



# SAN FRANCISCO PLANNING DEPARTMENT

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## Mitigated Negative Declaration

*PMND Date:* **October 21, 2015; amended on December 4, 2015** (amendments to the Initial Study/Preliminary Mitigated Negative Declaration are shown as deletions in ~~strike through~~ and additions in double underline)

*Case No.:* **2013.1757E**

*Project Title:* **240-290 Pacific Avenue / 720 Battery Street**

*Zoning:* C-2 (Community Business) Zoning District  
Washington-Broadway Special Use District (SUD)  
84-E Height and Bulk District

*Block/Lot:* 0166/003, 004, & 006

*Lot Size:* 11,681 square feet [0.27 acres]

*Project Sponsor:* Grosvenor USA Limited; Amelia Staveley – (415) 268-4068

*Lead Agency:* San Francisco Planning Department

*Staff Contact:* Christopher Espiritu – (415) 575-9022; [christopher.espiritu@sfgov.org](mailto:christopher.espiritu@sfgov.org)

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### PROJECT DESCRIPTION:

The project site is located within the Financial District neighborhood and consists of three adjacent lots (Assessor's Block 0166, Lot 003, 004 and 006) with frontages along Pacific Avenue and Battery Street. The combined parcels are approximately 11,700 square feet (sq ft) with approximately 108 feet of frontage along Pacific Avenue and 40 feet of frontage along Battery Street. Currently, Lots 003 and 006 are vacant and used as surface parking lots with no permanent structures. Lot 004 (290 Pacific Avenue) contains an existing single-story, 15-foot-tall, approximately 1,300-square-foot commercial building fronting Pacific Avenue. The existing building was constructed in 1911 and is currently vacant, but was formerly used as a restaurant. The proposed project would include the demolition of the existing building on-site and include the construction of a new seven-story, 84-foot-tall (with an additional 12 feet for rooftop mechanical equipment), mixed-use building. The proposed building would include 33 dwelling units and approximately 2,009 square feet (sq ft) for ground floor commercial space. The project would require excavation to approximately 15 feet below ground surface for a basement level and foundation installation. The project would include parking within an at-grade and a basement-level garage that would accommodate 36 off-street vehicle stacker parking spaces (including one ADA-accessible space) and 54 bicycle parking spaces (50 Class I and 4 Class II bicycle parking spaces), which would be accessible from an existing curb cut on Pacific Avenue. The project site is located on the block bounded by Broadway to the north, Pacific Avenue to the south, Front Street to the east, Battery Street to the west, and adjacent to two Landmark Historic Districts (Northeast Waterfront and Jackson Square).

### FINDING:

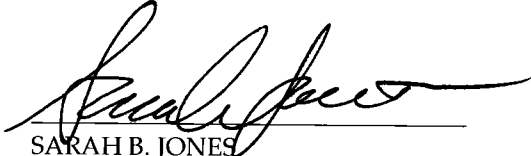
This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration),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

Mitigated Negative Declaration  
December 4, 2015

CASE NO. 2014.1757E  
240-290 Pacific Avenue/720 Battery Street

attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 138-147.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.



SARAH B. JONES  
Environmental Review Officer

December 4, 2015  
Date of Issuance of Final Mitigated  
Negative Declaration

cc: Amelia Staveley, Grosvenor USA Limited - Project Sponsor  
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Distribution List  
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Distribution List  
Historic Preservation Distribution List

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**Initial Study**  
**240-290 Pacific Avenue / 720 Battery Street**  
**Planning Department Case No. 2013.1757E**

**A. PROJECT DESCRIPTION**

**Project Location and Site Characteristics**

The project site is an approximately 11,700-square-foot (0.27-acre) “L-shaped” lot comprised by three adjoining lots (Assessor’s Block 0166, Lot 003, 004 and 006) and is located on the north side of Pacific Avenue in San Francisco’s Financial District neighborhood. The project site is located on a block bounded by Broadway to the north, Pacific Avenue to the south, Front Street to the east, Battery Street to the west (see **Figure 1**). Currently, two of the three parcels on the project site (Lots 003 and 006) are vacant and used as surface parking lots with no permanent structures. Lot 004 (290 Pacific Avenue) contains an existing single-story, approximately 15-foot-tall, 1,300-square-foot commercial building fronting Pacific Avenue (see **Figure 2**). The existing building, which was constructed in 1911, is currently vacant but was formerly used as a restaurant.

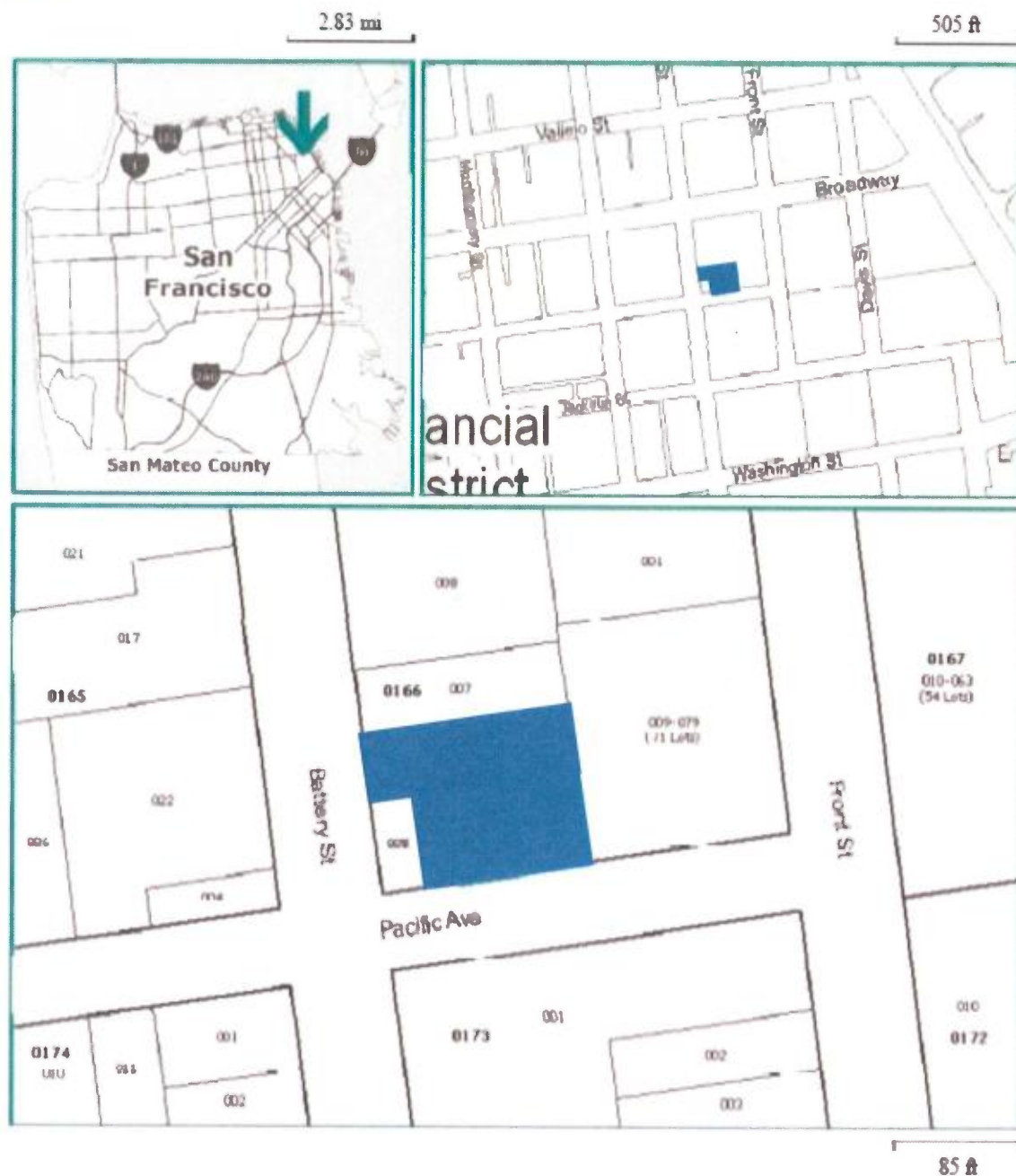
The existing building on the project site (Lot 004 - 290 Pacific Avenue) is a one-story, unreinforced brick structure with a flat roof that covers the entire parcel. The primary façade (south), fronting Pacific Avenue, has a stucco finish and a storefront system with wood windows and a recessed metal door set at an angle to the sidewalk. The remaining façades (east and north) face the adjacent surface parking lots (Lots 003 and 006) at the rear of the existing building and are currently visible from the public right-of-way. However, these façades do not contain any windows or doors, nor do these façades display any structural or architectural details. The project site is not located within a known or potentially eligible historic district, but is located in close proximity (less than ¼-mile) from two Landmark Historic Districts (Northeast Waterfront and Jackson Square), which are listed on the National Register of Historic Places.

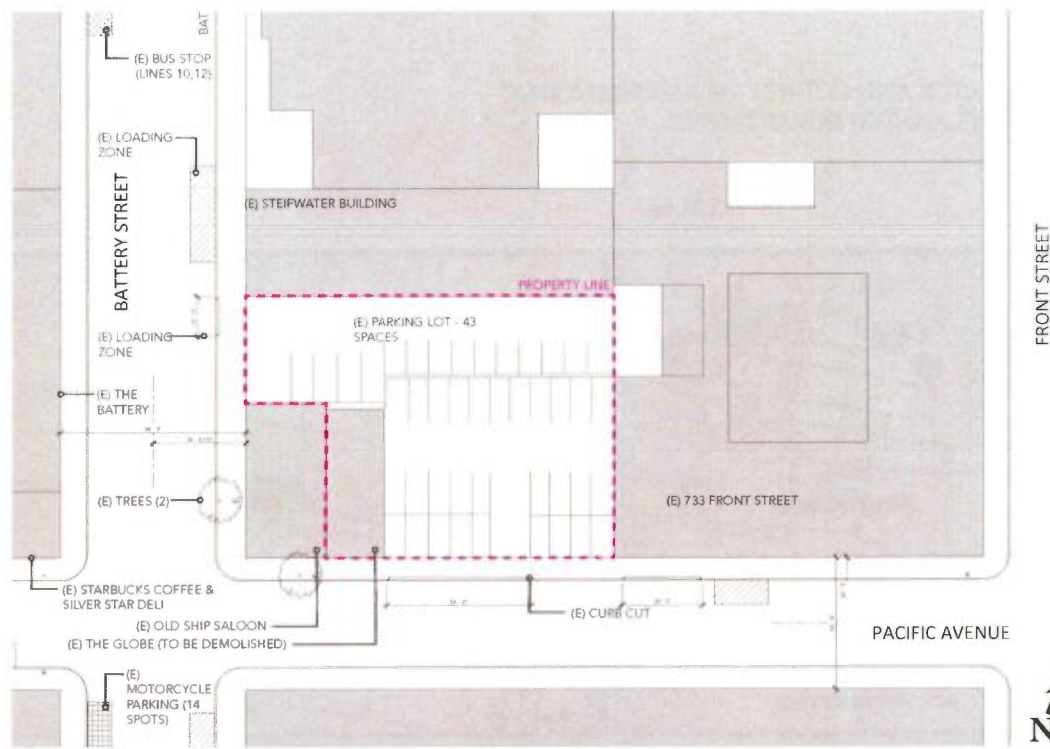
As shown on **Figure 2**, the project site is an “L-shaped” lot with approximately 108 feet of frontage along Pacific Avenue and 40 feet of frontage along Battery Street. The existing building footprint on Lot 004 encompasses the entire lot width on Pacific Avenue and mirrors the existing building located on the adjacent property (712 Battery Street/298 Pacific Avenue). There are existing curb cuts located on the project site, with a 12-foot-wide curb cut located on the Battery Street frontage, and a 40-foot-wide curb cut

located on the Pacific Avenue frontage. Currently, there is an existing tree located within the project site on the Battery Street portion of the site. There are two street trees located along the Battery Street and Pacific Avenue frontages, but these trees are directly adjacent to the corner building (712 Battery Street/298 Pacific Avenue) and do not front the project site.

Within the larger Financial District neighborhood, ground-floor commercial uses are common in the project area and typically have either office or residential units above the ground floor. The majority of the buildings in the project vicinity range from two to seven stories. Immediately adjacent properties to the project site include an existing seven-story residential condominium building (733 Front Street) to the east of the project site, a three-story commercial and office building (712 Battery Street/298 Pacific Avenue) located at the northeast corner of Battery Street and Pacific Avenue, and a two-story commercial and office building (724 Battery Street) to the north of the project site.

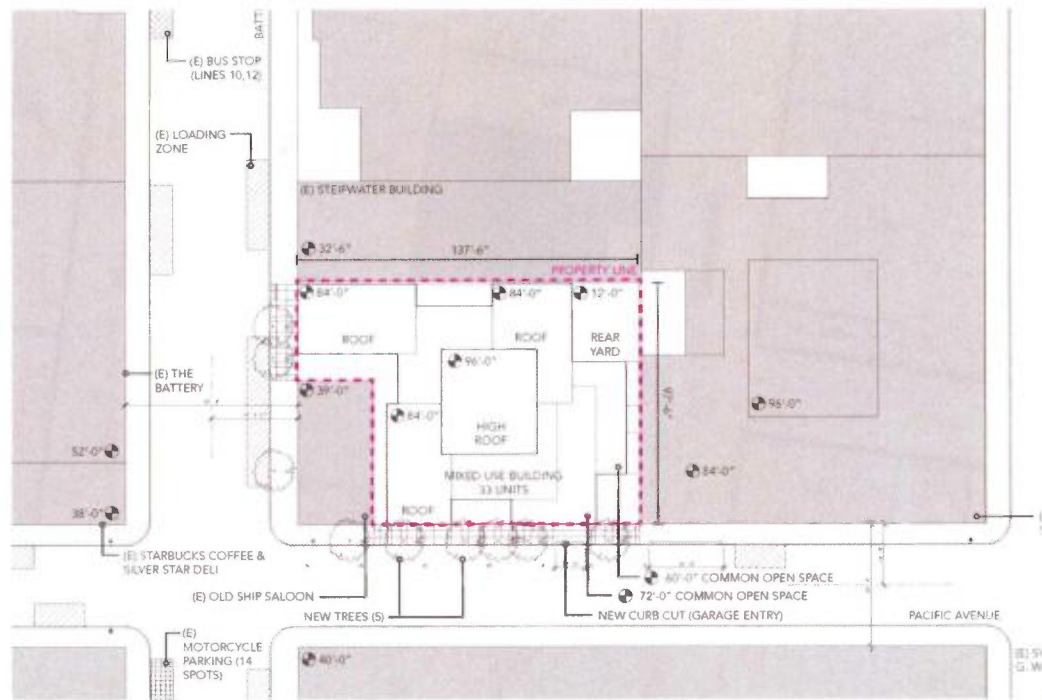
The project site is generally flat, except for the northern portion of the site which slopes down from an elevation of five and a half feet to one foot towards the remainder of the site. The project site is located within the C-2 (Community Business) Zoning District and within the Washington-Broadway Special Use District (SUD), the 84-E Height and Bulk District (84-foot maximum height, with bulk limits beyond 65 feet).





**Existing Site Plan**

Not to Scale



**Proposed Site Plan**

Not to Scale

Source: Grosvenor Americas /  
Handel Architects, LLP, 2015

**Figure 2. Site Plans**

## **Proposed Project**

The proposed project would include the demolition of the existing one-story, approximately 15-foot-tall, commercial building and adjacent parking lots. The proposed project would also include the construction of a new seven-story over basement, 84-foot-tall (with an additional 12 feet for rooftop mechanical equipment), mixed-use building. The proposed building would surround the corner lot adjacent to the site. The proposed building would include 33 dwelling units, approximately 2,009 square feet (sq ft) for ground floor commercial uses. The proposed ground floor retail space would contain two retail spaces, with both fronting Pacific Avenue. Tenants for the proposed ground-floor retail space have not yet been determined. The project would include parking within an at-grade and a basement-level garage and would accommodate 36 off-street vehicle stacker parking spaces (including one ADA-accessible space) and 54 bicycle parking spaces (50 Class 1 and 4 Class 2 bicycle parking spaces), which would be accessible from a new garage entrance/exit on Pacific Avenue. As part of the proposed project, two existing curb cuts along the Battery Street and Pacific Avenue frontages would be removed and a single, 12-foot-wide curb cut would be restored along the Pacific Avenue frontage.

On floors two through seven, the proposed building would contain a total of 33 residential units. The residential unit mix would include two studios, six one-bedroom units, 24 two-bedroom units, and one three-bedroom unit (see Table 1, below). The first two residential floors (floors two and three) would contain eight dwelling units each, with the next two residential floors containing five dwelling units each (floors four and five), and the remaining two floors (floors six and seven) would contain four and three dwelling units, respectively. Residential access into the building would be provided through a residential lobby on the ground floor on Battery Street. The 10-foot-wide entryway would lead into a residential lobby which would contain two residential elevators and access to the garage. A secondary exit stair would be provided in the southern side of the building, with direct egress to Pacific Avenue, and exit stairs from the basement garage would be located adjacent to the elevators with egress to Pacific Avenue. The recycling/garbage room would be located on the ground-floor level, within the garage.

As shown on **Figures 4 – 6** (Floor Plans), for six dwelling units located on floors two through four of the proposed building, the project would include private open spaces meeting the Planning Code requirements for private open space. In addition, the proposed project would include two common open space areas that would be accessible

to building residents only, including an approximately 452-square-foot open space on the sixth floor (fifth residential level) along the eastern side of the building, as well as an approximately 850-square-foot open space area on the seventh floor, located also on the eastern side of the building. The proposed structure would be approximately 84 feet in height to the roof, with the mechanical penthouse for the elevator, stair towers extending an additional 12 feet above the roofline.<sup>1</sup> See **Table 1**, and **Figures 8 and 9** (Elevation Plans).

### **Parking, Loading, and Bicycle Facilities**

Currently, the project site contains two existing curb cuts located along the Battery Street and Pacific Avenue frontages. The proposed project would remove the existing curb cut on Battery Street. The existing curb cut along Pacific Avenue would be reduced to approximately 12-feet-long and would be used to provide access to the proposed at-grade garage.

As previously noted, the proposed project would include vehicle and bicycle parking within an at-grade and a basement-level garage (See **Figure 3 - Floor Plans (Basement and First Floor)**). The proposed project would provide 36 off-street vehicle parking spaces using a mechanical parking stacker system. Access to the proposed garage would be through the existing curb cut on Pacific Avenue. In addition, the proposed project would provide one ADA-accessible vehicle parking space located adjacent to the proposed garage entrance/exit. The project would include 54 bicycle parking spaces (50 Class 1 and 4 Class 2 bicycle parking spaces) located within the basement level garage. Access to the bicycle parking spaces would be through the residential lobby and interior stairs, and through the garage via a door immediately adjacent to the garage entrance. These bicycle parking spaces would be available to residents of the building and employees of the proposed ground-floor retail spaces.

The proposed project would not include any street widening or other types of street modifications. Further, the approximately four on-street parking spaces on Battery Street and three on-street parking spaces along Pacific Avenue that are adjacent to the project site would not be permanently affected by the proposed project. During the construction phase of the proposed project, worker parking would occur off-site. No designated parking for construction workers would be provided as they would be expected to park on the street or in nearby garages, or to use transit.

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<sup>1</sup> These roof-top features are exempt from the height limit.

## **Landscaping**

There is an existing tree located within the project site, along the Battery Street (western portion) side of the project site. This existing tree is considered a protected tree due to its height and diameter at breast height (DBH). Removal of protected trees would require further review and approval by the San Francisco Department of Public Works (SFPDWP). In addition, there are two existing street trees located along the Battery Street and Pacific Avenue sidewalks. However, these street trees are not located along the project's frontages and would not be removed or modified. As part of the proposed project, a total of seven new street trees would be planted along the project frontages (two along Battery Street and five along Pacific Avenue), in accordance with *Planning Code* Section 138.1(c)(1).

## **Foundation and Excavation**

The proposed project would excavate to a maximum depth of approximately 15 feet below the ground surface (bgs) for construction of the below-grade garage, which would result in the removal of approximately 5,500 cubic yards (CY) of soil. The project sponsor proposes to install pile foundations extending up to 30 feet to support the proposed building. Pile driving would likely be required as part of the proposed project.

## **Construction Schedule**

Demolition and construction of the proposed project are estimated to occur over a period of 18 months from ground breaking. The proposed project would be constructed in one continuous phase, with all construction materials accommodated on site and on the adjacent Battery Street and Pacific Avenue sidewalks.

**TABLE 1**  
**PROJECT CHARACTERISTICS AND DWELLING UNIT MIX**

Proposed Use	Description	Gross Square Feet (GSF) <sup>a</sup>
Residential	7 stories; 33 units	54,056 sq. ft.
Retail	Ground floor (part)	2,009 sq. ft.
Parking <sup>b</sup>	36 spaces in ground floor (stackers)	9,133 sq. ft.
Bldg. services; roof	Basement (remainder)	3,490 sq. ft.
TOTAL	—	70,679 sq. ft.
Site area		11, 681 sq. ft.
Residential Open Space <sup>c</sup> (commonly accessible)		1,302 sq. ft.
Private Open Space (six dwelling units)		2,797 sq. ft.

Project Component	Number
<b>Dwelling Units (total)</b>	<b>33</b>
Studios	2
One-bedroom units	6
Two-bedroom units	24
Three-bedroom units	1
<b>Parking Spaces</b>	
Auto <sup>d</sup>	36
Bicycle (Class 1)	50
Bicycle (Class 2)	4
Height of Building	84 feet <sup>e</sup>
Number of Stories	7

<sup>a</sup> Square footage figures are rounded.

<sup>b</sup> Includes ramp to garage and garage circulation space.

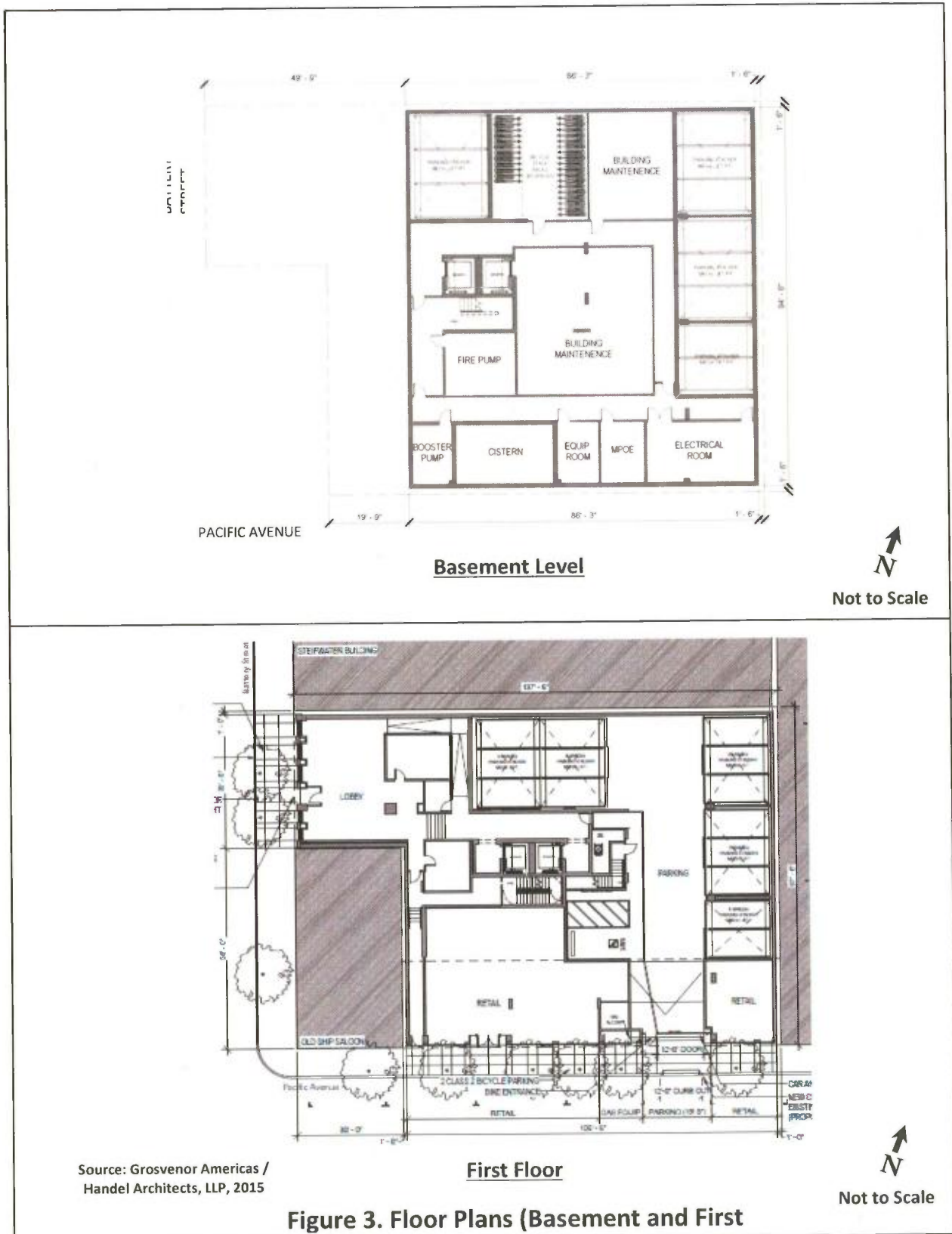
<sup>c</sup> Common residential open space provided includes only *Planning Code*-compliant open space.

<sup>d</sup> Includes one ADA-accessible vehicle parking space.

<sup>e</sup> Excludes elevator/stair penthouse and other rooftop mechanical equipment.

Note: Parking and mechanical/utility space is excluded from gross square footage calculation for purposes of *Planning Code* compliance, pursuant to Section 102.



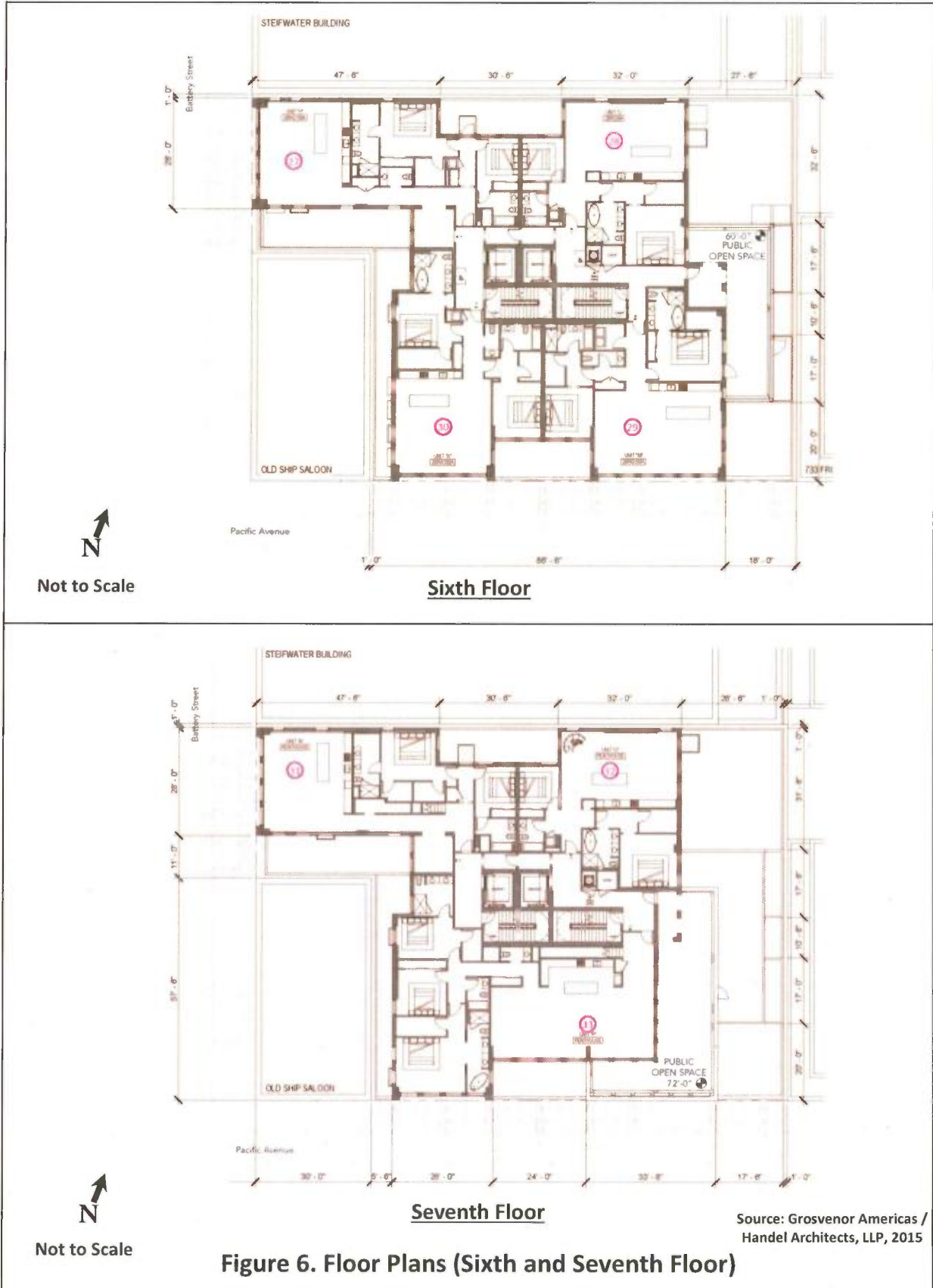




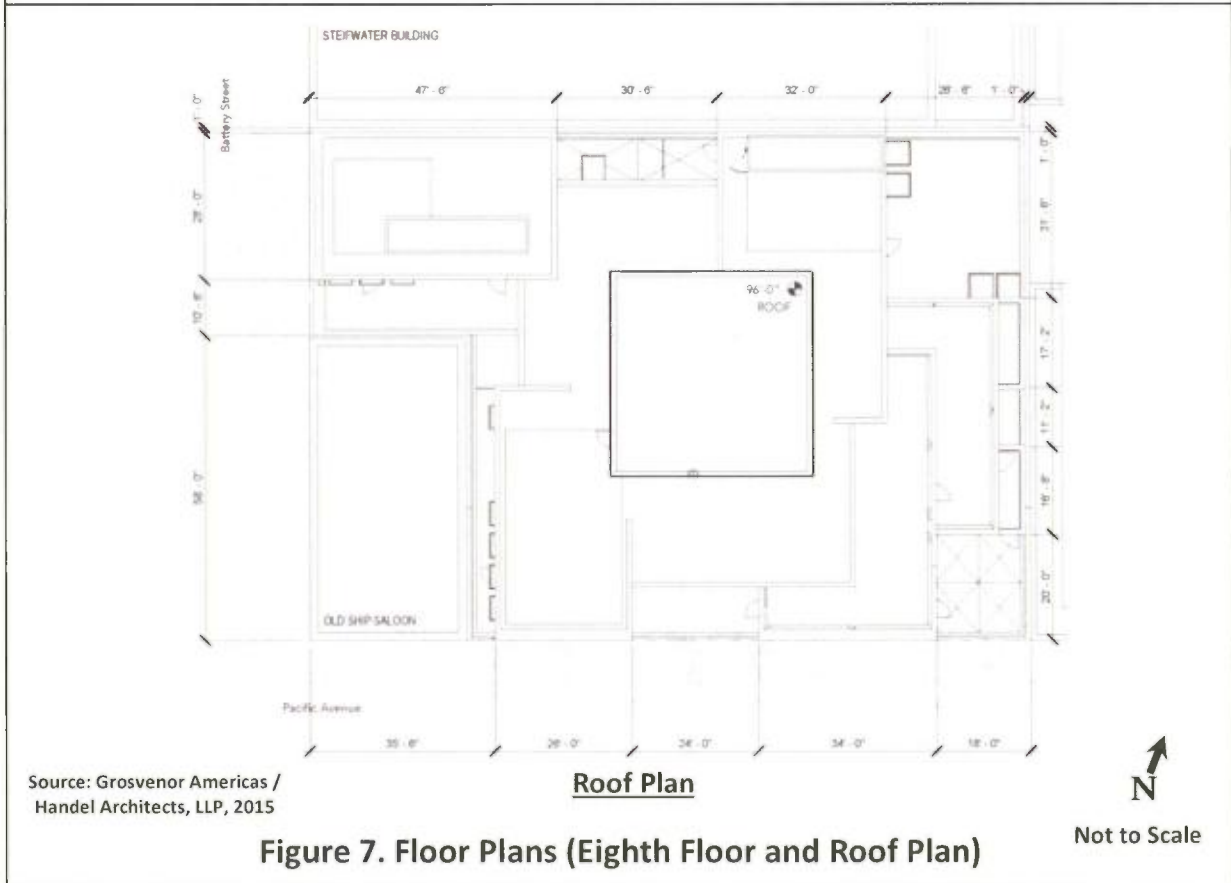
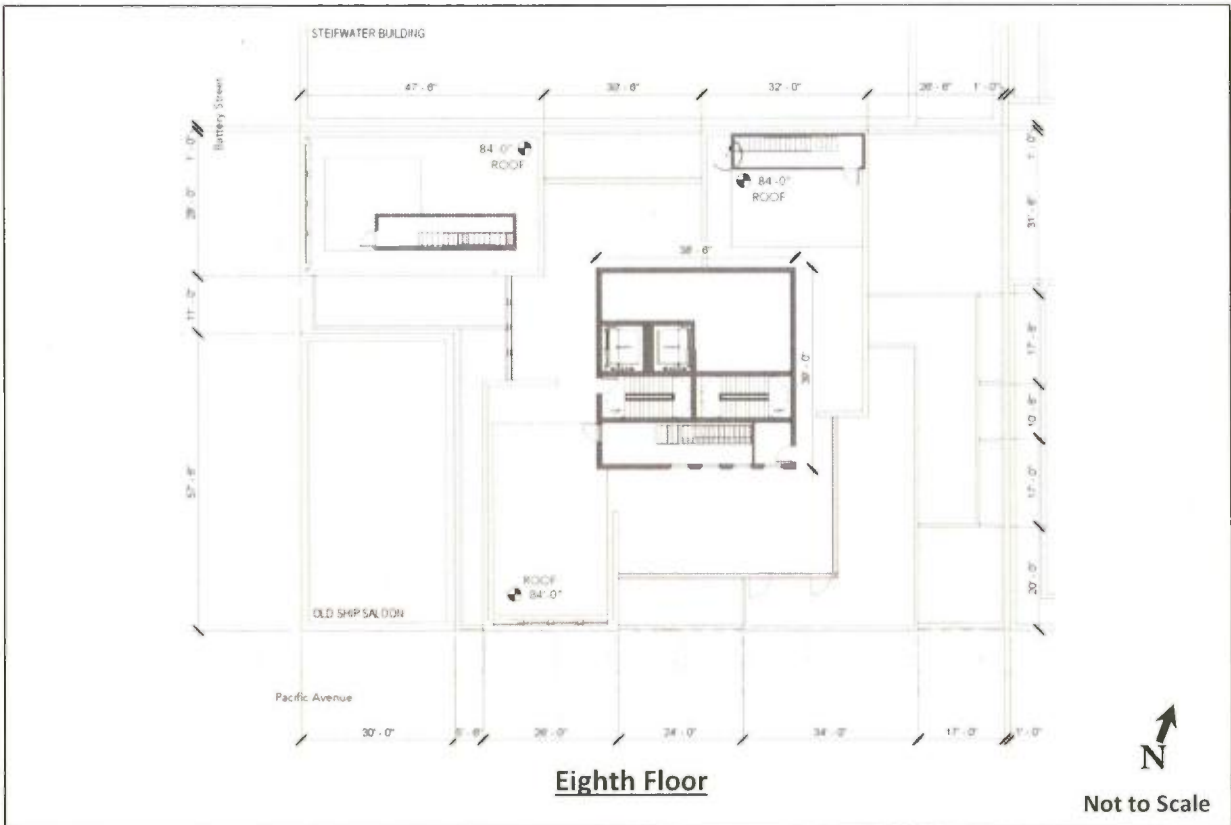


Source: Grosvenor Americas /  
Handel Architects, LLP, 2015

**Figure 5. Floor Plans (Fourth and Fifth Floor)**









Not to Scale

North Elevation



Not to Scale

South Elevation (Pacific Avenue)

Source: Grosvenor Americas /  
Handel Architects, LLP, 2015

**Figure 8. Elevation Plans (North/South)**



**East Elevation**

Not to Scale



**West Elevation (Battery Street)**

Not to Scale

Source: Grosvenor Americas /  
Handel Architects, LLP, 2015

**Figure 9. Elevation Plans (East/West)**





View 1



View 2

Source: Grosvenor Americas /  
Handel Architects, LLP, 2015

**Figure 10. Renderings**



## **Project Approvals**

### ***Planning Commission***

The project sponsor would be required to obtain a Conditional Use Authorization from the Planning Commission per *Planning Code* Sections 270 and 271 for granting exceptions to the bulk requirements on the sixth and seventh floors of the proposed building.

**Approval Action:** Approval of the Conditional Use Authorization by the San Francisco Planning Commission is the Approval Action for the proposed project for the purposes of a CEQA appeal. The Approval Action date would establish the start of the 30-day appeal period for appeal of the Final Mitigated Negative Declaration to the Board of Supervisors pursuant to Section 31.04(h) of the San Francisco Administrative Code.

### ***Zoning Administrator***

Approval of a Variance from Planning Code Sections 134 and 140 allowing a non-Code compliant rear yard and upper-floor dwelling units not facing directly on an open area.

### ***Department of Building Inspection***

Approval of demolition and building permits would require review and approval by the Planning Department and Department of Building Inspection (DBI).

### ***Department of Public Works***

Removal of existing trees within the project site would require a permit from the Department of Public Works (DPW), pursuant to Article 16 (Sections 801 et. seq.) of the *Public Works Code*.

If a condominium (subdivision) map is proposed for adoption, approval would be required by DPW, pursuant to the City's *Subdivision Code*.

The project could require a permit from DPW if night construction is proposed that would generate noise of 5 decibels or more in excess of ambient noise levels, according to Section 2908 of the *San Francisco Police Code* (Noise Ordinance).

If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), the project would require a street space permit from the Bureau of Street Use and Mapping of DPW.

*San Francisco Municipal Transportation Agency*

If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), the project would require a special traffic permit from the San Francisco Municipal Transportation Agency (SFMTA) Sustainable Streets Division.

*San Francisco Public Utilities Commission*

Approval by the San Francisco Public Utilities Commission (SFPUC) would be required for any changes to sewer laterals (connections to the City sewer). The SFPUC must approve an erosion and sediment control plan prior to the start of construction, and must also approve compliance with post-construction stormwater design guidelines, including a stormwater control plan that complies with the City's Stormwater Design Guidelines.

**B. PROJECT SETTING**

The project site is located in the northwestern edge of San Francisco's Financial District neighborhood, generally bounded by Kearny Street to the west, Broadway to the North and Folsom Street to the south and The Embarcadero to the east. Land uses in the vicinity of the project site are dominated by office uses interspersed with surface parking lots and ground-floor retail uses, particularly restaurants and other casual eating places and retail stores. While the densely built Financial District is primarily office, the overall neighborhood also contains a variety of other uses, including entertainment and institutional uses, as well as residential uses particularly on the periphery of the Financial District. Typical office uses in the area include law firms and marketing firms. These uses occupy the buildings south and north of the project, at 701 Battery Street and 735 Battery Street, respectively. Adjacent to the north of the project site, at Battery Street, is a two-story office building (724 Battery Street) with a copy store in the ground-floor frontage; the rear and upstairs office spaces that are currently vacant. A below-grade private surface parking lot is located immediately south of this building on the property (Lot 006) and a seven-story office building with approximately 18 tenants is located to the north at 750 Battery Street. Directly adjacent to the project site and located at the northeast corner of Pacific Avenue at Battery Street is the Old Ship Saloon at the ground floor, with current office uses in the second and third stories.

Across the street from the project site, on the south side of Pacific Avenue, is dominated by 600 Battery Street, an L-shaped three-story building that extends the full block on Pacific Avenue and Battery Street and is occupied by a single office use. In addition to the above-mentioned uses surrounding the project site, other uses nearby include a three-story brick office building on the south side of Pacific Avenue (325 Pacific Avenue) which includes small medical office (dental) uses, design studios, and other office uses. Approximately two blocks east of the project site, are a concentration of residential uses within the RC-4 (Residential-Commercial Combined, High Density) zoning district beginning east of Front Street extending to The Embarcadero. The RC-4 district encourages a combination of high-density dwellings, with compatible commercial uses on the ground floor to protect and enhance neighborhoods with mixed use character.

The Financial District, as a whole, can be generally considered a mid- to high-rise district, although the immediate project vicinity also includes a number of buildings two and three stories in height. While the project site is located adjacent to a mix of two- to seven-story buildings, the project block includes buildings of similar height to the proposed 84-foot-tall building. Height districts in the vicinity of the project vary from the 40-X height and bulk district two blocks to the northwest of the site, the 65-A height and bulk district one block to the west of the project site, the 84-E height and bulk district of the project site and neighboring blocks to the south and northwest, and the 275-E height and bulk district located two blocks east continuing toward The Embarcadero.

Although there is a diversity of building types, sizes, and ages, with building heights varying from one to 24 stories, the majority of buildings in the vicinity of the project are between three and seven stories tall. The only buildings taller than seven stories are residential towers located south of Jackson Street and north of Washington Street, approximately two blocks south of the project site. These include Jackson Center, a 21-story stucco building with residential condominiums above ground-floor commercial uses, and the Golden Gateway Apartments, consisting of four stucco towers ranging in height from 21 to 24 stories, providing 1,554 apartment units. South of Washington Street, typical building heights increase towards the core area of the Financial District, and office buildings ranging from ten to over 20 stories are typical in this area of the neighborhood.

Noteworthy buildings in the project vicinity that reflect the early years of the City's Gold Rush era waterfront include 298 Pacific Avenue at the northeast corner of Battery Street and Pacific Avenue, the further edge of Yerba Buena Cove in 1849. The sailing ship Arkansas was grounded at this location and a hole was cut in the bow to create a saloon and boarding house. The Old Ship Saloon has operated continuously since that period. The ship was reconstructed as a three-story brick building in 1907, following the 1906 earthquake and fire. The Old Ship Saloon was listed as a historic resource of major importance in a survey conducted for the Foundation for San Francisco Architectural Heritage in 1978.

Vegetation in the area is generally limited to street trees and landscaped areas within several buildings. Nearby landmarks, public parks, and open spaces include the Sidney Walton Park, located one block to the southeast of the project site (approximately 300 feet [0.05 miles]); Transamerica Redwood Park and Pyramid located four blocks southeast (approximately 900 feet [0.18 miles]), and the Sue Bierman Park located five blocks to the southeast of the project site (approximately 900 feet [0.18 miles]).

### C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### San Francisco Planning Code

The *San Francisco Planning Code (Planning Code)*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless the proposed action conforms to the *Planning Code*, an exception is granted pursuant to provisions of the *Planning Code*, or a reclassification of the site occurs.

The project site is within a C-2 (Community Business) zoning district. The C-2 district provides convenience goods and services to Residential areas of the City, both in outlying sections and in closer-in, more densely built communities. In addition, some C-2 Districts provide comparison shopping goods and services on a general or specialized basis to a

Citywide or a regional market area, complementing the main area for such types of trade in downtown San Francisco. The extent of these districts varies from smaller clusters of stores to larger concentrated areas, including both shopping centers and strip developments along major thoroughfares, and in each case the character and intensity of commercial development are intended to be consistent with the character of other uses in the adjacent areas. These uses are generally located in the Telegraph Hill, Fisherman's Wharf, Stonestown, and Executive Park areas as well as smaller sections on and around Van Ness Avenue. These districts include small and moderately scaled lots with buildings typically ranging from two to four stories, with some taller structures. Retail, office, restaurant, and residential uses are permitted uses in C-2 districts.

### **Height and Bulk**

The project site is within an 84-E Height and Bulk District. This district allows a maximum building height of 84 feet, and limits bulk by restricting length and diagonal dimensions to 110 feet and 140 feet, respectively, above 65 feet in height. The proposed project would not exceed the height limit of 84 feet and would comply with the height limits as allowable under Section 260 of the *Planning Code* (Parapet elements shielding mechanical penthouses may exceed the height limit by 10 feet, and other parapets may exceed the height limit by 4 feet) and would comply with the 84-foot height limit. However, the proposed project would not comply with the bulk limits for the sixth and seventh floors of the proposed building as allowed under Sections 270 and 271 of the *Planning Code*. Therefore, the proposed project would require a Conditional Use to allow for exceptions to the bulk requirements under the *Planning Code*.

### **Special Use Districts**

The project site is also located within the boundaries of the Washington-Broadway Special Use District. No parking is required for any use located within the Washington-Broadway Special Use District. While there are no parking requirements at this location, the proposed project would provide 36 off-street vehicle parking spaces within the proposed building. Therefore, the proposed project would not violate any regulations set forth for this overlay designation.

### **Street Trees**

*Planning Code* Section 138.1(c)(1) requires that for every 20 feet of property frontage along each street, one 24-inch box tree be planted, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. In compliance with Section 138.1(c)(1),

the proposed project would plant seven street trees: four along the Battery Street frontage and three along the Pacific Avenue frontage. Should the planting of trees be infeasible, upon review by DBI and DPW, the project sponsor would be required to pay an in-lieu fee. There are currently no existing street trees located along the Pacific Avenue and Battery Street sidewalks adjacent to the project site. However, there are two existing trees directly adjacent to the corner property at 712 Battery Street/298 Pacific Avenue. These trees would not be removed nor modified as part of the proposed project.

### **Rear Yard Requirements**

*Planning Code* Section 134 requires a rear yard equivalent to 25 percent of total lot depth at all residential levels. The proposed project would provide two common open space areas, but not within a rear yard, including an approximately 805-square-foot open space on the sixth floor, as well as an approximately 350-square-foot open space area on the seventh floor, both located along the eastern portion of the building. Also, the proposed project would provide private balconies on certain units. Therefore, the project applicant is requesting an exception (Variance) from the rear yard requirements of *Planning Code* Section 134(e), pursuant to the procedures of Section 309, to allow for open space in a configuration other than a rear yard.

### **Exposure Requirements**

*Planning Code* Section 140 requires that each dwelling unit have at least one room that meets the 120-square-foot minimum superficial floor area requirement of Section 503 of the Housing Code face directly on a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. The proposed rear yard is not code-complying and does not provide a large enough courtyard to meet the exposure requirement for those units that only have windows fronting the rear yard area. Therefore, the project applicant is requesting an exception (Variance) from the exposure requirements of *Planning Code* Section 140.

## Plans and Policies

### San Francisco General Plan

In addition to the *Planning Code* and its land use zoning requirements, the project site is subject to the *San Francisco General Plan (General Plan)*. The *General Plan* provides general policies and objectives to guide land use decisions. The *General Plan* contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies, and objectives for the physical development of the City. In addition, the *General Plan* includes area plans that outline goals and objectives for specific geographic planning areas, such as the greater downtown, including the project site, policies for which are contained in the Downtown Plan, an area plan within the *General Plan*.

A conflict between a proposed project and a *General Plan* policy does not, in itself, indicate a significant effect on the environment within the context of the California Environmental Quality Act (CEQA). Any physical environmental impacts that could result from such conflicts are analyzed in this Initial Study. In general, potential conflicts with the *General Plan* are considered by the decisions-makers (normally the Planning Commission) independently of the environmental review process. Thus, in addition to considering inconsistencies that affect environmental issues, the Planning Commission considers other potential inconsistencies with the *General Plan*, independently of the environmental review process, as part of the decision to approve or disapprove a proposed project. Any potential conflict not identified in this environmental document would be considered in that context and would not alter the physical environmental effects of the proposed project that are analyzed in this Initial Study.

The aim of the Downtown Plan is to encourage business activity and promote economic growth downtown, as the City's and region's premier employment center, while improving the quality of place and providing necessary supporting amenities. Centered on Market Street, the Plan covers an area roughly bounded by Van Ness Avenue to the west, Steuart Street to the east, Folsom Street to the south, and the northern edge of the Financial District to the north. The Plan contains objectives and policies that address commerce, housing, and open space; preservation; urban form; and transportation.

The proposed project would not obviously or substantially conflict with any goals, policies, or objectives of the *General Plan*, including those of the Downtown Plan. The

compatibility of the proposed project with *General Plan* goals, policies, and objectives that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project.

### **Proposition M – The Accountable Planning Initiative**

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the subsection of Section E of this Initial Study addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Topic 1, Land Use and Land Use Planning, Question 1c); (3) preservation and enhancement of affordable housing (Topic 2, Population and Housing, Question 2b, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Topic 4, Transportation and Circulation, Questions 4a, 4b, and 4f); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Topic 1, Land Use and Land Use Planning, Question 1c); (6) maximization of earthquake preparedness (Topic 13, Geology and Soils, Questions 13a through 13d); (7) landmark and historic building preservation (Topic 3, Cultural Resources, Question 3a); and (8) protection of open space (Topic 8, Wind and Shadow, Questions 8a and 8b; and Topic 9, Recreation, Questions 9a and 9c).

Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in Section E, Evaluation of Environmental Effects, of this Initial Study, providing information for use in the case report for the proposed project. The case report and approval motions for the project will contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies.



In addition, the proposed project would comply with the City's Residential Inclusionary Affordable Housing Program requirements (*City Planning Code* Section 415, et seq.), either by including below-market-rate (BMR) units on-site, by making an in-lieu payment, or by constructing the required BMR units off-site.

### **Regional Plans and Policies**

The principal regional planning documents and the agencies that guide planning in the nine-county Bay Area are *Plan Bay Area*, the region's first Sustainable Communities Strategy, developed in accordance with Senate Bill 375 and adopted jointly by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC); the Bay Area Air Quality Management District (BAAQMD)'s *2010 Clean Air Plan*; the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*; and the *San Francisco Bay Plan*, adopted by the San Francisco Bay Conservation and Development Commission. Due to the relatively small size and infill nature of the proposed project, there would be no anticipated conflicts with regional plans.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

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

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Land Use                       | <input type="checkbox"/> Air Quality                   | <input type="checkbox"/> Biological Resources                   |
| <input type="checkbox"/> Aesthetics                     | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Geology and Soils                      |
| <input type="checkbox"/> Population and Housing         | <input type="checkbox"/> Wind and Shadow               | <input type="checkbox"/> Hydrology and Water Quality            |
| <input checked="" type="checkbox"/> Cultural Resources  | <input type="checkbox"/> Recreation                    | <input checked="" type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mineral/Energy Resources               |
| <input checked="" type="checkbox"/> Noise               | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Agricultural and Forest Resources      |
|   |  | <input type="checkbox"/> Mandatory Findings of Significance     |

#### E. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked "Less than Significant with Mitigation Incorporated," "Less than Significant Impact," "No Impact" or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that topic. A discussion is included for those issues checked "Less than Significant with Mitigation Incorporated" and "Less than Significant Impact" and for most items checked with "No Impact" or "Not Applicable." For all of the items checked "Not Applicable" or "No Impact" without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively.

## Senate Bill 743 and Public Resources Code Section 21099

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.<sup>2</sup> Among other provision, SB 743 amends the California Environmental Quality Act (CEQA) by adding *Public Resources Code* Section 21099 regarding analysis of aesthetics and parking impacts for urban infill projects.<sup>3</sup>

### Aesthetics and Parking Analysis

*Public Resources Code* Section 21099(d), effective January 1, 2014, states, "Aesthetic and parking impacts of a residential, mixed- use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment."<sup>4</sup> Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area<sup>5</sup>
- b) The project is on an infill site<sup>6</sup>
- c) The project is residential, mixed-use residential, or an employment center<sup>7</sup>

The proposed project meets each of the above three criteria because it (1) is located within one-half mile of several rail and bus transit routes, (2) is located on an infill site that is already developed with an existing one-story commercial building and adjacent paved surface parking lots, and is surrounded by other urban development, and (3)

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<sup>2</sup> SB 743 can be found on-line at: [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB743](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743).

<sup>3</sup> *Public Resources Code* Section 21099(d).

<sup>4</sup> *Public Resources Code* Section 21099(d)(1).

<sup>5</sup> *Public Resources Code* Section 21099(a) defines a "transit priority area" as an area within one-half mile of an existing or planned major transit stop. A "major transit stop" is defined in Section 21064.3 of the *Public Resources Code* as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

<sup>6</sup> *Public Resources Code* Section 21099(a) defines an "infill site" as a lot located within an urban area that has been previously developed, or a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

<sup>7</sup> *Public Resources Code* Section 21099(a) defines an "employment center" as a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and located within a transit priority area.

would be residential project with ground-floor retail space.<sup>8</sup> Thus, this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.

*Public Resources Code* Section 21099(e) states that a Lead Agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources. As such, there will be no change in the Planning Department's methodology related to design and historic review.

The Planning Department recognizes that the public and decision makers nonetheless may be interested in information pertaining to the aesthetic effects of a proposed project and may desire that such information be provided as part of the environmental review process. Therefore, some of the information that would have otherwise been provided in an Aesthetics section of this Initial Study (such as renderings) has been included in **Figure 10** (Renderings) (see Section A, Project Description, page 16). However, this information is provided solely for informational purposes and is not used to determine the significance of the environmental impacts of the project, pursuant to CEQA.

Similarly, the Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this Initial Study presents a parking demand analysis for informational purposes and will consider any secondary physical impacts associated with constrained supply (e.g., queuing by drivers waiting for scarce onsite parking spaces that affects the public right-of-way) as applicable in the transportation analysis.

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<sup>8</sup> San Francisco Planning Department, Transit-oriented Infill Project Eligibility Checklist, May 2015. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2013.1757E.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact LU-1: The proposed project would not physically divide an existing community. (Less than Significant)**

As discussed in the Section A, Project Description (page 1), the approximately 11,700-square-foot project site is located on three interior lots at the northeast corner of Battery Street and Pacific Avenue in the Financial District neighborhood (see **Figure 1**). The project site is currently occupied by two vacant lots used for surface parking, and an existing 1,300-square-foot, one-story, approximately 15-foot-tall commercial building.

The proposed project would include the demolition of the existing building on-site and the construction of a new seven-story structure consisting of approximately 2,000 square feet of retail space on the ground floor and 33 dwelling units above. The proposed mixed-use structure would be approximately 84 feet above grade to the roofline, with an additional approximately 12 feet in height for the proposed rooftop features such as a mechanical penthouse (exempt from the height limits for this zoning district).

Given that the existing building only contains a single-story commercial space with no dwelling units, the proposed project would intensify the use of the project site, but would not alter the general land use pattern of the immediate area, which already includes nearby buildings with commercial uses on the ground floor with residential uses above. Although most buildings in the project area range from two to seven stories, the proposed building, at seven stories, would not physically divide the established community, because the project would be built within the existing street configuration and would not impose any impediments to pedestrian or other travel through the neighborhood. The surrounding uses and activities would remain and they would

interrelate with each other as they do currently. They would not be affected substantially by the proposed project.

Because the proposed project would establish a mixed-use building in proximity to other similar mixed-use establishments, and would not introduce an incompatible land use to the area, the project would have a less-than-significant impact on physically dividing an established community.

**Impact LU-2: The proposed project would be consistent with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)**

Land use impacts are considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the Bay Area Air Quality Management Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. Furthermore, the proposed project would not conflict with the San Francisco General Plan policies that relate to physical environmental issues. Therefore, the proposed project would have a less-than-significant impact with regard to consistency with existing plans, policies, and regulations.

**Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the project's vicinity. (Less than Significant)**

Land uses in the vicinity of the site are dominated by office uses interspersed with surface parking lots and ground-floor retail businesses, particularly restaurants and casual eating places, as well as some residential uses. The proposed project would demolish an existing one-story commercial building and adjacent surface parking lots and construct a new seven-story residential building with ground-floor commercial uses. The proposed project would be compatible with surrounding uses.

Land use impacts are considered to be significant if the proposed project would have a substantial impact upon the existing character of the vicinity. The change in land use on the site would not be considered a significant impact because the site is within the C-2 zoning district, where the proposed uses are permitted and would be compatible with existing uses on adjacent and surrounding properties. Although the proposed project

would result in a substantially different land use than what now exists on the site, it would not introduce a new or incompatible land use to the area. As previously discussed in the Section B, Project Setting (page 17), the project site is surrounded by a variety of uses which includes office, retail, and residential uses. The proposed project's density would be compatible with the existing character of the area, which has a predominant building form defined by mid-size structures. Therefore, the proposed project's impact on the existing character of the project's vicinity would be less than significant.

**Impact C-LU: The proposed project, in combination with past, present and reasonably foreseeable future projects in the vicinity of the site, would not have a substantial adverse cumulative impact to land use. (Less than Significant)**

As of August 2015, there are no active Planning Department cases or active building permits on the project block, other than those dealing with minor building alterations.

Recently constructed projects within the last five years include the 717 Battery Street project, a renovation of the existing building and the addition of a partial one-story, approximately 6,200-square-foot penthouse.<sup>9</sup> 235 Broadway Street project, involved the construction of an 86,000-square-foot, eight-story, mixed-use building containing 61 residences and ground-floor retail spaces.<sup>10</sup> There are no other known future/pipeline development projects within one-quarter mile of the project site.

Given the nature of these projects and the distance from the project site, there is no potential that they would have land use impacts that could combine with the impacts of the proposed project. Further, these projects underwent their respective CEQA review and were determined not to have land use impacts; thus, the proposed project would not contribute in a cumulatively considerable way to divide an established community; conflict with plans, policies, and regulations; or change neighborhood character. Therefore, the project would not result in any significant cumulative land use impacts.

For the reasons described above, land use impacts, both project-specific and cumulative, would be less than significant.

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<sup>9</sup> Planning Department Case No. 2009.0816E.

<sup>10</sup> Planning Department Case No. 2008.0797E.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>2. POPULATION AND HOUSING— 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact PH-1: The proposed project would not induce substantial population growth either directly or indirectly. (Less than Significant)**

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not approved and implemented.

The proposed project would include the demolition of an existing, single-story, commercial building on-site. The existing commercial building is currently vacant, but was formerly used as a restaurant which employed fewer than ten people. No relocation of existing employees would be required since the existing commercial building was vacated in May 2015.

The proposed project, an infill development consisting of retail space on the ground floor with 33 residences above, would be located within an urbanized area and would not be expected to substantially alter existing development patterns in the Financial District neighborhood, or in San Francisco as a whole. The proposed project would include approximately 2,009 sq ft of retail space on the project site, which would be a net increase of approximately 700 sq ft, as compared to the approximately 1,300 sq ft of commercial uses that was previously active on the project site. In addition, the project would also include the construction of 33 dwelling units above the proposed retail space. Since the project is located in an established urban neighborhood, it would not require, or create new demand for, the extension of municipal infrastructure. The addition of the new residential units would increase the residential population on the



site by approximately 71 persons.<sup>11</sup> While the addition of approximately 71 residents would be noticeable to residents of immediately adjacent properties, this increase would not result in a substantial increase to the population of the City and County of San Francisco. The 2010 U.S. Census indicates that the population in the project vicinity is approximately 944 persons.<sup>12</sup> The proposed project would increase the population near the project site by an estimated seven percent, and the overall population of the City and County of San Francisco by less than 0.01 percent.<sup>13</sup>

Based on the total size of the proposed commercial uses on the project site, the new businesses would employ a total of approximately less than six employees at the proposed building once it is completed.<sup>14,15</sup> The retail employment in the proposed project would not likely offer sufficiently high wages such that it would be anticipated to attract new employees to San Francisco. Therefore, it can be anticipated that most of the employees would live in San Francisco (or nearby communities), and that the project would thus not generate demand for new housing for the potential retail employees. In the context of the average household occupancy of the Financial District neighborhood, the proposed project would not be anticipated to result in a substantial population increase. Moreover, the residential and employment growth that would be accommodated by the proposed project is included within current growth projections for San Francisco, as developed by ABAG and MTC for *Plan Bay Area* and modified by the Planning Department. These projections forecast that San Francisco is expected to gain approximately 101,000 households and 270,000 residents between 2010 and 2040, reaching a population of over 1 million, a 35 percent increase in residential population. Employment is forecast to increase by 34 percent (191,000 jobs) during this period, to a total of approximately 760,000.<sup>16,17</sup> Therefore, in light of the above, additional

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<sup>11</sup> The project site is located in Census Tract 105, which is generally bounded by Chestnut Street to the north, Market Street to the south, The Embarcadero to the east and Sansome Street to the west. The population calculation is based on Census 2010 data, which estimates 2.14 persons per household in Census Tract 124.01. It should be noted that this census tract has somewhat smaller households than the citywide average of 2.3 persons per household.

<sup>12</sup> The population estimate is based on data from the 2010 Census for Census Tract 105.

<sup>13</sup> This calculation is based on the estimated Census 2010 population of 805,235 persons in the City and County of San Francisco.

<sup>14</sup> San Francisco Planning Department (SFPD), *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

<sup>15</sup> Based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (see footnote 14, p. 31) which assumes 350 square feet per retail employee.

<sup>16</sup> Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), *Plan Bay Area Jobs-Housing Connection Strategy*, revised May 16, 2012. Available at:

population/employees associated with the project would have a less-than-significant impact related to population growth, both directly and indirectly.

**Impact PH-2: The proposed project would not displace a substantial number of existing housing units, people, or employees, or create demand for additional housing elsewhere. (Less than Significant)**

The proposed project would not displace any residents or housing units, since no residential uses or housing units currently exist on the project site. As noted above, the proposed project would re-establish a larger commercial (retail) use on the ground floor of the proposed building. An estimated six new jobs would be created with the establishment of approximately 2,009 sq ft of retail uses on the project site. The retail employment in the proposed project would not likely offer sufficiently high wages such that it would be anticipated to attract new employees to San Francisco. Therefore, it can be anticipated that most of the employees would live in San Francisco (or nearby communities), and that the project would thus not generate demand for new housing for the potential retail employees. Further, since the existing commercial uses on the project site have since been vacated in May 2015, the demolition of the existing one-story commercial building and the subsequent removal of the existing employment would not be considered a displacement of a substantial number of employees. Also, the project would not create a substantial demand for new housing elsewhere, because the project provides for new housing. Therefore, the proposed project would have a less-than-significant impact related to the displacement of housing, displacement of employees, or the creation of a demand for additional housing elsewhere.

**Impact C-PH-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to population or housing. (Less than Significant)**

As described above, the proposed project would not result in substantial population growth or displace any existing residences. The proposed project, by itself, would not result in significant physical environmental effects related to housing demand or population. The proposed project, in combination with other projects such as those listed in above in Section E.1 Land Use and Land Use Planning, would not collectively result in significant impacts related to population and housing. A previously constructed

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[http://www.onebayarea.org/pdf/JHCS/May\\_2012\\_Jobs\\_Housing\\_Connection\\_Strategy\\_Main\\_Report.pdf](http://www.onebayarea.org/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf)  
Accessed May 2015.

<sup>17</sup> San Francisco Planning Department, *San Francisco Land Use Allocation, Central SoMa*, January 6, 2014. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2011.1356E (Central SoMa Plan EIR).

residential project at 235 Broadway, nearby the project site and within Census Tract 105, added approximately 130 new residents within 61 dwelling units into the project vicinity, which represented a residential population increase of 14 percent.

Over the last several years, the supply of housing has not met the demand for housing within San Francisco. In July 2013, the Association of Bay Area Governments (ABAG) projected regional housing needs in the *Regional Housing Need Plan for the San Francisco Bay Area: 2014 – 2022*. The jurisdictional need of San Francisco for 2014 – 2022 is 28,869 dwelling units consisting of 6,234 dwelling units within the very low income level (0 – 50 percent); 4,639 within the low income level (51 – 80 percent); 5,460 within the moderate income level (81 – 120 percent); and 12,536 within the above moderate income level (120 percent plus).<sup>18</sup> These numbers are consistent with the development pattern for the region's Sustainable Communities Strategy, *Plan Bay Area*, a state-mandated, integrated long-range transportation, land use, and housing plan.<sup>19</sup> 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. Census Tract 105 was identified within a Priority Development Area. Therefore, although the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would increase the population in the area, it would not induce substantial population growth, as this population growth has been anticipated. Furthermore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects would not result in substantial numbers of housing units or people displacement as the majority of the approved and proposed projects would demolish vacant buildings and/or construct new buildings on surface parking lots.

Further, the proposed project would not displace any existing housing units or people, and the one-story commercial building on-site has been vacant since May 2015. The project would not generate substantial demand for housing elsewhere, nor would the project, as an infill development on a single parcel, be anticipated to induce substantial growth. Residential and employment growth due to the proposed project, along with

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<sup>18</sup> Association of Bay Area Governments (ABAG), *Regional Housing Need Plan for the San Francisco Bay Area: 2014 – 2022*, July 2013. This document is available online at [http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22\\_RHNA\\_Plan.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf), accessed June 2015.

<sup>19</sup> Metropolitan Transportation Commission and ABAG, *Plan Bay Area*, July 2013. This document is available online at <http://onebayarea.org/plan-bay-area/final-plan-bay-area.html>, accessed June 2015.

cumulative projects, would not exceed already acknowledged growth projections for San Francisco as set forth in *Plan Bay Area* and modified by the Planning Department. Because of this consistency with existing growth forecasts, cumulative effects related to growth inducement would not be significant.

Based on the above, the proposed project would result in less-than-significant cumulative impacts related to population or housing.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>3. CULTURAL 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact CP-1: The proposed project would not result in a substantial adverse change in the significance of historic architectural resources. (Less than Significant)**

The project site is not located within a known or potentially eligible historic district, but is located in close proximity (less than ¼-mile) from two Landmark Historic Districts (Northeast Waterfront and Jackson Square), which are listed on the National Register of Historic Places. The proposed project is located adjacent to a property previously identified as a Historic Resource (The Old Ship Saloon) located at 298 Pacific Avenue. In addition, the proposed project would include the demolition of an existing one-story commercial building located on-site at 290 Pacific Avenue. Thus, a Historic Resource Evaluation (HRE) was prepared for the project, and is summarized below.<sup>20</sup>

<sup>20</sup> Richard Brandi, Architectural Historian - *Historic Resource Evaluation*, 290 Pacific Avenue. September 8, 2014.

The HRE evaluated the existing building located at 290 Pacific Avenue to determine its individual eligibility for the California Register of Historical Resources and whether it lies within the boundaries of an eligible historic district that has not been previously identified. Based on archival research, a site visit, and further analysis, the 290 Pacific Avenue is not eligible for listing on the California Register of Historical Resources. As explained more fully below, the building has been altered extensively and has lost its historic integrity. Nor does the building appear to lie within a previously unidentified historic district.

The following section evaluates whether the existing one-story commercial building on the project site is a historic resource whose demolition would be considered a significant impact as defined under CEQA. This analysis is based on the HRE prepared by a qualified historic resources consultant and a subsequent Preservation Team Review Form (PTR) prepared by the Planning Department's historic preservation staff.<sup>21</sup>

### **Existing Building**

The existing building at 290 Pacific Avenue is rectangular-shaped, one-story, and constructed of unreinforced brick. As of May 2015, the existing building is currently vacant, but was formerly used as a restaurant. The flat roof is capped with a low parapet and has two skylights. The building occupies the entire 1,293- square-foot lot. The main façade on Pacific Avenue faces south and is clad in stucco. A curved bracket mounting the letters G-L-O-B-E indicating the name of the former restaurant is located on the façade. A metal, mesh globe hangs above the sign with four downward-facing light fixtures. The entrance is through a recessed metal door set at an angle to the sidewalk. A window is to the left of the door. Three wood, glazed doors with arched 10-lite glazing are to the right of the door. The west façade abuts the building next door (Old Ship Saloon, 298 Pacific Avenue) and is not visible. The east façade faces a parking lot (formerly 240 Pacific) and has no windows or openings of any kind. Metal tiles are visible at the top of the façade. The rear of the building has a brick base and a slightly recessed concrete block wall without openings of any kind. The concrete block appears to be of more recent vintage. There is no architectural style to the building. The interior has exposed brick walls on the side walls and a kitchen facility at the rear.

The existing building on the project site (290 Pacific Avenue) is not listed on the National Register of Historic Resources or California Register of Historical Resources, has not

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<sup>21</sup> Lily Yegazu, Preservation Planner, San Francisco Planning Department, *Historic Resource Evaluation Response*, Case No. 2013.1757E: 240 Pacific Avenue," July 20, 2015.

been rated by the California Historic Resources Information Center, and is not designated under San Francisco Planning Code Articles 10 or 11 as a local landmark or within a historic conservation district. The existing building is included in *Splendid Survivors*, a survey by San Francisco Architectural Heritage in 1978, and was given a 'D' rating, meaning of minor or no importance.

The property at 290 Pacific Avenue was originally developed with a three-story structure with bakery at the ground floor and residences above, which was destroyed in the 1906 earthquake and fire. The existing building was constructed in 1911 and is a one-story, unreinforced brick structure with a flat roof that covers the entire lot. Previous uses after 1911 included a blacksmith/horse shoeing shop, until 1945 when the building was altered to a commercial store, and then to a restaurant in 1977. The primary (south) façade has a stucco finish and a storefront system with wood windows and a recessed metal door set at an angle to the sidewalk. One side (east) and the rear (north) façades face surface parking lots (240 Pacific Avenue and 720 Battery Street), which are visible from the public right-of-way, but do not have contain window or door openings or display any details.

Given the absence of any current historic designation, to be considered a historical resource under CEQA, the building would normally have to be determined eligible for listing in the California Register of Historical Resources on the basis of association with important events (Criterion 1), association with important person(s) (Criterion 2); association with a master architect or as an example of particularly important design (Criterion 3); or because of information potential, normally associated with archaeological resources (Criterion 4).<sup>22</sup> If an existing building meets one or more of the criteria, it must also possess sufficient physical integrity so as to be able to convey its importance in association with the criteria.

Based on the HRE and analysis by Planning Department staff, the existing building at 290 Pacific Avenue does not appear to be individually eligible for the California Register under Criterion 1 (Events), 2 (Persons), or 3 (Architecture).

Specifically, under Criterion 1 (Events), the property at 290 Pacific Avenue was constructed five years after the 1906 earthquake and fire and is associated with the post-earthquake reconstruction trend; however, the existing building does not stand out within that context or any other significant historic events.

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<sup>22</sup> Analysis of the proposed project's eligibility under Criterion 4 (Archeology) is discussed in the following section, Impact CP-2 (page 38).

Under Criterion 2, original owners, as well as, subsequent owners of the property at 290 Pacific Avenue do not appear to be historically significant. Further, the building is not associated with the lives of persons important to local, California, or national history and would not be eligible under this Criterion.

Under Criterion 3, the use of the property as a horse shoeing or blacksmith shop dating to 1911 would be considered as having the distinctive characteristics of a type, period, region, or method of construction. However, the existing structure would not be eligible under this Criterion due to a lack of integrity due to multiple alterations made to the façade since 1911. Also, the original architect for the property, Paul F. Demartini, is considered one of San Francisco's leading architects; however his status as a master has not been established. Finally, the building's use as a restaurant dates back from less than 50 years ago, making it too recent to consider the restaurant period as potentially historically significant.

Ultimately, the Planning Department concurred with the analysis included in the HRE prepared for the proposed project, that the subject site is not a resources and the one-story structure on the subject lot does not retain sufficient integrity to be considered historic resource. Therefore, the demolition of the existing building at 290 Pacific Avenue would result in a less-than-significant impact related to historic resources.

In light of the above, the proposed project would have a less-than-significant impact on the significance of historical architectural resources.

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

#### **Significance Criteria**

CEQA requires that the effects of a project on an archeological resource shall be taken into consideration and that if a project may affect an archeological resource that it shall first be determined if the archeological resource is an "historical resource", that is, if the archeological resource meets the criteria for listing in the California Register of Historical Resources (CRHR). To be eligible for listing to the CRHR under Criteria 1,2,or 3, an archeological site must contain artifact assemblages, features, or stratigraphic relationships associated with important events, or important persons, or be exemplary of a type, period, or method of construction (*CEQA Guidelines* § 15064.5(a)(1) and (3) and (c)(1) and (2)). To be eligible under Criterion 4, an archeological site need only show the *potential* to yield important information (United States. Department of the Interior.

1986). An archeological resource that qualifies as a “historical resource” under CEQA, generally, qualifies for listing under Criterion “4” of the CRHR (CEQA Guidelines §15064.5 (a)(3)(D)). An archeological resource may qualify for listing under Criterion “4” when it can be demonstrated that the resource has the potential to significantly contribute to questions of scientific/historical importance. The research value of an archeological resource can only be evaluated within the context of the historical background of the site of the resource and within the context of prior archeological research related to the property type represented by the archeological resource (CA OHP. *Preservation Planning Bulletin* No. 5).

When determining the potential for encountering archeological resources, relevant factors include the location, depth, and areal extent of excavation proposed, as well as any recorded information on known archeological resources in the area. A Preliminary Archeological Review (PAR) has been prepared by the Planning Department’s staff archeologist for the project.<sup>23</sup> The project sponsor provided a geotechnical report for the project site.<sup>24</sup> The project site was determined to have the potential for historical period resources present beneath the project site, particularly those dating to the Gold Rush era, and to a lesser extent those associated with the Barbary Coast.

## Analysis

An archeological research design and treatment plan (ARD/TP) has been prepared for the proposed project.<sup>25</sup> The *Archeological Research Design/Treatment Plan 240 Pacific Avenue Project* (WSA, September 2015) addresses the prehistoric, historic, and natural formation contexts of the project site; the potential for archaeological resources to be present; the relationship of the expected resources to significant historical/scientific research themes; the eligibility of the expected resources for listing to the California Register of Historic Resources (CRHR); and the treatment of any discovered archeological resources.

The analysis of the ARD/TP has demonstrated that historic archaeological resources may be present within soils affected by the proposed project and that these expected

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<sup>23</sup> Randall Dean, SF Planning Department, Environmental Planning Division, Preliminary Archeological Review, dated October 29, 2014. Case No. 2013.1757E.

<sup>24</sup> Langan, Treadwell, Rollo – Preliminary Geotechnical Evaluation, 240 Pacific Avenue and 720 Battery Street, San Francisco, California, January 20, 2014.

<sup>25</sup> WSA – Final Archaeological Research Design and Treatment Plan, 240 Pacific Avenue Project, City and County of San Francisco, California. September 2015. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2013.1757E.



resources may have sufficient scientific/historical research potential to qualify for listing in the California Register of Historical Resources under Evaluation Criterion 4, information important to prehistory or history. No prior soils-disturbing activities have been identified that would have significantly impaired the integrity of potential archeological resources within the project site.

According to the Geotechnical Evaluation, the site and vicinity is generally underlain by nine to 19 feet of fill material over a weak compressible clay known locally as Bay Mud. Underlying the Bay Mud deposits are either bedrock or alluvial deposits consisting of medium dense to dense sand and stiff to very stiff clay underlain by bedrock. The top of the dense sand is about 33 feet below ground surface, with the underlying bedrock ranging from 25 to 50 below ground surface.

The foundation system for the proposed building will be drilled in place cast concrete piles in groups connected by pile caps that will be 3 to 4 ft. thick. These pile caps will support the building columns and walls and will also support 10-inch thick structural concrete slabs on grade. The basement area will front Pacific Avenue and will cover approximately 55 percent of the site area. The maximum extent of excavation for the basement will be approximately 15 ft. below the existing grade. The remaining 45 percent of the site will be at grade level. The maximum extent of the excavation for this portion will be approximately 4 ft. below the existing grade.

The proposed excavation related to the installation of the proposed basement level and foundations would reach the existing fill, Bay Mud, and clay deposits, where prehistoric features are unlikely to have been located. Although the possibility of encountering prehistoric features is more probable in denser deposits below 15 feet bgs, the project could potentially disturb cultural resources if such resources were present. The proposed project, therefore, has the potential to cause a substantial adverse change to subsurface archaeological resources by adversely affecting the significance of these resources under Criterion 4 (Information Potential). The partial or total destruction of archaeological resources by the project would impair the ability of such resources to convey important scientific and historical information. Implementation of **Mitigation Measure M-CP-2 (Archeological Resources (Testing))** below would reduce the potential impact to a less-than-significant level. This mitigation measure also addresses a potential impact to tribal cultural resources, as discussed under Impact CP-4, below.

### **Mitigation Measure M-CP-2: Archeological Resources (Testing)**

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the Planning Department ("Department") pool of qualified archaeological consultants as provided the Department archaeologist. The archaeological 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 and with the requirements of the project archeological research design and treatment plan (WSA. *Archeological Research Design/Treatment Plan 240 Pacific Avenue Project*, September 2015) at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirement of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirements of this archeological mitigation measure shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. 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). In addition, the tribal cultural resource consulting Ohlone Native American tribal representative for this project shall be given the opportunity to review and comment on the draft 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, driving of piles (foundation, shoring, etc.), 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 driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall 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. A legally-recognized Ohlone Native American tribal representative<sup>26</sup> shall be present and monitor any data recovery activities related to a prehistoric and/or Native American site.

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.
- *Tribal Cultural Resource Photographic Record.* Recommended process for preparation of digital photographs of any prehistoric or Native American material that qualifies as tribal cultural resources recovered during the archeological data recovery program and distribution of those photographs to the consulting Native American tribal representative.

*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

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<sup>26</sup> A "legally-recognized" Ohlone Native American tribal representative monitor means and only means those persons or groups recognized by the California Native American Heritage Commission as Native American tribal representative contacts for the City and County of San Francisco and of Ohlone tribal descent themselves.

remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the 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 Analysis division of the Planning Department shall receive two copies (bound and unbound) of the FARR and one unlocked, searchable PDF copy on a compact disk. MEA shall receive a copy 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. A digital photographic record shall be made of any prehistoric/Native American material recovered from the project site determined to be a tribal cultural resource. The tribal cultural resource photographic record shall be submitted to the project tribal cultural resource consultation Ohlone/Native American representative(s), the ERO, the NWIC, and the curation facility accessioning the archeological collection. A notice of the availability of this photographic record shall be sent to legally-recognized Ohlone/Native American tribal representatives for San Francisco. 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.

**Impact CP-3: The project may disturb human remains. (Less than Significant with Mitigation)**

There are no known human remains, including those interred outside of formal cemeteries, located in the immediate vicinity of the project site. As described above under Impact CP-2, there is some potential for burials associated with Yerba Buena Cemetery (1850-1869), but due to the project site's distance and uphill location, the probability burials associated with the Yerba Buena Cemetery are present on the current project site is low. In the event that construction activities disturb unknown human remains within the project site, any inadvertent damage to human remains would be considered a significant effect. With the implementation of **Mitigation Measure M-CP-2 (Archeological Resources (Testing))**, as described above, the proposed project would have a less-than-significant impact related to unknown remains.

**Impact CP-4: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource. (Less than Significant with Mitigation)**

Tribal cultural resources (TCRs) are those resources that meet the definitions in Public Resources Code Section 21074. TCRs are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either (a) included or determined to be eligible for inclusion in the California Register of Historical Resources or (b) included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential TCRs. A TCR is adversely affected when a project impacts its significance.

Pursuant to Assembly Bill 52, effective July 1, 2015, within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the lead agency to discuss potential impacts on TCRs and measures for addressing those impacts.

On September 18, 2015, the Planning Department mailed a "Tribal Notification Regarding Tribal Cultural Resources and CEQA" to the appropriate Native American tribal representatives who have requested notification. ~~During the 30-day comment period, one Native American tribal representative contacted the Planning Department to request consultation.~~ A Tribal Cultural Resource consultation meeting occurred on November 13, 2015 with Planning Department representatives and the one tribal representative requesting consultation. Consultation concluded on December 2, 2015 with an agreement to require: the opportunity for review and comment of the project archeological testing plan by the consulting tribal cultural resource representative; an Ohlone Native American monitor to be present during all field investigations/data recovery of any encountered prehistoric deposit; and the creation and availability of a digital photographic record of any recovered tribal cultural resource/prehistoric/Native American material in the manner specified here.

As discussed under Impact CP-2, **Mitigation Measure M-CP-2, Archeological Testing**, would apply to any components of the proposed project resulting in below-grade soil disturbance. Unknown archeological resources may be encountered during construction that could be identified as TCRs at the time of discovery or at a later date. Therefore, the potential adverse effects of the proposed project on previously unidentified archeological resources, discussed under Impact CP-2, also represent a potentially significant impact on tribal cultural resources. Implementation of Mitigation Measure M-CP-2, Archeological Testing, and **Mitigation Measure M-CP-4, Tribal Cultural Resources Interpretive Program**, would reduce potential adverse effects on TCRs to a less-than-significant level. **Mitigation Measure M-CP-4** would require either preservation-in-place of the TCRs, if determined effective and feasible, or an interpretive program regarding the TCRs developed in consultation with affiliated Native American tribal representatives.

#### **Mitigation Measure M-CP-4: Tribal Cultural Resources Interpretive Program**

If the Environmental Review Officer (ERO) determines that preservation-in-place of previously unidentified archeological resources pursuant to Mitigation Measure M-CP-2, Archeological Testing, is not a sufficient or feasible option, and if in consultation with the affiliated Native American tribal representatives, the



ERO determines that the resource constitutes a tribal cultural resource (TCR), the Project Sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

**Impact CP-5: Construction activity on the project site and adjacent parcels could result in substantial damage to historic architectural resources. (Less than Significant with Mitigation)**

The proposed project would include demolition of an existing one-story building on-site and the construction of a new seven-story building on three combined lots. The project site is located adjacent to an existing three-story commercial building (298 Pacific Avenue – The Old Ship Saloon) that was identified as a Historic Resource. Construction on the project site activity can generate vibration that can cause structural damage in nearby buildings, especially the adjacent buildings at 724 Battery Street, 298 Pacific Avenue, and 450 Battery Street. In general, even pile driving, which causes the greatest vibration levels during construction, is sufficiently attenuated by distance such that the peak particle velocity (PPV) at 100 feet from pile driving is less than 0.2 inch per second (0.2 PPV), the threshold established by the Federal Transit Administration for potential damage to non-engineered timber and masonry buildings. At closer distances, pile driving, and possibly other construction activity, could damage historical resources, particularly unreinforced masonry structures. Implementation of Mitigation Measures M-CP-5a and M-CP-5b, below, would reduce potential construction impacts to historic architectural resources to less-than-significant levels.

**Mitigation Measure M-CP-5a: Protect Historical Resources from Adjacent Construction Activities.**

The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used in a subsequent development project; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used on the subsequent development project. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings (as identified by the Planning Department preservation staff), using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.

**Mitigation Measure M-CP-5b: Construction Monitoring Program for Historical Resources.**

For those historical resources identified in Mitigation Measure M-CP-5a, and where heavy equipment would be used on a subsequent development project, the project sponsor of such a project shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle

velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.

**Impact C-CP-1: The proposed project in combination with past, present, and reasonably foreseeable future projects in the vicinity would result in a cumulatively considerable contribution to a significant cumulative impact on cultural resources. (Less than Significant with Mitigation)**

Archeological resources are non-renewable members of a finite class. All adverse effects to archeological resources erode a dwindling cultural/scientific resource base. Federal and state laws protect archeological resources in most cases, either through project redesign or by requiring that the scientific data present within an archeological resource be archeologically recovered. Demolition and excavation activities on the project site, has the potential to affect archeological resources. However, impacts to archeological resources and tribal cultural resources are reduced to less than significant impacts with implementation of Mitigation Measures M-CP-2 and M-CP-4, as discussed above. The project's impact, in combination with other projects in the area that would also involve ground disturbance and which could also encounter previously recorded or unrecorded archeological resources or human remains, could result in a significant cumulative impact to archeological resources. Implementation of Mitigation Measures M-CP-2 (Archeological Resources (Testing)) and M-CP-4 (Tribal Cultural Resources Interpretive Program), would reduce potential project-related impacts to archeological resources and tribal cultural resources, individually and cumulatively, to less than significant.

The proposed project would demolish an existing one-story building that is not a historic resource. Therefore, demolition of the existing building at 290 Pacific Avenue would have no effect on historic (historic architectural) resources, and could not

contribute to any significant cumulative effect on such resources. While the project would be substantially different in style, and be of similar height, as buildings in the district, it would be generally compatible in style, height, and massing with other nearby buildings such as 733 Front Street and 717 Battery Street. Accordingly, it is not anticipated that the proposed project, in combination with other past, present, and reasonably foreseeable future projects in the vicinity, would result in substantial adverse impacts to any known or potential historic districts or historic properties and the cumulative effect on historic (historic architectural) resources would be less than significant. Further, project-related impacts on adjacent historic buildings would be limited to the physical construction of the proposed project, and would be reduced to less-than-significant levels with implementation of measures similar to Mitigation Measures M-CP-5a and M-CP-5b. Thus, the Proposed Project's contribution to cumulative impacts on historic resources would be less than significant with implementation of these measures.

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Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Topic 4(c) is not applicable to the project. Due to the scope and location of the proposed project, the Planning Department determined that a Transportation Study would not be required for this project.

### Transportation Setting

The proposed project is located along the northern edge of the Financial District neighborhood and within two blocks south of the North Beach neighborhood and three blocks east of the Chinatown neighborhood in San Francisco. The project site is located on a block bounded by Battery Street to the east, Pacific Avenue to the south, Sansome Street to the west and Broadway to the north. The project site is an "L-shaped" parcel with frontages along both Battery Street and Pacific Avenue.

Regional access to the project site is provided by United States Highway 101 (US 101) and Interstate 280 (I-280). US 101 connects to the I-80 freeway connecting San Francisco to the East Bay and other locations east via the San Francisco-Oakland Bay Bridge. US 101 and I-280 serve San Francisco and the Peninsula/South Bay and US 101 provides access north via the Golden Gate Bridge. The local roadway network within the project vicinity is primarily composed of Pacific Avenue, which runs east-west along the southern border of the project block; Battery Street which runs north-south along the western border of the project block; Broadway which is a main thoroughfare that runs east-west along the northern border of the project block; and Front Street which runs north-south along the eastern border of the project block. Broadway is designated as major arterial.<sup>27,28</sup> Pacific Avenue, Front Street, Battery Street, and Broadway are all designated as Neighborhood Pedestrian Streets. Battery Street and Sansome Street are designated as transit preferential streets.<sup>29</sup>

Within the project vicinity, Pacific Avenue runs between Davis Street and Spruce Street (near the Presidio). Between Powell Street and Davis Street and within the vicinity of the proposed project, Pacific Avenue is one-way westbound. Pacific Avenue has one travel lane and on-street parking on both sides of the street between Davis Street and Columbus Avenue and two westbound travel lanes and on-street parking west of Columbus Avenue. West of Powell Street, Pacific Avenue has one travel lane in each direction.

Battery Street runs between Market Street and The Embarcadero. Within the vicinity of the proposed project, Battery Street is one-way southbound with two travel lanes between The Embarcadero and Broadway and three travel lanes between Broadway and Market Street. On-street metered parking is generally allowed on both sides of the street, and there are six metered commercial loading spaces between Pacific Avenue and Broadway.

Broadway runs between The Embarcadero and Lyon Street (near the Presidio). In the vicinity of the project site, Broadway has two lanes in each direction, with on-street parking generally provided on both sides of the street.

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<sup>27</sup> San Francisco General Plan, Transportation Element, Map 6 and Map 7.

<sup>28</sup> Major arterials are defined as cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses.

<sup>29</sup> San Francisco General Plan, Transportation Element Map 9, Map 11, and Map 12.

Front Street runs between Market Street and The Embarcadero. Between Market Street and Clay Street, Sansome Street is a one-way street, with two northbound travel lanes and primarily on-street commercial vehicle loading spaces on either side of the street. Between Jackson Street and The Embarcadero, Front Street continues to be a one-way street, with two travel lanes northbound and parking on both sides of the street.

Within the immediate project vicinity, the 10-Townsend Muni bus line runs north-south and operates between Potrero Hill and Pacific Heights. The stops nearest to the project site are Sansome Street/Pacific Avenue (inbound) and Battery Street/Jackson Street (outbound). The 12-Folsom-Pacific line runs north-south and operates between Russian Hill and the Mission. The stops nearest to the project site are Sansome Street/Pacific Avenue (inbound) and Battery Street/Jackson Street (outbound). The 82X-Levi Plaza Express line runs north-south and operates between the 4th Street/King Street Caltrain Station and Levi Plaza. The stops nearest to the project site are Sansome Street/Pacific Avenue (inbound) and Battery Street/Jackson Street (outbound). Other nearby transit routes includes Muni bus lines 30X, 41, and the Historic Streetcar F line, as well as bus stops for the Golden Gate Transit. The project site is located approximately 1/3-mile (1,760 feet) northwest of the Embarcadero BART Station, which provides rail access to the east bay and the peninsula.

Battery Street, Broadway, and Front Street are part of the citywide bicycle network. Bicycle Route 10 runs along Broadway between The Embarcadero and Hyde Street. Bicycle Route 11 runs along Columbus Avenue between North Point Street and Montgomery Street, on Washington Street and Clay Street between Montgomery Street and Sansome Street, and on Sansome Street (northbound) and Battery Street (southbound) between Clay Street and Market Street. Bicycle Route 5 runs along Front Street between Jackson Street and connects to Bicycle Route 10 on Broadway.

There are existing curb cuts located on the project site, with a 12-foot-wide curb cut along the Battery Street frontage, and a 40-foot-wide curb cut along the Pacific Avenue frontage. The proposed project remove both existing curb cuts and construct a new 13-foot-wide curb cut along the Pacific Avenue frontage, which would be used to access the proposed parking garage.

**Impact TR-1:** The proposed project would not 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, nor would the proposed project conflict with an applicable congestion management program including, but not limited to, level of service standards and travel demand measures. (Less than Significant)

Policy 10.4 of the Transportation Element of the *San Francisco General Plan* states that the City will “Consider the transportation system performance measurements in all decisions for projects that affect the transportation system.” To determine whether the proposed project would conflict with a transportation– or circulation-related plan, ordinance or policy, this section analyzes the proposed project’s effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts.

### ***Trip Generation and Traffic Impacts***

Based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review*, the proposed project would generate a net addition of approximately 616 person-trips per day, about 155 daily vehicle trips, and approximately 23 vehicle trips in the p.m. peak hour (see Table 2).<sup>30,31</sup>

**TABLE 2  
DAILY AND PM PEAK HOUR TRIP GENERATION**

<b>Trip Generation Mode Split</b>	<b>Daily Trips</b>	<b>P.M. Peak-Hour Trips</b>
Auto	244	33
Transit	90	11
Walk	245	34
Other	37	3
<b>Total</b>	<b>616</b>	<b>82</b>
<b>Vehicle Trips</b>	155	23
<b>Parking Demand</b>	<b>Short Term</b>	<b>Long Term</b>
Parking Spaces	4	48
<b>Loading Demand</b>	<b>Average Hour</b>	<b>Peak-Hour</b>
Loading Spaces	0.10	0.12

SOURCE: San Francisco Planning Department, May 2015

<sup>30</sup> San Francisco Planning Department, *op. cit.* (see footnote 14, p. 31).

<sup>31</sup> Trip Generation Calculations, 240 Pacific Avenue, April 2015. Available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2013.1757E.



Of the estimated 82 p.m. peak hour person trips generated by the proposed project, 33 would be by auto, 11 by transit, 34 would be pedestrian trips, and 3 would be via "other" modes (including bicycles, motorcycles, and taxis). The trip generation calculations conducted for the proposed project estimate that the project would generate approximately 23 vehicle trips during the p.m. peak hour. Residents and businesses along Pacific Avenue and Battery Street, as well as the immediately surrounding streets, would experience an increase in vehicular activity as a result of the proposed project; however, this increase would not be above levels that are common, and generally accepted, in urban areas. The change in traffic within the project area as a result of the proposed project would be undetectable to most drivers although it could be noticeable to those immediately adjacent to the project site. These 23 p.m. peak hour vehicle trips are not anticipated to substantially affect existing levels of service at intersections within the project vicinity. This is because, assuming the signals operate at cycles lasting 60 seconds, the average of about one additional car per cycle would not be sufficient to alter intersection level of service or to substantially affect the average time at which cars are stopped at a red light. Currently, the existing commercial building on-site is vacant, but was formerly used as a bar/restaurant. Due to the closure of the existing commercial building, any existing vehicle trips to and from the building were not calculated, and are not expected to be substantial. For this reason, all trips associated with the proposed project are considered to be new trips for the purposes of environmental analysis.

### **Loading**

Loading demand for the proposed project would be estimated to be less than one truck stop per day; peak hourly loading demand would be less than one loading space, for both the retail and residential uses. No off-street loading spaces would be provided for the proposed project. This would be consistent with *Planning Code* Section 152, which does not require any loading spaces for retail establishments under 10,000 square feet or for apartment buildings under 100,000 square feet. Given the modest loading activity anticipated, delivery vehicles would be expected to use existing commercial loading zones (yellow zones) in the project vicinity, and the project would not result in significant loading impacts and loading impacts are considered less than significant.

Any double-parking by delivery vehicles could temporarily reduce traffic capacity on project area street(s); enforcement of existing traffic laws could avoid or minimize any potential impacts, and occasional double-parking generally would not be expected to significantly impede traffic or cause safety concerns. Residential move-in and move-out activities are anticipated to occur primarily from the metered parking spaces at the curb

on Battery Street, with items carted to the residential elevators through the ground floor lobby. Curb parking on Battery Street would need to be reserved through DPW and SFMTA. Likewise, trash and recycling pickup (anticipated to occur along the Pacific Avenue frontage), would not adversely affect traffic, as these activities typically occur outside the peak hours.

### ***Construction Activities***

Project construction would last approximately 18 months. During the construction period, temporary and intermittent transportation impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. It is not anticipated that project construction would require any travel lane closures on Battery Street or Pacific Avenue. Although not anticipated, any temporary traffic lane closures would be coordinated with the City in order to minimize the impacts on local traffic. In general, lane and sidewalk closures are subject to review and approval by DPW and the City's Transportation Advisory Staff Committee (TASC) that consists of representatives of City departments including SFMTA, DPW, Fire, Police, Public Health, Port and the Taxi Commission.

Throughout the construction period, there could be a potential for a temporary lessening of local street capacity due to the slower movement and larger turning radii of construction trucks, which would affect both traffic and transit operations. However, these effects would be temporary and intermittent, and would thus not be considered significant impacts.

Therefore, in light of the above, the project would have a less-than-significant impact related to conflicts with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of neither the circulation system nor regarding conflict with an applicable congestion management program.

### ***Parking Discussion***

As previously discussed in Section E (Evaluation of Environmental Effects), Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." The proposed project meets each of the three

criteria and thus, this Initial Study does not consider the adequacy of parking in determining the significance of project impacts under CEQA. Therefore, this analysis presents a parking demand, supply and requirements under the Planning Code analysis for informational purposes.

Although not required, this Initial Study nevertheless presents a parking demand analysis for informational purposes. The analysis also considers any secondary physical impacts associated with constrained supply (e.g., queuing by drivers waiting for scarce onsite parking spaces that affects the public right-of-way) as applicable.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial deficit in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a deficit in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial deficit in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous *General Plan* policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As stated above, the project site is well served by Muni (metro and bus) and BART, and bicycle lanes and sidewalks are prevalent in the vicinity.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all

drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e., walking, bicycling, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

The parking demand for the new residential uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*.<sup>32</sup> On an average weekday, the demand for parking would be 47 spaces for the proposed residential units and 5 spaces for the retail use. The project would provide a total of 36 off-street vehicle parking spaces, all for the residential units, which would be consistent with Planning Code requirements for off-street parking in the C-2 zoning district. While the proposed off-street parking spaces would be less than the calculated parking demand anticipated for the project, this unmet parking demand would not result in a significant impact in this case. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit with stops located within two to three blocks (1,300 feet or less) of the project site and bicycle lanes/routes located within one quarter mile of the site. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

Further, the project site is located in a C-2 zoning district, where under Section 151.1 of the *Planning Code*, the proposed project would be permitted up to 1.5 off-street parking spaces per unit. As such, the proposed project would provide 36 vehicle parking spaces, including 1 ADA-accessible space, within the proposed parking garage.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the number of parking ratio proposed (36 parking spaces to 33 dwelling units). In some cases,

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<sup>32</sup> San Francisco Planning Department (SFPD), *op. cit* (see footnote 14, p. 31).

particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 52 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby (e.g., 750 Battery Street Garage, 955 Sansome Street Garage, or 768 Sansome Street Parking Lot) and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial unmet parking demand with or without the off-street parking currently proposed that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

**Impact TR-2: The proposed project would not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less than Significant)**

The proposed project would not include any design features that would substantially increase traffic hazards (e.g., a new sharp curve or dangerous intersections), and would not include any incompatible uses, as discussed in Topic E1, Land Use and Land Use Planning. Therefore, the proposed project would not cause adverse impacts associated with traffic hazards. The proposed project would remove the existing curb cuts along both the Battery Street and Pacific Avenue frontages, but restore one standard-length curb cut on Pacific Avenue for use as an entrance to the proposed garage. The project would increase the distance between the proposed driveway and the Pacific Avenue and Battery Street intersection, which is sufficient to ensure safe vehicle movements entering and exiting the project site. Based on the above, the proposed project would have a less-than-significant impact related to transportation hazards due to a design feature or resulting from incompatible uses.

**Impact TR-3: The proposed project would not result in inadequate emergency access. (Less than Significant)**

The proposed project would not result in a significant impact with regard to access to emergency services and would not interfere with existing traffic circulation or cause major traffic hazards. The proposed building would be required to comply with the standards contained in the *Building and Fire Codes*, and the Department of Building Inspection (DBI) and Fire Department would review the final building plans to ensure sufficient access and safety. Emergency access to the residential units will be provided through the main residential lobby on Battery Street. The proposed project would, therefore, have a less-than-significant impact on emergency access conditions on and near the project site.

**Impact TR-4: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)**

***Transit Conditions***

The project site is well served by public transit. The project would generate about 11 p.m. peak-hour transit trips, according to the *SF Guidelines*. These additional transit riders could easily be accommodated on the multiple Muni lines (1, 10, 12, 30X, 41, 82X, and F) and BART and Golden Gate Transit lines that exist in the project vicinity, as previously described in the Transportation Setting, p. 49. These bus and rail lines link the neighborhood to the rest of the City, the East Bay, the North Bay, and the Peninsula, as well as facilitating connections to the far East Bay through a variety of transit networks. It is estimated that the project would generate approximately 90 daily and 11 p.m. peak-hour transit trips, which would be distributed among Muni, BART, and Golden Gate Transit lines. The addition of the project-generated transit riders would not substantially increase the peak hour capacity utilization of the MUNI bus and light rail lines or the regional transit lines serving the proposed project. Bus stops serviced by multiple Muni routes are located within one block (300 feet) west and south of the project site, and Golden Gate Transit buses operate on Battery Street (inbound) and Sansome Street (outbound; one block [300 feet] west of the project site), respectively. Muni and Golden Gate Transit bus stop are located within one block [300 to 425 feet] of the project site, and BART and Muni Metro are seven blocks (1,800 feet) south, at Embarcadero Station. The proposed project would include a new curb cut along the Pacific Avenue frontage, but would not conflict with existing bus operations on either

Battery Street or other nearby transit stops; therefore, no impacts to bus circulation would occur.

It should be noted that transit-related policies include, but are not limited to: (1) discouragement of commuter automobiles (*Planning Code* Section 101.1, established by Proposition M, the Accountable Planning Initiative); and (2) the City's "Transit First" policy, established in the City's Charter Section 16.102. The proposed project would not conflict with transit operations as discussed above and would also not conflict with the transit-related policies established by Proposition M or the City's Transit First Policy. Therefore, impacts to the City's transit network would be considered less than significant.

#### ***Pedestrian Conditions***

Project-related trips made by walking (including transit-walk trips) would be estimated at 34 pedestrian trips during the p.m. peak hour. Pedestrian access to the proposed residences would be through a residential lobby on Battery Street, while pedestrian access to the proposed retail spaces would be through an entrance on Pacific Avenue. Sidewalks in the project area have adequate capacity and are not congested and the project would not result in safety hazards for pedestrians; therefore, no pedestrian impacts would be anticipated.

#### ***Bicycle Conditions***

The proposed project would provide 54 bicycle parking spaces (50 Class I and 4 Class II bicycle parking spaces) within the proposed garage. This would exceed the requirement of *Planning Code* Sec. 155.2, which requires one Class I bicycle parking space for every dwelling unit and minimum of one Class II parking space per 20 units, along with one Class II space for each 750 occupied square feet of retail space.

The *San Francisco Bicycle Plan* includes goals and objectives to encourage bicycle use in the City, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. Within the project vicinity, Battery Street, Broadway, and Front Street are part of the citywide bicycle network. There are designated bicycle routes on these streets Bicycle Route 10 runs along Broadway (Route 10), Columbus Avenue (Route 11), and along Front Street (Route 5), all of which are within one-quarter mile of the project site.

The proposed project would provide adequate bicycle access and bicycle parking (as shown on **Figure3** (Floor Plans [Basement and First Floor])), and would not result in hazardous conditions for bicyclists, and therefore would have a less-than-significant impact related to conflicting with the City's *Bicycle Plan*, or other plan, policy or program related to bicycle use in San Francisco.

**Impact C-TR-1: The proposed project in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative transportation impacts. (Less than Significant)**

The geographic context for the analysis of cumulative transportation impacts is the local roadway within the 240 Pacific Avenue vicinity. Project impacts related to bicycle and pedestrian circulation, loading supply and demand, emergency vehicle access, and construction would be localized and site specific, and would not contribute to impacts from other development and infrastructure projects in San Francisco. As of August 2015, there are no active projects within a ¼-mile from the project site. Other recently constructed projects, involved the rehabilitation and reuse of existing buildings. Although the proposed project would generate approximately 616 daily person trips, 155 daily vehicle trips and a total of 82 p.m. peak person trips, these trips would not contribute to a level of significant cumulative impact to nearby intersections. Of the 82 p.m. peak-hour person trips, 33 would be vehicle person-trips, 11 would be transit trips, 34 would be walking trips, and 3 would be trips made via other modes of transportation such as bicycles, taxi, or motorcycle. Based on the above, the project would not contribute considerably to a significant cumulative traffic impact, and the project's cumulative impact would be less than significant.

Certain Muni bus and light rail lines currently operate at capacity in excess of Muni's 85 percent threshold, and would continue to do so under cumulative conditions. The estimated 11 p.m. peak-hour transit trips generated by the project, however, when divided among the many lines that serve the project site, would not make a considerable contribution to impacts on Muni ridership, even with the addition of riders from proposed. Likewise, the regional transit trips generated by the proposed project would not make a considerable contribution to any adverse effects on those carriers. As a result, no significant cumulative transit impacts would occur.

Bicycle and pedestrian impacts are by their nature site-specific and generally do not contribute to impacts from other development projects. Bicycle trips throughout the City may increase under the cumulative scenario due to general growth. Bicycle trips generated by the proposed project would include bicycle trips to and from the project



site. However, as stated in the project analysis, the proposed project would not create potentially hazardous conditions for bicyclists or pedestrians or otherwise interfere with bicyclist or pedestrian accessibility to the site and adjoining areas. Increases in the number of motor vehicle trips could increase some conflicts between bicyclists and pedestrians and the new vehicles; however, the volume of these conflicts would not likely be considered significant. Considering the proposed project's growth with reasonably foreseeable future projects and growth throughout the City, the cumulative effects of the proposed project on bicycle and pedestrian facilities would not be considerable. Furthermore, the proposed project would include the removal of an existing curb cut along the Battery Street frontage, as well as the width of an existing curb cut along the Pacific Avenue frontage (from 40 feet to 13 feet). Thus, the proposed project would not add a conflict (e.g., new curb cut or loading zone) along a near or long-term project identified in the San Francisco Bicycle Plan, nor would it conflict with the Better Streets Plan. For the above reasons, the proposed project would result in less-than-significant cumulative bicycle- and pedestrian-related impacts.

As described above, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in cumulatively considerable transportation and circulation impacts.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, Topics 5(e) and 5(f) are not applicable.

**Impact NO-1: The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise. (Less than Significant)**

The proposed project would include new sensitive receptors in the form of residences. In addition, other sensitive receptors (primarily residences) are located on the project block along Battery Street and Pacific Avenue, in close proximity to the project site, as well as elsewhere throughout the project vicinity, which largely comprises buildings with upper-story residential units, particularly to the north and west of the project site.

### **Applicable Noise Standards**

The Environmental Protection Element of the *San Francisco General Plan* contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research (OPR), indicate maximum acceptable noise levels for various newly developed land uses. The proposed uses for this project most closely correspond to the "Residential – All Dwellings, Group Quarters" land use category in the Land Use Compatibility Guidelines.<sup>33</sup> For this land use category, the maximum "satisfactory, with no special insulation requirements" exterior noise levels are approximately 60 dBA (Ldn).<sup>34,35</sup> Where exterior noise levels exceed 60 dBA (Ldn) for a new residential building, it is generally recommended that a detailed analysis of noise reduction requirements be conducted prior to final review and approval of the project, and that the needed noise insulation features be include in the project design.

In addition, Chapter 12 of the *California Building Code* (CBC) contains acoustical requirements for interior sound levels in habitable rooms of multi-family developments. In summary, the CBC requires an interior noise level no higher than an Ldn of 45 dB. Projects exposed to an exterior Ldn of 60 dB, or greater, require an acoustical analysis showing that the proposed design will limit interior levels to the prescribed allowable interior level. Additionally, if windows must be in the closed position to meet the interior standard, the design must include a ventilation or air-conditioning system to provide fresh-air and therefore, a habitable interior environment. An Environmental Noise Study was prepared for the proposed project by an acoustical consultant, and is discussed below.<sup>36</sup>

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<sup>33</sup> San Francisco General Plan. Environmental Protection Element, Land Use Compatibility Chart for Community Noise. Available online at [http://www.sfplanning.org/ftp/general\\_plan/I6\\_Environmental\\_Protection.htm](http://www.sfplanning.org/ftp/general_plan/I6_Environmental_Protection.htm). Accessed on August 2015.

<sup>34</sup> The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

<sup>35</sup> The Ldn or DNL is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

<sup>36</sup> Charles M. Salter Associates, Inc., *Environmental Noise Study*, 240 Pacific Avenue, August 11, 2015. This document is available for review as part of Case File No. 2013.1757E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

### ***Existing Noise in Project Site Vicinity***

Ambient noise levels in the project vicinity are typical of noise levels found in San Francisco, which are dominated by vehicular traffic, including, cars, Muni buses, and emergency vehicles. Both Battery Street and Pacific Avenue along the project's western and southern frontages, respectively, are fairly heavily traveled streets, and generate moderate to high levels of traffic noise. In addition, the proposed project would result in an "L-shaped" building surrounding a corner lot which contains 298 Pacific Avenue (The Old Ship Saloon), an existing commercial use (bar). Also, the project site is located across the street from 717 Battery Street (The Battery Club), an existing social club and bar. These land uses in the project site vicinity could be potential sources of noise during the late-night/early-morning hours, as patrons arrive and depart. In combination with traffic volumes along surrounding roads could result in a relatively loud noise environment.

The Noise Study conducted for the proposed project included two long-term continuous (72-hour) noise measurements in the project vicinity in order to quantify the existing noise environment. The results of the conducted noise measurements are provided in Table 3.

**TABLE 3**  
**RESULTS OF NOISE MONITOR MEASUREMENTS IN PROJECT VICINITY**

Monitor	Location	Measured Ldn
L1	Approximately 20 feet north of the Battery Street frontage, 12 feet above grade.	75 dB
L2	Approximately 10 feet east of the Pacific Avenue frontage, 12 feet above grade.	69 dB

SOURCE: Charles M. Salter Associates, Inc., August 2015.

### ***Project Noise Exposure***

Since the proposed project would include new sensitive receptors (residences), the project would be required to incorporate Title 24 noise insulation features such as double-paned windows and insulated walls as part of its construction, which would reduce indoor noise levels by at least 25 decibels. Given the relatively high exterior noise levels in the project vicinity, the noise study included design recommendations to ensure that interior noise levels are in accordance with Title 24 standards and the *San Francisco Building Code*. The noise study recommended that the project include sound rated assemblies at exterior building facades, with window and exterior door assembly Sound Transmissions Class (STC) ratings that meet the City standards. The noise study estimated that exterior doors and windows along Pacific Avenue would require an STC

rating ranging from 31 to 37 for each residential floor. Along the Battery Street frontage, exterior door and windows would require an STC rating ranging from 37 to 40 for each residential floor. The noise study further recommended that a qualified acoustical engineer review the project design as it is further developed to refine the specific STC ratings once building design and site layout has been refined and to review the glazing and frame submittals, if non-tested assemblies are to be used, which may require the STC ratings of the recommended glass to be increased. Because windows must be closed to achieve the interior noise criteria (45 dBA, Ldn), the noise study also noted that an alternate means of providing outside air (e.g., fresh-air exchange units, HVAC, Z-ducts, etc.) to habitable spaces is required for building facades exposed to an exterior Ldn of 60 dB, or greater. The Department of Building Inspection would review the final building plans to ensure that the project meets the interior noise requirements of Title 24 and the *San Francisco Building Code*. Accordingly, the potential environmental impacts associated with locating residential uses in an area that currently exceeds acceptable ambient noise levels for such uses would be less than significant.

#### **Noise from Project Operations**

The proposed project would involve the construction of an 84-foot-tall, seven-story, approximately 56,000-square-foot mixed-use building. Vehicular traffic makes the greatest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic must double in volume to produce a noticeable increase in the ambient noise level in the project vicinity. The proposed project would generate approximately 155 daily vehicle trips, with 23 of those trips occurring in the p.m. peak hour. The estimated addition of project-related vehicle trips would not cause traffic volumes to double on nearby streets, and it would not have a noticeable effect on ambient noise levels in the project site vicinity. The proposed project would contain ground-floor retail with residential uses above and would not include features or uses that would generate substantial noise. Therefore, operational noise from the proposed project, including traffic-related noise, would not significantly increase the existing ambient noise levels in the project vicinity.

In addition to vehicle-related noise, building equipment and ventilation are also noise sources. Specifically, mechanical equipment produces operational noise, such as heating and ventilation systems. Mechanical equipment would be subject to Section 2909 of the Noise Ordinance. As amended in November 2008, this section of the Ordinance establishes a noise limit from mechanical sources such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise

generated by residential uses, the limit is 5 dBA in excess of ambient; while for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient; and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours.

Compliance with Section 2909, serves to minimize stationary source noise from building operations. Given that the proposed project's vehicle trips would not cause a doubling of traffic volumes on nearby streets, thereby resulting in a noticeable increase in ambient noise levels, and that any proposed mechanical equipment would be required to comply with the Noise Ordinance, the proposed project would not result in a noticeable increase in ambient noise levels. Thus, the project's impact related to project operations would be less than significant.

**Impact NO-2: During construction, the proposed project would result in a substantial temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project. (Less than Significant with Mitigation)**

Demolition, excavation, and building construction would cause a temporary increase in noise levels within the project vicinity. Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. According to the project sponsor, the construction period would last approximately 18 months. Construction noise levels would fluctuate depending on construction phase, equipment type and duration of use, distance between noise source and affected receptor, and the presence (or absence) of barriers. Impacts would generally be limited to demolition and the periods during which new foundations and exterior structural and facade elements would be constructed. Interior construction noise would be substantially reduced by exterior walls. However, there would be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site.

As noted above, construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the *Police Code*). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, hoerams, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by five dBA at the project property line, unless a special permit is authorized by the Director of Public

Works or the Director of Building Inspection. The project would be required to comply with regulations set forth in the Noise Ordinance.

The nearest sensitive receptors to the project site are the residential uses directly east of the project site at 733 Front Street (located on Pacific Avenue and Front Street), and further north of the site on 799 Battery Street (located on Battery Street and Broadway). These residences would experience temporary and intermittent noise associated with site clearance, demolition of the existing building on-site, and construction activities as well as the passage of construction trucks in and out of the project site. Impacts associated with construction noise, especially if the construction is to occur during the nighttime hours when people are sleeping, would be significant. Due to the proximity of the project site to a number of sensitive receptors in the vicinity, implementation of Mitigation Measures M-NO-2a, below, would be required to reduce the noise impact from construction activities to a less-than-significant level.

Further, site excavation would involve removal of approximately 5,500 cubic yards of soil for a below-grade garage. Pile driving is anticipated as part of the project and pile foundations would likely be the preferred foundation type for the proposed project. In the event that pile driving is determined to be required for the proposed project, the project sponsor would be required to comply with measures required for construction equipment in Section 2907 of the Noise Ordinance. However, even compliance with Section 2907 measures has the potential to expose sensitive receptors to temporary increases in noise levels substantially in excess of ambient levels, resulting in a potentially significant noise impact. Implementation of Mitigation Measure M-NO-2b, below, would reduce adverse impacts from pile-driving noise upon sensitive receptors to less-than-significant levels.

**Mitigation Measure M-NO-2a: General Construction Noise Control Measures.**

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor shall undertake the following:

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).

- The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating



activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

**M-NO-2b: Noise Control Measures During Pile Driving.**

For individual projects within the Draft Plan Area and Adjacent Parcels that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible:

- The sponsor of a subsequent development project shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels by 5 to 10 dBA, although the precise reduction is a function of the height and distance of the barrier relative to receptors and noise source(s);
- The sponsor of a subsequent development project shall require the construction contractor to implement "quiet" pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- The sponsor of a subsequent development project shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- The sponsor of a subsequent development project shall require that the construction contractor limit pile-driving activity to result in the least disturbance to neighboring uses

Noise impacts would be temporary in nature and would be limited to the 18-month period of demolition and construction. Moreover, the project demolition and construction activities would be required to comply with the Noise Ordinance requirements, which prohibit construction after 8:00 p.m. Although construction noise could be annoying at times, it would not be expected to exceed noise levels commonly experienced in this urban environment and would not be considered significant.

**Impact C-NO-1: The proposed project would not make a considerable contribution to any cumulative significant noise impacts. (Less than Significant)**

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. Since there are no known active construction or demolition projects within a ¼-mile of the project site, the proposed project would not result in any cumulative construction noise impact. In addition, implementation of Mitigation Measures M-NO-2a and M-NO-2b would reduce any construction-related noise impacts to less than significant levels. As such, construction noise effects associated with the proposed project are not anticipated to combine with those associated with other proposed and ongoing projects located near the project site. Therefore, cumulative construction-related noise impacts would be less than significant.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. However, the proposed project's limited number of vehicle trips (155 daily vehicle trips) would not contribute considerably to any cumulative traffic-related increases in ambient noise, and therefore cumulative traffic noise impacts would not be significant. Moreover, the proposed project's mechanical equipment would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any cumulative increases in ambient noise levels.

In light of the above, the proposed project would result in less-than-significant cumulative impacts related to noise.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Setting

### Overview

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan*, was adopted by the BAAQMD on September 15, 2010. The *2010 Clean Air Plan* updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2010 Clean Air Plan contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The 2010 *Clean Air Plan* represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of air quality plans.

#### **Criteria Air Pollutants**

In accordance with the state and federal CAAs, 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 SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment<sup>37</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. 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.<sup>38</sup>

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 4 identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or

<sup>37</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.

<sup>38</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, page 2-1.

result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

**Table 4**  
**Criteria Air Pollutant Significance Thresholds**

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices		Not Applicable

**Ozone Precursors.** As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO<sub>x</sub>). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO<sub>x</sub>, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).<sup>39</sup> These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO<sub>x</sub> emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO<sub>x</sub> emissions. Due to the temporary nature of construction

<sup>39</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

activities, only the average daily thresholds are applicable to construction phase emissions.

*Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).*<sup>40</sup> The BAAQMD has not established an offset limit for PM<sub>2.5</sub>. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM<sub>10</sub> and PM<sub>2.5</sub>, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.<sup>41</sup> Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

**Fugitive Dust.** Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust<sup>42</sup> and individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.<sup>43</sup> The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.<sup>44</sup> The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust and the BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

**Other Criteria Pollutants.** Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO<sub>2</sub> concentrations have never exceeded the standards. The primary source of CO emissions from development projects

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<sup>40</sup> PM<sub>10</sub> is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM<sub>2.5</sub>, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

<sup>41</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

<sup>42</sup> Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at [http://www.wrapair.org/forums/dejff/dh/content/FDHandbook\\_Rev\\_06.pdf](http://www.wrapair.org/forums/dejff/dh/content/FDHandbook_Rev_06.pdf), accessed February 16, 2012.

<sup>43</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

<sup>44</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

is vehicle traffic. Construction-related SO<sub>2</sub> emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than five percent of the Bay Area total basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO<sub>2</sub>. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO<sub>2</sub> emissions that could result from a development projects, development projects would not result in a cumulatively considerable net increase in CO or SO<sub>2</sub>, and quantitative analysis is not required.

### ***Local Health Risks and Hazards***

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but short-term) adverse effects to human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and mortality. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.<sup>45</sup>

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population

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<sup>45</sup> In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM<sub>2.5</sub>) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.<sup>46</sup> In addition to PM<sub>2.5</sub>, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.<sup>47</sup> The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified based on health-protective criteria that considers estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is not located within the Air Pollutant Exposure Zone. Each of the Air Pollutant Exposure Zone criteria is discussed below.

**Excess Cancer Risk.** The above 100 per one million persons (100 excess cancer risk) criteria is based on United States Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.<sup>48</sup> As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for

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<sup>46</sup> SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

<sup>47</sup> California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

<sup>48</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.



Hazardous Air Pollutants (NESHAP) rulemaking,<sup>49</sup> the USEPA states that it "...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years." The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.<sup>50</sup>

**Fine Particulate Matter.** In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, "Particulate Matter Policy Assessment." In this document, USEPA staff concludes that the then current federal annual PM<sub>2.5</sub> standard of 15 µg/m<sup>3</sup> should be revised to a level within the range of 13 to 11 µg/m<sup>3</sup>, with evidence strongly supporting a standard within the range of 12 to 11 µg/m<sup>3</sup>. The Air Pollutant Exposure Zone for San Francisco is based on the health protective PM<sub>2.5</sub> standard of 11 µg/m<sup>3</sup>, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 µg/m<sup>3</sup> to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

**Proximity to Freeways.** According to the California Air Resources Board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,<sup>51</sup> lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

**Health Vulnerable Locations.** Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for

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<sup>49</sup> 54 Federal Register 38044, September 14, 1989.

<sup>50</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

<sup>51</sup> California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>.

identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM<sub>2.5</sub> concentrations in excess of 9 µg/m<sup>3</sup>.<sup>52</sup>

The above citywide health risk modeling was also used as the basis in approving 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, effective December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality.

### **Construction Air Quality Impacts**

Project-related air quality impacts fall into two categories: short-term impacts from construction and long-term impacts from project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

**Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants, but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)**

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project includes the demolition of an existing one-story commercial building and the construction of a new seven-story, approximately 84-foot-tall, mixed-use building with 33 dwelling units and ground-floor commercial space. During the project's

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<sup>52</sup> San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14 Amendment to Health Code Article 38

approximately 18-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

### ***Fugitive Dust***

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the ARB, reducing particulate matter PM<sub>2.5</sub> concentrations to state and federal standards of 12 µg/m<sup>3</sup> in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.<sup>53</sup>

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

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<sup>53</sup> ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

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. CCSF 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 (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge.

#### **Criteria Air Pollutants**

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 4, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield<sup>54</sup> sites without any form of mitigation measures taken into consideration. In addition, the

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<sup>54</sup> A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project includes the demolition of an existing one-story commercial building and the construction of a new seven-story, approximately 84-foot-tall, mixed-use building with 33 dwelling units and ground-floor commercial space.. The size of proposed construction activities (33 dwelling units) would be below the criteria air pollutant screening sizes for mid-rise apartments (494 dwelling units) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of construction-related criteria air pollutant emissions is not required and the proposed project's construction activities would result in a *less-than-significant* criteria air pollutant impact.

**Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant)**

As discussed above, the project site is not within an Air Pollutant Exposure Zone. With regards to construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.<sup>55</sup> Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.<sup>56</sup> This reduction in emissions is due, in part, to effects of the economic recession and refined emissions estimation methodologies. For example, revised PM emission estimates for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emission estimates for the SFBAAB.<sup>57</sup> Approximately half of the reduction can be attributed to the economic recession and approximately half can be

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<sup>55</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

<sup>56</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

<sup>57</sup> ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, [http://www.arb.ca.gov/msei/categories.htm#inuse\\_or\\_category](http://www.arb.ca.gov/msei/categories.htm#inuse_or_category).

attributed to updated assumptions independent of the economic recession (e.g., updated methodologies used to better assess construction emissions).<sup>58</sup>

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO<sub>x</sub> and PM emissions will be reduced by more than 90 percent.<sup>59</sup>

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

"Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."<sup>60</sup>

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

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<sup>58</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

<sup>59</sup> United State Environmental Protection Agency (USEPA), "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

<sup>60</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

Although on-road heavy-duty diesel vehicles and off-road equipment would be used during the 18-month construction duration, emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and would comply with, California regulations limiting idling to no more than five minutes,<sup>61</sup> which would further reduce nearby sensitive receptor exposure to temporary and variable DPM emissions. Therefore, because the project site is not within the Air Pollutant Exposure Zone and construction activities would be temporary and variable over the 18-month construction period, TAC emissions would result in a *less-than-significant* impact to sensitive receptors.

**Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)**

As discussed above in Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. If all the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

The proposed project includes the demolition of an existing one-story commercial building and the construction of a new seven-story, approximately 84-foot-tall, mixed-use building with 33 dwelling units and ground-floor commercial space. The introduction of new dwelling units would include an estimated 155 daily vehicle trips and 23 p.m. peak vehicle trips. The proposed project at 33 dwelling units would be below the criteria air pollutant screening sizes for mid-rise apartments (494 dwelling units) identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in *less than significant* impact with respect to criteria air pollutants.

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<sup>61</sup> California Code of Regulations, Title 13, Division 3, § 2485 (on-road) and § 2449(d)(2) (off-road).

**Impact AQ-4: During project operations, the proposed project would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial air pollutant concentrations. (Less than Significant)**

As discussed above, the project site is not within an Air Pollutant Exposure Zone. However, the proposed project would site sensitive land uses (residential), as discussed below.

#### ***Sources of Toxic Air Contaminants***

**Vehicle Trips.** Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day “minor, low-impact” sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project’s 155 daily (and 23 p.m. peak hour) vehicle trips would be well below this level and would be distributed among the local roadway network, therefore an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

#### ***Siting Sensitive Land Uses***

The proposed project would include development of 33 dwelling units (residences) and is considered a sensitive land use for purposes of air quality evaluation. The proposed project would not site sensitive land uses within the Air Pollutant Exposure Zone, therefore, the proposed project would result in a *less-than-significant* impact with respect to exposing sensitive receptors to substantial levels of air pollution.

**Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of, the 2010 Clean Air Plan. (Less than Significant).**

The most recently adopted air quality plan for the SFBAAB is the *2010 Clean Air Plan*. The *2010 Clean Air Plan* is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the *2010 Clean Air Plan* (CAP), this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.



The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2010 Clean Air Plan* includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact with respect to GHGs are discussed in Section E.7 (Greenhouse Gas Emissions), which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 155 net new daily vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the *San Francisco General Plan*, as discussed in Section E.4 (Transportation). Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the *San Francisco General Plan* and the Planning Code, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure the project includes relevant transportation control measures specified in the *2010 Clean Air Plan*. Therefore, the proposed project would include applicable control measures identified in the CAP to meet the CAP's primary goals.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add a new mixed-use building to a dense, walkable urban area near a

concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the *2010 Clean Air Plan*, and because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be *less than significant*.

**Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. (Less than Significant)**

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observations conducted by Planning Department Staff indicate that the project site is not substantially affected by sources of odors. Additionally, the proposed project includes the demolition of an existing one-story commercial building and the construction of a new seven-story, mixed-use, building, and would therefore not create a significant sources of new odors. Therefore, odor impacts would be *less than significant*.

**Cumulative Air Quality Impacts**

**Impact C-AQ-1: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would result in less-than-significant cumulative air quality impacts. (Less than Significant)**

As discussed above, regional air pollution is by its very nature largely 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>62</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

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<sup>62</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 2-1.

in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) 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.

Although the project would add new sensitive land uses and new sources of TACs (e.g., new vehicle trips and stationary sources, the project site is not located within an Air Pollutant Exposure Zone. The project's incremental increase in localized TAC emissions resulting from new vehicle trips and a new source (i.e., back-up generator) would be minor and would not contribute substantially to cumulative TAC emissions that could affect nearby and proposed sensitive land uses. Therefore, cumulative air quality impacts would be considered *less than significant*.

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Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Greenhouse Gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) 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. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of greenhouse gases and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy)<sup>63</sup> which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with CEQA guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's 2010

<sup>63</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

*Clean Air Plan*, Executive Order S-3- 05,<sup>64</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act.)<sup>65,66</sup>

Given that the City's local greenhouse gas reduction targets are more aggressive than the State and Region's 2020 GHG reduction targets and consistent with the long-term 2050 reduction targets, the City's Greenhouse Gas Reduction Strategy is consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan. Therefore, proposed projects that are consistent with the City's Greenhouse Gas Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Given the analysis is in a cumulative context, this section does not include an individual project-specific impact statement.

**Impact C-GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)**

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the activity onsite by the addition of a new 84-foot-tall, seven-story, mixed-use building 33 dwelling units and approximately 2,000 sq. ft. for ground-floor retail use. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and

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<sup>64</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 (estimated at 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>65</sup> San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy, 2013 Update*.

<sup>66</sup> The *Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.

residential and commercial operations that result in an increase in energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include the Commuter Benefits Ordinance, Emergency Ride Home Program, Transit Impact Development Fee, Bicycle Parking requirements, Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, SF Green Building Requirements for Energy Efficiency, and Stormwater Management.

These regulations, as outlined in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.<sup>67</sup> Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

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<sup>67</sup> Greenhouse Gas Analysis: Compliance Checklist. November 3, 2014. This document is on file and available for public review as part of Case File No. 2013.1757E.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact WS-1: The proposed project would not alter wind in a manner that substantially affects public areas. (Less than Significant)**

Winds in San Francisco are generally from the west, off the Pacific Ocean. Wind speeds, in general, are greatest in the spring and summer, and least in fall. Daily variation in wind speed is evident, with the strongest wind in the late afternoon and lightest winds in the morning. Westerly to northwesterly winds are the most frequent and strongest winds during all seasons in San Francisco. Of the 16 primary wind directions, four wind directions (northwest, west-northwest, west, and west-southwest) have the greatest frequency of occurrence and also make up the majority of the strong winds that occur.

Wind speeds can affect the comfort of pedestrians. Winds up to 4 mph have no noticeable effect on pedestrian comfort. When winds range from 4 to 8 mph, a pedestrian typically feels wind on the face. Between 8 and 13 mph, winds will disturb hair and cause clothing to flap. With winds between 13 and 19 mph, loose paper, dust, and dry soil will be raised. The force of winds from 19 to 26 mph can be felt on the body. When winds range from 26 to 34 mph, it becomes difficult to use an umbrella and to walk steadily, and wind noise is unpleasant. Above 34 mph, winds can increase difficulty with balance and pedestrians can be in danger of being blown over by gusts of wind.

### **Regulatory Framework**

Because of these wind-inducing effects that large buildings can cause, proposed large-scale buildings in the City of San Francisco are evaluated to consider the wind generation associated with their development. Proposed buildings are assessed based on specific comfort criteria established by the City in order to maintain a comfortable wind environment. When necessary, such impacts can be reduced or avoided through

appropriate building articulation to limit large flat building facades that would divert wind into a street or public right-of-way.

Section 148 of the *Planning Code* establishes wind criteria to determine impacts for the purposes of environmental review in C-3 use districts. The Planning Department uses the wind hazard criterion and pedestrian-comfort criteria from Section 148 for evaluating the wind impacts of a proposed building located anywhere in the City. Section 148 identifies comfort levels of 7 mph equivalent wind speed for public seating areas, and 11 mph equivalent wind speed for areas of substantial pedestrian use. These comfort levels are not to be exceeded more than ten percent of the time between the hours of 7:00 am and 6:00 pm. The project site is located within the C-2 (Community Business) zoning district and not located within a C-3 zoning district. Thus, Planning Code Section 148 would not apply to the proposed project.

However, the Planning Department, as the lead agency, uses the Planning Code's wind hazard criterion and pedestrian-comfort criteria for the implementation of CEQA and to evaluate potential wind impacts of a proposed building located anywhere in the city, including the project site. The height of the proposed residential building triggers a wind analysis study in order to ensure that the project will not exceed the comfort criteria (ground level wind levels not to exceed 11mph in areas of substantial pedestrian use or 7mph in public seating areas) established in Section 148 of the Planning Code.

### **Wind Analysis**

A wind evaluation was prepared for the proposed project.<sup>68</sup> The following discussion relies on the information provided in the analysis.

Ground-level wind accelerations near buildings are controlled by exposure, massing and orientation. Exposure is a measure of the extent that the building extends above surrounding structures into the wind stream. A building that is surrounded by taller structures is not likely to cause adverse wind accelerations at ground level, while even a small building can cause wind problems if it is freestanding and exposed. A building taller than its immediate surroundings could intercept winds and deflect them down towards the ground level, particularly if it is oriented so that a large, unarticulated wall catches a prevailing wind. This can cause wind flow accelerations around building

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<sup>68</sup> Donald Ballanti, Consulting Meteorologist - *Wind Evaluation of the Proposed 240 Pacific Avenue Project, San Francisco*. December 19, 2014. This document is on file and available for public review as part of Case File No. 2013.1757E.



corners. When the gap between two buildings is aligned with the prevailing winds, high wind activity is expected along this gap.

The project site is located in the southwest corner of the block bounded by Pacific Avenue, Battery Street, Broadway Street and Front Street in San Francisco's Financial District. The project site is L-shaped and fronts both Pacific Avenue and Battery Street and is currently occupied by a parking lot and a one-story, approximately 15-foot-tall, building. Building heights in the project block vary from one to seven stories. West and northwest of the of the project site the height of existing buildings is generally four-six stories. The site is abutted to the east by an existing seven-story residential building. The terrain around the project is generally level with no slopes or substantial changes in grade.

### **Evaluation of Project Wind Effects**

The proposed seven-story building, as a whole, would be constructed so that its long axis is aligned approximately west to east. Therefore, the long axis of the building would be aligned along prevailing winds, which would minimize the amount of wind intercepted by western façade of the proposed building. An existing three-story building located at the corner of Pacific and Battery would remain, sheltering a good portion of the western façade of the proposed building. The northern façade of the proposed building would be partially sheltered by an existing two-story building, as well as larger three- to four-story buildings across the street on Battery Street.

For the prevailing wind directions (northwest through west), the project site is at least partially sheltered by existing structures. This means that only a few upper floors would be exposed to prevailing winds. The proposed project has a very complex shape with numerous cut-outs and setbacks forming terraces. Due to the complexity of the proposed façades, any wind accelerations generated by building would be light. Also, the location of adjacent buildings result in any wind accelerations occurring over the rooftop of adjacent buildings where they would not affect pedestrian spaces adjacent the project.

In summary, the project's exposure to prevailing winds would be limited due to shelter provided by existing buildings, as well as the proposed building's east-west alignment, complex design, and small dimensions. Further, the proposed project is not located within an area known to be affected by strong winds. In consideration of the exposure, massing and orientation of the proposed project, the wind evaluation concluded that the

proposed project would not have the potential to cause substantial changes to the existing wind environment in pedestrian areas adjacent or near the site.

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. Since the proposed project would not be substantially taller than nearby buildings, and the development in the project vicinity is generally of a low-rise nature, with nearby buildings not exceeding more than seven stories, the proposed project would not result in adverse effects on ground-level winds. In addition, the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the project site. Therefore, the proposed project would result in a less-than-significant wind impact.

In light of the above, the proposed project would result in less-than-significant impacts on wind in public areas.

**Impact WS-2: The proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)**

*Planning Code* Section 295, which was adopted in response to Proposition K (passed November 1984), mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the San Francisco Recreation and Parks Department (SFRPD) can only be approved by the Planning Commission (based on recommendation from the Recreation and Parks Commission) if the shadow is determined to be insignificant or not adverse to the use of the park. Within the vicinity of the project site, there are several existing parks and open space areas that are either privately-owned or under the jurisdiction of the SFRPD. These include the Sydney G. Walton Square (located at Pacific Avenue and Front Street), Maritime Plaza (located at Battery Street and Washington Street), Sue Bierman Park (located at Washington Street and Drumm Street), and the Transamerica Redwood Park (located at Sansome Street and Washington Street).

The proposed building would be 84 feet in height. To determine whether this proposed project would conform to Section 295, a shadow fan analysis was prepared by Planning

Department staff.<sup>69</sup> The shadow fan indicated that project shadows could not reach any site under Recreation and Park Commission jurisdiction. However, the shadow fan indicates that the proposed project could cast shadows on Sydney G. Walton Square, a publicly accessible open space that is not under the jurisdiction of the SFRPD. The shadow fan does not take into account the presence of intervening buildings or shadow already cast on this facility. In considering existing buildings adjacent to the project site, the existing seven-story residential building immediately adjacent at 733 Front Street already casts shadow on Sydney G. Walton Square, thus the proposed project would not cast any new shadow on this facility.

The proposed project would add new shade to portions of the project site as well as to surrounding properties. However, because of the height of the proposed building and the configuration of existing buildings in the vicinity, the net new shading that would result from the project's construction would be limited in scope, and would not increase the total amount of shading above levels that are common and generally accepted in urban areas. Due to the dense urban fabric of the city, the loss of sunlight on private residences or property is rarely considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

Therefore, the proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas, and this impact would be less than significant.

**Impact C-WS-1: The proposed project, in combination with other past, present, and reasonably foreseeable projects, would not result in cumulatively considerable impacts related to wind and shadow. (Less than Significant)**

Based on the discussion above, the proposed project's effects on wind and shadow would be limited. There are no nearby projects that are large enough (or of similar size to the proposed project) that their wind effects, in combination with wind effects of the proposed project, could result in a cumulative significant effect on pedestrian-level winds. The Wind Evaluation conducted for the proposed project concluded that with the addition of the proposed project, no new wind hazards would be created under cumulative conditions.

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<sup>69</sup> Christopher Espiritu, San Francisco Planning Department, Preliminary Shadow Fan Analysis. April 2015. This document is available for public review at the Planning Department, 1650 Mission Street, San Francisco, as part of Case No. 2013.1757E.

Therefore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable wind impact.

As previously described, the proposed project would not cast new shadow on parks protected by Section 295 such as Maritime Plaza and Sue Bierman Park. The proposed project would not be tall enough to cast new shadows that would interact with shadows of cumulative projects proposed nearby. Further, the proposed project would not contribute to a cumulative shadow impact on the public open spaces in the project vicinity. Thus the proposed project, in combination with other past, present, and reasonably foreseeable future projects proposed in the vicinity, would not result in a cumulatively considerable shadow impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would include the development of 33 residential units and approximately 2,009 square feet of ground-floor commercial uses on three existing parcels with one parcel containing an existing one-story commercial building. The new residents of the proposed project would be served by the San Francisco Recreation and Parks Department (SFRPD), which administers more than 220 parks, playgrounds, and open spaces throughout the City, as well as recreational facilities including recreation centers, swimming pools, golf courses, and athletic fields, tennis courts, and basketball courts.<sup>70</sup> The project site is located within an intensely developed urban neighborhood, and does not contain large regional park facilities, but includes a number of

<sup>70</sup> San Francisco Recreation and Parks Department. Available online at: [sfrecpark.org](http://sfrecpark.org). Accessed May 2015.

neighborhood parks and open spaces, as well as other recreational facilities. The 2014 Final Recreation and Open Space Element of the *San Francisco General Plan* identified areas of "high-need," which are given highest priority for the construction of new parks and recreation improvements. The project site is located within proximate distance to some medium- and higher- need areas, but are currently served by existing SFRPD facilities.

**Impact RE-1: The proposed project would not result in substantial increase in the use of existing parks and recreational facilities, the deterioration of such facilities, include recreation facilities, or require the expansion of recreational facilities, or physically degrade existing recreational resources. (Less than Significant)**

Within the vicinity of the project site, there are several existing parks and open space areas that are both privately-owned and under the jurisdiction of the SFRPD. These include:

- Sydney G. Walton Square (Pacific Avenue and Front Street): An approximately 1.66-acre privately-owned park, located approximately one block (300 feet) east of the project site.
- Maritime Plaza (Battery Street and Washington Street): An approximately 2.01-acre plaza, under the jurisdiction of the SFRPD, located approximately two blocks (800 feet) south of the project site.
- Sue Bierman Park (Washington Street and Drumm Street): An approximately 4.3-acre park, under the jurisdiction of the SFRPD, located approximately three blocks (900 feet) southeast of the project site
- Transamerica Redwood Park (Sansome Street and Washington Street): An approximately 1.92-acre privately-owned park, located approximately four blocks (900 feet) southwest of the project site.

The proposed project would provide passive recreational uses onsite for the residents, including 1,155 sq ft of common open space on the sixth and seventh floors and an additional 2,948 sq ft of private open space for 10 units out of the 33 total residences. The common open spaces on the sixth and seventh floors would be accessible only to building residents. In addition, residents of the proposed residential units would be within walking distance of the above-noted parks and open spaces.

Although the proposed project would introduce a new permanent population (approximately 71 residents) to the project site, the estimated number of new residents would not be large enough so as to substantially increase demand for or use of either neighborhood parks and recreational facilities (discussed above) or citywide facilities

such as Golden Gate Park, such that substantial physical deterioration would be expected. The estimated 71 new residential population on the site and the incremental on-site daytime population growth that would result from the proposed 2,009 sq ft ground-floor commercial use would not require the construction of new recreational facilities or the expansion of existing facilities. The proposed project would have a less-than-significant impact related to existing recreational facilities, and would not contribute substantially to cumulative effects.

**Impact C-RE-1: The proposed project, in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to recreational resources. (Less than Significant)**

Recreational facility use in the project area would likely increase with the development of the proposed project, especially in combination with other reasonably foreseeable residential and mixed-use development projects in the vicinity. However, each individual project would be subject to compliance with the City's open space requirements, as defined in the *Planning Code*. In addition, as described above, a number of public open space and recreational facilities exist in the vicinity of the project site. Thus, cumulative impacts on recreational resources would be less than significant.

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Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<b>10. UTILITIES AND SERVICE SYSTEMS— Would the project:</b>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is within an urban area that is served by utility service systems, including water, wastewater and storm water collection and treatment, and solid waste collection and disposal. The proposed project would add new daytime and nighttime population to the site that would increase the demand for utilities and service systems on the site, but not in excess of amounts expected and provided for in the project area.

**Impact UT-1: The proposed project would not significantly affect wastewater collection and treatment facilities and would not require or result in the construction of new stormwater drainage facilities, wastewater treatment facilities, or expansion of existing facilities. (Less than Significant)**

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 (Southeast Plant) provides wastewater and stormwater treatment and management for

the east side of the city, including the project site. No new sewer or stormwater facilities or construction would be needed to serve the proposed project. The proposed project would meet the wastewater pre-treatment requirements of the San Francisco Public Utilities Commission (SFPUC), as required by the San Francisco Industrial Waste Ordinance in order to meet Regional Water Quality Control Board requirements.<sup>71</sup> The proposed project would add residential units and commercial uses to the project site, which would incrementally increase the demand for wastewater and stormwater treatment services, but not in excess of amounts expected and provided for in the project area.

The project site is currently covered with impervious surfaces and the proposed project would not create any additional impervious surfaces, resulting in little effect on the total storm water volume discharged through the combined sewer system. While the proposed project would add to sewage flows in the area, it would not cause collection treatment capacity of the sewer system in the City to be exceeded. In light of the above, the proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. Because the project is fully developed at present, new development could not result in an increase in stormwater runoff. However, the project would be required to comply with the City's Stormwater Design Guidelines, and thus would reduce the total stormwater runoff volume and peak stormwater runoff rate, compared to existing conditions, through the use of Low Impact Design approaches and BMPs such as rainwater reuse, landscape planters, rain gardens, and green roofs. The SFPUC would review and approve the project's stormwater compliance strategy.

Therefore, the proposed project would not substantially increase the demand for wastewater and would result in a less-than-significant impact on wastewater treatment and storm drainage facilities.

**Impact UT-2: The proposed project would not require expansion or construction of new water supply or treatment facilities. (Less than Significant)**

The proposed project would add residential units and commercial uses to the project site, which would increase the demand for water on the site, but not in excess of amounts expected and provided for in the project area. Although the proposed project

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<sup>71</sup> City and County of San Francisco, Ordinance No. 19-92, *San Francisco Public Works Code*, Part II, Chapter X, Article 4.1 (amended), January 13, 1992.



would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated within anticipated water use and supply for San Francisco.<sup>72,73</sup> The proposed project would also be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the San Francisco Green Building Ordinance. The project site is not located within a designated recycled water use area, as defined in the Recycled Water Ordinance 390-91 and 393-94; thus, the project is not required to install a recycled water system. Since the proposed project's water demand could be accommodated by the existing and planned supply anticipated under the San Francisco Public Utilities Commission's (SFPUC's) 2010 Urban Water Management Plan (UWMP), as updated by the SFPUC's 2013 Water Availability Study, the proposed project would result in less-than-significant water service impacts.

**Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)**

Until 2016, San Francisco's solid waste would be disposed at the Altamont Landfill in Alameda County and is required to meet federal, state and local solid waste regulations. The Altamont Landfill currently has a permitted maximum disposal of 11,150 tons per day and is operating well below that capacity, at approximately 4,000 to 5,000 tons per day. In addition, the landfill has an annual solid waste capacity of 2,226,500 tons from the City and County of San Francisco. However, the landfill is well below its allowed capacity, receiving approximately 1.29 million tons of solid waste in 2007, the most recent data year available.

In 2016, San Francisco's contract with Waste Management (operator of the Altamont Landfill) would expire and the City's solid waste would be sent to the Hay Road Landfill, managed by Recology, located in unincorporated Solano County southeast of Vacaville.<sup>74</sup> The contract would cover the disposal of five million tons of solid waste which would occur over an estimated 13 to 15 years after 2016. The Recology Hay Road facility is permitted to receive up to 2,400 tons of solid waste per day, and the addition

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<sup>72</sup> San Francisco Public Utilities Commission (SFPUC), *2010 Urban Water Management Plan*, which includes county-wide demand projections through the year 2035, and compares water supply and demand. Available online at: <http://www.sfwater.org/Modules/ShowDocument.aspx?documentID=1055>, accessed May 2015

<sup>73</sup> SFPUC, 2013 Water Availability Study for the City and County of San Francisco. Available online at: <http://www.sfewers.org/modules/showdocument.aspx?documentid=3589>, accessed June 2015.

<sup>74</sup> San Francisco Department of Environment, Agreement for Disposal of SF Municipal Solid Waste at Recology Hay Road Landfill in Solano County. Accessed June 2015.

of the City's waste at current levels would increase the existing amount being received to approximately 1,851 tons per day. At this estimated rate of disposal, closure of the Hay Road Landfill under the current permitted capacity would occur in approximately 2041.

Although the proposed project would incrementally increase total waste generation from the City, the increasing rate of diversion through recycling and other methods would result in a decreasing share of total waste that requires deposition into the landfill. San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. Given this, and given the long-term capacity available at the Hay Road Landfill, the solid waste generated by project construction and operation would not result in the landfill exceeding its permitted capacity, and the project would result in a less-than-significant solid waste generation impact.

**Impact UT-4: The construction and operation of the proposed project would comply with all applicable statutes and regulations related to solid waste. (Less than Significant)**

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment showed the City generated approximately 870,000 tons of waste material in 2000. By 2010, that figure decreased to approximately 455,000 tons. Waste diverted from landfills is defined as recycled or composted. San Francisco has a goal of 75 percent landfill diversion by 2010 and 100 percent by 2020. As of 2009, 78 percent of San Francisco's solid waste was being diverted from landfills, having met the 2010 diversion target. Since 2007, waste diversion increased by 6 percentage points.<sup>75</sup>

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to

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<sup>75</sup> San Francisco Department of Public Health, Environmental Health Section. Available on the internet at [www.sustainablesf.org/indicators/view/4](http://www.sustainablesf.org/indicators/view/4). Accessed on May 2015.

separate their refuse into recyclables, compostables, and trash. With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's solid waste. The proposed project would meet both the construction and demolition debris diversion rate and the requirements of the Mandatory Recycling and Composting Ordinance, which requires all persons in San Francisco to separate recyclables, compostables and landfilled trash and participate in recycling and composting programs.

Therefore, in light of the above, the construction and operation of the project would result in a less-than-significant impact regarding compliance with all applicable statutes and regulations related to solid waste.

**Impact C-UT-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to utilities or service systems. (Less than Significant)**

Cumulative development in the project site vicinity would incrementally increase demand on citywide utilities and service systems, but not beyond levels anticipated and planned for by public service providers. Given that the City's existing service management plans address anticipated growth in the region, the proposed project would have a less-than-significant impact on utility service provision or facilities under cumulative conditions.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact PS-1: The proposed project would not result in a substantial increase in the demand for police service, and would not result in substantial adverse impacts associated with the provision of such services. (Less than Significant)**

In comparison with current uses on the project site, the proposed project would intensify uses on-site by the addition of a new 84-foot-tall, seven-story, mixed-use building 33 dwelling units and approximately 2,000 sq. ft. for ground-floor retail use. The intensification of use would incrementally increase the demand for police services in the project area. Police protection is provided by the Central Police Station located at 766 Vallejo Street (approximately 0.6 miles [3,000 feet] northwest of the project site). Although the addition of new uses on the project site could increase the demand for service calls received from the immediate area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in demand would not be substantial in light of the existing demand for police and fire protection services. The Central Police Station would be able to provide the necessary police services and crime prevention in the area. Meeting this additional service demand would not require the construction of new police facilities. Hence, the proposed project would have a less-than-significant impact on police services.

**Impact PS-2: The proposed project would not substantially increase demand for fire protection services, and would not result in substantial adverse impacts associated with the provision of such service. (Less than Significant)**

The project site receives fire protection services from the San Francisco Fire Department (SFFD). The nearest SFFD fire stations located in the vicinity of the project site include Fire Station 13, located at 530 Sansome Street (about 6 blocks [800 feet] away). Other nearby fire stations includes Fire Station 2 located at Powell Street and Pacific Avenue (about 0.6 miles from the site [3,000 feet]) and Fire Station 28 located at Stockton Street

and Greenwich Street (about 0.8 miles from the site [3,250 feet]). The proposed project would increase the demand for fire protection services within the project area. Although the proposed project would increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not be substantial in light of existing demand for fire protection services.

Traffic delays and added call volume may result for the SFFD, due to cumulative development in the project area; however, the SFFD is able to minimize potential impacts by shifting primary response duties to other nearby fire stations. Due to the construction of a new mixed-use building, the number of calls for services from the project site may be expected to increase. However, the increases would be incremental, funded largely through project-related increases to the City's tax base, and would not likely be substantial in light of the existing demand and capacity for fire suppression and emergency medical services in the City.

Furthermore, the proposed project would be required to comply with all applicable *Building and Fire Codes*, which establish requirements pertaining to fire protection systems, including, but not limited to, the provision of state-mandated smoke alarms, fire alarm and sprinkler systems, fire extinguishers, required number and location of egress with appropriate distance separation, and emergency response notification systems. Since the proposed project would be required to comply with all applicable *Building and Fire Codes*, and the proposed project would result in an incremental increase in demand, it would not result in the need for new fire protection facilities, and would not result in significant impacts to the physical environment. Therefore, the proposed project would have a less-than-significant impact on fire protection services.

**Impact PS-3: The proposed project would not directly or indirectly generate a substantial number of school students and there would not be a substantial impact on existing school facilities. (Less than Significant)**

The John Yehall Chin Elementary School, located at 350 Broadway, is the nearest public school in the vicinity of the project site (about 700 feet northwest of the site). Other nearby schools includes the following: Chinese Education Center Elementary School at 657 Merchant Street, about 1500 feet southwest of the project site; and the Garfield Elementary/Early Education School, located at 420 Filbert Street, or about 2,500 feet northwest of the project site. The proposed project, a mix of commercial and residential uses, would incrementally increase the number of school-aged children that would attend public schools in the project area. However, this increase would not exceed the

projected student capacities that are expected and provided for by the San Francisco Unified School District, as well as private schools in the project area. Therefore, the implementation of the proposed project would not necessitate the need for new or physically altered schools.

The San Francisco Unified School District (SFUSD) has experienced overall declines in enrollment in the last decade. However, beginning in 2008, the SFUSD saw kindergarten enrollments begin to increase, and anticipates continued growth of SFUSD enrollment. SFUSD projections from 2009 indicate that elementary school enrollment will increase by about 11 percent from 2008 to 2013. Given a small decline in enrollment from 2009 to 2010, and then continued enrollment growth after 2010, the SFUSD projects that enrollment levels in 2013 will still be lower than 2008 levels.<sup>76</sup> Thus, the SFUSD anticipates increases in students, and has adequate capacity for enrollment growth.

In addition, the proposed project would be subject to a citywide development impact fee, which requires a payment of \$2.91 per square foot of assessable space for residential development (\$0.24 per square foot of retail development) constructed within the SFUSD to be paid to the district.<sup>77</sup>

In summary, the proposed project would not result in a substantially increased demand for school facilities, and would not require new or expanded school facilities. The proposed project would thus result in a less-than-significant impact on school facilities.

**Impact PS-4: The proposed project would not substantially increase demand for government services, and there would not be a substantial impact on government facilities. (Less than Significant)**

The proposed project would incrementally increase demand for governmental services and facilities such as libraries; however, the project would not be of such a magnitude that the demand could not be easily accommodated without the need to construct or physically alter these existing facilities. Overall, the proposed project would have less-than-significant impacts on governmental services.

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<sup>76</sup> San Francisco Unified School District, Capital Plan FY 2010-2019, September 2009. Available online at <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/capital-plan-final-2010-2019.pdf>. Accessed May 2015.

<sup>77</sup> San Francisco Unified School District, Developer Impact Fee Annual and Five Year Reports for the Fiscal Year Ending June 30 2012, November 2013. Available online at [http://www.sfusd.edu/en/assets/sfusd-staff/files/SFUSD\\_AnnualFiveYearReport\\_FY1112\\_Final.pdf](http://www.sfusd.edu/en/assets/sfusd-staff/files/SFUSD_AnnualFiveYearReport_FY1112_Final.pdf). Accessed May 2015.

**Impact C-PS: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial cumulative impact to public services. (Less than Significant)**

The proposed project is not expected to incrementally increase demand for public services, especially not beyond levels anticipated and planned for by public service providers. Cumulative development in the project area would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, project-related impacts to public services would not be cumulatively considerable.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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"/>	<input 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is located in a developed area completely covered by impervious surfaces. The project area does not include riparian habitat or other sensitive natural communities as defined by the California Department of Fish and Wildlife and the United States Fish and Wildlife Service; therefore, Topic 12(b) is not applicable to the proposed project. In addition, the project area does not contain any wetlands as defined by Section 404 of the Clean Water Act; therefore Topic 12(c) is not applicable to the proposed project. Moreover, the proposed project does not fall within any local, regional or state habitat conservation plans; therefore, Topic 12(f) is not applicable to the proposed project.

**Impact BI-1: The proposed project would have no substantial impact on special status species, avian species, riparian, wetland, or sensitive natural communities, and would not conflict with an approved local, regional, or state habitat conservation plan. (Less than Significant)**

The proposed project is located within a fully developed urban area and does not support habitat for any rare or endangered wildlife or plant species. In addition, no riparian habitat or other sensitive natural communities exist on site. The proposed project would therefore have no impact on rare or endangered species, riparian habitat, or sensitive natural communities.

No rare, threatened, or endangered species are known to exist on-site or in the project vicinity. The lack of natural nesting habitats in urban areas tends to result in resident and migratory birds nesting in ornamental or street trees. Migrating birds do pass through San Francisco, but the project site does not contain habitat to support migrating birds. Nesting birds, their nests, and eggs are fully protected by *Fish and Game Code* (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). The proposed project would remove one existing tree on the project site and would be subject to the MBTA.

The removal of an existing tree located on the project site, as well as project-related demolition and construction activities could cause nest abandonment and death of young or loss of reproductive potential at active nests. Specific conditions for the treatment of bird nests would be required as a condition of the tree removal permit under Public Works Code Article 16. Demolition/construction activities would occur during the early part of the breeding season (May through August). The project sponsor would therefore conduct surveys for nesting birds prior to construction.



The project sponsor would implement the following protective measures to ensure implementation of the Migratory Bird Treaty Act and compliance with State regulations during construction. The project sponsor and/or the construction contractor(s) would trim/remove all vegetation/tree limbs necessary for project construction between September 1 to January 31. Should construction activities or vegetation removal commence between February 1 to August 31, pre-construction surveys for nesting birds would be conducted for any affected tree(s) located within the public right of way by a qualified biologist to ensure that no active nests would be disturbed during project implementation. A pre-construction survey would be conducted no more than 14 days prior to the initiation of demolition/construction activities. During this survey, the qualified person would inspect the street trees located within the public right of way and areas immediately adjacent to the project site for nests. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist, in consultation with the California Department of Fish and Game, would determine the extent of a construction-free buffer zone to be established around the nest until the young have fledged. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer would be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.

Compliance with the MBTA and adherence to the conditions under Public Works Code Article 16 would avoid significant impacts to any potential nesting birds. Therefore, this impact would be less than significant.

**Impact BI-2: The proposed project would not conflict with the City's local tree ordinance. (Less than Significant)**

The City's Urban Forestry Ordinance, *Public Works Code* Sections 801 et. seq., requires a permit from the Department of Public Works (DPW) to remove any protected trees. Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. There are currently no existing street trees located along the Pacific Avenue and Battery Street sidewalks adjacent to the project site. However, there is an existing significant tree located on the project site. This tree would be removed as part of the proposed project, and removal would require a permit from DPW. Further, the proposed project would include the installation of a total of seven street trees to comply with Section 138.1(c)(1) of the *Planning Code*, which requires that one tree be planted

every 20 feet of property frontage or payment of an in-lieu fee if the planting of a tree or trees is deemed infeasible by DPW and DBI. Because the proposed project would not conflict with the City's local tree ordinance, this impact would be less than significant.

**Impact C-BI-1: The proposed project in combination with other past, present or reasonably foreseeable projects, would not result in impacts to biological resources. (Less than Significant)**

As discussed above, the project site does not contain biological resources, with the exception of an existing tree on-site, and the project vicinity has few street trees, which do not provide a habitat for any identified endangered or threatened plant or animal species. Removal of the existing tree on the project site would be regulated by Article 16 of the Public Works Code and the MBTA. The project proposes tree replanting, and therefore would not contribute to cumulative tree losses, should they occur. The proposed project, would result in only minor, less-than-significant impacts on biological resources. When considered relative to the existing cumulative impact on biological resources caused by past development, the proposed project would add only a minor, incremental contribution. The proposed project's contribution would not be cumulatively considerable, and therefore the cumulative impact of the Proposed Project on biological resources would be less than significant.

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Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>	<input 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would connect to the City's sewer and stormwater collection and treatment system and would not use a septic water disposal system. Therefore, Topic 13e is not applicable to the project site.

The following section describes the geology, soils, and seismicity characteristics of the project site, and the overall vicinity, based on the information and findings provided in the Preliminary Geotechnical Evaluation prepared for the proposed project, unless

otherwise noted.<sup>78</sup> The Geotechnical Evaluation relied on available geotechnical data from the surrounding area to develop preliminary conclusions and recommendations, including soil sampling data (borings) conducted in 1969, 1981, and 1990 on adjacent lots to the west, north, and southwest of the project site, respectively.

**Impact GE-1: The proposed project would not result in exposure of people and structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, expansive soils, seismic ground-shaking, liquefaction, or lateral spreading. (Less than Significant)**

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known or potentially active fault exists on the project site. In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. The Geotechnical Evaluation found no evidence of active faulting on the project site and concludes that the risk of surface faulting at the project site is low. However, during an earthquake at any of the major area faults mentioned above, the project site would experience very strong ground shaking. Strong ground shaking during an earthquake can result in ground failure associated with soil liquefaction,<sup>79</sup> lateral spreading,<sup>80</sup> and cyclic densification.<sup>81</sup>

In terms of the potential for strong seismic ground shaking, the site is located within a 50-kilometer radius of several major active faults, including the San Andreas (13.5 km), San Gregorio (19.0 km), Hayward (15.5 km) and Calaveras (34.5 km). According to U.S. Geological Survey, the overall probability of moment magnitude 6.7 or greater earthquake to occur in the San Francisco Bay Region during the next thirty years is 63 percent. Therefore, there is potential that a strong to very strong earthquake would affect the project during its lifetime.

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<sup>78</sup> Langan, Treadwell, Rollo – Preliminary Geotechnical Evaluation, 240 Pacific Avenue and 720 Battery Street, San Francisco, California, January 20, 2014. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2013.1757E.

<sup>79</sup> Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

<sup>80</sup> Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

<sup>81</sup> Soil compaction, or cyclic densification, is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

ABAG has classified the Modified Mercalli Intensity Shaking Severity Level of ground shaking in the proposed project vicinity due to an earthquake on the North San Andreas Fault as "VIII-Very Strong."<sup>82</sup> Very strong shaking would result in damage to some masonry buildings, fall of stucco and some masonry walls, fall of chimneys and elevated tanks, and shifting of unbolted wood frame structures off their foundations. However, the *San Francisco Building Code* requires that the project applicant include analysis of the potential for strong seismic shaking as part of the final design-level geotechnical investigation.

Groundshaking associated with an earthquake on one of the regional faults around the project site may result in ground failure, such as that associated with soil liquefaction, lateral spreading, and differential compaction. The project site is near the border of an area of liquefaction potential, as shown in the Community Safety Element of the General Plan (Map 4, titled "Hazards Study Zones—Areas of Liquefaction Potential"). The project site is also near the border of an area subject to landslides (Map 5 in the Community Safety Element).<sup>83</sup> According to the Geotechnical Evaluation, the site and vicinity is generally underlain by nine to 19 feet of fill material over a weak compressible clay known locally as Bay Mud. Underlying the Bay Mud deposits are either bedrock or alluvial deposits consisting of medium dense to dense sand and stiff to very stiff clay underlain by bedrock. The top of the dense sand is about 33 feet below ground surface, with the underlying bedrock ranging from 25 to 50 below ground surface. The Geotechnical Evaluation concluded that the potential for liquefaction-induced settlement and lateral spreading at the project site is low. However, the sand layers below the surrounding sidewalks could experience earthquake-induced settlements of approximately 1 to 1½ inches.

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. Potential geologic hazards would be mitigated during the permit review process through these measures. To ensure compliance with all Building Code

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<sup>82</sup> Association of Bay Area Governments. Earthquake Hazard Map for San Francisco Scenario: Entire San Andreas Fault System, <http://www.abag.ca.gov/cgi-bin/pickmapx.pl>. Accessed on August 2015.

<sup>83</sup> City and County of San Francisco, Community Safety Element, *General Plan*, April 1997.

provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, potential damage to structures from geologic hazards on the project site would be avoided through DBI's requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code, and this impact would be less than significant.

**Impact GE-2: The proposed project site would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. (No Impact).**

Based on the official State of California Seismic Hazards Zone Map for San Francisco prepared under the Seismic Hazards Mapping Act of 1990,<sup>84</sup> the project site does not lie within an area subject to landslide (Map 4 of the Community Safety Element). Therefore, the proposed project would not result in landslide-related impacts.

**Impact GE-3: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)**

The project site is almost covered entirely with impervious surfaces and does not contain native top soil. Although excavation would occur for the proposed basement, compliance with standard erosion-control measures would ensure that the potential for erosion would be less-than-significant impact.

**Impact GE-4: The proposed project would not result in impacts to site topographical features. (No Impact)**

The topography in the project vicinity is relatively flat, with a gentle upward slope toward the northwest, and contains no unique topography. The proposed project would have no impact with respect to topographical features of the site.

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<sup>84</sup> The Seismic Hazards Mapping Act was developed to protect the public from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and from other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazards zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

**Impact GE-5: The proposed project would not change substantially the topography or any unique geologic or physical features of the site and would not directly or indirectly destroy a unique paleontological resource or site. (No Impact)**

The project site is flat, and implementation of the proposed project would not change the topography of the project site. The project site has been developed since the early 1900s, so there are no unique geologic or physical features on the project site that could be altered by implementation of the proposed project. In addition, there are no paleontological resources on the project site that could be destroyed by implementation of the proposed project. For these reasons, the proposed project would have no impact related to paleontological resources.

**Impact C-GE: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on geology and soils. (Less than Significant)**

The proposed project would result in no impact to topographical features, loss of topsoil or erosion, or risk of injury or death involving landslides. Geology impacts are generally site specific and in this setting would not have cumulative effects with other projects. Therefore, the project would not have a considerable contribution to related cumulative impacts. In addition, the building plans of planned and foreseeable projects would be reviewed by the Department of Building Inspection (DBI), and potential geologic hazards would be avoided during the DBI permit review process. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be less than significant.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is not within a 100-year flood hazard area and the project does not propose structures that would impede or redirect flood flows within a 100-year flood



hazard area. Therefore, Topics 14(g) and 14(h) do not apply. The project is not located in an area identified as subject to seiche or potential inundation in the event of a tsunami along the San Francisco coast, based on a 20-foot water level rise at the Golden Gate (Maps Five and Six of the Community Safety Element of the *San Francisco General Plan*). In addition, the developed area of the project site would not be subject to mudflow. Therefore, Topic 14(j) does not apply.

**Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements and would result in less-than-significant impacts to water quality. (Less than Significant)**

As discussed in Section E.10 (Utilities and Services), wastewater and stormwater from the project site would continue to flow into the City's combined stormwater and sewer system and would be treated to the 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. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. Additionally, as new construction, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Stormwater Management Ordinance (SFSMO) and meet the SFPUC stormwater management requirements per the Stormwater Design Guidelines. The project sponsor would be required to submit and have approved by the SFPUC a Stormwater Control Plan (SCP) that complies with the City's Stormwater Design Guidelines using a variety of BMPs. As is required of projects disturbing over 5,000 square feet of ground surface and located in the combined sewer system such as the proposed project the BMPs must meet the SFPUC performance requirements equivalent to LEED 6.1 and reduce the total stormwater runoff volume and peak runoff rate from the project site. The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Implementation of the SCP would ensure that the project meets performance measures set by the SFPUC related to stormwater runoff rate and volume. Therefore, the proposed project would not substantially degrade water quality and water quality standards or waste discharge requirements would not be violated. Thus, the project would have a less-than-significant impact on water quality resources.

**Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge, or otherwise substantially alter the existing drainage pattern of the site resulting in erosion or flooding on- or off-site. (Less than Significant)**

Construction of the proposed project would replace the existing impervious surface at the site with an equal amount of impervious surface area; therefore, the project would not result in any change in infiltration or runoff. Groundwater beneath the site has been estimated at a depth of approximately 10 feet below ground surface (bgs). However, the groundwater level would likely fluctuate with the season. Groundwater is not used as a drinking water supply in San Francisco. The proposed development would necessitate excavation to a maximum depth of approximately 15 feet bgs. If groundwater were encountered on-site, then dewatering activities would be necessary. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified of projects necessitating dewatering. The SFPUC may require water analysis before discharge. The project would be required to obtain a Batch Wastewater Discharge Permit from the SFPUC Wastewater Enterprise Collection System Division (WWE/CSD) prior to any dewatering activities. Groundwater encountered during construction of the proposed project would be subject to requirements of the Article 4.1 of the *Public Works Code*, Industrial Waste, requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. These measures would ensure protection of water quality during construction of the proposed project. Therefore, groundwater resources would not be substantially degraded or depleted, and the proposed project would not substantially interfere with groundwater recharge. Thus, the proposed project would have a less-than-significant impact on groundwater.

**Impact HY-3: The proposed project would not result in a substantial increase in risks from flooding. (Less than Significant)**

The project site is relatively flat, with the exception of the northern portion of the project site, which slopes down from an elevation of 5 ½ feet to 1 foot. The project site is not within a flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Maps. Therefore, potential flood hazard impacts would be less than significant.

**Impact C-HY-1: The proposed project in combination with other past, present, or reasonably foreseeable projects would not result in a cumulatively considerable contribution to a significant cumulative hydrology and water quality impact. (Less than Significant)**

As previously stated, the proposed project would have less-than-significant impacts to groundwater levels and existing drainage patterns. Because other development projects would be required to follow dust control and dewatering water quality regulations, similar to the proposed project, no significant cumulative effects would be anticipated and, because the project would have little effect, the proposed project would not contribute considerably to any such cumulative effects. Thus, cumulative hydrology and water quality impacts would be less than significant.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Topics 15(e) and 15(f) are not applicable.

**Impact HZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Less than Significant)**

The project would likely result in use of common types of hazardous materials typically associated with retail and residential uses, such as cleaning products and disinfectants. These products are labeled to inform users of their potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards resulting from hazardous materials. Thus, the project would result in less-than-significant impacts related to the use of hazardous materials.

**Impact HZ-2: The proposed project would create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)**

#### ***Potential Soil and Groundwater Contamination***

The project site is located in an area of San Francisco governed by Article 22A of the *Health Code*, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH).<sup>85</sup> The project would disturb more than 50 cubic yards of soil and would involve excavation of approximately 5,500 cubic yards of soil. Therefore, the project is subject to the Maher Ordinance. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of *Health Code* Section 22.A.6. The Phase I 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 DPH 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

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<sup>85</sup> San Francisco Planning Department, "Expanded Maher Area" Map, March 2015. Available online at: [http://www.sf-planning.org/ftp/files/publications\\_reports/library\\_of\\_cartography/Maher%20Map.pdf](http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf).

submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.<sup>86</sup>

The Phase I ESA included: (1) a reconnaissance-level site visit to look for evidence of the release(s) of hazardous materials and petroleum products and to assess the potential for onsite releases of hazardous materials and petroleum products; (2) observations of adjacent properties and the project site vicinity; (3) interviews with people familiar with the project site; (4) review of regulatory agency files; and (5) review of historical documents including aerial photographs and topographical maps. Further, the Phase I ESA included a review of environmental regulatory agency lists and records for the project site and vicinity to identify potential sources of or activities involving hazardous substances or petroleum products that might affect the soil and groundwater quality at the Site. These regulatory agency lists identify properties where underground storage tank (UST) leaks, chemical spills, or contamination of soil and/or groundwater have been reported and confirmed. The regulatory agency lists also include properties where above-ground or underground storage tanks are present, hazardous materials are generated and/or stored, and whether or not there has been an unauthorized release.

The project site is located in a fully developed area of San Francisco known as the Financial District. This area is generally dominated by commercial, light industrial and residential properties in the immediate vicinity and surrounding area. Of the two properties that make up the project site, the 720 Battery Street address was not listed in any of the regulatory databases. The 240 Pacific Avenue address was listed in several of the regulatory databases, including: State of California registered leaking underground storage tank (LUST), Statewide Environmental Evaluation and Planning System (SWEEPS), Underground Storage Tank (UST), California Facility Inventory Database (CA FID UST), and Environmental Data Resources (EDR Historical Auto Stations) lists. Online databases operated by the California Department of Toxic Substances Control (DTSC) and California Regional Water Quality Control Board (RWQCB) were researched and no files were available for the project site. Inquiries were made with regard to environmental files held at the San Francisco Department of Public Health (SFDPH) and the San Francisco Fire Department (SFFD) for the project site.

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<sup>86</sup> Langan, Treadwell, Rollo - *Phase I Environmental Site Assessment, 240 Pacific Avenue and 720 Battery Street, San Francisco, California*, February 6, 2014. This document is available for review as part of Case File No. 2013.1757E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

According to the regulatory database information and records retrieved from both the SFDPH and SFFD, a 500-gallon gasoline UST was suspected of having leaked when encountered during excavation activities in 1989. The UST was removed in July 1989, and disposed to H & H Ship Service in San Francisco, California. Because the original UST removal report was not submitted, the responsible party chose to drill five soil borings and collect two groundwater samples on the property in the vicinity of the UST. Analysis of the soil samples from varying depths and groundwater resulted in non-detectable levels of total petroleum hydrocarbons as gasoline (TPHg), benzene, toluene, ethyl benzene, xylenes (BTEX), and methyl tertiary butyl ether (MTBE). Total lead levels were detected at 2,500 parts per million (ppm) but are not believed to be caused by the LUST, but the earthquake debris/fill material within the soil profile. Administrative case closure was granted by the SFDPH - Local Oversight Program (SFDPH-LOP) on August 16, 2004, with no additional investigations required.

The Phase I ESA identified one Recognized Environmental Condition (REC) associated with the project site that indicates a potential for residual contamination to be present at the site. Based on analytical results from previous environmental investigations performed at the project site, the fill material below the site contains elevated concentrations of lead and other residual hydrocarbons that exceeded the State of California hazardous waste criteria and petroleum hydrocarbons. The fill material beneath the project site is typical in this area of San Francisco. Special soil handling and/or sampling will likely be required during any construction activities. The Phase I ESA recommended that a soil management plan (SMP) and a health and safety (H&S) plan be required prior to construction because of the hazardous materials detected at the project site. The SMP would provide recommended measures to mitigate the long-term environmental or health and safety risks caused by the presence of hazardous materials in the soil. The SMP would also contain contingency plans to be implemented during soil excavation if unanticipated hazardous materials are encountered. The H&S plan would outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.

DPH will review and comment on the soil sampling report. The proposed project would be required to remediate soil contamination described above in accordance with Article 22A of the *Health Code*. Thus, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and the proposed project would result in a less-than-significant impact.

### ***Hazardous Building Materials***

Given the age of the existing one-story commercial building located on the project site (constructed in 1911), the building may contain hazardous building materials, including asbestos-containing materials, lead-based paint, and polychlorinated biphenyls (PCBs), bis (2-ethylhexyl) phthalate (DEHP), and mercury. Electrical equipment may contain PCBs, while fluorescent light ballasts may contain PCBs or DEHP, and fluorescent light tubes generally contain mercury vapors. All of these materials were commonly employed until the second half of the 20th century, and were still in use at the time the building was constructed. During building demolition, workers and the public could be exposed to hazardous building materials if they were not abated prior to demolition. However, as discussed below, there is a well-established regulatory framework for the abatement of asbestos-containing materials and lead-based paint, and impacts related to exposure to these hazardous building materials would be less than significant with compliance with regulatory requirements. Impacts related to exposure to other hazardous building materials would be potentially significant but could be mitigated to a less-than-significant level.

**Asbestos Containing Materials.** Section 19827.5 of the *California Health and Safety Code* requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and must be notified ten days in advance of any proposed demolition or abatement work. Notification includes the following:

- the names and addresses of operations and persons responsible;
- a description and location of the structure to be demolished/altered including size, age and prior use;
- the approximate amount of friable asbestos that would be removed or disturbed;
- the scheduled starting and completion dates of demolition or abatement;
- the nature of the planned work and methods to be employed;
- the procedures to be employed to meet BAAQMD requirements; and
- the name and location of the waste disposal site to be used.



The District randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation when a complaint has been received.

The local office of the State Occupational Safety and Health Administration (Cal-OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.17 where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, DBI would not issue the required permit until the applicant has complied with the notice and abatement requirements described above.

These regulations and implementation of the required procedures during the development process would ensure that any potential impacts due demolition or renovation of structures with asbestos-containing materials would be less than significant.

**Lead-based Paint.** Work that could result in disturbance of lead paint must comply with Section 3425 of the *San Francisco Building Code*, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to 1979, Section 3425 requires specific notification and work standards, and identifies prohibited work methods and penalties. (The reader may be familiar with notices commonly placed on residential and other buildings in San Francisco that are undergoing re-painting. These notices are generally affixed to a drape that covers all or portions of a building and are a required part of the Section 3425 notification procedure.)

Section 3425 applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and child care centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the U.S. Department of Housing and Urban Development Guidelines (the most recent

Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The ordinance also includes notification requirements and requirements for signs. Prior to the commencement of work, the responsible party must provide written notice to the Director of DBI, of the address and location of the project; the scope of work, including specific location within the site; methods and tools to be used; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, owner-occupied or rental property; the dates by which the responsible party has fulfilled or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include a Posted Sign notifying the public of restricted access to the work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Notice of Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3425 contains provisions regarding inspection and sampling for compliance by DBI, as well as enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

Demolition would also be subject to the Cal/OSHA Lead in Construction Standard (8 CCR Section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA would require 24-hour notification if more than 100 square feet of materials containing lead would be disturbed.

Implementation of procedures required by Section 3425 of the *Building Code* and the Lead in Construction Standard would ensure that potential impacts of demolition or renovation of structures with lead-based paint would be less than significant.

**Other Hazardous Building Materials.** Other hazardous building materials that could be present include electrical transformers that could contain PCBs, fluorescent light ballasts that could contain PCBs or DEHP, and fluorescent light tubes that could contain mercury vapors. Disruption of these materials could pose health threats for construction workers if not properly disposed of, a potentially significant impact. However, implementation of **Mitigation Measure M-HZ-2, Hazardous Building Materials Abatement**, would require that the presence of such materials be evaluated prior to demolition or renovation and, if such materials were present, that they be properly handled during removal and building demolition or renovation. This would reduce the potential impacts of exposure to these hazardous building materials to a less-than-significant level.

#### **Mitigation Measure M-HZ-2—Hazardous Building Materials Abatement**

The project sponsor shall ensure that, prior to demolition, the building is surveyed for hazardous building materials including, electrical equipment containing polychlorinated biphenyl (PCBs), fluorescent light ballasts containing PCBs or bis (2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition. Light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs and in the case where the presence of PCBs in the light ballast cannot be verified, they shall be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations. Any other hazardous building materials identified either before or during demolition shall be abated according to federal, state, and local laws and regulations.

Implementation of Mitigation Measure M-HZ-2 would reduce impacts related to exposure to hazardous building materials during demolition to a less-than-significant level.

**HZ-3: The proposed project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school. (Less than Significant)**

The project site is located within a quarter-mile from schools including the John Yehall Chin Elementary School (350 Broadway), about 700 feet northwest of the site, the Chinese Education Center Elementary School (657 Merchant Street), about 1500 feet southwest of the project site, and the Garfield Elementary/Early Education School (420 Filbert Street), about 2,500 feet northwest of the project site.

The proposed project would not store, handle, or dispose of significant quantities of hazardous materials and would not otherwise include any uses that would include emissions of hazardous substances. In addition, any hazardous materials on the site, such as soil to be excavated during project construction, would be handled in compliance with the SMP discussed above. Thus, the proposed project would have a less-than-significant impact related to hazardous emissions or materials within a quarter-mile of a school.

**Impact HZ-4: The proposed project is not included on a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5. (No Impact)**

The project site is not on any available environmental databases as compiled by the California Department of Toxic Substances Control (DTSC) or the State Water Resources Control Board pursuant to *Government Code* Section 65962.5. The project site is not listed in database reports from state and federal regulatory agencies that identify businesses and properties that handle or have released hazardous materials or waste. The proposed project would have no impact related to this criterion.

**Impact HZ-5: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires, nor interfere with the implementation of an emergency response plan. (Less than Significant)**

San Francisco ensures fire safety primarily through provisions of the *Building and Fire Codes*. Final building plans would be reviewed and approved by the San Francisco Fire Department (as well as the Department of Building Inspection), to ensure conformance with these provisions. In this way, potential fire hazards, including those associated with hydrant water pressures and emergency access, would be mitigated during the permit review process.

The implementation of the proposed project could add incrementally to congested traffic conditions in the immediate area in the event of an emergency evacuation. However, the proposed project would have a contribution to traffic conditions that would not be substantial within the context of the dense urban setting of the project site and it is expected that project-related traffic would be dispersed within the existing street grid, such that there would be no significant adverse impacts on nearby traffic conditions. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan and this impact would be less than significant.

**Impact C-HZ-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to hazardous materials. (Less than Significant)**

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts. Any identified hazards at nearby sites would be subject to the same safety or remediation requirements discussed for the proposed project above, which would reduce any hazard effects to less-than-significant levels. As such, the proposed project would not combine with other project to cause cumulative impacts related to hazardous materials. Therefore, the proposed project would have less than significant impacts related to hazards and hazardous materials.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<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"/>	<input 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"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact ME-1: The proposed project would have no impact on mineral resources. (No Impact)**

All land in the City of San Francisco, including the project site, is designated by the CGS as Mineral Resource Zone (MRZ) Four under the Surface Mining and Reclamation Act of 1975. The MRZ-4 designation indicates that adequate information does not exist to assign the area to any other MRZ; thus, the area is not one designated to have significant mineral deposits. The project site has previously been developed, and future evaluations of the presence of minerals at this site would therefore not be affected by the proposed project. Further, the development and operation of the proposed project would not have an impact on any off-site operational mineral resource recovery sites.

In addition, because the site has been designated as having no known mineral deposits, the proposed project would not result in the loss of availability of a locally- or

regionally- important mineral resource, and would have no impact on mineral resources.

**Impact ME-2: The proposed project would result in increased energy consumption, but not in large amounts or in a wasteful manner. (Less than Significant)**

The proposed project would add new retail and residential uses, and an increased intensity of use, to the project site, although, not to an extent that exceeds anticipated growth in the area. As a new building in San Francisco, the proposed project would be subject to the energy conservation standards included in the San Francisco Green Building Ordinance (SFGBO), which would require the project to meet a number of conservation standards. Documentation showing compliance with the SFGBO would be submitted with the application of the building permit, and would be enforced by the Department of Building Inspection.

In summary, the proposed project would not cause a wasteful use of energy, and effects related to use of fuel, water, or energy would be less than significant.

**Impact C-ME-1: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than significant impacts to mineral and energy resources. (Less than Significant)**

No known minerals exist in the project site or in the vicinity, as all of the City of San Francisco falls within MRZ-4, as described above. Therefore, the proposed project would not contribute to any cumulative impact on mineral resources.

While statewide efforts are being made to increase power supply and to encourage energy conservation, the demand for energy created by the proposed project would be insubstantial in the context of the total demand within San Francisco and the state, and would not require a major expansion of power facilities. Thus, the energy demand that would be created by the proposed project would not contribute to a cumulative impact, and in cumulative conditions the proposed project would result in less-than-significant impacts on mineral and energy resources.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<b>17. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
<b>—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"/>	<input 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"/>	<input 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"/>	<input 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"/>	<input 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"/>	<input type="checkbox"/>

**Impact AF-1: The proposed project would not convert farmland, conflict with existing zoning for agricultural uses or forest land, and would not result in the loss or conversion of forest land. (No Impact)**

The project site is located within an urbanized area of San Francisco. No land in San Francisco County has been designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as agricultural land. Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not require the conversion of any land designated as prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project would not conflict with any existing agricultural zoning or Williamson

Act contracts.<sup>87</sup> No land in San Francisco is designated as forest land or timberland by the State *Public Resource Code*. Therefore, the proposed project would not conflict with zoning for forest land, cause a loss of forest land, or convert forest land to a different use. The proposed project would therefore have no impact on agricultural and forest resources.

**Impact C-AF-1: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in a cumulatively considerable contribution to a significant cumulative impact to agricultural and forest resources. (No Impact)**

As described above, the proposed project would have no impact with respect to agriculture and forestry resources; therefore, the proposed project would not contribute to any cumulatively considerable impact to agricultural and forest resources.

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<sup>87</sup> San Francisco is identified as "Urban and Built-Up Land" on the California Department of Conservation Important Farmland in California Map, 2008. Available online at [www.consrv.ca.gov](http://www.consrv.ca.gov). Accessed on April 2015.



Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE— Would the project:</b>					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing analysis identifies potentially significant impacts to archeological resources, noise, and hazards and hazardous materials, which would all be mitigated through implementation of mitigation measures identified below and described within Section E.

- a) As discussed in the various topics in this Initial Study, the proposed project is anticipated to have less-than-significant impacts on the environmental topics discussed. The project, however, could have potentially significant impacts resulting from disturbance to archeological resources, construction noise and vibration, and exposure to hazardous building materials during construction. These impacts would be mitigated through implementation of Mitigation Measures M-CP-2 (Archeological Resources (Testing)), M-CP-5a (Protect Historical Resources from Adjacent Construction Activities) and M-CP-5b (Construction Monitoring Program for Historical Resources), M-NO-2a (General Construction Noise Control Measures) and M-NO-2b (Noise Control Measures During Pile Driving), and M-HZ-2 (Hazardous Building Materials Abatement), to less-than-significant levels, as described within Section E.

- b) The proposed project in combination with the past, present and foreseeable projects as described in Section E, would not result in cumulative impacts to land use, population and housing, transportation and circulation, noise, air quality, GHG emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural and forest resources.
- c) The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning) would be generally consistent with local and zoning requirements. Mitigation Measures M-CP-2 (Archeological Resources (Testing)) and M-HZ-2 (Hazardous Building Materials Abatement) would address cultural resources and hazardous materials impacts. Mitigation Measures M-CP-5a (Protect Historical Resources from Adjacent Construction Activities) and M-CP-5b (Construction Monitoring Program for Historical Resources), M-NO-2a (General Construction Noise Control Measures) and M-NO-2b (Noise Control Measures During Pile Driving) would address construction-related impacts. Implementation of these mitigation measures would reduce any direct and indirect impact to human beings due to construction, and the release of hazardous materials to less-than-significant levels.

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## **F. MITIGATION MEASURES AND IMPROVEMENT MEASURES**

The following mitigation measures have been identified to reduce potentially significant impacts resulting from the proposed project to less-than-significant levels. Accordingly, the project sponsor has agreed to implement all mitigation measures described below. No improvement measures have been identified for this project.

### **Mitigation Measure M-CP-2: Archeological Resources (Testing)**

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the Planning Department ("Department") pool of qualified archaeological consultants as provided the Department archaeologist. 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 and with the requirements of the project archeological research design and treatment plan (WSA. *Archeological Research Design/Treatment Plan 240 Pacific Avenue Project*, September 2015) at the direction of the Environmental Review Officer (ERO). In instances of inconsistency between the requirement of the project archeological research design and treatment plan and of this archeological mitigation measure, the requirements of this archeological mitigation measure shall prevail. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. 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). In addition, the tribal cultural resource consulting Ohlone Native American tribal representative for this project shall be given the opportunity to review and comment on the draft 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, driving of piles (foundation, shoring, etc.), 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 driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the

archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall 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. A legally-recognized Ohlone Native American tribal representative<sup>88</sup> shall be present and monitor any data recovery activities related to a prehistoric and/or Native American site.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.

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<sup>88</sup> A "legally-recognized" Ohlone Native American tribal representative monitor means and only means those persons or groups recognized by the California Native American Heritage Commission as Native American tribal representative contacts for the City and County of San Francisco and of Ohlone tribal descent themselves.

- *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.
- *Tribal Cultural Resource Photographic Record.* Recommended process for preparation of digital photographs of any prehistoric or Native American material that qualifies as tribal cultural resources recovered during the archeological data recovery program and distribution of those photographs to the consulting Native American tribal representative.

*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, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical

significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the 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 Analysis division of the Planning Department shall receive two copies (bound and unbound) of the FARR and one unlocked, searchable PDF copy on a compact disk. MEA shall receive a copy 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. A digital photographic record shall be made of any prehistoric/Native American material recovered from the project site determined to be a tribal cultural resource. The tribal cultural resource photographic record shall be submitted to the project tribal cultural resource consultation Ohlone/Native American representative(s), the ERO, the NWIC, and the curation facility accessioning the archeological collection. A notice of the availability of this photographic record shall be sent to legally-recognized Ohlone/Native American tribal representatives for San Francisco. 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.

#### **Mitigation Measure M-CP-4: Tribal Cultural Resources Interpretive Program**

If the Environmental Review Officer (ERO) determines that preservation-in-place of previously unidentified archeological resources pursuant to Mitigation Measure M-CP-2, Archeological Testing, is not a sufficient or feasible option, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR), the Project Sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans,

artifacts displays and interpretation, and educational panels or other informational displays.

**Mitigation Measure M-CP-5a: Protect Historical Resources from Adjacent Construction Activities.**

The project sponsor shall consult with Planning Department environmental planning/preservation staff to determine whether adjacent or nearby buildings constitute historical resources that could be adversely affected by construction-generated vibration. For purposes of this measure, nearby historic buildings shall include those within 100 feet of a construction site if pile driving would be used in a subsequent development project; otherwise, it shall include historic buildings within 25 feet if heavy equipment would be used on the subsequent development project. (No measures need be applied if no heavy equipment would be employed.) If one or more historical resources is identified that could be adversely affected, the project sponsor shall incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to adjacent and nearby historic buildings. Such methods may include maintaining a safe distance between the construction site and the historic buildings (as identified by the Planning Department preservation staff), using construction techniques that reduce vibration, appropriate excavation shoring methods to prevent movement of adjacent structures, and providing adequate security to minimize risks of vandalism and fire.

**Mitigation Measure M-CP-5b: Construction Monitoring Program for Historical Resources.**

For those historical resources identified in Mitigation Measure M-CP-5a, and where heavy equipment would be used on a subsequent development project, the project sponsor of such a project shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not



be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice, to the extent feasible. (For example, pre-drilled piles could be substituted for driven piles, if feasible based on soils conditions; smaller, lighter equipment might be able to be used in some cases.) The consultant shall conduct regular periodic inspections of each building during ground-disturbing activity on the project site. Should damage to either building occur, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the site.

#### **Mitigation Measure M-NO-2a: General Construction Noise Control Measures**

To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor shall undertake the following:

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).
- The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically

powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.

- The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to, performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

#### **Mitigation Measure M-NO-2b: Noise Control Measures During Pile Driving**

For individual projects within the Draft Plan Area and Adjacent Parcels that require pile driving, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. These attenuation measures shall include as many of the following control strategies as feasible:

- The sponsor of a subsequent development project shall require the construction contractor to erect temporary plywood noise barriers along the boundaries of the project site to shield potential sensitive receptors and reduce noise levels by 5 to

10 dBA, although the precise reduction is a function of the height and distance of the barrier relative to receptors and noise source(s);

- The sponsor of a subsequent development project shall require the construction contractor to implement “quiet” pile-driving technology (such as pre-drilling of piles, sonic pile drivers, and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- The sponsor of a subsequent development project shall require the construction contractor to monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- The sponsor of a subsequent development project shall require that the construction contractor limit pile-driving activity to result in the least disturbance to neighboring uses.

#### **Mitigation Measure M-HZ-2—Hazardous Building Materials Abatement**

The project sponsor shall ensure that, prior to demolition, the building is surveyed for hazardous building materials including, electrical equipment containing polychlorinated biphenyl (PCBs), fluorescent light ballasts containing PCBs or bis (2-ethylhexyl) phthalate (DEHP), and fluorescent light tubes containing mercury vapors. These materials shall be removed and properly disposed of prior to the start of demolition. Light ballasts that are proposed to be removed during renovation shall be evaluated for the presence of PCBs and in the case where the presence of PCBs in the light ballast cannot be verified, they shall be assumed to contain PCBs, and handled and disposed of as such, according to applicable laws and regulations. Any other hazardous building materials identified either before or during demolition shall be abated according to federal, state, and local laws and regulations.

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#### **G. PUBLIC NOTICE AND COMMENT**

On May 27, 2015, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially interested parties. Several individuals requested to be notified when official determinations regarding the project were published. One individual expressed concern regarding noise and air quality effects during construction. Analysis of construction impacts due to the proposed project are discussed in Topic 6 (Noise) and Topic 7 (Air Quality) of this Initial Study. No other comments were received.

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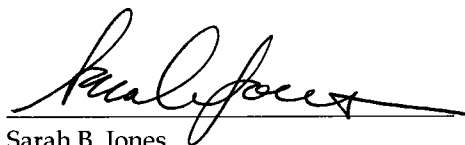
#### **H. COMMENTS RECEIVED IN RESPONSE TO THE PMND**

A "Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration" was mailed on October 21, 2015, to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Two members of the public provided comments to staff and requested to be included in future mailings or notices. Both public comments received regarding physical environmental effects were related to (1) requested revisions to Mitigation Measure M-CP-2; and (2) construction-related concerns on nearby historic buildings. These comments have been addressed under the Topic 3, Cultural Resources, in Section E, Evaluation of Environmental Effects. Comment (1) has been addressed under Impact Section CP-2 and CP-4. Comment (2) has been addressed under Impact Section CP-5. No other comments were received.

## **H. J. DETERMINATION**

On the basis of this Initial Study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.



Sarah B. Jones  
Environmental Review Officer  
for  
John Rahaim  
Director of Planning

DATE December 4, 2015

**I. K. Initial Study Preparers**

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