

File No. 190093

Committee Item No. _____

Board Item No. 20

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: February 12, 2019

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter - 01/22/19</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Brief - 02/04/19</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Supplemental Appeal Letter - 02/01/19</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Sponsor Letter - 01/29/19</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Hearing Notice and Clerical Documents</u> |
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Prepared by: Lisa Lew

Date: February 8, 2019

Prepared by: _____

Date: _____

Environmental Exemption Appeal

1052-1060 Folsom Street & 190-194 Russ Street

2019 JUN 22 PM 3:19

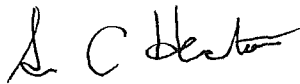
SOMCAN appeals the Environmental Exemption issued by Environment Review Officer Lisa Gibson on 12/11/18 for the above project. The project was approved by the Planning Commission on 12/20/18. SOMCAN and others, including its attorney, appeared at that hearing and contested project approval.

Project is for 3 adjacent lots with 5 existing buildings. It is to be replaced by a 64'6" building which will cast shadows on Victoria Manalo Draves Park that is protected from additional shadow by Proposition K.

The evaluation of those impacts is dependent on a set of plans used for review by Environmental Planning. The massing of the spaces in those plans is questionable because plans were drawn that do not conform to the code requirements imposed on a residential building of this scale.

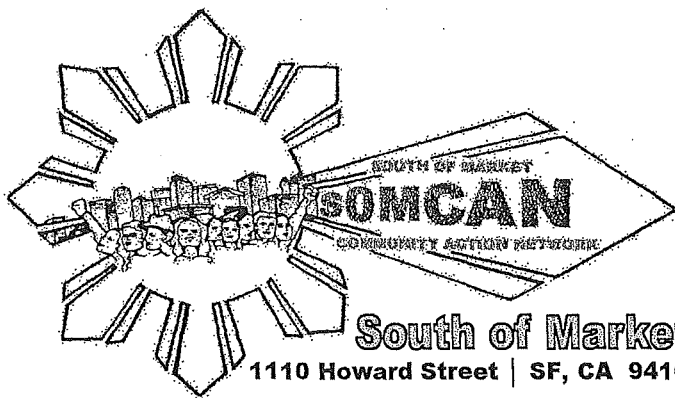
The Eastern Neighborhoods PEIR did not analyze impacts of shadows that are governed by Proposition K and fall on Victoria Manalo Draves Park.

Appeals have been filed on motions for the Conditional Use approval and Large Project Authorization on this project.



Sue Hestor
Attorney for South of Market Community Action Network
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San Francisco CA 94102
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SOMCAN
1110 Howard Street
San Francisco CA 94103



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BY *BA*

South of Market Community Action Network

1110 Howard Street | SF, CA 94103 | phone (415) 255-7693 | www.somcan.org

January 22, 2019

As the Organizational Director of the South of Market Community Action Network, I hereby authorize attorney Sue Hestor to make any necessary filings and take further action in the appeal of the proposed project at 1052-1060 Folsom Street & 190-194 Russ Street.

Sincerely,

Angelica Cabande

Organizational Director, South of Market Community Action Network



SAN FRANCISCO PLANNING DEPARTMENT

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Certificate of Determination Community Plan Evaluation

Case No.: 2016-004905ENV
Project Address: 1052-1060 Folsom Street and 190-194 Russ Street
Zoning: NCT (SOMA Neighborhood Commercial Transit) Use District and
RED (Residential Enclave) Use District
Youth and Family Zone Special Use District
65-X Height and Bulk District
Block/Lot: 3731/021, 023, and 087
Lot Size: 11,500 square feet (0.26 acres)
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Paul Iantornio, Golden Properties LLC, (415) 440-0201
Staff Contact: Christopher Espiritu, (415) 575-9022, Christopher.Espiritu@sfgov.org

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PROJECT DESCRIPTION

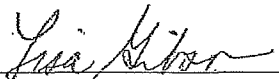
The project site is located on the northwest corner of the intersection of Folsom Street and Russ Street, on a block that sits between two mid-block alleys—Russ Street to the northeast and Moss Street to the southwest— in the South of Market neighborhood of San Francisco. It has frontages along two streets – approximately 75 feet along Folsom and 140 feet along Russ streets. The site consists of three adjacent lots totaling 11,500 square feet (sq. ft.) and contains five existing buildings. Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot. Lot 21 contains three buildings: 1052-1058 Folsom Street which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space; 192-194 Russ Street, which was also constructed in 1916, and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; and 200 Russ Street (formerly 196 Russ Street) which was also constructed in 1916, and is occupied by a one-story commercial building. Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924. The project site has two existing curb cuts located along the Russ Street frontage of the site: one at 1058 Folsom Street (approximately 10 feet in width) and one in front of 190 Russ Street (approximately 10 feet). (Continued on next page.)

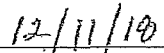
CEQA DETERMINATION

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

DETERMINATION

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


Lisa Gibson
Environmental Review Officer


Date

cc: Alice Barkley, Project Sponsor; Supervisor Jane Kim, District 5; Doug Vu, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The proposed project would demolish the existing buildings on the project site, merge the three lots into a single lot, and construct a new seven-story, approximately 59,000-gross-square-foot mixed-use building with 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The proposed unit mix for the 63 dwelling units consists of three studio units, 23 one-bedroom units, and 37 two-bedroom units. Four units would be designated as replacement for the four existing rent-controlled units (in the 1052-1060 Folsom Street and 192 Russ Street buildings), 15 units would be designated as below market rate units, and the remaining 44 dwelling units would be market rate. The proposed building would be approximately 64 feet, 6 inches tall per the San Francisco Planning Code (with an additional 15 feet to the top of the rooftop elevator and stair penthouses and mechanical equipment). The project would provide approximately 6,800 sq. ft. of common open space within the second floor deck and a rooftop deck, and a combined total of approximately 2,100 sq. ft. of private open space for units on the 1st through 7th floors. The project would also include an at-grade garage for 17 vehicles and 63 bicycle parking spaces (Class I) and 10 Class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.

The ground floor of the proposed project would include about 2,800 sq. ft. for three retail spaces fronting Folsom Street, three ground-floor residential units fronting on Russ Street, and about 800 sq. ft. for 63 Class I bicycle parking spaces. Also, 10 Class II bicycle parking spaces would be provided on the Folsom Street and Russ Street sidewalks.¹ The ground floor would also include approximately 4,500 sq. ft. for building services and an at-grade garage with 17 off-street vehicle parking spaces in stackers (including one handicapped-accessible parking space and one car share parking space) that would be accessible via Russ Street. The project would construct a new 10-foot-wide curb cut on Russ Street and a driveway into the aforementioned at-grade garage, restore sidewalk to standard heights where curb cuts are removed, and install street trees along the Folsom Street and Russ Street frontages. The existing 13'-1" wide sidewalk along Folsom Street and the 14'-11" wide sidewalk along Russ Street would remain. A complete set of plans (site plan, floor plans, elevations, and sections) is included in Planning Case File Number 2016-004905ENV and attached to this document. The proposed ground-floor dwelling units would be accessed through individual entrances/exits along the Russ Street frontage of the project site. All other dwelling units would be accessed through a residential lobby also located on the ground floor with an entrance/exit on Russ Street. Access to the proposed ground-floor retail units would be through individual entrances/exits located along the Folsom Street frontage of the site, and an additional entrance/exit would be located on Russ Street for one corner retail unit.

Construction of the proposed project would occur for approximately 12 months and would consist of demolition of the existing structures, excavation and subgrade work, framing, building constructions, and architectural finishing. Project-related excavation would be required to a depth of approximately six feet below existing ground surface and would involve the removal of approximately 340 cubic yards of soil for the installation of a drilled pier and slab foundation system. Pile driving would not be required.

¹ Class I bicycle parking are long-term bicycle parking for residents and/or employees that are typically located within designated off-street spaces such as bicycle lockers or bicycle storage rooms. Class II bicycle parking are short-term parking for visitors that are typically located in commonly-accessible areas, such as bicycle racks on sidewalks fronting the project site.

PROJECT APPROVAL

The proposed project would require the following approvals:

San Francisco Planning Commission

- Approval of a Large Project Authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet and for an exception from the rear yard requirements.
- Approval of a Conditional Use Authorization from the Planning Commission is required per Planning Code Section 121.1, 317 and 303 for development on a lot greater than 10,000 sq. ft. in area and removal of a dwelling unit, respectively.
- Approval of a variance application from the light and air access requirements of Section 140.
- Findings, upon the recommendation of the Recreation and Park Director and/or Commission, that shadow would not adversely affect public open spaces under Recreation and Park Commission jurisdiction (Section 295).

Department of Building Inspection

- Review and approval of demolition and building permits.

Department of Public Works, Bureau of Street Use and Mapping

- Review and approval of condominium map
- Review and approval of sidewalk closure and street use permits

Department of Public Health

- Review for compliance with the Maher Ordinance, article 22A of the Health Code.
- Review for compliance with enhanced ventilation, article 38 of the Health Code.
- Review and approval of a Dust Control Plan.

San Francisco Municipal Transportation Agency

- Review and approval of removal of two curb cuts along Folsom Street and approval of one new curb cut.
- Review and approval of Class II bicycle parking spaces on the sidewalks of Folsom and Russ Streets.
- Approval of associated street and sidewalk permits;

San Francisco Public Utilities Commission

- Approval of a stormwater management plan that complies with the city's stormwater design guidelines.

San Francisco Recreation and Parks Department:

- Determination that shadow would not adversely affect open spaces under Commission jurisdiction.

Approval Action: The approval of the Large Project Authorization by the Planning Commission would be the Approval Action for the project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

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

This determination evaluates the potential project-specific environmental effects of the 1052-1060 Folsom Street and 190-194 Russ Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)². Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

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

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{3,4}

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred

² Planning Department Case No. 2004.0160B and State Clearinghouse No. 2005032048

³ 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.

⁴ San Francisco Planning Department, San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁵

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

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to SoMa NCT (Neighborhood Commercial Transit) District and RED (Residential Enclave) District. The SoMa NCT and RED districts are intended to protect the balance and variety of ground-floor retail uses along the ground floor, and promote housing in the floors above. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 1052-1060 Folsom Street and 190-194 Russ Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with building up to 65 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 1052-1060 Folsom Street and 190-194 Russ Street project, and identified the mitigation measures applicable to the 1052-1060 Folsom Street and 190-194 Russ Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.⁶ Therefore, no further CEQA evaluation for the 1052-1060 Folsom Street and 190-194 Russ Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site vicinity is characterized by a mix of residential, commercial, and recreational uses and features low- to mid-density scale of development. The project site is a corner lot and along the Folsom

⁵ Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

⁶ Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1052-1060 Folsom Street and 190-194 Russ Street, December 2018.

Street frontage, the site is directly adjacent to an existing three-story office building with a ground-floor commercial use to the southwest (1062 Folsom Street). Along the Russ Street frontage of the site, adjacent buildings are a mix of two- to three-story residential buildings and a five-story residential building. Along the Folsom Street frontage of the site, adjacent buildings include a mix of two- to five-story mixed use buildings. Victoria Manalo Draves Park is across the street from the project site, located along Sherman Street between Folsom and Harrison streets. Bessie Carmichael Elementary School and the Ukrainian Orthodox Church of St. Michael are located south of the project site, south of Cleveland Street. The project site is located within a quarter mile of several local transit lines including Muni lines 12, 14, 14R, 14X, 19, 27, 47, 8, 83X, 8AX and 8BX. The project site is located one and a half blocks northwest of the Interstate 80 freeway, and a westbound on-ramp is located one and a half block to the south, at the intersection of Harrison and Seventh. The major arterial streets surrounding the subject block (Folsom, Seventh, Sixth, and Howard streets) are multi-lane streets that serve as primary access routes to and from the Interstate 80, Interstate 280, and Highway 101 freeway. The project site is located within the SoMA Neighborhood Commercial Transit (NCT) Zoning District, 65-X Height and Bulk District, and the South of Market Youth and Family Special Use District.

Recently approved and proposed projects within one block include:

- 40 Cleveland Street, which would replace the existing building on the lot with a new 40-foot-tall, 4-story, 5-unit, 5,658-square-foot residential condominium building. Approximately 1,000 square feet of private and common open space would be provided in the rear yard, private decks, and a common roof deck. The new building would include a single parking space and six Class 1 bicycle parking spaces within a bicycle storage room in the ground floor garage.
- 1075-1089 Folsom Street, which would demolish the existing buildings on the site and construct a six-story, approximately 25,756-gross-square-foot building with 48 single room occupancy (SRO) units on the first through sixth floors, as well as commercial space, a residential lobby, a community room, a bicycle storage room, and a trash room on the first floor. The commercial space would be approximately 1,141 square feet (sf) in size.
- 280 7th Street, which would demolish a vacant two-story nightclub and replace it with two new buildings: a 65-foot-tall mixed-use residential building and a five-story, 52-foot-tall residential building (collectively measuring approximately 25,659 gross square feet) with up to 20 dwelling units and no parking.
- 262 7th Street, which would demolish the existing warehouse and construct a 65-foot-tall, seven-story, mixed-use building approximately 39,222 square feet in size with 96 single room occupancy residential units and 906 square feet of ground-floor commercial retail space.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 1052-1060 Folsom Street and 190-194 Russ Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the

Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 1052-1060 Folsom Street and 190-194 Russ Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to significant and unavoidable impacts on land use, historic architectural resources, transportation and circulation, and shadow.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed.	Not Applicable.
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment.	The project sponsor has agreed to develop and implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site.	Not Applicable.
F-4: Siting of Noise-Sensitive Uses	Not Applicable: the regulations and procedures set forth by Title 24 would ensure that existing ambient noise levels would not adversely affect the proposed residential uses on the project site Not Applicable.	Not Applicable.
F-5: Siting of Noise-Generating Uses	Not Applicable: the proposed project would not include noise-generating uses.	Not Applicable.
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of existing environmental conditions on a proposed	Not Applicable.

Mitigation Measure	Applicability	Compliance
	project's future users if the project would not exacerbate those environmental conditions.	
G. Air Quality		
G-1: Construction Air Quality	Applicable: the proposed project would include construction within the Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan to reduce construction emissions under Project Mitigation Measure 2.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: this mitigation measure has been superseded by Health Code Article 38, and the project sponsor has enrolled with the Department of Public Health in the Article 38 program.	Not Applicable.
G-3: Siting of Uses that Emit DPM	Not Applicable: the proposed residential and commercial uses are not expected to emit substantial levels of DPM.	Not Applicable.
G-4: Siting of Uses that Emit other TACs	Applicable: the proposed residential and commercial building includes a back up generator for the elevator.	The project sponsor has agreed to develop and implement a best available control technology for diesel generators under Project Mitigation Measure 4.
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: the project site was not evaluated in any previous studies.	Not Applicable.
J-2: Properties with no Previous Studies	Applicable: the project site is located in an area with no previous studies. Project would implement Testing mitigation measure based on the preliminary archeological review.	The project sponsor has agreed to implement the Planning Department's Standard Mitigation Measure #3 (Testing) in compliance with this mitigation measure under Project Mitigation Measure 1.
J-3: Mission Dolores Archeological District	Not Applicable: the project site is not located within the	Not Applicable.

Mitigation Measure	Applicability	Compliance
	Mission Dolores Archeological District.	
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department.	Not Applicable.
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.	Not Applicable.
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission.	Not Applicable.
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: the project involves the demolition of existing buildings.	The project sponsor has agreed to remove and properly dispose of any hazardous building materials in accordance with applicable federal, state, and local laws prior to demolishing the existing buildings under Project Mitigation Measure 5.
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis.	Not Applicable.
E-5: Enhanced Transit Funding	Not Applicable: plan level	Not Applicable.

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

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

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on October 16, 2018 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Two individuals submitted comments. One individual requested a copy of the environmental document. The second individual shared their concerns about the proposed project's potential to shadow the Victoria Manalo Draves Park and the Gene Friend Recreation Center. This topic is further discussed in initial study checklist topic 8, Wind and Shadow. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁷:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;

⁷ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2016-004905ENV.

3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: 2016-004905ENV
Project Address: 1052-1060 Folsom Street and 190-194 Russ Street
Zoning: NCT (SOMA Neighborhood Commercial Transit) Use District and
RED (Residential Enclave) Use District
65-X Height and Bulk District
Block/Lot: 3731/021, 023, and 087
Lot Size: 11,500 square feet (0.26 acres)
Plan Area: Eastern Neighborhoods Area Plan, East SoMa Plan area
Project Sponsor: Paul Iantorno, Golden Properties LLC, (415) 440-0201
Staff Contact: Christopher Espiritu, (415) 575-9022, Christopher.Espiritu@sfgov.org

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PROJECT DESCRIPTION

Project Location and Site Characteristics

The project site is located on the northwest corner of the intersection of Folsom Street and Russ Street, on a block that sits between two mid-block alleys—Russ Street to the northeast and Moss Street to the southwest—in the South of Market neighborhood of San Francisco. It has frontages along two streets—approximately 75 feet along Folsom and 140 feet along Russ streets. The site consists of three adjacent lots totaling 11,500 square feet (sq. ft.) and contains five existing buildings. Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot. Lot 21 contains three buildings: 1052-1058 Folsom Street, which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space; 192-194 Russ Street, which was also constructed in 1916, and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; and 200 Russ Street (formerly 196 Russ Street) which was also constructed in 1916, and is occupied by a one-story commercial building. Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924.

The project site has two existing curb cuts located along the Russ Street frontage of the site: one at 1058 Folsom Street (approximately 10 feet in width) and one in front of 190 Russ Street (approximately 10 feet).

Project Characteristics

The proposed project would demolish the existing buildings on the project site, merge the three lots into a single lot, and construct a new seven-story, approximately 59,000-gross-square-foot mixed-use building with 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The proposed unit mix for the 63 dwelling units consists of three studio units, 23 one-bedroom units, and 37 two-bedroom units. Four units would be designated as replacement for the four existing on-site rent-controlled units (in

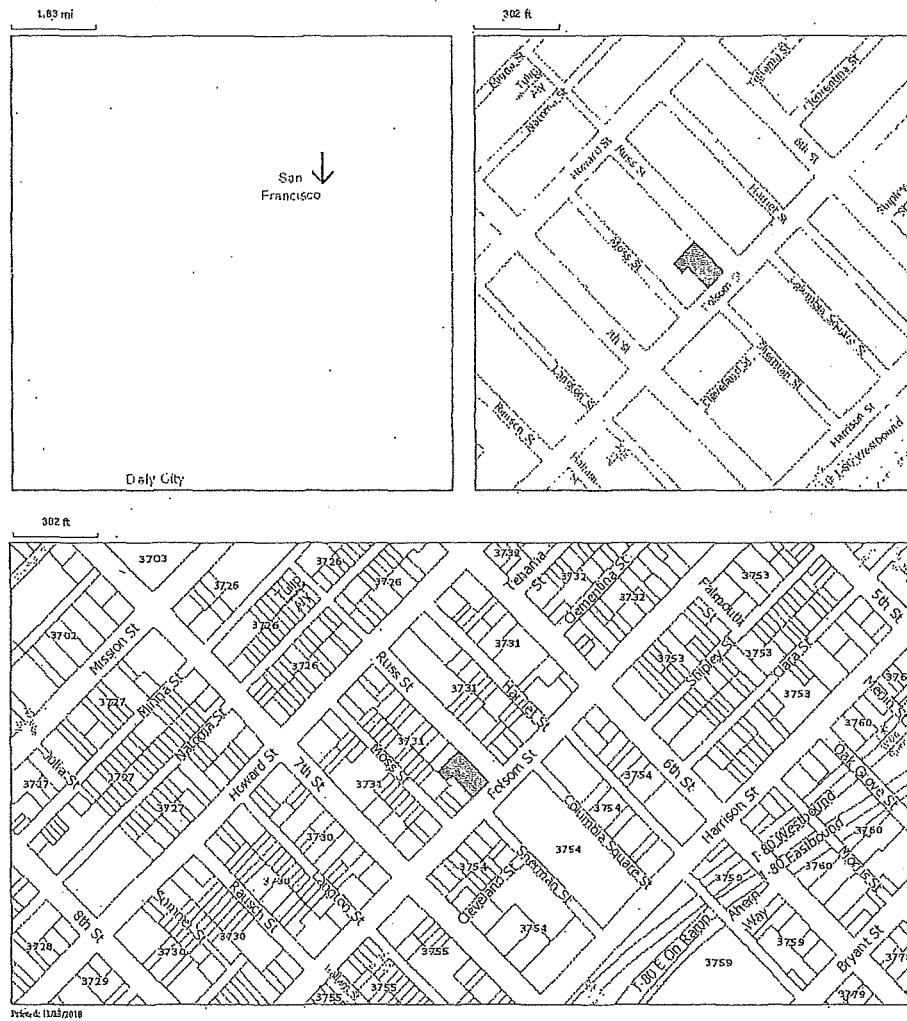
the 1052-1060 Folsom Street and 192 Russ Street buildings), 15 units would be designated as below market rate units, and the remaining 44 dwelling units would be market rate. The proposed building would be approximately 64 feet, 6 inches tall per the San Francisco Planning Code (with an additional 15 feet to the top of the rooftop elevator and stair penthouses and mechanical equipment). The project would provide approximately 6,800 sq. ft. of common open space within the second floor deck and a rooftop deck, and a combined total of approximately 2,100 sq. ft. of private open space for units on the 1st through 7th floors. The project would also include an at-grade garage for 17 vehicles and 63 bicycle parking spaces (Class I) and 10 Class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.

The ground floor of the proposed project would include about 2,800 sq. ft. for three retail spaces fronting Folsom Street, and three ground-floor residential units fronting on Russ Street, and about 800 sq. ft. for 63 Class I bicycle parking spaces. Also, 10 Class II bicycle parking spaces would be provided on the Folsom Street and Russ Street sidewalks.¹ The ground floor would also include approximately 4,500 sq. ft. for an at-grade garage with 17 off-street vehicle parking spaces in stackers (including one handicapped-accessible parking space) that would be accessible via Russ Street. The project would construct a new 10-foot-wide curb cut on Russ Street and a driveway into the aforementioned at-grade garage, restore sidewalk to standard heights where curb cuts are removed, and install street trees along the Folsom Street and Russ Street frontages. The existing approximately 13-foot-wide sidewalk along Folsom Street and the approximately 15-foot-wide sidewalk along Russ Street would remain. A complete set of plans (site plan, floor plans, elevations, and sections) is included in Planning Case File Number 2016-004905ENV and attached to this document. The proposed ground-floor dwelling units would be accessed through individual entrances/exits along the Russ Street frontage of the project site. All other dwelling units and handicapped access to the ground-floor dwelling units would be accessed through a residential lobby also located on the ground floor with an entrance/exit on Russ Street. Access to the proposed ground-floor retail spaces would be through individual entrances/exits located along the Folsom Street frontage of the site, and an additional entrance/exist would be located on Russ Street for the proposed corner retail space.

Construction of the propose project would occur for approximately 12 months and would consist of demolition of the existing structures, excavation and subgrade work, framing, building constructions, and architectural finishing. Project-related excavation would be required to a depth of approximately six feet below existing ground surface and would involve the removal of approximately 340 cubic yards of soil for the installation of a drilled pier and slab foundation system. Pile driving would not be required.

¹ Class I bicycle parking spaces are long-term bicycle parking for residents and/or employees that are typically located within designated off-street spaces such as bicycle lockers or bicycle storage rooms. Class II bicycle parking spaces are short-term parking for visitors that are typically located in commonly-accessible areas, such as bicycle racks on sidewalks fronting the project site.

Figure 1 – Project Site Location



PROJECT APPROVALS

The proposed project would require the following approvals:

San Francisco Planning Commission

- Approval of a Large Project Authorization from the Planning Commission is required per Planning Code Section 329 for the new construction of a building greater than 25,000 gross square feet and for an exception from the rear yard requirements.
- Approval of a Conditional Use Authorization from the Planning Commission is required per Planning Code Section 121.1, 317 and 303 for a lot merger, development on a lot greater than 10,000 sq. ft. in area, and removal of four dwelling units, respectively.
- Approval of a variance application from the light and air access requirements of Section 140.
- Findings, upon the recommendation of the Recreation and Park Director and/or Commission, that shadow would not adversely affect public open spaces under Recreation and Park Commission jurisdiction (Section 295).

Department of Building Inspection

- Review and approval of demolition and building permits.

Department of Public Works, Bureau of Street Use and Mapping

- Review and approval of condominium map
- Review and approval of sidewalk closure and street use permits

Department of Public Health

- Review for compliance with the Maher Ordinance, article 22A of the Health Code.
- Review for compliance with enhanced ventilation, article 38 of the Health Code.
- Review and approval of a Dust Control Plan.

San Francisco Municipal Transportation Agency

- Review and approval of removal of two curb cuts along Folsom Street and approval of one new curb cut.
- Review and approval of Class II bicycle parking spaces on the sidewalks of Folsom and Russ Streets.
- Approval of associated street and sidewalk permits

San Francisco Public Utilities Commission

- Approval of a stormwater management plan that complies with the city's stormwater design guidelines.

San Francisco Recreation and Parks Department:

- Determination that shadow would not adversely affect open spaces under Commission jurisdiction.

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

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

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

The proposed project would involve the demolition of the existing commercial and residential buildings on the site and construction of an approximately 59,000 sq. ft. building, including 63 dwelling units, approximately 2,800 sq. ft. of ground-floor retail space, and an at-grade garage for 17 vehicle and 63 bicycle parking spaces. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan

² San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

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

Aesthetics and Parking

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets 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 or parking in determining the significance of project impacts under CEQA.³ Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA⁴ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

³ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1052-1060 Folsom Street and 190-194 Russ Street, September 28, 2018. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2016-004905ENV.

⁴ This document is available online at: <https://www.opr.ca.gov/sb743.php>.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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 checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would not remove any existing PDR uses and would therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. In addition, the project site was zoned Residential / Service Mixed Use District (RSD) prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses and the rezoning of the project site did not contribute to the significant impact.

The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers in the Eastern Neighborhoods because the rezoning and area plans do not provide for any new major roadways, such as freeways that would disrupt or divide the plan area or individual neighborhoods or subareas.

The Planning Department has determined that the proposed project is consistent with the SoMa NCT Zoning District and 65-X Height and Bulk District, and is therefore consistent with the development density principally permitted for the project site under the planning code and zoning map provisions.⁵ The project site is located in the SOMA NCT Zoning District, which permits both housing and PDR uses, and the proposed project is consistent with the development density established for the site under the Eastern Neighborhoods Rezoning and Area Plans. As stated above, the PEIR acknowledges that the loss of PDR space resulting from development under the adopted rezoning and area plans would have a significant and unavoidable cumulative impact on land use. The proposed project would not remove any existing PDR on the project site and would not represent a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR. Also, the project would not result in new or more severe impacts than were disclosed in the PEIR. As such, the project's contribution to this cumulative impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

⁵ Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1052-1060 Folsom Street and 190-194 Russ Street, December 11, 2018.

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and Area Plans, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in 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 checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods area plans is to identify appropriate locations for housing in the City's industrially zoned land to meet the citywide demand for additional housing. The PEIR assessed how the rezoning actions would affect housing supply and location options for businesses in the Eastern Neighborhoods and compared these outcomes to what would otherwise be expected without the rezoning, assuming a continuation of development trends and ad hoc land use changes (such as allowing housing within industrial zones through conditional use authorization on a case-by-case basis, site-specific rezoning to permit housing, and other similar case-by-case approaches). The PEIR concluded that adoption of the rezoning and area plans: "would induce substantial growth and concentration of population in San Francisco." The PEIR states that the increase in population expected to occur as a result of the proposed rezoning and adoption of the area plans would not, in itself, result in adverse physical effects, and would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's transit first policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the area plan neighborhoods. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not directly result in significant adverse physical effects on the environment. However, the PEIR identified significant cumulative impacts on the physical environment that would result indirectly from growth afforded under the rezoning and area plans, including impacts on land use, transportation, air quality, and noise. The PEIR contains detailed analyses of these secondary effects under each of the relevant resource topics, and identifies mitigation measures to address significant impacts where feasible.

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

Pursuant to CEQA Guidelines 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as “blight” or “urban decay” have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts “shall not be considered a significant effect” per CEQA Guidelines 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods Rezoning and Area Plans could contribute to gentrification and displacement, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

The project site would demolish the existing residential and commercial buildings on the project site and construct a seven-story, approximately 59,000-square-foot, mixed use building containing 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The 63 dwelling units would result in about 146 residents on the project site and the ground floor retail use would employ approximately eight people.⁶⁷ The potential population growth associated with the project would represent a negligible amount of the city’s current population of 883,963 persons.⁸ As residents and employees generated by the proposed project would constitute a negligible increase in the population and the number of jobs, the increase would be accommodated within the planned population, housing, and employment growth in San Francisco. The proposed project would also increase the amount of housing available, thereby reducing the demand for housing elsewhere. These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project’s contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial

⁶ The Eastern Neighborhoods PEIR assumed that the Plan Area would have an average household size of about 2.43 residents per dwelling unit in the year 2025.

⁷ The number of employees for retail space is estimated based on the assumption of 350 average gross square feet per employee.

⁸ State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State – January 1, 2018*. Sacramento, California, accessed October 2018.

study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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 Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The Eastern Neighborhoods PEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plans could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Areas. The PEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Areas could potentially be affected under the preferred alternative. The Eastern Neighborhoods PEIR found this impact to be significant and unavoidable. 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 developed with five existing buildings: Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot; Lot 21 includes 1052-1058 Folsom Street, which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space, as well as 192-194 Russ Street, which was also constructed in 1916 and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924. The project site was included in the South of Market Historic Resource Survey and each building on Lots 87, 21, and 23 were rated "7R," indicating they were identified in a

reconnaissance-level survey but not evaluated. As such, the five existing buildings are designated as Category B historical resources (properties requiring further evaluation for historic significance and/or buildings that are over 45 years of age) pursuant to San Francisco Historic Preservation Bulletin No. 16. A historic resource evaluation report was prepared for the proposed project and was reviewed by a Preservation Technical Specialist.^{9,10} None of the five existing buildings on the site were determined to be individually eligible for listing in the California Register of Historical Resources under any criteria (Criterion 1-Events, Criterion 2-Persons, Criterion 3-Architecture, or Criterion 4-Information Potential) and the proposed project would not impact historic materials or features. The project site is not located in an existing historic or conservation district and there are no proposed preservation districts that include the project site. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, 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 PEIR.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1 applies to properties for which a final archeological research design and treatment plan is on file at the Northwest Information Center and the Planning Department. Mitigation Measure J-2 applies to properties for which no archeological assessment report has been prepared or for which the archeological 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 proposed project would excavate to a maximum depth of approximately six feet, resulting in approximately 340 cubic yards of soils disturbance. The project site is located in the Archeological Mitigation Zone J-2: Properties with No Previous Studies of the Eastern Neighborhoods PEIR; therefore, PEIR Mitigation Measure J-2 is applicable to the proposed project. In accordance with Mitigation Measure J-2, a *preliminary archeological review* was conducted by a planning department archeologist.¹¹ Based on the preliminary archeological review, the department archeologist determined that standard Archeological Mitigation Measure 3 (Testing) would apply to the proposed project.¹² The preliminary archeological

⁹ Tim Kelley Consulting, LLC, Historical Report 1052-1058 Folsom Street-1060 Folsom Street-192-194 Russ Street, San Francisco, California, February 2016.

¹⁰ San Francisco Planning Department, Preservation Technical Review Form for 1052-1060 Folsom Street and 190-194 Russ Street, November 30, 2018.

¹¹ San Francisco Planning Department, Preliminary Archeological Review (PAR) for 1052-1060 Folsom Street and 190-194 Russ Street, November 5, 2018.

¹² Ibid.

review and mitigation requirements and its requirement for archeological testing are consistent with Mitigation Measure J-2 of the Eastern Neighborhoods PEIR, the implementation of which would reduce impacts related to archeological resources to a less-than-significant level. The project sponsor has agreed to implement Mitigation Measure J-2, as identified as Project Mitigation Measure 1 on page 40 (full text provided in the "Mitigation Measures" section below).

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.¹³ Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes could result in significant impacts on transit ridership, and identified seven transportation mitigation measures, which are described further below in the Transit sub-section. Even with mitigation, however, it was anticipated that the significant adverse cumulative impacts on transit lines could not be reduced to a less than significant level. Thus, these impacts were found to be significant and unavoidable.

As discussed above under "SB 743," in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

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

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

Vehicle Miles Traveled (VMT) Analysis

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for

¹³ San Francisco Planning Department. Transportation Study Determination, Case No. 2016-004905ENV, 1052-1060 Folsom Street and 190-194 Russ Street, October 22, 2018.

different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{14,15}

For residential development, the existing regional average daily VMT per capita is 17.2.¹⁶ For retail development, regional average daily retail VMT per employee is 14.9.¹⁷ Average daily VMT for all land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, TAZ 627.

Table 1: Daily Vehicle Miles Traveled

Land Use	Existing			Cumulative 2040		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 627</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 627</u>
Households (Residential)	17.2	14.6	1.9	16.1	13.7	1.6
Employment (Retail)	14.9	12.6	8.5	14.6	12.4	8.3

A project would have a significant effect on the environment if it would cause substantial additional VMT. The State Office of Planning and Research's (OPR) *Revised Proposal on Updates to the CEQA*

¹⁴ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹⁵ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix E, Attachment A, March 3, 2016.

¹⁶ Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

¹⁷ Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

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

Vehicle Miles Traveled Analysis – Residential

Existing average daily household VMT per capita is 1.9 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 89 percent below the existing regional average daily household VMT of 17.2 miles. As the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential uses would not result in substantial additional VMT and impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential uses would not cause substantial additional VMT.¹⁸

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, using the same methodology as outlined for existing conditions, but includes residential and job growth estimates and reasonably foreseeable transportation investments through 2040. Projected 2040 average daily household VMT per capita is 1.6 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 90 percent below the projected 2040 regional average daily household VMT of 16.1 miles. Given the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's residential uses would not result in substantial additional VMT. Therefore, the proposed project would not contribute considerably to any substantial cumulative increase in VMT for the proposed residential use.

Vehicle Miles Traveled Analysis – Retail

Existing average daily retail employee VMT per capita is 8.3 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 43 percent below the existing regional average daily retail employee VMT of 14.9 miles. As the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's retail uses would not result in substantial additional VMT and these impacts would be less than significant. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's retail uses would not cause substantial additional VMT.

¹⁸ San Francisco Planning Department, Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1052-1060 Folsom Street and 190-194 Russ Street, September XX, 2018.

Projected 2040 average daily retail employee VMT per capita is 8.5 miles for the transportation analysis zone the project site is located in (TAZ 627). This is approximately 43 percent below the projected 2040 regional average daily retail employee VMT of 14.6 miles. Given that the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the proposed project's retail uses would not result in substantial additional VMT.¹⁹ Therefore, the proposed project would not cause substantial additional VMT and impacts would be less than significant.

Trip Generation

The proposed project would involve the demolition of the existing commercial and residential buildings on the site and construction of an approximately 59,000 sq. ft. building, including 63 dwelling units, approximately 2,800 sq. ft. of ground-floor retail space, and an at-grade garage for 17 vehicles and 63 bicycle parking spaces (Class I). Additionally, 10 Class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.²⁰ The proposed project would generate an estimated 990 person trips (inbound and outbound) on a weekday daily basis, consisting of 324 person trips by auto, 251 transit trips, 302 walk trips and 113 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 136 person trips, consisting of 43 person trips by auto (34 vehicle trips accounting for vehicle occupancy data for this Census Tract), 37 transit trips, 40 walk trips and 15 trips by other modes.

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).²¹ The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation

¹⁹ Ibid.

²⁰ San Francisco Planning Department, Transportation Calculations for 1052-1060 Folsom Street and 190-194 Russ Street, October 2018.

²¹ Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.²² In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 12-Folsom/Pacific, 14-Mission, 14R-Mission Rapid, 14X-Mission Express, 19-Polk, 27-Bryant, 47-Van Ness, 8-Bayshore, 83X-Mid-Market Express, 8AX-Bayshore A Express, 8BX-Bayshore B Express. As noted above, the proposed project would be expected to generate 251 daily transit trips, including 37 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 37 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 PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project

²² <http://tsp.sfplanning.org>

having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of one Muni line – 27-Bryant. The proposed project would not contribute considerably to these conditions as its minor contribution of 37 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.

Conclusion

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

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

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined

that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.²³ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The proposed project would not include impact pile driving. Therefore, Mitigation Measure F-1 does not apply to the project. Per the geotechnical report, the proposed building should be constructed on torque down piles or steel H-pile foundations driven at least five feet into very dense sand at a depth of about 120 feet below the ground surface. The geotechnical report found that compaction grouting would be most appropriate for ground improvement for the project site. Compaction grouting involves the use of low slump, mortar-type grout pumped under pressure to densify loose soils by displacement and typically installed by drilling or driving steel pipes. Compaction grouting would be kept within building perimeters. In addition, permeable grout is an option for stabilizing the proposed vertical slopes. As the final foundation design and reinforcement would be determined by the project engineers, this analysis conservatively assumes the possibility of particularly noisy construction activities during project construction. Implementation of the proposed project could include other noisy construction activities due to the anticipated use of an excavator, concrete pump, loaders, backhoe, ready mix truck, and drilling machine, or other construction equipment. Therefore, Eastern Neighborhoods Mitigation Measure F-2 applies to the project as and has been included as Project Mitigation Measure 2 on page 45. Project Mitigation Measure 2 requires the identification and implementation of site-specific noise attenuation measures during project construction (full text provided in the "Mitigation Measures" section below).

In addition, all construction activities for the proposed project (approximately 12 months) would be subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance), which regulates construction noise. The Noise Ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2)

²³ Eastern Neighborhoods PEIR Mitigation Measures F-3, F-4, and F-6 address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Available at: <http://www.courts.ca.gov/opinions/documents/S213478.PDF>). As noted above, the *Eastern Neighborhoods PEIR* determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Eastern Neighborhoods Mitigation Measures F-3, F-4, and F-6 are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures F-3 and F-4 are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works (PW) 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 the hours of 8:00 p.m. and 7:00 a.m. unless the Director of PW 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 12 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance and Project Mitigation Measure 2 (Eastern Neighborhoods PEIR Mitigation Measures F-2), which would reduce construction noise impacts to a less-than-significant level.

Operational Noise

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed residential and retail project would not include noise-generating land uses. While the proposed project would include retail space on the ground floor, it is not anticipated that use of the space would generate noise above existing ambient noise levels in the project site vicinity. The proposed project would include mechanical equipment consisting of a diesel generator providing emergency standby power and an air handler unit. The proposed building equipment would be subject to the Noise Ordinance, which limits noise from building equipment to no more than 5 dBA above the local ambient noise level at any point outside of the property line. Therefore, Mitigation Measure F-5 is not applicable to the proposed project.

The proposed project would be subject to the following interior noise standards, which are described for informational purposes. The California Building Standards Code (Title 24) establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into Section 1207 of the San Francisco Building Code and requires these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 dBA in any habitable room. In compliance with Title 24, DBI would review the final building plans to ensure that the building wall, floor/ceiling, and window assemblies meet Title 24 acoustical requirements. If determined necessary by DBI, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, topic 12e and f from the CEQA Guidelines, Appendix G is not applicable.

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

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses²⁴ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.²⁵

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate

²⁴ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

²⁵ The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

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

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that "Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD's quantitative thresholds for individual projects."²⁶ The BAAQMD's *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria²⁷ for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The screening criteria level for an "Apartment, mid-rise" is 494 dwelling units for operations and 240 dwelling units for construction. The screening criteria level for a "Fast food restaurant without a drive through" is 8,000 square feet for operations and 277,000 square feet for construction. This land use category was chosen as the project sponsor does not know the type of retail service that would occupy the proposed retail space, and this land use category is one of the most restrictive uses for a small retail space. As the proposed project would provide 63 dwelling units and approximately 2,800 square feet of ground-floor retail space, it would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

²⁶ San Francisco Planning Department, Eastern Neighborhood's Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

²⁷ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

Health Risk

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the Air Pollutant Exposure Zone, such as the proposed project, the ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal. In compliance Article 38, the project sponsor has submitted an initial application to DPH.²⁸

Construction

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during 1 month of the anticipated 12-month construction period. Thus, Project Mitigation Measure 3 Construction Air Quality has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 3 Construction Air Quality would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.²⁹ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 3 Construction Air Quality. The full text of Project Mitigation Measure 3 Construction Air Quality is provided in the Mitigation Measures Section below.

²⁸ Department of Public Health, Article 38: 1052-1058, Folsom Street and 190 Russ Street Project, November 8, 2018.

²⁹ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. However, the proposed project would include a backup diesel generator, which would emit DPM, a TAC. Therefore, Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-4 related to siting of uses that emit TACs by requiring the engine to meet higher emission standards. Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators would reduce DPM exhaust from stationary sources by 89 to 94 percent compared to uncontrolled stationary sources. Impacts related to new sources of health risk would be less than significant through implementation of Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators. The full text of Project Mitigation Measure 4 Best Available Control Technology for Diesel Generators is provided in the Mitigation Measures Section below.

For the above reasons, with implementation of Project Mitigation Measures 3 and 4, the proposed project would not result in significant air quality impacts that were not identified in the PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the 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 CO₂E³⁰ per service population,³¹ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are

³⁰ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

³¹ Memorandum from Jessica Range to Environmental Planning staff, Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods PEIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project's GHG impact is less than significant. San Francisco's Strategies to Address Greenhouse Gas Emissions³² presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 30 percent reduction in GHG emissions in 2016 compared to 1990 levels,³³ exceeding the year 2020 reduction goals outlined in the BAAQMD's 2017 Clean Air Plan,³⁴ Executive Order S-3-05³⁵, and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{36,37} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05,³⁸ B-30-15,^{39,40} and Senate Bill (SB) 32^{41,42,43}. 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.

³² San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

³³ San Francisco Department of the Environment, *San Francisco's Carbon Footprint* (2016), September 2018. Available at <https://sfenvironment.org/carbon-footprint>, accessed September 25, 2018.

³⁴ Bay Area Air Quality Management District, *Clean Air Plan*, September 2017. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed July 13, 2018.

³⁵ Office of the Governor, *Executive Order S-3-05*, June 1, 2005. Available at <https://www.gov.ca.gov/news.php?id=1861>, accessed March 3, 2016.

³⁶ California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

³⁷ Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

³⁸ Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

³⁹ Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15 sets a state GHG emissions reduction goal of 40 percent below 1990 levels by the year 2030.

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

⁴¹ Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

⁴² Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants, and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

⁴³ Executive Order B-15-18, which was signed in September 2018, establishes a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions after. Available at <https://www.gov.ca.gov/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>, accessed September 25, 2018. The statewide executive order is slightly more aggressive than the commitment made by Mayor Mark Farrell in April 2018 for the City to reach net-zero greenhouse gas emissions by 2050. The San Francisco Department of the Environment is currently developing a plan to meet the goal of carbon neutrality.

The proposed project would increase the intensity of use of the site by adding 63 dwelling units and approximately 2,800 square feet of ground floor retail uses, thereby increasing the number of people who would access the site daily. 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, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project's energy-related GHG emissions.⁴⁴ Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project's energy-related GHG emissions.

The proposed project's waste-related emissions would be reduced through compliance with the City's Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy⁴⁵ and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁴⁶ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁴⁷

⁴⁴ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁴⁵ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

⁴⁶ While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

⁴⁷ San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 1052-1060 Folsom Street and 190-194 Russ Street, August 2017.

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

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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 checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 65-foot-tall building, plus a 15-foot-tall mechanical and stair penthouse, would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area and would be under 80 feet in height. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

Shadow

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

The proposed project would construct a 65-foot-tall building (with an additional 15 feet for rooftop mechanical equipment and an elevator/stair penthouse; therefore), the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks. The shadow fan indicated that the proposed project would potentially cast new shadows on Victoria Manalo Draves Park and on the playground at Bessie Carmichael Elementary School.⁴⁸ Victoria Manalo Draves Park is under the jurisdiction of the Recreation and Park Commission. Thus, project-generated shadow on the park is subject to Section 295 of the Planning Code.

Based on the results of the preliminary shadow fan analysis, a detailed shadow study was prepared for the proposed project pursuant to Planning Department guidance.⁴⁹ The shadow study consists of quantitative and qualitative analysis of the project's potential shadow impacts to Victoria Manalo Draves Park, including analysis of the shadow of existing surrounding buildings and cumulative projects (i.e. reasonably foreseeable development projects with the project's potential to shadow Victoria Manalo Draves Park). The shadow analysis was conducted for representative times of the day for three representative days of the year. The representative days are the summer solstice (June 21), when the midday sun is at its highest and shadows are shortest; the autumnal/vernal equinoxes (September 20/March 22), when shadows are midway through a period of lengthening; and the winter solstice (December 20), when the midday sun is at its lowest and shadows are longest.

The Proposition K memorandum, dated February 3, 1989, was developed by the Recreation and Park Department and the Planning Department⁵⁰ to establish tolerance levels for new shading for specific parks and establish shadow criteria for parks not named in the memorandum but still subject to Section 295 of the Planning Code. The tolerance limits are based on the new shadow-foot-hours that would potentially be added to a park as a percentage of the theoretical total square-foot-hours (sfh)⁵¹ of sunlight for that property over a period of one year. The Proposition K memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. Victoria Manalo Draves Park was not named in the Proposition K memorandum and, at 2.53 acres (109,997 sq. ft.), it is considered a large park which is shadowed less than 20 percent of the time during the year. As such, it is recommended that additional shadow of up to one percent could be potentially permitted if the shadow meets the qualitative criteria of how shading would occur in the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new project-related shadow on Victoria Manalo Draves Park would require hearings at the Recreation and Park Commission and the Planning Commission.

⁴⁸ Schoolyards that are enrolled in the Shared Schoolyard Project are considered to be publicly accessible and should be included as public open spaces within the shadow analysis for CEQA review. Bessie Carmichael Elementary School is not currently enrolled as a participating school within the San Francisco Shared Schoolyard Project (<http://www.sfsharedschoolyard.org/>). Therefore, project-generated shadow on Bessie Carmichael Elementary School is not discussed in this checklist.

⁴⁹ Prevision Design, Shadow Analysis Report for the Proposed 1052 Folsom Street per SF Planning Section 295 Standards, October 30, 2018

⁵⁰ San Francisco Planning Department, Proposition K – The Sunlight Ordinance Memorandum, February 3, 1989.

⁵¹ The amount of sun the park would receive throughout the year if there was no shadow on the park at any time.

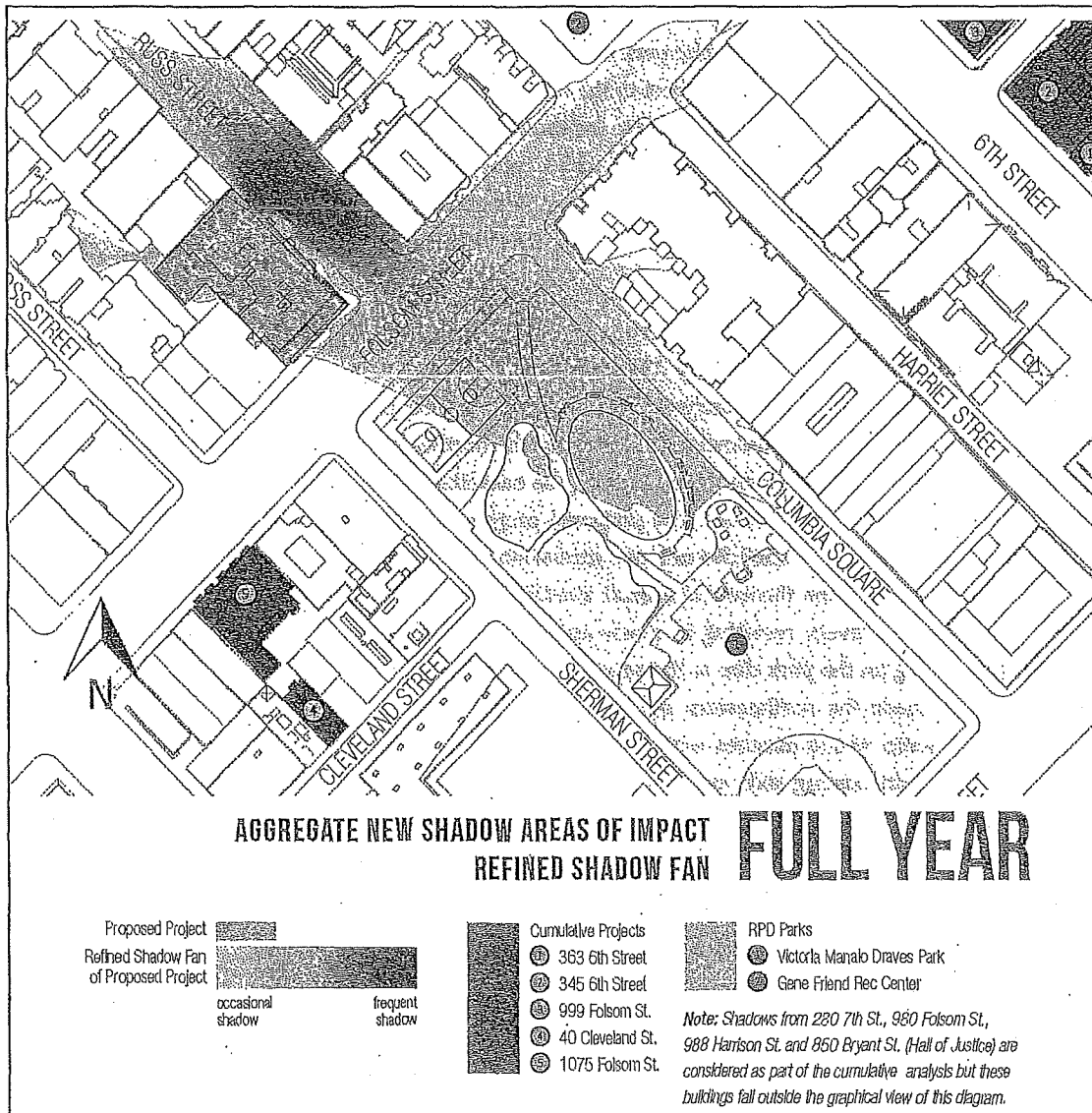
The proposed project would not cast new shadows on the Gene Friend Recreation Center nor any other public parks, privately owned public open spaces, nor the outdoor play area of the Bessie Carmichael Elementary School. Therefore, no additional analysis of shadow on these facilities is provided.

Victoria Manalo Draves Park

Victoria Manalo Draves Park is a public park located on Lot 16 of Assessor's Block 3754 and encompasses the entire block bounded by Folsom Street to the northwest, Harrison Street to the southwest, Columbia Square to the northeast and Sherman Street to the southwest. The park contains a baseball field, a batting cage along Columbia Square, fixed picnic tables, playground areas with playground equipment, restrooms, landscaped areas, and walkways. The park is enclosed by a 5-foot-tall fence and is locked at night. It is open from sunrise to sunset, 365 days per year.

The shadow analysis determined that the proposed project would cast new shadow on Victoria Manalo Draves Park throughout the year. As shown in Figure 2, new shadows from the proposed project would occur between approximately February 23rd and October 17th annually and would enter the park in the late afternoon between approximately 5:15pm and 6pm and be present through the remainder of the afternoon and evening. New shadows would occur in the northeastern quarter of the park and at various times would cast new shadows on the park entry, the basketball court, the northern children's play area, lawn areas, and seven fixed benches. The proposed project would result in new shadows falling on the park, adding approximately 1,569,594 net new annual sfh of shadow and increasing the park's total sfh of shadow from 7.41% of the theoretical annual available sunlight (TAAS) under existing conditions by 0.38% above current levels, resulting in a new annual total shading of 7.79% of the TAAS. The days of maximum shading on the park due to the proposed project would occur on June 21; when the proposed project would shade the northeastern quarter of the park starting between 5:46pm and 6pm and be present for between 96-110 minutes within Section 295 times. Maximum shading would occur at a time (7:36pm) when both existing and project-related shadows would be lengthening at an accelerated rate as compared to other times of day. The largest new shadow would cover 20,064 sf, equal to 18.24% of the total park area (existing shading at that time covers 30% of the park area).

Figure 2 – Full Year Shadow Fan – 1052-1060 Folsom Street and 190-194 Russ Street



Source: Prevision Design, 2018

In order to assess park usage, a qualitative analysis was conducted for the project. The analysis included six 30-minute observation periods conducted during the morning, mid-afternoon, and late afternoon/early evening times between May 18 and May 20, 2018. Based on these observations, the number of users in the park ranged from 4 to 68, with uses that varied at different times of day and days of the week. Observed park uses included children playing in the playground areas, eating lunch and resting on benches, walking dogs, playing basketball or soccer, barbecuing, working in the community garden and for a small portion of observed users, passing through the park. Overall, observed usage of the park was higher during the weekday midday and afternoon observation periods as well as during the weekend morning and midday observation periods. The areas with the highest use at these times were children using the playground areas, with fewer users occupying the other park features. On both morning observations and the weekday afternoon/early evening visit, one user was observed working in the community garden area. The observed intensity of use varied between the various observation times but could be characterized as low to moderate given the park's size. Observed peak use on May 21 corresponded to a ratio of approximately 1,615 square feet of park area per user.

As previously described, new shadow due to the proposed project would occur in the northeastern quarter of the park and would occur during the late afternoon/early evening between approximately 5:15 and 6pm. New shadows cast by the project on the park entry, the basketball court, the northern children's play area, lawn areas, and seven fixed benches would be present though the remainder of the afternoon and evening. In addition, less sensitive areas such as the park entry, grassy areas, edges of the ball field and walkways, would also receive new shadow. Observations of the park noted that peak usage of the park occurred during the weekday midday period (68 users) and weekend midday period (42 users). Based on the analysis, new project-related shadow would be present at times when substantially lower numbers of users were observed during the late afternoon/early evening period (31 users) and weekend late afternoon/early evening period (4 users). Intervening buildings already cast shadows on the same or similar areas of the Victoria Manalo Draves Park, so much of the project-related shadow would not be new shadow. Although shadows would increase in the late afternoon/early evening, no single location within the park would be in continuous new shadow for longer than 15 minutes.

Based on the above, the new shadow resulting from the proposed project would not be expected to substantially affect the use and enjoyment of the park because the project-related shadow would occur during lower levels of weekday and weekend use and would be of short duration in any given area. Users in the affected areas could be affected by the presence of new shadow, however no clear pattern of diminished use of shaded features (vs. unshaded features) was observed under current conditions over the course of the park observation visits. Therefore, the proposed project would result in less-than-significant shadow impacts on Victoria Manalo Draves Park.

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 PEIR.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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 checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The

amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are both set to open in 2017. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

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

As the proposed project would not degrade recreational facilities and is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes city-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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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 checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, the project would not result in new or substantially more severe impacts on the physical environment associated with the provision of public services beyond those analyzed in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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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 checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is located within East SoMa Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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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 checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

A geotechnical investigation was prepared for the proposed project.⁵² Soil samples (borings) collected from the project site were observed to contain artificial fill that generally consisted of loose to medium dense sand with variable amounts of clay and abundant debris, including fragments of wood, brick, concrete, and glass. Historical information indicated that the existing fill at the site was placed between 1870 and 1906. Beneath the undocumented fill material, the site is underlain by weak and highly compressible marine clay deposit, known locally as Bay Mud. Bay Mud extends to a depth of approximately 100 feet below ground surface at the project site. Groundwater was encountered at approximately five feet below ground surface. The report concluded that the proposed building may be adequately supported by driven steel H-piles or torque-down piles. The report recognized that the project site is located in a seismic hazard zone (liquefaction zone), and concluded that the proposed ground floor slab be designed to span between pile caps and /or grade beams and not rely on the fill for

⁵² Rockridge Geotechnical, Final Report, Geotechnical Investigation, Proposed Mixed-Use Development, 1052-1060 Folsom Street, San Francisco, California November 30, 2015.

support and that, with implementation of other recommendations for the site outlined in the report, the proposed structure can be built to existing seismic safety standards.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards.

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 PEIR, and no mitigation measures are necessary.

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
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 checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The approximately 11,500-square feet project site is fully developed with impervious surfaces consisting of five residential and retail buildings ranging from one to three stories tall and an asphalt paved parking area. The proposed project would reduce the amount of impervious surface coverage on the project site as the project provides a landscaped common open space at the rear yard of the first floor, which would reduce runoff from the site. As a result, the proposed project would not increase stormwater runoff.

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Topics:	Significant Impact Peculiar to Project or Project Site	Significant Impact not Identified in PEIR	Significant Impact due to Substantial New Information	No Significant Impact not Previously Identified in PEIR
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Hazardous Building Materials

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of existing buildings on the project site, Project Mitigation Measure 5 Hazardous Building

Materials would apply to the proposed project. See full text of Project Mitigation 5 in the Mitigation Measures Section below.

Soil and Groundwater Contamination

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

The proposed project would not include a basement level, but would require greater than 50 cubic yards of soil disturbance on a site identified on the Maher Map. 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 Environmental Site Assessment (ESA) has been prepared to assess the potential for site contamination.^{53,54} The ESA noted that prior to the construction of the buildings on-site, the property consisted of commercial buildings from at least 1887 and was occupied by storage warehouse and vacant land from at least 1915. The property was developed in 1916 with the current residential building at 192-194 Russ Street and the current commercial/residential building at 1052-1058 Folsom Street, while the commercial building at 1060 Folsom Street was constructed in 1924. Since 1924, the buildings on the project site were occupied by various residential and commercial tenants, including a workshop, sheet metal shop, storage warehouses, and restaurants. During site reconnaissance, the Phase I ESA noted that the former activities on the site are not expected to represent a significant environmental concern. No hazardous materials or evidence of prior inappropriate storage of hazardous materials were found at the

⁵³ Golden Properties, LLC, Maher Application, 190 Russ and 1052-1060 Folsom Streets, May 18, 2015.

⁵⁴ AET Consultants, *Phase I Environmental Site Assessment*, 1052-1060 Folsom Street and 192-194, San Francisco, California 94103, June 13, 2014.

site during the Phase I analysis. No records of underground fuel storage tanks were found, and the existing building's foundation was found to be intact with no evidence of hazardous materials seeping into the soil or groundwater. No on-site Recognized Environmental Conditions (RECs) were identified during the ESA.

Although the Phase I ESA did not indicate any subsurface soil or groundwater contamination present beneath the site, if such contamination is discovered through coordination with DPH, as required by Article 22A of the Health Code, it would be required to be remediated. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

Therefore, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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 checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that 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 PEIR 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 PEIR.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR 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 PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

As the proposed project is consistent with the development density established under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1 — Archeological Testing (Implementing Eastern Neighborhoods PEIR Mitigation Measure J-2). 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 and on human remains and associated or unassociated funerary objects. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. After the first project approval action or as directed by the ERO, the project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. 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) and (c).

Consultation with Descendant Communities: On discovery of an archeological site⁵⁵ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁵⁶ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the 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.

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. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a

⁵⁵ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁵⁶ 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. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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 undertake a worker training program for soil-disturbing workers that will include an overview of expected resource(s), how to identify the evidence of the expected resource(s), and 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. 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, 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, including immediate notification of the Office of the Chief Medical Examiner of the City and County of San Francisco and in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The ERO shall also be immediately notified upon discovery of human remains. The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days after the discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO. If no agreement is reached State regulations shall be followed including the reburial of the human remains and associated burial objects with appropriate dignity on the property in a location not subject to further subsurface disturbance (Pub. Res. Code Sec. 5097.98).

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. The Draft FARR shall include a curation and deaccession plan for all recovered cultural materials. The Draft FARR shall also include an Interpretation Plan for public interpretation of all significant archeological features.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, the consultant shall also prepare a public distribution version of the FARR. 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 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 public interest in or the high interpretive value of the resource, the ERO may require a different or additional final report content, format, and distribution than that presented above.

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

The project sponsor shall 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 the construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on the 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 — Construction Air Quality (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-1). The project sponsor or the project sponsor's Contractor shall comply with the following:

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 offroad emission standards, and have been retrofitted with an ARB Level 3 Verified

Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final offroad emission standards automatically meet this requirement.

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

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

Table—Off-Road Equipment Compliance Step-Down Schedule

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

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

** Alternative fuels are not a VDECS.

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

Project Mitigation Measure 4 – Best Available Control Technology for Diesel Generators (Implementing Eastern Neighborhoods PEIR Mitigation Measure G-4)

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

Project Mitigation Measure 5: Hazardous Building Materials (Implementing Eastern Neighborhoods PEIR Mitigation Measure L-1)

The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.

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Bf


ANGELICA C CABANDE
630 OLMSTEAD ST.
SAN FRANCISCO, CA 94134

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DATE 1/22/19

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ACB

MP

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San Francisco Planning

BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

2018-12-22 10:10

BF

APPLICATION

Appellant's Information

Name: Angelica Cabande

Address: 1110 Howard St

Email Address: acabande@somcan.org

Telephone: 415-255-7693

Neighborhood Group Organization Information

Name of Organization: South of Market Community Action Network

Address: 1110 Howard St

Email Address: acabande@somcan.org

Telephone: 415-255-7693

Property Information

Project Address: 1052-1060 Folom St & 190-194 Russ St

Project Application (PRJ) Record No: 2016-004905CUA

Building Permit No:

Date of Decision (if any): December 20, 2018

Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

REQUIRED CRITERIA	YES	NO
The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.		
The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.	<input checked="" type="checkbox"/>	
The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.		
The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.		

For Department Use Only

Application received by Planning Department

By:

Date:

Submission Checklist:

- ☐ APPELLANT AUTHORIZATION ☐ CURRENT ORGANIZATION REGISTRATION ☐ MINIMUM ORGANIZATION AGE
☐ PROJECT IMPACT ON ORGANIZATION

☐ WAIVER APPROVED

☐ WAIVER DENIED

Wong, Jocelyn (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, February 4, 2019 11:40 AM
To: Sue Hestor; David Gordon Woo; Fleishhacker, William; asbarkley@duanemorris.com; paolo@realtywestsf.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Sider, Dan (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Espiritu, Christopher (CPC); Sucre, Richard (CPC); Ionin, Jonas (CPC); Rosenberg, Julie (BOA); Cantara, Gary (BOA); Longaway, Alec (BOA); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS); ramneek@s2partners.com; ramneek@s2psf.com
Subject: PLANNING DEPARTMENT RESPONSE BRIEF: Appeal of CEQA Community Plan Evaluation - Proposed 1052-1060 Folsom Street and 190-194 Russ Street Project - Appeal Hearing on February 12, 2019

Good morning,

Please find linked below a response brief received by the Office of the Clerk of the Board from the Planning Department, regarding the appeal of the Community Plan Evaluation under CEQA for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street Project.

[Planning Department Response Brief - February 4, 2019](#)

The appeal hearings for these matters are currently scheduled for a 3:00 p.m. special order before the Board on February 12, 2019.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 190093](#)

Regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Notice of Electronic Transmittal

Planning Department Response to the Appeal of Community Plan Evaluation for 1052-1060 Folsom Street and 190-194 Russ Street

1050 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: February 4, 2019

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Tania Sheyner, Principal Environmental Planner – (415) 575-9127
Christopher Espiritu, Senior Environmental Planner – (415) 575-9022

RE: BOS File No. 190093 [Planning Case No. 2016-004905ENV]
Appeal of Community Plan Evaluation for 1052-1060 Folsom Street and
190-194 Russ Street

HEARING DATE: February 12, 2019

In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents," the Planning Department has submitted a multi-page response to the Appeal of Community Plan Evaluation for 1052-1060 Folsom Street and 190-194 Russ [BF 190093] in digital format. Hard copies of this response have been provided to the Clerk of the Board for distribution to the appellants and project sponsor by the Clerk of the Board. A hard copy of this response is available from the Clerk of the Board. Additional hard copies may be requested by contacting Christopher Espiritu of the Planning Department at 415-575-9022 or Christopher.Espiritu@sfgov.org.



SAN FRANCISCO
PLANNING DEPARTMENT

RECEIVED
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2019 FEB -4 AM 11:55

MEMO

BY Bj

Community Plan Evaluation Appeal

1052-1060 Folsom Street and 190-194 Russ Street

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

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TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer – (415) 575-9032
Tania Sheyner, Principal Environmental Planner – (415) 575-9127
Christopher Espiritu, Senior Environmental Planner – (415) 575-9022
RE: Planning Case No. 2016-004905ENV
Board of Supervisors File No. 190093
Appeal of Community Plan Evaluation for 1052-1060 Folsom Street and
190-194 Russ Street
HEARING DATE: February 12, 2019
ATTACHMENT(S): A – 1052 Folsom Street Refined Shadow Fan

PROJECT SPONSOR: Paul Iantorno, Golden Properties LLC, (415) 440-0201
APPELLANT(S): Sue Hestor, Attorney for South of Market Community Action Network

INTRODUCTION

This memorandum and the attached documents are a response to the appeal letter (received on January 22, 2019) from the appellant to the board of supervisors ("the board") regarding the Planning Department's ("the department") issuance of a community plan evaluation ("CPE") under the *Eastern Neighborhoods Rezoning and Area Plan Final Environmental Impact Report* in compliance with the California Environmental Quality Act ("CEQA determination") for the proposed 1052-1060 Folsom Street and 190-194 Russ Street project ("the project").

As described below, the appellant has not demonstrated nor provided substantial evidence to support a claim that the CPE fails to conform to the requirements of CEQA for a CPE pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183. Accordingly, the planning department recommends that the board uphold the department's determination for the CPE and reject the appellant's appeal.

The department, pursuant to CEQA, the CEQA Guidelines, 14 Cal. Code of Reg. sections 15000 et seq., and Chapter 31 of the San Francisco Administrative Code, determined that the project is consistent with the development density established by zoning, community plan, and general plan policies in the Eastern Neighborhoods Rezoning and Area Plan for the project site, for which a programmatic EIR ("PEIR") was certified, and issued the CPE for the project on December 11, 2018. Where the city has issued a CPE, CEQA limits the city's review of a project to consideration of the following factors:

1. Whether there are effects peculiar to the project or its parcel not examined in the PEIR;
2. Whether the effects were already analyzed as significant effects in the PEIR;

Memo

3. Whether the effects constitute potentially significant off-site or cumulative impacts that were not discussed in the PEIR; and
4. Whether there is substantial new information that was not known at the time the Eastern Neighborhoods Rezoning and Area Plan PEIR was certified, which indicates that a previously identified significant impact would have a more severe adverse impact than was discussed in the PEIR.

If an impact is not peculiar to the project, has been addressed as a significant impact in the PEIR, or can be substantially mitigated by imposition of uniformly applied development policies or standards, then CEQA provides that an additional EIR need not be prepared for the project.

The department determined that the project at 1052-1060 Folsom Street and 190-194 Russ Street would not result in new significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the PEIR, and that the project is therefore exempt from further environmental review beyond what was conducted in the CPE initial study and the Eastern Neighborhoods Rezoning and Area Plan PEIR in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

The decision before the board is whether to uphold the planning department's determination that the project is not subject to further environmental review (beyond that conducted in the CPE initial study and the PEIR) pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183 and deny the appeal, or to overturn the department's CPE determination for the project and return the CPE to the department for additional environmental review. The board's decision must be based on substantial evidence in the record. (See CEQA Guidelines sections 15183(b) and (c).)

SITE DESCRIPTION AND EXISTING USES

The project site is located on the northwest corner of the intersection of Folsom Street and Russ Street, on a block that sits between two mid-block alleys—Russ Street to the northeast and Moss Street to the southwest—in the South of Market neighborhood of San Francisco. It has frontages along two streets – approximately 75 feet along Folsom Street and 140 feet along Russ Street. The site consists of three adjacent lots totaling 11,500 square feet and contains five existing buildings. Lot 87 (190 Russ Street) contains a one-story commercial building constructed in 1938 and an existing surface parking lot. Lot 21 contains three buildings: 1052-1058 Folsom Street, which was constructed in 1916 and is occupied by an existing two-story residential building with a ground-floor retail space; 192-194 Russ Street, which was also constructed in 1916, and is occupied by an existing three-story building with residential flats on the upper floors and storage on the ground-floor; and 200 Russ Street (formerly 196 Russ Street), which was also constructed in 1916, and is occupied by a one-story commercial building. Lot 23 (1060 Folsom Street) is occupied by an existing two-story commercial building constructed in 1924.

PROJECT DESCRIPTION

The project would demolish the existing buildings on the project site, merge the three lots into a single lot, and construct a new seven-story, approximately 59,000-gross-square-foot mixed-use building with 63 dwelling units and approximately 2,800 square feet of ground floor retail use. The proposed unit mix for the 63 dwelling units consists of three studio units, 23 one-bedroom units, and 37 two-bedroom units.

Four units would be designated as replacement units for the four existing rent-controlled units (in the 1052-1060 Folsom Street and 192 Russ Street buildings), 15 units would be designated as below market rate units, and the remaining 44 dwelling units would be market rate. The proposed building would be approximately 64 feet, 6 inches tall per the San Francisco Planning Code, with an additional 15 feet to the top of the rooftop elevator and stair penthouses and mechanical equipment. The project would provide approximately 6,800 square feet of common open space within the second floor deck and a rooftop deck, and a combined total of approximately 2,100 square feet of private open space for units on the first through seventh floors. The project would also include an at-grade garage for 17 vehicles and 63 class I bicycle parking spaces and 10 class II bicycle parking spaces would be installed on the sidewalks along the Folsom Street and Russ Street frontages of the project site.¹

The ground floor of the project would include about 2,800 square feet for three retail spaces fronting Folsom Street, three ground-floor residential units fronting on Russ Street, and about 800 square feet for 63 class I bicycle parking spaces. The ground floor would also include approximately 4,500 square feet for building services and an at-grade garage with 17 off-street vehicle parking spaces in stackers (including one handicapped-accessible parking space and one car share parking space) that would be accessible via Russ Street. The project would construct a new 10-foot-wide curb cut on Russ Street and a driveway into the aforementioned at-grade garage, restore sidewalk to standard heights where curb cuts are removed, and install street trees along the Folsom Street and Russ Street frontages. The existing approximately 13-foot-wide sidewalk along Folsom Street and the approximately 15-foot-wide sidewalk along Russ Street would remain. The proposed ground-floor dwelling units would be accessed through individual entrances/exits along the Russ Street frontage of the project site. All other dwelling units would be accessed through a residential lobby also located on the ground floor with an entrance/exit on Russ Street. Access to the proposed ground-floor retail units would be through individual entrances/exits located along the Folsom Street frontage of the site, and an additional entrance/exist would be located on Russ Street for one corner retail unit.

BACKGROUND

On August 7, 2017, Paolo Iantorno of Golden Properties LLC (hereinafter "project sponsor") filed an environmental evaluation application with the department for the project described above.

On December 11, 2018, the department issued a CPE certificate and initial study, based on the following determinations:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;

¹ Class I bicycle parking spaces are long-term bicycle parking for residents and/or employees that are typically located within designated off-street spaces such as bicycle lockers or bicycle storage rooms. Class II bicycle parking spaces are short-term parking for visitors that are typically located in commonly-accessible areas, such as bicycle racks on sidewalks fronting the project site.

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

The planning commission considered the project on December 20, 2018. On that date, the planning commission adopted the CPE and approved the Conditional Use Authorization and a Large Project Authorization for the project (planning commission resolutions No. 20361 and No. 20360). The planning commission also adopted the findings of the shadow analysis for the project (planning commission resolution No. 20362). The approval of the Conditional Use Authorization and Large Project Authorization constituted the approval action under Chapter 31 of the Administrative Code.

Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action. Thus, the 30th day after the Date of the Approval Action was Saturday, January 19, 2019. However, it has been the longstanding practice of the Clerk of the Board, when an appeal deadline falls on a weekend day, to accept appeals until the close of business on the following workday. That date was Tuesday, January 22, 2019 (Appeal Deadline).

On January 22, 2019, an appeal of the CPE determination was filed by Sue Hestor, attorney for the South of Market Community Action Network.

On January 25, 2019, the department found that the CPE appeal was timely filed.

CEQA GUIDELINES

Community Plan Evaluations

As discussed in the Introduction above, CEQA section 21083.3 and CEQA Guidelines section 15183 mandate that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, shall not require additional environmental review unless there are project-specific effects that are peculiar to the project or its site and that were not disclosed as significant effects in the prior EIR.

Significant Environmental Effects

CEQA Guidelines section 15064(f) provides that the determination of whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. CEQA Guidelines 15064(f)(5) offers the following guidance: "Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumption predicated upon facts, and expert opinion supported by facts."

SAN FRANCISCO ADMINISTRATIVE CODE

Section 31.16(e)(3) of the Administrative Code states: "The grounds for appeal of an exemption determination shall be limited to whether the project conforms to the requirements of CEQA for an exemption."

San Francisco Administrative Code section 31.16(b)(6) provides that, in reviewing an appeal of a CEQA decision, the Board of Supervisors "shall conduct its own independent review of whether the CEQA decision adequately complies with the requirements of CEQA. The Board shall consider anew all facts, evidence and issues related to the adequacy, accuracy and objectiveness of the CEQA decision, including, but not limited to, the sufficiency of the CEQA decision and the correctness of its conclusions."

PLANNING DEPARTMENT RESPONSES

The concerns raised in the appeal letter are addressed in the responses below. It should be noted that the appeal letter is very brief, consisting of just a few sentences addressing the adequacy of the CPE. The letter makes two main unsubstantiated assertions, which are addressed fully below.

Response 1: The department appropriately analyzed the project using the project description submitted by the project sponsor.

The appellant contends that the department's analysis of the project was questionable due to inaccurate information about the project. Specifically, the appellant asserts that the project plans used for review do not conform to the planning code requirements imposed on a residential building of this scale.

As the CPE Certificate notes on page 3 (in the project description), the proposed project would require a Conditional Use Authorization ("CUA") and a Large Project Authorization ("LPA"). These authorizations are mechanisms by which the planning commission is able to grant specific exemptions to planning code provisions that otherwise could not be granted. These mechanisms are part of the planning code, are fairly routine for projects in the Eastern Neighborhoods Plan area, and are triggered by either the project site's or project's size or other features. Thus, the project plans that were used for the purposes of environmental review accurately reflect the project that is proposed. The department appropriately analyzed the project as proposed by the sponsor, with the explicit acknowledgement that these approvals would be necessary in order for the project to be approved. The specific reasons for why these approvals were required are discussed below.

The project's size and proposed uses required the sponsor's application to allow for the granting of a CUA and an LPA by the planning commission, this necessitated several types of review to assess the project's compliance with applicable codes, in addition to the review of environmental impacts. Specifically, in order for the project to proceed, the commission had to grant a CUA pursuant to Planning Code sections 121.1, 121.7, 303 and 317 for development on a lot greater than 10,000 square feet, for the merger of lots resulting in a street frontage greater than 50 feet in the RED Zoning District, and for the demolition of four existing dwelling units, respectively. The commission had to also grant a LPA pursuant to Planning Code section 329 for new construction over 25,000 square feet in the RED Zoning District. Under the LPA, the commission must grant modifications to the planning code requirements for rear yard (Planning Code section 134) and dwelling unit exposure (Planning Code section 140). Lastly, the commission also had to adopt a motion that found that the additional shadow cast by the project on Victoria Manalo Draves Park would not be adverse to the use of the park, pursuant to Planning Code Section 295.

Separately, because the project includes 44 dwelling units that are located in the SoMa NCT Zoning District, and because the project does not provide a code-complying rear yard, and eight units do not meet the dwelling unit exposure requirements, it also required approval of a variance from the Zoning Administrator, who considered and approved this request immediately following the hearing for this CUA.

As described above, CEQA Guidelines section 15183 mandates that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, shall not require additional environmental review unless there are project-specific effects that are peculiar to the project or its site and that were not disclosed as significant effects in the prior EIR. The department conducted environmental analysis of the project that was submitted by the project sponsor, which would have required approvals of a CUA, LPA, Planning Code section 295 and variance, since they are part of the Planning Code. The project's environmental analysis determined that the project would not result in any new project-specific impacts and a CPE was determined to be the appropriate level of environmental review.

The appellant has not demonstrated that the department's review of the project is not adequate and their claims are not supported by substantial evidence in the record.

Response 2: The department's analysis of project-related shadow impacts was appropriately conducted, and was consistent (and built upon) the shadow impact analysis in the Eastern Neighborhoods PEIR.

The appellant contends that the Eastern Neighborhoods PEIR did not analyze impacts of shadows that are governed by Planning Code section 295 and fall on Victoria Manalo Draves Park. The appellant offers no justification for this assertion.

The appellant is incorrect, as the Eastern Neighborhoods PEIR included analysis of shadow for Victoria Manalo Draves Park under all build-out scenarios (rezoning options A, B, and C) and the No Project Alternative. As described in the PEIR on page 397, the shadow analysis conducted for the PEIR noted that under existing (at that time) height limits, up to 95 percent of the park could be shaded at the last

Proposition K minute in winter (7:35 p.m.) and up to 75 percent of the park could be shaded at the first Proposition K minute in summer (6:48 a.m.) with full buildout in accordance with existing height limits. The PEIR stated that potential impacts from future proposed development would be evaluated on a project-specific basis, and shadow effects could be limited through design of individual projects that takes into consideration shading effects on nearby parks. The PEIR continued that all future development in East SoMa would be subject to the Section 295 (Proposition K) review process and the potential shadow impacts would be evaluated based on the guidelines of that code section. Future development in the area surrounding Victoria Manalo Draves Park would also be subject to Section 147 review and site-specific environmental analysis.

At the time of preparation, the Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

Thus, as explained above, the PEIR did in fact analyze the impacts of shadows on Victoria Manalo Draves Park, contrary to the appellant's assertion. Although the appellant does not explicitly discuss this in the appeal, it is noted that the CPE did include a project-specific shadow study, which found that project shadow would not be significant. San Francisco Recreation and Park Commission concurred with this conclusion on December 20, 2018, when it adopted a resolution recommending to the Planning Commission that the new shadow cast by the project at 1052-1060 Folsom and 190-194 Russ Street would not have a significant adverse impact on the use of Victoria Manalo Draves Park, pursuant to Planning Code section 295. While the Planning Department acknowledged in the CPE that there would be some minor increase in shadows on this park, a detailed shadow analysis, which is summarized below, reflects that this increase would not have an impact on the enjoyment of the park by its users.

The shadow study prepared for the CPE included quantitative and qualitative analysis of the project's potential shadow impacts to Victoria Manalo Draves Park, including analysis of the shadow of existing surrounding buildings and cumulative projects. The study presented analysis for three representative days of the year.² As noted in the shadow study, the proposed project would cast new shadow on Victoria Manalo Draves Park throughout the year, generally entering the park late afternoon between approximately 5:15 p.m. and 6 p.m. and would be present through the remainder of the afternoon and evening (see Attachment A of this appeal response). The areas most affected by new shadow would be the park entry, the basketball court, the northern children's play area, lawn areas, and seven fixed benches, features located largely in the northeastern quarter of the park. However, site visits to the park (which were conducted by the shadow consultant) indicate that project-related shadow would occur during lower levels of weekday and weekend use and would be of short duration in any given area. Users in the affected areas could be affected by the presence of new shadow; however, no clear pattern of diminished use of shaded features (vs. unshaded features) was observed under current conditions over the course of the park observation visits. Therefore, the CPE concluded that the project would result in less-than-significant shadow impacts on Victoria Manalo Draves Park. Although shadows would increase

² The representative days are the summer solstice (June 21), when the midday sun is at its highest and shadows are shortest; the autumnal/vernal equinoxes (September 20/March 22), when shadows are midway through a period of lengthening; and the winter solstice (December 20), when the midday sun is at its lowest and shadows are longest.

in the late afternoon/early evening, no single location within the park would be in continuous new shadow for longer than 15 minutes.

The appellant has not provided any substantial evidence to support the claim that inadequate analysis of shadow was conducted.

CONCLUSION

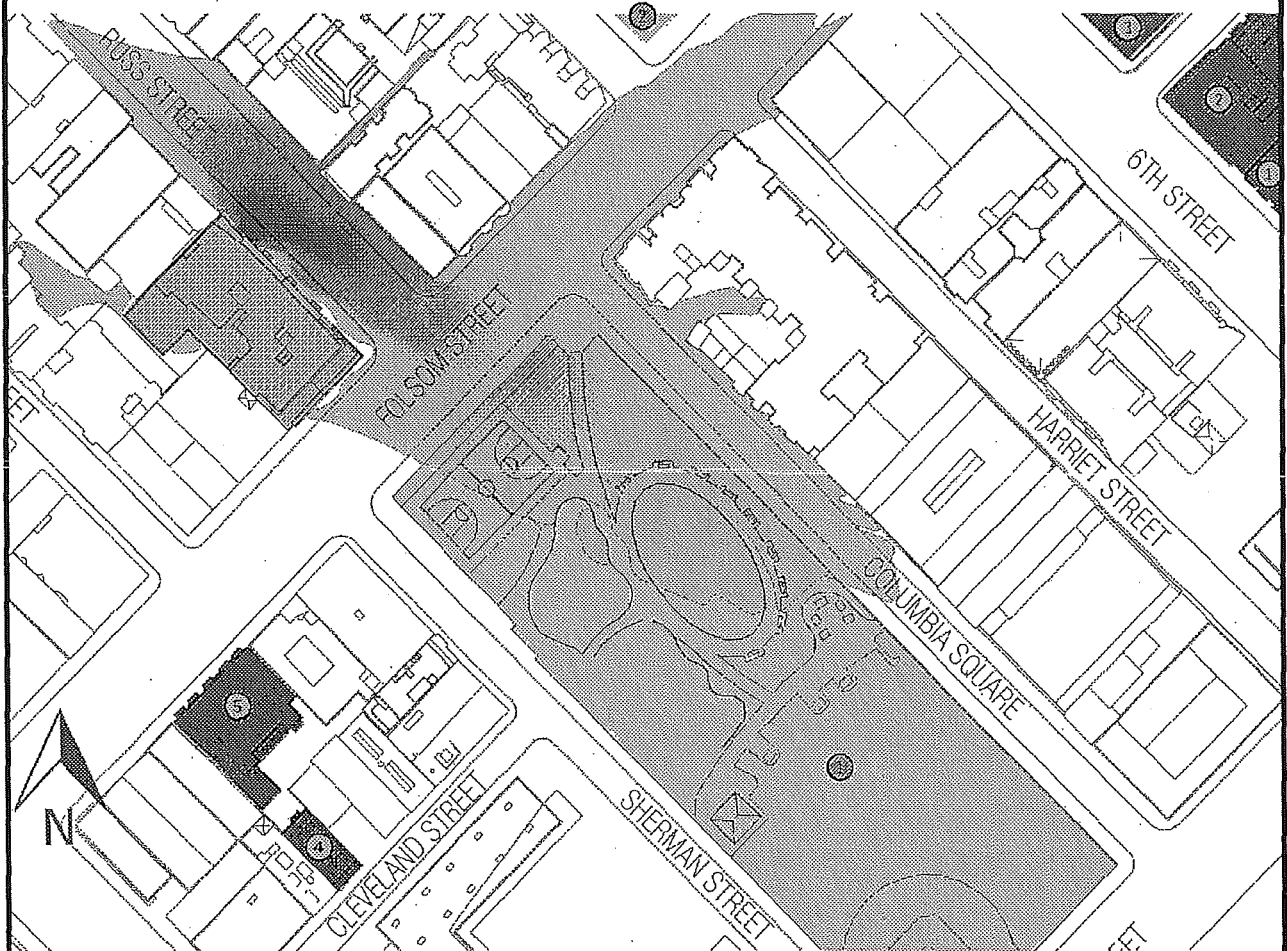
The appellant has not demonstrated nor provided substantial evidence to support a claim that the CPE fails to conform to the requirements of CEQA for a CPE pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183. The planning department conducted necessary studies and analyses and provided the planning commission with the information and documents necessary to make an informed decision, based on substantial evidence in the record, at a noticed public hearing in accordance with the planning department's CPE initial study and standard procedures, and pursuant to CEQA and the CEQA Guidelines. Therefore, the planning department respectfully recommends that the board of supervisors uphold the department's determination for the CPE and reject the appellant's appeal.

Attachment A

1052 Folsom Street Refined Shadow Fan

Attachment A

Refined Shadow Fan (Full Year, New and Existing Shadow)



AGGREGATE NEW SHADOW AREAS OF IMPACT REFINED SHADOW FAN

FULL YEAR

Proposed Project
Refined Shadow Fan
of Proposed Project

occasional
shadow

frequent
shadow

Cumulative Projects

- ① 363 6th Street
- ② 345 6th Street
- ③ 999 Folsom St.
- ④ 40 Cleveland St.
- ⑤ 1075 Folsom St.

RPD Parks

- ⑥ Victoria Manalo Draves Park
- ⑦ Gene Friend Rec Center

*Note: Shadows from 280 7th St., 980 Folsom St.;
988 Harrison St. and 850 Bryant St. (Hall of Justice) are
considered as part of the cumulative analysis but these
buildings fall outside the graphical view of this diagram.*

Source: Prevision Design, 2018

1052-1060 Folsom Street and 190-194 Russ Street

Jalipa, Brent (BOS)

From: BOS Legislation, (BOS)
Sent: Friday, February 01, 2019 12:15 PM
To: Sue Hestor; David Gordon Woo; Fleishhacker, William; asbarkley@duanemorris.com; paolo@realtywestsf.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Sider, Dan (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Espiritu, Christopher (CPC); Sucre, Richard (CPC); Ionin, Jonas (CPC); Rosenberg, Julie (BOA); Cantara, Gary (BOA); Longaway, Alec (BOA); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS); ramneek@s2partners.com; ramneek@s2psf.com
Subject: REQUESTS FOR CONTINUANCE: Appeal of CEQA Community Plan Evaluation and Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street Project - Appeal Hearing on February 12, 2019

Categories: 190097, 190093

Good afternoon,

Please find linked below a letter received by the Office of the Clerk of the Board from the project sponsor and the appellant, regarding requests for continuance of regarding the appeals of both the Community Plan Evaluation under CEQA and Conditional Use Authorization for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street Project.

[Project Sponsor Letter - January 29, 2019](#)

[Appellant Letter - February 1, 2019](#)

The appeal hearings for these matters are currently scheduled for a 3:00 p.m. special order before the Board on February 12, 2019.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 190093](#)

[Board of Supervisors File No. 190097](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



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***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the*

Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

1052-1060 Folsom Street & 190-194 Russ Street

RECEIVED
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SAN FRANCISCO

190093 Appeal of CEQA Community Plan Evaluation

2019 FEB - 1 AM 11:46

190097 Appeal of Conditional Use Authorization

BY BSJ

Appellant South of Market Community Action Network (SOMCAN) requests BOS to continue hearing on these appeals from February 12 to March 19, 2019 due to problems with records.

Proposed project at 1052-1056 Folsom & 190-194 Russ St requires Planning Commission analysis and findings on SHADOWS Project will cast on VICTORIA MANOLO DRAVES PARK before voting to approve project. SOMCAN appeals challenge that analysis and the Project approvals.

Surrounding residents in South of Market is a working class community of Filipinos, immigrants, families, senior and children. They have extremely limited access to open space. The South of Market has only two parks - South Park (east of 3rd St and south of Bryant) and Victoria Manolo Draves Park. Residents do not in an area with back yards. There is a serious lack of sunlit open space.

Planning Commission heard and approved Project the afternoon of **Thursday, December 20, 2018**, following a separate independent hearing by Recreation and Park Commission the morning of **December 20, 2018**. Attorney for appellant SOMCAN, Sue Hestor, made request for records to Doug Vu, planner at Planning Department to Project **December 20, 2018**. Separate request was made for CEQA files. A second records request was made to Doug Vu on **Friday, December 21, 2018**. Vu opened both emails requesting files December 21, 2018. No reply was sent.

On **Monday, December 24, 2018**, Hestor went to Planning Department to review files/dockets on Project. CEQA files/docket were available and reviewed. Hestor requested that staff call Vu to determine whether they would be available **Wednesday, December 26**. Planning Department staff could not locate Vu or anyone else on project. While at Department at **12:56pm December 24, 2018** Hestor sent **3rd email to Doug Vu** requesting to review files.

An automatic reply was sent that Vu was no longer at Planning Department and sender should contact Richard Sucre if no new planner was identified on Property Information Map. This was first information that he had left December 21,

On **December 26, 2018** series of requests for documents with various persons at Planning Department began. First reply was December 31, 2018 when "Records Request Planning Department" stated that they would endeavor to reply by **January 10, 2019**.

Hestor made repeated unsuccessful attempts to get both project files and final motions of approval from Planning Department.

The first appeal filing deadline was to Board of Appeals **Friday, January 4, 2019**. All appeals require that final MOTION be provided at time appeal filed. With the assistance of Executive Director of Board of Appeals, final Motions approving project were made available late January 2, 2019.

Planning was unable to locate any paper files/dockets on Project after Vu left the Department.

On **January 24, 2019** new "dockets" - that had been created for Project Conditional Use (CUA), Large Project Authorization (ENX), and Variance (VAR) - were put out for review. **There was no SHADOW file or docket, despite the SHADOW action being MANDATORY action by Planning Commission prior to their taking any further action.**

Newly created CUA and ENX dockets contained final approval motion with approved plans, application, Project staff report provided to Planning Commission on **December 13, 2018** and a few other items.

Planning referred SOMCAN attorney to DVDs of emails to obtain all other information on the Project.

Information on shadow analysis requires plans for building - in various iterations, and impacts of shadows cast. Dialog between planners reviewing shadows cast, spaces in the park, use of those spaces is important and integral to analysis required of shadow impacts (Proposition K).

Since there are no paper files containing any of this information, appellant must solely rely on what is on DVD and its substantial comments. Information in the DVD is replete with attachments which are difficult for the public to open. Many require access to a color printer.

DVDs supposedly containing all emails on project were provided to SOMCAN on **January 31, 2019**.

Since December 20, 2018, in addition to planner leaving Planning at COB December 21 following have affected ability to get records: Planning Commission hiatus - December 21 - January 9. BOS hiatus - to January 7. Transition at new BOS - January 8 etc. MLK Holiday - January 21.

Two days ago developer asked BOS to continue hearing on appeals to February 26 so it may prepare answer. Developer has been consulting with Planning Department staff on project, and supplying documents on project since 2016. They already know what is in email attachments that have only been provided to appellants in past week.

Appellants must review and open hundreds of emails AND ATTACHMENTS which appear to have been finally provided yesterday to be able to prepare for hearing and submit brief.

SOMCAN requests that appeal hearings be continued to March 19.

SOMCAN can then file its brief by March 8.

SUE HESTOR
Attorney for SOMCAN
hestor@earthlink.net
415 846 1021 (cell)

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OF DUANE MORRIS
ALLIANCES IN MEXICO
AND SRI LANKA

January 29, 2019

VIA E-MAIL

President Norman Yee
and Members of the San Francisco Board of Supervisors
Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

**Re: File NO. 190093 and 190097 - Appeal of CEQA Community Plan Evaluation
and Conditional Use Authorization - 1052 - 1060 Folsom Street and 190-194
Russ Street**

Dear President Norman Yee and Members of the Board of Supervisors:

We are writing on behalf of our client, Golden Properties LLC, the project sponsor of the project that is subject of the above referenced appeals, which have been scheduled for hearing before the Board on February 12th, 2019. We understand that any documentation that the project sponsor wants to submit to the Board members prior to the hearing must be provided to the Clerk's office by 12:00 pm, 11 days before the hearing, or this Friday February 1st.

We were not informed of the hearing date nor copies of the appeal statements from the Clerk of the Board until yesterday afternoon, Monday January 28th. Consequently, there is very little time to prepare and submit adequate documentation for two separate appeals for the Board's consideration.

Given the late notice of the hearing date, it would be unfair to have the hearing proceed on such an expedited schedule. On this basis we request a continuance to Tuesday February 26, 2019, which would be the next regular Board meeting after February 12, 2019, the date for which the hearing is currently scheduled.

DUANE MORRIS LLP

SPEAR TOWER, ONE MARKET PLAZA, SUITE 2200
SAN FRANCISCO, CA 94105-1127

PHONE: +1 415 957 3000 FAX: +1 415 957 3001

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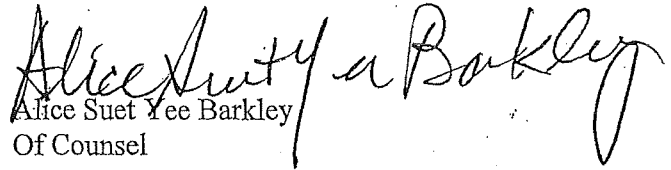
President Norman Yee
January 29, 2019
Page 2

Duane Morris

Thank you for your consideration of our request.

Very truly yours,

DUANE MORRIS LLP


Alice Suet Yee Barkley
Of Counsel

ASB

cc: Angela Calvillo, Clerk of the Board
Alisa Somera, Deputy Clerk
Paul Iantorno

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Tuesday, January 29, 2019 9:55 AM
To: Sue Hestor; David Gordon Woo; paolo@realtywestsf.com; ramneek@s2partners.com; ramneek@s2psf.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Sider, Dan (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Espiritu, Christopher (CPC); Sucre, Richard (CPC); Ionin, Jonas (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS)
Subject: HEARING NOTICE: Appeal of CEQA Community Plan Evaluation and Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street Project - Appeal Hearing on February 12, 2019
Categories: 190097, 190093

Good morning,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **February 12, 2019, at 3:00 p.m.**, to hear the appeals of both the Community Plan Evaluation under CEQA and Conditional Use Authorization for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street Project.

Please find the following link to the hearing notice for the matter.

[Public Hearing Notice - January 29, 2019](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the links below:

[Board of Supervisors File No. 190093](#)

[Board of Supervisors File No. 190097](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeals and said public hearings will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, February 12, 2019

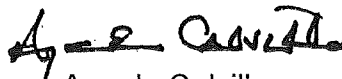
Time: 3:00 p.m.

Location: Legislative Chamber, City Hall, Room 250
1 Dr. Carlton B. Goodlett, Place, San Francisco, CA 94102

Subject: **File No. 190093.** Hearing of persons interested in or objecting to a Community Plan Evaluation by the Planning Department under the California Environmental Quality Act issued on December 11, 2018, for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, approved on December 20, 2018, to demolish the existing buildings on the project site, merge three lots into a single lot, and construct a new seven-story, approximately 64 feet and 6 inches tall, 59,000-gross-square-foot mixed use building with 63 dwelling units (four units designated as replacement for four existing rent-controlled units, 15 units would be designated as below market rate units, the remaining 44 dwelling units would be market rate), and approximately 2,800 square feet of ground floor retail use. (District 6) (Appellant: Sue Hestor, on behalf of South of Market Community Action Network) (Filed January 22, 2019)

File No. 190097. Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 121.1, 121.7, 303, and 317, for a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, Assessor's Parcel Block No. 3731, Lot Nos. 021, 023, and 087, identified in Planning Case No. 2016.004905CUA, issued by the Planning Commission by Motion No. 20361, dated December 20, 2018, for the development of a lot greater than 10,000 square feet, merger of lots that result in a street frontage greater than 50 feet, and the demolition of four existing dwelling units for the project involving the demolition of five existing buildings, merger of three lots, and the construction of a seven-story mixed-use building containing 2,832 square feet of ground floor commercial retail use and 55,887 square feet of residential use for 63 dwelling units, and a ground floor garage with access from a new driveway on Russ Street, within the SoMa NCT (Neighborhood Commercial Transit) and RED (Residential, Enclave) Zoning Districts, and SoMa Youth and Family Special Use District, a 65-X height and bulk district. (District 6) (Appellant: Sue Hestor, on South of Market Community Action Network) (Filed January 22, 2019)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, February 8, 2019.


Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. 190093 and 190097

Description of Items: Public Hearing Notices - Hearing - Appeal of CEQA Community Plan Evaluation and Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street - 489 Notices Mailed

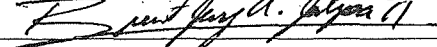
I, Brent Jalipa, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: January 29, 2019

Time: 10:55 a.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, January 28, 2019 12:25 PM
To: Ko, Yvonne (CPC)
Cc: BOS-Operations; BOS Legislation, (BOS)
Subject: APPEAL CHECK PICKUP: Appeal of CEQA CPE and Conditional Use Authorization - Proposed 1052-1060 Folsom Street and 190-194 Russ Street Project - Appeal Hearing on February 12, 2019

Categories: 190097, 190093

Good afternoon Yvonne,

Two checks for the appeal filing fee for the CEQA Community Plan Evaluation and Conditional Use Authorization appeal of the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street is ready to be picked up here in the Clerk's Office weekdays from 8 a.m. through 5 p.m. Fee waivers for both appeals have been filed as well.

Thanks, as always,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-7712 | Fax: (415) 554-5163
brent.jalipa@sfgov.org | www.sfbos.org

From: BOS Legislation, (BOS)
Sent: Monday, January 28, 2019 12:20 PM
To: Sue Hestor <hestor@earthlink.net>; David Gordon Woo <dwoo@somcan.org>; paolo@realtwestsf.com; ramneek@s2partners.com; ramneek@s2psf.com
Cc: GIVNER, JON (CAT) <Jon.Givner@sfcityatty.org>; STACY, KATE (CAT) <Kate.Stacy@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lynch, Laura (CPC) <laura.lynch@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Espiritu, Christopher (CPC) <christopher.espiritu@sfgov.org>; Sucre, Richard (CPC) <richard.sucre@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Appeal of CEQA Community Plan Evaluation and Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street Project - Appeal Hearing on February 12, 2019

Good afternoon,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **February 12, 2019, at 3:00 p.m.** Please find linked below letters of appeal filed against the proposed project at 1052-

1060 Folsom Street and 190-194 Russ Street, as well as direct links to the Planning Department's determination of timeliness for the appeal, and an informational letter from the Clerk of the Board.

[CEQA Community Plan Evaluation Appeal Letter - January 22, 2019](#)

[Conditional Use Appeal Letter - January 22, 2019](#)

[Planning Department Memo - January 25, 2019](#)

[Clerk of the Board Letter - January 28, 2019](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 190093](#)

[Board of Supervisors File No. 190097](#)

Please note that the truncated hearing schedule due to the Board not having a regular meeting scheduled on February 19 in observance of President's Day holiday. Our office must notice this appeal hearing by close of business **tomorrow**, on Tuesday, January 29, 2019. If you have any special recipients for the hearing notice, kindly provide the list of addresses for interested parties in spreadsheet format to us by 12:00pm, Tuesday, January 29, 2019.

Thank you,

Brent Jalipa

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

January 28, 2018

File Nos. 190093-190096 and 190097-190100

Planning Case Nos. 2016-004905ENV/CUA

Received from the Board of Supervisors Clerk's Office two checks, each in the amount of Six Hundred Seventeen Dollars (\$617), representing the filing fee paid by Angelica C. Cabande and Sue Hestor for the appeals of the Community Plan Evaluation under CEQA and Conditional Use Authorization for the proposed 1052-1060 Folsom Street & 190-194 Russ Street project:

Planning Department

By:

Tony
Print Name

[Signature] 1/30/19
Signature and Date

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Monday, January 28, 2019 12:20 PM
To: Sue Hestor; David Gordon Woo; paolo@realtywestsf.com; ramneek@s2partners.com; ramneek@s2psf.com
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Rahaim, John (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Sider, Dan (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Espiritu, Christopher (CPC); Sucre, Richard (CPC); Ionin, Jonas (CPC); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS Legislation, (BOS)
Subject: Appeal of CEQA Community Plan Evaluation and Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street Project - Appeal Hearing on February 12, 2019
Categories: 190097, 190093

Good afternoon,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **February 12, 2019, at 3:00 p.m.** Please find linked below letters of appeal filed against the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, as well as direct links to the Planning Department's determination of timeliness for the appeal, and an informational letter from the Clerk of the Board.

[CEQA Community Plan Evaluation Appeal Letter - January 22, 2019](#)

[Conditional Use Appeal Letter - January 22, 2019](#)

[Planning Department Memo - January 25, 2019](#)

[Clerk of the Board Letter - January 28, 2019](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 190093](#)

[Board of Supervisors File No. 190097](#)

Please note that the truncated hearing schedule due to the Board not having a regular meeting scheduled on February 19 in observance of President's Day holiday. Our office must notice this appeal hearing by close of business **tomorrow**, on Tuesday, January 29, 2019. If you have any special recipients for the hearing notice, kindly provide the list of addresses for interested parties in spreadsheet format to us by 12:00pm, Tuesday, January 29, 2019.

Thank you,

Brent Jalipa

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TDD/TTY No. 554-5227

January 28, 2019

Sue Hestor
Attorney for South of Market Community Action Network
870 Market Street, #1128
San Francisco, CA 94102

**Subject: File No. 190093 and 190097 - Appeal of CEQA Community Plan
Evaluation and Conditional Use Authorization - 1052-1060 Folsom
Street and 190-194 Russ Street**

Dear Ms. Hestor:

The Office of the Clerk of the Board is in receipt of a memorandum dated January 25, 2019, from the Planning Department regarding their determination on the timely filing of appeal of the CEQA Community Plan Evaluation for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street.

The Planning Department has determined that the appeal was filed in a timely manner (copy attached).

The conditional use appeal was filed with the subscription of five members of the Board of Supervisors, and therefore meets the filing requirements of Planning Code, Section 308.1.

Pursuant to Administrative Code, Section 31.16, and Planning Code, Section 308.1, a hearing date has been scheduled for **Tuesday, February 12, 2019, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

- 15 days prior to the hearing:** names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and
- 11 days prior to the hearing:** any documentation which you may want available to the Board members prior to the hearing.


For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and two copies of the documentation for distribution.

Continues on next page

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7720.

Very truly yours,


Angela Calvillo
Clerk of the Board

c: Paul Iantorno, Golden Properties LLC, Project Sponsor
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Corey Teague, Zoning Administrator, Planning Department
Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devyani Jain, Deputy Environmental Review Officer, Planning Department
Joy Navarette, Environmental Planning, Planning Department
Laura Lynch, Environmental Planning, Planning Department
AnMarie Rodgers, Director of Citywide Planning, Planning Department
Dan Sider, Director of Executive Programs, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Christopher Espiritu, Staff Contact, Planning Department
Doug Vu, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals
Gary Cantara, Legal Assistant, Board of Appeals
Alec Longaway, Legal Process Clerk, Board of Appeals



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: January 25, 2019
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Lisa Gibson, Environmental Review Officer
RE: Appeal Timeliness Determination –
1052-1060 Folsom Street and 190-194 Russ Street Project
Planning Department Case No. 2016-004905ENV

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

An appeal of the Community Plan Evaluation (CPE) for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street was filed with the Office of the Clerk of the Board of Supervisors on January 22, 2019 by Sue Hestor, on behalf of the South of Market Community Action Network. As explained below, the Planning Department finds the appeal to be timely filed.

Date of Approval Action	30 Days after Approval Action	Appeal Deadline (Must Be Day Clerk of Board's Office Is Open)	Date of Appeal Filing	Timely?
Thursday, December 20, 2018	Saturday, January 19, 2019	Tuesday, January 22, 2019	Tuesday, January 22, 2019	Yes

Approval Action: On December 11, 2018, the Planning Department issued a CPE for the proposed project. The CPE identified the Approval Action for the project as the approval of the Large Project Authorization by the Planning Commission, as provided by Planning Code Section 329. The Large Project Authorization was approved by the Planning Commission at a duly noticed hearing which occurred on December 20, 2018 (Date of the Approval Action).

Appeal Deadline: Section 31.16(a) and (e) of the San Francisco Administrative Code states that any person or entity may appeal an exemption determination to the Board of Supervisors during the time period beginning with the date of the exemption determination and ending 30 days after the Date of the Approval Action. Thus, the 30th day after the Date of the Approval Action was Saturday, January 19, 2019. However, when an appeal deadline falls on a weekend day, it has been the longstanding practice of the Clerk of the Board to accept appeals until the close of business on the following workday. That date was Tuesday, January 22, 2019 (Appeal Deadline).

Appeal Filing and Timeliness: The Appellant filed the appeal of the CPE on January 22, 2019, prior to the end of the Appeal Deadline. Therefore, the appeal is considered timely.

Memo

Lew, Lisa (BOS)

From: BOS Legislation, (BOS)
Sent: Wednesday, January 23, 2019 4:16 PM
To: Rahaim, John (CPC)
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Sider, Dan (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); Espiritu, Christopher (CPC); Rosenberg, Julie (BOA); Cantara, Gary (BOA); Longaway, Alec (BOA); Calvillo, Angela (BOS); Somera, Alisa (BOS); BOS-Supervisors; BOS-Legislative Aides; BOS Legislation, (BOS)
Subject: Appeal of CEQA Exemption Determination - 1052-1060 Folsom Street and 190-194 Russ Street - Timeliness Determination Request
Attachments: Appeal Ltr 012219.pdf; COB Ltr 012319.pdf
Categories: 190093

Good afternoon, Director Rahaim:

The Office of the Clerk of the Board is in receipt of an appeal of the CEQA Community Plan Evaluation for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street. The appeal was filed by Sue Hestor, on behalf of the South of Market Community Action Network, on January 22, 2019.

Please find the attached letter of appeal and timely filing determination request letter from the Clerk of the Board.

Please note that a concurrent Conditional Use Appeal was filed by the same appellants for this project and subscribed by five Supervisors. Typically, we ask that the timely filing determination is made within three working days of receipt of the request; however, with a truncated schedule to prepare and notice hearing for a tentative date of February 12, due to President's Day, we respectfully ask that a timely determination be made as soon as possible.

Kindly review for timely filing determination.

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

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TDD/TTY No. 554-5227

January 23, 2019

To: John Rahaim
Planning Director

From: *ACC* Angela Calvillo
Clerk of the Board of Supervisors

Subject: Appeal of California Environmental Quality Act (CEQA) Community Plan - Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street

An appeal of the CEQA Community Plan Evaluation for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street was filed with the Office of the Clerk of the Board on January 22, 2019, by Sue Hestor, on behalf of South of Market Community Action Network.

Pursuant to Administrative Code, Chapter 31.16, I am forwarding this appeal, with attached documents, to the Planning Department to determine if the appeal has been filed in a timely manner. The Planning Department's determination should be made within three (3) working days of receipt of this request.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7702.

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Corey Teague, Zoning Administrator, Planning Department
Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devyani Jain, Deputy Environmental Review Officer, Planning Department
Joy Navarette, Environmental Planning, Planning Department
Laura Lynch, Environmental Planning, Planning Department
AnMarie Rodgers, Director of Citywide Planning, Planning Department
Dan Sider, Director of Executive Programs, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Christopher Espiritu, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals
Gary Cantara, Legal Assistant, Board of Appeals
Alec Longaway, Legal Process Clerk, Board of Appeals

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor [] inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Clerk of the Board

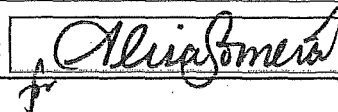
Subject:

Hearing - Appeal of Determination of Community Plan Evaluation - 1052-1060 Folsom Street and 190-194 Russ Street

The text is listed:

Hearing of persons interested in or objecting to a Community Plan Evaluation by the Planning Department under the California Environmental Quality Act issued on December 11, 2018, for the proposed project at 1052-1060 Folsom Street and 190-194 Russ Street, approved on December 20, 2018, to demolish the existing buildings on the project site, merge three lots into a single lot, and construct a new seven-story, approximately 64 feet and 6 inches tall, 59,000-gross-square-foot mixed use building with 63 dwelling units (four units designated as replacement for four existing rent-controlled units, 15 units would be designated as below market rate units, the remaining 44 dwelling units would be market rate), and approximately 2,800 square feet of ground floor retail use. (District 6) (Appellant: Sue Hestor, on behalf of South of Market Community Action Network) (Filed January 22, 2019)

Signature of Sponsoring Supervisor:



For Clerk's Use Only

