



TENTATIVE MAP DECISION

Date: April 18, 2016

Department of City Planning
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

Project ID: 9019			
Project Type: 39 Residential and 2 Commercial Mixed use New Construction Condominium Project			
Address#	StreetName	Block	Lot
119	07TH ST	3726	103
Tentative Map Referral			

Please review and respond to this referral within 30 days in accordance with the Subdivision Map Act.

Sincerely,

James Ryan	Digitally signed by: James Ryan DN: CN = James Ryan C = US O = CCSF OU = DPW Date: 2016.04.19 14:05:04 -08'00'
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for, Bruce R. Storrs, P.L.S.
 City and County Surveyor

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class , CEQA Determination Date , based on the attached checklist.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

PLANNING DEPARTMENT

Signed **Andrew W. Perry** Digitally signed by Andrew W. Perry
 DN: dc=org, dc=slgov, dc=cityplanning, ou=CityPlanning,
 ou=Current Planning, cn=Andrew W. Perry,
 email=Andrew.Perry@slgov.org
 Date: 2016.06.09 13:54:17 -07'00'

Date **6/9/2016**

Planner's Name **Andrew Perry**
 for, Scott F. Sanchez, Zoning Administrator



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.0673E
 Project Address: 119 7th Street
 Zoning: MUG (Mixed Use, General) Zoning District
 85-X Height and Bulk District
 Block/Lot: 3726/103
 Lot Size: 8,084 square feet
 Plan Area: Eastern Neighborhoods Area Plan, Eastern SoMa Subarea
 Project Sponsor: John Kevlin – Reuben, Junius & Rose, LLP; (415) 567-9000
 Staff Contact: Christopher Espiritu – christopher.espiritu@sfgov.org; (415) 575-9022

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PROJECT DESCRIPTION:

The proposed project would include the construction of a new eight-story mixed-use building with thirty-nine (39) dwelling units, twenty-four (24) off-street parking spaces, forty-six (46) bicycle parking spaces, and approximately 2,423 square feet (sq ft) for two ground-floor retail spaces. The approximately 8,084 square-foot (sq ft) project site is currently used as an existing surface parking lot. The new building would be approximately 59,133 gross-square-feet and 85-feet tall. The project site is located on a corner lot, bounded by Mission Street to the north, Minna Street to the south, 6th Street to the east, and 7th Street to the west, within the South of Market neighborhood.

(Continued on next page.)

EXEMPT STATUS:

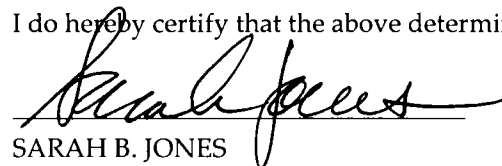
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

REMARKS:

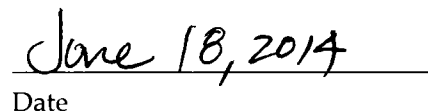
(See next page.)

DETERMINATION:

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


 SARAH B. JONES

Environmental Review Officer


 Date

cc: John Kevlin, Project Sponsor; Supervisor Supervisor Jane Kim, District 6; Richard Sucre, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued):

The proposed project would consist of two ground floor retail spaces, a subsurface level garage, thirty-nine (39) dwelling units, and a roof deck for common open space, as well as common open space area at the podium level in the rear yard. The dwelling unit mix includes twenty-two (22) one-bedroom units and seventeen (17) two-bedroom units. Main access to the dwelling units would be from a ground floor lobby on Minna Street. A secondary entrance, as well as direct entrance to ground-floor retail unit, would be located on 7th Street. Vehicle access to the subsurface parking garage would be located on Minna Street. In addition, the proposed project would include 40 Class I bicycle parking spaces and 6 Class II bike parking spaces would be provided in the basement-level garage.

Project Approval

The proposed project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*) – The proposed project would require a Large Project Authorization under Section 329 for mixed-use developments within Eastern Neighborhoods and modifications for Planning Code requirements such as Rear Yard (Section 134), Permitted Obstructions (Section 136), Exposure (Section 140), and Accessory Off-street Parking (Section 329(d)).
- **Site Permit** (*Department of Building Inspection*). The proposed project would require approval from DBI for a site permit.

While the proposed project requires multiple approvals, the overall development would be collectively reviewed by the Planning Commission. Approval Action for the proposed project would be granted through the approval of the Large Project Authorization under the Planning Code Section 329. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

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

This determination evaluates the potential project-specific environmental effects peculiar to the 119 7th Street project described above, and incorporates by reference information contained within the Eastern

Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048), which is the underlying EIR for the proposed project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" to) the proposed project.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR. This determination does not identify new or additional information that would alter the conclusions of the FEIR. In addition, this determination identifies mitigation measures contained in the FEIR that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the FEIR as well as an evaluation of potential environmental effects are provided in the Community Plan Exemption (CPE) Checklist for the proposed project.¹

BACKGROUND:

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

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods FEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

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

The Eastern Neighborhoods FEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused

¹ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2012.0673E.

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

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

largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the FEIR.

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to MUG (Mixed Use - General) District. The MUG District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. Also, the MUG District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the CPE Checklist, under Land Use. The 119 7th Street site, which is located in the South of Market District of the Eastern Neighborhoods, was designated as a site with a height limit of 85 feet.

APPLICABILITY:

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

This determination concludes that the proposed project at 119 7th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods FEIR. This determination also finds that the Eastern Neighborhoods FEIR adequately anticipated and described the impacts of the proposed 119 7th Street project, and identified the mitigation measures applicable to the 119 7th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{4,5} Therefore, no further CEQA evaluation for the 119 7th Street project is

⁴ Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 119 7th Street, May 13, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0673E.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 119 7th Street, May 13, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0673E.

required. In sum, the Eastern Neighborhoods FEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING:

The project site, which is located on a corner lot on the north side of 7th Street between Mission and Minna streets, is in the South of Market neighborhood. Existing uses near the project site consists of mostly four- to six-story hotel buildings, with ground floor commercial uses, located to the south and east of the project site. Directly to the west of the project site is a five-story mixed-use building located on 7th Street and Mission. The tallest building in the vicinity of the project site is the San Francisco Federal Building (18-stories), located approximately one and a half blocks to the west of the project site. Currently, there are no buildings under construction in the immediate surroundings of the project site. The project site, similar to other parcels surrounding the project site, is zoned MUG. The project site has a height and bulk limit of 85-X, while surrounding parcels range from 45-X, 55-X, 65-X, and 85-X.⁶

POTENTIAL ENVIRONMENTAL EFFECTS:

The Eastern Neighborhoods FEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed 119 7th Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods FEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 119 7th Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods FEIR.

Significant and unavoidable impacts were identified for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. Land use impacts were related to the cumulative loss of existing PDR (Production, Distribution, and Repair) space due to the implementation of the Eastern Neighborhoods Area Plan. As a result of the adoption of the Plan, the project site and immediate area were rezoned to MUG and a mix of uses including residential use was anticipated. The proposed project would not contribute to this significant land use impact, since the project site is currently used as a vacant parking lot. Therefore, the proposed project would not result in significant impacts related to land use that were not identified than what was analyzed in the FEIR. The proposed project would generate 26 p.m. peak hour vehicle trips that would pass through an intersection (7th Street and Brannan Street) that was projected to operate at an unacceptable level-of-service (LOS) as a result of implementation of the Eastern Neighborhoods Area Plan. However, this intersection is located greater

⁶ Height and bulk districts of 45-X, 55-X, 65-X, and 85-X, as established by Planning Code Section 250, states that proposed developments for lots located in these height and bulk districts would not exceed building heights of 45, 55, 65, and 85 feet, respectively. Lots located in districts with an "X" bulk limit designation, have a maximum width for the base of the proposed building of approximately 55 to 65 feet (identified as the lowest portion of the building extending vertically to a streetwall height, per Section 270 of the Planning Code).

than a ¼-mile from the project site and while this intersection is one of three identified in the Eastern SoMa subarea to result in significant and unavoidable transportation and circulation impacts, the project-generated 26 p.m. peak hour vehicle trips would not considerably contribute to the significant traffic impacts that were identified in the FEIR. The proposed project would not considerably contribute to significant and unavoidable historic resource impacts identified in the FEIR, as the project site was determined to be ineligible for inclusion in national, state, or local historic registers and determined not to be a historic resource through the South of Market Historic Resource Survey. Lastly, the proposed project would not cast new shadow on parks and open spaces under the jurisdiction of the Recreation and Parks Department, as determined by the Planning Department. Therefore, the proposed project would not contribute to significant and unavoidable shadow impacts identified in the FEIR.

The Eastern Neighborhoods FEIR identified feasible mitigation measures to address significant impacts related to: Noise (F-1, F-2, F-3, F-4, F-5, and F-6), Air Quality (G-1, G-2, G-3, and G-4), Archeological Resources (J-1, J-2, and J-3), Historical Resources (K-1, K-2, and K-3), Hazardous Materials (L-1), and Transportation (E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, and E-11).

As analyzed and discussed in the CPE Checklist, the following mitigation measures identified in the FEIR do not apply to the proposed project. Mitigation Measures related to Noise (F-1 and F-5) do not apply to the project. Mitigation Measure F-1 addresses construction techniques that generate excessive noise, such as pile-driving; however, construction of the proposed project would not involve pile-driving or other construction techniques that generate excessive noise. Mitigation Measure F-5 does not apply to the project as it addresses impacts related to projects that include new noise-generating uses. The proposed project would include the construction of a new mixed-use building and would not include commercial, industrial, or other uses that would be expected to generate noise levels in excess of ambient noise, either short-term, at night-time, or as a 24-hour average, within the project vicinity. Mitigation Measures related to Air Quality (G-1, G-3, and G-4) would not apply to the proposed project that is not located in an Air Pollutant Exposure Zone. Mitigation Measure G-1 has been superseded by the San Francisco Dust Control Ordinance. Mitigation Measures G-3 and G-4 apply to new commercial, industrial, or other large toxic air contaminants (TAC)-generating uses. Mitigation Measures related to Archeological Resources (J-1 and J-3) would not apply to the proposed project since these measures only apply to soils disturbing activities in archeologically documented properties and sites located within the Mission Dolores Archeological District (the project site is not located in one of these areas). Mitigation Measures related to Transportation (E-1 through E-11) would not apply to the project since traffic and transit mitigation measures have already been implemented or would need to be implemented by the San Francisco Municipal Transportation Agency (SFMTA). Mitigation Measures related to Historical Resources (K-1 through K-3) would not apply to the proposed project, since those measures provide interim standards for historic resources pending amendment of the San Francisco Planning Code (Planning Code) to adopt similar measures. These mitigation measures have already been incorporated into the Planning Code at the time of the preparation of this Determination. FEIR Mitigation Measure related to Hazardous Materials (L-1) would not be applicable to the proposed project since the project would not involve the demolition of an older building on-site and would not require the disposal of any equipment containing PCBs or DEPH, such as fluorescent light ballasts..

As discussed in the CPE Checklist, Eastern Neighborhoods Plan FEIR Mitigation Measures F-2, F-3, F-4, F-6, G-2, and J-2 were determined to apply to the proposed project for the reasons stated below. FEIR Mitigation Measures related to noise (F-2, F-3, F-4, and F-6) were found to be applicable to the proposed project at 119 7th Street as these measures address noise levels during construction activities, reduce interior noise levels within residential units, reduce conflicts between existing noise-generating uses in the project vicinity and residences, and noise levels in Code-required open space areas. Mitigation Measure related to Air Quality (G-2) would be applicable to the proposed project, since the project would include the development of new sensitive uses (residences) near roadways (7th Street and Mission Street) with annual average concentration of pollutant exposures from roadway vehicles exceeding the 0.2 micrograms per cubic meter threshold. FEIR Mitigation Measure related to Archeological Resources (J-2) would apply to the proposed project as the project would require excavation of up to approximately 15 feet below ground surface on a site with no previous archeological documentation. Mitigation Measure J-2 would address potential project-related impacts to archeological resources and would require the preparation of a preliminary archeological sensitivity study, as well as the development of an archeological testing plan prior to construction, to assess the potential for a proposed project to have a significant impact on archeological resources. Please see Attachment A. Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures.

With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the FEIR.⁷

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on March 22, 2013 to adjacent occupants and owners of properties within 300 feet of the project site. Concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Responses to the notice included several requests by members of the public to be included in the distribution of environmental documents related to the project. One respondent raised specific concerns regarding noise due to construction-related activities and potential impacts to nearby housing for elderly and disabled persons. However, construction-related noise would be temporary and intermittent, and all construction activities would be conducted during times of the day that are consistent with the San Francisco Noise Ordinance, which would disturb the fewest people. Any disturbances in violation of the Noise Ordinance would be enforced by the San Francisco Police Department. As such, the proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public.

Conclusion

The Eastern Neighborhoods Plan FEIR incorporated and adequately addressed all potential impacts of the proposed 119 7th Street project. As described above, the proposed 119 7th Street project would not have any project-specific significant adverse effects that are peculiar to the project or its site that were not examined in the Eastern Neighborhoods Plan FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Plan FEIR. Thus, the proposed

⁷ Please refer the CPE Checklist for a complete discussion.

project would not have any new significant effects on the environment not previously identified in the Eastern Neighborhoods Plan FEIR, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Plan FEIR. Therefore, the proposed project is exempt from further environmental review pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines.



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Exemption Checklist

Case No.: 2012.0673E
Project Address: 119 7th Street
Zoning: MUG (Mixed Use, General) Zoning District
85-X Height and Bulk District
Block/Lot: 3726/103
Lot Size: 8,084 square feet
Plan Area: Eastern Neighborhoods Area Plan (East SoMa Area Plan)
Project Sponsor: John Kevlin – Reuben, Junius & Rose, LLP; (415) 567-9000
Staff Contact: Christopher Espiritu – christopher.espiritu@sfgov.org; (415) 575-9022

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PROJECT DESCRIPTION:

The proposed project would include the construction of a new eight-story mixed-use building with thirty-nine (39) dwelling units, fourteen (14) off-street parking spaces, forty-six (46) bicycle parking spaces, and approximately 2,423 square feet (sq ft) of ground-floor retail space. The approximately 8,084 square-foot (sq ft) project site is currently used as an existing surface parking lot. The new building would be approximately 49,844 gross-square-feet and 85-feet tall, constructed on a site currently used as a surface parking lot. The project site is located on a corner lot, bounded by Mission Street to the north, Minna Street to the south, 6th Street to the east, and 7th Street to the west, within the South of Market neighborhood.

Project Approval

The proposed 119 7th Street project would require the following approvals:

- **Large Project Authorization** (*Planning Commission*) – The proposed project would require a Large Project Authorization under Section 329 for mixed-use developments within Eastern Neighborhoods and modifications for Planning Code requirements such as Rear Yard (Section 134), Permitted Obstructions (Section 136), Exposure (Section 140), and Accessory Use (Section 329(d)).
- **Building Permit** (*Department of Building Inspection*). The proposed project would require approval from DBI for a building permit.

Approval of the Large Project Authorization is the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

EVALUATION OF ENVIRONMENTAL EFFECTS:

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the applicable programmatic FEIR (PEIR)¹ for the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048).² Items checked "Project-Specific Significant Impact Not Identified in PEIR" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR. Any impacts not identified in the PEIR are addressed in the CPE Checklist below.

Items checked "Significant Unavoidable Impact Identified in PEIR" identify topics for which a significant impact is identified in the PEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the PEIR. Mitigation measures identified in the PEIR are discussed under each topic area, and mitigation measures that are applicable to the proposed project are identified under each topic area and on pages 34 through 42 of this CPE Checklist.

For any topic that was found to result in less-than-significant (LTS) impacts in the PEIR and for the proposed project, or would have no impacts, the topic is marked "No Significant Impact (Project or PEIR)" and is discussed in the CPE Checklist below.

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." 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;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics in determining the significance of project impacts under CEQA.³

¹ In this CPE Checklist, the acronyms FEIR and PEIR both refer to the Eastern Neighborhoods Plan FEIR and are used interchangeably.

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

³ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 119 7th Street, April 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2012.0673E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
1. LAND USE AND LAND USE PLANNING—Would the project:						
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would include the construction of a new 8-story mixed-use building on a lot currently used as a surface parking lot. The loss of a site is considered part of the significant land use impact; however, given that the project site is small (8,084 sq ft), the development of the proposed project would not be considerable and would not contribute to the significant impact identified in the Eastern Neighborhoods FEIR. Furthermore, the Citywide Planning and Neighborhood Planning Divisions of the Planning Department have determined that the proposed project is permitted in the MUG Zoning District and is consistent with the height, density, and land uses as specified in the East SoMa Subarea of the Eastern Neighborhoods Area Plan, maintaining the mixed character of the area by encouraging commercial and service-related development.^{4,5}

For these reasons, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and land use planning, and no mitigation measures are necessary.

⁴ Varat, Adam, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2012.0673E, 119 7th Street. May 13, 2014. This document is on file and available for review as part of Case File No. 2013.0673E.

⁵ Jeff Joslin, San Francisco Planning Department. Community Plan Exemption Eligibility Determination, Current Planning, Case No. 2012.0673E, 119 7th Street. May 13, 2014. This document is on file and available for review as part of Case File No. 2013.0673E.

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

One of the objectives of the Eastern Neighborhoods Area Plan is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The Eastern Neighborhoods FEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods FEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the FEIR.

The proposed project would involve the construction of a new mixed-use building with 39 dwelling units and 2,423 sq ft of ground-floor retail space. While the proposed project would introduce approximately 71 new residents and 7 new workers on-site, the project would not displace existing housing units or people.⁶ These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Area Plan and evaluated in the Eastern Neighborhoods FEIR.

For the above reasons, the proposed project would not result in significant impacts on population and housing that were not identified in the Eastern Neighborhoods FEIR.

⁶ Estimated number of new residents based on average household size (1.81) of occupied housing units within Census Tract 176.01 and the proposed 39 new dwelling units [39 x 1.81 = 70.6 ≈ 71 residents].

Topics:	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods FEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plan could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Area. The FEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Area could potentially be affected under the preferred alternative. The Eastern Neighborhoods FEIR found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

The project site is currently a surface parking lot and is not considered an historic resource, nor is it located within a designated historic district. The project site was included in the South of Market Historic Resource Survey and was rated “6Z” (Ineligible for National, State, or Local designation through survey evaluation). Furthermore, the proposed project would not result in the demolition or alteration of any historic resource. Therefore, it would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods FEIR, and no historic resource mitigation measures would apply to the proposed project.

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

Archeological Resources

The Eastern Neighborhoods FEIR determined that implementation of the Area Plan could result in significant impacts on archeological impacts and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods FEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological documentation is incomplete or inadequate to serve as an evaluation of potential effects on archeological resources under CEQA. Mitigation Measure J-3, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The project site is one of the properties subject to Eastern Neighborhoods FEIR Mitigation Measure J-2. Mitigation Measure J-2 states any project resulting in soils disturbance for which no archeological assessment report has been prepared or for which the archeological document is incomplete or inadequate shall be required to conduct a preliminary archeological sensitivity study prepared by a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. Based on the study, a determination shall be made if additional measures are needed to reduce potential effects of a project on archeological resources to a less-than-significant level. The Planning Department's archeologist conducted a Preliminary Archeological Review of the project site in conformance with the study requirements of Mitigation Measure J-2: the results are summarized below.⁷

Based upon a review of historical maps, the project site was historically located in a large willow grove that grew along the northern edge of Sullivan Marsh. The project site is central to a general area of a high number of prehistoric deposits. There were several prehistoric sites of different types that were located northeast of the project site within a span ranging from at least 100 B.C. to 1300 A.D. To the north near Market Street, at approx. 75 ft bgs, a human burial was recovered dating to approx. 6,000 B.P. Prehistoric sites have also been found to the southwest and northwest of the project site. The South of Market area is not only characterized by a large number of prehistoric sites, some of which were probably interconnected, but sites are frequently notable for their good state of preservation buried beneath later sand dune deposits.

By the late 1880's the project site was within an area which is known as "*Nihonjin-machi*" or by the non-Japanese as "Japan Town" which although more diffuse and extensive than Chinatown, was more heavily concentrated in South of Market along the two interior streets (Stevenson & Jessie Streets) within the three-block area between 4th and 7th and Market and Mission Streets but did extend down 7th Street toward Howard Street. The South of Market *Nihonjin-machi* neighborhood was characterized by a mélange of multiple-family residential structures which were typically converted two-story dwellings and referred to as "hotels" and small businesses like confectionaries, barbers, numerous shoe repairs,

⁷ Allison Vanderslice, Staff Archeologist, Preliminary Archeological Review—119 7th Street, San Francisco, California, April 5, 2013. This document is on file and is available for review as part of Case No. 2012.0763E at 1650 Mission Street, Suite 400, San Francisco, California.

bookstores, and social/cultural institutions such as bath houses and pool halls. Therefore, there the project site is sensitive for historic-period archeological resources.

Based on the Preliminary Archeological Review, it has been determined that archeological testing would apply to the proposed project. The Preliminary Archeological Review and its requirements (e.g., testing) are consistent with Mitigation Measure J-2 from the Eastern Neighborhoods FEIR. With implementation of this mitigation measure, impacts related to archeological resources would be less than significant. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 1, as described in pages 35-38.

With compliance with Project Mitigation Measure 1, the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR related to archeological resources.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
4. TRANSPORTATION AND CIRCULATION—Would the project:						
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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Topics:	Project-Specific Significant Impact Not Identified in PEIR	Significant Unavoidable Impact Identified in PEIR	Mitigation Identified in PEIR	PEIR Mitigation Applies to Project	PEIR Mitigation Does Not Apply to Project	No Significant Impact (Project or PEIR)
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods FEIR.

However, the Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topic 5c is not applicable.

Trip Generation

The proposed project would include the construction of 39 dwelling units (48,096 sq ft), 2,423 sq ft of ground-floor retail use, and a basement-level garage. The proposed basement-level garage would be accessed from an entrance on Minna Street and would provide 24 off-street parking spaces and 40 Class I bicycle parking spaces and 6 Class II bicycle parking spaces. The proposed dwelling units would be accessed from a residential lobby located on 7th Street.

Trip generation of the proposed project was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.⁸ The proposed project would generate an estimated 91 p.m. peak-hour person trips (inbound and outbound) on a weekday daily basis, consisting of 25 person trips by auto, 32 transit trips, 25 walk trips and 10 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 17 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

⁸ San Francisco Planning Department, Transportation Calculations for 119 7th Street, May 2014. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0673E.

Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersections near the project site (within approximately 1,500 feet) include Seventh and Harrison streets, which was analyzed in the Eastern Neighborhoods FEIR, and was determined to operate at LOS B. The proposed project would generate an estimated 17 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, or would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 17 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

For the above reasons, the proposed project would not result in significant impacts on traffic that were not identified in the Eastern Neighborhoods FEIR.

Transit

The project site is located within a quarter mile of several local transit lines including Muni lines 5, 6, 7, 9, 14, 14L, 19, 21, 30, 71, and 71L, as well as Muni light rail lines J, K, L, M, N. The proposed project would be expected to generate 212 daily transit trips, including 32 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 32 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 5, 6, 7, 9, 14, 14L, 19, 21, 30, 71, and 71L. In addition, the Muni Metro Historic Streetcar F Line and Muni Metro routes J, K, L, M, and N, are located within a ¼-mile of the project site. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in the Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a

Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 32 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

Parking

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." 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;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.⁹ The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

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 shortfall 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 shortfall 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 shortfall 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.

⁹ San Francisco Planning Department, Transit-Oriented Infill Project Eligibility Checklist for 119 7th Street, April 1, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0673E.

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 San Francisco General Plan Polices, 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."

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, biking, 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 and retail uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 56 spaces. The proposed project would provide 24 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 32 spaces. 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 and bicycle facilities. 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 would be created.

Planning Code Section 151.1 outlines requirements for permitted off-street parking. As the project is located within the Eastern Neighborhoods Area Plan, there are no minimum parking requirements; rather, the project is subject to a maximum allowance of parking spaces, which is defined as one parking space for every four dwelling unit, as described under Planning Code Section 151.1. Through the Large Project Authorization, the maximum parking allowance would extend to .75 parking spaces for each dwelling unit. For dwelling units with at least two bedrooms and at least 1,000 square feet of occupied floor area, parking is permitted up to one space for each dwelling, as determined by the Planning Commission through the Large Project Authorization.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 56 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby 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 parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

Other Transportation Topics

The Eastern Neighborhoods FEIR determined that the anticipated increase in development would not result in a significant impact to pedestrian facilities, loading, emergency access, and construction-related traffic. No mitigation measures were identified in the FEIR for these topics.

The proposed 119 7th Street project is located within the anticipated development projected under the Eastern Neighborhoods Area Plan and would not result in additional impacts on other transportation topics beyond those analyzed in the Eastern Neighborhoods FEIR. For these reasons, implementation of the proposed project would not result in significant impacts on these other transportation topics that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
5. NOISE—Would the project:						
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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods FEIR noted that implementation of the Area Plan would incrementally increase traffic-generated noise on some streets in the Plan Area and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods FEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2 relate to construction-related noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). Construction of the proposed project would not involve pile-driving, thus FEIR Mitigation

measure F-1 would not be applicable. However, implementation of the proposed project would result in noise generating construction activities. Thus, FEIR Mitigation Measure F-2 would apply to the project. Construction of the proposed project would result in temporary elevated noise levels at existing adjacent land uses. Major construction phases are expected to include excavation, ground clearing, dewatering, shoring, utility and street improvements, and concrete work. In addition, construction of the new mixed-use development would include structural framing, exterior finishes, interior framing, and interior finishes. The noisiest of these activities is typically excavation and grading, when heavy machinery would be in use. The project sponsor has agreed to implement Project Mitigation Measure 2, as detailed on pages 38-39.

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

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

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, and F-6 include additional measures for individual projects that include new noise-sensitive uses. Mitigation Measure F-3 requires that new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to California Noise Insulation Standards in Title 24, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Mitigation Measure F-4 requires the preparation of an analysis that includes, at minimum, a site survey to identify potential noise-generating uses within 900 feet of and that have a direct line of site to the project site, and at least one 24-hour noise measurement (with maximum noise levels taken every 15 minutes) to demonstrate that acceptable interior noise levels consistent with Title 24 can be attained. Mitigation Measure F-6 requires that open space required under the Planning Code for individual projects located in noisy areas be

protected, to the maximum feasible extent, from existing ambient noise levels. As the proposed project would involve construction of a new eight-story residential and retail building on a surface parking lot, the proposed project would site new noise-sensitive uses on the project site. Therefore, Mitigation Measures F-3, F-4, and F-6 would be applicable to the project. Accordingly, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels consistent with Title 24 and agreed to implement Project Mitigation Measures 3, 4, and 5, as described on page 39.¹⁰

Eastern Neighborhoods FEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. Ambient noise levels in San Francisco are largely influenced by traffic-related noise. The proposed project would not include noise-generating uses and therefore, FEIR Mitigation Measure F-5 would not be applicable to the project.

The project site is not located within an airport land use plan area, within two miles of a public airport, or within the vicinity of a private airstrip. Therefore, the Community Plan Exemption Checklist topics 6e and 6f are not applicable.

For the above reasons, the proposed project would not result in significant noise impacts that were not identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
6. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.— Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹⁰ Charles M. Salter Associates, Inc., Environmental Noise Study – 119 Seventh Street, San Francisco, California, CSA Project Number: 13-0055, March 8, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0673E.

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. These significant impacts would conflict with the applicable air quality plan at the time, the Bay Area 2005 Ozone Strategy. The Eastern Neighborhoods FEIR identified four mitigation measures (G-1 through G-4) that would reduce air quality impacts to less-than-significant levels.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines),¹¹ which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may 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. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify portions of the City that result in additional health risks for affected populations ("Air Pollutant Exposure Zone"). The Air Pollutant Exposure Zone was identified based on two health based criteria:

- (1) Excess cancer risk from all sources > 100; and
- (2) PM_{2.5} concentrations from all sources including ambient >10µg/m³.

Sensitive receptors¹² within the Air Pollutant Exposure Zone are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside the Air Pollutant Exposure Zone. These locations (i.e., within the Air Pollutant Exposure Zone) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08,

¹¹ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011.

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

effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project.

The remaining portions of Mitigation Measure G-1 require projects to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. For projects with construction activities located in an Air Pollutant Exposure Zone, compliance with Mitigation Measure G-1 would require submittal of a Construction Emissions Minimization Plan to the Environmental Review Officer for review and approval. The project site is located within an identified Air Pollutant Exposure Zone. Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately seven months. Diesel-generating equipment would be required for the duration of the project's construction phase. Therefore, the proposed project's temporary and variable construction activities would result in short-term emissions of DPM and other TACs that would add emissions to areas already adversely affected by poor air quality. Thus, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is applicable to the proposed project. The applicable portions of Mitigation Measure G-1 are reflected in Project Mitigation Measure 6 (see pages 40-42) which includes updated construction emissions minimization measures. Compliance with this mitigation measure would result in less-than-significant impacts from construction vehicles and equipment. The project sponsor has agreed to implement Project Mitigation Measure 6, as detailed on pages 40-42.

Mitigation Measure G-2 requires new sensitive receptors near sources of TACs, including DPM, to include an analysis of air pollutant concentrations (PM_{2.5}) to determine whether those concentrations would result in a substantial health risk to new sensitive receptors. The proposed project would include new sensitive receptors (39 dwelling units). Furthermore, the project site is located within an identified air pollution Air Pollutant Exposure Zone, therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. Therefore, Mitigation Measure G-2 would be applicable to the proposed project. An analysis of air pollutant concentrations (PM_{2.5}) was conducted for the proposed project. Results of the air quality analysis indicated that 119 7th Street project site is below the action level of 0.2 micrograms per cubic meter annual exposure at a height of 6 meters. Also, since the lowest residential floor with operable windows begins at 6 meters (approximately 20 feet) or below the proposed project will be subject to the ventilation requirements of Article 38, Section 3807. The project sponsor has agreed to implement Project Mitigation Measure 7, as detailed on pages 42 to 43.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would include the construction of a new eight-story mixed-use building, with 39 dwelling units and 2,423 sq ft of

ground-floor retail use, and is not expected to be served by 100 trucks per day or 40 refrigerator trucks per day. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Mitigation Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would include the construction of a new eight-story mixed-use building, with 39 dwelling units and 2,423 sq ft of ground-floor retail use, and would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

Mitigation Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would include the construction of a new eight-story mixed-use building, with 39 dwelling units and 2,423 sq ft of ground-floor retail use, and would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, but would include a new stationary source (i.e., stationary diesel engines), items that would emit TACs as part of everyday operations. The project site is located near existing sensitive uses (residences) directly adjacent to the east of the site on Minna Street and to the south on Natoma Street. However, new stationary diesel engines are required to comply with BAAQMD Regulation 2, Rule 5 New Source Review for Toxic Air Contaminants. Regulation 2, Rule 5 requires new sources that result in an excess cancer risk greater than one in one million and/or a chronic hazard index greater than 0.20 to implement the best available control technology to reduce emissions. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD CEQA Air Quality Guidelines (May 2011) for operational-related criteria air pollutants.

For the above reasons, the proposed project would not result in significant impacts on air quality that were not identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
7. GREENHOUSE GAS EMISSIONS—Would the project:						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Background

The BAAQMD is responsible for attaining and maintaining air quality in the San Francisco Bay Area Air Basin within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. 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 includes a goal of reducing greenhouse gas (GHG) emission to 1990 levels by 2020 and 40 percent below 1990 levels by 2035.

The BAAQMD also assists local jurisdictions and lead agencies in complying with the requirements of CEQA regarding potentially adverse impacts to air quality in their CEQA Air Quality Guidelines. The BAAQMD advises that local agencies may consider adopting a Greenhouse Gas Reduction Strategy consistent with Assembly Bill 32 goals and that subsequent projects be reviewed to determine the significance of their GHG emissions based on the degree to which that project complies with a Greenhouse Gas Reduction Strategy.¹³ The following analysis is based on the findings in the Eastern Neighborhoods EIR and incorporates BAAQMD's methodology for analyzing GHG emissions, as well as other amendments to the CEQA Guidelines related to GHGs (e.g., CEQA Guidelines Section 15183.5).

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the East SoMa Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO₂E per service population,¹⁴ respectively. The Eastern Neighborhoods FEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the FEIR.

The proposed project would increase the activity onsite by the construction of a new eight-story mixed-use building and the addition of 39 new dwelling units and approximately 2,423 sq ft of 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 residential and retail 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.

As discussed above, the BAAQMD prepared guidelines and methodologies for analyzing GHGs. These guidelines identify a methodology for either a quantitative or qualitative assessment of a project's GHG impact. The qualitative assessment allows for projects that are consistent with a Qualified GHG Reduction Strategy to conclude that the project's GHG impact is less than significant. San Francisco's Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy)¹⁵ presents a comprehensive

¹³ BAAQMD, California Environmental Quality Act Air Quality Guidelines, May 2012. Available online at: http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_Final_May%202012.ashx?la=en. Accessed September 25, 2012.

¹⁴ Memorandum from Jessica Range, MEA to MEA staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

¹⁵ 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>.

assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the BAAQMD's guidelines. In reviewing the GHG Reduction Strategy, the BAAQMD concluded that the strategy meets the criteria outlined in its guidelines and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."¹⁶ San Francisco's collective actions, policies and programs 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 Clean Air Plan, Executive Order S-3-05, and Assembly Bill 32 (also known as the Global Warming Solutions Act.)^{17,18} Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would be subject to 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, Bicycle Parking requirements, Parking requirements for San Francisco's Mixed-Use zoning districts, Street Tree Planting Requirements for New Construction, Residential Water and Energy Conservation Ordinances, Mandatory Recycling and Composting Ordinance, and 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.¹⁹ 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.

16 Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: <http://www.sf-planning.org/index.aspx?page=2627>. Accessed November 12, 2010.

17 San Francisco Department of Environment (DOE), "San Francisco Community-Wide Carbon Emissions by Category." Excel spreadsheet provided via email between Pansy Gee, DOE and Wade Wietgreffe, San Francisco Planning Department. June 7, 2013.

18 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.

19 Greenhouse Gas Analysis: Compliance Checklist, March 6, 2013. This document is on file and available for public review as part of Case File No. 2012.0673E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
8. WIND AND SHADOW—Would the project:						
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Wind

No significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Rezoning and Area Plans. Specific projects within Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods FEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods FEIR.

Based on the height and location of the proposed approximately 85-foot-tall building, a pedestrian wind assessment (“Wind Assessment”) was prepared by a qualified wind consultant for the proposed project.²⁰ The objective of the Wind Assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development, which provides a screening-level estimation of the potential wind impact. The Wind Assessment found that the existing wind conditions on the adjacent streets do not exceed the 26-mile-per-hour wind hazard criterion for a single full hour, or approximately 0.0114 percent of the time, as outlined in the San Francisco Planning Code Section 148. The Wind Assessment also found that given the size and location of the proposed project, and the existing wind conditions surrounding the site, wind speeds are expected to meet the wind hazard criterion in all pedestrian areas on and around the proposed development. Thus, the proposed building would not cause winds to reach or exceed the 26-mile-per-hour wind hazard criterion at all pedestrian areas on and around the proposed development and wind speeds at building entrances and public sidewalks would be suitable for the intended pedestrian usage.

As a result, the proposed project would not have any significant wind impacts, either individually or cumulatively.

Shadow

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the

²⁰ Frank Kirksic, RWDI, Wind Assessment Memo – 119 7th Street, San Francisco, California, March 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case File No. 2012.0673E.

Eastern Neighborhoods Area Plan, sites surrounding parks could be redeveloped with taller buildings without triggering Section 295 of the Planning Code because certain parks are not subject to Section 295 of the Planning Code (i.e., under jurisdiction by departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods FEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct a new 85-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would have the potential to cast new shadow on nearby parks.²¹ Based on the preliminary shadow fan analysis prepared by the Department, the proposed project would not cast new shadow any nearby parks

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

For the above reasons, the proposed project would not result in significant impacts related to shadow that were not identified in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
9. RECREATION—Would the project:						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²¹ Preliminary Shadow Analysis for 119 7th Street, April 2014. This document is available for review as part of Case File No. 2012.0673E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

The Eastern Neighborhoods FEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods FEIR.

The proposed 119 7th Street project is located within the anticipated development projected under the Plan and would not result in additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods FEIR. Therefore, the proposed project would not result in significant impacts, either individually or cumulatively, on existing recreational facilities, nor require the construction or expansion of public recreation facilities that would have a significant impact on the environment.

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

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

The proposed 119 7th Street project is located within the anticipated development projected under the Eastern Neighborhoods Area Plan and would not result in additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods FEIR. For these reasons, implementation of the proposed project would not result in significant impacts on utilities and service systems that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

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

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the FEIR.

The proposed 119 7th Street project is located within the anticipated development projected under the Eastern Neighborhoods Area Plan and would not result in additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods FEIR. For these reasons, implementation of the proposed project would not result in significant impacts on public services that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

<u>Topics:</u>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
12. BIOLOGICAL RESOURCES— Would the project:						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The proposed 119 7th Street project is located within the anticipated development projected under the Eastern Neighborhoods Area Plan and would not result in additional impacts on biological resources beyond those analyzed in the Eastern Neighborhoods FEIR. For these reasons, implementation of the proposed project would not result in significant impacts on biological resources that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
13. GEOLOGY AND SOILS—Would the project:						
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

A geotechnical investigation was prepared for the proposed project. Based on analysis of the project site and the proposed basement excavation and placement of a mat foundation, the geotechnical investigation concluded that the project would be suitable for construction as designed, with recommendations presented for site-specific issues such as seismic hazards (liquefaction) and construction-related excavation. Further, the proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code.²²

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

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14. HYDROLOGY AND WATER QUALITY—Would the project:						
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²² Rockridge Geotechnical, Inc., Geotechnical Investigation, Proposed Residential Building - 119 7th Street, San Francisco, California, January 4, 2013. This document is on file and available for public review as part of Case File No. 2012.0673E.

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

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

The project site is currently a surface parking lot and is entirely covered by impervious surfaces. The proposed eight-story building would fully occupy the project site. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage.

Therefore, the proposed project would not result in additional impacts on hydrology and water quality beyond those analyzed in the Eastern Neighborhoods FEIR and implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods FEIR. No mitigation measures are necessary.

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15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Hazardous Building Materials

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

Soil and Groundwater Contamination

The proposed project is located in a Maher area. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the 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 submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.²³ The Phase I ESA reviews and summarizes previous environmental documents prepared for other sites in close proximity to the project site, lists current and past operations, reviews environmental agency databases and records, reports site reconnaissance observations, and discusses potential contamination issues. The Phase I found no evidence of the presence or likely presence of any hazardous substances or petroleum products that indicate an existing release, a past release, or a material threat of a release into structures on the property or into the ground, ground water, or surface water.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I Environmental Site has been prepared to assess the potential for site contamination. The Phase I ESA did not find any physical or documentary evidence of any use, storage or disposal of any chemicals, hazardous materials, reportable substances or hazardous waste at the 119 7th Street project site. No Recognized Environmental Conditions (REC) was associated with the project site, although there were significant quantities of hazardous substances identified at the nearby areas. Specifically, the Phase I ESA identified the property immediately next door 121 7th Street (also listed as Reneson Hotel Group, Inc.) as a State of California HAZNET facility. The listing identifies the 121 7th Street property as having disposed approximately 19 tons of asbestos-containing waste at Alameda County and Solano County landfills (dates not provided). This listing does not indicate conditions of environmental impact to the 121 7th Street property or the project site, only data extracted from hazardous waste manifests submitted to the California Department of Toxic Substances Control. The 121 7th Street property was not identified on any of the databases reviewed which report unauthorized releases or contamination incidents. Based on the nature of this listing, the HAZNET listing for the 121 7th Street is not considered evidence of a REC.

The proposed project would be required to remediate potential soil or groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods FEIR.

For these reasons, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods FEIR.

²³ Land America Commercial Services. *Environmental Site Assessment Report* – Americana Hotel 121 7th Street, San Francisco, California 94103, October 13, 2008. This document is on file and available for public review as part of Case File No. 2012.0673E.

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16. MINERAL AND ENERGY RESOURCES—Would the project:						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that the Area Plan would facilitate the construction of both new residential units and commercial buildings. Development of these uses would not result in use of large amounts of fuel, water, or energy in a wasteful manner or in the context of energy use throughout the City and region. The energy demand for individual buildings would be typical for such projects and would meet, or exceed, current state and local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. The Plan Area does not include any natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the Eastern Neighborhoods FEIR concluded that implementation of the Area Plan would not result in a significant impact on mineral and energy resources. No mitigation measures were identified in the FEIR.

The proposed 119 7th Street project is located within the anticipated development projected under the Eastern Neighborhoods Area Plan and would not result in additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods FEIR. For these reasons, implementation of the proposed project would not result in significant impacts on mineral and energy resources that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<p>17. AGRICULTURE AND FOREST RESOURCES: 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.—Would the project:</p>						
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR. The Eastern Neighborhoods FEIR did not analyze the effects on forest resources.

The proposed 119 7th Street project is located within the anticipated development projected under the Eastern Neighborhoods Area Plan and would not result in additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods FEIR. For these reasons, implementation of the proposed project would not result in significant impacts on agriculture or forest resources that were not identified in the Eastern Neighborhoods FEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
18. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:						
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections and transit impacts on seven Muni lines), cultural (demolition of historical resources), and shadow (impacts on parks).

The proposed project would include construction of a new eight-story mixed-use building with 39 dwelling units and 2,423 sq ft of ground-floor retail use. As discussed in this document, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR.

MITIGATION MEASURES**Project Mitigation Measure 1 – Archeological Testing (Mitigation Measure J-2 from the Eastern Neighborhoods EIR)**

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 pool of qualified archaeological consultants maintained by the Planning 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 at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site²⁴ associated with descendant Native Americans or the Overseas Chinese an appropriate representative²⁵ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.

²⁴ By the term "archeological site" is intended here to minimally included any archeological deposit, feature, burial, or evidence of burial.

²⁵ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

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.

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City

and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, 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 Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Project Mitigation Measure 2 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods FEIR)

Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and

- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Project Mitigation Measure 3 – Interior Noise Levels (Mitigation Measure F-3 of the Eastern Neighborhoods FEIR).

For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.

Project Mitigation Measure 4 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods FEIR).

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

Project Mitigation Measure 5 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods FEIR).

To minimize effects on development in noisy areas, for new development including noise-sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

Project Mitigation Measure 6 – Construction Emissions Minimization (Portion of Mitigation Measure G-1 of the Eastern Neighborhoods FEIR).

A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, *and*
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).²⁶
 - c) Exceptions:
 - i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
 - iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

**TABLE A1
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE***

Compliance Alternative	Engine Emission Standard	Emissions Control
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²⁶ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

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

*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

**Alternative fuels are not a VDECS

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
 4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.
 5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.
- B. *Reporting.* Monthly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include

detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Project Mitigation Measure 7 – Air Quality for Sensitive Land Uses (Mitigation Measure G-2 of the Eastern Neighborhoods FEIR).

Within the Eastern Neighborhoods, new residential development that is proposed within 500 feet of the 1-80, US 101, and 1-280 freeways, or at any other location where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles, shall, as part of its CEQA review, include an analysis of PM_{2.5} and shall, if warranted based on the results, incorporate upgraded ventilation systems to minimize exposure of future residents to PM_{2.5} (which includes DPM) and other pollutant emissions, as well as odors. The analysis shall employ either site-specific modeling of PM_{2.5} concentrations or other acceptable methodology to determine whether the annual average concentration of PM_{2.5} from the roadway sources within 500 feet would exceed the threshold or action level of 0.2 micrograms per cubic meter. For purposes of this mitigation measure, PM_{2.5} serves as a proxy for pollutant exposures from roadway vehicles that is amenable to both exposure analysis and the setting of a significance threshold. According to the Department of Public Health, this threshold, or action level, has been shown to result in an increase of approximately 0.28 percent in non-injury mortality, or an increase of approximately 20 "excess deaths" per year (i.e., deaths that would occur sooner than otherwise expected) per one million population in San Francisco. If the incremental annual average concentration of PM_{2.5} concentration (from roadway sources only) were to exceed 0.2 micrograms per cubic meter at the project site, the project sponsor shall be required to install a filtered air supply system to maintain all residential units under positive pressure when windows are closed. The ventilation system, whether a central HVAC (heating, ventilation and possibly air conditioning) or a unit-by-unit filtration system, shall include high-efficiency filters meeting minimum efficiency reporting value (MERV) 13, per American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%). Air intake systems for HVAC shall be placed based on exposure modeling to minimize roadway air pollution sources. The ventilation system shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. In addition to installation of air filtration, the project sponsor shall present a plan that ensures ongoing maintenance plan for the ventilation and filtration systems. The project sponsor shall also ensure the disclosure to buyers and renters regarding the findings of the analysis and consequent and inform occupant's proper use of any installed air filtration. If active recreation areas such as playgrounds are proposed as part of any future residential development, such areas shall be located at least 500 feet from freeways, if feasible.

Within the Eastern Neighborhoods, new residential development that is proposed within 1,000 feet of warehousing and distribution centers or other uses served by at least 100 trucks per day or 40 refrigerated

trucks per day, or uses that generate toxic air contaminants (TAGs) as part of everyday operations, the Planning Department shall require a screening-level health risk assessment or other comparable analysis prior to approval of such new residential development to ensure that the lifetime cancer risk from DPM or other TAGs emitted from the uses described above is less than 10 in one million, or that the risk can be reduced to less than 10 in one million through mitigation, such as air filtration described above.

The above standard shall also apply to other sensitive uses such as schools, daycare facilities, and medical facilities. (It is noted that such facilities are somewhat more likely to employ central air systems than are residential developments.)

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM (INCLUDES IMPROVEMENT MEASURES)

ATTACHMENT D: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR					
Cultural Resources					
<p>Project Mitigation Measure M-CR-1 (Mitigation Measure J-2 of the Eastern Neighborhoods FEIR). 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. Prior to the issuance of construction permits, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning 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 at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein 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 potential effects on a significant archeological resource as defined in CEQA Guidelines Section 150664.5(a)(c) to less than significant.</p> <p><i>Consultation with Descendant Communities.</i> On discovery of an archeological site associated with descendant Native Americans or the Overseas Chinese, an appropriate representative of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representatives of</p>	<p>Project sponsor; Planning Department archeologist or qualified archeological consultant; Environmental Review Officer (ERO)</p>	<p>Prior to issuance of any permit for soil-disturbing activities</p>	<p>Project sponsor; archeologist; ERO</p>	<p>Considered complete upon Department archeologist's and/or ERO's approval of FARR or other documentation</p>	<p>Project sponsor; Planning Department archeologist or qualified archeological consultant; ERO</p>

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<p>the descendant group.</p> <p><i>Archaeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ul style="list-style-type: none"> (a) The proposed project shall be re-designed so as to avoid any adverse effect to 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. <p><i>Archaeological Monitoring Program.</i> 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:</p> <ul style="list-style-type: none"> (a) 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. (b) The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- 					

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<p>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 archeological resources and to their depositional context.</p> <p>(c) 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.</p> <p>(d) 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.</p> <p>(e) The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.</p> <p>(f) 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.</p> <p>Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.</p> <p><i>Archaeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant</p>					

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<p>shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> (a) Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations. (b) Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures. (c) Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies. (d) Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. (e) Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. (f) Final Report. Description of proposed report format and distribution of results. (g) 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. <p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall</p>					

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<p>make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.</p> <p><i>Final Archaeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p> <p>Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p>					

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Noise					
<p>Project Mitigation Measure M-NO-2 — Construction Noise (Mitigation Measure F-2 from the Eastern Neighborhoods FEIR). Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p> <ul style="list-style-type: none"> ■ Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses ■ Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site ■ Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses ■ Monitor the effectiveness of noise attenuation measures by taking noise measurements ■ Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed 	Project sponsor; project contractor(s)	Prior to issuance of a building permit	Design measures incorporated into project design	Planning Department; Department of Building Inspection	Considered complete upon approval of final construction drawing set

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<p>Project Mitigation Measure M-NO-3 — Interior Noise (Mitigation Measure F-3 from the Eastern Neighborhoods FEIR). For new development including noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), as shown in EIR Figure 18, where such development is not already subject to the California Noise Insulation Standards in Title 24 of the California Code of Regulations, the project sponsor shall conduct a detailed analysis of noise reduction requirements. Such analysis shall be conducted by person(s) qualified in acoustical analysis and/or engineering. Noise insulation features identified and recommended by the analysis shall be included in the design, as specified in the San Francisco General Plan Land Use Compatibility Guidelines for Community Noise to reduce potential interior noise levels to the maximum extent feasible.</p>	Project sponsor and contractor	Prior to issuance of a building permit	Design measures to be incorporated into project design	Planning Department; Department of Building Inspection	Considered complete upon approval of final construction drawing set
<p>Project Mitigation Measure M-NO-4 — Siting of Noise-Sensitive Uses (Mitigation Measure F-4 from the Eastern Neighborhoods FEIR). To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.</p>	Project sponsor; project contractor(s)	Prior to issuance of a building permit	Design measures to be incorporated into project design	Planning Department; Department of Building Inspection	Considered complete upon approval of final construction drawing set

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<p>Project Mitigation Measure M-NO-5 — Open Space in Noisy Environments (Mitigation Measure F-6 from the Eastern Neighborhoods FEIR). Prior to issuance of building permits, the project sponsor shall demonstrate to the lead agency that that open space required under the Planning Code for such uses will be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.</p>	Project sponsor; project contractor(s)	Prior to issuance of a building permit	Design measures to be incorporated into project design	Planning Department; Department of Building Inspection	Considered complete upon approval of final construction drawing set

.Air Quality

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(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>Project Mitigation Measure M-AQ-1 – Construction Emissions Minimization (Mitigation Measure G-1 of the Eastern Neighborhoods FEIR).</p> <p>A. Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:</p> <p>1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:</p> <p>a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;</p> <p>b) All off-road equipment shall have:</p> <p>i. Engines that meet or exceed either United States Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, <i>and</i></p> <p>ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).¹</p> <p>c) Exceptions:</p> <p>i. Exceptions to A(1)(a) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.</p>	Project sponsor; project contractor(s)	Prior to issuance of a permit specified in <i>San Francisco Municipal Code</i> Section 106A.3.2.6	Submittal of construction documents	Project sponsor/contractor(s) and the ERO	Considered complete upon findings by ERO that plan is complete

¹ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

**ATTACHMENT D:
MITIGATION MONITORING AND REPORTING PROGRAM
(Includes Text for Adopted Mitigation Measures)**

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>ii. Exceptions to A(1)(b)(ii) <i>may</i> be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).</p> <p>iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.</p>					

**TABLE A1
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE***

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

*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance

**ATTACHMENT D:
MITIGATION MONITORING AND REPORTING PROGRAM
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<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>Alternative 3 would need to be met. **Alternative fuels are not a VDECS</p> <p>2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than <i>two</i> minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.</p> <p>3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.</p> <p>5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.</p>					

**ATTACHMENT D:
MITIGATION MONITORING AND REPORTING PROGRAM
(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>B. <i>Reporting.</i> Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p> <p>Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.</p>	Project sponsor/ contractor(s).	Quarterly.	Submit Quarterly reports.	Project sponsor/ contractor(s) and the ERO.	Considered complete on findings by ERO that Plan is being/was implemented.
<p>C. <i>Certification Statement and On-site Requirements.</i> Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.</p>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.

**ATTACHMENT D:
MITIGATION MONITORING AND REPORTING PROGRAM
(Includes Text for Adopted Mitigation Measures)**

Adopted Mitigation Measures	Responsibility for Implementation	Mitigation Schedule	Mitigation Action	Monitoring/Reporting Responsibility	Monitoring Schedule
<p>Project Mitigation Measure M-AQ-2 – Construction Emissions Minimization (Mitigation Measure G-1 of the Eastern Neighborhoods FEIR). Within the Eastern Neighborhoods, new residential development that is proposed within 500 feet of the 1-80, US 101, and 1-280 freeways, or at any other location where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles, shall, as part of its CEQA review, include an analysis of PM2.5 and shall, if warranted based on the results, incorporate upgraded ventilation systems to minimize exposure of future residents to PM2.5 (which includes DPM) and other pollutant emissions, as well as odors. The analysis shall employ either site-specific modeling of PM2.5 concentrations or other acceptable methodology to determine whether the annual average concentration of PM2.5 from the roadway sources within 500 feet would exceed the threshold or action level of 0.2 micrograms per cubic meter. For purposes of this mitigation measure, PM2.5 serves as a proxy for pollutant exposures from roadway vehicles that is amenable to both exposure analysis and the setting of a significance threshold. According to the Department of Public Health, this threshold, or action level, has been shown to result in an increase of approximately 0.28 percent in non-injury mortality, or an increase of approximately 20 "excess deaths" per year (i.e., deaths that would occur sooner than otherwise expected) per one million population in San Francisco. If the incremental annual average concentration of PM2.5 concentration (from roadway sources only) were to exceed 0.2 micrograms per cubic meter at the project site, the project sponsor shall be required to install a filtered air supply system to maintain all residential units under positive pressure when windows are closed. The ventilation system, whether a central HVAC (heating, ventilation and possibly air conditioning) or a unit-by-unit filtration system, shall include high-efficiency filters meeting minimum efficiency reporting value (MERV) 13, per American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%). Air intake systems for HVAC shall be placed based on exposure modeling to minimize roadway air pollution sources. The ventilation system shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. In addition to installation of air filtration, the project sponsor shall present a plan that ensures ongoing maintenance plan for the ventilation and filtration systems. The project sponsor shall also ensure the disclosure to buyers and renters regarding the findings of the analysis and consequent and inform occupant's proper use of any</p>	<p>Project sponsor; licensed mechanical engineer or authorized professional.</p>	<p>Prior to issuance of a permit specified in <i>San Francisco Municipal Code</i> Section 106A.3.2.6</p>	<p>Submittal of construction documents</p>	<p>Department of Public Health (DPH); Planning Department; Department of Building Inspection (DBI).</p>	<p>Considered complete upon DPH approval of enhanced ventilation plan.</p>

**ATTACHMENT D:
MITIGATION MONITORING AND REPORTING PROGRAM
(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>installed air filtration. If active recreation areas such as playgrounds are proposed as part of any future residential development, such areas shall be located at least 500 feet from freeways, if feasible.</p> <p>Within the Eastern Neighborhoods, new residential development that is proposed within 1,000 feet of warehousing and distribution centers or other uses served by at least 100 trucks per day or 40 refrigerated trucks per day, or uses that generate toxic air contaminants (TAGs) as part of everyday operations, the Planning Department shall require a screening-level health risk assessment or other comparable analysis prior to approval of such new residential development to ensure that the lifetime cancer risk from DPM or other TAGs emitted from the uses described above is less than 10 in one million, or that the risk can be reduced to less than 10 in one million through mitigation, such as air filtration described above.</p> <p>The above standard shall also apply to other sensitive uses such as schools, daycare facilities, and medical facilities. (It is noted that such facilities are somewhat more likely to employ central air systems than are residential developments.)</p>					

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the new construction of a eight-story residential building with 39 dwelling units and ground floor commercial space, and a modification to the requirements for rear yard, permitted obstructions over the street, dwelling unit exposure, and off-street parking, located at 119 7th Street, Lot 103 in Assessor's Block 3726 pursuant to Planning Code Section 329 within the MUG (Mixed Use-General) Zoning District, and a 85-X Height and Bulk District; in general conformance with plans, dated May 13, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0673X and subject to conditions of approval reviewed and approved by the Commission on June 19, 2014 under Motion No. 19179. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 19, 2014 under Motion No. 19179.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19179 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Mitigation Measures. Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2012.0673E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

Lightwell. The Project Sponsor shall work with the Planning Department to determine if the proposed project would impact access to light and air to the adjacent single-room occupancy residential hotel at 1095 Mission Street. If the Department determines that the project would impact access to light and air, the proposed project shall be modified to include a lightwell(s) along the north lot line adjacent to the residential hotel.

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. Therefore, the Project shall provide at least four street trees along 7th Street and five street trees along Minna Street. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

Unbundled Parking. All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 24 off-street parking spaces for the 39 dwelling units (or .61 off-street parking spaces for each dwelling unit) contained therein.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Bicycle Parking. Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 39 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces. Currently, the Project provides 40 Class 1 bicycle parking spaces and 6 Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

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

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

Transit Impact Development Fee. Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Eastern Neighborhoods Infrastructure Impact Fee. Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

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

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

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

INCLUSIONARY HOUSING

1. **Requirement.** Pursuant to Planning Code 415.5, **the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%).**

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

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

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

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.


- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOH prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide

Inclusionary Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- c. If project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY:)
And When Recorded Mail To:)
Name: John Kevin)
Renter, Jones & Rose LLP)
Address: One Bush St, Suite 600)
City: San Francisco)
State: California Zip: 94104) Spa


San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2014-J904789-00
Check Number 23485
Tuesday, JUL 08, 2014 08:56:22
Ttl Pd \$45.00 Rcpt # 0004967151
o j1/JL/1-11

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

I, (We) APIC Soma Parking, LLC, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more fully described):

See Exhibit A.

BEING ASSESSOR'S BLOCK: 3726, **LOT:** 103 ;
COMMONLY KNOWN AS: 119 Seventh Street ;

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said restrictions consist of conditions attached to the Large Project Authorization Application No. **2012.0673X** approved by the Planning Commission of the City and County of San Francisco on **June 19, 2014**, as set forth in Planning Commission Motion No. **19179**.

The restrictions and conditions of which notice is hereby given are:

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the new construction of a eight-story residential building with 39 dwelling units and ground floor commercial space, and a modification to the requirements for rear yard, permitted obstructions over the street, dwelling unit exposure, and off-street parking, located at 119 7th Street, Lot 103 in Assessor's Block 3726 pursuant to Planning Code Section 329 within the MUG (Mixed Use-General) Zoning District, and a 85-X Height and Bulk District; in general conformance with plans, dated May 13, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0673X and subject to conditions of approval reviewed and approved by the Commission on June 19, 2014 under Motion No. 19179. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of conditions of approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 19, 2014 under Motion No. 19179.

Printing of conditions of approval on plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19179 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

Severability

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

Changes and Modifications

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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Conditions of Approval, Compliance, Monitoring, and Reporting

Performance

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Conformity with Current Law. No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Mitigation Measures. Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2012.0673E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – compliance at plan stage

Lightwell. The Project Sponsor shall work with the Planning Department to determine if the proposed project would impact access to light and air to the adjacent single-room occupancy residential hotel at 1095 Mission Street. If the Department determines that the project would impact access to light and air, the proposed project shall be modified to include a lightwell(s) along the north lot line adjacent to the residential hotel.

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. Therefore, the Project shall provide at least four street trees along 7th Street and five street trees along Minna Street. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Parking and Traffic

Unbundled Parking. All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parking Maximum. Pursuant to Planning Code Section 151.1, the Project shall provide no more than 24 off-street parking spaces for the 39 dwelling units (or .61 off-street parking spaces for each dwelling unit) contained therein.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Bicycle Parking. Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 39 Class 1 bicycle parking spaces and 3 Class 2 bicycle parking spaces. Currently, the Project provides 40 Class 1 bicycle parking spaces and 6 Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

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manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

provisions

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

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

Transit Impact Development Fee. Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Eastern Neighborhoods Infrastructure Impact Fee. Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Monitoring

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Revocation Due to Violation of Conditions. Should implementation of this Project result in

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Operation

Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

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

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

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

INCLUSIONARY HOUSING

1. **Requirement.** Pursuant to Planning Code 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%).

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

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

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

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOH prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Inclusionary Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.
- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- c. If project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code. This document would no longer be in effect and would be null and void.

APIC Soma Parking, LLC


(Signature)

WILSON CHEN
(Print Name)

Dated: July 3, 2014 at San Francisco, California.
(Month, Day) (City)

(Signature)

(Print Name)

Dated: _____, 20____ at _____, California.
(Month, Day) (City)

(Signature)

(Print Name)

Dated: _____, 20____ at _____, California.
(Month, Day) (City)

Each signature must be acknowledged by a notary public before recordation; add Notary Public Certification(s) and Official Notarial Seal(s) below.

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CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of San Francisco

On 7/3/2014 before me, M. ALVAREZ, NOTARY PUBLIC
(Here insert name and title of the officer)

personally appeared WILSON CHEN

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (is) are subscribed to the within instrument and acknowledged to me that (he) she/they executed the same in (his) her/their authorized capacity (ies), and that by (his) her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

M. Alvarez
Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Notice of Special Restrictions
(Title or description of attached document)

for 119 7th St., SF, CA
(Title or description of attached document continued)

Number of Pages 9 + A Document Date 7/3/14

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
 Corporate Officer

(Title)

- Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~ - is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

EXHIBIT A

All that certain real property situated in the City County of San Francisco, State of California, more particularly described as follows:

PARCEL THREE:

Beginning at the intersection of the Northeasterly line of 7th Street and the Northwesterly line of Minna Street; thence proceeding Northeasterly along said Northwesterly line of Minna Street, 102.50 feet; thence Northwesterly at a right angle, 75.00 feet; thence Southwesterly at a right angle 22.50 feet; thence Northwesterly at a right angle 5.00 feet; thence Southwesterly at a right angle, 80.00 feet to the Northeasterly line of 7th Street; thence Southeasterly at a right angle along said Northeasterly line of 7th Street, 80.00 feet to the point of beginning.

Being Assessor's Lot 103, Block 3726.

Also Being a Portion of 100 Vara Block No. 394.