, where contaminated soils have been excavated and removed, up to construction grade.</p>	<p>(see above)</p> <p>Project sponsor and construction contractor.</p>	<p>(see above)</p> <p>Prior to issuance of a grading permit and during construction.</p>	<p>(see above)</p> <p>DPH to review construction plans and specifications for inclusion of appropriate protocols regarding handling, hauling, and disposal of contaminated soils.</p>	<p>(see above)</p> <p>Considered complete upon approval of construction plans and specifications by DBI.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-HZ-1a Continued</u></p> <p>(e) Hauling and disposal: Contaminated soils shall be hauled off the project site by waste-hauling trucks appropriately certified with the State of California and adequately covered to prevent dispersion of the soils during transit, and shall be disposed of at a permitted hazardous waste disposal facility registered with the State of California.</p> <p><i>Step 4 (Preparation of Closure/Certification Report):</i> After construction activities are completed, the Project Applicant shall prepare and submit a closure/certification report to DPH for review and approval. The closure/certification report shall include the mitigation measures in the SMP for handling and removing contaminated soils from the project site, whether the construction contractor modified any of these mitigation measures, and how and why the construction contractor modified those mitigation measures.</p>	<p>Project sponsor.</p>	<p>Prior to issuance of occupancy permit.</p>	<p>DPH to review closure/certification report.</p>	<p>Considered complete upon approval of closure/certification report by DPH.</p>
<p><u>M-HZ-1b</u></p> <p>If, based on the results of the soil tests conducted, the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, any contaminated soils designated as hazardous waste and required by DPH to be excavated shall be removed by a qualified Removal Contractor and disposed of at a regulated Class I hazardous waste landfill in accordance with U.S. Environmental Protection Agency regulations, as stipulated in the SMP. The Removal Contractor shall obtain, complete, and sign hazardous waste manifests to accompany the soils to the disposal site. Other excavated soils shall be disposed of in an appropriate landfill, as governed by applicable laws and regulations, or other appropriate actions shall be taken in coordination with the DPH. If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, a Site Health and Safety (H&S) Plan shall be required by the California Division of Occupational Safety and Health (Cal-OSHA) prior to initiating any earthmoving activities at the site. The H&S Plan shall identify protocols for managing soils during construction to minimize worker and public exposure to contaminated soils. The protocols shall include at a minimum:</p> <ul style="list-style-type: none"> • Sweeping of adjacent public streets daily (with water sweepers) if any visible soil material is carried onto the streets. • Characterization of excavated native soils proposed for use on site prior to placement to confirm that the soil meets appropriate standards. • The dust controls specified in the Construction Dust Control Ordinance (176-08). • Protocols for managing stockpiled and excavated soils. The H&S Plan shall identify site access controls to be implemented from the time of surface disruption through the completion of earthwork construction. The protocols shall include as a minimum: 	<p>Project sponsor and qualified Removal Contractor.</p>	<p>Prior to issuance of grading permit and immediately following excavation activities.</p>	<p>DPH to review H&S Plan to ensure appropriate protocols have been included for managing potentially contaminated soil and groundwater during the construction period and that appropriate hazardous waste manifests have been provided.</p>	<p>Considered complete upon approval of H&S Plan and receipt of appropriate hazardous waste manifests by DPH.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-HZ-1b</u> <i>Continued</i></p> <ul style="list-style-type: none"> ○ Appropriate site security to prevent unauthorized pedestrian/vehicular entry, such as fencing or other barrier or sufficient height and structural integrity to prevent entry and based upon the degree of control required. ○ Posting of "no trespassing" signs. ○ Provision for on-site meetings with construction workers to inform them about security measures and reporting/contingency procedures. <p>If groundwater contamination is identified, the Site Health and Safety (H&S) Plan shall identify protocols for managing groundwater during construction to minimize worker and public exposure to contaminated groundwater. The protocols shall include procedures to prevent unacceptable migration of contamination from defined plumes during dewatering.</p> <p>The H&S Plan shall include a requirement that construction personnel be trained to recognize potential hazards associated with underground features that could contain hazardous substances, previously unidentified contamination, or buried hazardous debris. Excavation personnel shall also be required to wash hands and face before eating, smoking, and drinking.</p> <p>The H&S Plan shall include procedures for implementing a contingency plan, including appropriate notification and control procedures; in the event unanticipated subsurface hazards are discovered during construction. Control procedures shall include, but would not be limited to, investigation and removal of underground storage tanks or other hazards.</p>	Project sponsor and construction contractor.	Prior to issuance of a grading permit and during construction.	DPH to review construction plans and specifications for inclusion of appropriate protocols regarding decontamination of equipment.	Considered complete upon approval of construction plans and specifications by DBI.
<p><u>M-HZ-1c</u></p> <p>If the DPH determines that the soils on the project site are contaminated with contaminants at or above potentially hazardous levels, all trucks and excavation and soil handling equipment shall be decontaminated following use and prior to removal from the site. Gross contamination shall be first removed through brushing, wiping, or dry brooming. The vehicle or equipment shall then be washed clean (including tires). Prior to removal from the work site, all vehicles and equipment shall be inspected to ensure that contamination has been removed.</p>				

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-HZ-1d</u> The City shall condition future development approvals to require that the project sponsor ensures that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, State, and local laws prior to the start of building demolition, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, State, and local laws.</p>	<p>Planning Department.</p>	<p>Prior to issuance of demolition permit.</p>	<p>Planning Department to condition future approvals to require appropriate removal and disposal of any equipment containing PCBs or mercury.</p>	<p>Considered complete upon conditioning of future development approvals by Planning Department.</p>

Improvement Measures	Responsibility for Implementation	Implementation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>IMPROVEMENT MEASURES</p> <p>Improvement Measure TR-1 (Pedestrians)</p> <p>The following sidewalk improvements could be considered around the SFMOMA Expansion site. This improvement measure would improve pedestrian circulation but would not be required to reduce significant environmental effects on the pedestrian environment because none was identified.</p> <p><i>Third Street Sidewalk Extension.</i> As an improvement measure to enhance the pedestrian environment, the project sponsor should work with MTA and DPW to design and construct a sidewalk extension on Third Street in front of the existing Third Street entrance into SFMOMA. The project sponsor should be required to fund the design and construction of this improvement.</p> <p>The sidewalk extension should be about 7 feet in width (the parking lane is about 7 feet wide) and about 85 feet in length, and would be centered on the museum entrance (which is aligned with the midblock crosswalk). As part of this improvement, a consolidated 39-foot-wide passenger zone and 20-foot-wide red zone would be provided between the sidewalk extension and Mirna Street. A 59-foot-wide passenger zone would be provided south of the sidewalk extension. The 85-foot long sidewalk extension, red zone and two passenger zones would eliminate six of the seven on-street metered parking spaces on Third Street that are adjacent to the project site (i.e., three spaces north of the existing midblock crosswalk and three spaces south of the midblock crosswalk).</p> <p><i>Howard Street Sidewalk Extension.</i> As an improvement measure to enhance the pedestrian environment, the project sponsor should work with MTA and DPW to design and construct a sidewalk extension on Howard Street in front of the new entrance into SFMOMA. Since modifications to the Howard Street sidewalk and roadway network are currently being considered as part of the Transit Center District Plan and ENTRIPS (Eastern Neighborhoods Transportation Implementation Planning Study), this improvement measure would be revisited by the Planning Department, MTA, and the project sponsor following completion of these studies. If the Planning Department and MTA determine that the sidewalk extension on Howard Street adjacent to the project site is feasible within the future context of Howard Street, it should be implemented by SFMOMA.</p> <p>The Howard Street sidewalk extension would be in proximity to the proposed Howard Street entrance into the museum. The sidewalk extension should be 7 feet in width (the parking lane is about 7 feet wide) and about 40 feet in length, or as determined by MTA and DPW. Adjacent to the extension would be the proposed passenger loading zone about 50 feet in width. The 40-foot-long sidewalk extension and 50-foot-long passenger loading zone</p>	<p>Project sponsor, Planning Department, MTA, and DPW.</p> <p>Project sponsor, Planning Department, MTA, and DPW.</p>	<p>Prior to issuance of building permit.</p> <p>After completion of Howard Street study for Transit Center District Plan and ENTRIPS.</p>	<p>Planning Department, MTA, and DPW to approve the design plans for the Third Street sidewalk extensions.</p> <p>Planning Department, MTA, and DPW to approve the design plans for the Howard Street sidewalk extensions, if implemented.</p>	<p>Considered complete upon approval of the design plans for the Third Street sidewalk extensions by Planning Department, MTA, and DPW.</p> <p>Considered complete upon approval of the design plans for the Howard Street sidewalk extensions by Planning Department, MTA, and DPW, or a determination that the Howard Street extension is not feasible.</p>

Improvement Measures	Responsibility for Implementation	Implementation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>Improvement Measure TR-1</u> <i>Continued</i></p> <p>would occupy the 90-foot frontage of the SFMOMA Expansion site on Howard Street. This space is currently the driveway for the existing fire station, as well as three general metered parking spaces, which would be removed. The sidewalk extension would not affect traffic operations on Howard Street, and would reduce conflicts between parking vehicles and the adjacent travel lane.</p>	Project sponsor.	Prior to issuance of occupancy permit.	Planning Department and MTA to review TDM Plan for adequacy.	Considered complete upon approval of TDM Plan by Planning Department and MTA.
<p><u>Improvement Measure TR-4</u> (<i>Transportation Demand Management (TDM) Plan</i>)</p> <p>As an improvement measure to reduce the use of single-occupant vehicles and to increase the use of rideshare, transit, bicycle, and walk modes for employees, volunteers, and visitors, SFMOMA should formalize a TDM Plan that addresses travel to SFMOMA by employees and visitors. The project sponsor should retain the services of a transportation consultant to review existing TDM elements, prepare a TDM Plan, and recommend additional measures for consideration by SFMOMA. As part of the TDM Plan, the consultant could prepare a stand alone summary that could be incorporated into the employee manual, and also enhance the TDM information on the public website to better publicize alternative transportation options to visitors.</p>	Project sponsor.	Prior to issuance of demolition, grading, or building permit.	DPW, MTA, and Fire Department to review Traffic Control Plan for adequacy.	Considered complete upon approval of Traffic Control Plan for Construction.
<p><u>Improvement Measure TR-5</u> (<i>Construction</i>)</p> <p>The following construction period measures could be considered:</p> <p><i>Traffic Control Plan for Construction.</i> As an improvement measure to reduce potential conflicts between construction activities and pedestrians, transit, and autos at the SFMOMA Expansion site, the contractor should prepare a traffic control plan for project construction. The project sponsor and construction contractor(s) would meet with DPW, MTA, the Fire Department, Muni Operations and other City agencies to coordinate feasible measures to reduce traffic congestion, including temporary transit stop relocations (not anticipated, but if determined necessary) and other measures to reduce potential traffic and transit disruption and pedestrian circulation effects during construction of the SFMOMA Expansion. The contractor would be required to comply with the City of San Francisco's Regulations for Working in San Francisco Streets, which establish rules and permit requirements so that construction activities can be conducted safely and with the least possible interference to pedestrians, bicyclists, transit and vehicular traffic. The traffic control plan would address how passenger loading/unloading, and deliveries and service vehicles would be accommodated at the W Hotel during project construction.</p>	Project sponsor.			

Improvement Measures	Responsibility for Implementation	Implementation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>Improvement Measure TR-5 Continued</u></p> <p><i>Carpool and Transit Access for Construction Workers.</i> As an improvement measure to minimize parking demand associated with construction workers, the construction contractor could be required by the project sponsor to encourage carpooling and transit access to the project sites by construction workers.</p> <p><i>Project Construction Updates for Adjacent Businesses and Residents.</i> As an improvement measure to minimize construction impacts on access for nearby institutions and businesses, DPW could require the project sponsor to provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures. A web site could be created by project sponsor that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.</p> <p><u>Improvement Measure TR-7 (Loading)</u></p> <p>As an improvement measure to minimize the potential for conflicts within the Natoma loading area and to ensure that deliveries for SFMOMA and W Hotel are adequately accommodated:</p> <ul style="list-style-type: none"> • SFMOMA shall provide an on-site loading dock manager to coordinate loading, manage the delivery demand, provide assistance for truck maneuvers into and out of the loading area, and coordinate trash collection activity. • SFMOMA shall ensure that the W Hotel has 24-hour access across the Natoma loading area. • The SFMOMA on-site loading dock manager shall coordinate and integrate scheduling of truck deliveries for SFMOMA and the W Hotel. • The SFMOMA on-site loading dock manager and overnight security staff shall actively manage the loading area 24 hours a day to ensure that trucks park efficiently and do not dwell in loading spaces, or block valet and loading access for the W Hotel. • The SFMOMA on-site loading dock manager shall, to the extent possible, schedule deliveries destined to the Natoma loading area (e.g., restaurant deliveries) to before 7:00 a.m. to minimize conflicts with other daytime couriers such as Federal Express and United Parcel Service. • Delivery vehicles longer than 35 feet shall be prohibited from entering the Natoma loading area. 	Project sponsor.	Prior to issuance of occupancy permit.	Planning Department and MTA to review loading plans to ensure that conflicts would be minimized and that deliveries for SFMOMA and W Hotel would be adequately accommodated.	Considered complete upon approval of loading plans by Planning Department and MTA.

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>CULTURAL AND PALEONTOLOGICAL RESOURCES</p> <p>MC-CP-2</p> <p>Based on a reasonable presumption that archaeological 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 an archaeological consultant from the Planning Department (Department) pool of qualified archaeological consultants as provided by the Department archaeologist. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). 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. Archaeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of 4 weeks. At the direction of the ERO, the suspension of construction can be extended beyond 4 weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Section 15064.5 (a)(c).</p> <p><i>Archaeological Testing Program.</i> The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources and to identify and to evaluate whether any archaeological resource encountered on the site constitutes an historical resource under CEQA.</p>	<p>Project sponsor and archaeological consultant.</p> <p>(see above)</p>	<p>Prior to any soil-disturbing activities.</p> <p>(see above)</p>	<p>The ERO to review and approve all plans and reports.</p> <p>(see above)</p>	<p>Considered complete upon ERO approval of plans and reports.</p> <p>(see above)</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-CP-2</u> <i>Continued</i></p> <p>At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant finds that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <p>A. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archaeological resource; or</p> <p>B. A data recovery program shall be implemented, unless the ERO determines that the archaeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p> <p><i>Archaeological Monitoring Program.</i> If the ERO, in consultation with the archaeological consultant, determines that an archaeological monitoring program shall be implemented, the archaeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to the commencement of any project-related soils disturbing activities. The ERO, in consultation with the archaeological consultant, shall determine what project activities shall be archaeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context. The archaeological 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 archaeological resource. The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archaeological consultant and the ERO until the ERO has, in consultation with project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits; 	<p>Project sponsor, archaeological consultant, archaeological monitor, ERO.</p>	<p>Prior to and during soil-disturbing activities.</p>	<p>The ERO to review and approve the archaeological monitoring program and findings from the monitoring program (as applicable).</p>	<p>Considered complete upon ERO's receipt of the written report of findings from the monitoring program.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-CP-2</u> <i>Continued</i></p> <ul style="list-style-type: none"> The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile driving activity may affect an archaeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO. <p>Whether or not significant archaeological resources are encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><i>Archaeological Data Recovery Program.</i> The archaeological data recovery program shall be conducted in accordance with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological 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 archaeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. <i>Cataloging and Laboratory Analysis.</i> Description of selected cataloging system and artifact analysis procedures. 	<p>Project sponsor, archaeological consultant, ERO.</p>	<p>Prior to soil-disturbing activities.</p>	<p>The ERO to review and approve the archaeological data recovery program.</p>	<p>Considered complete upon ERO's receipt of the written report of findings from the archaeological data recovery program or ERO's direction to implement further measures.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><i>M-CP-2 Continued</i></p> <ul style="list-style-type: none"> <i>Discard and Deaccession Policy:</i> Description of and rationale for field and post-field discard and deaccession policies. <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program. <i>Security Measures.</i> Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities. <i>Final Report.</i> Description of proposed report format and distribution of results. <i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities. <p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC), who shall appoint a Most Likely Descendant (MLD) (Public Resources Code Section 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p> <p><i>Final Archaeological Resources Report.</i> The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archaeological resource and describes the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive one bound, one</p>	<p>Project sponsor, construction contractor, and archaeological consultant.</p> <p>Project sponsor and archaeological consultant.</p>	<p>During soil-disturbing activities.</p> <p>Following completion of any archaeological field program.</p>	<p>ERO and County Coroner.</p> <p>ERO to review Draft FARR and transmittals to specified agencies.</p>	<p>Considered complete upon letter of ERO's drafting of memo or ERO's direction to implement further measures.</p> <p>Considered complete upon ERO approval of Draft FARR and review of evidence of distribution.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-CP-2</u> <i>Continued</i></p> <p>unbound, and one unlocked, searchable PDF copy on CD or DVD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p><u>CP-4</u></p> <p>To partially offset the demolition of the building at 935 Folsom Street, the project sponsor shall retain an architectural historian to complete architectural documentation that meets Historic American Building Survey (HABS) standards prior to demolition. The survey shall be done in accordance with HABS level II documentation standards and shall include the following measures:</p> <ul style="list-style-type: none"> • Prior to demolition, the project sponsor shall provide adequate documentation of the existing building. The documentation shall be submitted to the San Francisco Planning Department and approved prior to the authorization of demolition. The sponsor shall prepare and transmit the photographs and descriptions of the property to the Northwest Information Center of the California Historical Resources Information System and the History Room of the San Francisco Public Library. The documentation shall include: <ul style="list-style-type: none"> o Digital videography of the building to document its exterior character-defining features, as determined by a qualified architectural historian. o Photo-documentation of the buildings to HABS Standards. <p>Completing a historical resources survey to HABS level II documentation standards would reduce Impact CP-4, but not to a less-than-significant level. Therefore, the impact would be significant and unavoidable.</p>	<p>Project sponsor and historical resources consultant.</p>	<p>Prior to building demolition.</p>	<p>ERO to review architectural documentation.</p>	<p>Considered complete upon receipt of documentation by ERO and HPC.</p>
<p><u>NOISE</u></p> <p><u>NO-2</u></p> <p>The project sponsor shall incorporate standard industrial noise control measures for stationary equipment. Such measures may include enclosing equipment in sound-attenuating structures, using buildings to shield these noise sources from sensitive receptors, or mounting equipment on resilient pads to reduce both groundborne and airborne vibration noises. The project sponsor shall adopt noise performance standards to ensure that operational noise from stationary sources would not exceed noise guidelines set forth in the Noise Ordinance for fixed source noise level standards. The project sponsor shall use standard design features/approaches, including installation of relatively quiet models of mechanical equipment, installation of exhaust silencers, orientation or shielding to protect sensitive</p>	<p>Project sponsor.</p>	<p>Prior to issuance of a building permit.</p>	<p>DBI to review acoustical analysis and plans for inclusion of appropriate noise control measures for stationary equipment.</p>	<p>Considered complete upon approval of building plans by DBI.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>NO-2</u> <i>Continued</i></p> <p>uses, and installation within enclosures when necessary to reduce stationary, or fixed source, noise levels to below the established threshold when measured at the property line of the nearest affected sensitive receptor. In addition, once design plans have been finalized, the project sponsor shall prepare a detailed final acoustical analysis report with building design noise reduction requirements that would maintain acceptable interior noise levels and that would reduce stationary noise impacts to a less-than-significant level. This report shall be submitted to the Department of Building Inspection (DBI) prior to issuance of a building permit.</p> <p><u>M-NO-2a</u></p> <p>The following two-part measure shall be implemented:</p> <ul style="list-style-type: none"> • To reduce daytime noise impacts associated with construction activities to the maximum extent feasible, the following measures shall be implemented in addition to all measures set forth in the Noise Ordinance: <ul style="list-style-type: none"> ○ At least 10 days prior to the start of construction, the project sponsor shall notify occupants of properties within 100 feet of the project site's lot line. Notification shall include an estimation of the duration of construction activities, including anticipated start and completion dates and the daily construction times. ○ Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible). ○ Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, which could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. ○ Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds. Insulation barriers or other measures shall be incorporated to the extent feasible. ○ Ground clearing, excavation, foundation pouring, building erection and exterior finishing activities shall be limited to between the hours of 7:00 a.m. to 8:00 p.m. 	<p>Project sponsor.</p>	<p>Prior to issuance of a building permit.</p>	<p>DBI to review acoustical analysis and plans for inclusion of appropriate noise control measures for stationary equipment.</p>	<p>Considered complete upon approval of building plans by DBI.</p>
<p>Project sponsor and construction contractor.</p>	<p>At least 10 days prior to the start of construction, during construction, and prior to issuance of grading permits.</p>	<p>DBI to review notification procedure and vibration impact assessment.</p>	<p>Considered complete upon DBI approval of vibration impact assessment and review of evidence of notification.</p>	

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>M-NO-2a</u> <i>Continued</i></p> <p>The project applicant shall prepare a vibration impact assessment to determine potential construction-related groundborne vibration impacts for all structures located within 25 feet of construction activities expected to generate more than 90 VdB. Measures shall be identified and implemented that would reduce groundborne vibration impacts from extreme noise generators by prescribing methods of construction to be utilized so as not to exceed the FTA's groundborne vibration damage threshold of 90 VdB at the nearest façade of all adjacent structures. Such methods may include restrictions on the number or types of construction equipment that may operate at a time within 25 feet of structures, restrictions on equipment hours of operation, or requirements to use alternative construction techniques. The vibration impact assessment shall be submitted to the Planning Department for review and approval prior to issuance of grading permits.</p>	<p>See M-NO-2a. Project sponsor and construction contractor.</p>	<p>See M-NO-2a. During construction.</p>	<p>See M-NO-2a. DBI to review construction plans and specifications to verify that holes would be predrilled and pile driving activity would be limited.</p>	<p>See M-NO-2a. Considered complete upon approval of construction plans and specifications by DBI</p>
<p><u>M-NO-2b</u></p> <p>The following two-part measure shall be implemented:</p> <ul style="list-style-type: none"> • Implement Mitigation Measure M-NO-2a. • The project sponsor shall require that the project contractor predrill holes (if feasible based on soils) for piles to the maximum feasible depth to minimize noise and vibration from pile driving. The project sponsor shall also require that the construction contractor limit pile driving activity to result in the least disturbance to neighboring uses. 	<p>Project sponsor.</p>	<p>Prior to issuance of building permit.</p>	<p>DBI to review final acoustical analysis and building plans.</p>	<p>Considered complete upon approval of acoustical analysis and building plans by DBI.</p>
<p><u>NO-3</u></p> <p>The project sponsor shall implement the following mitigation measures from the Mitigation Monitoring and Reporting Program prepared for the Eastern Neighborhoods Rezoning and Area Plans: Mitigation Measures F-3 (Interior Noise Levels); F-4 (Siting of Noise-Sensitive Uses); and F-6 (Open Space in Noisy Environments). In particular, the project sponsor shall prepare a detailed final acoustical analysis report with building design noise reduction requirements, once design plans have been finalized, to maintain acceptable interior noise levels, and subsequently include appropriate noise insulation features in the proposed design of the multifamily residential project. Such features may include the incorporation of alternative ventilation systems, such as air conditioning or passive ventilation, to permit windows to remain closed for prolonged periods of time. Any passive ventilation systems must include appropriate noise insulation features. This report shall be submitted to the DBI prior to issuance of a building permit.</p>				

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>F-3. Interior Noise Levels [Note: Measures F-3 through F-6 are incorporated from the <i>Eastern Neighborhoods Rezoning and Area Plans Project Final EIR</i>.]</p> <p>For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (L_{dn}), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.</p>	(see above)	(see above)	(see above)	(see above)
<p>F-4. Siting of Noise-Sensitive Uses</p> <p>To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>	(see above)	(see above)	Planning Department to review acoustical analysis, and, if necessary, detailed noise assessment.	Considered complete upon finding by Planning Department that Title 24 standards can be attained.
<p>F-5. Siting of Noise-Generating Uses</p> <p>To reduce potential conflicts between existing sensitive receptors and new noise-generating uses, for new development including commercial, industrial or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at nighttime, or as a 24-hour average, in the proposed project site vicinity, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-sensitive uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the proposed use would comply with the use compatibility requirements in the General Plan and in Police Code Section 2909, would not adversely affect nearby noise-sensitive uses, and that there are no particular</p>	(see above)	(see above)	(see above)	Considered complete upon finding by Planning Department that General Plan and Police Code standards can be attained and that no particular circumstances exist that would warrant additional protective measures.

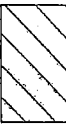
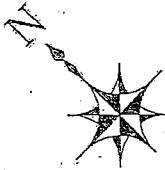
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>F-5 Continued</u></p> <p>circumstances about the proposed project site that appear to warrant heightened concern about noise levels that would be generated by the proposed use. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action.</p>				
<p><u>F-6: Open Space in Noisy Environments</u></p> <p>To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.</p>	(see above)	(see above)	<p>Planning Department to review plans for open space in context of noise environment.</p>	<p>Considered complete upon finding by Planning Department that ambient noise levels in open space areas would be acceptable or that open space is protected from noise to the maximum feasible extent.</p>
<p>AIR QUALITY</p> <p><u>AO-3</u></p> <p>Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and specifications for the Fire Station Relocation and Housing Project:</p> <ul style="list-style-type: none"> • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. • Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Clear signage indicating that idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of California Code of Regulations (CCR)) shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 	Construction contractor.	Prior to issuance of grading permit.	<p>DBI to review construction plans and specifications for compliance with air pollutant reduction measures.</p>	<p>Considered complete upon approval of construction plans and specifications by DBI.</p>

Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>AO-3 Continued</u></p> <ul style="list-style-type: none"> A publicly visible sign shall be posted with the telephone number and person to contact at the City of San Francisco regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 	(see above)	(see above)	(see above)	(see above)
<p><u>AO-6</u></p> <p>To reduce the health risk associated with construction of the Fire Station Relocation and Housing Project, all off-road construction equipment shall be equipped with Tier 3 (Tier 2 if greater than 750 hp) diesel engines or better. The following types of equipment were identified as candidates for retrofitting with CARB-certified Level 3 verified diesel emission controls (Level 3 VDECs, which are capable of reducing DPM emissions by 85 percent or better), due to their expected operating modes (i.e., fairly constant use at high revolution per minute):</p> <ul style="list-style-type: none"> Excavators Backhoes Rubber-Tired Bulldozers Concrete Boom Pumps Concrete Trailer Pumps Concrete Placing Booms Soil Mix Drill Rigs Soldier Pile Rigs Shoring Drill Rigs <p>All diesel generators used for project construction shall meet Tier 4 emissions standards. To the extent that the above listed types of equipment are used for project construction, those equipment types shall be required to meet DPM emission standards equivalent to Tier 3 (Tier 2 if greater than 750 hp) engines with Level 3 VDECs, if feasible. For the purposes of this mitigation measure, "feasibility" refers to the availability of newer equipment in the subcontractor's fleet that meets these standards, or the availability of older equipment in the subcontractor's fleet that can be feasibly modified to incorporate Level 3 VDECs. It should be noted that for specialty equipment types (e.g. drill rigs, shoring rigs and concrete pumps) it may not be feasible for construction contractors to modify their current, older equipment to accommodate the particulate filters, or for them to provide newer models with these filters preinstalled. Therefore, this mitigation measure may be infeasible. Should it be determined by the construction contractor or their subcontractors that compliance with the emissions control requirements of this mitigation measure is infeasible for any one of the above listed construction equipment, the construction contractor shall demonstrate an alternative method of compliance that achieves an equivalent reduction in the project's</p>	(see above)	(see above)	(see above)	(see above)

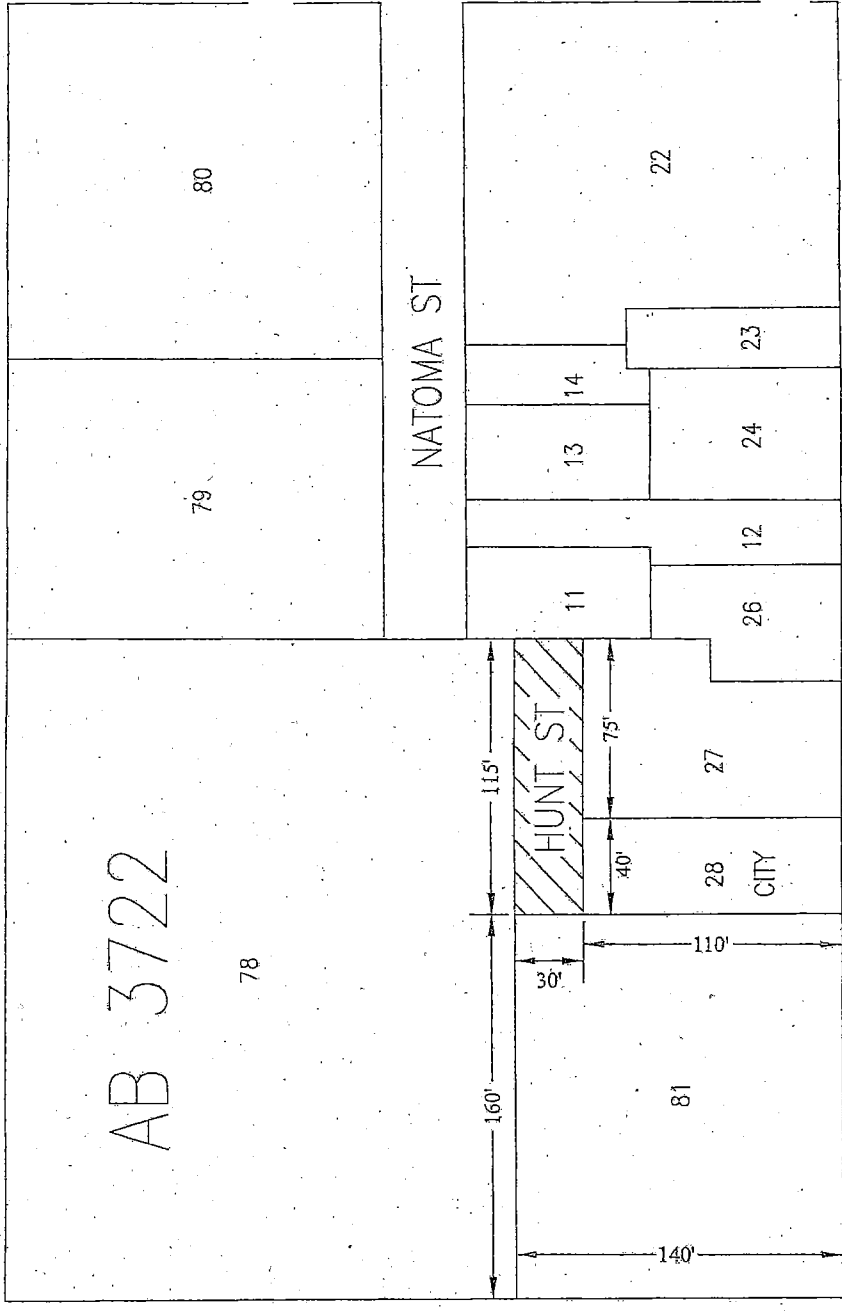
Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><u>AO-6</u> <i>Continued</i></p> <p>fleetwide DPM and other TAC emissions. If alternative means of compliance with the emissions exhaust requirements are further determined to be infeasible, the construction contractor shall document, to the satisfaction of the Environmental Review Officer, that the contractor has complied with this mitigation measure to the extent feasible and why full compliance with the mitigation measure is infeasible.</p>				
<p>HAZARDS AND HAZARDOUS MATERIALS</p>				
<p><u>M-HZ-14</u></p> <p>The City shall condition future development approvals to require that the project sponsor ensures that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, State, and local laws prior to the start of building demolition, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, State, and local laws.</p>	<p>Planning Department.</p>	<p>Prior to issuance of demolition permit.</p>	<p>Planning Department to condition future approvals to require appropriate removal and disposal of any equipment containing PCBs or mercury.</p>	<p>Considered complete upon conditioning of future development approvals by Planning Department.</p>

Improvement Measures	Responsibility for Implementation	Implementation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>IMPROVEMENT MEASURES</p> <p>Improvement Measure TK-2 (Bicycles)</p> <p>Although the Fire Station Relocation and Housing Project would have a less-than-significant impact on bicyclists at the new fire station, following full occupation of the new fire station, the Planning Department, in consultation with the SFFD and MTA, should periodically monitor bicycle conditions along Folsom Street during testing of emergency equipment. If the Planning Director, or his or her designee, determines that the proposed equipment testing procedures encroach on the bicycle lane and result in bicycle hazards, then the SFFD should consider no longer testing fire equipment on the south side of Folsom Street. Instead, SFFD would utilize an alternative fire equipment testing area on Falmouth Street, which is a location that would not conflict with bicycles.</p> <p>Improvement Measure TK-3 (Loading)</p> <p>To ensure that residential move-in and move-out activities do not impede traffic flow on Shipley Street, move-in and move-out operations, as well as larger deliveries should be scheduled and coordinated through building management. Building management should require that curb parking spaces on Shipley Street are reserved via the San Francisco Police Department in advance for all move-in and move-out activities.</p> <p>Improvement Measure TK-5 (Construction)</p> <p>The following construction period measures could be considered:</p> <p><i>Project Construction Updates for Adjacent Businesses and Residents.</i> As an improvement measure to minimize construction impacts on access for nearby institutions and businesses, DPW could require the project sponsor to provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including construction activities, peak construction vehicle activities (e.g., concrete pours), travel lane closures, and lane closures. A web site could be created by project sponsor that would provide current construction information of interest to neighbors, as well as contact information for specific construction inquiries or concerns.</p> <p>Improvement Measure TK-6 (Parking)</p> <p>As an improvement measure to reduce the Housing Project's parking demand and parking shortfall and to encourage use of alternative modes, the developer of the Housing Project at 935 Folsom Street could provide a transportation insert for the move-in packet. This packet could provide information on transit service (Muni and BART lines, schedules and fares), information on where FastPasses could be purchased, and information on the 511 Regional Rideshare Program.</p>	<p>Planning Department, SFFD, and MTA.</p> <p>Project sponsor.</p> <p>Project sponsor.</p> <p>Project sponsor.</p>	<p>Following full occupation of Fire Station No. 1.</p> <p>Prior to issuance of occupancy permit.</p> <p>Prior to issuance of demolition, grading, or building permit.</p> <p>Prior to issuance of occupancy permit.</p>	<p>Planning Director to review monitoring report to determine if alternate equipment testing on Falmouth Street should be established.</p> <p>DBI to review standard tenant contract to ensure that appropriate protocols are included for move-in and move-out operations.</p> <p>DPW to review Traffic Control Plan for Construction for adequacy.</p> <p>Planning Department to review transportation insert for adequacy.</p>	<p>Considered complete upon finding by Planning Director that bicycle conditions are safe and/or establishment of an alternate equipment testing location on Falmouth Street.</p> <p>Considered complete upon issuance of occupancy permit by DBI.</p> <p>Considered complete upon approval of Traffic Control Plan for Construction by DPW.</p> <p>Considered complete upon approval of transportation insert by Planning Department.</p>

Improvement Measures	Responsibility for Implementation	Implementation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Improvement Measure TR-8 (Signage)</p> <p>As an improvement measure to reduce unexpected conflicts between right-turning vehicles and fire and rescue vehicles, MTA should consider the desirability and feasibility of instituting a prohibition on right turn on red movements on the northbound Sixth Street approach to Folsom Street as part of its review and implementation of traffic preemption improvements proposed as part of the project.</p>	MTA	Prior to issuance of occupancy permit.	MTA to review the engineering analysis regarding instituting a prohibition on right turn on red movements on the northbound Sixth Street approach to Folsom Street.	Considered complete upon finding by MTA that right turn on red prohibition is or is not warranted.
<p>Improvement Measure NO-1a (Neighborhood Noise)</p> <p>As an improvement measure to reduce the noise, SFFD Staff at Station No 1. will be trained in the use of and required to utilize the traffic signal preemption system.</p>	SFFD	Prior to issuance of occupancy permit	SFFD to verify it conducted appropriate training regarding the signal preemption system.	Considered complete upon verification that SFFD has conducted appropriate training.
<p>Improvement Measure NO-1b (Neighborhood Noise)</p> <p>As an improvement measure to ensure that the operational activities of relocated Fire Station No. 1, including noise from emergency vehicle operation and equipment testing, are reduced to the extent feasible, six months after the fire station is in operation, a community meeting will be held by the SFFD. At this meeting, the SFFD will describe the operation of the station and the community will have the opportunity to raise any concerns they have experienced and suggest any operational improvements for SFFD to consider.</p>	SFFD	Within six months after Fire Station No. 1 is occupied.	SFFD to verify that it has scheduled a community meeting.	Considered complete upon verification that that a community meeting was held.



PROPOSED AREA
TO BE VACATED



3RD ST

NATOMA ST

HOWARD ST

AB 3722

78

79

80

115'

160'

140'

30'

40'

110'

75'

81

28

CITY

27

26

12

24

23

22

11

13

14

3RD ST

NATOMA ST

HOWARD ST

AB 3722

78

79

80

115'

160'

140'

30'

40'

110'

75'

81

28

CITY

27

26

12

24

23

22

11

13

14

REFERENCES:	APPROVED:		BY:	DATE:	CITY AND COUNTY OF SAN FRANCISCO				
			GM	10/03/11	DEPARTMENT OF PUBLIC WORKS				
	BRUCE R. STORRS CITY & COUNTY SURVEYOR		DRW	10/25/11	STREET VACATION OF A LAND LOCKED PORTION OF HUNT STREET IN AB 3722				
			CK	10/25/11	FILE:	SUR: 2011-001	SHEET 1 OF 1	SCALE: 1:50	CHANGE
			APP						



SSL
LAW
FIRM
LLP

575 MARKET STREET, SUITE 2700
SAN FRANCISCO, CA 94105
TELEPHONE: 415-814-6400
FACSE: 415-814-6401
business@ssl-lawfirm.com

November 28, 2011

VIA ELECTRONIC MAIL & U.S. MAIL

Supervisor Eric Mar
Supervisor Malia Cohen
Supervisor Scott Weiner
Board of Supervisors Land Use and Economic Development Committee
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

ATTN: Alisa Miller
E-mail: alisa.miller@sfgov.org

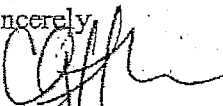
*Re: November 28, 2011 Agenda Items 2, 3 & 4 Relating to the SFMOMA
Expansion/Fire Station No. 1 Relocation and Housing Project*

Dear Supervisors Mar, Cohen and Weiner:

We are writing on behalf of KSSF Enterprises Ltd., owner of the W Hotel. Last week, we sent you correspondence specifically in regard to agenda item 3 relating to the vacation of Hunt Street in connection with the above noted Project. Now, we are writing with regard to all three agenda items related to the Project.

The City should not move forward with these items because the environmental review upon which they are based does not meet the standards required by law. We have repeatedly raised our concerns about the deficiencies in the EIR. Most glaringly, the EIR is deficient in regards to the design of the Project, traffic during and after construction, and health and safety related construction impacts. We direct you to our correspondence to the Planning Commission on these issues, dated August 25, 2001 and November 7, 2011 (attached).

Thank you for your consideration of this correspondence. Please contact me at (415) 814-6400 if you have any questions about our position.

Sincerely,

Christine W. Griffith

MAMCO ENTERPRISES

161-165 Natoma Street
Telephone (415) 397-0373

San Francisco, CA 94105
Fax (415) 495-5070

November 10, 2011

To: San Francisco Planning Commission and Board of Supervisors

Re: SFMOMA Expansion Project

Our historic building is adjacent to the SFMOMA Expansion site. As acknowledged in the Draft EIR, 161 Natoma is individually eligible for both the National Register of Historic Places and the California Register of Historical Resources because of its architecture, its contribution to an historic district, and its association with the Emerson Flag Company. (p. 134.) The Draft EIR notes that 161 Natoma was designed in the "Commercial style" and built in 1918 (p. 134), with a painted sign reading "FLAG MAKERS" on the west elevation of the building that is visible from Hunt Street (p. 202).

According to the Draft EIR, the "proposed SFMOMA expansion would not physically affect the building at 161 Natoma Street" and would not obscure the view of the painted sign. The integrity of the building would be preserved by "an up to 18-foot-wide promenade [which] would be established along the eastern boundary of the project site, along with an adjoining plaza area." (p. 203.) This promenade is intended to "enhance visual and pedestrian access between the museum and its surroundings." (p. 113.) As explained in Response LU-4 of the Comments and Responses Document, the "publicly accessible open space" of the promenade compensates for the loss of public space if Hunt Street is vacated by the City. (pp. 19-20.)

161 Natoma Street currently has access to Hunt Street via windows, a ground floor door, and a second floor fire escape. We would like these existing features of our building to be preserved. Additionally, we would like to maintain our access to the public space adjacent to our building in the event that the Museum's promenade takes the place of Hunt Street. Moreover, we would like to utilize the new public space by whatever uses are permitted to other neighbors and to pedestrians in general.

Regarding emergency egress from 161 Natoma, the Draft EIR notes the emergency exits from the building onto Hunt Street and states that "a pedestrian path about 4 feet wide...[will] be provided...to preserve [the] emergency exit path of travel from the 161 Natoma Street building to Natoma Street." (p. 280) Thus, it is our understanding that the SFMOMA Expansion Project should protect our door and fire escape on Hunt Street.

The language of the EIR appears to preserve the property rights currently enjoyed by 161 Natoma Street. We would like the record to include our concern that our existing rights and privileges are not harmed by the Project. As is acknowledged in the Draft EIR (see pp. 202-3), the historic nature of 161 Natoma and its FLAGMAKERS sign contribute to the aesthetic quality of the SFMOMA Expansion site. We would like the Planning Commission and the Board of Supervisors to ensure that the SFMOMA Expansion Project respects all the property rights and privileges of 161 Natoma.

Very truly yours,

Myers family members

On behalf of MAMCO ENTERPRISES

FANG

Ms Christina Olague
President
San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, CA 94103

Re: SFMOMA Expansion Project and Relocation of Fire Station No. 1
Case No. 2009.0291 and 2010.0275
Hearing Date: November 10, 2011

Dear Commissioner Olague:

Here at Fang restaurant we are excited about the SFMOMA expansion project. We believe that it will be a great benefit to our business and to the neighborhood as a whole. We have seen the plans for the expansion and we are very impressed by the sensitive treatment of the alleyways behind us and the level of respect for the existing community.

In particular, we look forward to the increased activity and the replacement of the empty Heald Business School building and the disruptive fire house. The new Museum and the alleyway entrance alongside our building will continue to make Yerba Buena one of the City's great neighborhoods. I hope you will join us in supporting this great addition to our City.

Many thanks,

Kathy Fang,
Manager

cc: Neal Benezra, Director, SFMOMA
Greg Johnson, Expansion Project Director
John Rahaim, Director of Planning
Commissioner Ron Miguel
Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Kathryn Moore
Commissioner Hisashi Sugaya
Commissioner Rodney Fong

CATHARINE CLARK GALLERY



150 Minna Street
Ground Floor
San Francisco CA 94105
info@cclarkgallery.com
415.399.1439

November 2, 2011.

Ms. Christina Olague
President
San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, CA 94103

Re: SFMOMA Expansion Project and Relocation of Fire Station No. 1
Case No. 2009.0291 and 2010.0275
Hearing Date: November 10, 2011

Dear Commissioner Olague:

On November 10th, your commission will be asked to approve the expansion of SFMOMA and the relocation of the Fire Station 1. I enthusiastically lend my support to these projects and kindly encourage you to do so.

As you know, SFMOMA is one of the world's pre-eminent institutions, and the expansion will greatly enhance the City's reputation as a global cultural leader.

Won't you please join me with your support?

Many thanks,

Catharine Clark

cc: Neal Benezra, Director SFMOMA
Greg Johnson, Expansion Project Director
John Rahaim, Director of Planning
Commissioner Ron Miguel
Commissioner Michael Antonini
Commissioner Gweneth Borden
Commissioner Kathryn Moore
Commissioner Hisashi Sugaya
Commissioner Rodney Fong

Brian Wallace
473-A Tehama Street
San Francisco CA 94103

Thursday, April 29, 2010

Dear Chief Hayes-White,

At our last meeting on Wednesday March 17, 2010, SFFD Deputy Chief Gary Massetani and David Prowler met with the SoMa Leadership Council to discuss the construction of a new fire house to replace Station 1, currently at Howard and Third.

Deputy Chief Massetani explained how the city will deed to the San Francisco Museum of Modern Art the land upon which the existing fire station on Howard Street resides. In exchange, museum officials agreed to fund, design, and build a new firehouse at 935 Folsom Street between Fifth and Sixth Streets. At this new location, the fire department can more quickly answer their calls and better respond to earthquakes and other emergencies.

We understand that your team met with AGI Capital, the real estate development company that plans to build housing across the street from the future fire station, as well as current neighbors nearby. We know that residents (present and future) are concerned about sirens and that the Department is working to address these concerns. We heard that synchronized traffic lights could stop traffic and lessen the need for sirens. SFFD Deputy Chief Massetani assured us that a noise study will be conducted and will be part of an environmental review required before the transfer is official.

Members of the SoMa Leadership Council thought that a fire station there at Folsom and Falmouth Streets, with uniformed firefighters watching the area, keeping things clean and tidy, would help reduce crime and graffiti which has plagued that intersection for some time.

In seeing how you plan to address the above concerns, the SoMa Leadership Council looks forward to the relocation of this new fire station.

Sincerely,

Brian Wallace

Brian Wallace
Communications Liaison
SoMa Leadership Council



SAN FRANCISCO ARTS COMMISSION

November 4, 2011

GAVIN NEWSOM
MAYOR

LUIS R. CANCEL
DIRECTOR OF
CULTURAL AFFAIRS

Ms. Christina Olague
President
San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, CA 94103

PROGRAMS

CIVIC ART COLLECTION
CIVIC DESIGN REVIEW
COMMUNITY ARTS
& EDUCATION
CULTURAL EQUITY GRANTS
PERFORMING ARTS
PUBLIC ART
STREET ARTISTS LICENSES

ARTS COMMISSION GALLERY
401 VAN NESS AVENUE
415.554.6080

WWW.SFARTSCOMMISSION.ORG

ARTSCOMMISSION@SFGOV.ORG

Re: SFMOMA Expansion Project and Relocation of Fire Station No. 1
Case No. 2009.0291 and 2010.0275
Hearing Date: November 10, 2011

Dear Commissioner Olague:

On November 10, your Commission will be asked to approve the Expansion of SFMOMA and the relocation of Fire Station 1. I encourage you to do so.

As you know, SFMOMA is one of the world's pre-eminent institutions – and the Expansion will be a boon to the local arts community in San Francisco, enhancing the City's reputation as a global cultural leader.

The Arts Commission has approved the design of the new fire station and we are pleased that this portion of the project will be under construction next year.

Please join the Arts Commission in enthusiastically endorsing these projects.

Many thanks,

P.J. Johnston
President
Arts Commission

cc: Neal Benezra, Director, SFMOMA
Greg Johnson, Expansion Project Director
John Rahaim, Director of Planning
Commissioner Ron Miguel
Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Kathryn Moore
Commissioner Hisashi Sugaya
Commissioner Rodney Fong



CITY AND COUNTY OF
SAN FRANCISCO

**WILSON
MEANY
SULLIVAN**

November 3, 2011

Ms Christina Olague
President
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

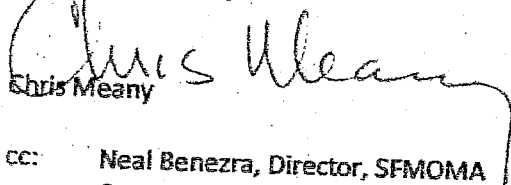
Re: SFMOMA Expansion Project and Relocation of Fire Station No. 1
Case No. 2009.0291 and 2010.0275
Hearing Date: November 10, 2011

Dear Commissioner Olague:

We are writing in support of the expansion of SFMOMA and the relocation of Fire Station 1. As developer of the adjacent 140 New Montgomery, and as members of the Yerba Buena Alliance, we are deeply invested in the neighborhood and supportive of its continued development as a center for arts and culture in San Francisco. SFMOMA has been a good neighbor and partner, and we are delighted with the plans for the expansion of SFMOMA and the relocation of Fire Station 1. The expansion appears thoughtfully designed and will be a tremendous addition to the Yerba Buena neighborhood.

I urge your support for the SFMOMA Expansion when it comes before your Commission on November 10.

Warm best wishes,


Chris Meany

cc: Neal Benezra, Director, SFMOMA
Greg Johnson, Expansion Project Director
John Rahaim, Director of Planning
Commissioner Ron Miguel
Commissioner Michael Antonini
Commissioner Gwyneth Borden
Commissioner Kathryn Moore
Commissioner Hisashi Sugaya
Commissioner Rodney Fong



November 2, 2011

Ms. Christina Olague
President
San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, CA 94103

Re: SFMOMA Expansion Project and Relocation of Fire Station No. 1
Case No. 2009.0291 and 2010.0275
Hearing Date: November 10, 2011

Dear Commissioner Olague:

On November 10th, your commission will be asked to approve the expansion of SFMOMA and the relocation of the Fire Station 1. I enthusiastically lend my support to these projects and kindly encourage you to do so.

As you know, SFMOMA is one of the world's pre-eminent institutions, and the expansion will greatly enhance the City's reputation as a global cultural leader. We are directly across the street from the proposed expansion and we could not be more thrilled at the prospect.

Please support this project.

Many thanks,

Ronald C. Silberstein - Managing Member

cc: Neal Benezra, Director SFMOMA
Greg Johnson, Expansion Project Director
John Rahaim, Director of Planning
Commissioner Ron Miguel
Commissioner Michael Antonini
Commissioner Gweneth Borden
Commissioner Kathryn Moore
Commissioner Hisashi Sugaya
Commissioner Rodney Fong

661 Howard Street • San Francisco • California 94105 • Tel 415.974.0905 • Fax 415.974.0955

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November 22, 2011

Hon. Eric Mar, Chair
Hon. Malia Cohen, Vice-Chair
Hon. Scott Wiener
Land Use and Economic Development Committee
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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Re: SFMOMA Expansion Project and Relocation of Fire Station No. 1
Rezoning, General Plan Amendment, and Vacation of Hunt Street
File Nos. 111081, 111240 and 111213
Hearing Date: November 28, 2011

Dear Supervisors Mar, Cohen and Wiener:

I am writing on behalf of the San Francisco Museum of Modern Art (SFMOMA). As you know, SFMOMA proposes to significantly expand its museum facilities at 151 Third Street that will extend the museum footprint to Howard Street. SFMOMA will also provide the City with a new Fire Station No. 1 on Folsom Street to replace the 676 Howard Street station. The Expansion project will more than double SFMOMA's gallery space, improve public spaces, expand its curatorial, conservation and library programs, and consolidate its administrative functions under one roof, while also providing a home to the Doris and Donald Fisher Collection of contemporary art. The Board of Supervisors in 2010 approved a Conditional Land Disposition and Acquisition Agreement between the City and SFMOMA, authorizing the Fire Station land exchange upon completion of the EIR and various discretionary approvals.

SFMOMA. SFMOMA is one of San Francisco's premier cultural institutions, offering unparalleled benefits to the City's residents, visitors and artists. The museum has over 45,000 members, and approximately 650,000 individuals visit the Museum annually, about a third of them from outside the Bay Area. The Museum pioneered the growth of the Yerba Buena area and continues to serve as an anchor.

The museum's internationally recognized collection of modern and contemporary art includes more than 28,000 works and continues to grow. With strong holdings in photography, painting and sculpture, architecture and design, and media arts, the museum strives to present



key examples of Modernism as well as more recent works that reflect a variety of artistic developments occurring regionally, nationally, and around the world. Each year, in addition to organizing ongoing installations of permanent collection works, SFMOMA's curators develop a variety of collection-based presentations to complement the special traveling exhibitions hosted by the museum. Including both modern art masterworks and contemporary art in the making, the permanent collection contributes to SFMOMA's standing as a dynamic art center where visitors can learn, reflect, and be inspired.

SFMOMA has long been a leader in education, providing year-round opportunities for learning in the museum and throughout the community. School groups from Calistoga to Monterey, including groups from 69 schools within the San Francisco Unified School District, tour the museum with trained docents at no charge to the school. Another 340 teachers receive intensive training in using the visual arts to instruct core curriculum through exciting and participatory lesson plans. The museum's commitment to community access ensures that there are twelve days in every year when the public may visit the museum at no charge, and another three Sundays each year when families may visit for free. With a firm belief that artistic curiosity begins at a young age, the museum also provides free admission all year long to children 12 years of age and younger. In total, more than 95,000 visitors enjoy SFMOMA's exhibitions and collections each year at no charge.

In 2009, the museum announced a groundbreaking partnership with Doris and Don Fisher to bring the Fisher Collection — one of the world's leading collections of contemporary art — to SFMOMA. In February 2011, SFMOMA received an unprecedented 195 promised gifts of art from nine additional Bay Area collectors through the Collections Campaign. The Fisher Collection and the permanent collection expansion, like the building expansion that will house them, will provide a deeper art experience for the public at SFMOMA. More information about the museum, its public programs, and collections is enclosed and can also be accessed at www.sfmoma.org. A brief description of the Fisher Collection, excerpted from the 2010 catalogue of the collection's introductory exhibition at SFMOMA, entitled *Warhol to Calder: Introducing the Fisher Collection*, is also enclosed. The full catalogue is available in the Planning Department's case files.

Planning Commission Action. On November 10, 2011, the Planning Commission took the following actions in furtherance of the SFMOMA Expansion Project at 151 Third Street/670-676 Howard Street and the relocation of Fire Station No. 1 to 935 Folsom Street, all on unanimous votes:

1. Certification of Final EIR;
2. Approval of CEQA Findings (adopting Mitigation Monitoring and Reporting Programs, finding project alternatives infeasible and adopting a Statement of Overriding Benefits);
3. Recommendation to the Board of Supervisors to rezone 676 Howard Street to C-3-S (Downtown Support) and to rezone 935 Folsom to P (Public);



4. Recommendation to the Board of Supervisors to amend Map 2 of the Community Facilities Element of General Plan to designate 935 Folsom as a Fire Station site;
5. Determination that the vacation of Hunt Street, the relocation of Fire Station No. 1 to 935 Folsom Street, and the subdivision of the 935 Folsom lot are consistent with the General Plan.

The Planning Commission will hold a hearing on the final design of the SFMOMA Expansion project by Snøhetta and EHDD Architecture in January 2012, during which the Commission may impose conditions of approval on its Planning Code Section 309 permit consideration, including the mitigation measures and improvement measures set forth in the Final EIR.

November 28 Land Use Committee Hearing. At the Land Use Committee meeting of November 28, 2011, you will be considering three items in furtherance of the project: (1) the General Plan amendment referenced above; (2) the rezonings referenced above (introduced by Supervisor Kim); and (3) the vacation of Hunt Street (also introduced by Supervisor Kim).

The rezoning and General Plan amendments are necessary because although most of the SFMOMA site is zoned C-3-O and C-3-S with 500- and 320-foot height limits, 676 Howard Street, the current home of Fire Station No. 1, is zoned P (Public) with a 320-foot height limit. The museum expansion will replace the current station, which is seismically compromised, poorly located, and functionally inadequate, with a new station at 935 Folsom Street. Supervisor Kim's rezoning ordinance (and the General Plan Map amendment)-will rezone 676 Howard Street from P to C-3-S and rezone 935 Folsom from MUR to P to accommodate the new uses.

Supervisor Kim's ordinance to vacate Hunt Street is necessary to assemble the land for the SFMOMA Expansion, as contemplated by the Conditional Land Disposition and Acquisition Agreement between the City and SFMOMA that the Board approved in 2010. Hunt Street is a landlocked 30- x 115-foot alley located between 151 Third and 670-676 Howard Street. It is used almost solely as a parking lot for firefighters at the 676 Howard Street Station, which will relocate to 935 Folsom Street before the street vacation is final.

We are moving forward now on these items so that the replacement for Fire Station No. 1 can begin construction in early 2012, in advance of the 2013 construction of the SFMOMA Expansion project. The Arts Commission has already given final design approval to the replacement Fire Station (contingent on the Board of Supervisors rezoning the site), and we are ready to break ground on the new fire station as soon as the rezoning becomes effective.

Widespread support. I hope that you will agree that this project is a great deal for the City. It gives SFMOMA the chance to grow into one of the best museums of contemporary and modern art in the world; provides a home for the Fisher Collection and the museum's expanding permanent collection; opens up the museum to all four surrounding streets and alleys; brings great architecture by world-renowned architects to the City; and even improves public safety South of Market. All this is at no cost to the City. For these reasons, the SFMOMA Expansion and Fire Station Relocation projects have widespread support.



W Hotel. To our knowledge, the only concern about the museum expansion are those expressed by the owners of the W Hotel at 181 Third Street, who seem to believe they have a right to preserve private views from certain of their hotel rooms. The owners of the W asked the Planning Commission not to certify the Final EIR and not to approve the vacation of Hunt Street. The museum expansion will reach a height of only about 200 feet, compared to the 500- and 320-foot height limits and the 320-foot height of the W Hotel. There is no way to expand the museum without affecting some views from some hotel rooms. However, as you well know, private views are not protected in San Francisco.

The W's opposition to the vacation of Hunt Street is based on its owner's belief that SFMOMA must grant the W a private easement for its loading and valet parking needs through the interior of the block. SFMOMA has committed through the EIR process to provide the W with vehicular and loading access across the SFMOMA site, so that loading and valet parking operations for the hotel will be improved over existing conditions. The Planning Commission indicated on November 10 that it intends to impose that requirement (EIR Improvement Measure TR-7) as a condition of the Section 309 permit it will consider in January. We believe imposition of that Improvement Measure will assure the W continued access to its loading and valet parking operations.

Enclosed is a copy of my letter dated November 9, 2011, which responds in detail to the W's opposition to the street vacation. We request that you reject the W's opposition and move forward with the vacation of Hunt Street – without it the SFMOMA Expansion project cannot be built.

Conclusion. The SFMOMA Expansion project will in the long run improve the Yerba Buena area and be a benefit to the W Hotel and other visitor-serving businesses in the area. The St. Regis Hotel, which will also lose some private hotel room views, is fully supportive of the expansion project, as are the Yerba Buena Alliance, the Yerba Buena CBD, and SF Travel.

If you need any further information prior to the November 28 hearing, please contact me or our community liaison, David Prowler, at 544-0445; david@prowler.org.

Sincerely,

Steven L. Vettel

cc: Sup. Jane Kim
Alisa Miller, Clerk's Office
Neal Benezra, Director, SFMOMA
Greg Johnson, Museum Expansion Project Director
David Prowler

