

August 26, 2019

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2019 AUG 26 PM 2:35

BY 

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

**RE: Case No. 2014.0948ENX 344 14th Street  
Appeal of the July 25, 2019 Planning Commission Decision**

Dear Members of the Board Supervisors:

Our Mission No Eviction appeals the **environmental exemption** for the at **344 14th Street** (hereafter "Proposed Project"). Pages 2,3 of Planning Commission Motion 20492, adopted 7/25/19, sets out and incorporates the environmental exemption. We appeal Department's Community Plan Exemption Certificate determination that the proposed 344 14th St project did not require further environmental review under CEQA and is consistent with the analysis of the August 7, 2008 Eastern Neighborhoods PEIR.

The Final Motion for the relevant appeal is attached as **Exhibit A**.

The appeal of the adoption of the Community Plan Exemptions and CEQA Findings are filed on the following basis.

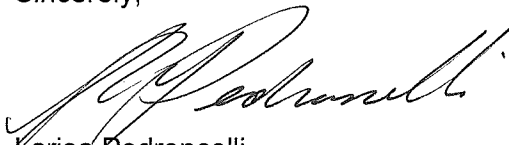
1. **Inadequate soils testing and geotechnical review was performed in a liquefaction zone with known tributaries running under the project site.** Soil samples were taken after an outlier period of extended drought and the remaining foundation of the College of Physicians and Surgeons of San Francisco building limited easy access for soils testing in several areas. Heavy rainfall during the 2017-2018 and 2018-2019 seasons has made the current soil conditions different from what was tested in the spring of 2016 when the geotechnical report was prepared.
2. **The footprint of this foundation could substantially alter existing drainage patterns for the area and the tributaries running under the proposed site.** In conjunction with the diversion already taking place as a result of the foundations of 380 Valencia Street and the Annunciation Cathedral at 245 Valencia Street, further diversion or a change in current diversion patterns could result in flooding of perimeter areas.

3. **The CEQA findings did not study or callout the capacity of the existing aging sewer system** adjacent to the project site. Existing pipes have been overloaded during large events at the SF Armory and these problems were identified in emails to environmental planners by neighbors adjacent to the Proposed Project.
4. **The CEQA findings did not address the potential impacts to the adjacent historic resources of the Woodward Street Historic District and the nationally registered San Francisco Armory historic landmark.** With the inadequate geotechnical investigation, the potential for undermining foundations, flooding, and substantial adverse change to these historical resources was not considered; nor were mitigating measures recommended.
5. **Substantial new information affecting environmental analysis has become available.** The Proposed Project does not qualify for a Community Plan Exemption under [CEQA Guidelines Section 15183](#) because the approval is based on an out of date 2008 EIR prepared for the Eastern Neighborhoods Area Plan and the EIR's analysis and determination can no longer be relied upon to support the claimed exemption in the areas of direct, indirect, and cumulative impacts to: land use, consistency with area plans and policies, traffic and circulation, and transit and transportation.
  - Gentrification has caused unanticipated increases in traffic, automobile ownership and changed traffic patterns that have not yet been evaluated. The influx of high earners in the Mission has resulted and will continue to result in a substantial increase in the rate of automobile ownership and TNC use in the Mission. Although a traffic study was done for this project, it did not contain any cumulative analysis.
  - The cumulative impacts of development in the vicinity of the Proposed Project have altered traffic circulation patterns, risking pedestrian and bicycle safety. Vision Zero has identified this block of 14th street as a high injury corridor of the city.
  - The PEIR's projections for housing, including this project and those in the pipeline, have been exceeded when cumulative impacts are considered (Guidelines Section 15355).
  - San Francisco continues its disproportionate construction of market-rate units as compared with Affordable Units, while exceeding its RHNA housing production goals overall, and particularly exceeding its RHNA Goals for above moderate income housing (greater than 120% AMI). Low-income housing production remains well

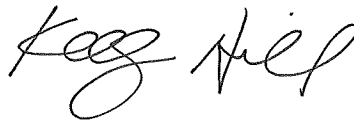
below RHNA targets, even if one equates housing rehabilitation with housing production.

CEQA requires a cumulative environmental analysis based on current and reasonably anticipated circumstances. In this case,, San Francisco has fallen short of its CEQA obligation to inform of and recommend mitigation measures that would ease these impacts. The approval of the Proposed Project leaves many unexamined environmental effects and insufficient mitigation measures, to the detriment of Mission residents.

Sincerely,



Larisa Pedroncelli  
Kelly Hill  
Members, Our Mission No Eviction



Attachments: **Exhibit A** - Planning Commission Motion No 20492

cc: Environmental Review Officer, San Francisco Planning Department

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August 23, 2019

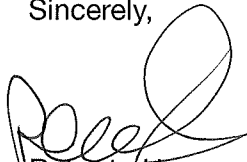
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BY BJ

To whom it may concern-

I, Roberto Hernandez working for Our Mission No Eviction, authorize Larisa Pedroncelli and Kelly Hill to file an appeal to the Board of Supervisors of the July 25, 2019 Planning Commission decision to the project at 344 14th Street, San Francisco, CA.

Sincerely,



Roberto Hernandez  
Our Mission No Eviction



## EXHIBIT A



# SAN FRANCISCO PLANNING DEPARTMENT

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37 *BJ*

## Planning Commission Motion No. 20492

HEARING DATE: JULY 25, 2019

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Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
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Planning  
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*Record No.:* 2014.0948ENX  
*Project Address:* 344 14<sup>TH</sup> STREET  
*Zoning:* UMU (Urban Mixed Use) Zoning District;  
58-X Height and Bulk District  
*Block/Lot:* 3532/013  
*Project Sponsor:* MM Stevenson, LLC  
2429 West Coast Highway, Suite 205  
Newport Beach, CA 92625  
*Property Owner:* MM Stevenson, LLC  
2429 West Coast Highway, Suite 205  
Newport Beach, CA 92625  
*Staff Contact:* Esmeralda Jardines – (415) 575-9144  
[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org)

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION, PURSUANT TO PLANNING CODE SECTION 329, FOR THE PROJECT PROPOSING NEW CONSTRUCTION OF A SEVEN-STORY, 78-FT TALL, MIXED-USE RESIDENTIAL BUILDING (MEASURING APPROXIMATELY 84,630 SQUARE FEET) WITH 5,890 SQUARE FEET OF GROUND FLOOR RETAIL USE AND 60 DWELLING UNITS (CONSISTING OF 4 STUDIO UNITS, 17 ONE-BEDROOM UNITS, 14 TWO-BEDROOM/1-BATHROOM, AND 25 TWO-BEDROOM/2-BATHROOM UNITS) WHICH WOULD UTILIZE THE STATE DENSITY BONUS LAW (CALIFORNIA GOVERNMENT CODE SECTIONS 65915-65918) AND INVOKE WAIVERS FROM THE DEVELOPMENTS STANDARDS FOR: 1) REAR YARD (PLANNING CODE SECTION 134), 2) USABLE OPEN SPACE (PLANNING CODE SECTION 135), AND 3) HEIGHT (PLANNING CODE SECTION 260), LOCATED AT 344 14<sup>TH</sup> STREET (RESIDENTIAL), LOT 013 IN ASSESSOR'S BLOCK 3532, WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICT AND A 58-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On June 28, 2016, MM Stevenson, LLC (hereinafter "Project Sponsor") filed Application No. 2014.0948ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new seven-story, 78-ft tall, residential building with 60 dwelling units and ground floor commercial (hereinafter "Project") at 344 14<sup>th</sup> Street Block 3532 Lot 013 (hereinafter "Project Site").

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2014.0948ENX is located at 1650 Mission Street, Suite 400, San Francisco, California.

The Project Sponsor seeks to proceed under the State Density Bonus Law, Government Code Section 65915 et seq ("the State Law"). Under the State Law, a housing development that includes affordable housing is

entitled to additional density, concessions and incentives, and waivers from development standards that might otherwise preclude the construction of the project. In accordance with the Planning Department's policies regarding projects seeking to proceed under the State Law, the Project Sponsor has provided the Department with a 58,441 square foot "Base Project" that would include housing affordable to very-low income households. Because the Project Sponsor is providing 11% units of housing affordable to very-low income households, 4% to moderate-income households, and 4% to middle-income households pursuant to State Law, the Project seeks a density bonus of 35% and waivers of the following development standards: 1) Rear Yard (Planning Code Section 134), 2) Usable Open Space (Planning Code Section 135), and 3) Height (Planning Code Section 260). The Project Sponsor includes 8 affordable units on-site: five (11%) of the units shall be affordable to households earning less than 50% of area median income, one (4%) of the units shall be affordable to households earning less than 80% of area median income, and two (4%) of the units shall be affordable to households earning less than 110% of area median income.

On October 25, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014.0948ENX. At the public hearing on October 25, 2018, the Commission continued this Project to the public hearing on November 15, 2018. At the public hearing on November 29, 2018, the Commission continued this Project to the public hearing on November 29, 2018. At the public hearing on November 29, 2018, the Commission continued this Project to the public hearing on January 11, 2019. Subsequently, the Commission continued this Project to the public hearing on February 14, 2019 then continued this Project to the public hearing on April 4, 2019. On April 4, 2019, the Commission heard the item but continued this Project to the public hearing on June 6, 2019. On June 6, 2019, the Commission continued the item to June 27, 2019. On June 27, 2019, the Commission heard the item but continued this Project to the public hearing on July 11, 2019. On July 11, 2019, the Commission continued the item to July 25, 2019.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether

there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On May 30, 2019, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit I.

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

**MOVED**, that the Commission hereby authorizes the Large Project Authorization as requested in Application No. 2014.0948ENX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project includes new construction of a mixed-use building at 344 14<sup>th</sup> Street, proposing a seven-story, 78-ft tall, residential building with ground floor commercial

(approximately 84,630 square feet (sq. ft.)) with 60 dwelling units, including approximately 5,890 square feet of retail sales and service use, 61 Class 1 bicycle parking spaces, and 6 Class 2 bicycle parking spaces. The Project includes a dwelling-unit mix consisting of: 4 studio (JR) units, 17 one-bedroom units, 14 two-bedroom/one-bathroom, and 25 two-bedroom/two-bathroom units. Pursuant to California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law.

3. **Site Description and Present Use.** The Project is located on Assessor's Block 3532, Lot 013 (with a lot area of approximately 15,664 sq. ft.), which has approximately 130-ft of frontage along 14th Street, 120-ft of frontage along Stevenson Street, and 121-ft of frontage along Woodward Street. The Project Site contains a surface parking lot for 78 off-street parking spaces.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the UMU Zoning District (344 14<sup>th</sup> Street) in the Mission Area Plan. The immediate context is mixed in character with residential, commercial, industrial, and institutional uses. The immediate neighborhood includes two-to-four-story residential buildings to the north and east, the Armory to the south across 14<sup>th</sup> Street, and the Annunciation Cathedral to the west across Stevenson Street. Other zoning districts in the vicinity of the project site include: Valencia Street NCT (Neighborhood Commercial Transit), Mission Street NCT, RM-1 (Residential-Mixed, Low Density) and the NCT-3 (Neighborhood Commercial Transit-Moderate Scale) Zoning District.
5. **Public Outreach and Comments.** The Department has received several inquiries about the Project, some of whom have expressed opposition to the project. The recurring concern is the proposed building height. Subsequent to the Planning Commission direction encouraging additional public outreach, the Project Sponsor hosted a Community Outreach meeting on April 30, 2019 inviting more than 1,500 owners and occupants within a 500-ft radius of the project. Sixteen of the invitees attended the meeting including members of the United to Save the Mission and the Mission Economic Development Agency, seven neighbors from Woodward Street, two neighbors from 14<sup>th</sup> Street, and Amy Beinart, Legislative Aide to Supervisor Ronen. Subsequently, follow-up correspondence and meetings occurred with USM, MEDA, and the "Woodwardians".
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Permitted Uses in UMU.** Per Planning Code Section 843.20 and 843.45, residential and retail sales and service uses are permitted within the UMU Zoning District.

*The Project would construct a new residential building with ground floor commercial uses within the UMU Zoning District. The Project is proposing 60 dwelling units in the UMU. Therefore, the Project complies with these requirements.*

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 4.0 to 1 for properties within the UMU Zoning District and a 50-, 55-, or 58-ft Height District.

*The subject lot within the UMU Zoning District measures approximately 15,664 sq. ft.; thus, resulting in a maximum allowable floor area of 62,656 sq. ft. for non-residential uses. The Project would construct approximately 5,775 sq. ft of commercial use within the UMU Zoning District. Therefore, the Project would comply with Planning Code Section 124.*

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level.

*The Project includes a courtyard at the ground floor, which measures approximately 1,815 sq. ft., 30 feet in depth and 60 feet 6 in width. The required rear yard does not measure the entire length of the lot, nor the required 3,932.5 square feet.*

*Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, and is seeking a waiver from the development standards for rear yard, as defined in Planning Code Section 134. This reduction in the rear yard requirements is necessary to enable the construction of the project with the increased density provided by as required under Government Code Section 65915(d). Though a code-complying rear yard is not provided, a comparable amount of usable open space is provided via a common courtyard, roof decks and private balconies/terraces as well.*

- D. **Usable Open Space.** Within the UMU Zoning District, Planning Code Section 843 requires a minimum of 80 sq. ft. of open space per dwelling unit if private or 54 sq. ft. if publicly accessible.

Per Planning Code Section 134(g), private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 sq ft if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 sq ft if located on open ground, a terrace or the surface of an inner or outer court. Common usable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum area of 300 sq. ft. Further, inner courts may be credited as common useable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 sq ft in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

*The Project includes 8 units with private open space meeting the size and dimensional requirements of the Planning Code. For the remaining 52 units, 4,160 sq. ft. of common open space is provided with roof decks on the fifth and seventh floors and a podium-level courtyard. However, the interior court does not meet the dimensional requirements for dwelling unit exposure; therefore, 1,815 square feet of the common usable open space is not code-complying. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to utilize the State Density Bonus Law, and is seeking a waiver from the development standards for usable open space, as defined in Planning Code Section 135. This reduction in the usable open space requirements is necessary to enable the construction of the project*

*with the increased density provided by as required under Government Code Section 65915(d). Though code-complying usable open space is not provided in its entirety because of the dimensional requirements required at the upper floors, the required amount of usable open space is provided via a common courtyard, roof decks and private balconies/terraces.*

- E. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires a streetscape plan in compliance with the Better Streets Plan for new construction on a lot that is greater than one-half acre in area or with more than 250 feet of street frontage.

*The Project is proposing new construction on a site with more than 150 feet of street frontage. The streetscape plan has been reviewed and approved by the Streetscape Design Advisory Team (SDAT); therefore, the Project complies with Planning Code Section 138.1.*

- F. **Bird Safety.** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

*The subject lot is not located in close proximity to an Urban Bird Refuge as defined in Section 139, and the Project meets the requirements for feature-related hazards.*

- G. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley at least 20 feet wide, side yard or rear yard must be at least 25 feet in width, or an open area (either inner court or a space between separate buildings on the same lot) must be no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit is located.

*The Project organizes the dwelling units to have exposure either on: 14<sup>th</sup> Street, Stevenson Street or Woodward Street. As proposed, all 60 dwelling units face a public street. Therefore, all dwelling units meet the dwelling unit exposure requirements of the Planning Code.*

- H. **Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; and that all uses have a minimum floor-to-floor height of 17 feet in the UMU Zoning District.

*The subject commercial space has approximately 130-feet of frontage on 14th Street, 45-feet of frontage along Stevenson Street, and 45-feet of frontage along Woodward Street. All street frontages propose active uses and the windows are clear and unobstructed. Further, the proposed ground floor ceiling height in the UMU is 17 feet. Therefore, the project demonstrates compliance.*

- I. **Off-Street Parking.** Planning Code Section 151.1 allows off-street parking at a maximum ratio of .75 per dwelling unit in an UMU Zoning District. However, no off-street parking is required in the UMU Zoning District.

*The Project includes 60 dwelling units; therefore, the Project is permitted to provide 45 off-street parking spaces for residential units. The Project will not provide any off-street parking. Therefore, the Project complies with Planning Code Section 151.1.*

- J. **Off-Street Freight Loading.** Planning Code Section 152.1 requires one off-street freight loading space for residential uses between 100,001 and 200,000 gsf within the Eastern Neighborhood Mixed Use Districts.

*The Project includes approximately 78,740 square feet of residential use in the UMU Zoning District; thus, the Project is not required to provide an off-street freight loading space. Therefore, the Project demonstrates compliance with Planning Code Section 152.1.*

- K. **Bicycle Parking.** Planning Code Section 155.2 requires one Class 1 bicycle parking space per dwelling unit and one Class 2 bicycle parking spaces for every 20 dwelling units. For a retail sales and service use, at least two Class 2 spaces are required and one for every 2,500 square feet of occupied floor area.

*The Project includes 60 dwelling units; therefore, the Project is required to provide 60 Class 1 bicycle parking spaces and three Class 2 bicycle parking spaces for residential uses and one Class 1 and two Class 2 for retail sales and service uses. The Project will provide sixty-one (60) Class 1 bicycle parking spaces and four (4) Class 2 bicycle parking spaces for residential uses and one Class 1 and two Class 2 for retail sales and service uses; for a total of 61 Class 1 spaces and 6 Class 2 spaces. Therefore, the Project complies with Planning Code Section 155.2.*

- L. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 16 points for the residential portion.

*The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 5 points for the residential portion. As currently proposed, the Project will achieve its required points (16 points total) for residential through the following TDM measures:*

*Residential:*

- *Parking Supply (Option K)*
- *Bicycle Parking (Option A)*



- *On-Site Affordable Housing*

M. **Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms.

*For the 60 dwelling units, the Project is required to provide 24 two-bedroom units or 18 three-bedroom units. The Project provides 4 studio (JR), 17 one-bedroom units, 14 two-bedroom/two-bathroom units, and 25 two-bedroom/two-bathroom units; therefore, the Project meets the requirements for dwelling unit mix.*

N. **Narrow Streets.** Planning Code Section 261.1 outlines height and massing requirements for projects that front onto a “narrow street”, which is defined as a public right of way less than or equal to 40-feet in width. Stevenson and Woodward Streets each measure approximately 40-foot wide and are considered narrow streets. For the subject frontage along a narrow street, a 10-foot setback is required above a height of 50 feet. Subject frontage is defined as any building frontage more than 60-ft from an intersection with a street wider than 40-feet.

*Along both Stevenson and Woodward Streets, the Project is setback at least 10-feet from the property line where the height is above 50 feet; therefore, the Project complies with Planning Code Section 261.1.*

O. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40-feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40-feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

*The Planning Department prepared a preliminary shadow fan analysis and determined that the proposed project would not cast shadows on any parks or open spaces under the jurisdiction of the San Francisco Recreation and Parks Commission at any time during the year.*

P. **Transportation Sustainability Fee.** Planning Code Section 411A is applicable to new development that results in more than twenty dwelling units.

*The Project includes approximately 78,740 gsf of new residential use. This square footage shall be subject to the Transportation Sustainability Fee, as outlined in Planning Code Section 411A. The Project filed an environmental review application on or before July 21, 2015; thus, the residential use will be subject to 50 percent of the applicable TSF.*

Q. **Residential Childcare Impact Fee.** Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

*The Project includes approximately 78,740 gsf of residential use. The proposed Project is subject to fees as outlined in Planning Code Section 414A.*

- R. Inclusionary Affordable Housing Program in Urban Mixed-Use Zoning District.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to any housing project that consists of 10 or more units where an individual project or a phased project is to be undertaken and where the total undertaking comprises a project with 10 or more units, even if the development is on separate but adjacent lots. In the event the project has not been approved, which shall mean approval following any administrative appeal to the relevant City board, on or before December 7, 2018, the development project shall comply with the inclusionary affordable housing requirements set forth in Sections 415.5, 415.6, and 415.7, as applicable. For any rental housing project consisting of 25 or more rental units, the number of affordable units constructed on-site shall generally be 18% of all units constructed on the project site, with a minimum of 10% of the units affordable to low-income households, 4% of the units affordable to moderate-income households, and 4% of the units affordable to middle-income households. In no case shall the total number of affordable units required exceed the number required as determined by the application of the applicable on-site requirement rate to the total project units. Rental units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 110% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units. For any affordable units with rental rates set at 110% of Area Median Income, the units shall have a minimum occupancy of two persons. This unit requirement shall be outlined within the Mayor's Office of Housing Preferences and Lottery Procedures Manual no later than 6 months following the effective date of the Ordinance contained in Board of Supervisors File No. 161351. MOHCD may reduce Area Median Income pricing and the minimum income required for eligibility in each rental category. Per pending legislative (see Board No. 181154), the proposed Ordinance would require all projects, regardless of environmental evaluation application date, to pay the fee on the entire project, including additional units or square footage provided under the State Density Bonus Law.

*The Project Sponsor seeks to develop under the State Density Bonus Law, and therefore must include on-site affordable units in order to construct the Project at the requested density and with the requested waivers of development standards. The Project Sponsor will use a portion of their required Inclusionary units to qualify for a Density Bonus under State Law. The Project Sponsor submitted a complete Environmental Evaluation on December 11, 2015 but did not receive an approval before December 7, 2018; thus, is required to provide affordable units in the amount of 18 percent of the number of units constructed on site. The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable*

*Housing Alternative under Planning Code Sections 415.5 and 415.6 and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing on-site affordable housing, in the amount of 19 percent, 1 percent above what is required. The Project Sponsor is providing 19 percent of the base project units as affordable to satisfy the Inclusionary Affordable Housing Program obligation, which includes 8 units (one studio (JR), two one-bedroom, and 5 two-bedroom) of the 60 units provided will be affordable units.*

*The Project Sponsor will satisfy the Inclusionary Housing requirements by providing eight units, or 19 percent of the total proposed dwelling units in the Base Project as affordable to low-, moderate-, and middle-income households (as defined in California Health and Safety Code section 50105) at the affordability levels specified in the City's Inclusionary Housing Program or any successor program applicable to on-site below-market rate units, totaling 19% of the proposed dwelling units in the Base Project. The Project is electing to provide 11 % of the total units as very low-income (50% AMI), 4% of the total units as moderate income (80% AMI), and 4% of the total units as middle-income (110% AMI). If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative prior to issuance of the first construction document, this Large Project Authorization approval shall be deemed null and void. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative after construction, the City shall pursue any and all available remedies at law.*

- S. **Childcare Impact Fee.** Planning Code Section 414A is applicable to any residential development citywide that results in the addition of a residential unit.

*The Project includes approximately 78,740 square feet of new residential use. Therefore, the proposed Project is subject to fees as outlined in Planning Code Section 414A.*

- T. **Eastern Neighborhood Infrastructure Impact Fee.** Planning Code Section 423 is applicable to any development project within the UMU (Urban Mixed Use) Zoning District that results in new gross square feet of residential and non-residential space.

*The Project includes approximately 78,740 gsf of new residential use and 5,890 gsf of retail sales and service use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.*

7. **State Density Bonus Law:** Per California Government Code Section 65915-65918 and Planning Code Section 206.6, the Project Sponsor has elected to utilize the State Density Bonus Law. Pursuant to Planning Code Section 206.6, this project is an Individually Requested State Density Bonus Project and must meet applicable findings. The State Law permits a 35 percent density bonus if at least 11 percent of the "Base Project" units are affordable to very-low-income households (as defined in California Health and Safety Code section 50105). The "Base Project" includes the amount of residential development that could occur on the project site as of right without

modifications to the physical aspects of the Planning Code (ex: open space, dwelling unit exposure, etc.). Under the State Density Bonus Law, the Project Sponsor is entitled to a specified number of concessions or incentives, as well as waivers for any development standard that would physically preclude construction of the project at the proposed density and with the concessions or incentives.

*The Project is providing 19 percent of units in the Base Project as affordable to very-low, moderate-income, and middle-income households (as defined in California Health and Safety Code section 50105) and is entitled to a 35 percent density bonus and three concessions or incentives under State Law. The Project also seeks waivers to the development standards for: 1) Rear Yard (Planning Code Section 134), 2) Usable Open Space (Planning Code Section 135), and 3) Height (Planning Code Section 260), which are necessary to construct the Project at the proposed density. The Project Sponsor has not requested any concessions or incentives under State Law.*

8. **Planning Code Section 206.6** establishes criteria for the Planning Commission to consider when reviewing applications for State Density Bonus Program: Individually Requested. On balance, the project complies with said criteria in that:

- (1) Before approving an application for a Density Bonus, Incentive, Concession, or waiver, for any Individually Requested Density Bonus Project, the Planning Commission shall make the following findings as applicable.

- (A) The Housing Project is eligible for the Individually Requested Density Bonus Program.

*The Project is eligible for the Individually Requested Density Bonus Program in that it consists of five or more dwelling units; is subject to a recorded covenant that restricts rent levels to affordable levels for very low or low-income persons or families; and is not located in the RH-1 or RH-2 Zoning District.*

- (B) The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided.

*The Project is not seeking any Concessions or Incentives.*

- (C) If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted.

*In order to accommodate the additional 35% density conferred by the State Law, the Project is seeking waivers from rear yard, usable open space, and height requirements. Without these waivers, construction of the Project at the proposed density would be physically precluded by the City's Development Standards. A code-compliant project on the site would allow for 58,441 of residential square feet with a building height of 58 feet. Through the application of the State Density Bonus, an additional 20,454 square feet of residential can be provided on the site.*

(D) If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met.

*The Project does not include a donation of land.*

(E) If the Density Bonus, Concession or Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met.

*The Project does not include a child care facility.*

(F) If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k)(2) have been met.

*The Project is a mixed-use development, but has not requested any concessions or incentives.*

9. **Large Project Authorization Design Review in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

A. **Overall building mass and scale.** *At 344 14<sup>th</sup> Street, the Project is designed as a seven-story, 78-ft tall, residential building with ground floor residential units and ground floor commercial, which incorporate direct residential entryways along Woodward and Stevenson Street, as well as massing setbacks along those respective street frontages. This massing is appropriate given the larger neighborhood context, which includes two-and-five-story residential buildings, as well as the Armory, directly south of the subject site and the Annunciation Cathedral directly west of the subject site. The surrounding neighborhood is varied with many examples of smaller-and mid-scale residential properties along Mission and Valencia Street. The Project's overall mass and scale are further refined by the building modulation, which incorporates projecting bays. As required along alleys, 10-ft setbacks are provided along both Stevenson and Woodward Street for the portions of the residential building that are more than 60 feet from street intersections. This provides an appropriate mass break from the abutting alleys. Overall, these features provide variety in the building design and scale, while providing for features that strongly complement the neighborhood context. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood.*

B. **Architectural treatments, facade design and building materials.** *The Project's architectural treatments, facade design and building materials include: cement plaster, brick veneer, tile, storefront window system, and aluminum windows. The Project is contemporary in its character and references the residential uses at 344 14<sup>th</sup> Street. The Project features clarity of form/organization, simple formal gestures, with a volumetric emphasis on the primary corner, regular modulation, facade texture of materials, durable materials at the base, a high solid-to-void ratio, and a scale of fenestration that is compatible with the neighborhood. The Project incorporates a simple, yet elegant, architectural language that is accentuated by contrasts in the exterior materials. Overall, the Project offers a high-quality architectural treatment, which provides for unique and expressive architectural design that is consistent and compatible with the surrounding neighborhood.*

- C. **The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access.** *The Project incorporates a mid-lot courtyard, between the residential building and the contiguous surface parking lot. Along the lower floors, the Project provides for residential amenities (entry lobby, package room, bicycle parking), and ground floor dwelling units with individual pedestrian access along Stevenson and Woodward Street. These dwelling units and amenities will provide for activity on the street level. The residential building provides ground floor walk-in residential entries at Stevenson and Woodward Street. Lastly, the Project minimizes the impact to pedestrians by eliminating vehicular access at 344 14<sup>th</sup> Street; thus, no off-street parking is proposed.*
  - D. **The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site.** *The Project exceeds the open space requirement by constructing a ground floor courtyard, roof decks, and private balconies/terraces. However, because the courtyard does not meet dwelling unit exposure requirements, the Project is seeking a waiver under the State Density Bonus Program.*
  - E. **The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2.** *No portion of the Project within the UMU Zoning District provides a frontage longer than 200 linear feet; therefore, it is not subject to Section 270.*
  - F. **Streetscape and other public improvements, including tree planting, street furniture, and lighting.** *In compliance with Planning Code Section 138.1, the Project includes new streetscape elements, such as new sidewalks, linear planters along the street edge, and new street trees. These improvements would vastly improve the public realm and surrounding streetscape.*
  - G. **Circulation, including streets, alleys and mid-block pedestrian pathways.** *The Project provides ample circulation in and around the project site through the streetscape. The Project incorporates an interior courtyard, which is accessible to residents.*
  - H. **Bulk limits.** *The Project is within 'X' Bulk Districts, which do not restrict bulk.*
  - I. **Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan.** *The Project, on balance, meets the Objectives and Policies of the General Plan. See Below.*
10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

## HOUSING ELEMENT

### Objectives and Policies

**OBJECTIVE 1:**

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

**Policy 1.1**

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

**Policy 1.4**

Ensure community-based planning processes are used to generate land use controls.

**Policy 1.6**

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

**Policy 1.8**

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional, or other single use development projects.

**Policy 1.10**

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

*The Project is a higher density mixed-use development on an underutilized lot that is in between two commercial districts, Mission Street and Valencia Street NCTs. The Project site is an ideal infill site that is currently occupied by a surface parking lot with 78 off-street parking spaces. The Project would add 60 units of housing to the site with a dwelling unit mix of: 4 studio (JR) units, 17 one-bedroom units, 14 two-bedroom/one-bathroom, and 25 two-bedroom/two-bathroom units. The Project is consistent with the UMU Zoning District, which encourages a mix of uses including commercial and housing that is affordable to people with a wide range of incomes. The Project includes eight on-site affordable housing units, which complies with the Mission District's goal to provide a higher level of affordability, as required in the UMU Zoning District. The Project would satisfy its inclusionary affordable housing requirement by designating eight (8) on-site affordable housing units to satisfy the Inclusionary Affordable Housing obligation, and by paying the Inclusionary Fee on the bonus residential gross floor area conferred by the State Law.*

**OBJECTIVE 4:**

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

**Policy 4.1**

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

**Policy 4.4**

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

**Policy 4.5**

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

*The Project will add 60 dwelling units to the City's housing stock, and meets the affordable housing requirements by providing for eight (8) on-site permanently affordable units for rental; thus, encouraging diversity among income levels within the new development.*

**OBJECTIVE 11:**

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

**Policy 11.1**

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

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3**

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

**Policy 11.4:**

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

**Policy 11.6**

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

**Policy 11.8**

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

*The Project responds to the site's location within a mixed-character neighborhood. The Project would construct a new seven-story mixed-use building on the north side of 14<sup>th</sup> Street between Stevenson and*



*Woodward Street. The scale of the Project is appropriate from an urban design perspective because it recognizes its immediate context with the Armory to the south and the Annunciation Cathedral to the west. Overall, the Project's massing also recognizes the existing block pattern as it relates to the street frontage along Stevenson and Woodward Street, which is where the building is setback as it relates to the smaller scale residential development to the north. The neighborhood is characterized by a wide variety of residential, commercial, retail and PDR uses. In addition, the Project includes projecting vertical and horizontal architectural elements, which provide vertical and horizontal modulation along the street facades and provides a high-quality material palate that invokes the residential use therein along each respective frontage.*

**OBJECTIVE 12:**

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

**Policy 12.2**

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

*The Project is located in proximity to many neighborhood amenities. The Project is located on 14<sup>th</sup> Street between the Mission Street and Valencia commercial corridors which provide a variety of retail establishments, restaurants, small grocery stores, educational facilities and cafes. The Project is also located near the Armory, Annunciation Cathedral, and the 16th Street BART Station.*

**RECREATION AND OPEN SPACE ELEMENT**

**Objectives and Policies**

**OBJECTIVE 2:**

**INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BY REGION**

**Policy 2.11:**

Assure that privately developed residential open spaces are usable, beautiful, and environmentally sustainable.

*The Project proposes landscaped open spaces via a mid-lot courtyard, roof decks, as well as private balconies and roof terraces.*

**OBJECTIVE 3:**

**IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE**

**Policy 3.6:**

Maintain, restore, expand and fund the urban forest.

*The Project will add to the urban forest with the addition of street trees along all three project frontages: 14<sup>th</sup> Street, Stevenson Street, and Woodward Street.*

## **TRANSPORTATION ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 24:**

**IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

#### **Policy 24.2:**

Maintain and expand the planting of street trees and the infrastructure to support them.

#### **Policy 24.4:**

Preserve pedestrian-oriented building frontages.

*The Project will install new street trees along all project frontages: 14<sup>th</sup> Street, Stevenson Street, and Woodward Street. Frontages are designed with transparent glass and intended for active spaces oriented at the pedestrian level.*

#### **OBJECTIVE 28:**

**PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.**

#### **Policy 28.1:**

Provide secure bicycle parking in new governmental, commercial, and residential developments.

#### **Policy 28.3:**

Provide parking facilities which are safe, secure, and convenient.

*The Project includes 61 Class 1 and 6 Class 2 bicycle parking spaces in secure, convenient locations.*

#### **OBJECTIVE 34:**

**RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.**

#### **Policy 34.3:**

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

**Policy 34.5:**

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

*The Project will not provide off-street vehicular parking. No off-street parking is required in the UMU Zoning District; therefore, the Project complies with Planning Code Section 151.1.*

**URBAN DESIGN ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.3**

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

**Policy 1.7**

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

**MISSION AREA PLAN**

**LAND USE**

**Objectives and Policies**

**OBJECTIVE 1.1:**

STRENGTHEN THE MISSION'S EXISTING MIXED-USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

**Policy 1.1.7**

Permit and encourage greater retail uses on the ground floor on parcels that front 16th Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

**Policy 1.1.8**

While continuing to protect traditional PDR functions that need large, inexpensive spaces to operate, also recognize that the nature of PDR businesses is evolving gradually so that their production and distribution activities are becoming more integrated physically with their research, design and administrative functions.

*The Project will provide 5,890 square feet of retail space on the ground floor of the residential building while also providing new housing on a site where none currently exists. Therefore, strengthening the mixed-use character and maintaining the neighborhood as a place to live and work.*

**OBJECTIVE 1.2:**

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

**Policy 1.2.1**

Ensure that in-fill housing development is compatible with its surroundings.

**Policy 1.2.3**

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

**Policy 1.2.4**

Identify portions of the Mission where it would be appropriate to increase maximum heights for residential development.

*The Project is a medium-density residential development, providing 60 new dwelling units in a mixed-use area. The Project includes 8 on-site affordable housing units for rent, which assist in meeting the City's affordable housing goals. The Project is also in proximity to ample public transportation.*

*The Project includes housing, including on-site BMR units as well as a diversity of housing types (from studio (JR) units, one-bedroom units, and two-bedroom units). Overall, the Project features an appropriate use encouraged by the Mission Area Plan for this location. The Project provides 60 new dwelling units, which will be available for rent. The Project introduces a contemporary architectural vocabulary that is sensitive and responsive to the prevailing scale and neighborhood fabric. The Project provides for a high-quality designed exterior, which features a variety of materials, colors and textures, including: cement plaster, brick veneer, tile, storefront window system, and aluminum windows. The Project provides ample common open space and also improves the public rights-of-way with new streetscape improvements, street trees and landscaping. On balance, the Project is consistent with the Objectives and Policies of the General Plan.*

**Housing**

**OBJECTIVE 2.3**

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

**Policy 2.3.3**

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

**Policy 2.3.5**

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

**Policy 2.3.6**

Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

*The Project includes: 4 studio (JR) units, 17 one-bedroom units, 14 two-bedroom/one-bathroom, and 25 two-bedroom/two-bathroom units, of which 8 will be Below Market Rate (BMR). Furthermore, the Project will be subject to the Eastern Neighborhood Impact Fee, Transportation Sustainability Fee, Residential Childcare Fee, and the Inclusionary Housing Fee.*

**OBJECTIVE 2.6**

**CONTINUE AND EXPAND THE CITY'S EFFORTS TO INCREASE PERMANENTLY AFFORDABLE HOUSING PRODUCTION AND AVAILABILITY.**

**Policy 2.6.1**

Continue and strengthen innovative programs that help to make both rental and ownership housing more affordable and available.

*The Project will create sixty residential units, eight of which are BMR units, on a site where no housing currently exists; thus, increasing affordable housing production and availability.*

**Built Form**

**OBJECTIVE 3.1**

**PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.**

**Policy 3.1.6**

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

*The Project will replace a surface parking lot with a well-articulated, contemporary, mixed-use building. The Project will be constructed with high quality materials to respect the surrounding buildings.*

**OBJECTIVE 3.2**

**PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM.**

**Policy 3.2.1**

Require high quality design of street-facing building exteriors.

**Policy 3.2.2**

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

**Policy 3.2.3**

Minimize the visual impact of parking.

**Policy 3.2.4**

Strengthen the relationship between a building and its fronting sidewalk.

*At 344 14<sup>th</sup> Street, the Project is largely residential, but includes a sufficiently-sized ground floor retail component along 14th Street which wraps around both Woodward and Stevenson Streets, with a compliant ceiling height for the retail ceiling of 17 feet, as required in the UMU. The Project provides the mix of uses encouraged by the Mission Area Plan for this location. In addition, the Project includes the appropriate dwelling-unit mix, since 65% or 39 of the 60 units are two-bedroom dwelling units. The Mission is one of the City's most distinctive neighborhoods as identified in the City's General Plan. The new building's character ensures the best design of the times with high-quality building materials that relates to the surrounding structures that make-up the Mission's distinct character while acknowledging and respecting the positive attributes of the older buildings. It also provides an opportunity for an increased visual interest that enhances and creates a special identity with a unique image of its own in the neighborhood. Overall, the Project offers an architectural treatment that is contemporary, yet contextual, and that is consistent and compatible with the surrounding neighborhood. The Project will not provide off-street parking and will eliminate vehicular access by restoring the existing curb cuts at 344 14<sup>th</sup> Street.*

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

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

*The project site does not possess any neighborhood-serving retail uses; the site is currently occupied by a surface parking lot with 78 spaces. The Project provides 60 new dwelling units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses. In*

*addition, the Project provides new ground floor retail units, which will increase the opportunity for business ownership and employment within the surrounding neighborhood.*

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

*The project site does not possess any existing housing. The Project would provide 60 new dwelling units; thus, resulting in an overall increase in the neighborhood housing stock. The Project is expressive in design, and relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by providing 8 below-market rate dwelling units for rent. Therefore, the Project will increase the stock of affordable housing units in the City.*

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

*The Project Site is served by nearby public transportation options. The Project is located near Muni bus lines: 14-Mission, 14-R Mission Rapid, 49- Van Ness/Mission and is within walking distance of the BART Station at 16th and Mission Street. In addition, the Project is within a quarter mile from bus routes: 22-Fillmore, 33-Ashbury/18<sup>th</sup> Street, 55-16<sup>th</sup> Street, F-Market & Wharves, J-Church, KT-Ingleside/T Third Street, L-Taraval, M-Ocean View, and N-Judah. Future residents would be afforded proximity to several bus lines. The Project provides sufficient bicycle parking for residents and their guests.*

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

*The Project does not include commercial office development and will not displace any industrial or service sectors. The Project would provide new housing, which is a top priority for the City. The new proposed mix of uses assist in diversifying the neighborhood character and are higher and better uses than a surface parking lot at 344 14<sup>th</sup> Street.*

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

*The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

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

*The Project does not cast shadow on any adjacent public parks or property owned by the San Francisco Recreation and Park Department; thus, no additional study of shadow impacts was required per Planning Code Section 295.*

12. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

*The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

13. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
14. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.



## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2014.0948ENX** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 30, 2019, and stamped "EXHIBIT D", which is incorporated herein by reference as though fully set forth.

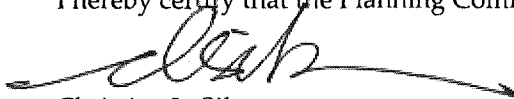
The Planning Commission hereby adopts the MMRP attached hereto as Exhibit I and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 25, 2019.



Christine L. Silva  
Acting Commission Secretary

AYES: Fung, Johnson, Koppel, Moore, Richards  
NAYS: Melgar  
ABSENT: Hillis  
ADOPTED: July 25, 2019

## EXHIBIT A

### AUTHORIZATION

This authorization is for a Large Project Authorization to allow construction over 25,000 gross square feet for new construction of a seven-story mixed-use residential building with ground floor commercial and 60 dwelling units on Assessor's Block 3532, Lot 013, pursuant to Planning Code Sections 329, within the UMU Zoning District and a 58-X Height and Bulk District; in general conformance with plans, dated May 30, 2019, and stamped "EXHIBIT D" included in the docket for Record No. 2014.0948ENX and subject to conditions of approval reviewed and approved by the Commission on July 25, 2019 under Motion No. 20492. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 25, 2019 under Motion No. 20492.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20492 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project Authorization and any subsequent amendments or modifications.

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014.0948ENV) attached as Exhibit I are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

7. **Chapter 116 Residential Projects.** The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission on August 15, 2017. These conditions state:
- A. **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.
  - B. **Sound Study.** Project Sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.
  - C. **Design Considerations.**
    - i. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
    - ii. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE’s operations and noise during all hours of the day and night.
  - D. **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations. In addition, the Commission requires no construction vehicles on 14<sup>th</sup> Street during Armory events.
  - E. **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

- F. **New Sound Test.** The Commission shall require a new sound test be performed. Date agreed upon was September 29, 2017 from 10 PM – 2 AM in order to determine higher STC ratings for window treatments than the following: 14<sup>th</sup> Street side at 40 STC; Stevenson and Woodward sides at 38 STC; Duboce side at 34 STC.
- G. **Design Modifications.** The Entertainment Commission requests the following design modifications, which shall be considered by the Planning Commission:
- i. Bedrooms not located on 14<sup>th</sup> Street side of project.
  - ii. Entrance not on 14<sup>th</sup> Street side of project (original proposal was for Woodward).
  - iii. Parking garage entrance not on 14<sup>th</sup> Street (original proposal was for Stevenson).
  - iv. Recommend sidewalk lighting.
- H. **Lease Disclosure.** The Entertainment Commission requests that the Project's Covenants, Conditions & Restrictions disclose in future leases that the Armory operates a 4,000 person, 40,000 square foot events directly across from the Project. The Armory operates a variety of events, including concerns and other music related events. Evening events, in many cases might not end until 2 AM; some might go as late as 4 AM.

## DESIGN – COMPLIANCE AT PLAN STAGE

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
9. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

12. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- A. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- B. On-site, in a driveway, underground;
- C. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- D. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- E. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- F. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- G. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

13. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

*For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, [www.sfdph.org](http://www.sfdph.org)*

14. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

15. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

16. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

*For information about compliance, contact the TDM Performance Manager at [tdm@sfgov.org](mailto:tdm@sfgov.org) or 415-558-6377, [www.sf-planning.org](http://www.sf-planning.org).*

17. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 61 bicycle parking spaces (60 Class 1 spaces for the residential portion of the Project, and 1 Class 1 space for the commercial portion of the Project). Further, the Project shall provide no fewer than 6 Class 2 spaces; 4 Class 2 spaces for the residential portion and 2 Class 2 for the commercial portion of the Project. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## PROVISIONS

19. **Corporate Housing.** Corporate Housing is a prohibited use at 344 14<sup>th</sup> Street, Assessor's Block 3532 Lot 013.

20. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

21. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*

22. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

24. **Eastern Neighborhoods Infrastructure Impact Fee.** The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*



25. **Inclusionary Housing Impact Fee (Legislation Board File No. 181154).** Ordinance File No. 181154 was signed by the Board of Supervisors and will extend a requirement to pay the inclusionary housing fee on any additional units or square footage authorized under the State Density Bonus Law to apply to all projects regardless of when an Environmental Evaluation Application (EEA) was filed. Because this was passed, signed into law, and will become effective on June 18, 2019, the ordinance would have the effect of applying this fee to the Project pursuant to Planning Code Section 415.5. The amount of the fee that may be paid by the project sponsor subject to this Program shall be determined by MOHCD utilizing the factors pursuant to Planning Code Section 415.5 (b)(6)(g)(1)(A-D).

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

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

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## **INCLUSIONARY HOUSING**

**On-Site Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

31. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project Sponsor has elected to satisfy the Inclusionary Affordable Housing obligation by providing on-site inclusionary units. The Project is required to provide 1% of the proposed dwelling units as affordable to qualifying households. The area represented by the allowable base density accounts for 74% of the total project, or 44 of the proposed 60 dwelling units; therefore, the Inclusionary rate is applied to 44 units, and 8 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 8 affordable units on-site. As required for the project to achieve a 35% density bonus under the State Density Bonus Law, 5 (11%) of the units shall be affordable for a term of 55 years to households earning less than 50% of area median income and, upon the expiration of the 55 year term, shall thereafter be rented at the rates specified in the inclusionary affordable housing program. The remaining 3 units must meet inclusionary requirements for rental on-site units; one unit will be provided at 80% of the area median income and the remaining two units will be provided at 110% of the area median income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

32. **Unit Mix.** The Base Project contains 4 studio (JR) units, 17 one-bedroom units, 14 two-bedroom/one-bathroom units, and 25 two-bedroom/two-bathroom units; therefore, the required

affordable unit mix is one studio, two one-bedroom units, and 5 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

33. **Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 18% of the proposed dwelling units as affordable to qualifying households at a rental rate of 55% of Area Median Income. As required for the project to achieve a 35% density bonus under the State Density Bonus Law, the project sponsor is providing 19% of the proposed dwelling units as affordable; five (11%) of the units shall be affordable for a term of 55 years to households earning less than 50% of area median income and, upon the expiration of the 55 year term, shall thereafter be affordable to qualifying households at a rental rate of 55% of Area Median Income. Of the remaining three units, one unit must be affordable to qualifying households at a rental rate of 80% of Area Median Income pursuant to City requirements, and the remaining two units must be affordable at a rental rate of 110 % of Area Median Income. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

34. **Minimum Unit Sizes.** Affordable units are not required to be the same size as the market rate units and may be 90% of the average size of the specified unit type. For buildings over 120 feet in height, as measured under the requirements set forth in the Planning Code, the average size of the unit type may be calculated for the lower 2/3 of the building as measured by the number of floors.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

35. **Conversion of Rental Units:** In the event one or more of the Rental Units are converted to Ownership units, the project sponsor shall either (A) reimburse the City the proportional amount of the inclusionary affordable housing fee, which would be equivalent to the then-current inclusionary affordable fee requirement for Owned Units, or (B) provide additional on-site or off-site affordable units equivalent to the difference between the on-site rate for rental units approved at the time of entitlement and the then-current inclusionary requirements for Owned Units. The additional units shall be apportioned among the required number of units at various income levels in compliance with the requirements in effect at the time of conversion. Should the project sponsor convert rental units to ownership units, a greater number of on-site affordable units may be required, as Inclusionary Affordable Housing Units in ownership projects are priced at higher income levels, and would not qualify for a 35% density bonus.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

36. **Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation shall comply with the designation standards published by the Planning Department and updated periodically.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

37. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than 19 percent or the applicable percentage as discussed above, of each phase's total number of dwelling units as on-site affordable units.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

38. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

39. **Expiration of the Inclusionary Rate.** Pursuant to Planning Code Section 415.3, because the Project did not obtain a site or building permit by December 7, 2018, the Project is subject to an 19% on-site rental inclusionary housing requirement. Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. 20492, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

40. **Reduction of On-Site Units after Project Approval.** Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

41. **Regulatory Agreement.** Pursuant to Planning Code Section 206.6(f), recipients of a density bonus must enter into a Regulatory Agreement with the City prior to the issuance of the first construction document.

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42. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for rent, the five (5) affordable unit(s) that satisfy both the Density Bonus Law and the Inclusionary Affordable Housing Program shall be rented to very low-income households, as defined as households earning 50% of AMI in the California Health and Safety Code Section 50105 and/or California Government Code Sections 65915-65918, the State Density Bonus Law. The income table used to determine the rent and income levels for the Density Bonus units shall be the table required by the State Density Bonus Law. If the resultant rent or income levels at 50% of AMI under the table required by the State

Density Bonus Law are higher than the rent and income levels at 55% of AMI under the Inclusionary Affordable Housing Program, the rent and incomes levels shall default to the maximum allowable rent and income levels for affordable units under the Inclusionary Affordable Housing Program After such Density Bonus Law units have been rented for a term of 55 years, the subsequent rent and income levels of such units may be adjusted to (55) percent of Area Median Income under the Inclusionary Affordable Housing Program, using income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco," and shall remain affordable for the remainder of the life of the project. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. The remaining units being offered for rent shall be rented to qualifying households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average fifty-five (55) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and (iv); are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

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<p><b>MITIGATION MEASURE 1</b> <b>Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-3)</b></p>				
<p>Based on the presence of archeological properties or a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, the following measures shall be undertaken to avoid any significant adverse effect from soils disturbing activities on buried archeological resources. The project sponsor shall retain the services of a qualified archeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. At the direction of the Department archeologist, the archeological consultant may be required to have acceptable documented expertise in California Mission archeology. The scope of the archeological services to be provided may include preparation of an archeological research design and treatment plan (ARD/TP). The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to issuance of grading or building permits</p>	<p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO.</p>	<p>Archeological consultant shall be retained prior to any soil disturbing activities. Date Archeological consultant retained: _____</p>

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<p>archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological 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. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>				
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Prior to any soil-disturbing activities on the project site.</p>	<p>Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils</p>	<p>Date ATP submitted to the ERO: _____  Date ATP approved by the ERO: _____</p>



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<p>property types of the expected archeological 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 archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>			<p>disturbing activities on the project site.</p>	<p>Date of initial soil disturbing activities:_____</p>
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the Archeological Testing Program.</p>	<p>Archeological consultant shall submit report of the findings of the ATP to the ERO.</p>	<p>Date archeological findings report submitted to the ERO:_____</p> <p>ERO determination of significant archeological resource present? Y N</p> <p>Would resource be adversely affected? Y N</p> <p>Additional mitigation to be undertaken by project sponsor? Y N</p>

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<p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>				
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program (AMP) shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> <li>The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, site remediation, etc., shall require</li> </ul>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.</p>	<p>ERO &amp; archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall implement the AMP, if required by the ERO.</p>	<p>AMP required? Y N Date: _____</p> <p>Date AMP submitted to the ERO: _____</p> <p>Date AMP approved by the ERO: _____</p> <p>Date AMP implementation complete: _____</p>

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<p>archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</p> <ul style="list-style-type: none"> <li>• The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;</li> <li>• The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;</li> <li>• The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>• If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to</li> </ul>				<p>Date written report regarding findings of the AMP received: _____</p>

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<p>temporarily redirect demolition/excavation/pile installation/construction activities and equipment until the deposit is evaluated. If in the case of pile installation activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the activity may affect an archeological resource, the pile installation activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>				
<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to</p>	<p>Archeological consultant at the direction of the ERO</p>	<p>If there is a determination that an ADRP program is required</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall</p>	<p>ADRP required? Y N Date: _____</p>

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<p>preparation of a draft ADRP. The archeological 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 archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>• <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>• <i>Discard and Deaccession Policy.</i> Description of and rationale for field and</li> </ul>			<p>prepare an ADRP if required by the ERO.</p>	<p>Date of scoping meeting for ADRP: _____</p> <p>Date Draft ADRP submitted to the ERO: _____</p> <p>Date ADRP approved by the ERO: _____</p> <p>Date ADRP implementation complete: _____</p>

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<p>post-field discard and deaccession policies.</p> <ul style="list-style-type: none"> <li>• <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>• <i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li>• <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.</li> </ul>				
<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</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Project sponsor/ archeological consultant to monitor (throughout all soil disturbing activities) for human remains and associated or</p>	<p>Human remains and associated or unassociated funerary objects found? Y N Date: _____  Persons contacted:</p>

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<p>and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 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. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If</p>	<p>Coroner, NAHC, and MDL.</p>		<p>unassociated funerary objects and, if found, contact the San Francisco Coroner/ NAHC/ MDL.</p>	<p>Date: _____</p> <p>Persons contacted:</p> <p>Date: _____</p> <p>Persons contacted:</p> <p>Date: _____</p> <p>Persons contacted:</p> <p>Date: _____</p>

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<p>non-Native American human remains are encountered, the archeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archeological research value and would be eligible for the California Register of Historic Resources (CRHR).</p>				
<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the 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</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the archeological data recovery, inventorying, analysis and interpretation.</p>	<p>Project sponsor/ archeological consultant</p>	<p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR.</p> <p>Date Draft FARR submitted to ERO: _____</p> <p>Date FARR approved by ERO: _____</p> <p>Date of distribution of Final FARR: _____</p>



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<p>transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>				<p>Date of submittal of Final FARR to information center: _____</p>
<p><b>MITIGATION MEASURE 2</b> <b>Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-1)</b></p>				
<p>The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;</li> </ul>	<p>Project sponsor/contractor(s).</p>	<p>During construction.</p>	<p>Project sponsor/contractor(s) to provide monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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<ul style="list-style-type: none"> <li>• Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>• Post signs on-site pertaining to permitted construction days and hours and complain procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>				
<b>MITIGATION MEASURE 3</b>				
<b>Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</b>				
<p>The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p><i>A. Engine Requirements</i></p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction</li> </ol>	Project sponsor/contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Project sponsor/contractor(s) and the ERO.	Considered complete on submittal of certification statement

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<p>activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p> <ol style="list-style-type: none"> <li>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</li> <li>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune</li> </ol>				

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equipment in accordance with manufacturer specifications.				
<p><i>B. Waivers.</i></p> <ol style="list-style-type: none"> <li>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</li> <li>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.</li> </ol> <p><b>Table – Off-Road Equipment Compliance Step-down Schedule</b></p>				

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<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>				
1	Tier 2	ARB Level 2 VDECS				
2	Tier 2	ARB Level 1 VDECS				
3	Tier 2	Alternative Fuel*				
<p>How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. ** Alternative fuels are not a VDECS.</p>						
<p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <p>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier</p>			Project sponsor/ contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location</p>				

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 344 14<sup>th</sup> Street  
File No.: 2014.0948ENV

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on each side of the construction site facing a public right-of-way.				
<p><i>D. Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	Project sponsor/contractor(s).	Quarterly.	Project sponsor/contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Certificate of Determination Community Plan Evaluation

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Case No.: 2014.0948ENV  
Project Address: 344 14<sup>th</sup> Street  
Zoning: UMU (Urban Mixed Use) Use District  
58-X Height and Bulk District  
Block/Lot: 3532/013  
Lot Size: 15,664 square feet (0.36 acres)  
Plan Area: Eastern Neighborhoods Area Plan, Mission Plan  
Project Sponsor: Chris Haeggglund, BAR Architects 415-293-5700  
Staff Contact: Justin Horner 415-575-9023  
[Justin.horner@sfgov.org](mailto:Justin.horner@sfgov.org)

### PROJECT DESCRIPTION

The project site consists of a 15,664 square-foot (sf) surface parking lot located on the block bounded by 14th Street to the south, Stevenson Street to the west, Duboce Avenue to the north and Woodward Street to the east in San Francisco's Mission neighborhood.

The proposed project includes the construction of a 7-story, 78-foot-tall (83 feet tall with elevator penthouse) mixed-use residential building. The building would include 62 residential units, approximately 5,775 sf of ground floor retail space, and 63 Class I bicycle parking spaces. The proposed project includes no vehicle parking. The mixed-use residential building would include 1,800 sf of residential common open space on the ground floor, 3,210 sf of residential common open

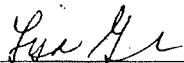
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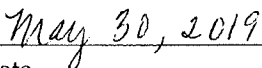
### CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3.

### DETERMINATION

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

  
\_\_\_\_\_  
Lisa Gibson  
Environmental Review Officer

  
\_\_\_\_\_  
Date

cc: Chris Haeggglund, Project Sponsor; Supervisor Ronen, District 9; Esmerelda Jardines, Current Planning Division; Monica Huggins, Environmental Planning Division.



**PROJECT DESCRIPTION (continued)**

space on the seventh floor, and private residential open space on floors five and seven. As proposed, the project would require waivers, concessions, and/or incentives from Planning Code physical development limitations pursuant to California Government Code section 65915, commonly known as the state density bonus law, including for a proposed building height 20 feet above the 58-foot height limit on the project site.

The proposed project would remove both an existing 22-foot curb cut on 14th Street and an existing 18-foot curb cut on Stevenson Street. Construction is estimated to last 18 months and would include 2,320 cubic yards of excavation to a depth of up to 4 feet below grade. There would be no excavation, shoring or construction work for a below-grade foundation within ten feet of the project's interior property lines which abut properties to the north of the project site on Woodward Street (82/84 Woodward Street). The proposed project would include the removal of four trees on Lot 13 and the planting of 21 street trees on Stevenson, Woodward and 14th streets.

**PROJECT APPROVAL**

Pursuant to Planning Code section 329, the proposed project requires a Large Project Authorization from the City Planning Commission. Approval of the Large Project Authorization shall constitute the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

**COMMUNITY PLAN EVALUATION OVERVIEW**

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

This determination evaluates the potential project-specific environmental effects of the 344 14<sup>th</sup> Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR).<sup>1</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

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<sup>1</sup> Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future PDR employment and businesses.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2,3</sup>

In December 2008, after further public hearings, the Board of Supervisors approved, and the Mayor signed, the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 344 14<sup>th</sup> Street site, which is located in the Mission District of the Eastern Neighborhoods, consists of a parcels which permits buildings up to 58 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed

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<sup>2</sup> San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

<sup>3</sup> San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

project at 344 14<sup>th</sup> Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 344 14<sup>th</sup> Street project and identified the mitigation measures applicable to the 344 14<sup>th</sup> Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site. Therefore, no further CEQA evaluation for the 344 14<sup>th</sup> Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project site consists of a lot located on the block bounded by 14<sup>th</sup> Street to the south, Stevenson Street to the west, Duboce Avenue to the north and Woodward Street to the east in San Francisco's Mission neighborhood. The lot is a 15,664-sf lot that occupies the entire 14<sup>th</sup> Street frontage of the subject block and also has frontages on Stevenson and Woodward Streets. Immediately adjacent to the east of the project site are five three- and four-story residential buildings fronting Woodward Street (constructed between 1907 and 1912 and ranging in height from 35 feet to 40 feet tall), and immediately north of the project is a surface parking lot fronting Stevenson Street. At the northwest intersection of Stevenson and 14<sup>th</sup> streets, which is across the street to the west of the project site, is a 55-foot tall, five-story mixed-use residential building that contains 36 units with commercial uses at the ground floor (constructed in 2012). The Annunciation Greek Orthodox Cathedral backs onto Stevenson Street across from the project site, and the San Francisco Armory is located across 14<sup>th</sup> Street from the project site.

The project vicinity is primarily residential in character, and also includes a mix of warehouse, automotive, and commercial retail land uses. The project site is adjacent to the Woodward Street Romeo Flats Reconstruction State Historic District, which includes the existing residential buildings on both sides of Woodward Street from 14<sup>th</sup> Street to Duboce Avenue. The warehouse, commercial and automotive repair businesses in the project vicinity are mostly housed in one- and two-story structures. The residential buildings range from two to five stories in height, and many of the residential buildings contain ground floor retail space. Highway 101 is located one-half block north of the project site, and the nearest access ramp is the westbound on-ramp located on the southwest corner of South Van Ness and Duboce avenues approximately 900 feet east of the project site. The major arterial streets in the vicinity of the project site include 14<sup>th</sup> Street, Mission Street and Valencia Street.

The project site is served by transit lines (Muni lines 14, 14R, 22, 33, 49, 55 and streetcar and light rail lines F, J, KT, L, M and N) and bicycle facilities (there is a bike lane on 14<sup>th</sup> Street). Zoning districts in the vicinity of the project site are UMU, PDR-1-G, RM-1 (Residential-Mixed, Low Density), NCT-3 (Moderate Scale Neighborhood Commercial Transit District), Valencia Street NCT (Neighborhood Commercial Transit), and Mission Street NCT (Mission Street Neighborhood Commercial Transit). Height and bulk districts in the project vicinity include 40-X, 50-X, 55-X and 68-X.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth

inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 344 14<sup>th</sup> Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 344 14<sup>th</sup> Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not include displacement of an existing PDR use and would therefore not contribute to the significant and unavoidable land use impact identified in the Eastern Neighborhoods PEIR. Additionally, as discussed in the CPE initial study checklist, the proposed project would not impact a historical resource, and therefore would not contribute to the significant and unavoidable historic architectural resources impact identified in the PEIR. The proposed project would not generate a cumulatively considerable number of new transit trips, and would therefore not contribute to the significant and unavoidable transportation impacts identified in the PEIR. As the shadow analysis contained in the CPE initial study checklist describes, the proposed project would not cast substantial new shadow that would negatively affect the use and enjoyment of any recreational resources and would therefore not contribute to the significant and unavoidable shadow impacts described in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. Table 1 below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Eastern Neighborhoods PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>F. Noise</b>		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed	Not Applicable (N/A)
F-2: Construction Noise	Applicable: The proposed project includes construction in proximity to sensitive receptors.	Project Mitigation Measure 2: Construction Noise agreed to by the project sponsor.
F-3: Interior Noise Levels	Not Applicable: The proposed project would be required to meet the Interior Noise Standards of Title 24 of the California Building Code.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: The proposed project would be required to	N/A

Mitigation Measure	Applicability	Compliance
	meet the Interior Noise Standards of Title 24 of the California Building Code.	
F-5: Siting of Noise-Generating Uses	Not Applicable: The proposed project does not include uses that could generate noises in excess of Noise Ordinance thresholds.	
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project's future users or residents where that project would not exacerbate existing noise levels.	N/A.
<b>G. Air Quality</b>		
G-1: Construction Air Quality	Applicable. Project site is located in Air Pollutant Exposure Zone (APEZ)	Project Mitigation Measure 3: Construction Air Quality has been agreed to by project sponsor.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: superseded by applicable Article 38 requirements	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: the proposed uses are not expected to emit substantial levels of DPMS	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed project would not include a backup diesel generator or other use that emits TACs	N/A
<b>J. Archeological Resources</b>		
J-1: Properties with Previous Studies	Not Applicable: Project site located in Mission Dolores Archeological Area and subject to measure J-3 below.	N/A
J-2: Properties with no Previous Studies	Not Applicable: Project site located in Mission Dolores	N/A

Mitigation Measure	Applicability	Compliance
	Archeological Area and subject to measure J-3 below.	
J-3: Mission Dolores Archeological District	Applicable: Project site is located in Mission Dolores Archeological District.	Project Mitigation Measure 1: Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-3)
<b>K. Historical Resources</b>		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
<b>L. Hazardous Materials</b>		
L-1: Hazardous Building Materials	Not Applicable: proposed project does not include demolition of an existing building.	N/A
<b>E. Transportation</b>		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A

Mitigation Measure	Applicability	Compliance
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	N/A

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

**PUBLIC NOTICE AND COMMENT**

A “Notification of Project Receiving Environmental Review” was mailed on May 23, 2016 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Comments included concerns about the project’s design, height, and compatibility with the nearby Woodward Street Historic District, as well as shadow impacts on adjacent private properties, and concerns about construction-related impacts, including potential damage to nearby structures. Comments were also received about traffic, noise and the fact that the project site is in a liquefaction area, as well as concerns about the potential for the proposed project to exacerbate flooding at neighboring properties, particularly under the San Francisco Armory. Concerns regarding shadow, historical resource impacts, traffic, noise, hydrology and seismic concerns, both with respect to construction and operations were addressed in the Initial Study for the proposed project and were found to not result in new or more severe impacts than disclosed in the Eastern Neighborhoods EIR and the Initial Study itself. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

## CONCLUSION

As summarized above and further discussed in the CPE Initial Study Checklist<sup>4</sup>:

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

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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<sup>4</sup> The CPE Initial Study Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014.0948ENV; on the website of the San Francisco Planning Department, at <https://sf-planning.org/community-plan-evaluations>; or online under the entry for 344 14<sup>th</sup> Street on the San Francisco Property Information Map (<http://propertymap.sfplanning.org/>).



# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 344 14<sup>th</sup> Street  
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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<b>MITIGATION MEASURE 1</b> <b>Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-3)</b>				
<p>Based on the presence of archeological properties or a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, the following measures shall be undertaken to avoid any significant adverse effect from soils disturbing activities on buried archeological resources. The project sponsor shall retain the services of a qualified archeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. At the direction of the Department archeologist, the archeological consultant may be required to have acceptable documented expertise in California Mission archeology. The scope of the archeological services to be provided may include preparation of an archeological research design and treatment plan (ARD/TP). The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an</p>	<p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p>	<p>Prior to issuance of grading or building permits</p>	<p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO.</p>	<p>Archeological consultant shall be retained prior to any soil disturbing activities.</p> <p>Date Archeological consultant retained:</p> <p>_____</p>

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 344 14<sup>th</sup> Street  
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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological 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. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>				
<p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>Prior to any soil-disturbing activities on the project site.</p>	<p>Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed by the ERO prior to any soils</p>	<p>Date ATP submitted to the ERO: _____  Date ATP approved by the ERO: _____</p>

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 344 14<sup>th</sup> Street  
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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>property types of the expected archeological 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 archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p>			<p>disturbing activities on the project site.</p>	<p>Date of initial soil disturbing activities: _____</p>
<p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the Archeological Testing Program.</p>	<p>Archeological consultant shall submit report of the findings of the ATP to the ERO.</p>	<p>Date archeological findings report submitted to the ERO: _____</p> <p>ERO determination of significant archeological resource present? Y N</p> <p>Would resource be adversely affected? Y N</p> <p>Additional mitigation to be undertaken by project sponsor? Y N</p>

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

Project Title: 344 14<sup>th</sup> Street  
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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or</p> <p>B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.</p>				
<p><i>Archeological Monitoring Program.</i> If the ERO in consultation with the archeological consultant determines that an archeological monitoring program (AMP) shall be implemented the archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> <li>The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, site remediation, etc., shall require</li> </ul>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.</p>	<p>ERO &amp; archeological consultant shall meet prior to commencement of soil-disturbing activity. If the ERO determines that an Archeological Monitoring Program is necessary, monitor throughout all soil-disturbing activities.</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall implement the AMP, if required by the ERO.</p>	<p>AMP required? Y N Date: _____</p> <p>Date AMP submitted to the ERO: _____</p> <p>Date AMP approved by the ERO: _____</p> <p>Date AMP implementation complete: _____</p>

# EXHIBIT 1

## MITIGATION MONITORING AND REPORTING PROGRAM

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
<p>archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;</p> <ul style="list-style-type: none"> <li>• The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;</li> <li>• The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;</li> <li>• The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;</li> <li>• If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to</li> </ul>				<p>Date written report regarding findings of the AMP received: _____</p>

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<p>temporarily redirect demolition/ excavation/pile installation/construction activities and equipment until the deposit is evaluated. If in the case of pile installation activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the activity may affect an archeological resource, the pile installation activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p>				
<p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to</p>	<p>Archeological consultant at the direction of the ERO</p>	<p>If there is a determination that an ADRP program is required</p>	<p>Project sponsor/ archeological consultant/ archeological monitor/ contractor(s) shall</p>	<p>ADRP required? Y N Date: _____</p>

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<p>preparation of a draft ADRP. The archeological 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 archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> <li>• <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations.</li> <li>• <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures.</li> <li>• <i>Discard and Deaccession Policy.</i> Description of and rationale for field and</li> </ul>			prepare an ADRP if required by the ERO.	<p>Date of scoping meeting for ARDP: _____</p> <p>Date Draft ARDP submitted to the ERO: _____</p> <p>Date ARDP approved by the ERO: _____</p> <p>Date ARDP implementation complete: _____</p>

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<p>post-field discard and deaccession policies.</p> <ul style="list-style-type: none"> <li>• <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.</li> <li>• <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.</li> <li>• <i>Final Report.</i> Description of proposed report format and distribution of results.</li> <li>• <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.</li> </ul>				
<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</p>	<p>Project sponsor / archeological consultant in consultation with the San Francisco</p>	<p>In the event human remains and/or funerary objects are found.</p>	<p>Project sponsor/ archeological consultant to monitor (throughout all soil disturbing activities) for human remains and associated or</p>	<p>Human remains and associated or unassociated funerary objects found? Y N Date: _____  Persons contacted:</p>



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<p>and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 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. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If</p>	<p>Coroner, NAHC, and MDL.</p>		<p>unassociated funerary objects and, if found, contact the San Francisco Coroner/ NAHC/ MDL.</p>	<p>Date: _____</p> <p>Persons contacted:</p> <p>Date: _____</p> <p>Persons contacted:</p> <p>Date: _____</p> <p>Persons contacted:</p> <p>Date: _____</p>

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<p>non-Native American human remains are encountered, the archeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archeological research value and would be eligible for the California Register of Historic Resources (CRHR).</p>				
<p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the 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</p>	<p>Project sponsor/ archeological consultant at the direction of the ERO.</p>	<p>After completion of the archeological data recovery, inventorying, analysis and interpretation.</p>	<p>Project sponsor/ archeological consultant</p>	<p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR.</p> <p>Date Draft FARR submitted to ERO: _____</p> <p>Date FARR approved by ERO: _____</p> <p>Date of distribution of Final FARR: _____</p>

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<p>transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>				<p>Date of submittal of Final FARR to information center: _____</p>
<p><b>MITIGATION MEASURE 2</b> <b>Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-1)</b></p>				
<p>The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> <li>• Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;</li> </ul>	<p>Project sponsor/contractor(s).</p>	<p>During construction.</p>	<p>Project sponsor/contractor(s) to provide monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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<ul style="list-style-type: none"> <li>• Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;</li> <li>• Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;</li> <li>• Monitor the effectiveness of noise attenuation measures by taking noise measurements; and</li> <li>• Post signs on-site pertaining to permitted construction days and hours and complain procedures and who to notify in the event of a problem, with telephone numbers listed.</li> </ul>				
<b>MITIGATION MEASURE 3</b>				
<b>Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)</b>				
<p>The project sponsor or the project sponsor's Contractor shall comply with the following:</p> <p><i>A. Engine Requirements</i></p> <ol style="list-style-type: none"> <li>1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction</li> </ol>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Project sponsor/contractor(s) and the ERO.	Considered complete on submittal of certification statement

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<p>activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</p> <p>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</p> <p>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune</p>				

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equipment in accordance with manufacturer specifications.				
<p><i>B. Waivers.</i></p> <ol style="list-style-type: none"> <li>1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).</li> <li>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.</li> </ol> <p><b>Table – Off-Road Equipment Compliance Step-down Schedule</b></p>				

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<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>				
1	Tier 2	ARB Level 2 VDECS				
2	Tier 2	ARB Level 1 VDECS				
3	Tier 2	Alternative Fuel*				
<p>How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. ** Alternative fuels are not a VDECS.</p>						
<p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <p>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier</p>			Project sponsor/contractor(s).	Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.	Project sponsor/contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is complete.

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<p>rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</p> <p>2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location</p>				



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on each side of the construction site facing a public right-of-way.				
<p><i>D. Monitoring.</i> After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.</p>	Project sponsor/contractor(s).	Quarterly.	Project sponsor/contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Initial Study – Community Plan Evaluation

*Case No.:* 2014.0948ENV  
*Project Address:* 344 14<sup>th</sup> Street  
*Zoning:* UMU (Urban Mixed Use) Use District  
58-X Height and Bulk District  
*Block/Lots:* 3532/013  
*Lot Size:* 15,664 square feet (0.36 acres)  
*Plan Area:* Eastern Neighborhoods Area Plan (Mission Area)  
*Project Sponsor:* Chris Haegglund, BAR Architects 415-293-5700  
*Staff Contact:* Justin Horner 415-575-9023  
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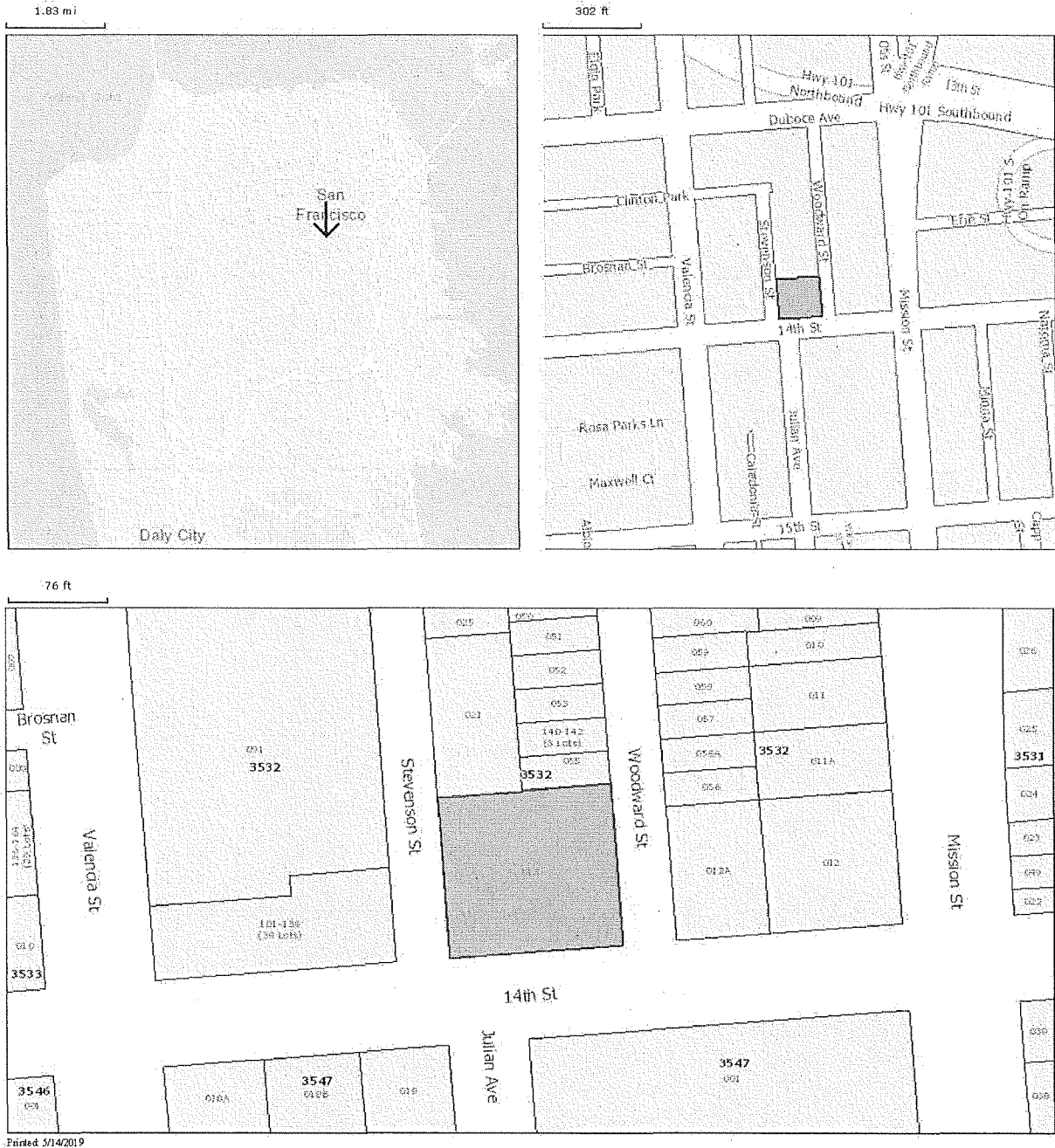
### PROJECT DESCRIPTION

The project site consists of a 15,664 square foot (sf) surface parking lot located on the block bounded by 14th Street to the south, Stevenson Street to the west, Duboce Avenue to the north and Woodward Street to the east in San Francisco's Mission neighborhood.

The proposed project includes the construction of a 7-story, 78-foot-tall (83 feet tall with elevator penthouse) mixed-use residential building. The building would include 62 residential units, approximately 5,775 sf of ground floor retail space, and 63 Class I bicycle parking spaces. The proposed project includes no vehicle parking. The mixed-use residential building would include 1,800 sf of residential common open space on the ground floor, 3,210 sf of residential common open space on the seventh floor, and private residential open space on floors five and seven. As proposed, the project would require waivers, concessions, and/or incentives from Planning Code physical development limitations pursuant to California Government Code section 65915, commonly known as the state density bonus law, including for a proposed building height 20 feet above the 58-foot height limit on the project site.

The proposed project would remove both an existing 22-foot curb cut on 14th Street and an existing 18-foot curb cut on Stevenson Street. Construction is estimated to last 18 months and would include 2,320 cubic yards of excavation to a depth of up to 4 feet below grade. There would be no excavation, shoring or construction work for a below-grade foundation within ten feet of the project's interior property lines which abut properties to the north of the project site on Woodward Street (82/84 Woodward Street). The proposed project would include the removal of four trees on the project site and the planting of 21 street trees on Stevenson, Woodward and 14th streets.

Figure 1. Project Location



Source: San Francisco Planning Department

The proposed 344 14<sup>th</sup> Street project would require the following approvals:

- Pursuant to Planning Code section 329, the proposed project requires a Large Project Authorization for new construction over 25,000 sf from the Planning Commission.

The proposed project would also require the issuance of demolition and building permits by the Department of Building Inspection and approval of a lot merger from San Francisco Public Works.

## CUMULATIVE SETTING

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

The proposed project is located within the area of the city addressed under the Eastern Neighborhoods Rezoning and Area Plans. The Eastern Neighborhoods PEIR evaluated the physical environmental impacts resulting from the rezoning of this plan area, including impacts resulting from an increase of up to 9,858 housing units and 6.6 million square feet of non-residential uses and a reduction of up to 4.9 million square feet of production, distribution, and repair (PDR) uses. The cumulative impact analysis provided in this initial study uses updated analysis as needed to evaluate whether the proposed project could result in new or substantially more severe cumulative impacts than were anticipated in the Eastern Neighborhoods PEIR. For example, the cumulative transportation analysis in this initial study is based on projected 2040 cumulative conditions, whereas the Eastern Neighborhoods relied on 2025 cumulative transportation projections.

Additionally, the following is a list of reasonably foreseeable projects within one-quarter mile of the project site that may be included in the cumulative analysis for certain localized impact topics (e.g., cumulative shadow and wind effects).

- 1500-1528 15<sup>th</sup> Street (Case No. 2016-011827ENV) – The proposed project is a group housing project with two options, including a Code Compliant plan with 138 residential units and a State Density Bonus version with 184 residential units.
- 1601 Mission Street (Case No. 2015-009460ENV) – The proposed project would demolish an existing 4,429-square-foot gas station and car wash and construct a 120-foot-tall, 12-story mixed-use building containing 200 dwelling units; 6,756 square feet of retail space; and 102 below-grade parking spaces that would be accessed from South Van Ness Avenue.
- 1721 15<sup>th</sup> Street (Case No. 2016-008652ENV) – The project includes the demolition of the existing building and construction of a 55-foot-tall, five-story, mixed-use building approximately 35,100 square feet (sf) in size. The project would include 24 dwelling units.
- 1801 and 1863 Mission Street (Case No. 2015-012994ENV) – Construction of two new residential buildings in existing parking lots. The projects would include 17 dwelling units and retail space on site one, 37 residential units and retail on site two.

- 1900 Mission Street (Case No. 2013.1330ENV) – The proposed project would demolish the existing 1,690 sq. ft. automotive repair station and construct a 16,022 gross sq. ft., seven-story, 75-foot tall mixed-use building that includes 805 sq. ft. of ground-floor commercial space.
- 1924 Mission Street (Case No. 2014.0449ENV) -- The proposed project would demolish existing autobody shop and construct a new 13 unit apartment building with ground floor retail space.
- 1950 Mission Street (Case No. 2016-001514ENV) – The proposed project would demolish 11 modular wood framed buildings and construct 2 buildings with 157 units of affordable housing.
- 1965 Market Street (Case No. 2015-002825ENV) -- The proposed project would construct a mixed-use building with approximately 3,760 sf of ground-floor retail, below grade parking and 96 residential units. Along Market Street the proposed project would rise to a total height of 72 feet in seven levels. Immediately to the east on the site of a 9,000 sf parking lot on Duboce Avenue, new construction would rise to a total height of 83 feet in eight levels.
- 1979 Mission Street (Case No. 2013.1543ENV) -- The project proposes to demolish all existing improvements on the project site and to construct a 5 to 10 story up to 105' high, 345,013 sq.ft. building. The project would construct 351 residential units.
- 198 Valencia Street (Case No. 2013.1458ENV) – The proposed project includes the demolition of an existing 1 story commercial structure, and the construction of a 5-story building with 28 residential units and ground floor commercial space.
- 235 Valencia Street (Case No. 2016-007877ENV) -- The proposed project would include four residential stories above a commercial ground floor. The project proposes 50 residential units.

In addition, the project site is located approximately 500 feet south of the Central Freeway, which serves as the southern boundary of The Hub Plan. The proposed Hub Plan would amend the easternmost portions of 2008 Market and Octavia Area Plan of the San Francisco General Plan. The overarching objectives of the Hub Plan are to encourage housing, including affordable housing; create safer and more walkable streets, as well as welcoming and active public spaces; and create a neighborhood with a range of uses and services to meet neighborhood needs. This Plan would include changes to height and bulk districts for select parcels to allow more housing, including more affordable housing. The plan also calls for public realm improvements to streets and alleys within and adjacent to the Hub Plan area, such as sidewalk widening, streetlight upgrades, median realignment, road and vehicular parking reconfiguration, tree planting, and the addition of bulb-outs. As of May 2019, the Environmental Impact Report (EIR) for The Hub Plan is currently in development. In addition to analyzing the Hub Plan at a programmatic level, the Hub Plan EIR will evaluate two individual development projects within the Hub Plan area (the 30 Van Ness Avenue Project and 98 Franklin Street Project), neither of which are within 0.25 miles of the project site, and the designation of portions or all of the Hub Plan area as a housing sustainability district (HSD) at a project-specific level. A notice of preparation of an EIR for the Hub Plan EIR was released in May 2018 and a public scoping meeting was held in June 2018 to receive oral comments concerning the scope of the EIR. The draft EIR is expected to be published in early 2020. It is anticipated that if all 18 of the sites identified for upzoning in the Hub Plan were to be developed to the proposed maximum height and bulk limits, these changes would result in approximately 8,100 new residential units (over 15,700 new residents) in addition to new commercial and institutional space. Of these 18 sites, four are within 0.25 mile of the project site: 1695 Mission Street (0.15 miles northeast), 160 and 170 South Van Ness Avenue (0.2 miles northeast), and 170

Otis Street (0.1 miles). There are no specific project proposals currently on file for any of these sites. While The Hub Plan permits more intensive development than permitted under current zoning, specific projects on those parcels are not on-file with the department and are therefore not reasonably foreseeable for the purposes of CEQA.

## EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the programmatic environmental impact report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).<sup>1</sup> The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

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

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on Production, Distribution, and Repair (PDR) use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include construction of 62 dwelling units and approximately 5,775 sf of ground-floor retail. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

## REGULATORY CHANGES

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

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<sup>1</sup> San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

- State legislation amending CEQA to eliminate consideration of aesthetics and parking impacts for infill projects in transit priority areas, effective January 2014.
- State legislation amending CEQA and San Francisco Planning Commission resolution replacing level of service (LOS) analysis of automobile delay with vehicle miles traveled (VMT) analysis, effective March 2016 (see “CEQA section 21099” heading below).
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various city agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program.
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses near Places of Entertainment effective June 2015 (see initial study Noise section).
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study Air Quality section).
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study Recreation section).
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study Utilities and Service Systems section).
- Article 22A of the Health Code amendments effective August 2013 (see initial study Hazardous Materials section).

### CEQA SECTION 21099

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>2</sup> Project elevations are included in the project description (see Figures 12 – 14, below). CEQA section 21099(b)(1) also requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to section 21099(b)(1), automobile delay, as described

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<sup>2</sup> San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 344 14<sup>th</sup> Street and 1463 Stevenson Street, May 14, 2019. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2014.0948ENV.

solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*<sup>3</sup> recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR's recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

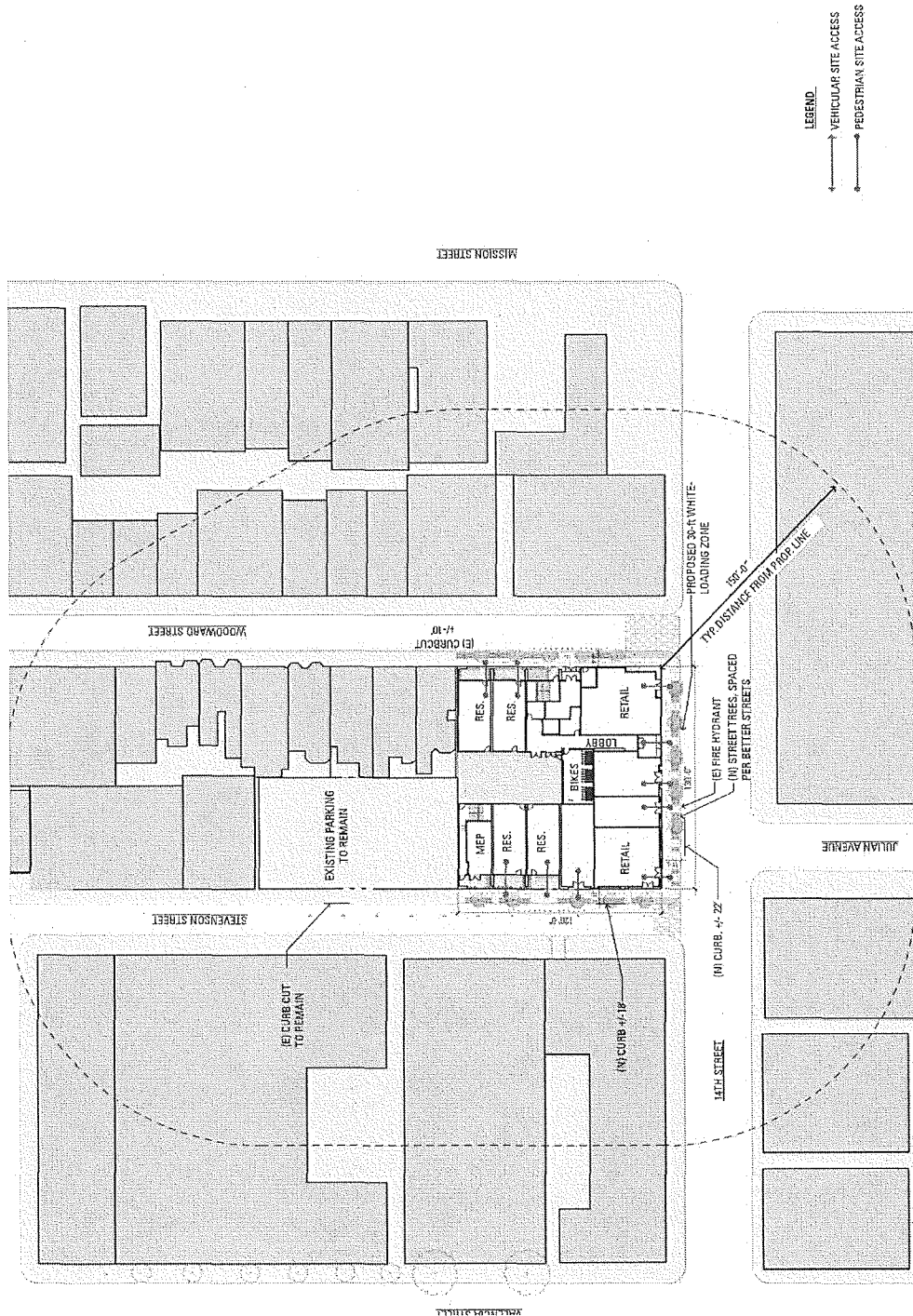
[Continued on the page 19.]

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<sup>3</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).  
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Figure 2: Proposed Site Plan



LEGEND  
 → VEHICULAR SITE ACCESS  
 → PEDESTRIAN SITE ACCESS

Figure 3. Proposed Ground Floor Plan

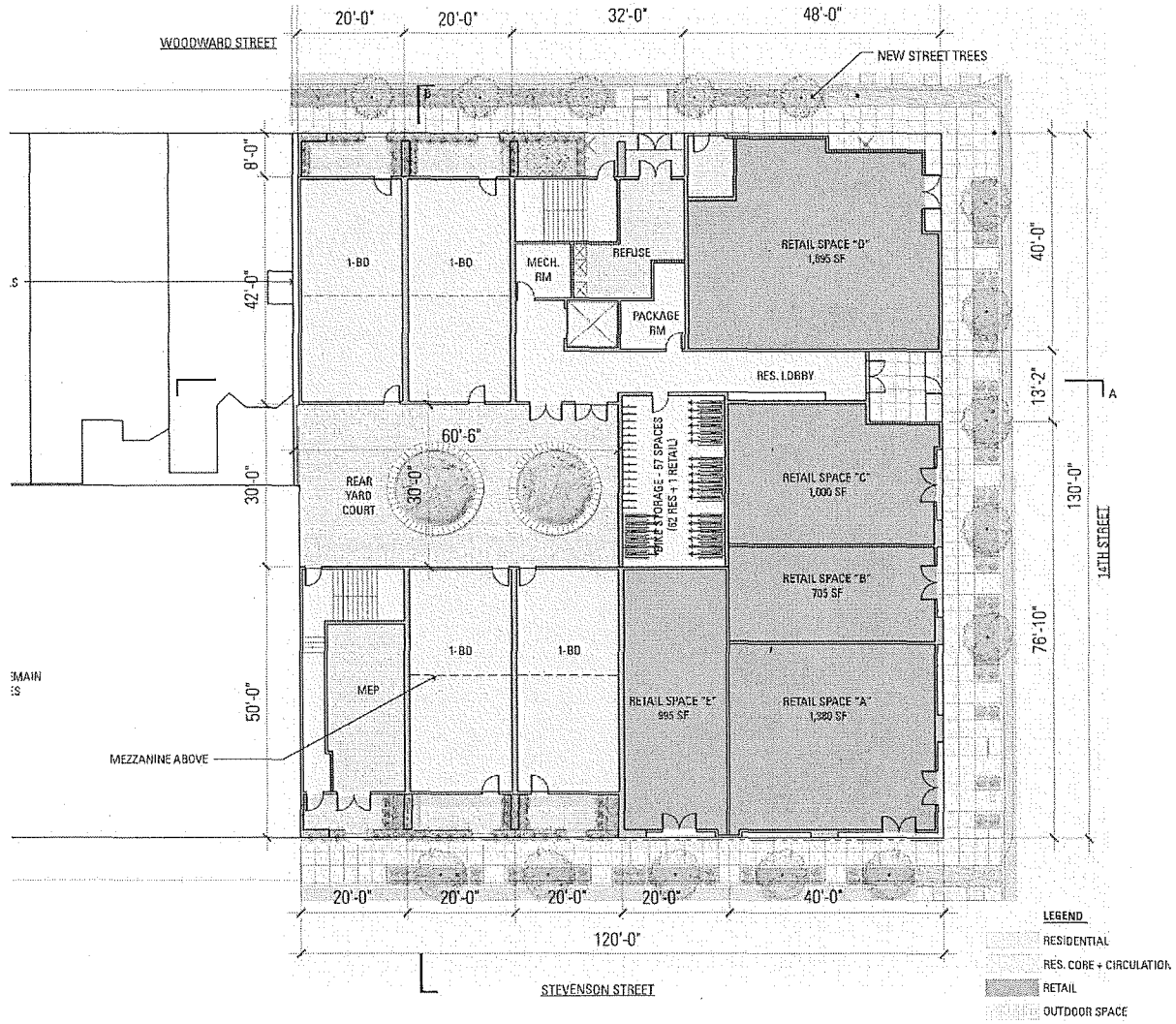


Figure 4. Proposed Second Floor Plan

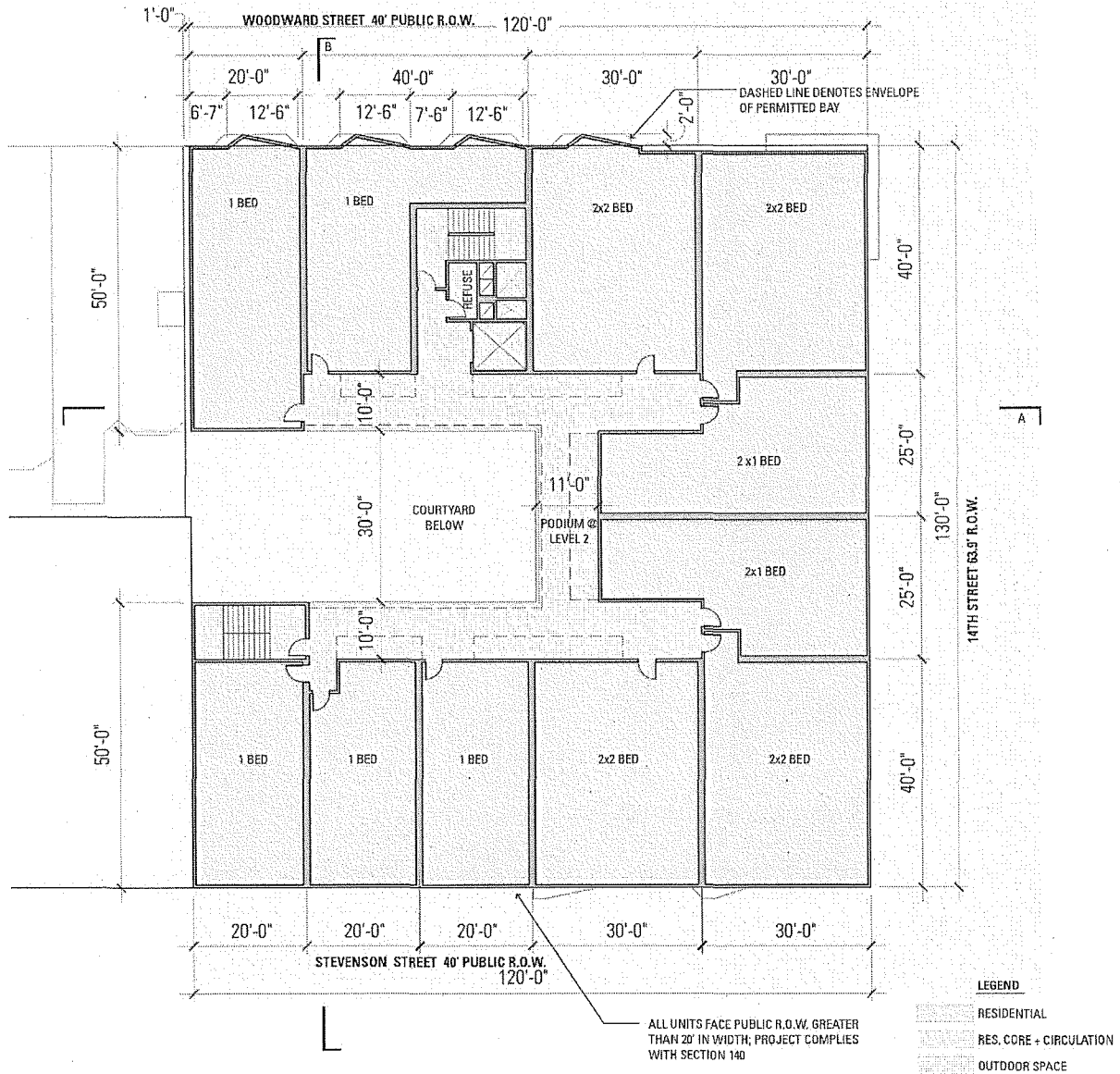


Figure 5. Proposed Third and Fourth Floor Plans

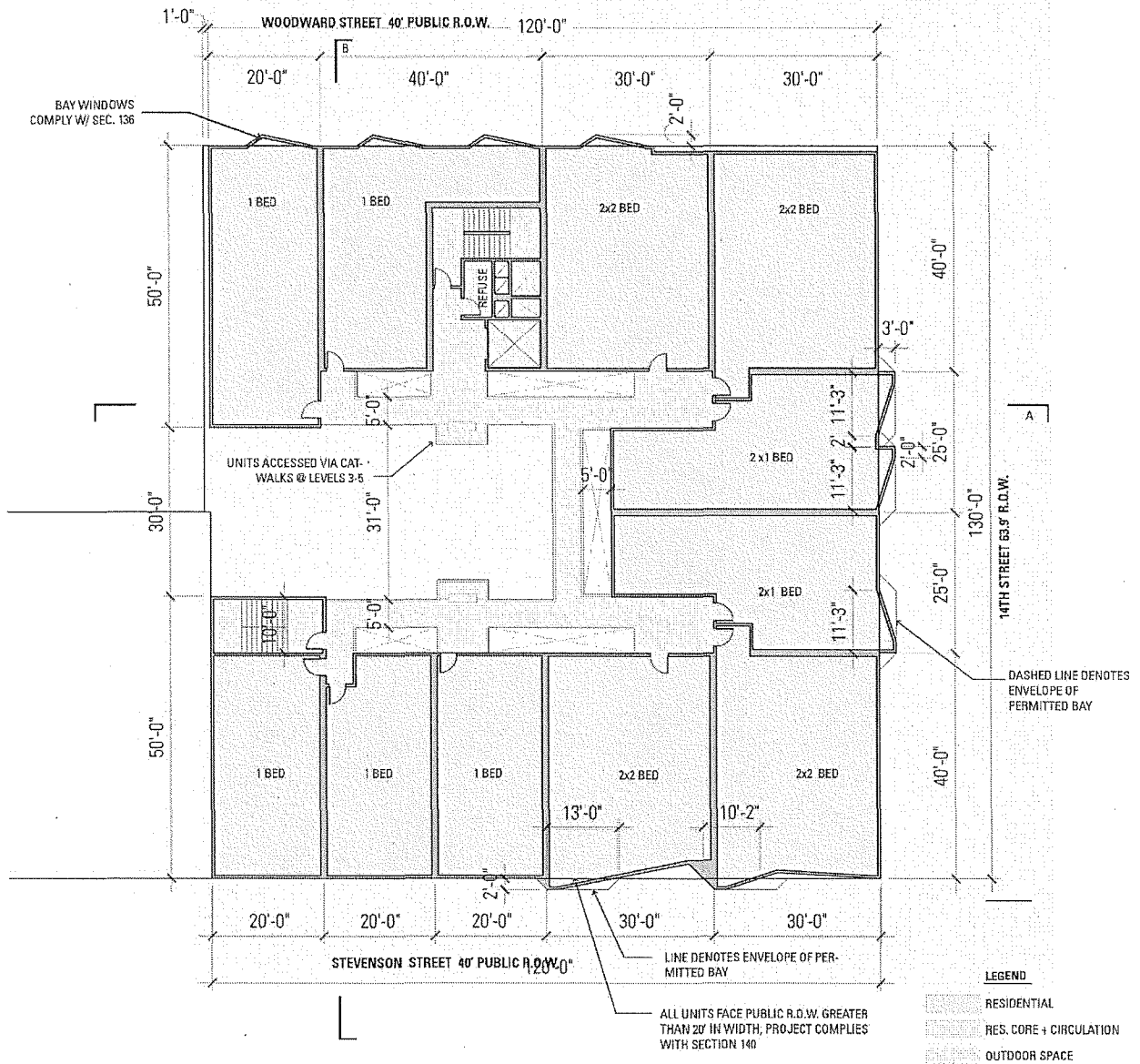


Figure 6. Proposed Fifth Floor Plan

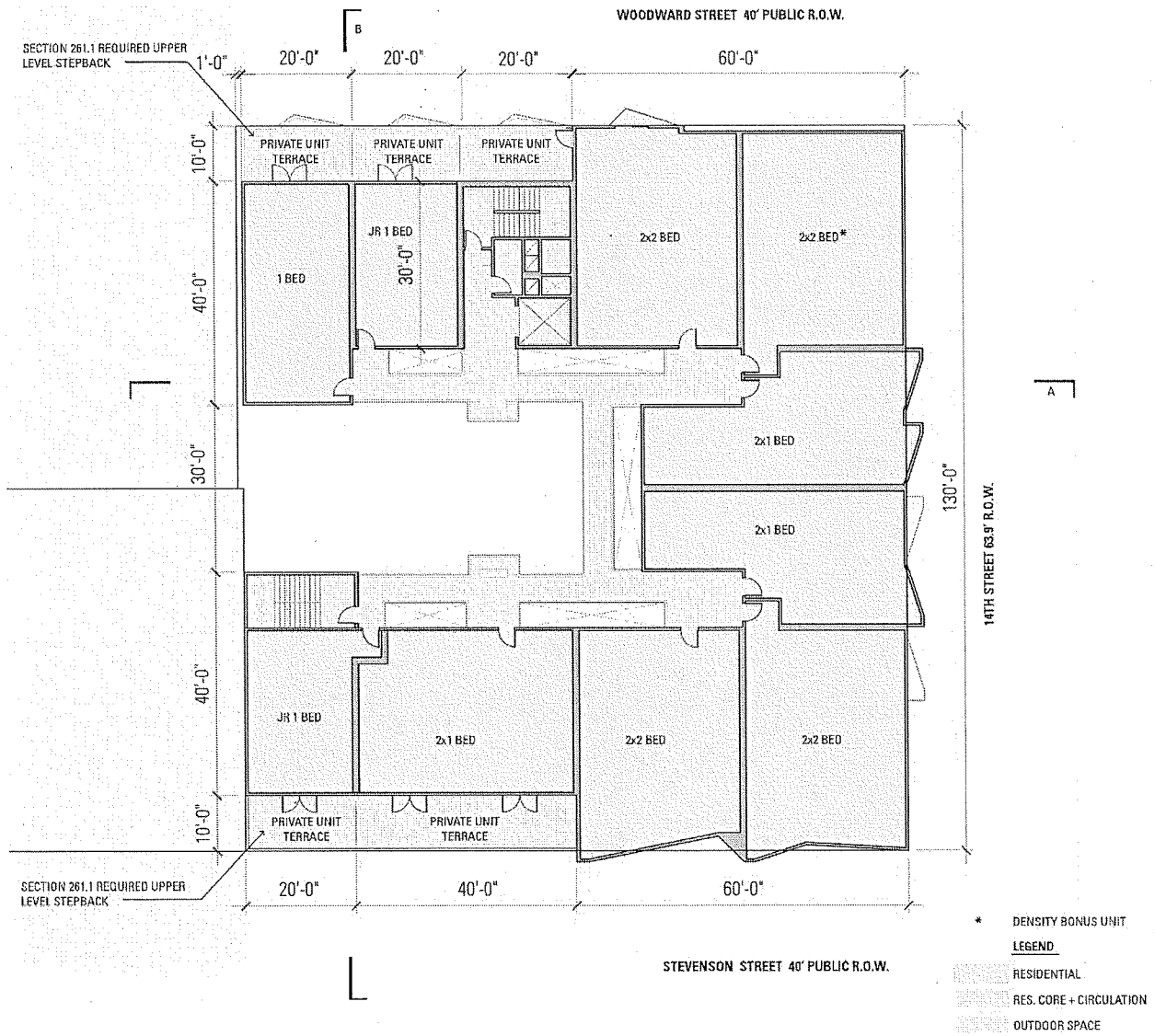


Figure 7. Proposed Sixth Floor Plan

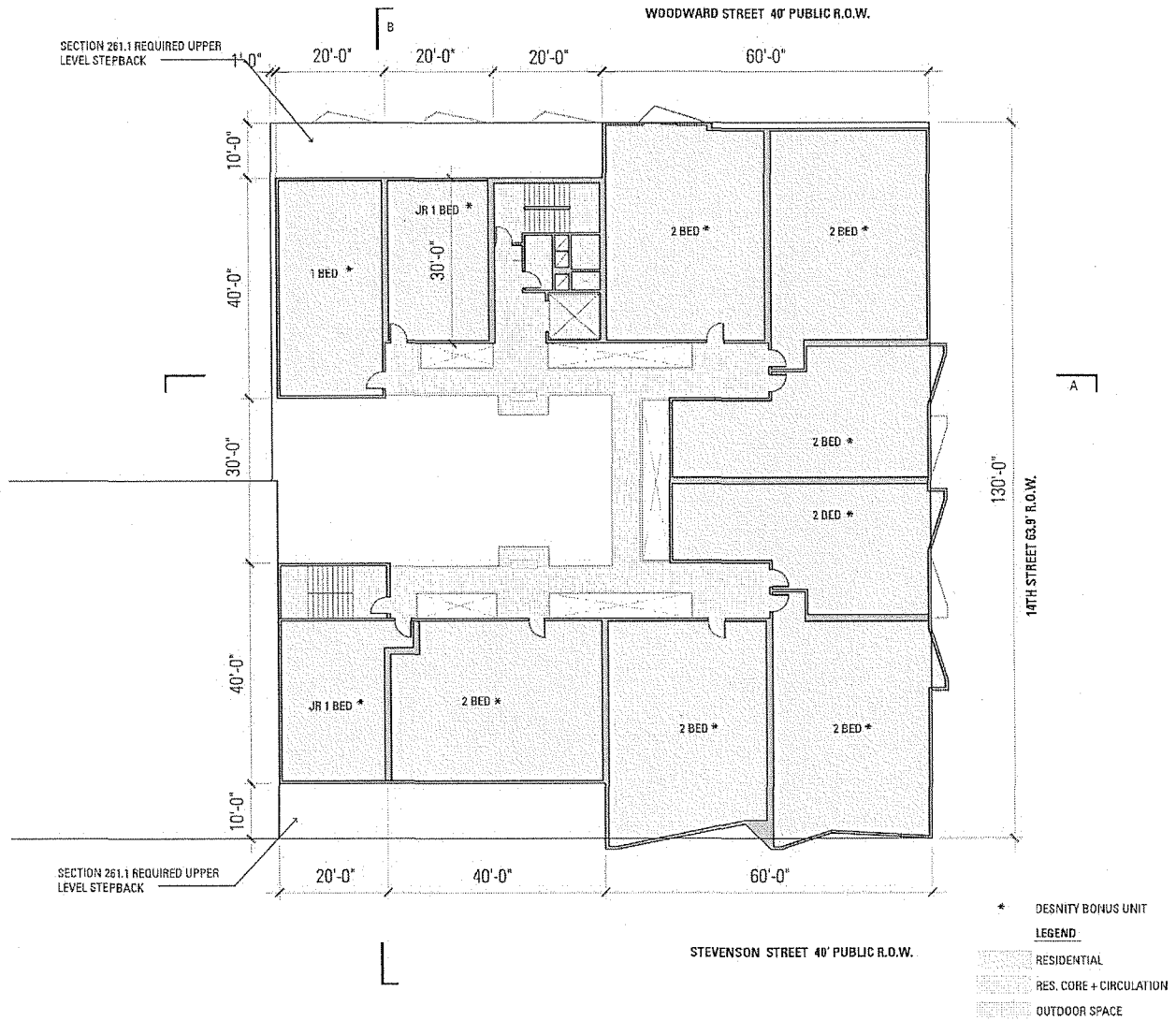


Figure 8. Proposed Seventh Floor Plan

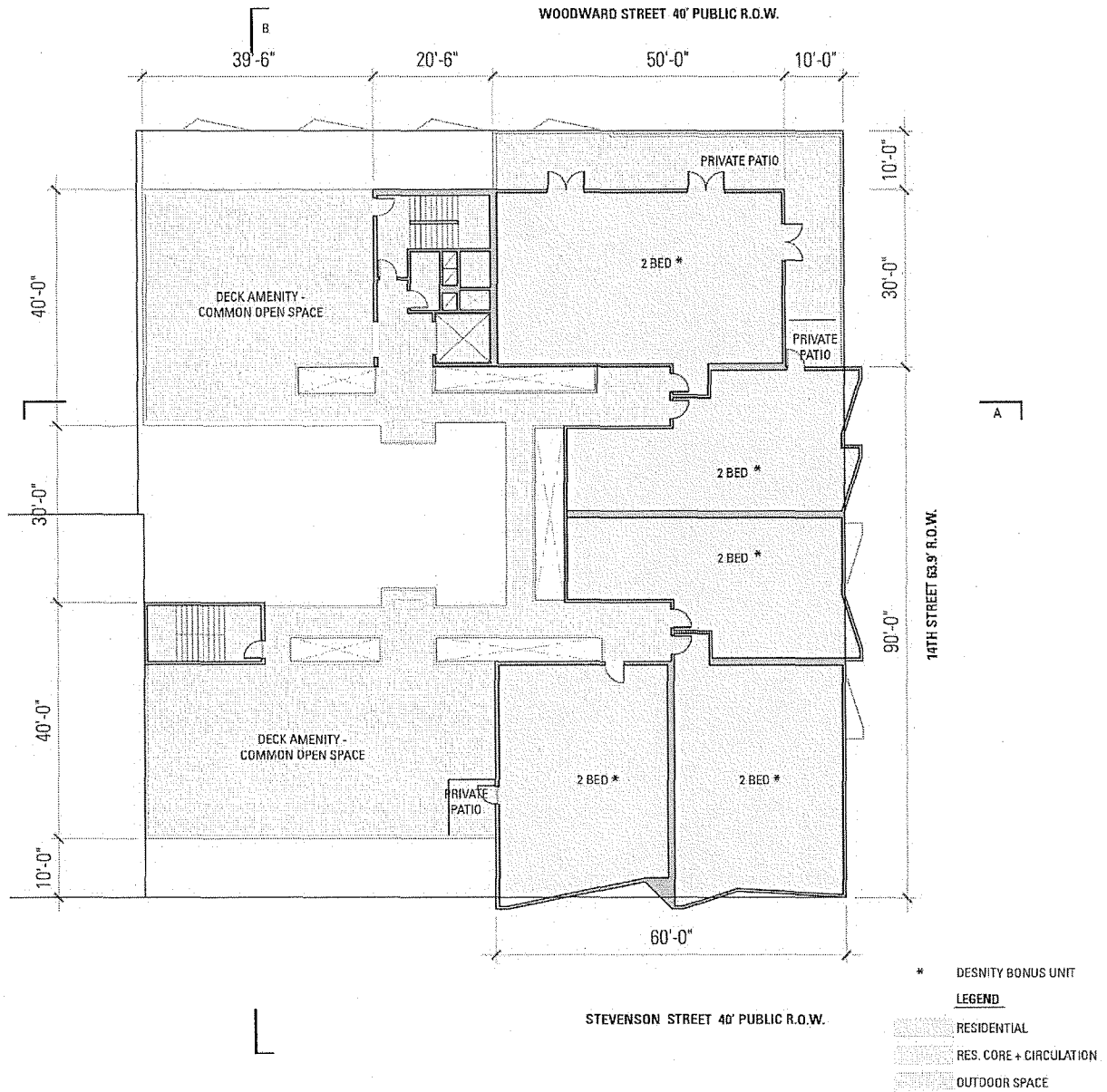


Figure 9. Proposed Roof Plan

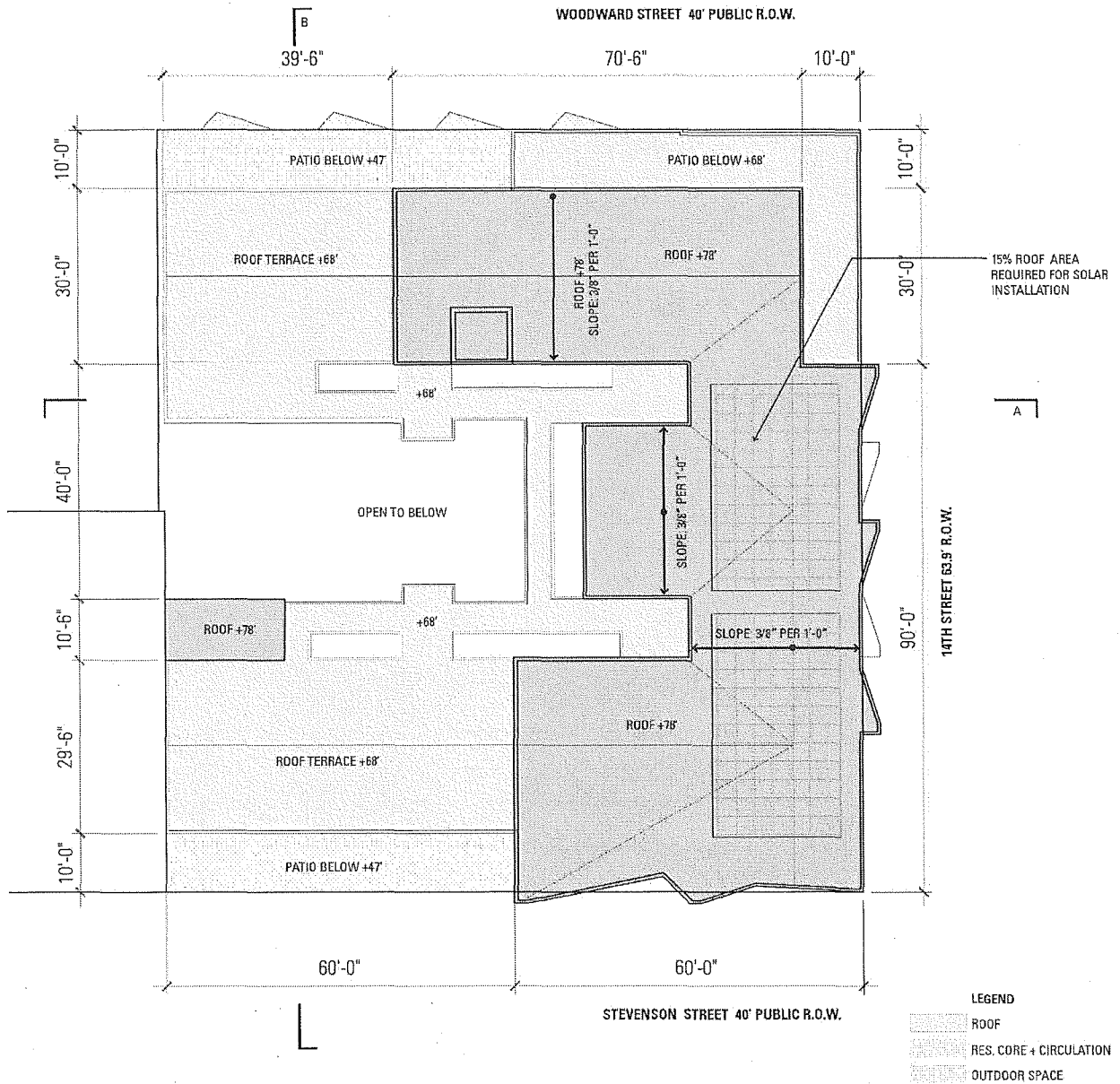




Figure 10. Proposed Woodward Street Elevation

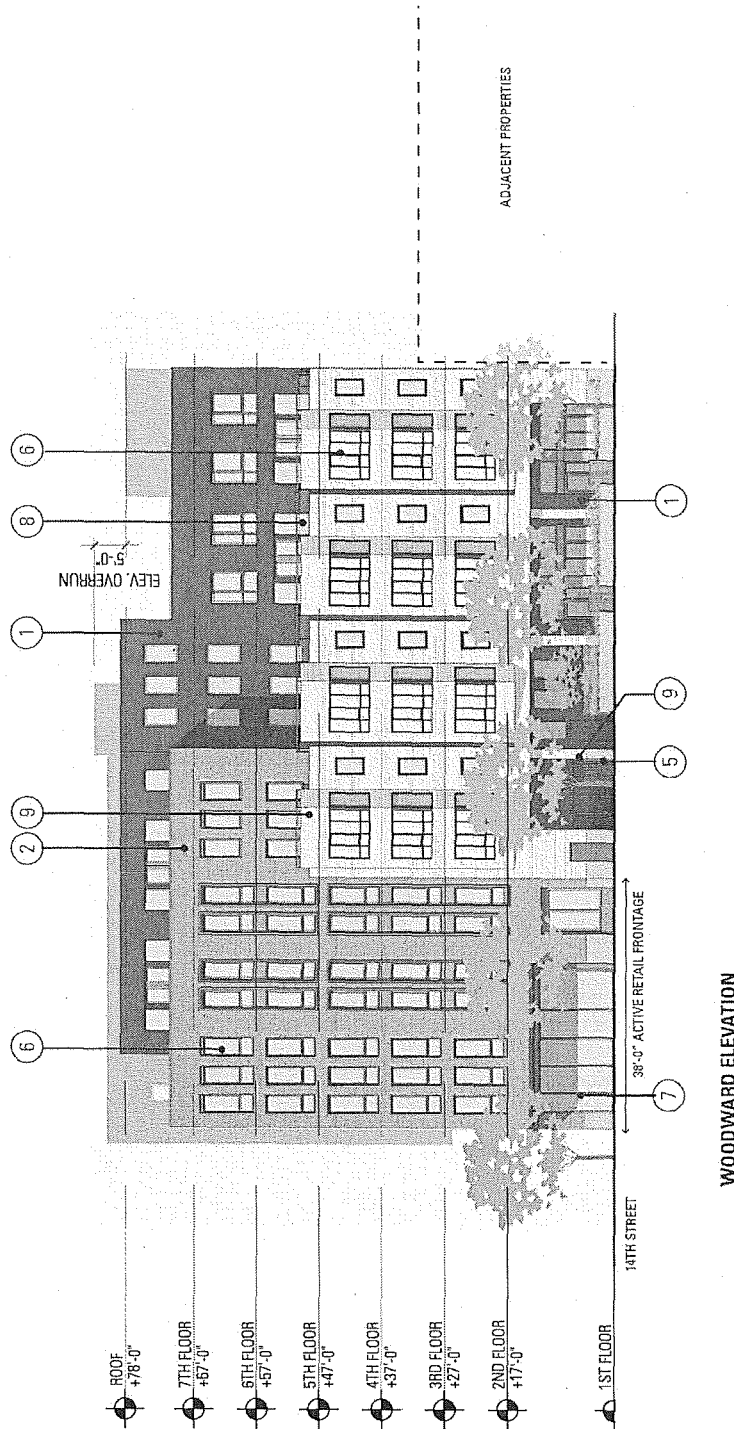
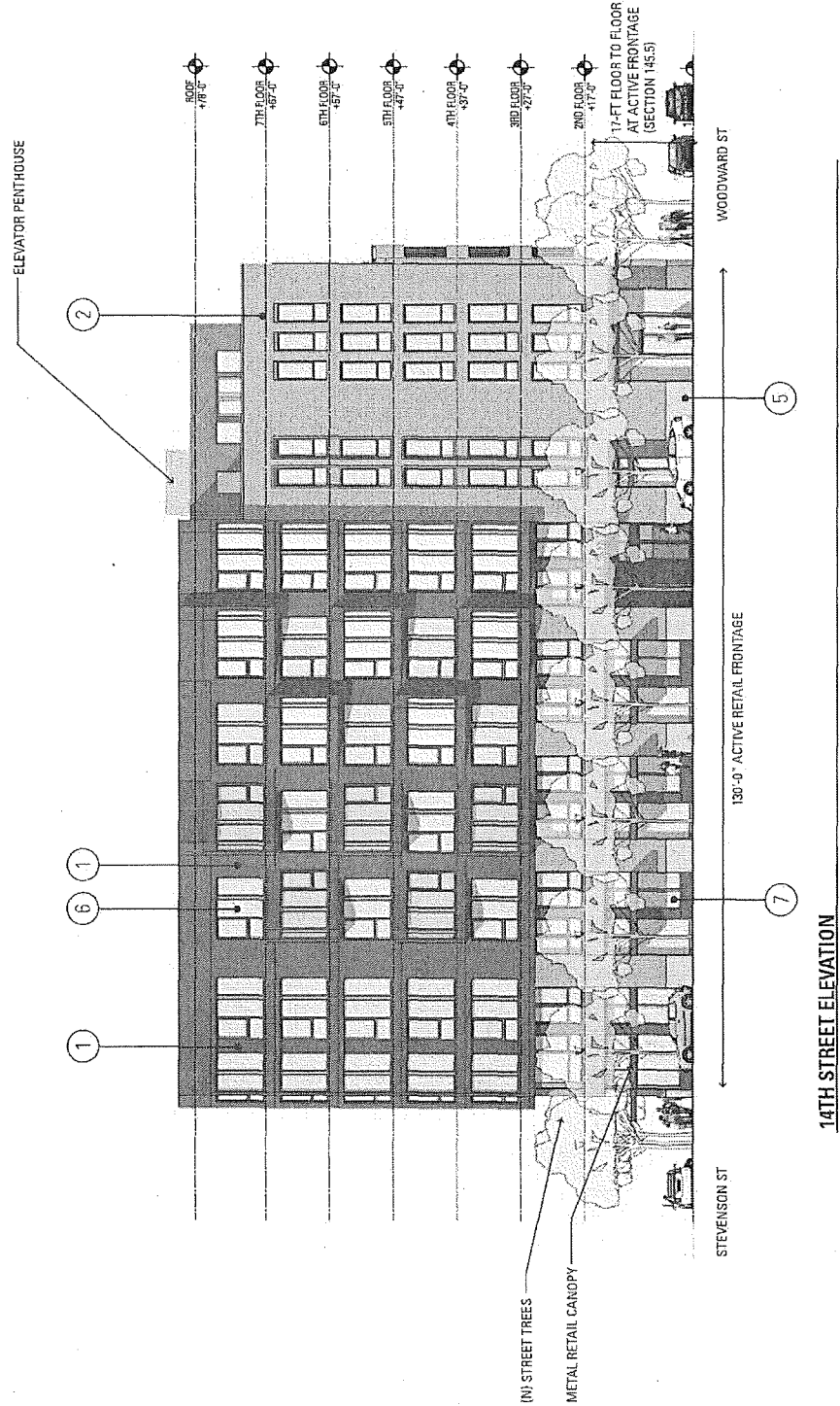


Figure 11. Proposed Stevenson Street Elevation



Figure 12. Proposed 14<sup>th</sup> Street Elevation



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

The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers in the Eastern Neighborhoods plan areas because the rezoning and area plans do not provide for any new major roadways, such as freeways, that would disrupt or divide the plan area or individual neighborhoods or subareas. The Eastern Neighborhoods Rezoning and Area Plans is a regulatory program and the PEIR determined that the plan is consistent with various plans, policies, and regulations.

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. Subsequent CEQA case law since certification of the Eastern Neighborhoods PEIR has clarified that “community character” itself is not a physical environmental effect.<sup>4</sup> Therefore, consistent with Appendix G of the CEQA Guidelines, analysis concerning land use character has been removed from further evaluation in this project-specific initial study.

Regardless, the proposed project would not remove any existing PDR uses as the project site is currently used for surface parking and would therefore not contribute to a direct impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. The project site was zoned C-M (Heavy Commercial) prior to the rezoning of Eastern Neighborhoods, which did encourage development of PDR uses. Through the Eastern Neighborhoods rezoning process, the project site was rezoned to UMU (Urban Mixed Use). The UMU zoning district permits PDR uses, and therefore, rezoning the project site to permit PDR uses did not contribute to the significant impact identified in the PEIR. The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the UMU District and is consistent with the development density established for the project site in the Mission Area Plan, the UMU use requirements, as well as the height and bulk requirements of the 58-X height and bulk district. The project is seeking a height concession pursuant to the state density bonus law to exceed the applicable 58-X height limits. As proposed, with the allowable height concession pursuant to the state density bonus, the project is permitted in the UMU district and is consistent with the development density as envisioned in the Mission Area Plan. The proposed project is consistent with Mission Plan Objective 1.1, which calls for strengthening the mixed-use character of the neighborhood while maintaining the neighborhood as a place to live and work.

<sup>4</sup> Preserve Poway v. City of Poway, 245 Cal.App.4th 560.  
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The proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans, and therefore would not conflict with applicable land use plans or policies adopted for the purpose of avoiding or mitigating an environmental effect.

**Cumulative Analysis**

The proposed project would have no impact with respect to physically dividing a community or conflicting with an applicable land use plan and therefore would not have the potential to contribute to a significant cumulative impact related to land use or land use planning.

**Conclusion**

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

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

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: “would induce substantial growth and concentration of population in San Francisco.” The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the

anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options considered in the PEIR would result in less displacement as a result of unmet housing demand than would be expected under the No-Project scenario because the addition of new housing would provide some relief to housing market pressure without directly displacing existing residents. However, the PEIR also noted that residential displacement is not solely a function of housing supply, and that adoption of the rezoning and area plans could result in indirect, secondary effects through gentrification that could displace some residents. The PEIR discloses that the rezoned districts could transition to higher-value housing, which could result in gentrification and displacement of lower-income households, and states moreover that existing lower-income residents of the Eastern Neighborhoods, who also disproportionately live in crowded conditions and in rental units, are among the most vulnerable to displacement resulting from neighborhood change. The PEIR found, however, that gentrification and displacement that could occur under the Eastern Neighborhoods Rezoning and Area Plans would not result in increased physical environmental impacts beyond those disclosed in the PEIR.

The proposed project includes new construction of 62 residential units and approximately 5,775 sf of ground-floor retail and would not displace any existing housing units as the site is currently used for surface parking. The proposed uses would result in 145 new residents and 17 new employees.<sup>5</sup>

The Association of Bay Area Governments (ABAG) prepares projections of employment and housing growth for the Bay Area. The latest projections were prepared as part of Plan Bay Area 2040, adopted by ABAG and the Metropolitan Transportation Commission in 2017. The growth projections for San Francisco County anticipate an increase of 137,800 households and 295,700 jobs between 2010 and 2040.<sup>6</sup> Between 2010 and 2017, San Francisco's population grew by 22,816 households and 175,500 jobs, leaving approximately 114,984 households and 120,200 jobs projected for San Francisco through 2040.<sup>7</sup> Over the last several years, the supply of housing has not met the demand for housing within San Francisco. In July 2013, ABAG projected San Francisco's housing need in the Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022. The jurisdictional housing need of San Francisco for 2014–2022 is 28,869 dwelling units. As of the second quarter of 2018, approximately 16,600 housing units have been constructed.<sup>8</sup>

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<sup>5</sup> Estimate of residents based on San Francisco's average household size of 2.33 persons/household (<https://www.census.gov/quickfacts/fact/table/sanfranciscocountycalifornia/PST045217>). Estimate of employees based upon project trip generation calculation, per Department's 2002 *Transportation Impacts Analysis Guidelines for Environmental Review*.

<sup>6</sup> *Plan Bay Area 2010 Final Supplemental Report: Land Use and Modeling Report*. Metropolitan Transportation Commission and Association of Bay Area Government. July 2017. This document is available online at: <http://2040.planbayarea.org/reports>. Accessed November 7, 2018.

<sup>7</sup> US Census, American Communities Survey for San Francisco County, CA, 2017 and 2010. Accessed at <http://factfinder.census.gov>, January 29, 2019. California Employment Development Department, Industry Employment—Official Monthly Estimates (Total Wage and Salary Employment) for San Francisco County, CA, 2017 and 2010. Accessed at <https://www.labormarketinfo.edd.ca.gov/cgi/dataanalysis/areaselection.asp?tablename=ces>, January 29, 2019.

<sup>8</sup> Residential Pipeline, Entitled Housing Units 2018 Q2, San Francisco Planning Department. This document is available online at: [http://default.sfplanning.org/publications\\_reports/residential-pipeline-quarterly-dashboard/2018Q2\\_RHNA\\_Progress.pdf](http://default.sfplanning.org/publications_reports/residential-pipeline-quarterly-dashboard/2018Q2_RHNA_Progress.pdf). Accessed November 1, 2018.

The project's 62 units and 5,775 sf of ground-floor retail space would contribute to meeting San Francisco's anticipated housing and employment needs. As part of the planning process for Plan Bay Area, San Francisco identified *priority development areas*, which are areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit. The project site is located within the Eastern Neighborhoods priority development area; thus, it would be implemented in an area where new population growth is anticipated.

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

The proposed project would not displace any residents or housing units since no housing units currently exist on the project site. Therefore, the proposed project would have no direct impact related to the displacement of housing units or people and would not necessitate the construction of replacement housing elsewhere that could result in physical environmental effects.

### **Cumulative Analysis**

The cumulative context for the population and housing topic is the City and County of San Francisco. As discussed above, ABAG projects substantial growth for San Francisco through 2040. The proposed project would provide housing units and commercial space but would not result in growth that would exceed ABAG projections. Therefore, the proposed project would not contribute to any cumulative environmental effects associated with inducing population growth or displacing substantial numbers of people necessitating the construction of replacement housing elsewhere.

### **Conclusion**

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

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

### Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as articles 10 and 11 of the San Francisco planning code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable.

The project site is currently a parking lot located adjacent to, but outside of, the Woodward Street Romeo Flats Reconstruction Historic District, adopted on June 1, 2011 by the San Francisco Historic Preservation Commission (HPC). The district is listed in the California Register of Historic Resources under Criteria A (association with events that have made a significant contribution to the broad patterns of local history) and C (embodiment of distinctive characteristics of type, period, region and methods of construction and possesses high artistic values) due to its association with the post-1906 Earthquake and Fire reconstruction and as a distinctive example of San Francisco Edwardian architecture, specifically Romeo flat residential buildings. The period of significance is 1906-1912 and character-defining features consist of two- to three-story residential buildings, rhythmic bay windows, matching floor levels, minimal front and side yards with mostly unbroken streetscapes, primarily horizontal wood board and shingle cladding materials with brick or cast stone bases, wood doors and windows with wood surrounds, and wood cornices and trim.

In addition to the above historical district designation, there is currently a community-initiated effort to create a Woodward Street Landmark District, which would include the project site. As of March 16, 2016 the proposed Woodward Street Landmark District was added to the Article 10 Landmark Designation Work Program by the Historic Preservation Commission (HPC). The boundaries of the proposed landmark district are currently under review and will be brought to the HPC as part of the designation process.



Therefore, it is not currently known if the project site will be included as a non-contributor to the historic district or will remain outside of the historic district boundaries.

Due to the possibility that the project site may be included within the landmark district's boundaries in the future as a non-contributor, and the site is adjacent to a California Register of Historic Resources historic district, a preliminary compatibility review was undertaken by the preservation team. The planning department's preservation team recommended that the project sponsor take the historic context and character-defining features of the adjacent historic district into account, including utilizing wood cladding instead of cement plaster on the Woodward Street façade of the proposed project, having taller and wider entrances on the Woodward Street façade, and providing a landscape setback on Woodward Street to provide differentiation with the historic district. The preservation team's comments were incorporated into the design review of the project undertaken by Current Planning and the planning department's Urban Design Advisory Team, which ensures compatibility of new construction with existing neighborhood character, and the recommendations were subsequently included by the project sponsor in the project's final design.<sup>9</sup> Therefore, there would be no adverse impacts to nearby existing or potential historic resources or historic districts.

Construction of the proposed project would occur adjacent to buildings located within the Woodward Street Romeo Flats Reconstruction Historic District. The Department of Building Inspection (DBI) would be responsible for reviewing the building permit application to ensure that project construction documents conform to recommendations in the project's geotechnical report, including shoring and underpinning, would comply with all applicable procedures and requirements to ensure the protection of adjacent buildings as required by the building code. Please see additional discussion under Geology and Soils section of this initial study checklist.

In addition, the Department required analysis of the potential for adverse impacts to adjacent historical structures due to construction-related vibration.<sup>10</sup> The vibration analysis assessed the type of construction equipment that would be used to excavate and construct the proposed sub-grade basement and the equipment's proximity to neighboring structures. The analysis found that construction of the proposed project would not result in vibration at levels that could result in adverse impacts to adjacent historic structures. No excavation or shoring would occur within a ten-foot buffer area at the project site's northern interior property line. For additional discussion of this issue, please see the Construction Vibration discussion in the "Noise" section, below.

For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

### **Archeological Resources**

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological

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<sup>9</sup> SF Planning Preservation, Memorandum Re: 344 14<sup>th</sup> Street/1463 Stevenson Street, July 26, 2017. SF Planning, Email from Maia Small, Principal Urban Designer to Justin Horner, Environmental Planner, September 12, 2018.

<sup>10</sup> Charles M Salter and Associates, 344 14<sup>th</sup> St Construction Vibration Analysis, January 8, 2019.

documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District that propose certain scopes of work, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The project site is located in the Mission Dolores Archeological District and includes excavation deeper than 2.5 feet below grade; therefore, Mitigation Measure J-3 (Mission Dolores Archeological District - Archeological testing) applies to the proposed project. The purpose of Mitigation Measure J-3 is to avoid any significant adverse effect from soils disturbing activities on buried archeological resources, based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District. Mitigation Measure J-3 would be implemented as Project Mitigation Measure 1: Archeological Testing. The full text of **Project Mitigation Measure 1: Archeological Testing** appears in the "Mitigation Measure" section below.

With the implementation of **Project Mitigation Measure 1 (Archeological Testing)**, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

### **Paleontological Resources**

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Construction activities are not anticipated to encounter any below-grade paleontological resources. The proposed project includes excavation to a depth of four feet below grade surface. The project site is underlain by fill to a depth of approximately 12 feet, which itself is underlain by silt and clay to a depth of 47 feet. Both soil types have low potential for paleontological resources. Therefore, the project would have no impact on paleontological resources.

### **Cumulative Analysis**

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

The cumulative context for archeological resources, paleontological resources, and human remains are site specific and generally limited to the immediate construction area. For these reasons, the proposed project, in combination with reasonably foreseeable future projects, would not result in a cumulatively considerable impact on archeological resource, paleontological resources or human remains.

### **Conclusion**

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project. Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.<sup>11</sup>

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated

<sup>11</sup> San Francisco Planning Department, Transportation Study Determination Request 344 14<sup>th</sup> Street/1463 Stevenson Street, July 17, 2014. This Transportation Study Determination (TSDR) analyzed a larger project which was made up of the proposed project and an additional PDR building on an adjacent site at 1463 Stevenson Street. As the proposed project is smaller than the project considered in the TSDR, and as the TSDR found that the larger project would have no transportation impacts, the proposed project was determined to not have a transportation impact.

that the significant adverse cumulative impacts on transit lines could not be reduced to a less than significant level. Thus, these impacts were found to be significant and unavoidable.

As discussed above under "CEQA Section 21099", in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

The Eastern Neighborhoods PEIR did not evaluate vehicle miles traveled or the potential for induced automobile travel. The VMT Analysis presented below evaluates the project's transportation effects using the VMT metric.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the initial study checklist topic 4c is not applicable.

### **Vehicle Miles Traveled (VMT) Analysis**

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the City have lower VMT ratios than other areas of the City. These areas of the City can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is

likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.<sup>12,13</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>14</sup> For retail development, the regional average daily retail VMT per employee is 14.9.<sup>15</sup> Average daily VMT for both land uses proposed at the site is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Average Daily Vehicle Miles Traveled, which includes data for the transportation analysis zone in which the project site is located, 236.

**Table 1 Average Daily Vehicle Miles Traveled**

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15 percent	TAZ 236	Bay Area Regional Average	Bay Area Regional Average minus 15 percent	TAZ 236
Households (Residential)	17.2	14.6	4.3	16.1	13.7	3.6
Employment (Retail)	14.9	12.6	8.8	14.6	12.4	9

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research’s (OPR) *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* (“proposed transportation impact guidelines”) recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (Map-Based Screening, Small Projects, and Proximity to Transit Stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-Based Screening is used to determine if a project site is located within a transportation analysis zone that exhibits low levels of VMT; Small Projects are projects that would generate fewer than 100 vehicle trips per day; and the Proximity to Transit Stations criterion includes projects that are within a half mile of an existing major transit stop, have a floor area ratio of greater than or equal to 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

<sup>12</sup> To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

<sup>13</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>14</sup> Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

<sup>15</sup> Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic “Other” purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the “Other” purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of “Other” purpose travel.

The proposed project would include 62 dwelling units and ground-floor retail. Existing average daily VMT per capita is 4.3 for the transportation analysis zone the project site is located in, 236. This is 75 percent below the existing regional average daily VMT per capita of 17.2. Future 2040 average daily VMT per capita is 3.6 for transportation analysis zone 236. This is 78 percent below the future 2040 regional average daily VMT per capita of 16.1.

Existing average daily VMT per retail employee is 8.8 for transportation analysis zone 236. This is 40 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per retail employee is 9 for the transportation analysis zone 236. This is 38 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6. Therefore, because the project site is located in an area where existing VMT per capita or employee is more than 15 percent below the regional average, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant impact.

In addition, the project site meets the Proximity to Transit Stations criteria, as it is located less than one block from a transit stop for the 14 Mission, 14R Mission Rapid, and 49 Van Ness-Mission bus routes and within a quarter mile of the 16<sup>th</sup> Street Mission BART Station (less than a half-mile).

### **Trip Generation**

The proposed project includes 62 dwelling units and approximately 5,775 sf of ground-floor retail, as well as 63 bicycle parking spaces. The proposed project includes no vehicle parking.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2019 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>16</sup> The proposed project would generate an estimated 1,311 person trips (inbound and outbound) on a weekday daily basis, consisting of 432 person trips by auto, 187 transit trips, 652 walk trips and 42 walk trips. During the p.m. peak hour, the proposed project would generate an estimated 118 person trips, consisting of 39 person trips by auto (27 vehicle trips accounting for vehicle occupancy data for this census tract), 17 transit trips, 58 walk trips and 58 walk trips.

### **Transit**

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>17</sup> The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.<sup>18</sup> In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board

<sup>16</sup> San Francisco Planning Department, Transportation Calculations for 344 14<sup>th</sup> Street, May 14, 2019.

<sup>17</sup> Two additional files were created at the Board of Supervisors for the Transportation Sustainability Fee regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

<sup>18</sup> <http://tsp.sfplanning.org>  
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of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16<sup>th</sup> Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes within the Eastern Neighborhoods Plan area; for instance, implementation of Route 55 on 16<sup>th</sup> Street.

Mitigation Measure E-7 also identifies implementing recommendations of the Bicycle Plan and Better Streets Plan. As part of the San Francisco Bicycle Plan, adopted in 2009, a series of minor, near-term, and long-term bicycle facility improvements are planned within the Eastern Neighborhoods, including along 2nd Street, 5th Street, 17th Street, Townsend Street, Illinois Street, and Cesar Chavez Boulevard. The San Francisco Better Streets Plan, adopted in 2010, describes a vision for the future of San Francisco's pedestrian realm and calls for streets that work for all users. The Better Streets Plan requirements were codified in section 138.1 of the Planning Code and new projects constructed in the Eastern Neighborhoods Plan area are subject to varying requirements, dependent on project size. Another effort which addresses transit accessibility, Vision Zero, was adopted by various City agencies in 2014. Vision Zero focuses on building better and safer streets through education, evaluation, enforcement, and engineering. The goal is to eliminate all traffic fatalities by 2024. Vision Zero projects within the Eastern Neighborhoods Plan area include pedestrian intersection treatments along Mission Street from 18th to 23rd streets, the Potrero Avenue Streetscape Project from Division to Cesar Chavez streets, and the Howard Street Pilot Project, which includes pedestrian intersection treatments from 4th to 6th streets.

The project site is located within a quarter mile of several local transit lines including Muni lines 14-Mission, 14R-Mission Rapid, 22-Fillmore, 33-Ashbury/18<sup>th</sup> Street, 49-Van Ness/Mission, 55-16<sup>th</sup> Street, and the F-Market, J-Church, L-Taraval, M-Ocean View, and N-Judah light rail lines. In addition, the project site is within a quarter of a mile of the 16 Street Mission BART Station. The proposed project would be expected to generate 187 daily transit trips, including 17 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 17 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

### **Cumulative Analysis**

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 22-Fillmore and 49-Van Ness/Mission. The proposed project would not contribute considerably to these conditions as its minor contribution of 17 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. For these reasons, the proposed project would not result in significant impacts related to transit beyond those identified in the Eastern Neighborhoods PEIR.

**Conclusion**

For the above reasons, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to transportation and circulation and would not contribute considerably to cumulative transportation and circulation impacts that were identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to development projects under



the plans.<sup>19</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

### Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include construction near sensitive receptors. As the proposed project does not include pile driving nor does it include particularly noisy construction methods, Mitigation Measure F-1 does not apply to the proposed project. As the proposed project includes construction adjacent, and in proximity to, sensitive receptors (i.e. residential uses), Mitigation Measure F-2 applies to the proposed project. See the full text of **Project Mitigation Measure 2: Construction Noise** in the “Mitigation Measures” section below.

In addition, all construction activities for the proposed project (approximately 18 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of public works or the Director of the building department to best accomplish maximum noise reduction; and (3) if noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of public works authorizes a special permit for conducting the work during that period.

The building department is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 18 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with Project Mitigation Measure 2: Construction Noise and the Noise Ordinance, which would reduce construction noise impacts to a less-than-significant level.

### Operational Noise

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project includes residential uses and 5,775 sf of ground-floor retail space. Neither

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<sup>19</sup> Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project’s future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the *Eastern Neighborhoods PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

use would be anticipated to generate noises in excess of ambient noise levels. Therefore, Eastern Neighborhoods PEIR Mitigation Measure F-5 does not apply to the proposed project, and the proposed project would not substantially increase the ambient noise environment and noise impacts resulting from the proposed project would be less than significant.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical requirement for non-residential uses. Both compliance methods require wall, floor/ceiling, and window assemblies to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise standards are achieved. In compliance with Title 24, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room. Furthermore, the regulations require the department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval processes to ensure that the design of new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

### **Construction Vibration**

Construction of the proposed project would involve demolition of the surface parking lot, site preparation and other construction activities. It would include the use of construction equipment that could result in groundborne vibration affecting properties adjacent to the project site. No pile driving or blasting are proposed.

Due to the proximity of the project site to existing and potential historic resources, a vibration study was prepared to analyze construction-related vibration impacts.<sup>20</sup> The study examined the construction of an earlier variation of the proposed project, which included an additional PDR building on an adjacent parcel at 1463 Stevenson Street and a sub-grade garage level shared by both buildings. The proposed project includes only one building (the mixed-use residential building with ground-floor retail) and does not include a sub-grade level. The study applied the methodology and thresholds utilized by the California Department of Transportation (Caltrans) in examining construction-related vibration impacts.<sup>21</sup> The study evaluated vibration impacts related to excavation of the site for the purpose of developing the subgrade

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<sup>20</sup> Charles M Salter and Associates, 344 14<sup>th</sup> St Construction Vibration Analysis, January 8, 2019.

<sup>21</sup> California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, September 2013

garage level and developing a foundation for the buildings as recommended in the geotechnical investigation. Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Several different methods are used to quantify vibration. The most frequently used method to describe vibration impacts is peak particle velocity (PPV). PPV is defined as the maximum instantaneous peak of the vibration signal in inches per second (in/sec).<sup>22</sup>

In order to estimate the vibration level at the adjacent properties resulting from project construction activities, the analysis utilized the following equation:

$$PPV_{\text{equip}} = PPV_{\text{ref}}(25/D)^n$$

where

PPV<sub>equip</sub>: the Peak Particle Velocity (PPV) at the distance being measured

PPV<sub>ref</sub>: the PPV at the reference distance of 25 feet

D: the distance being measured

n: a value determined by soil conditions, ranging from 1.5 to 1

The PPV<sub>ref</sub> values for the equipment<sup>23</sup> to be used during project construction activities are summarized in Table 2.

Table 2: Peak Particle Velocities (PPVs) of Project Construction Equipment	
Equipment	PPV <sub>ref</sub> Reference Peak Particle Velocity at 25 feet (in/sec)
Caisson Drilling Rig	0.089 PPV
Loaded Truck	0.076 PPV

The D value would be ten feet, which is the distance closest to the adjacent properties along the north property line that excavation would occur. For the n-value in the equation above, the vibration study utilized a value of 1.1, which was based on Caltrans' guidance for the project site's soil type. Caltrans also recommended the use of the 1.1 value for work closer than 25 feet from adjacent structures (like that included in the proposed project)

Table 3, below, includes the PPV levels at which damage to particular types of buildings could result. Construction activity is considered a "continuous/frequent intermittent source;" a "transient source" would be considered single, distinct events, such as blasting or the driving of piles. As the neighboring properties to the north of the project site are considered existing or potential historic resources under CEQA, they are classified as "Historic and Some Old Buildings." Once the PPV<sub>equip</sub> level is determined for each piece of construction equipment, it is compared to the values outlined in Table 3.

<sup>22</sup> Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment*, May 2006, pp. 8-1 to 8-3, Table 8-1. Available online at [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf). Accessed February 7, 2017.

<sup>23</sup> The construction equipment included in Table 2 are only those that have the potential to cause vibration. Other construction equipment would be used.

**Table 3: Vibration Guidelines for Potential Damage to Structures**

Structure Type and Condition	Maximum PPV from Transient Sources	Maximum PPV from Continuous/Frequent Intermittent Sources
Extremely Fragile Historic Buildings	0.12	0.08
Fragile Buildings	0.2	0.1
Historic and Some Old Buildings	0.5	0.25
Older Residential Structures	0.5	0.3
New Residential Structures	1.0	0.5
Modern Industrial/Commercial Buildings	2.0	0.5

The PPV<sub>equip</sub> for the project’s construction equipment was calculated using the equation above. Use of the Caisson Drilling Rig would result in the greatest PPV<sub>equip</sub> for equipment to be used, 0.24 PPV. As 0.24 PPV from a “continuous/frequent intermittent source” is below the 0.25 PPV threshold for “Historic and Some Old Buildings,” the proposed project would not result in levels of vibration that would result in an adverse impact to existing neighboring historic structures.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topics 12e and 12f from the initial study checklist are not applicable.

**Cumulative Analysis**

The cumulative context for traffic noise analyses are typically confined to the local roadways nearest the project site. As project-generated vehicle trips disperse along the local roadway network, the contribution of traffic noise along any given roadway segment would similarly be reduced. As discussed in the Transportation section above, the project would add 432 daily vehicle trips to the surrounding streets and not result in a perceptible increase in traffic noise. Therefore, the proposed project would not result in a considerable contribution to ambient noise levels from project traffic.

The cumulative context for point sources of noise, such as building heating, ventilation and air conditioning systems and construction noise are typically confined to nearby noise sources, usually not further than about 900 feet from the project site.<sup>24</sup> Based on the list of projects under the Cumulative Setting section above, there are no reasonably foreseeable projects within 900 feet of the project site that could combine with the proposed project’s noise impacts to generate significant cumulative construction or operational noise. Furthermore, the noise ordinance establishes limits for both construction equipment and for operational noise sources. All projects within San Francisco are required to comply with the noise ordinance. Compliance with the noise ordinance would ensure that no significant cumulative noise impact would occur.

<sup>24</sup> This distance was selected because typical construction noise levels can affect a sensitive receptor at a distance of 900 feet if there is a direct line-of-sight between a noise source and a noise receptor (i.e., a piece of equipment generating 85 dBA would attenuate to 60 dBA over a distance of 900 feet). An exterior noise level of 60 dBA will typically attenuate to an interior noise level of 35 dBA with the windows closed and 45 dBA with the windows open.

**Conclusion**

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses. The proposed project would implement mitigation measures identified in the Eastern Neighborhoods PEIR to reduce construction noise, referred to as Project Mitigation Measure 2. With implementation of mitigation measures identified in the PEIR, the proposed project would not result in new or more severe noise impacts than were identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>25</sup> from exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, development under the area plans would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.<sup>26</sup>

<sup>25</sup> The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

<sup>26</sup> The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code article 38, as discussed below, and is no longer applicable.

## Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the building department. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. San Francisco ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission. Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The San Francisco Public Utilities Commission operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1. Therefore, the portion of PEIR Mitigation Measure G-1 Construction Air Quality that addresses dust control is no longer applicable to the proposed project.

## Criteria Air Pollutants

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the San Francisco Bay Area Air Basin (air basin) experiences low concentrations of most pollutants when compared to federal or state standards. The air basin is designated as either in attainment<sup>27</sup> or unclassified for most criteria pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, for which these pollutants are designated as non-attainment for either the state or federal standards.

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<sup>27</sup> "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project’s individual emissions contribute to existing cumulative air quality impacts. If a project’s contribution to cumulative air quality impacts is considerable, then the project’s impact on air quality would be considered significant.

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the Bay Area Air Quality Management District’s (air district) quantitative thresholds for individual projects.”<sup>28</sup> The air district prepared updated 2017 BAAQMD CEQA Air Quality Guidelines (air quality guidelines),<sup>29</sup> which provided new methodologies for analyzing air quality impacts. The air quality guidelines also provide thresholds of significance for those criteria air pollutants that the air basin is in non-attainment. These thresholds of significance are used by the City.

*Construction*

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over approximately 381 working days (anticipated to be 16 to 18 months). Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Technical Memorandum.<sup>30</sup> The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts’ staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 381 working days. As shown in Table 4, unmitigated project construction emissions would not exceed thresholds of significance for ROG, NO<sub>x</sub>, PM<sub>10</sub> or PM<sub>2.5</sub>; therefore, the proposed project would have less-than-significant impacts with respect to construction-related criteria air pollutants.

**Table 4: Average Daily Project Construction Emissions**

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NO <sub>x</sub>	Exhaust PM <sub>10</sub>	Exhaust PM <sub>2.5</sub>
Unmitigated Project Emissions	3.53	10.08	0.52	0.49
Significance Threshold	54.0	54.0	82.0	54.0

Source: BAAQMD, 2017; San Francisco Planning Department, 2019.

*Operations*

The proposed project would generate criteria pollutant emissions associated with vehicle traffic (mobile sources), on-site area sources (i.e., natural gas combustion for space and water heating, and combustion of other fuels by building and grounds maintenance equipment) and energy usage. Operation-related criteria

<sup>28</sup> San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

<sup>29</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2017. See pp. 3-2 to 3-3.

<sup>30</sup> SF Planning Department, Air Quality Technical Memorandum, 344 14<sup>th</sup> Street, May 15, 2019.

air pollutants generated by the proposed project were also quantified using CalEEMod and provided within an Air Quality Technical Memorandum.<sup>31</sup> Default assumptions were used where project-specific information was unknown.

The daily and annual emissions associated with operation of the proposed project are shown in Table 3. Table 5 also includes the thresholds of significance the City utilizes to determine significant air quality impacts.

**Table 5: Summary of Operational Criteria Air Pollutant Emissions**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Project Average Daily Emissions (lbs/day)	2.65	3.37	2.6	0.81
Significance Threshold (lbs/day)	54	54	82	54
Project Maximum Annual Emissions (tpy)	0.48	0.61	0.50	0.15
Significance Threshold (tpy)	10.0	10.0	15.0	10.0

lbs/day = pounds per day tpy = tons per year  
Source: BAAQMD, 2017; San Francisco Planning Department, 2018.

As shown in Table 5, the proposed project would not exceed the threshold of significance for operational criteria air pollutant emissions. For these reasons, implementation of the proposed project would not result in either project-level or cumulative significant impacts that were not identified in the Eastern Neighborhoods PEIR related to contribution to violations of air quality standards or substantial increases in non-attainment criteria air pollutants.

**Health Risk**

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, article 38 (Ordinance 224-14, amended December 8, 2014)(article 38). The Air Pollutant Exposure Zone as defined in article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM<sub>2.5</sub> concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the Air Pollutant Exposure Zone, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (health department) that achieves protection from PM<sub>2.5</sub>(fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. The building department will not issue a building permit without written notification from the Director of the health department that the applicant has an approved Enhanced Ventilation Proposal. In compliance with article 38, the project sponsor has submitted an initial application to the health department.<sup>32</sup>

**Construction**

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during the anticipated 18-month construction period.

<sup>31</sup> Ibid.

<sup>32</sup> Moshayed Properties, *Application for Article 38 Compliance Assessment*, June 20, 2017 (receipt of application confirmed by Department of Public Health in Email, June 20, 2017).



Thus, **Project Mitigation Measure 3: Construction Air Quality** has been identified for the proposed project to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 3 Construction Air Quality would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.<sup>33</sup> Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 3 Construction Air Quality. The full text of Project Mitigation Measure 3 Construction Air Quality is provided in the Mitigation Measures Section below.

### Siting New Sources

The proposed project is not expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. The proposed project would also not include a backup diesel generator or any other sources that would emit substantial levels of toxic air contaminants (TACs). Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 related to siting of uses that emit TACs would not apply to the proposed project.

### Cumulative Analysis

As discussed above, regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.<sup>34</sup> The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction and operational emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

### Conclusion

For the above reasons, the proposed project would not result in significant air quality impacts, either individually or cumulatively that were not identified in the PEIR and none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project.

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<sup>33</sup> PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSS are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

<sup>34</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2017, page 2-1.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>7. GREENHOUSE GAS EMISSIONS— Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide equivalent (CO<sub>2</sub>E) per service population,<sup>35</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

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

The air district has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5, which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*<sup>36</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG reduction strategy in compliance with the air district and CEQA guidelines. These GHG reduction actions have resulted in a 28 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>37</sup> exceeding the year 2020 reduction goals outlined in the air district’s *2017 Clean Air Plan*,<sup>38</sup> Executive Order S-3-05<sup>39</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>40,41</sup> In addition, San Francisco’s GHG

<sup>35</sup> Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

<sup>36</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed July 27, 2017.

<sup>37</sup> SF Department of the Environment, *San Francisco’s Carbon Footprint*, <https://sfenvironment.org/carbon-footprint>. Accessed July 27, 2017.

<sup>38</sup> Bay Area Air Quality Management District, *Clean Air Plan*, April 2017. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed July 27, 2017.

<sup>39</sup> Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

<sup>40</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

<sup>41</sup> Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,<sup>42</sup> B-30-15,<sup>43,44</sup> and Senate Bill (SB) 32.<sup>45,46</sup> Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site by introducing residential and retail uses on a site that is currently used as a surface parking lot. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the project's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Transportation Sustainability Fee, , bicycle parking requirements, and Transportation Demand Management Ordinance would reduce the proposed project's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, and Water Conservation and Irrigation ordinances, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.<sup>47</sup>

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill,

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<sup>42</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>43</sup> Office of the Governor, *Executive Order B-30-15, April 29, 2015*. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

<sup>44</sup> San Francisco's GHG reduction goals are codified in Section 902 of the Environment Code and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

<sup>45</sup> Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

<sup>46</sup> Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

<sup>47</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>48</sup> and reducing the energy required to produce new materials.

Compliance with the City’s Street Tree Planting requirements would serve to increase carbon sequestration. The proposed project would remove four on-site trees and plant 21 street trees, for a net increase of 17 trees. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>49</sup> Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.<sup>50</sup>

Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Furthermore, the proposed project is within the scope of the development evaluated in the PEIR and would not result in impacts associated with GHG emissions beyond those disclosed in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>8. WIND AND SHADOW—Would the project:</b>				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Wind**

The Eastern Neighborhoods PEIR concluded that wind impacts resulting from the development under the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. The proposed building on would be 78 feet tall (83 feet tall with elevator penthouse). Although the proposed 78-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

<sup>48</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

<sup>49</sup> While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

<sup>50</sup> San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 344 14<sup>th</sup> Street/1463 Stevenson Street, May 14, 2019.

## Shadow

Planning Code section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods Rezoning and Area Plans, sites surrounding parks could be redeveloped with taller buildings without triggering section 295 of the Planning Code because certain parks are not subject to section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would construct a 78-foot-tall building (83 feet with elevator penthouse) therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would have the potential to cast new shadow on nearby parks.<sup>51</sup> Based on that analysis, the proposed project would not result in shadow impacts on nearby recreational resources subject to Section 295 of the Planning Code, nor on any other public open spaces.

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

## Cumulative Analysis

As discussed above, structures that are less than 80 feet in height typically do not result in wind impacts. Due to the fact that the proposed project would be under 80 feet in height, it would therefore not result in a significant wind impact. Cumulative projects that are greater than 80 feet in height would be located approximately 0.3 miles north of the project site. The 101 freeway is located between the project site and these taller cumulative projects and would serve as a barrier that would not affect the wind environment in the project vicinity. Other nearby proposed projects included in the cumulative projects list above are also under 80 feet in height, and none are located close enough to result in combined effects with the proposed project. Therefore, the proposed project would not likely combine with other projects to create, or contribute to, a cumulative wind impact.

As discussed above, the proposed project would not shadow any nearby parks or open spaces. Therefore, the proposed project would not contribute to any potential cumulative shadow impact on parks and open spaces. The sidewalks in the project vicinity are already shaded for periods of the day by the densely developed, multi-story buildings. Although implementation of the proposed project and nearby cumulative development projects would add net new shadow to the sidewalks in the project vicinity, these shadows would be transitory in nature, would not substantially affect the use of the sidewalks, and would not increase shadows above levels that are common and generally expected in a densely developed urban environment.

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<sup>51</sup> San Francisco Planning Department, Preliminary Shadow Fan: 344 14<sup>th</sup> Street. May 14, 2019.  
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For these reasons, the proposed project would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create significant cumulative wind or shadow impacts.

**Conclusion**

For the reasons stated above, the proposed project would not result in significant wind or shadow impacts, either individually or cumulatively. Therefore, the proposed project would not result in significant impacts related to wind or shadow that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>9. RECREATION—Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR. However, the PEIR identified Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities. This improvement measure calls for the City to implement funding mechanisms for an ongoing program to repair, upgrade, and adequately maintain park and recreation facilities to ensure the safety of users.

As part of the Eastern Neighborhoods adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Daggett Park opened on April 19, 2017 and Folsom Park at 17th and

Folsom opened on June 23, 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

Furthermore, the Planning Code requires a specified amount of new usable open space (either private or common) for each new residential unit. Some developments are also required to provide privately owned, publicly accessible open spaces. The proposed project includes 3,210 sf of common open space on the ground level and seventh floor. The Planning Code open space requirements would help offset some of the additional open space needs generated by increased residential population to the project area.

As discussed in topic Population and Housing above, the proposed project would add new residential and/or employment space resulting in approximately 145 new residents and 17 new employees. The closest city parks to residents and employees of the proposed project are Mission Dolores Park (0.5 miles southwest of the project site) and Franklin Square Park (0.6 miles southeast of the project site). Additionally, the proposed project would provide passive recreational uses onsite for the residents, including 3,210 sf of common open space in three roof decks available to project residents and approximately private open space on the fifth and seven. Although the proposed project would introduce a new permanent population to the project site, the number of new residents and/or employees projected would not be large enough to substantially increase demand for, or use of, neighborhood parks or recreational facilities, such that substantial physical deterioration would be expected.

The permanent residential population on the site and the incremental on-site daytime population growth that would result from the proposed retail use would not require the construction of new recreational facilities or the expansion of existing facilities.

Project-related construction activities would occur within the boundaries of the project site and could extend along public sidewalks and within nearby travel lanes. Neither the project site or immediately surrounding area includes any recreational resources. Therefore, the project would not physically degrade existing recreational resources.

### **Cumulative Analysis**

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

**Conclusion**

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>10. UTILITIES AND SERVICE SYSTEMS—</b>				
<b>Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to the provision of water, wastewater collection and treatment, and solid waste collection and disposal. No mitigation measures were identified in the PEIR.

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant provides wastewater and stormwater treatment and management for the east side of the city, including the project site. Project-related wastewater and stormwater would flow into the city's combined sewer system and would be treated to standards contained in the city's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge into the San Francisco Bay. The NPDES standards are set and regulated by the Regional Water Quality Control Board. Therefore, the proposed project would not exceed the wastewater treatment requirements of the water quality control board.



The San Francisco Public Utilities Commission is in the process of implementing the Sewer System Improvement Program, which is a multi-billion dollar citywide upgrade to the city's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods plan areas including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

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

Although the proposed project would add new residents and employees to the project site, the combined sewer system has capacity to serve projected growth through year 2040. Therefore, the incremental increase in wastewater treatment resulting from the project would be met by the existing sewer system and would not require expansion of existing wastewater facilities or construction of new facilities.

The proposed project's 62 residential units and 5,775 sf of retail would add approximately 145 residents and 17 employees to the project site, which would increase water demand relative to existing uses, but not in excess of amounts provided and planned for in the project area as set forth in the SFPUC's adopted Urban Water Management Plan (UWMP) for the City and County of San Francisco.<sup>52</sup> The proposed project would incorporate water-efficient fixtures as required by Title 24 of the California Code of Regulations and the city's Green Building Ordinance. For these reasons, the proposed project would not result in the construction of new or expanded water supply facilities. Therefore, environmental impacts relating to water use and supply would be less than significant.

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

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

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<sup>52</sup> San Francisco Public Utilities Commission, 2015 Urban Water Management Plan for the City and County of San Francisco, June 2016, <https://sfwater.org/modules/showdocument.aspx?documentid=9300>, accessed June, 2018.

**Cumulative Analysis**

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

**Conclusion**

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>11. PUBLIC SERVICES—Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Project residents and employees would be served by the San Francisco Police Department and Fire Departments. The closest police station to the project site is the Mission Station, located approximately 0.35 miles from the site. The closest fire station to the project site is Station 36, located approximately 0.4 miles from the project site. The increased population at the project site could result in more calls for police, fire, and emergency response. However, the increase in demand for these services would not be substantial given the overall demand for such services on a citywide basis. Moreover, the proximity of the project site to police and fire stations would help minimize the response time for these services should incidents occur at the project site.

The San Francisco Unified School District (school district) maintains a property and building portfolio that has capacity for almost 64,000 students.<sup>53</sup> A decade-long decline in district enrollment ended in the 2008-2009 school year at 52,066 students, and total enrollment in the district increased to about 54,063 in the

<sup>53</sup> This analysis was informed, in part, by a Target Enrollment Survey the San Francisco Unified School District performed of all schools in 2010.

2017-2018 school year, an increase of approximately 1,997 students since 2008.<sup>54,55</sup> Thus, even with increasing enrollment, school district currently has more classrooms district-wide than needed.<sup>56</sup> However, the net effect of housing development across San Francisco is expected to increase enrollment by at least 7,000 students by 2030 and eventually enrollment is likely to exceed the capacity of current facilities.<sup>57</sup>

Lapkoff & Gobalet Demographic Research, Inc. conducted a study in 2010 for the (school district) that projected student enrollment through 2040.<sup>58</sup> This study is being updated as additional information becomes available. The study considered several new and ongoing large-scale developments (Mission Bay, Candlestick Point, Hunters Point Shipyard/San Francisco Shipyard, and Treasure/Yerba Buena Islands, Parkmerced, and others) as well as planned housing units outside those areas.<sup>59</sup> In addition, it developed student yield assumptions informed by historical yield, building type, unit size, unit price, ownership (rented or owner-occupied), whether units are subsidized, whether subsidized units are in standalone buildings or in inclusionary buildings, and other site specific factors. For most developments, the study establishes a student generation rate of 0.80 Kindergarten through 12th grade students per unit in a standalone affordable housing site, 0.25 students per unit for inclusionary affordable housing units, and 0.10 students per unit for market-rate housing.

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

The proposed project would be expected to generate eight school-aged children, some of whom may be served by the San Francisco Unified School District and others through private schools in the areas. The school district currently has capacity to accommodate this minor increase in demand without the need for new or physically altered schools, the construction of which may result in environmental impacts.

Impacts to parks and recreational facilities are addressed above in Topic 9, Recreation.

### **Cumulative Analysis**

The proposed project combined with projected citywide growth through 2040 would increase demand for public services, including police and fire protection and public schooling. The fire department, the police department, the school district, and other city agencies have accounted for such growth in providing public services to the residents of San Francisco. For these reasons, the proposed project would not combine with

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<sup>54</sup> San Francisco Unified School District, Facts at a Glance, 20187, <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/sfusd-facts-at-a-glance.pdf>, accessed September 13, 2018.

<sup>55</sup> Note that Enrollment summaries do not include charter schools. Approximately 4,283 students enrolled in charter schools are operated by other organizations but located in school district facilities.

<sup>56</sup> San Francisco Unified School District, San Francisco Bay Area Planning and Urban Research (SPUR) Forum Presentation, Growing Population, Growing Schools, August 31, 2016, [https://www.spur.org/sites/default/files/events\\_pdfs/SPUR%20Forum\\_August%2031%202016.pptx\\_.pdf](https://www.spur.org/sites/default/files/events_pdfs/SPUR%20Forum_August%2031%202016.pptx_.pdf), accessed October 5, 2018.

<sup>57</sup> Lapkoff & Gobalet Demographic Research, Inc., Demographic Analyses and Enrollment Forecasts for the San Francisco Unified School District, February 16, 2018, p. 2, <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/demographic-analyses-enrollment-forecast.pdf>, accessed October 5, 2018.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

reasonably foreseeable future projects to increase the demand for public services requiring new or expanded facilities, the construction of which could result in significant physical environmental impacts.

**Conclusion**

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>12. BIOLOGICAL RESOURCES—Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is located within the Mission Area Plan of the Eastern Neighborhoods Area Plans, and the project site does not support habitat for any candidate, sensitive or special status species. Further, there are no riparian corridors, estuaries, marshes or wetlands on or adjacent to the project site, and there are no environmental conservation plans applicable to the project site. Additionally, the project would be required to comply with *Public Works Code* section 801 *et. seq.*, which requires a permit from Public Works to remove any protected trees (landmark, significant, and street trees). The proposed project involves the removal of existing trees. The proposed project would remove four existing trees on the project site and would plant five new street trees along the Woodward Street frontage, five new street trees along the 14<sup>th</sup> Street frontage and 11 new street trees along the Stevenson street frontage, for a net increase of seventeen trees.

For all the reasons provided above, the proposed project would not result in significant biological resource impacts.

**Cumulative Analysis**

As the proposed project would have no impact on special status species or sensitive habitats, the project would not have the potential to contribute to cumulative impacts to special status species or sensitive habitats. All projects within San Francisco are required to comply with *Public Works Code* section 801 *et. seq.*, which would ensure that any cumulative impact resulting from tree removal would be less than significant.

**Conclusion**

As discussed above, the proposed project would not result in a significant individual or cumulative impact with respect to biological resources. Therefore, the proposed project would not result in a significant biological resources impact that was not disclosed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>13. GEOLOGY AND SOILS—Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The Eastern Neighborhoods PEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risks, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Thus, the PEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods PEIR.

A geotechnical investigation was prepared for a prior variant of the proposed project, which included not only the proposed project, but an additional PDR building on an adjacent parcel at 1463 Stevenson Street and a sub-grade basement parking level to be shared by both buildings. The proposed project does not include the PDR building or a basement and includes excavation only to a depth of 4 feet below grade.<sup>60</sup> The investigation found that the project site is underlain by a relatively thick layer of undocumented fill generally consisting of loose to very dense sand and with varying gravel and fines content, to a depth of approximately 11 to 12 feet below grade, which subsequently is underlain by medium dense to very dense sand to a depth of approximately 47 feet below grade. The report recommends a design groundwater depth of 8 feet below grade. The project site is within a state identified liquefaction hazard zone. As the geotechnical report analyzed a version of the proposed project that included a basement level, the primary geotechnical issues laid out in the report include shallow groundwater relative to the depth of that proposed basement; the presence of potentially liquefiable soil layers that extend as far as 18 feet below the previously proposed, but no longer proposed, basement slab; and providing suitable lateral support and dewatering for any proposed excavation, while minimizing impacts to surrounding structures and other improvements. The report recommends a mat foundation on improved soil or a deep foundation system. The foundation is recommended to be designed to resist hydrostatic uplift pressure. The soil is recommended to be improved with either compaction grouting or drilled displacement sand-cement columns to address the potential for bearing capacity failure under seismic conditions and to a depth that would reduce differential settlement of the structure during seismic conditions. The report concludes that the site may be developed as proposed provided the geotechnical issues discussed above are addressed consistent with the geotechnical investigation's recommendations. As the proposed project does not include a basement level, and includes excavation only to a depth of 4 feet below grade, which is four feet above the recommended design groundwater depth of 8 feet below grade, following the recommendations

<sup>60</sup> Rockridge Geotechnical, Geotechnical Investigation Proposed Mixed Use Development 14<sup>th</sup> and Stevenson, May 6, 2016.

Rockridge Geotechnical, Letter Regarding Project Modifications, November 2, 2018.

contained in the geotechnical report prepared for a project that included much deeper excavation and the construction of a sub-grade garage level would ensure the proposed project does not result in adverse geological impacts.

The mission of the building department is to oversee the effective, efficient, fair and safe enforcement of San Francisco's Building, Housing, Plumbing, Electrical, and Mechanical Codes, along with the Disability Access Regulations. To ensure that the potential for adverse geologic, soils, and seismic hazards is adequately addressed, San Francisco relies on the state and local regulatory process for review and approval of building permits pursuant to the California Building Code (state building code, California Code of Regulations, Title 24); the San Francisco Building Code (local building code), which is the state building code plus local amendments that supplement the state code including Administrative Bulletins (AB); the building department's implementing procedures including Information Sheets (IS), and the State Seismic Hazards Mapping Act of 1990 (seismic hazards act, located in Public Resources Code section 2690 et seq.)

Building code Chapter 18, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design, and installation of foundation systems to support the loads from the structure above. Section 1803 (Geotechnical Investigations) sets forth the basis and scope of geotechnical investigations conducted. Section 1804 (Excavation, Grading and Fill) specifies considerations for excavation, grading, and fill to protect adjacent structures and to prevent destabilization of slopes due to erosion and/or drainage. In particular, Section 1804.1 (Excavation near foundations) requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 (Foundation Walls, Retaining Walls, and Embedded Posts and Poles) specifies requirements for foundation walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift, including seismic considerations. Sections 1808 through 1810 (Foundations) specify requirements for foundation systems based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category in combination with the soil classification at the project site. The building department would review the project plans for conformance with the recommendations in the project-specific geotechnical report during its review of the building permit for the project, and may require additional site-specific soils report(s) through the building permit application process, as needed.

The proposed project involves new construction in a seismic hazard zone for liquefaction hazard and is subject to the state seismic hazards mapping act (the act). The act requires that the geotechnical investigation assess the potential for liquefaction and recommend measures to address this hazard. In particular, the building department may not approve the building permit until liquefaction hazard has been addressed satisfactorily. In addition, new construction within a seismic hazard zone is subject to a mandatory interdepartmental project review prior to a public hearing before the planning commission or the issuance of the new construction building permit. The interdepartmental review meeting must include representatives from the planning, building, public works, and fire departments to ensure that the project design addresses seismic hazard issues.<sup>61</sup>

The project is required to comply with the state and local building code, which ensures the safety of all new construction in the City. The building department will review the project construction plans for conformance with recommendations in the project-specific geotechnical report during its review of the

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<sup>61</sup> San Francisco Planning Department. *Interdepartmental Project Review*. Available at:  
[http://forms.sfplanning.org/ProjectReview\\_ApplicationInterdepartmental.pdf](http://forms.sfplanning.org/ProjectReview_ApplicationInterdepartmental.pdf)

building permit for the project. In addition, the building department may require additional site-specific soils report(s) through the building permit application process, as needed. The review of the building permit application and plans pursuant to requirements of the seismic hazards mapping act, the building department's implementation of the building code, the building department's administrative bulletins and information sheets, would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

The project site is occupied by an existing surface parking lot and is entirely covered with impervious surfaces. For these reasons, construction of the proposed project would not result in the loss of substantial topsoil. Site preparation and excavation activities would disturb soil to a depth of approximately 4 feet below ground surface, creating the potential for windborne and waterborne soil erosion. Furthermore, the project would be required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and waste runoff from a construction site. For construction projects disturbing 5,000 sf or more, a project must also submit an erosion and sediment control plan that details the use, location and emplacement of sediment and control devices. These measures would reduce the potential for erosion during construction. Therefore, the proposed project would not result in significant impacts related to soil erosion or the loss of top soil.

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

As stated above, the project site is already developed with an existing surface parking lot and implementation of the proposed project would not substantially change the topography of the site.

### **Cumulative Analysis**

The project would have no impact with regards to environmental effects of septic systems or alternative waste disposal systems or unique geologic features. Therefore, the proposed project would not have the potential to combine with effects of reasonably foreseeable projects to result in cumulative impacts to those resource topics.

Environmental impacts related to geology and soils are generally site-specific. All development within San Francisco would be subject to the same seismic safety standards and design review procedures of the California and local building codes and be subject to the requirements of the Construction Site Runoff Ordinance. These regulations would ensure that cumulative effects of development on seismic safety, geologic hazards, and erosion are less than significant. For these reasons, the proposed project would not combine with reasonably foreseeable future projects in the project vicinity to create a significant cumulative impact related to geology and soils.

### **Conclusion**

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



<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>14. HYDROLOGY AND WATER QUALITY— Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site currently contains a surface parking lot. The proposed project includes the development of the entire project site. The proposed project would not result in a net increase to impervious surfaces. As a result, the proposed project would not increase stormwater runoff.

Water would be supplied to the proposed project from the SFPUC's Hetch-Hetchy regional water supply system. Under sections 10910 through 10915 of the California Water Code, urban water suppliers like the SFPUC must prepare water supply assessments for certain large "water demand" projects, as defined in CEQA Guidelines section 15155.<sup>62</sup> The proposed project does not qualify as a "water-demand" project as defined by CEQA Guidelines section 15155(a)(1); therefore a water supply assessment has not been prepared for the project. However, the SFPUC estimates that a typical development project in San Francisco comprised of either 100 dwelling units, 100,000 square feet of commercial use, 50,000 square feet of office, 100 hotel rooms, or 130,000 square feet of PDR use would generate demand for approximately 10,000 gallons of water per day, which is the equivalent of 0.011 percent of the total water demand anticipated for San Francisco in 2040 of 89.9 million gallons per day.<sup>63</sup> Because it would result in 62 dwelling units and 5,775 square feet of retail the proposed project would generate less than 0.011 percent of water demand for the city as a whole in 2040, which would constitute a negligible increase in anticipated water demand.

The SFPUC uses population growth projections provided by the planning department to develop the water demand projections contained in the urban water management plan. As discussed in the Population and Housing Section above, the proposed project would be encompassed within planned growth in San Francisco and is therefore also accounted for in the water demand projections contained in the urban water management plan. Because the proposed project would comprise a small fraction of future water demand that has been accounted for in the city's urban water management plan, sufficient water supplies would be available to serve the proposed project in normal, dry, and multiple dry years, and the project would not require or result in the relocation or construction of new or expanded water supply facilities the construction or relocation of which could cause significant environmental effects. This impact would be less than significant, and no mitigation measures are necessary.

Wastewater and stormwater from the project site would be accommodated by the city's sewer system and treated at the Southeast Water Pollution Control Plant to the standards contained in the city's NPDES permit. Furthermore, as discussed in Geology and Soils above, the project is required to comply with the Construction Site Runoff Ordinance, which requires all construction sites to implement best management practices to prevent the discharge of sediment, non-stormwater and waste runoff from a construction site. The city's compliance with the requirements of its NPDES permit and the project's compliance with Construction Site Runoff Ordinance would ensure that the project would not result in significant impacts to water quality.

Groundwater is relatively shallow throughout the project site, approximately 11 – 12.5 feet below grade. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater

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<sup>62</sup> Pursuant to CEQA Guidelines section 15155(1), "a water-demand project" means:

- (A) A residential development of more than 500 dwelling units.
- (B) A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 sf of floor space.
- (C) A commercial office building employing more than 1,000 persons or having more than 250,000 sf of floor area.
- (D) A hotel or motel, or both, having more than 500 rooms, (e) an industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 sf of floor area.
- (F) A mixed-use project that includes one or more of the projects specified in subdivisions (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), and (a)(1)(G) of this section.
- (G) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

<sup>63</sup> San Francisco Public Utilities Commission, *2015 Urban Water Management Plan for the City and County of San Francisco*, June 2016.

This document is available at <https://sfwater.org/index.aspx?page=75>

Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Any dewatering wells needed for the proposed project would be subject to the requirements of the City's Soil Boring and Well Regulation Ordinance (Ordinance Number 113-05), requiring a project sponsor to obtain a permit from the Department of Public Health prior to constructing a dewatering well. A permit may be issued only if the project sponsors use construction practices that would prevent the contamination or pollution of groundwater during the construction or modification of the well or soil boring.

The northern area of the Mission District includes sites that previously contained an historic lake, tidal marsh and slough that were filled to make way for development. The neighborhood topography, together with these historic watersheds, creates recurring flooding issues.<sup>64</sup> Additional geotechnical analysis was performed for the proposed project to consider potential impacts on the water table and potential flooding in the immediate area, particularly as it could affect the Armory building, located across 14<sup>th</sup> Street, approximately 50 feet to the south of the project site.<sup>65</sup> The Armory is a four-story structure with one basement level and a deeper sub-basement in the southwestern corner. The sub-basement is located approximately 200 to 250 feet south of the project site. Groundwater currently flows into the sub-basement through an opening in the basement wall and is continually pumped into the city's combined stormwater/sewer system. The proposed project would include excavation to a depth of 4 feet, which is four feet above the design water table of 8 feet below grade surface<sup>66</sup> and would not be as deep as the sub-basement of the Armory. Therefore, the proposed project would not result in the displacement of a volume of soil large enough to cause changes to the water table to an extent that could negatively impact the Armory's de-watering system and aggravate existing flood risk.<sup>67</sup>

### Cumulative Analysis

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

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<sup>64</sup> San Francisco Planning Department, *Mission District Streetscape Plan*, October 2010, p. 20. [http://www.sf-planning.org/ftp/CDG/docs/missionstreets/MDSP\\_FINAL\\_DRAFT\\_OCT2010.pdf](http://www.sf-planning.org/ftp/CDG/docs/missionstreets/MDSP_FINAL_DRAFT_OCT2010.pdf)

<sup>65</sup> Rockridge Geotechnical, *Project Impacts on Groundwater (Mission Creek)*, November 13, 2017.

<sup>66</sup> Rockridge Geotechnical, *Geotechnical Investigation Proposed Mixed Use Development 14<sup>th</sup> and Stevenson*, May 6, 2016. While soil borings obtained for this study observed groundwater at depths between 11.2 and 12.5 feet below grade surface (bgs), the study recommended a "design" groundwater depth of 8 feet bgs.

<sup>67</sup> Rockridge Geotechnical, *Project Impacts on Groundwater (Mission Creek)*, November 13, 2017.

**Conclusion**

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project’s rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, Under Storage Tank (UST) closure, and investigation and cleanup of soil and groundwater would ensure implementation of measures to protect workers and the community from exposure to hazardous materials during construction.

### **Hazardous Building Materials**

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level. Because the proposed development does not include demolition of an existing building, Mitigation Measure L-1 would not apply to the proposed project.

### **Soil and Groundwater Contamination**

Since certification of the PEIR, article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The overarching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, remediation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The proposed project would include construction of a mixed-use project, including 2,320 cubic yards of excavation on a site with an existing automotive parking use and the potential for hazardous materials to be present due to past uses as described below. Therefore, the project is subject to article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (health department). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the health department or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.<sup>68</sup> The Phase I ESA found the following potential Recognized Environmental Conditions (REC) associated with the site: apparent fill material of unknown origin, as well as debris from the 1906 earthquake that may contain hazardous materials; historic operations at the project site for at least 70 years that include vehicle painting,

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<sup>68</sup> Rosso Environmental, Inc. Phase I Environmental Site Assessment 344 14<sup>th</sup> Street, 1463-1499 Stevenson Street and 86-98 Woodward Street, San Francisco, California, April 23, 2015.

medical/dental and black smith activities which may have included the use of hazardous materials; and the nearby presence of dry cleaners, automotive repair and a gasoline station which may have used hazardous materials since the early 1900s.

The proposed project is required to remediate potential soil contamination through the process described above in accordance with article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

**Cumulative Analysis**

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

**Conclusion**

As documented above, the proposed project would not result in significant hazards and hazardous materials impacts that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>16. MINERAL AND ENERGY RESOURCES—Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that development under the area plans and rezoning would not encourage the use of large amounts of fuel, water, or energy, or use these in a wasteful manner. The plan area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods PEIR concluded that implementation of the area plans and rezoning would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the PEIR.

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

Energy demand for the proposed project would be typical of residential mixed-use projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including

the Green Building Ordinance and Title 24 of the California Code of Regulations. As documented in the GHG compliance checklist for the proposed project, the project would be required to comply with applicable regulations promoting water conservation and reducing potable water use. As discussed in Transportation and Circulation, the project site is located in a transportation analysis zone that experiences low levels of VMT per capita. Therefore, the project would not encourage the use of large amounts of fuel, water, or energy or use these in a wasteful manner.

**Cumulative**

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

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

**Conclusion**

For the reasons stated above, the proposed project would not result in significant impacts either individually or cumulatively related to mineral and energy resources. Therefore, the proposed project would not result in new or more severe impacts on mineral and energy resources not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
<b>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the area plans; therefore, the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the plan's effects on forest resources.

The project site is within an urbanized area in the City and County of San Francisco that does not contain any prime farmland, unique farmland, or farmland of statewide importance; forest land; or land under Williamson Act contract. The area is not zoned for any agricultural uses. Topics 17 a-e are not applicable to the proposed project, and the project would have no impact either individually or cumulatively on agricultural or forest resources.

### **Conclusion**

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

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## **MITIGATION MEASURES**

### **Project Mitigation Measure 1: Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-3)**

Based on the presence of archeological properties of a high level of historical, ethnic, and scientific significance within the Mission Dolores Archeological District, the following measure shall be undertaken to avoid any significant adverse effect from soils disturbing activities on buried archeological resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. At the direction of the Department archeologist, the archeological consultant may be required to have acceptable documented expertise in California Mission archeology. The scope of the archeological services to be provided may include preparation of an archeological research design and treatment plan (ARD/TP). The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological 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. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

*Archeological Testing Program.* The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological 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 archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and



to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

*Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

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

consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

*Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological 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 archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. 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) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 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. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any

Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such an agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If non-Native American human remains are encountered, the archeological consultant, the ERO, and the Office of the Coroner shall consult on the development of a plan for appropriate analysis and recordation of the remains and associated burial items since human remains, both Native American and non-Native American, associated with the Mission Dolores complex (1776-1850s) are of significant archeological research value and would be eligible to the California Register of Historical Resources.

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

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 Planning division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Implementation of the above mitigation measure would ensure that any potential effects on subsurface archeological resources would be reduced to a less-than-significant level.

**Project Mitigation Measure 2: Construction Noise (Implementing Eastern Neighborhoods PEIR Mitigation Measure F-2)**

The project sponsor is required to develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complain procedures and who to notify in the event of a problem, with telephone numbers listed.

**Project Mitigation Measure 3: Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1)**

The project sponsor or the project sponsor's Contractor shall comply with the following

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

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

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS

2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

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

\* Alternative fuels are not a VDECS.

- C. *Construction Emissions Minimization Plan.* Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.
1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
  2. The project sponsor shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
  3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and

duration of each construction phase, and the specific information required in the Plan.

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BY



**KELLY SCOTT HILL**  
**LARISA MARIA PEDRONCELLI**

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Date

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BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

APPLICATION

Appellant's Information

Name: Larisa Pedroncelli and Kelly Hill
Address: 1875 Mission Street #110, San Francisco, CA 94103
Email Address: design@factory1.com
Telephone: 415-640-0154

Neighborhood Group Organization Information

Name of Organization: Our Mission No Eviction
Address: 1333 Florida Street, San Francisco, CA 94110
Email Address: latinzoneprod@gmail.com
Telephone: 415-206-0577

Property Information

Project Address: 344 14th Street
Project Application (PRJ) Record No: 2014.0948ENX Building Permit No:
Date of Decision (if any): July 25, 2019

Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

Table with 3 columns: REQUIRED CRITERIA, YES, NO. Contains 4 rows of criteria with checkmarks in the YES column.

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_ Date: \_\_\_\_\_

Submission Checklist:

- APPELLANT AUTHORIZATION, CURRENT ORGANIZATION REGISTRATION, MINIMUM ORGANIZATION AGE, PROJECT IMPACT ON ORGANIZATION, WAIVER APPROVED, WAIVER DENIED