SAN FRANCISCO
PLANNING DEPARTMENT

Preliminary Mitigated Negative Declaration

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Date:	April 15, 2015
Case No.:	**2012.0086E**
Project Title:	**101 Hyde Street**
Zoning:	C-3-G (Downtown-General Commercial) 80-X Height and Bulk District
Block/Lot:	0346/003A
Lot Size:	10,632 square feet
Project Sponsor:	Costa Brown Architecture Inc. Albert Costa, (415) 986-0101
Lead Agency:	San Francisco Planning Department
Staff Contact:	Christopher Espiritu – (415) 575-9022 christopher.espiritu@sfgov.org

PROJECT DESCRIPTION:

The proposed project would include the demolition of a single-story, 20-foot-tall, approximately 7,500-square-foot, commercial building. The existing building was constructed in 1960 and is currently used as a United States Postal Service facility. Under the proposed project, an eight-story, 80-foot-tall, mixed-use building with 85 dwelling units and approximately 4,923 square feet of ground-floor retail space with frontages on both Hyde Street and Golden Gate Avenue would be constructed. The project would include one below-grade level of parking that would accommodate 15 off-street vehicle parking spaces (including one car share space and two handicapped-accessible spaces) and 96 bicycle parking spaces (including 10 bike racks on the sidewalk), which would be accessible from an existing curb cut on Golden Gate Avenue. The project site is a corner lot bounded by Turk Street to the north, Golden Gate Avenue to the south, Hyde Street to the east, Larkin Street to the west, and within San Francisco's Downtown/Civic Center neighborhood. The project site is located adjacent to the Uptown Tenderloin Historic District, which is listed on the National Register of Historic Places.

FINDING:

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

Mitigation measures are included in this project to avoid potentially significant effects. See pages 109-115.

cc: Albert Costa, Project Sponsor
Virna Byrd, M.D.F.
Distribution List
Historic Preservation Distribution List

INITIAL STUDY
(2012.0086E: 101 Hyde Street)

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Initial Study
101 Hyde Street Project
Planning Department Case No. 2012.0086E

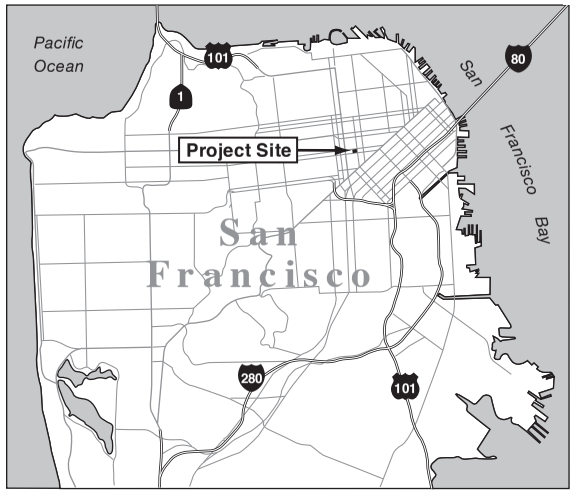
A. Project Description

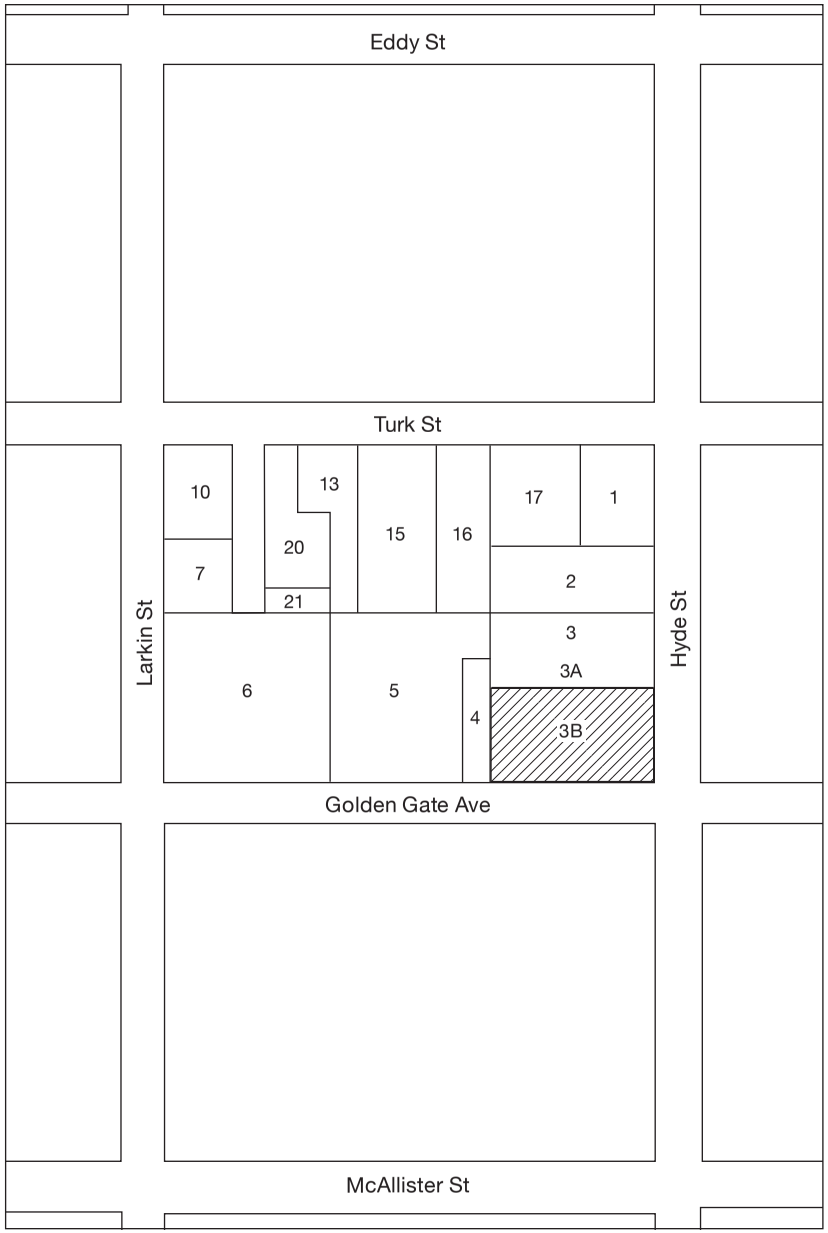
PROJECT LOCATION AND SITE CHARACTERISTICS

The approximately 10,632-square-foot (0.25-acre) project site is located at the northwest corner of Golden Gate Avenue and Hyde Street in San Francisco's Downtown/Civic Center neighborhood, also commonly known as the Tenderloin area, on a block bounded by Turk Street to the north, Hyde Street to the east, Larkin Street to the west, and Golden Gate Avenue to the south (see **Figure 1**). The project site is currently occupied by an approximately 20-foot-tall, one-story, 7,500-square-foot, commercial building (see **Figure 2**, p. 3). The existing building, which was constructed in 1960, is currently used as a United States Postal Service (USPS) Box Unit with limited services. A limited-service branch of the USPS does not have a retail counter, but instead contains post office boxes for on-site mail delivery, as well as package pickup services. Prior to its current use, the existing building was used as a bank branch (Bank of America) from 1960 until 1991. Major interior and exterior renovations occurred in 1991 to retrofit the building for its current USPS use.

The existing building is of a commercial architectural style built in a rectilinear plan and contains a flat roof and concrete block façade that includes painted murals along the bottom ten feet of the building's primary (Hyde Street and Golden Gate Avenue) façades. Several large, aluminum-frame windows extending nearly to the ground are located along the Golden Gate Avenue facade. A recessed entry is located along the Hyde Street facade with another door located along the Golden Gate Avenue facade. Two horizontal cornice bands wrap around the building below the roofline. Within the larger Tenderloin neighborhood, most of the small-scale commercial uses in the project area have residential units above the ground story. The majority of the buildings in the project vicinity range from two to six stories. Notable buildings within the project vicinity include City Hall (a walking distance of approximately 0.3 miles from the project site), Main Library (walking distance of approximately 0.2 miles), Davies Symphony Hall (walking distance of approximately 0.6 miles), War Memorial Opera House (walking distance of approximately 0.5 miles), Veterans' Building (walking distance of approximately 0.4 miles), Asian Art Museum (walking distance of approximately 0.2 miles), Philip Burton Federal Building (walking distance of approximately 0.2 miles), and Hiram W. Johnson State Office Building (walking distance of approximately 0.2 miles). Immediately adjacent to project site is the southwestern corner of the Uptown Tenderloin Historic District, which is listed on the National Register of Historic Places.

The project site is a rectangular lot with a 77-foot-long frontage along Hyde Street and a 137.5-foot-long frontage along Golden Gate Avenue. The existing building footprint encompasses the entire lot width on Hyde Street and extends approximately 119 feet on Golden Gate Avenue, resulting in an 18.5-foot setback from the western property line. The setback on Golden Gate Avenue includes a paved driveway that





SOURCE: ESA

2012.0086E: 101 Hyde Street

Figure 1
Project Location

SOURCE: San Francisco Planning Department, ESA

2012.0086E: 101 Hyde Street

Figure 2

Existing Site Plan

provides access to a single loading bay that extends for most of the depth of the building. No other loading is currently provided on the project site and there are no off-street vehicle parking spaces provided on-site. There are three street trees located along the Golden Gate Avenue frontage, while there are none located along the Hyde Street frontage, however, there are two sidewalk openings where trees previously were planted.

The project site is generally flat—Hyde Street and Golden Gate Avenue each has a slope of less than 1.5 percent—and is located at an elevation of 56 feet San Francisco Datum.[1] The project site is located within the C-3-G (Downtown General Commercial) Use District,[2] the 80-X Height and Bulk District (80-foot maximum height, no bulk limits), and is adjacent to the Uptown Tenderloin Historic District, which is listed on the National Register of Historic Places.

PROPOSED PROJECT

The proposed project would involve the demolition of an existing one-story, approximately 20-foot-tall, commercial building and the construction of a new 80-foot-tall, eight-story, approximately 80,000-square-foot, mixed-use building with approximately 4,923 square feet of ground-floor retail use, 85 dwelling units, and basement-level parking for 15 vehicles. The proposed ground floor would contain three retail spaces. The westernmost retail space would be approximately 141 square feet with an entrance on Golden Gate Avenue, the second retail space would be approximately 1,662 square feet with an entrance located on the Golden Gate Avenue frontage, while the third retail space would be approximately 3,120 square feet with an entrance located on Golden Gate Avenue near Hyde Street. Tenants for these ground-floor retail spaces have not yet been determined.

On floors two through eight, the proposed building would contain a total of 85 residential units. The residential unit mix would consist of 16 studios, 13 junior one-bedroom units, 43 one-bedroom units, 7 two-bedroom units, and 6 three-bedroom units (see Table 1, below). The first residential floor (floor two) would contain 13 units, while the remaining residential floors (floors three through eight) would each contain 12 units. Each residential floor would have an L-shaped hallway, with the units located on either side of the hallway that is parallel to Golden Gate Avenue, and units located along the Hyde Street frontage. Residential access into the building would be provided through a canopied entryway on the ground floor on Golden Gate Avenue. The entryway would lead into a residential lobby which would contain a concierge area, a mail room and the residential elevators. A separate door from the residential lobby would lead to a stairwell connecting all residential floors. A secondary exit stair would be provided in the western portion of the site, with direct egress to Golden Gate Avenue, and an exit stair from the basement garage would be located at the building's northeastern corner on Hyde Street. The recycling/garbage room would be located on the ground-floor level, adjacent to the garage driveway.

1 San Francisco Datum (SFD) establishes the City's zero point for surveying purposes at approximately 11.3 feet above the mean sea level established by the current 1988 North American Vertical Datum.

2 The project area is considered to be the westernmost portion of the City's downtown.

The proposed project would also provide two common open spaces that would be accessible to building residents only, including an approximately 1,764-square-foot deck located on the first residential level (second floor) along the western portion of the project site, as well as an approximately 3,686-square-foot roof deck surrounded by a windscreen and partially covered a fixed canopy; because the second-floor deck would not meet *Planning Code* requirements for exposure from and obstructions within required open space, only the roof deck would count towards the *Code*-required open space requirement of 3,888 square feet and the project would therefore require a Variance from the provisions of *Planning Code* Section 135(d) concerning the required amount of open space. In addition, one unit at the fifth floor and three units at the eighth floor would have private open spaces (decks), totaling almost 500 square feet. The proposed structure would be approximately 80 feet in height to the roof, with the mechanical penthouse for the elevator overrun, stair towers, and windscreen extending an additional 10 feet above the roofline.[3] See **Table 1**, and **Figures 3 through 8**, pp. 7 through 12.

Architectural Style

The proposed building would be constructed using reinforced, poured-in-place concrete in a contemporary architectural style, employing concrete, metal, and glass as the primary building materials. Along the primary facades on Hyde Street and Golden Gate Avenue, the proposed design would differentiate the retail uses from the residential uses above. The ground level would feature large glass storefronts, framed in aluminum, on top of a concrete base-walled bulkhead, with each retail space separated by concrete walls. A canopy would hang over the residential entryway, midway along the Golden Gate Avenue facade.

The primary façades for the residential floors (floors two through eight) of the building, including a feature element at the corner of Hyde Street and Golden Gate Avenue, would be composed of three façade systems: a curtain wall system with opaque panels, glass and aluminum bay windows over a panelized rain screen system, and a lower horizontal earth-tone section (at the second and third floors) with composite graffiti-resistant panels that resemble Corten steel (a corrosion-resistant steel that forms a rust-like appearance). Operable windows would be located throughout the facades for light, air and rescue. A parapet, faced in the same panelized rain screen system, would extend above the roof line around the perimeter of the building. **Figure 9,** p. 13 depicts visual simulations of the proposed project.

Parking, Loading, and Bicycle Facilities

As noted above, the existing building on the project site does not contain any off-street parking spaces, although one loading bay is located along the building's western facade. This loading bay is accessed through a curb cut and driveway along Golden Gate Avenue (along the west side of the existing building). The proposed project would maintain the existing curb cut and it would be used to provide access to a vehicular ramp into the below-grade garage. The below-grade garage would contain 15 parking spaces, including two handicapped-accessible parking spaces and one car-share space, for use of building residents. In addition, 86 bicycle parking spaces would be provided within secure locations in

[3] These roof-top features are exempt from the height limit.

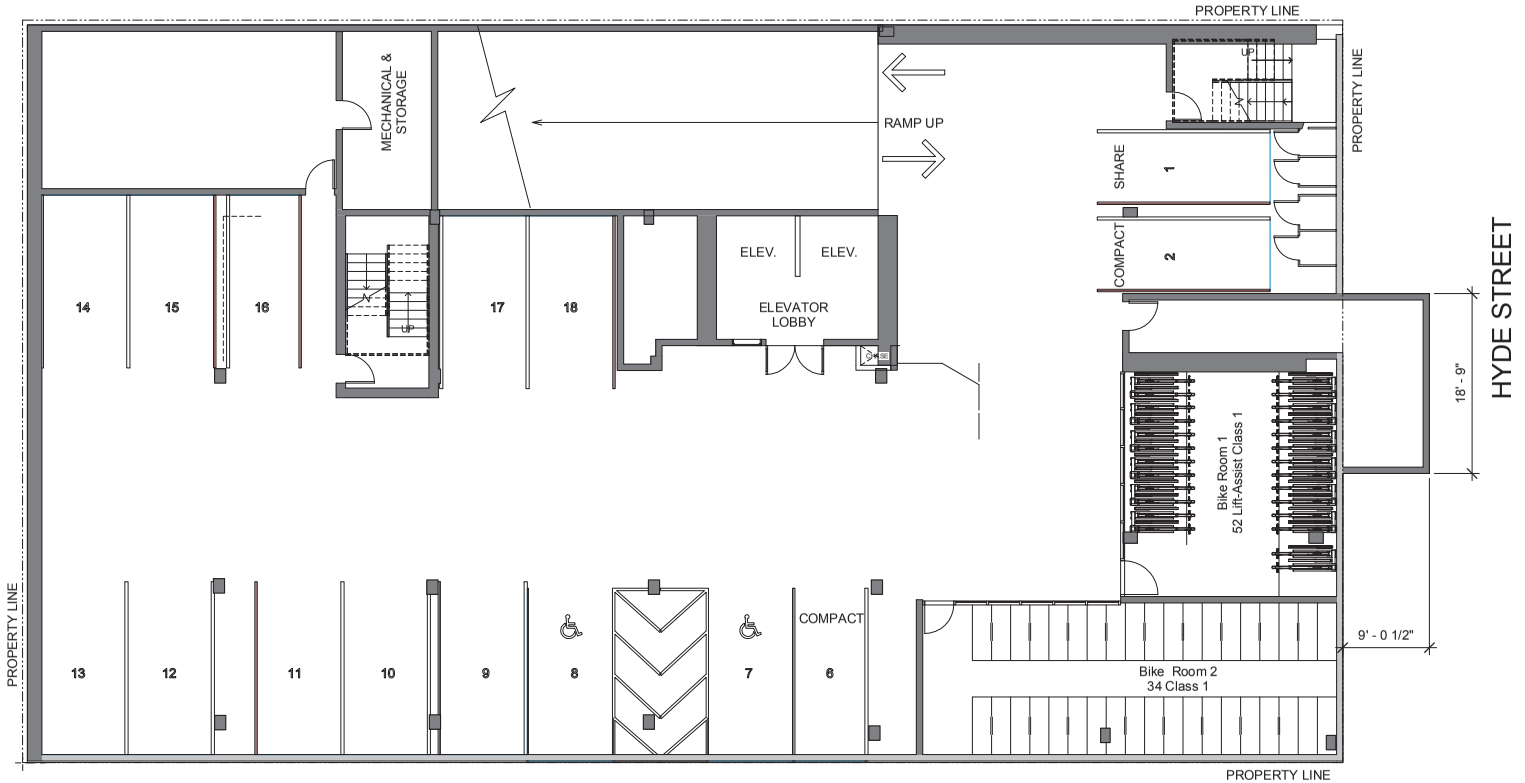
TABLE 1
PROJECT CHARACTERISTICS AND PLANNING CODE COMPLIANCE

Proposed Use	Description	Gross Building Area (GSF) [a]	Gross Floor Area (GFA)[a]
Residential	7 stories; 85 units	63,148 sq. ft.	62,865 sq. ft.
Retail	Ground floor (part)	4,923 sq. ft.	0
Lobby & residential services	Ground floor (part)	4,690 sq. ft.	0
Auto Parking [b]	15 spaces in basement	6,912 sq. ft.	0
Bicycle Parking	86 spaces in basement 10 bicycle racks on sidewalk	1,342 sq. ft.	
Bldg. services; roof	Basement (remainder)	1,999 sq. ft.	0
TOTAL	—	83,014 sq. ft.	62,865 sq. ft.
Site area		10,632 sq. ft.	
Floor area ratio		–	5.9
Permitted FAR			*6.0*
Residential Open Space [c] (commonly accessible)		3,686 sq. ft.	
Required Residential Open Space [c] (commonly accessible)		*3,888 sq. ft.*	
Private Open Space (four dwelling units)		496 sq. ft.	

Project Component	Number
Dwelling Units (total)	**85**
Studios	16
Junior one-bedroom units	13
One-bedroom units	43
Two-bedroom units	7
Three-bedroom units	6
Parking Spaces	
Auto [d]	15 (21 permitted by *Code*)
Bicycle (Class 1)	86 (86 required)
Bicycle (Class 2)	10 (10 required)
Height of Building	80 feet[e]
Number of Stories	8

[a] Square footage figures are rounded. Gross floor area (GFA) is calculated for *Planning Code* compliance purposes (per Sec. 102.9) and excludes certain portions of the building, including accessory parking and loading space, mechanical and building storage space, ground-floor lobby space and 5,000 gross square feet of ground-floor "convenience" retail space per storefront.
[b] Includes ramp to garage and garage circulation space.
[c] Common residential open space provided includes only *Planning Code*-compliant roof deck: an additional 1,764 sq. ft. of open space would be provided on the second-floor courtyard; however, the courtyard would not satisfy the exposure requirement of *Planning Code* Section 135. Common open space required excludes the four units that would be provided with private open space.
[d] Includes one car-share space and two disabled-accessible spaces.
[e] Excludes elevator/stair penthouse, windscreen and roof deck.

SOURCE: Costa Brown Architecture, Inc., February 2015.



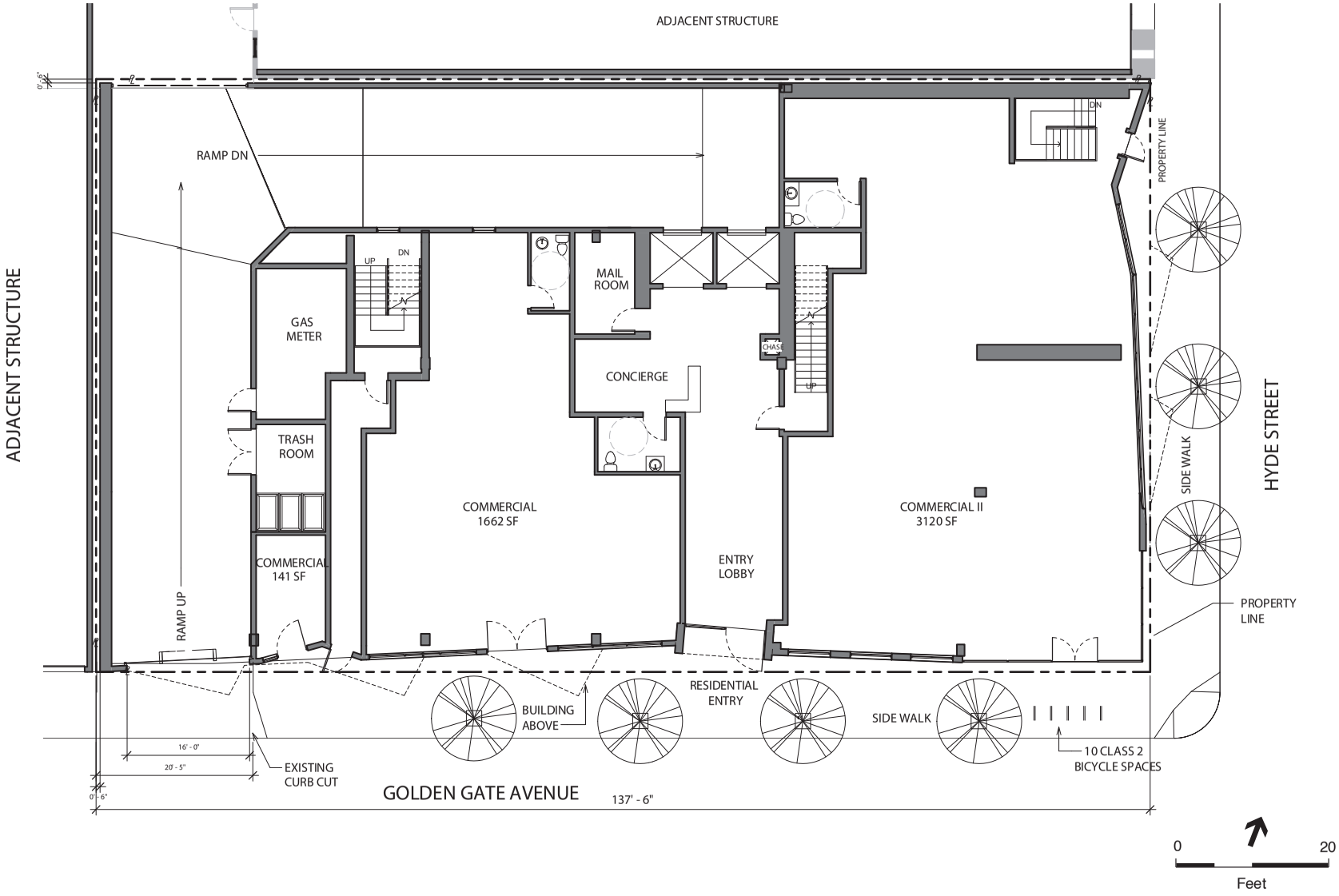
0 20
Feet

SOURCE: Costa Brown Architecture, Inc.

2012.0086E: 101 Hyde Street

Figure 3

Proposed Garage-Level Plan

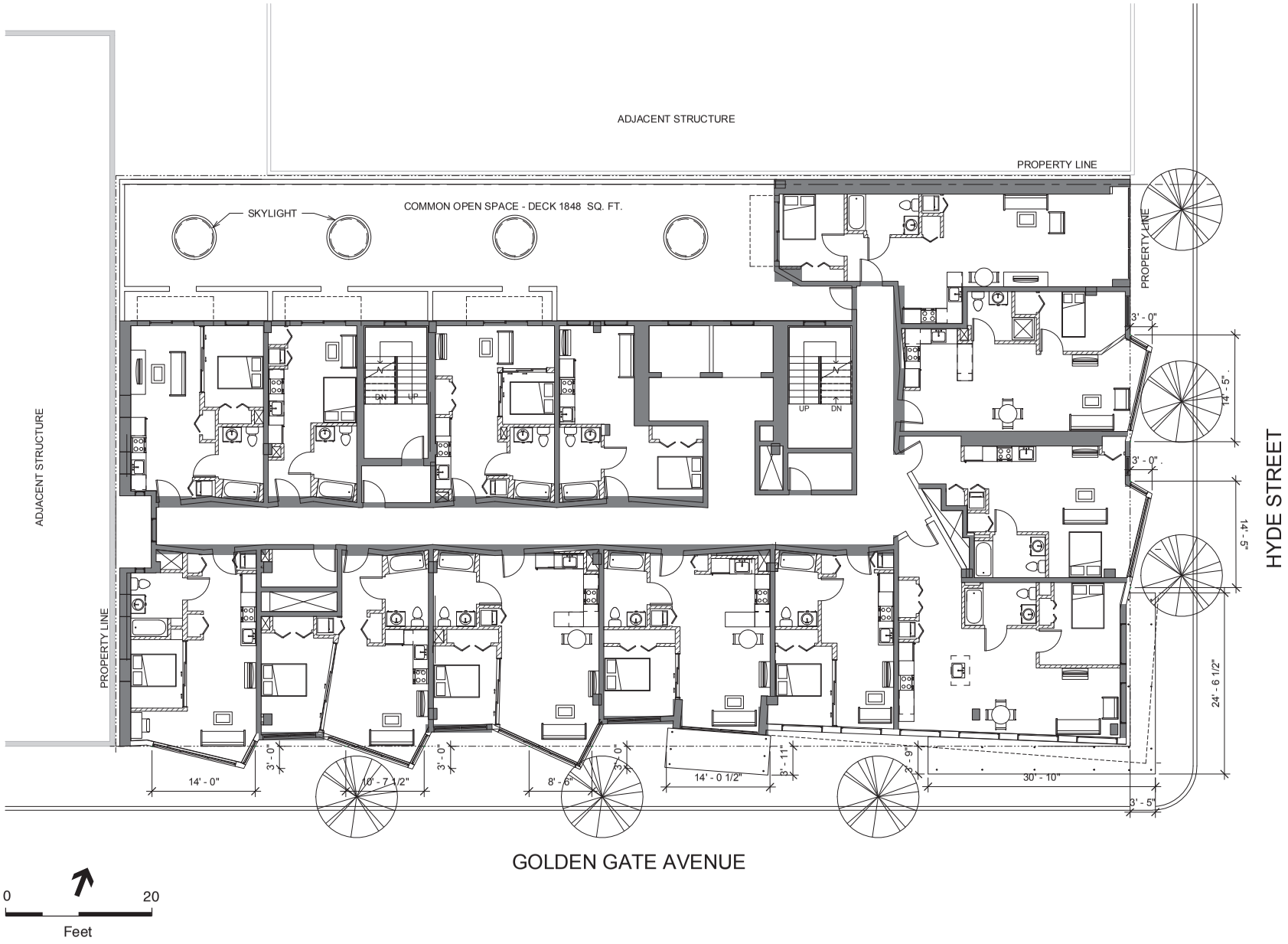


SOURCE: Costa Brown Architecture, Inc.

2012.0086E: 101 Hyde Street

Figure 4

Proposed First-Floor Plan



SOURCE: Costa Brown Architecture, Inc.

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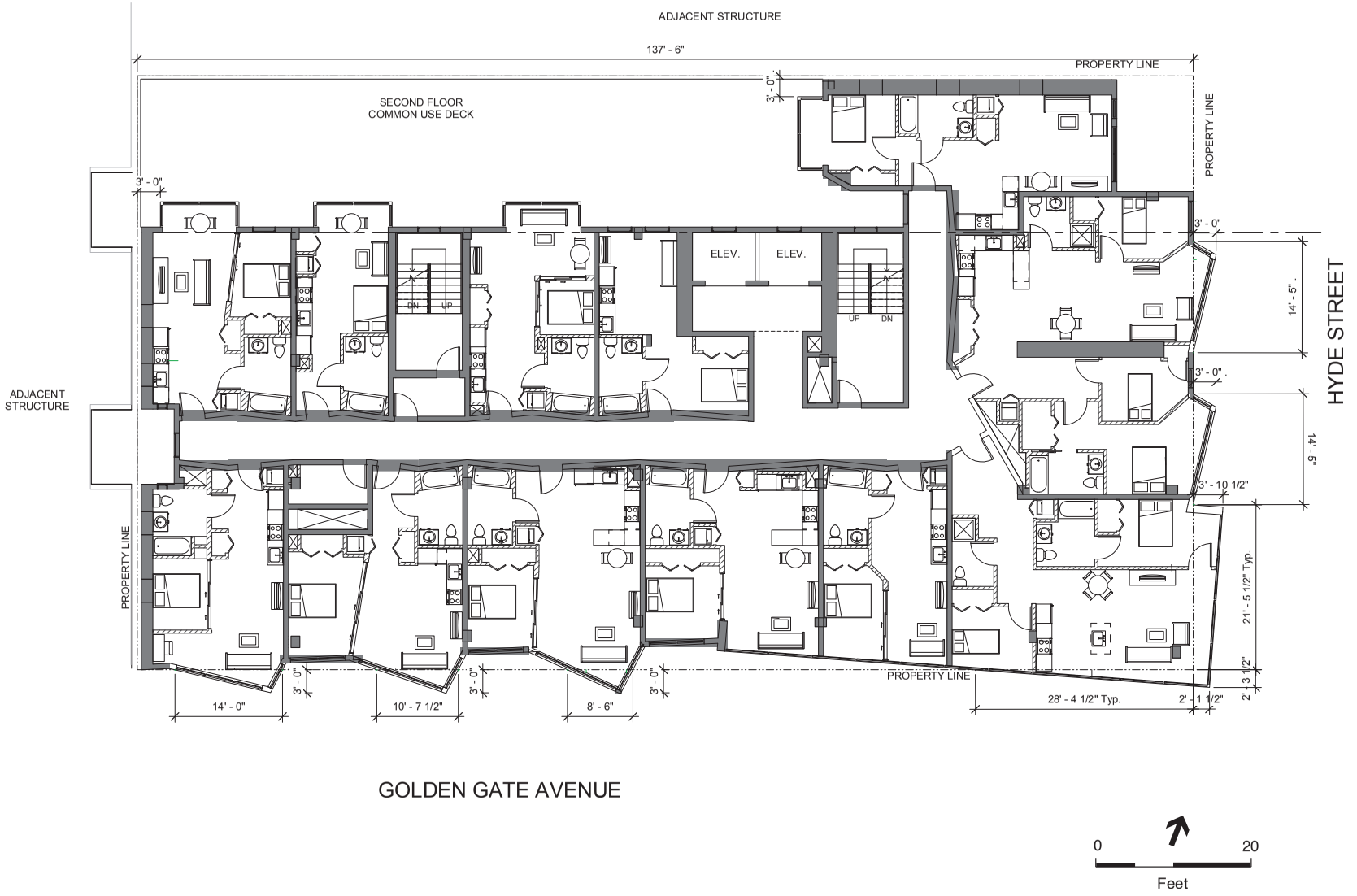
Figure 5

Proposed Second-Floor Plan

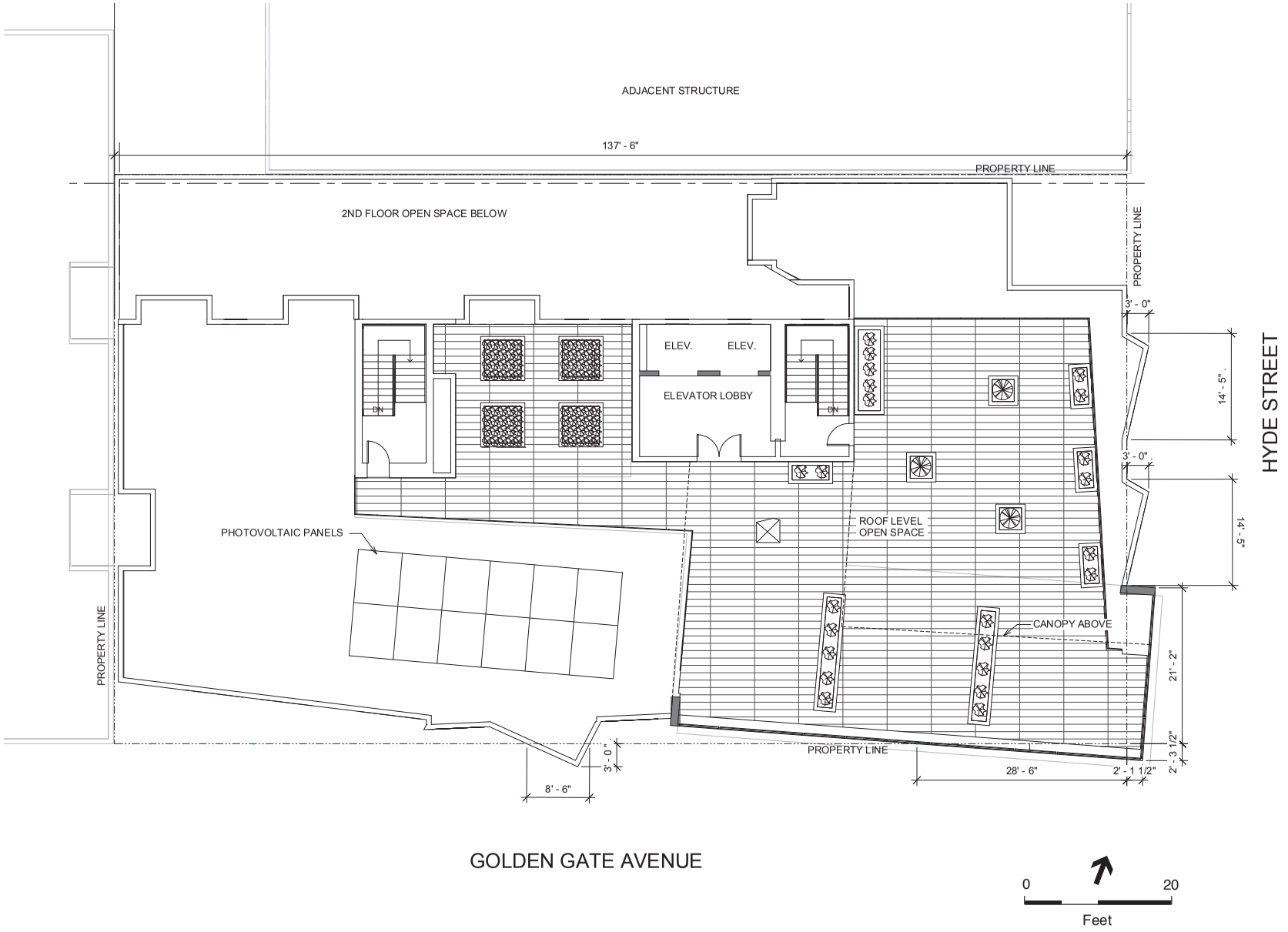


SOURCE: Costa Brown Architecture, Inc.

2012.0086E: 101 Hyde Street

Figure 6

Proposed Typical Floor Plan, Levels 3 through 8



SOURCE: Costa Brown Architecture, Inc.

2012.0086E: 101 Hyde Street

Figure 7

Proposed Roof Plan

SOUTH (GOLDEN GATE AVENUE) ELEVATION

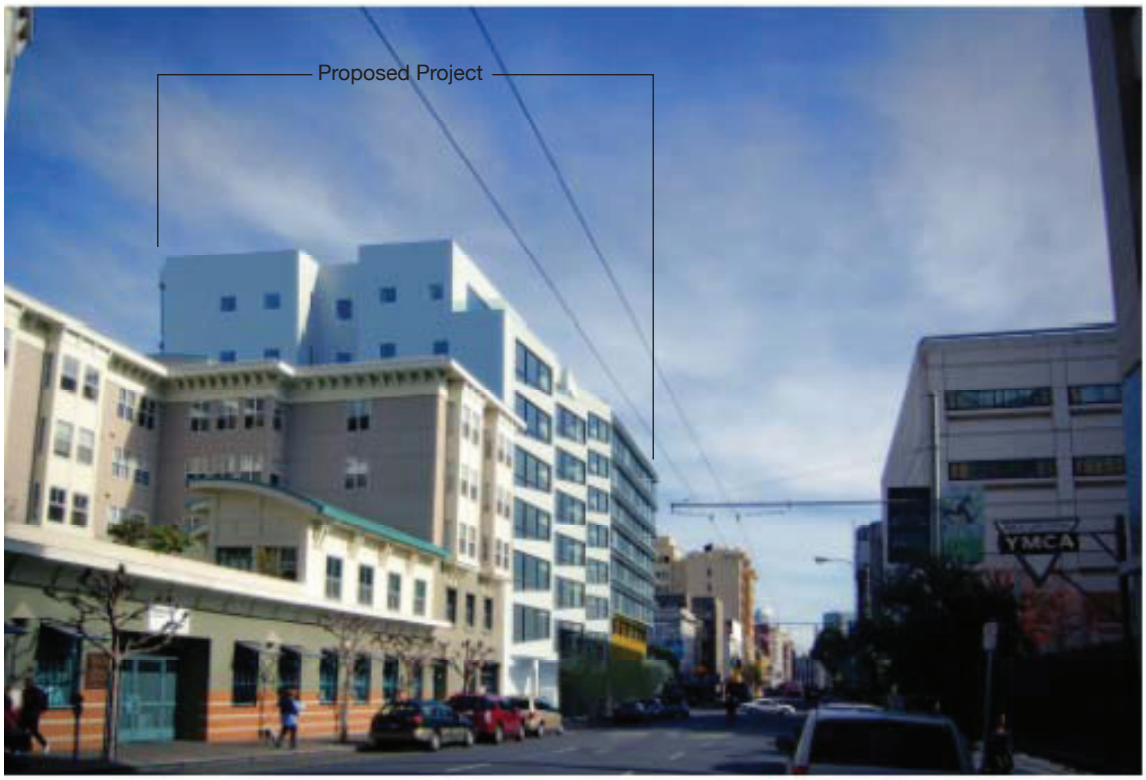
EAST (HYDE STREET) ELEVATION

SOURCE: Costa Brown Architecture, Inc.

2012.0086E: 101 Hyde Street

Figure 8
Proposed Elevations

Visual Simulation of Proposed Project from Hyde Street looking south



Visual Simulation of Proposed Project from Golden Gate Avenue looking east

SOURCE: Costa Brown Architecture, Inc.

2012.0086E: 101 Hyde Street

Figure 9

Visual Simulations of Proposed Project

the garage and 10 bicycle parking spaces in racks on the sidewalk adjacent to the proposed structure. These bicycle parking spaces would be available to residents of the building and employees of the proposed ground-floor retail spaces.

The proposed project would not include any street widening or other types of street modifications, nor would the existing curb cut/driveway on Golden Gate Avenue be widened to accommodate the proposed project. Moreover, the approximately five on-street parking spaces on Golden Gate Avenue and three on-street parking spaces on Hyde Street that are adjacent to the project site would not be permanently affected by the proposed project.

During the construction phase of the proposed project, worker parking would occur off-site. No designated parking for construction workers would be provided and they would be expected to park on the street or in nearby garages, or to use transit.

Landscaping

Three existing Carob trees (*Ceratonia siliqua*) are located in the Golden Gate Avenue sidewalk adjacent to the project site. On Hyde Street, there are two openings in the sidewalk formerly occupied by street trees, but there are no street trees present. There are no trees currently on the on-site. As part of the proposed project, the existing street trees would be removed and 11 new trees would be planted along the project sidewalks, in accordance with *Planning Code* Section 138.1(c)(1).

Foundation and Excavation

The proposed project would excavate to a maximum depth of approximately 13 feet below the ground surface (bgs) for construction of the below-grade garage, which would result in the removal of approximately 5,200 cubic yards of soil. The project sponsor proposes to install a mat foundation to support the proposed building. Pile driving would not be required as part of the proposed project.

Construction Schedule

Demolition and construction of the proposed project are estimated to occur over a period of 18 months from ground breaking, which is anticipated to occur during fall 2015. The proposed project would be constructed in one continuous phase, with all construction materials accommodated on site and on the adjacent Hyde Street and Golden Gate Avenue sidewalks.

Project Approvals

Planning Commission

The project sponsor would be required to obtain a Downtown Project Authorization from the Planning Commission per *Planning Code* Section 309 for projects within a C-3 zoning district over 50,000 square feet in area or over 75 feet in height, and for granting exceptions to the requirements of certain sections of the *Planning Code*. The project at 101 Hyde Street requires

authorization under Section 309 as the project would be located within the C-3-G district. The structure is proposed to have a gross floor area of approximately 62,865 square feet, and would be 80 feet tall.

As part of the Downtown Project Authorization, the project sponsor is seeking an exception, pursuant to *Planning Code* Section 309, from the provisions of *Planning Code* Section 134(e) governing the configuration of rear yards, to provide open space in a configuration other than a rear yard (i.e., resident-only accessible open spaces on the second story and on the roof) and exception to Reduction of Ground-Level Wind Currents in C-3 Districts.

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

Zoning Administrator

The proposed project would require a Variance from the *Planning Code* requirements for provision of less than the required amount of residential open space (Section 135(d)), permitted obstructions within required open space (Section 135(c)), and exposure requirements for required open space (Section 135(e)(2)).

Department of Building Inspection

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

Department of Public Works

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

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

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

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

Department of Public Health

Approval of an Enhanced Ventilation Proposal as required pursuant to Article 38 of the *Health Code.*

Approval of a Work Plan for Soil and Groundwater Characterization and, if determined necessary by the Department of Public Health, a Site Mitigation Plan, pursuant to Article 22A of the *Health Code.*

San Francisco Municipal Transportation Agency

If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), the project would require a special traffic permit from the San Francisco Municipal Transportation Agency (SFMTA) Sustainable Streets Division. Also, the proposed project includes ten Class 2 spaces (racks) on the sidewalk, which would require review and approval by SFMTA.

San Francisco Public Utilities Commission

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

B. Project Setting

The project site is located in San Francisco's Downtown/Civic Center neighborhood (in an area more commonly known as the Tenderloin), generally bounded by Polk Street to the west, Geary Street to the North and Market Street to the south and east. The Tenderloin is a densely built, primarily residential neighborhood that contains a variety of other uses, including commercial, entertainment and institutional uses. Among the Tenderloin's residential uses are a number of single-room occupancy (SRO) hotels. The Tenderloin as a whole can be generally considered a mid-rise district, although the immediate project vicinity also includes a number of buildings two and three stories in height. While the project site is located adjacent to a mix of two- and five-story buildings, the project block includes buildings of similar height to the proposed 80-foot-tall building.

Surrounding the project site, land uses consist primarily of neighborhood-serving retail uses on the ground level with residential units above. Along Hyde Street, land uses on the project block include

multi-family residential buildings, an automotive repair shop, a hotel, a dry cleaner, a convenience store, and a small restaurant. Across the street from the project site on Golden Gate Avenue, flanking both sides of Hyde Street, is the University of California, Hastings College of Law (approximately 0.09 miles); a Hastings-owned parking garage is farther west on the south side of Golden Gate Avenue, with the Shi-Yu Lang Central YMCA and retail uses on the ground floor (approximately 0.08 miles). Adjacent to the project site to the west, along the north side of Golden Gate Avenue, are the offices and apartments associated with the AIDS Housing Alliance and the Saint Anthony Foundation Madonna Senior Housing facility (51 studio apartments for women over 60 with limited financial assets), and residential-over-retail buildings (approximately 0.07 miles). To the east along Golden Gate Avenue uses include residential buildings, restaurants, offices, employee union buildings, and an empty lot. The recently renovated Kelly Cullen Community, a supportive housing facility, is one block east of the project site in the eight-story former Central YMCA building (approximately 0.08 miles).

Consistent with the pattern of the larger Tenderloin neighborhood, most of the small-scale commercial uses in the project area have residential units above the ground story. The majority of the buildings in the project vicinity range from two to six stories and most extend to the lot line with no front setbacks. Vegetation in the area is generally limited to street trees. Nearby public parks and open spaces include the Turk and Hyde Mini Park, one block to the north of the project site (approximately 0.06 miles); United Nations Plaza, two blocks to the southeast of the project site (approximately 0.2 miles); and Civic Center Plaza, two blocks to the southwest of the project site (approximately 0.3 miles).

The area surrounding Civic Center Plaza contains City Hall, the Main Library, and a number of prominent cultural institutions, including Davies Symphony Hall, the War Memorial Opera House and Veterans' Building, and the Asian Art Museum. The Philip Burton Federal Building and the Hiram W. Johnson State Office Building are each located one block east of the site, at Golden Gate Avenue and Larkin Street. The closest state highway to the project site is U.S. Highway 101, which extends along Van Ness Avenue, three blocks to the west of the project site. Lastly, the project site is immediately adjacent to the southwestern corner of the Uptown Tenderloin Historic District, which was listed as a historic district in the National Register of Historic Places in 2009.

C. Compatibility With Existing Zoning and Plans

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the *Planning Code* or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☐	☒
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

SAN FRANCISCO PLANNING CODE

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

Allowable Uses

The project is located in the C-3-G (Downtown – General) Use District, which covers the western portions of Downtown. As stated in *Planning Code* Section 210.2, the C-3-G District is composed of a variety of uses, including retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area further to the east.

The requirements associated with the C-3-G Use District are described in Section 210.2 of the *Planning Code* with references to other applicable articles of the *Planning Code* as necessary (for example, for provisions concerning parking, rear yards, street trees, etc.). As in the case of other downtown districts, no off-street parking is required for individual commercial buildings. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit. Any resulting potential impacts of the proposed project and applicable *Planning Code* provision are discussed below under the relevant topic headings.

Within the C-3-G Use District, retail sales and service uses (including eating and drinking uses) on the ground floor and residential uses above ground floor, as proposed by the project, are principally permitted.[4]

Height and Bulk

The project site is within an 80-X Height and Bulk District. This district allows a maximum building height of 80 feet, and has no bulk limit. The proposed project would be 80 feet high, measured from ground level to the top of the roof, with various rooftop elements with a height of 10 feet above the roof, such as stair and elevator penthouses, that are exempt from the height limit, extending no more than 16

4 *Planning Code* Section 210.2.

feet, as allowable under Section 260 (b)(1)(A) of the *Planning Code*. Therefore, the proposed structure would comply with the 80-X Height and Bulk District.

Street Trees

Planning Code Section 138.1(c)(1) requires that for every 20 feet of property frontage along each street, one 24-inch box tree be planted, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. In compliance with Section 138.1(c)(1), the proposed project would plant 11 street trees: seven along Golden Gate Avenue (where three trees that currently exist would be removed for the project) and four along Hyde Street (where no trees currently exist).

Open Space

Because only the roof deck would count towards the *Planning Code*-required open space requirement, the project would require a Variance from the provisions of *Planning Code* Section 135(d) concerning the required amount of open space, as well as for exposure from and obstructions within open space.

Rear Yard Requirements

Planning Code Section 134 requires a rear yard equivalent to 25 percent of total lot depth at all residential levels. The proposed project would provide open space within a second-story commonly accessible deck, and on a roof deck, but not within a rear yard. Therefore, the project applicant is requesting an exception from the rear yard requirements of *Planning Code* Section 134(e), pursuant to the procedures of Section 309, to allow for open space in a configuration other than a rear yard.

Parking and Loading

According to *Planning Code* Section 151.1, off-street parking for residential or commercial uses in the C-3-G District is not required; for residential uses, 0.25 parking spaces per unit are principally permitted and up to 0.75 parking spaces per unit are permitted with a Conditional Use authorization. For retail uses, up to one parking space per each 500 square feet of gross floor area up to 20,000 square feet is permitted. The proposed project would provide 15 automobile parking spaces for the 85 residential units, which is principally permitted under Section 151.1. No parking is proposed for the retail use. *Planning Code* Section 155.2 requires, for new residential buildings, one secure (Class 1) bicycle parking space (bicycle locker or space in a secure room) be provided for each unit, along with one Class 2 space (publicly accessible bicycle rack) for each 20 units, or 85 Class 1 spaces and four Class 2 spaces for the proposed project. Section 155.5 also requires one Class 1 space for each 7,500 occupied square feet of retail space and one Class 2 space for each 750 occupied square feet of retail space, or one Class 1 space and six Class 2 spaces for the proposed project.[5] The total requirement would therefore be 86 Class 1 spaces and 10 Class 2 spaces (racks). The project would provide 86 Class 1 bicycle spaces in two secure rooms in the basement garage, which would comply with Section 155.2. Ten Class 2 spaces (racks) would be provided on the sidewalk, which would require review and approval from SFMTA. *Planning Code* Section 152.1

[5] This calculation assumes all the retail space is occupied floor area.

does not require off-street loading for residential buildings of less than 100,000 square feet or retail uses of less than 10,000 square feet. Therefore, the proposed project would not be required to provide off-street loading spaces, and none are proposed.

PLANS AND POLICIES

San Francisco General Plan

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

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

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

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

Priority Policies

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

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

In addition, the proposed project would comply with the City's Residential Inclusionary Affordable Housing Program requirements (City *Planning Code* Section 415, et seq.), either by including 10 below-market-rate (BMR) units on-site, by making an in-lieu payment, or by constructing 17 units off-site.

Regional Plans and Policies

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

D. Summary of Environmental Effects

The proposed project could potentially affect the environmental factor(s) checked below, for which mitigation measures would be required to reduce potentially significant impacts to less than significant. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Land Use	☐ Greenhouse Gas Emissions	☐ Geology and Soils
☐ Population and Housing	☐ Wind and Shadow	☐ Hydrology and Water Quality
☒ Cultural and Paleo. Resources	☐ Recreation	☒ Hazards/Hazardous Materials
☐ Transportation and Circulation	☐ Utilities and Service Systems	☐ Mineral/Energy Resources
☐ Noise	☐ Public Services	☐ Agricultural/Forest Resources
☒ Air Quality	☐ Biological Resources	☒ Mandatory Findings of Significance

E. Evaluation of Environmental Effects

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

SENATE BILL 743 AND PUBLIC RESOURCES CODE SECTION 21099

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.[6] Among other provision, SB 743 amends the California Environmental Quality Act (CEQA) by adding *Public Resources Code* Section 21099 regarding analysis of aesthetics and parking impacts for urban infill projects.[7]

[6] SB 743 can be found on-line at: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743.

[7] *Public Resources Code* Section 21099(d).

Aesthetics and Parking Analysis

Public Resources Code Section 21099(d), effective January 1, 2014, states, "Aesthetic and parking impacts of a residential, mixed- use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment."[8] Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

a) The project is in a transit priority area[9]
b) The project is on an infill site[10]
c) The project is residential, mixed-use residential, or an employment center[11]

The proposed project meets each of the above three criteria because it (1) is located within one-half mile of several rail and bus transit routes, (2) is located on an infill site that is already developed with a post office and is surrounded by other urban development, and (3) would be residential project with ground-floor retail space.[12] Thus, this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.

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

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

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8 *Public Resources Code* Section 21099(d)(1).

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

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

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

12 San Francisco Planning Department, Transit-oriented Infill Project Eligibility Checklist, March 30, 2015. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

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

Topics:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
1.	**LAND USE AND LAND USE PLANNING— Would the project:**					
a)	Physically divide an established community?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐

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

As discussed in the Section A, Project Description (page 1), the 10,632-square-foot project site is located at the northwest corner of Hyde Street and Golden Gate Avenue in the Downtown/Civic Center neighborhood (see Figure 1). The project site is currently occupied by a 7,500-square-foot, one-story, approximately 20-foot-tall post office building and one existing off-street loading/parking space. The site is generally flat.

The proposed project would include the demolition of the existing building on-site and the construction of a new eight-story structure consisting of approximately 4,923 square feet of retail space on the ground floor (intended for three retail establishments) and 85 dwelling units above. The proposed mixed-use structure would be approximately 80 feet above grade to the roofline, with an additional approximately 16 feet in height for the proposed rooftop features (exempt from the height limits for this zoning district).

Given that the existing building only contains a single-story commercial space with no dwelling units, the proposed project would intensify the use of the project site, but would not alter the general land use pattern of the immediate area, which already includes nearby buildings with commercial uses on the ground floor with residential uses above. Although most buildings in the project area range from two to six stories, the proposed building, at eight stories, would not physically divide the established community, because the project would be built within the existing street configuration and would not impose any impediments to pedestrian or other travel through the neighborhood. In terms of overall mass, the proposed building would be smaller than the University of California, Hastings College of Law

buildings across Golden Gate Avenue, with facades that extend the entirety of that block along Hyde Street. Additionally, the project would be considerably shorter than the nearby Philip Burton Federal Building and Hiram W. Johnson State Office Building to the west on Golden Gate Avenue, and the Hastings College of the Law residential building at McAllister and Leavenworth Streets.

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

Impact LU-2: The proposed project would not conflict with any applicable land use plans, policies or regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

Land use impacts are also considered to be significant if the proposed project would conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental plans and policies are those, like the BAAQMD *2010 Clean Air Plan*, which directly address environmental issues and/or contain targets or standards, must be met in order to preserve or improve characteristics of the City's physical environment.

The proposed project would not obviously or substantially conflict with applicable plans, policies, and regulations such that an adverse physical change would result. In addition, the proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. Therefore, the proposed project would have a less-than-significant impact with regard to conflicts with existing plans and zoning.

Impact C-LU-1: The proposed project would not make a considerable contribution to any significant cumulative land use impacts. (Less than Significant)

As of March 2015, there are no active Planning Department cases or active building permits on the project block, other than those dealing with minor building alterations. However, there are several proposed and recently approved projects within approximately one-quarter mile of the project site, which include the following:

- 121 Golden Gate Avenue (Case No. 2005.0869) – This project will construct 90 senior housing units, to be operated by Mercy Housing, and replacement space for the St. Anthony Foundation dining hall and kitchen, along with foundation offices. (Under construction)
- 100 Van Ness Avenue (Case No. 2013.0068) – The project will convert the 29-story, 400-foot tall former California State Automobile Association office building at Van Ness Avenue and Hayes Street to approximately 399 residential units and approximately 6,885 square feet of ground-floor retail space. (Under construction)
- Trinity Place (1169 Market Street) – This project demolished the former Trinity Plaza residential building and is constructing approximately 1,900 residential units, including 360 rent-controlled replacement units for tenants of the now-demolished building, in four towers at Eighth and Market Streets. (Under construction; two of four buildings are complete, and work is ongoing.)

- 101 Polk Street (Case No. 2011.0702) – This project proposes a 13-story, 162-unit residential building on a parcel now used for surface parking at the northwest corner of Polk and Hayes Streets. The project would include 51 vehicle spaces and 62 bicycle spaces in a subgrade garage. (Under construction)

- 1390 Market Street (Case No. 2005.0979) – This project will demolish an existing two-story retail and office building adjacent to the Fox Plaza tower and replace it with an 11-story, 120-foot-tall building containing 230 dwelling units and 17,500 square feet of retail space. (Approved by the Planning Commission May 28, 2009)

- 351 Turk Street & 145 Leavenworth Street (Case No. 2012.1531) – The proposal is to construct two 80-foot-tall residential hotels on two vacant lots on the block immediately east of the project site. The two buildings would provide a total of 244 group housing units, as defined by the *Planning Code*, as replacement housing for 238 group housing units in five existing hotels—in the Tenderloin or, in one case, just across Market Street—proposed for conversion to tourist rooms. The project would also provide 3,800 square feet of ground-floor retail space, 16 vehicle parking spaces, and 184 bicycle spaces. (CEQA Environmental Review Class 32 Exemption issued September 15, 2014.)

- 150 Van Ness Avenue (Case No. 2013.0973) – This project proposes demolition of an existing vacant office building, attached garage, and a surface parking lot and construction of a 12-story, 120-foot tall residential building with approximately 420 dwelling units and ground-floor retail space. (Environmental review in progress.)

Recently completed and approved projects nearby include the 17-story AVA residential project, containing 250 dwelling units and 3,000 square feet of ground floor retail, at 55 Ninth Street (a walking distance of approximately 0.4 miles from the project site), the 750-unit NEMA project at 8 Tenth Street (approximately 0.5 miles from the project site), and the 160 mostly "micro" units approved at 1321 Mission Street (approximately 0.5 miles from the project site). Slightly farther away at a walking distance of approximately 0.6 miles from the project site are several other projects, including 115 dwelling units under construction at 1415 Mission Street and the 190 affordable units under construction at 1400 Mission Street. In addition to the above, the recently renovated Kelly Cullen Community, a supportive housing facility, is one block east of the project site in the eight-story former Central YMCA building located at 220 Golden Gate Avenue (a walking distance of approximately 0.08 miles from the project site).

Because of the project's relatively modest size and because the project represents an infill development within a dense residential neighborhood that is well-served by transit, the proposed project at 101 Hyde Street is unlikely to combine with the above projects or any other nearby developments in such a way that would result in substantial cumulative adverse land use impacts. Thus, the proposed project would not result in any significant cumulative land use or planning impacts, since it would cause no change in the mix of land uses in the vicinity, and thus could not contribute to any overall change in neighborhood character or any overall conflict with applicable environmental plans. Furthermore, this project would not combine with other projects in the vicinity to physically divide an established community, conflict with applicable plans and policies adopted to avoid or mitigate environment effects, or change the existing character of the vicinity.

For the above reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would result in a less-than-significant cumulatively considerable land use impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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)?	☐	☐	☒	☐	☐
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☒	☐	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐	☐

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

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

The proposed project would include the demolition of a single-story commercial building on-site. The existing facility, a USPS Box Unit, employs fewer than ten people. Prior to the implementation of the proposed project, the existing USPS facility would be required to close. Given the limited services provided at the existing facility (post office boxes and package pickup services, without a retail counter), it is not expected that this facility would be replaced elsewhere (either in the proposed retail space on-site or elsewhere in the city). Instead, it is likely that the USPS would provide those services at a nearby USPS branch, such as the post office at 1390 Market Street (Fox Plaza), located approximately 4½ blocks (a walking distance of approximately 0.5 miles) southwest of the project site.[13]

The proposed project, an infill development consisting of retail space on the ground floor with dwelling units above, would be located in an urbanized area and would not be expected to substantially alter existing development patterns in the Tenderloin neighborhood, or in San Francisco as a whole. The proposed project would include approximately 4,923 square feet of retail space on the project site, which would be a net reduction of 2,577 square feet, as compared to the 7,500 square feet of commercial uses that currently exist on site. In addition, the project would also include the construction of 85 residential units above the proposed retail space. Since the project is located in an established urban neighborhood, it

[13] Diana Alvarado, Real Estate Specialist, U.S. Postal Service, telephone communication, August 23, 2013. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

would not require, or create new demand for, the extension of municipal infrastructure. The addition of the new residential units would increase the residential population on the site by approximately 156 persons.[14] While the addition of 156 residents would be noticeable to residents of immediately adjacent properties, this increase would not result in a substantial increase to the population of the City and County of San Francisco. The 2010 U.S. Census indicates that the population in the project vicinity is approximately 5,075 persons.[15] The proposed project would increase the population near the project site by an estimated 3 percent, and the overall population of the City and County of San Francisco by less than 0.01 percent.[16]

Based on the total size of the proposed commercial uses on the project site, the new businesses would employ a total of approximately 14 staff at the proposed building once it is completed.[17,18] The retail employment in the proposed project would not likely offer sufficiently high wages such that it would be anticipated to attract new employees to San Francisco. Therefore, it can be anticipated that most of the employees would live in San Francisco (or nearby communities), and that the project would thus not generate demand for new housing for the potential retail employees. In the context of the average household occupancy of the Tenderloin neighborhood, the proposed project would not be anticipated to result in a substantial population increase. Moreover, the residential and employment growth that would be accommodated by the proposed project is included within current growth projections for San Francisco, as developed by ABAG and MTC for *Plan Bay Area* and modified by the Planning Department. These projections forecast that San Francisco is expected to gain approximately 101,000 households and 270,000 residents between 2010 and 2040, reaching a population of over 1 million, a 35 percent increase in residential population. Employment is forecast to increase by 34 percent (191,000 jobs) during this period, to a total of approximately 760,000.[19,20] Therefore, in light of the above, additional population/employees associated with the project would have a less-than-significant impact related to population growth, both directly and indirectly.

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14 The project site is located in Census Tract 124.01, which is generally bounded by Ellis Street to the north, Golden Gate Avenue to the south, Leavenworth Street to the east and Larkin Street to the west. The population calculation is based on Census 2010 data, which estimates 1.84 persons per household in Census Tract 124.01. It should be noted that this census tract has somewhat smaller households than the citywide average of 2.3 persons per household.

15 The population estimate is based on data from the 2010 Census for Census Tract 124.01.

16 This calculation is based on the estimated Census 2010 population of 805,235 persons in the City and County of San Francisco.

17 San Francisco Planning Department (SFPD), *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002.

18 Based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (see footnote 17, p. 31) which assumes 350 square feet per retail employee.

19 Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), Plan Bay Area Jobs-Housing Connection Strategy, revised May 16, 2012. Available on the internet at: *http://www.onebayarea.org/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf*. Accessed November 12, 2014.

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

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

The proposed project would not displace any residents or housing units, since no residential uses or housing units currently exist on the project site. As noted above, the proposed project would either relocate or eliminate a small number of jobs related to the existing USPS Box Unit operations on the site. However, the three existing USPS employees would be relocated to other locations and so would not be displaced from the workforce. An estimated 14 new jobs would be created with the establishment of approximately 4,923 square feet of retail uses on the project site. The retail employment in the proposed project would not likely offer sufficiently high wages such that it would be anticipated to attract new employees to San Francisco. Therefore, it can be anticipated that most of the employees would live in San Francisco (or nearby communities), and that the project would thus not generate demand for new housing for the potential retail employees. While the elimination of three jobs related to the existing USPS Box Unit facility may negatively impact those individuals, it would not be considered a displacement of a substantial number of employees. Also, the project would not create a substantial demand for new housing elsewhere, because the project provides for new housing. Therefore, the proposed project would have a less-than-significant impact related to the displacement of housing, displacement of employees, or the creation of a demand for additional housing elsewhere.

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

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

The proposed project would not displace any existing housing units or people, and the existing USPS employees would be relocated to other USPS locations. The project would not generate substantial demand for housing elsewhere, nor would the project, as an infill development on a single parcel, be anticipated to induce substantial growth. Residential and employment growth due to the proposed project, along with cumulative projects, would not exceed already acknowledged growth projections for San Francisco as set forth in *Plan Bay Area* and modified by the Planning Department. Because of this consistency with existing growth forecasts, cumulative effects related to growth inducement would not be significant.

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

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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*?	☐	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☒	☐	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	☐

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

The project site is located adjacent to the Uptown Tenderloin Historic District that is listed on the National Register of Historic Places. This section evaluates both whether the existing building on the project site is a historic resource whose demolition would be considered a significant impact as defined under CEQA, and whether the new building proposed for construction would adversely affect the adjacent historic district. This analysis is based on a Historic Resources Evaluation (HRE) prepared by a qualified historic resources consultant and a subsequent Historic Resource Evaluation Response (HRER) prepared by the Planning Department's historic preservation staff.[21,22]

Existing Building

The existing building on the project site is a single-story, concrete structure that was built in 1960 as a branch bank by Bank of America, and was converted to use as a post office box facility for the U.S. Postal Service in 1991. The building was originally designed in a Mid-Century Modern architectural style, but was substantially altered in the conversion to postal use. The architect was Aleck L. Wilson, in association with Wurster, Bernardi and Emmons as consulting architects. The 101 Hyde Street building is adjacent to, but not within, the National Register-listed Uptown Tenderloin Historic District. The existing building is not listed in Article 10 (landmarks) or Article 11 (Downtown historic and aesthetic resources) of the *Planning Code*, nor is it listed in any other local, state, or national registers. Given the absence of any current historic designation, to be considered a historical resource under CEQA, the building would

[21] Garavaglia Architecture, Inc., *101 Hyde Street: Historic Resources Evaluation Report*, May 13, 2014. This report is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

[22] Gretchen Hilyard, Preservation Planner, San Francisco Planning Department, *Historic Resource Evaluation Response*, Case No. 2012.0086E: 101 Hyde Street," May 23, 2014. This report is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

normally have to be determined eligible for listing in the California Register of Historical Resources on the basis of association with important events (Criterion 1), association with important person(s) (Criterion 2); association with a master architect or as an example of particularly important design (Criterion 3); or because of information potential, normally associated with archaeological resources (Criterion 4). If an existing building meets one or more of the criteria, it must also possess sufficient physical integrity so as to be able to convey its importance in association with the criteria.

The Bank of America branch at 101 Hyde Street was part of a wave of post-World War II (and post-Great Depression) branch bank design that sought to bring to bank design a storefront feel, in contrast to the grand Neoclassical bank designs that were common in the early part of the 20th century. The original design of the principal Hyde Street and Golden Gate Avenue façades featured highly contrasting facades of glass panels sandwiched by concrete panels above and below, mounted in aluminum frames, with double doors of aluminum in each façade. "Bank of America" was spelled out in aluminum letters along the upper band of concrete panels on each façade. The 1991 renovation, however, completely demolished the Hyde and Golden Gate façades and replaced them with simplified exterior walls that are clad in a combination of stucco and tile. The principal exterior feature of the building today is a mural painted on the Hyde Street façade in 2011, funded by the North of Market Tenderloin Community Benefit District and a San Francisco Community Challenge Grant.

Figure 10 contrasts the original design of the building with its current condition.[23] Although the original design was noteworthy in the context of the post-war banking boom, the building was completely altered in the 1991 remodel. Moreover, the building was constructed outside the period of significance of the Uptown Tenderloin Historic District (1906-1957 under important events Criterion A and 1906-1931 under important design Criterion C).[24]

Architect Aleck L. Wilson practiced architecture for 56 years, until his death in 1976. Among his other known extant commissions in San Francisco are A.P. Giannini Junior High (now Middle) School at 39th Avenue and Ortega Street in the Sunset District (ca. 1952); Pelton Junior High School (now Thurgood Marshall Academic High School) on Conkling Street in the Silver Terrace neighborhood (1958); and a 22-story Pacific Telephone (now AT&T) building on Pine Street between Grant Avenue and Kearny Street (1960).[25] Wilson also designed Barrows Hall on the University of California, Berkeley, campus (1964), and buildings on the U.C. Davis campus and, according to his obituary in the San Francisco Chronicle, several other buildings for Pacific Telephone and Standard Oil. Earlier in his career, he was a chief designer and

[23] Two other examples of the mid-century trend in bank design exist in the general vicinity, at 275 Ellis Street (Wurster, Bernardi and Emmons, 1963) and 1660 California Street (Neil Smith Associates, 1965), and although neither is used as a bank branch any longer, they retain considerably more integrity than does 101 Hyde Street.

[24] Michael R. Corbett and Anne Bloomfield, "Uptown Tenderloin Historic District" National Register of Historic Places Nomination Form, 2008. District listed on the National Register, February 5, 2009. This document is available at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

[25] This shadow cast by this building on St. Mary's Square, directly across Pine Street, was one of the catalysts for the passage years later of Proposition K, the "Sunlight Ordinance," which restricts shadow on City parks (*Transit Center District Plan Final EIR*, Case No. 2007.0558E, p. C&R-95).

project architect for the 1939 Golden Gate International Exposition on Treasure Island. Although Wilson had a lengthy career, research has not shown that he is considered a "master" architect; the HRE notes, however, that "a greater understanding of his body of work may develop as more of his building[s] pass the 50 year mark." Regardless, the building's loss of integrity renders moot its association with Wilson.

Research did not indicate associations between the existing building and important people, other than potentially architect Aleck L. Wilson.

Bank of America, 101 Hyde Street, 1961

U.S. Post Office, 101 Hyde Street, 2013

SOURCE: Garavaglia Architecture

Figure 10
Exterior Alterations to Existing Building on Project Site

Based on the above, the existing 101 Hyde Street building's loss of integrity, as a result of the 1991 remodeling, renders the building ineligible for listing on the California Register. Therefore, the building is not a historical resource, and its demolition would result in a less-than-significant effect.

Uptown Tenderloin Historic District

The Uptown Tenderloin Historic District was listed on the National Register of Historic Places in 2009. The National Register is the official federal list of historical resources that have architectural, historic or

cultural significance at the national, state or local level. The National Register of Historic Places is administered by the National Park Service, an Agency of the Department of the Interior. Listing of a property on the National Register of Historic Places does not prohibit demolition or alteration of that property, but does denote that the property is a resource worthy of recognition and protection.

According to the National Register nomination form,[26] the Upper Tenderloin Historic District "is a largely intact, visually consistent, inner-city high-density residential area constructed during the years between the earthquake and fire of 1906 and the Great Depression." The district includes all (or part) of 33 City blocks generally bounded by the north side of Geary Street on the north, Taylor and Mason Streets on the east, Turk and McAllister Streets and Golden Gate Avenue on the south, and Polk and Larkin Streets on the west. The nomination form continues:

> The district is formed around its predominant building type: a 3- to 7- story, multi-unit apartment, hotel, or apartment-hotel constructed of brick or reinforced concrete. On the exteriors, sometimes only signage clearly distinguishes between these related building types. Because virtually the entire district was constructed in the quarter-century between 1906 and the early 1930s, a limited number of architects, builders, and clients produced a harmonious group of structures that share a single, classically oriented visual imagery using similar materials and details.

Among the character-defining features of the district are the following: three- to seven-story building heights; brick or concrete exterior walls; bay windows on street-facing facades; double-hung wood-sash windows (earlier buildings); casement windows with transoms (later buildings); fire escapes; flat roofs surrounded by parapets; decorative cornices; brick or stucco facings with details of molded galvanized iron, terra cotta or cast concrete; deep set windows; segmented arches or iron lintels at window openings; some buildings feature sandstone or terra cotta rusticated bases, columns, sills, lintels, quoins, entry arches, keystones, string courses, etc.; buildings occupy entire width of lot creating a continuous street wall; light courts; many buildings feature ground-story commercial use with residential above; prominent entry sequences; signs include engraved stone panels with building names, painted wall signs, bronze plaques with names or addresses adjacent to entry vestibules, and neon signs; building types include: hotels, lodging houses, dwellings, flats, apartments, parking garages, stores, churches, film exchanges, halls and clubs, bathhouses; and street furniture including streetlights, granite curbs, utility plates, and sidewalk stamps.

The HRE evaluated the proposed project in the context of the *Secretary of the Interior's Standards for Rehabilitation;* specifically, Standard No. 9, which is most commonly used to address issues of compatibility between a proposed new building and the design qualities of an adjacent historic district. That standard states, "New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property [in this case, the district]. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

[26] Michael R. Corbett and Anne Bloomfield, *op. cit.* (see footnote 24, p. 29).

The HRE report found, with respect to differentiation of new from old, "The proposed building is markedly new in design and materials, and does not attempt to create a false sense of history by imitating any design features or historical characteristics of the adjacent Uptown Tenderloin Historic District." The report noted that certain aspects of the project design would be compatible with the historic district, including concrete wall surfaces, rectilinear bays abutting adjacent buildings, the proportion of glass to wall surface, and casement windows. "Taken individually," the report stated, "other design elements serve to differentiate the building from the historic district; these include the use of composite panels to imitate weathering steel." The report also found that the project, while taller than adjacent and most nearby structures, would be generally in scale with surrounding buildings and the neighborhood as a whole. The report concluded that by stating that the proposed project "will not substantially damage the overall historic qualities that qualify the district for listing as a historic resource."[27]

The Planning Department's preservation staff concurred with the HRE, stating in the project's Historic Resources Evaluation Response:

> Staff finds that the proposed project would not cause a significant adverse impact to a historic resource such that the significance of a historic resource would be materially impaired. The proposed project is located outside the boundaries of the Uptown Tenderloin Historic District and the overall building design is compatible with the character of other contemporary infill projects found within the district in terms of massing, scale, composition and materials. Although the proposed building design is contemporary in nature, some elements of the design reference the character-defining features of the adjacent historic district, including: ground floor storefront height and composition referencing historic storefront scale and configuration; articulation of the street-facing facades with projecting bay windows, punched window openings; and the organization of the building into smaller vertical masses to reference the traditional lot width found within the district. The proposed project would not materially impair the significance of the National Register-listed Uptown Tenderloin Historic District and would not cause a significant adverse impact.[28]

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

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

When determining the potential for encountering archeological resources, relevant factors include the location, depth, and areal extent of excavation proposed, as well as any recorded information on known archeological resources in the area. A Preliminary Archeological Review (PAR) has been prepared by the

[27] Garavaglia Architecture, *op. cit.* (see footnote 21, p. 29); p. 24.

[28] San Francisco Planning Department, *op. cit.* (see footnote 21, p. 29), p. 9.

Planning Department's staff archeologist for the project and is summarized below.[29] The project sponsor supplied soil profiles from a geotechnical investigation conducted around the project site; however, no borings were conducted within the project site as the existing building covers the entire site.[30]

Excavation would be required to install the proposed below-grade garage, elevator, and related utilities. The garage floor level would be approximately 10 feet below ground surface (bgs) and the placement of a mat foundation would require additional excavation, for total maximum excavation depth of approximately 13 feet bgs.

The project site is underlain by native sand dune deposits to an approximate depth of 10 to 15 feet below ground surface.[31] Prehistoric features are unlikely to have been located within the loose, natural sand dune deposits; rather, it is more probable that prehistoric features were created on more stable surfaces, such as the denser deposits found below 15 feet bgs. The block within which the project site is located was likely filled in and graded during the 1860s.

There are no recorded prehistoric sites within the upland north of Market Street area. In the project vicinity to the south of Market, there is a fairly substantial concentration of known prehistoric sites extending from near First Street to Eighth Street and even further westward. Additionally, older prehistoric deposits do appear in deeper subsurface layers. Prior to being filled, the project site was on the edge of a historical stream/marsh and historical maps show with trees and chaparral at the west edge of the City in the 1850s. The first development on the subject block included two small buildings shown on the 1859 U.S. Coast Survey map, which are within or to the west of the project site. From 1850 to 1869, the Yerba Buena Cemetery was located approximately one block to the south of the project site. Development is shown within the project block on the 1869 U.S. Coast Survey map, but not within project site. A stable is shown just west of the project site on the 1886 Sanborn Map and was expanded by the 1899 Sanborn Map and was still there in 1905.[32] The site was vacant following the 1906 Earthquake and Fire until at least the 1913 Sanborn map. A gas station stood on the project site, from the 1920s until the late 1950s, when the building was constructed in 1959 as a Bank of America branch. The current building does not appear to have a basement and it appears that the site has had minimal disturbance beyond the placement of gas tanks for the gas station.

There are no recorded archeological sites in the immediate vicinity of the project site. An archeological research design and treatment plan (ARDTP) was prepared for 121 Golden Gate Avenue (approximately one block east of the site) by Archeo-Tec in 2008. This ARDTP states that there is some potential for

[29] Allison Vanderslice, SF Planning Department, Environmental Planning Division, Preliminary Archeological Review: Checklist, dated July 5, 2013. Case No. 2012.0086E. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

[30] Rockridge Geotechnical, *Geotechnical Study – Proposed Mid-Rise Building 101 Hyde Street, San Francisco CA,* September 10, 2012. Available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File No. 2012.0086E.

[31] Rockridge Geotechnical, *op. cit.* (see footnote 30, p. 38).

[32] Garavaglia Architecture, *op. cit.* (see footnote 21, p. 29).

burials associated with Yerba Buena Cemetery (1850-1869) to be present within the site.[33] However, because of its distance from the cemetery and uphill location, the preliminary archeological review concluded that it is highly improbable that these burials associated with the Yerba Buena Cemetery are present on the current project site. Recent testing and monitoring at that site found no potentially significant archeological resources.

The proposed excavation related to the installation of the below-ground garage and foundations would reach the existing native sand dune deposits, where prehistoric features are unlikely to have been located. Although the possibility of encountering prehistoric features is more probable in denser deposits below 15 feet bgs, the project could potentially disturb cultural resources if such resources were present. Therefore, the proposed project would result in a significant impact on archeological resources. Implementation of **Mitigation Measure M-CP-2 (Archeological Resources (Testing))** below would reduce the potential impact to a less-than-significant level.

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

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site[34] associated with descendant Native Americans or the Overseas Chinese an appropriate representative[35] 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

[33] Allison Vanderslice, *op. cit.* (see footnote 29, p. 38).

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

[35] 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.

consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological 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. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities_and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures*. Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis*. Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy*. Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program*. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures*. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report*. Description of proposed report format and distribution of results.
- *Curation*. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (*Pub. Res. Code* Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Impact CP-3: The proposed project would not indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic

formations containing those localities are also considered paleontological resources as they represent a limited, non-renewable resource and once destroyed, cannot be replaced.

Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units that may be fossiliferous include sedimentary formations.

Unrecorded paleontological resources could be disturbed during project construction; however, given the shallow depth of excavation (maximum of approximately 13 feet bgs), it is unlikely that paleontological resources or unique geologic features would be located at the project site. Because the likelihood of accidental discovery of paleontological resources or unique geological features is small, there would be a less-than-significant impact on unique paleontological resources or geologic features. Therefore, the potential accidental discovery of paleontological resources or unique geologic features during construction would be a less-than-significant impact.

Impact CP-4: The project may disturb human remains. (Less than Significant with Mitigation)

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

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

The proposed project would demolish an existing structure that is not a historic resource. Therefore, demolition of the existing building at 101 Hyde Street would have no effect on historical (historic architectural) resources, and could not contribute to any significant cumulative effect on such resources. With respect to effect on the adjacent National Register-listed Uptown Tenderloin Historic District, as stated above, the proposed project would have a less-than-significant effect on the district. While the project would be substantially different in style, and taller than, buildings in the district, it would be generally compatible in style, height, and massing with other nearby newer construction, including the Hiram W. Johnson State Office Building at 455 Golden Gate Avenue and the Hastings College of the Law parking garage across Golden Gate Avenue from the project site. There are also a number of comparably tall, relatively newer (than the district) residential buildings nearby within the district—as non-

contributors—including 455 Eddy Street/350 Turk Street, 421 Turk Street, 450 Turk Street, 240 Turk Street, 201 Turk Street, and 111 Jones Street. However, the base height limit in the neighborhood of the historic district (much of which is also included in the North of Market Residential Special Use District) has a maximum height limit of 130 feet and requires special Planning Commission authorization for buildings taller than 80 feet, requiring consideration of, among other factors, preservation of historic buildings and the existing scale of development, maintenance of sunlight in public spaces, and conservation of affordable housing. These controls have served, and are anticipated to continue to serve, as a not insignificant moderating influence on development in an around the Uptown Tenderloin Historic District, as evidenced by the fact that most development in recent years has been no taller than approximately 85 to 90 feet, or eight to nine stories, and has been developed on one or two parcels, but not on sites substantially larger than was undertaken historically. Accordingly, it is not anticipated that the proposed project, in combination with other past, present, and reasonably foreseeable future projects in the vicinity, would result in substantial adverse changes to the National Register-listed Uptown Tenderloin Historic District, and the cumulative effect on historical (historic architectural) resources would be less than significant.

Archeological resources are non-renewable members of a finite class. All adverse effects to archeological resources erode a dwindling cultural/scientific resource base. Federal and state laws protect archeological resources in most cases, either through project redesign or by requiring that the scientific data present within an archeological resource be archeologically recovered. Excavation for installation of the below-ground parking garage, elevator, and utilities would occur in terrain underlain primarily by fill materials that are not anticipated to contain cultural resources. Excavation in a small area would reach into the native sand dune deposits. Although loose, natural sand deposits are unlikely to contain prehistoric resources prehistoric features could be found in denser deposits found below 15 feet bgs. As discussed above, the proposed project would have a significant impact related to archeological resources and disturbance of human remains. The project's impact, in combination with other projects in the area that would also involve ground disturbance and which could also encounter previously recorded or unrecorded archeological resources or human remains, could result in a significant cumulative impact to archeological resources. The project's potential contribution to the significant cumulative impact would be cumulatively considerable. However, implementation of **Mitigation Measure M-CP-2 (Archeological Resources (Testing))** (as previously described), would reduce the project's contribution to the significant cumulative impact to a less-than-significant level.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	☐	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐

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

Setting

The project site is located on a corner lot within the Tenderloin neighborhood of San Francisco, at the intersection of Hyde Street and Golden Gate Avenue. The project block is bounded by Turk Street to the north, Hyde Street to the east, Larkin Street to the west, and Golden Gate Avenue to the south.

The intersection of Hyde Street and Golden Gate Avenue is signalized. Hyde Street is a one-way southbound roadway that has three traffic lanes, flanked by a metered parking lane on either side of the street. Golden Gate Avenue is a one-way eastbound roadway that has three traffic lanes, flanked by metered parking lanes on each side of the street. Bicycle lanes in the project vicinity include the Bike

Route 20 on McAllister Street and Larkin Street, Bike Route 25 on Polk Street, and Bike Route 30 on Grove Street.

The San Francisco *General Plan* designates Golden Gate Avenue as a Major Arterial and Hyde Street as a Secondary Arterial.[36,37] Golden Gate Avenue is also listed as a Major Arterial in the Congestion Management Program (CMP) Network and Other Major Arterial as part of the City's Freight Traffic Routes.

The project site can be accessed by a number of Muni bus routes, including the 5-Fulton (with the nearest stops located within one block [300 feet] the project site), 19-Polk (within one block [425 feet]), and 31-Balboa (within two blocks [550 feet]), all of which are within walking distance of the project site. In addition, the project site is within three blocks of the Muni Metro Civic Center station, which has access to J, K, L, N, M, and K/T lines at a walking distance of approximately 1,000 feet from the project site on Market Street between the end of 7th and 8th Street. The street-level Muni F line stop and the Golden Gate Transit lines transfer stop are within three blocks of the project site (at Seventh and Market Streets at a walking distance of approximately 1,300 feet from the project site). BART service is also provided at the Civic Center station.

The project site contains part of a 33-foot-wide driveway located along the Golden Gate Avenue frontage, the western portion of which is used by the adjacent building. The proposed project would retain the existing driveway, which would be used to access the below-grade parking garage.

Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, nor would the proposed project conflict with an applicable congestion management program including, but not limited to, level of service standards and travel demand measures. (Less than Significant)

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

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[36] Major arterials are cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses. San Francisco *General Plan*, Transportation Element, Map 6, adopted July 1995.

[37] Secondary Arterials are primarily intra-district routes of varying capacity serving as collectors for the major thoroughfares; in some cases supplemental to the major arterial system. San Francisco *General Plan*, Transportation Element, Map 6, adopted July 1995.

Trip Generation and Traffic Impacts

Based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review*[38], the proposed project would generate a net addition of approximately 1,390 person-trips per day, about 218 daily vehicle trips, and approximately 28 vehicle trips in the p.m. peak hour (see **Table 2**).[39] Of the

TABLE 2
DAILY AND PM PEAK HOUR TRIP GENERATION

Trip Generation Mode Split	Daily Trips	P.M. Peak-Hour Trips
Auto	315	38
Transit	522	80
Walk	436	50
Other	115	13
Total	**1,388**	**181**
Vehicle Trips	218	28
Parking Demand	**Short Term**	**Long Term**
Parking Spaces	10	99
Loading Demand	**Average Hour**	**Peak-Hour**
Loading Spaces	0.1	0.2

SOURCE: ESA, May 2014

181 p.m. peak hour vehicle trips, 38 would be by auto, 80 by transit, 50 would be pedestrian trips, and 13 would be via "other" modes (including bicycles, motorcycles, and taxis). The trip generation calculations conducted for the proposed project estimate that the project would generate approximately 28 vehicle trips during the p.m. peak hour. Residents and businesses along Hyde Street and Golden Gate Avenue would experience an increase in vehicular activity as a result of the proposed project; however, this increase would not be above levels that are common, and generally accepted, in urban areas. The change in traffic within the project area as a result of the proposed project would be undetectable to most drivers although it could be noticeable to those immediately adjacent to the project site. These 28 p.m. peak hour vehicle trips are not anticipated to substantially affect existing levels of service at intersections within the project vicinity. This is because, assuming the signals operate at cycles lasting 60 seconds, the average of two additional cars per cycle would not be sufficient to alter intersection level of service or to substantially affect the average time at which cars are stopped at a red light. Moreover, the 28 peak-hour vehicles would represent less than 5 percent of the p.m. peak-hour volume on Golden Gate Avenue and less than 3 percent of the p.m. peak-hour volume on Hyde Street, based on SFMTA traffic counts.[40]At

[38] San Francisco Planning Department (SFPD), *op. cit.* (see footnote 17, p. 31).

[39] ESA, Trip Generation Spreadsheet, 101 Hyde Street, May 23, 2014. Available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case File No. 2012.0086E.

[40] SFMTA, SFMTA Traffic Count Data 1993-2013. Available on the internet at: http://www.sfmta.com/sites/default/files/adtcounts.accessible5.pdf. Accessed November 12, 2014.

present, the existing building is used as a USPS Box Unit, meaning that it does not have a retail counter but instead offers post office boxes for mail delivery as well as package pickup service. Due to the limited nature of services offered at the facility, existing vehicle trips to and from the building were not calculated, but are not expected to be substantial. For this reason, all trips associated with the proposed project are considered to be new trips for the purposes of environmental analysis.

Loading

Loading demand for the proposed project would be about 3 truck stops per day; peak hourly loading demand would be less than one loading space, for both the retail and residential uses. No off-street loading spaces would be provided for the proposed project. This would be consistent with *Planning Code* Section 152, which does not require any loading spaces for retail establishments under 10,000 square feet or for apartment buildings under 100,000 square feet. Given the modest loading activity anticipated, delivery vehicles would be expected to use existing commercial loading zones (yellow zones) in the project vicinity, and the project would not result in significant loading impacts and loading impacts are considered less than significant. Any double-parking by delivery vehicles could temporarily reduce traffic capacity on project area street(s); enforcement of existing traffic laws could avoid or minimize any potential impacts, and occasional double-parking generally would not be expected to significantly impede traffic or cause safety concerns. Residential move-in and move-out activities are anticipated to occur primarily from the metered parking spaces at the curb on Golden Gate Avenue, with items carted to the residential elevators through the ground floor lobby. Curb parking on Golden Gate Avenue would need to be reserved through DPW and SFMTA. Likewise, trash and recycling pickup would not adversely affect traffic, as these activities typically occur outside the peak hours.

Construction Activities

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

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

Therefore, in light of the above, the project would have a less-than-significant impact related to conflicts with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system nor regarding conflict with an applicable congestion management program.

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

The proposed project would not include any design features that would substantially increase traffic hazards (e.g., a new sharp curve or dangerous intersections), and would not include any incompatible uses, as discussed in Topic 1, Land Use and Land Use Planning. Therefore, the proposed project would not cause adverse impacts associated with traffic hazards. The proposed project would maintain an existing driveway located on Golden Gate Avenue as an entrance to the below-grade garage. The project would maintain the existing distance between the driveway and the Hyde Street/Golden Gate Avenue intersection, which is sufficient to ensure safe vehicle movements entering and exiting the project site. Based on the above, the proposed project would have a less-than-significant impact related to transportation hazards due to a design feature or resulting from incompatible uses.

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

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

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

Transit Conditions

The project site is well served by public transit. The project would generate about 80 peak-hour transit trips, according to the *SF Guidelines*. These additional riders could easily be accommodated on the multiple Muni lines (5, 19, 31, F, J, K, L, N, M, and K/T lines) and BART and Golden Gate Transit lines that exist in the project vicinity, as described above in the Setting, p. 43. These bus and rail lines link the neighborhood to the rest of the City, the East Bay, the North Bay, and the Peninsula, as well as facilitating connections to the far East Bay through a variety of transit networks. It is estimated that the project would generate approximately 522 daily and 80 p.m. peak-hour transit trips, which would be distributed among Muni, BART, and Golden Gate Transit lines. The addition of the project-generated transit riders would not substantially increase the peak hour capacity utilization of the MUNI bus and light rail lines or the regional transit lines serving the proposed project. Bus stops serviced by multiple Muni routes are

located within one block (300 feet) north and south of the site, and Golden Gate Transit buses operate on Golden Gate Avenue (inbound) and McAllister Street (outbound; one block [300 feet] south of the site), respectively. Muni and Golden Gate Transit bus stop are located within one block [300 to 425 feet] of the project site, and BART and Muni Metro are three blocks (1,000 feet) south, at Civic Center Station. The project would not include new curb cuts or off-street parking that would conflict with bus operations on either Hyde Street or Golden Gate Avenue; therefore, no impacts to bus circulation would occur.

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

Pedestrian Conditions

Trips by walking and other modes, such as bicycling, would number approximately 63 in the p.m. peak hour. Pedestrian access to the residential component of the proposed project would be via a residential lobby on Golden Gate Avenue, while pedestrian access to the retail spaces would be via three entrances on Golden Gate Avenue. Sidewalks in the project area have adequate capacity and are not congested and the project would not result in safety hazards for pedestrians; therefore, no pedestrian impacts would be anticipated.

Bicycle Conditions

The project would provide 86 Class 1 bicycle parking spaces (all in the below-grade garage), along with 10 Class 2 bicycle spaces (racks) on the sidewalk outside the building. This would meet the requirement of *Planning Code* Sec. 155.2, which requires one Class 1 bicycle parking space for every dwelling unit and minimum of one Class 2 parking space per 20 units, along with one Class 1 space for each 7,500 occupied square feet of retail space and one Class 2 space for each 750 occupied square feet of retail space.

The *San Francisco Bicycle Plan* includes goals and objectives to encourage bicycle use in the City, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. In the project vicinity, there are designated bicycle routes on Polk and Larkin (Bike Route 25), Grove (Bike Route 30), and McAllister Streets (Bike Route 20), all of which are within one-quarter mile of the project site.

The proposed project would provide adequate bicycle access and bicycle parking (as shown on Figures 3 and 4 in the Project Description, pp. 7 and 8), and would not result in hazardous conditions for bicyclists, and therefore would have a less-than-significant impact related to conflicting with the City's *Bicycle Plan*, or other plan, policy or program related to bicycle use in San Francisco.

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

Because the street grids north and south of Market Street are different, many Market Street intersections include three or four streets, rather than two. This configuration exists at the intersection of Hyde, Market, and Eighth Streets (three blocks from the project site); Larkin, Market, and Ninth Streets (five blocks from the site); and Golden Gate Avenue and Taylor, Market and Sixth Streets (three blocks from the site). McAllister Street, which provides access to the project site from westbound Market Street via McAllister and Larkin Streets and Golden Gate Avenue, intersects Market Street at Jones Street (five blocks driving distance from the site) but does not intersect a north-south street in the South of Market street grid. Because the multi-leg configuration of Market Street intersections tends to result in the greatest levels of congestion in the vicinity of each intersection, these intersections are the focus of this cumulative analysis.

A review of transportation analyses for projects in the general vicinity indicates that the intersections of Hyde, Market, and Eighth Streets and Larkin, Market, and Ninth Streets, which would serve as the most direct routes between freeways and the project site, would operate at an acceptable Level of Service (LOS C) under cumulative conditions, meaning there would be no significant cumulative effect.[41] The intersection of Golden Gate Avenue and Taylor, Market and Sixth Streets is projected, in the Draft EIR for the 5M project, to operate at LOS E under cumulative conditions (which include effects of other proposed and approved nearby development discussed under Impact C-LU-1, p. 25), which is an unacceptable LOS. However, the number of project vehicle trips using this intersection would likely be insufficient to result in a considerable contribution to a significant cumulative impact. No LOS information is available for the fourth Market Street intersection (Market, McAllister, and Jones Streets); however, this intersection carries relatively lower traffic volumes than the other three and would not likely operate at an unacceptable LOS under cumulative conditions. Based on the foregoing, the project would not contribute considerably to a significant cumulative traffic impact, and the project's cumulative impact would be less than significant.

Certain Muni bus and light rail lines currently operate at capacity in excess of Muni's 85 percent threshold, and would continue to do so under cumulative conditions. The proposed project's 80 peak-hour Muni riders, however, when divided among the many lines that serve the project site, would not make a considerable contribution to impacts on Muni ridership, even with the addition of riders from proposed and approved nearby development discussed under Impact C-LU-1, p. 25. Likewise, the lesser project ridership on regional transit would not make a considerable contribution to any adverse effects on those carriers. As a result, no significant cumulative transit impacts would occur.

Bicycle and pedestrian impacts are by their nature site-specific and generally do not contribute to impacts from other development projects. Bicycle trips throughout the City may increase under the cumulative

[41] 5M Project Draft EIR (Case No. 2011.0409E; DEIR published October 2014); 1177 Market Street Final EIR (Case No. 2002.1179E; Final EIR certified August 3, 2006).

scenario due to general growth. Bicycle trips generated by the proposed project would include bicycle trips to and from the project site. However, as stated in the project analysis, the proposed project would not create potentially hazardous conditions for bicyclists or pedestrians or otherwise interfere with bicyclist or pedestrian accessibility to the site and adjoining areas. Increases in the number of motor vehicle trips could increase some conflicts between bicyclists and pedestrians and the new vehicles; however, the volume of these conflicts would not likely be considered significant. Considering the proposed project's growth with reasonably foreseeable future projects and growth throughout the City, the cumulative effects of the proposed project on bicycle and pedestrian facilities would not be considerable, even in the context of proposed and approved nearby development discussed under Impact C-LU-1, p. 25. Furthermore, the proposed project would not add a conflict (e.g., new curb cut or loading zone) along a near or long-term project identified in the San Francisco Bicycle Plan, nor would it conflict with the Better Streets Plan. For the above reasons, the proposed project would result in less-than-significant cumulative bicycle- and pedestrian-related impacts.

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

In light of the foregoing, the project would result in a less-than-significant impact with regard to transportation, both individually and cumulatively.

Parking Discussion

As previously discussed in Section E (page 22), CEQA Section 21099, effective January 1, 2014, has eliminated the requirement to analyze parking impacts for certain urban infill projects. The proposed project meets the definition of a mixed-use residential project located on an infill site in a transit priority area as discussed in Section E, above. Accordingly, parking impacts can no longer be considered in determining the significance of the proposed project's physical environmental effects under CEQA. Although not required, this Initial Study nevertheless presents a parking demand analysis for informational purposes. The analysis also considers any secondary physical impacts associated with constrained supply (e.g., queuing by drivers waiting for scarce onsite parking spaces that affects the public right-of-way) as applicable.

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

significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts cause by congestion), depending on the project and its setting.

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

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

The parking demand for the new residential uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines.*[42] On an average weekday, the demand for parking would be 99 spaces for the proposed residential units and 10 spaces for the retail spaces. The project would provide a total of 15 on-site parking spaces, all for the residential units. While the proposed off-street parking spaces would be less than the calculated parking demand anticipated for the project, this unmet parking demand would not result in a significant impact in this case. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit with stops located within two to three blocks (1,300 feet or less) of the project site and bicycle lanes/routes located within one quarter mile of the site. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

Further, the project site is located in a C-3-G use district, where under Section 151.1 of the *Planning Code*, the proposed project would not be required to provide any off-street parking spaces. However, the

[42] San Francisco Planning Department (SFPD), *op. cit* (see footnote 17, p. 31).

proposed project would provide 15 vehicle parking spaces, including 1 car share spaces and two handicapped-accessible spaces, within a below-grade parking garage.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed (15 parking spaces to 85 units). In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 109 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby (e.g., the University of California, Hastings College of Law garage or the Civic Center Garage) and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

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

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
g) Be substantially affected by existing noise levels?	☐	☐	☒	☐	☐

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

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

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

Applicable Noise Standards

The Environmental Protection Element of the *San Francisco General Plan* contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research (OPR), indicate maximum acceptable noise levels for various newly developed land uses. The proposed uses for this project most closely correspond to the "Residential – All Dwellings, Group Quarters" land use category in the Land Use Compatibility Guidelines.[43] For this land use category, the maximum "satisfactory, with no special insulation requirements" exterior noise levels are approximately 60 dBA (Ldn).[44,45] Where exterior noise levels exceed

[43] San Francisco General Plan. Environmental Protection Element, Land Use Compatibility Chart for Community Noise. Available online at http://www.sfplanning.org/ftp/general_plan/I6_Environmental_Protection.htm. Accessed on May 13, 2013.

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

60 dBA (Ldn) for a new residential building, it is generally recommended that a detailed analysis of noise reduction requirements be conducted prior to final review and approval of the project, and that the needed noise insulation features be include in the project design.

In addition, Appendix Chapter 12 of the *California Building Code* (CBC) contains acoustical requirements for interior sound levels in habitable rooms of multi-family developments. In summary, the CBC requires an interior noise level no higher than an Ldn of 45 dB. Projects exposed to an exterior Ldn of 60 dB, or greater, require an acoustical analysis showing that the proposed design will limit interior levels to the prescribed allowable interior level. Additionally, if windows must be in the closed position to meet the interior standard, the design must include a ventilation or air-conditioning system to provide fresh-air and therefore, a habitable interior environment. An Environmental Noise Feasibility Study was prepared for the proposed project by an acoustical consultant, and is discussed below.[46]

Existing Noise in Project Site Vicinity

Ambient noise levels in the project vicinity are typical of noise levels found in San Francisco, which are dominated by vehicular traffic, including, cars, Muni buses, and emergency vehicles. Both Hyde Street and Golden Gate Avenue along the project's eastern and southern façades, respectively, are fairly heavily traveled streets, and generate moderate to high levels of traffic noise. While land uses in the project site vicinity do not generate a substantial amount of noise, high traffic volumes along the surrounding roads results in a relatively loud noise environment.

Two long-term continuous (48-hour) noise monitor measurements were conducted in the project vicinity in order to quantify the existing noise environment in the project vicinity. The results of the conducted noise measurements are provided in **Table 3**.

TABLE 3
RESULTS OF NOISE MONITOR MEASUREMENTS IN PROJECT VICINITY

Monitor	Location	Measured Ldn
L1	Approximately 50 feet west of the Hyde Street centerline, approximately 70 feet north of the Golden Gate Avenue centerline, 10 feet above the roof of the existing building.	74 dB
L2	Approximately 135 feet west of the Hyde Street centerline, approximately 40 feet north of the Golden Gate Avenue centerline, 10 feet above the roof of the existing building.	72 dB

SOURCE: Charles M. Salter Associates, Inc., January 2013.

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

46 Charles M. Salter Associates, Inc., *Environmental Noise Feasibility Study, 101 Hyde Street*, January 29, 2013. This document is available for review as part of Case File No. 2012.0086E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

Project Noise Exposure

The proposed project would include new sensitive receptors in the form of residences. The proposed project would be required to incorporate Title 24 noise insulation features such as double-paned windows and insulated walls as part of its construction, which would reduce indoor noise levels by at least 25 decibels. Given the relatively high exterior noise levels in the project vicinity, the noise study included design recommendations to ensure that interior noise levels are in accordance with Title 24 standards and the *San Francisco Building Code*. The noise study recommended that the project include sound rated assemblies at exterior building facades, with window and exterior door assembly Sound Transmissions Class (STC) ratings that meet the City standards. The noise study estimated that exterior doors and windows along Golden Gate Avenue would require an STC rating of 40 for living rooms and an STC rating of 38 for bedrooms. Along Hyde Street, exteriors door and windows would require an STC rating of 41 for living rooms and an STC rating of 36 for bedrooms. The exterior windows of the units located at the corner of the building (at Golden Gate Avenue and Hyde Street) would likely necessitate an STC rating of 45. The noise study further recommended that a qualified acoustical engineer review the project design as it is further developed to refine the specific STC ratings once building design and site layout has been refined and to review the glazing and frame submittals, if non-tested assemblies are to be used, which may require the STC ratings of the recommended glass to be increased. Because windows must be closed to achieve the interior noise criteria (45 dBA, Ldn), the noise study also noted that an alternate means of providing outside air (e.g., fresh-air exchange units, HVAC, Z-ducts, etc.) to habitable spaces is required for building facades exposed to an exterior Ldn of 60 dB, or greater. The Department of Building Inspection would review the final building plans to ensure that the project meets the interior noise requirements of Title 24 and the *San Francisco Building Code*. Accordingly, the potential environmental impacts associated with locating residential uses in an area that currently exceeds acceptable ambient noise levels for such uses would be less than significant.

Noise from Project Operations

The proposed project would involve demolition of the existing building on-site and construction of an 80-foot-tall, eight-story, approximately 80,000-square-foot mixed-use building in its place. Vehicular traffic makes the greatest contribution to ambient noise levels throughout most of San Francisco. Generally, traffic must double in volume to produce a noticeable increase in the ambient noise level in the project vicinity. The proposed project would generate approximately 218 daily vehicle trips, with 28 of those trips occurring in the p.m. peak hour. This increase in vehicle trips would not cause traffic volumes to double on nearby streets, and it would not have a noticeable effect on ambient noise levels in the project site vicinity. The proposed project would contain ground-floor retail with residential uses above and would not include features or uses that would generate substantial noise. Therefore, operational noise from the proposed project, including traffic-related noise, would not significantly increase the existing ambient noise levels in the project vicinity.

In addition to vehicle-related noise, building equipment and ventilation are also noise sources. Specifically, mechanical equipment produces operational noise, such as heating and ventilation systems. Mechanical

equipment would be subject to Section 2909 of the Noise Ordinance. As amended in November 2008, this section of the Ordinance establishes a noise limit from mechanical sources such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise generated by residential uses, the limit is 5 dBA in excess of ambient; while for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient; and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours.

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

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

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

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

The nearest sensitive receptors to the project site are the residential uses along Hyde Street and Golden Gate Avenue (the adjacent AIDS Housing Alliance and the Saint Anthony Foundation Madonna Senior

Housing facility are the closest such receptors, both located at 350 Golden Gate Avenue). These uses would experience temporary and intermittent noise associated with site clearance and construction activities as well as the passage of construction trucks in and out of the project site. Site excavation would involve removal of approximately 5,200 cubic yards of soil for a below-grade garage. No pile driving is anticipated as part of the project and a mat foundation would be the preferred foundation type for the project.

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

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

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, similar to the project. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site, and there is only one future project identified (351V Turk Street and 145 Leavenworth Street project) that is close enough (within 0.15 miles) to result in any cumulative construction noise impact. However, the 351V Turk Street and 145 Leavenworth Street Project is separated from the proposed project by multiple buildings and would be unlikely to noticeably combine with project construction noise, even if the two were constructed simultaneously. As such, construction noise effects associated with the proposed project are not anticipated to combine with those associated with other proposed and ongoing projects located near the project site. Therefore, cumulative construction-related noise impacts would be less than significant.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. However, the proposed project's limited number of vehicle trips (218 vehicle trips) would not contribute considerably to any cumulative traffic-related increases in ambient noise, and therefore cumulative traffic noise impacts would not be significant. Moreover, the proposed project's mechanical equipment would be required to comply with the Noise Ordinance and would therefore not be expected to contribute to any cumulative increases in ambient noise levels.

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

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
6. AIR QUALITY—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐
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)?	☐	☒	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

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

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

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

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment[47] or unclassified for most criteria pollutants with the exception of ozone, $PM_{2.5}$, and PM_{10}, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.[48]

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

TABLE 4
CRITERIA AIR POLLUTANT SIGNIFICANCE THRESHOLDS

	Construction Thresholds	Operational Thresholds	
Pollutant	**Average Daily Emissions (lbs./day)**	**Average Daily Emissions (lbs./day)**	**Maximum Annual Emissions (tons/year)**
ROG	54	54	10
NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

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

48 Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2010, p. 2-1. Available on the internet at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Draft_BAAQMD_CEQA_Guidelines_May_2010_Final.ashx?la=en. Accessed November 12, 2014.

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).[49] These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM_{10} and $PM_{2.5}$)[50]. The BAAQMD has not established an offset limit for $PM_{2.5}$. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM_{10} and $PM_{2.5}$, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.[51] Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control

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49 BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance,* October 2009, p. 17. Available on the internet at: http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en. Accessed March 7, 2015.

50 PM_{10} is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. $PM_{2.5}$, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

51 BAAQMD, *op. cit.* (see footnote 49, p. 63), p. 16.

fugitive dust[52] and individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.[53] The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.[54] The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO_2 concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO_2 emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than five percent of the Bay Area total basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO_2. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO_2 emissions that could result from a development projects, development projects would not result in a cumulatively considerable net increase in CO or SO_2, and quantitative analysis is not required.

Local Health Risks and Hazards

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

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic

52 Western Regional Air Partnership. *2006. WRAP Fugitive Dust Handbook.* September 7, 2006. This document is available online at *http://www.wrapair.org/forums/dejf/fdh/content/FDHandbook_Rev_06.pdf*, accessed February 16, 2012.

53 BAAQMD, *op. cit.* (see footnote 49, p. 63), p. 27.

54 BAAQMD, *CEQA Air Quality Guidelines, op. cit.* (see footnote 48, p. 63).

substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.[55]

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care (child care) centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter ($PM_{2.5}$) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.[56] In addition to $PM_{2.5}$, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.[57] The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified based on health-protective criteria that consider estimated cancer risk, exposure to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. Each of these criteria is discussed below. The project site is located within the Air Pollutant Exposure Zone.

Excess Cancer Risk. For cancer risk from all modeled sources, the criterion used is emissions from all modeled sources greater than 100 per one million population. The above 100 per one million persons (100 excess cancer risk) criterion is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and

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

[56] SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review,* May 2008.

[57] California Air Resources Board (ARB), Fact Sheet, "The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines," October 1998.

community-scale level.[58] As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the "acceptable" range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,[59] the USEPA states that it "…strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years." The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.[60]

Fine Particulate Matter. For fine particulate matter, the criterion used is $PM_{2.5}$ concentrations from all modeled sources greater than 10 micrograms per cubic meter ($\mu g/m^3$). In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, "Particulate Matter Policy Assessment." In this document, USEPA staff concludes that the then-current federal annual $PM_{2.5}$ standard of 15 $\mu g/m^3$ should be revised to a level within the range of 13 to 11 $\mu g/m^3$, with evidence strongly supporting a standard within the range of 12 to 11 $\mu g/m^3$.[61] The Air Pollutant Exposure Zone for San Francisco is based on the health protective $PM_{2.5}$ standard of 11 $\mu g/m^3$, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 $\mu g/m^3$ to account for uncertainty in accurately predicting air polluting concentrations using emissions modeling programs.

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

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

58 BAAQMD, *op. cit.* (see footnote 49, p. 63), p. 67.

59 54 Federal Register 38044, September 14, 1989.

60 BAAQMD, *op. cit.* (see footnote 49, p. 63), p. 67.

61 United States Environmental Protection Agency (USEPA). *Policy Assessment for the Review of Particulate Matter National Ambient Air Quality Standards*. April 2011. EPA 452/R-11-003. Available online at www.epa.gov. Accessed December 29,2014.

lowering the standards for identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) $PM_{2.5}$ concentrations in excess of 9 $\mu g/m^3$.[62]

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the *San Francisco Building* and *Health Codes*, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or *Health Code*, Article 38 (Ordinance 224-14, effective December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. As noted above, the project site is within the Air Pollutant Exposure Zone.

Construction Air Quality Impacts

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

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

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project includes demolition of the existing building on the project site and construction of a new 80-foot-tall, 85-unit residential structure above ground-floor retail and basement parking. During the project's approximately 18-month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

Fugitive Dust

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current

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

health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the ARB, reducing $PM_{2.5}$ concentrations to state and federal standards of 12 μg/m^3 in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths annually.[63]

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

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

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

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the work day. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. Article 21 (Section 1100 *et. seq.*) of the *San Francisco Public Works Code* (added by Ordinance 175-91) restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used

[63] ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, October 24, 2008; Table 4c.

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

Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to a less-than-significant level.

Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 4, above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield[64] sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

In general, according to the screening thresholds, for high-rise residential development, a project would have to exceed approximately 250 dwelling units to be expected to result in significant impacts from construction emissions of criteria pollutants. At 85 units plus ground-floor retail, the project would be less than half the screening threshold size. Therefore, quantification of construction-related criteria air pollutant emissions is not required and the proposed project's construction activities would result in a less-than-significant criteria air pollutant impact.

Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)

The project site is within the Air Pollutant Exposure Zone, as described above, and would include new sensitive land uses in the form residential units. Existing sensitive land uses (primarily residences) are located on the project block along Golden Gate Avenue and Hyde Street, in close proximity to the project site, as well as elsewhere throughout the project vicinity, which largely comprises buildings with upper-story residential units, particularly to the north and east. There are also child care centers nearby at 144 Leavenworth Street near Golden Gate Avenue (about 500 feet from the project site), at Golden Gate

[64] A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

Avenue and Larkin Street (about 500 feet from the site), on Turk Street near Leavenworth Street (about 600 feet from the site), and at Golden Gate Avenue and Polk Street (about 1,000 feet from the site).

Off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.[65] Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.[66] For example, revised PM emission estimates for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.[67] Approximately half of the reduction in emissions can be attributed to updated methodologies used to better assess construction emissions), while the remainder of the reduction was attributed to the economic recession then being experienced.[68]

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.[69]

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

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

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

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

67 ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

68 ARB, *op. cit.* (see footnote 66, p. 69).

69 United State Environmental Protection Agency (USEPA), "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

70 BAAQMD, CEQA Air Quality Guidelines, May 2012, page 8-6.

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

The proposed project would require construction activities for the approximate 18-month construction period. Project construction activities would result in short-term emissions of DPM and other TACs. The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact. Implementation of Mitigation Measure M-AQ-2, Construction Air Quality, would reduce the magnitude of this impact to a less-than-significant level. While emission reductions from limiting idling, educating workers and the public and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS) can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS.[71] Emissions reductions from the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes subject to the mitigation. Therefore, compliance with Mitigation Measure M-AQ-2 would reduce construction emissions impacts on nearby sensitive receptors to a less-than-significant level.

Mitigation Measure M-AQ-2: Construction Air Quality

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

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.

[71] 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).

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.

3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers*.

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).

2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

Table – Off-Road Equipment Compliance Step-down Schedule

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

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 ERO 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.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following addresses air quality impacts resulting from operation of the proposed project.

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

As discussed above in Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated

criteria air pollutants. If all the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment.

In general, because of lower vehicle trip generation rates in San Francisco than elsewhere in the Bay Area, San Francisco projects generating fewer than approximately 3,500 vehicle trips per day are not expected to generate operational emissions that would exceed the City's significance thresholds for operational emissions of criteria air pollutants. As noted in Section E.4, Transportation, the proposed project would generate approximately 218 daily vehicle trips, which is less than one-tenth of the number of trips that would trip the screening threshold. Thus, analysis of project-generated criteria air pollutant emissions would not be required. The proposed project would not exceed any of the significance thresholds for criteria air pollutants and would therefore result in a less-than-significant impact with respect to criteria air pollutants.

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

The project site is within the Air Pollutant Exposure Zone, as described above, and would include new sensitive land uses in the form residential units. Existing sensitive land uses (primarily residences) are located on the project block along Golden Gate Avenue and Hyde Street, as well as elsewhere in the vicinity, and several child care centers are also within about 1,000 feet of the site.

Sources of Toxic Air Contaminants.

Vehicle Trips. Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's 218 vehicle trips would be well below this level and would be distributed among streets in the local roadway network; therefore an assessment of project-generated TACs resulting from vehicle trips is not required, and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

Siting Sensitive Land Uses. The proposed project would include development of residential units and is considered a sensitive land use for purposes of air quality evaluation. For sensitive use projects within the Air Pollutant Exposure Zone as defined by *Health Code* Article 38, such as the proposed project, Article 38 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 (MERV) 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.[72] The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

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

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

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

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

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 218 net new daily vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project

[72] Application for Article 38 Compliance Assessment, 101 Hyde Street, March 18, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0086E.

would be generally consistent with the *San Francisco General Plan*, as discussed in Section C, Compatibility with Existing Zoning and Plans. Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the *San Francisco General Plan* and the *Planning Code*, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure that the project includes relevant transportation control measures specified by the *2010 Clean Air Plan*. Therefore, the proposed project would include applicable control measures identified in the CAP to meet the CAP's primary goals.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would add approximately 4,923 square feet of retail uses and 85 residential units to a dense, walkable urban area and within one quarter mile of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

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

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

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. None of the odor sources are within the project vicinity. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors.[73] As a residential and retail development, the proposed project would not create a significant source of new odors. Therefore, the proposed project would have less-than-significant impacts related to odors.

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

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient

[73] ESA, site visit, February 15, 2013.

air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.[74] The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add new sources of TACs (e.g., construction emissions and new vehicle trips within an area already adversely affected by air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Mitigation Measure M-AQ-2, Construction Air Quality, p. 67, which could reduce construction period emissions by as much as 94 percent. Furthermore, compliance with Article 38 would ensure that new sensitive receptors are not exposed to cumulatively significant levels of air pollution. Implementation of this/these mitigation measure/s and/or adherence to Article 38 would reduce the project's contribution to cumulative air quality impacts to a less-than-significant level.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	☐

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

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5

[74] BAAQMD, *CEQA Air Quality Guidelines,* May 2011, page 2-1.

which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of greenhouse gases and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy)[75] which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with CEQA guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*, Executive Order S-3- 05,[76] and Assembly Bill 32 (also known as the Global Warming Solutions Act.)[77,78]

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

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

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

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include

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

76 Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million $MTCO_2E$); by 2020, reduce emissions to 1990 levels (estimated at 427 million $MTCO_2E$); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million $MTCO_2E$).

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

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

emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

The proposed project would increase the activity onsite by demolishing the existing one-story, commercial building on the project site and constructing in its place an eight-story building containing 85 dwelling units and approximately 4,923 square feet of ground-floor retail space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and retail operations that result in an increase in energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

These regulations, as outlined in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.[79] Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
8. WIND AND SHADOW—Would the project:					
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☒	☐	☐

[79] Greenhouse Gas Analysis: Compliance Checklist, May 6, 2014. This document is on file and available for public review as part of Case File No. 2012.0086E.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☒	☐	☐

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

Average wind speeds in San Francisco are the highest in the summer and lowest in winter; however, the strongest peak winds occur in winter, under storm conditions. Throughout the year the highest typical wind speeds occur in mid-afternoon and the lowest in the early morning. Westerly to northwesterly winds are the most frequent and strongest winds during all seasons in San Francisco. Of the 16 primary wind directions, four wind directions (northwest, west-northwest, west, and west-southwest) have the greatest frequency of occurrence and also make up the majority of the strong winds that occur.

The project site is in an area that is subject to *San Francisco Planning Code* Section 148, Reduction of Ground-level Wind Currents in C-3 Districts. The *Planning Code* outlines wind reduction criteria for projects in C-3 Districts, sets wind speed criteria for both pedestrian comfort and hazardous winds, and requires buildings to be shaped so as not to cause ground-level wind currents to exceed these criteria. The *Planning Code* specifies that new buildings and building additions be shaped so as not to cause ground-level wind currents to exceed, more than 10 percent of the time, 11 miles per hour (mph) in substantial pedestrian use areas, and 7 mph in public seating areas. When a project would result in exceedances of a comfort criterion, an exception may be granted, pursuant to Section 309 of the *Planning Code*, if the building or addition cannot be designed to meet the comfort criteria. Section 148 also establishes a hazard criterion, which is an equivalent wind speed of 26 mph as averaged for a single full hour of the year.[80] Under Section 148, new buildings and additions may not cause wind speeds that meet or exceed this hazard criterion and no exception may be granted for buildings that result in winds that exceed the hazard criterion.

The proposed project would have a significant wind impact if it would cause the 36-mph wind hazard criterion to be exceeded for more than one hour per year. A project that would cause exceedances of the comfort criteria, but not the wind hazard criterion, would not be considered to have a significant impact

[80] The wind hazard criterion is derived from the 26 mph hourly average wind speed that would generate a 3-second gust of wind at 20 meters per second, a commonly used guideline for wind safety. Because the original wind data on which the testing is based was collected at one-minute averages (i.e., a measurement of sustained wind speed for one minute, collected once per hour), the 26 mph hourly average is converted to a one-minute average of 36 mph, which is used to determine compliance with the 26 mph one-hour hazard criterion in the *Planning Code*. (Arens, E. *et al.*, "Developing the San Francisco Wind Ordinance and its Guidelines for Compliance," Building and Environment, Vol. 24, No. 4, p. 297-303, 1989.)

under CEQA; however, such a project would be required to obtain an exception from the provisions of *Planning Code* Section 148, pursuant to the procedures contained in Section 309.

A building taller than its immediate surroundings will intercept winds and deflect them down towards the ground level, particularly if it is oriented so that a large, unarticulated wall catches a prevailing wind. This can cause wind flow accelerations around building corners. When the gap between two buildings is aligned with the prevailing winds, high wind activity is expected along this gap. The project site currently contains a one-story building, approximately 20 feet in height. The site is just downwind (located east) of an area known to be windy, largely due to the effects of the Philip Burton Federal Building at 450 Golden Gate Avenue and also the Hiram W. Johnson State Office Building at 455 Golden Gate Avenue (each one block west of the site). The proposed project would involve construction of an 80-foot-tall, eight-story building. The project site is surrounded by buildings ranging from two to five stories.

To evaluate the potential for wind effects on surrounding sidewalks, including those fronting the project site, wind tunnel testing, using a three-dimensional model of the proposed project, was conducted for the proposed project.[81] The wind tunnel testing was conducted at 16 wind speed sensor locations under Existing Conditions and Existing plus Project Conditions.[82] For the purposes of evaluating impacts under CEQA, the analysis uses the hazard criterion to determine whether the proposed project would alter wind in a manner that substantially affects public areas. The proposed project's effects related to the comfort criterion are presented below for informational purposes (and are also used in the Planning Department's separate determination of compliance with Section 148).

The results of the wind tunnel testing indicate that two of the farthest upwind test points exceed the hazard criterion under Existing Conditions. These exceedances occur at the southeast corner of Larkin and Turk Streets (diagonally across the project block from the project site, or about 400 feet northwest of the site), and at the northeast corner of Larkin Street and Golden Gate Avenue (one block, or about 300 feet, west of the site). These two exceedances are each proximate to the federal and State office buildings. With the addition of the proposed project, each of these exceedances of the wind hazard criterion would be eliminated, and no new hazard exceedances would occur. The wind speed exceeded one hour per year would increase at seven points, decrease at seven points, and remain unchanged at two locations. The average of wind speeds exceeded one hour per year would increase by about 0.5 mph; this is due largely to the fact that the one-hour-exceeded wind speed would increase by 8 mph, from 13 mph to 21 mph, at the northwest corner of Hyde Street and Golden Gate Avenue, adjacent to the proposed building. However, winds at this location would remain calmer than 13 of the other 15 points.

81 ESA, *Potential Planning Code Section 148 Wind Effects, 101 Hyde Street Project*, April 2, 2015. This document is on file and available for public review as part of Case File No. 2012.0086E.

82 No cumulative wind test was conducted, because there are no reasonably foreseeable project close enough to the project site to warrant consideration for wind effects.

Because the proposed project would eliminate two existing exceedances of the wind hazard criterion and would not result in any new increases of the hazard criterion, the proposed project would not alter wind in a manner that substantially affects public areas and wind impacts are considered less than significant.

In terms of the comfort criteria, all 16 test points were located on sidewalks and, accordingly, are considered areas of substantial pedestrian use; none of the test points is a public seating area. The results of the wind tunnel testing indicate that nine of the 16 test locations exceed the *Planning Code's* 11 mph pedestrian comfort criterion under Existing Conditions, including all four points west of the project site (and therefore closest to the federal and state office buildings); three of five other points on the south side of Golden Gate Avenue; and two other points on Turk Street. There are no existing comfort criterion exceedances along the project site frontages. Wind speeds exceeded 10 percent of time average 11.4 mph. The highest wind speeds are on Larkin Street across from the Philip Burton Federal Building.

According to the wind tunnel testing results, the proposed project would eliminate one existing pedestrian comfort criterion exceedance located one-half block east on the south side of Golden Gate Avenue, and would add one new exceedance, located across Golden Gate Avenue from the project site. Overall, under the Existing plus Project Conditions, wind speeds exceeded 10 percent of the time would exceed the *Planning Code's* 11 mph pedestrian comfort criterion at nine of the 16 test points, the same as under Existing Conditions. Wind speeds exceeded 10 percent of the time would increase at four locations, by 1 to 4 mph, and would decrease at two locations, by 1 to 2 mph; wind speeds would be unchanged (or vary by less than 0.5 mph) at 10 locations. Compared with Existing Conditions, the average of wind speeds exceeded 10 percent of the time would increase by 0.3 mph to 11.7 mph; this increase in average wind speed would not result in a perceptible change to pedestrians. The highest wind speeds would continue to occur along Larkin Street across from the federal building. Because the proposed project would not eliminate all existing exceedances of the comfort criteria, the project would require an exception from the provisions of *Planning Code* Section 148, in accordance with the procedures of *Planning Code* Section 309.

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

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

Planning Code Section 295, which was adopted in response to Proposition K (passed November 1984), mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the San Francisco Recreation and Parks Department (SFRPD) can only be approved by the Planning Commission (based on recommendation from the Recreation and Parks Commission) if the shadow is determined to be insignificant or not adverse to the use of the park. The closest public open spaces protected under *Planning Code* Section 295 in the vicinity of the project site are the Turk and Hyde Mini Park, located one block north of the project site, and Civic Center Plaza, located two blocks southwest of the project site.

The height of the proposed building would be 80 feet. Therefore, a shadow fan analysis was conducted by the Planning Department. The shadow fan analysis shows that, at its greatest extent, the project's shadow would extend approximately a block in the north and south directions and approximately two blocks in the east and west directions. However, the parks protected by Section 295 would not be adversely affected by the proposed project due to their location; that is, shadow from the proposed project would not reach either the Turk and Hyde Mini Park or Civic Center Plaza. Project shadow also would not reach United Nations Plaza, a public open space not subject to Section 295. There are no non-Section 295 open spaces (i.e. privately owned, publicly accessible open spaces) nearby that would be affected by shadow from the project.[83]

The proposed project would add new shade to surrounding sidewalks and properties. However, because of the configuration of existing buildings in the vicinity, the net new shading that would result from the project's construction would be limited in scope, and would not increase the total amount of shading above levels that are common in urban areas, particularly in densely built out neighborhoods such as Tenderloin. Due to the dense urban fabric of the city, the loss of sunlight on private residences or property is rarely considered to be a significant environmental impact and the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA. The proposed project would be taller than the adjacent Madonna Senior Residence to the west; as a result, the project would add a small amount of shade to the extreme northwest corner of the south-facing courtyard at the Madonna Residence, for up to about 30 minutes in mid-morning (between about 10:00 a.m. and 10:30 a.m.) from approximately June 1 through mid-July.[84] Because this shadow would last for only a few minutes a day over a few weeks of the year and would never cover more than a few dozen square feet, the proposed project would not result in substantially significant shadow impacts. Therefore, the proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas, and this impact would be less than significant.

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

Based on the discussion above, the proposed project's effects on wind and shadow would be limited. There are no nearby projects that are large enough (or of similar size to the proposed project) that their wind effects, in combination with wind effects of the proposed 101 Hyde Street project, could result in a cumulative significant effect on pedestrian-level winds. Wind tunnel testing conducted for the proposed project concluded that with the addition of the proposed project, no new wind hazard exceedances would occur under cumulative conditions. Additionally, wind effects of the proposed project would not be expected to substantially interact with those of the proposed 80-foot-tall project at 351 Turk Street & 145

[83] San Francisco Planning Department, Shadow fan analysis. This document on file and available for public review as part of Case File No. 2012.0086E.

[84] ESA, Solar angle analysis, May 20, 2014. This document on file and available for public review as part of Case File No. 2012.0086E.

Leavenworth Street, which is generally crosswind from the 101 Hyde Street site and separated by numerous buildings of generally comparable height. Therefore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable wind impact.

As previously described, the proposed project would not cast new shadow on parks protected by Section 295 such as either the Turk and Hyde Mini Park or Civic Center Plaza, or open space subject to Section 295. The proposed project would not be tall enough to cast new shadows that would interact with shadows of cumulative projects proposed nearby. Further, the proposed project would not contribute to a cumulative shadow impact on the public open spaces in the project vicinity. Other future projects, including the proposed 351 Turk Street and 145 Leavenworth Street projects, would be subject to *Planning Code* Section 295 and other applicable controls to avoid substantial net new shading of public parks. Thus the proposed project, in combination with other past, present, and reasonably foreseeable future projects proposed in the vicinity, would not result in a cumulatively considerable shadow impact.

Topics:		*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
b)	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐	☐
c)	Physically degrade existing recreational resources?	☐	☐	☒	☐	☐

The proposed project would develop approximately 4,923 square feet of retail uses and 85 residential units on a parcel that currently contains a one-story USPS facility. The new residents of the proposed project would be served by the SFRPD, which administers more than 220 parks, playgrounds, and open spaces throughout the City, as well as recreational facilities including recreation centers, swimming pools, golf courses, and athletic fields, tennis courts, and basketball courts.[85] The project site is in an intensely developed urban neighborhood, and does not contain large regional park facilities, but includes a number of neighborhood parks and open spaces, as well as other recreational facilities. The 2009 Draft Recreation and Open Space Element Update of the *San Francisco General Plan* has identified high-need areas which are given highest priority for the construction of new parks and recreation improvements.

[85] San Francisco Recreation and Parks Department. Available online at: sfrecpark.org. Accessed May 7, 2013.

The project site is proximate to some medium- and higher- need areas but is located within one of the lower-need areas of the five categories presented.

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

There are two facilities managed by the SFRPD near the project site:

- Turk and Hyde Mini Park (at the intersection of Turk and Hyde Streets): An approximately 0.11-acre mini park containing play structures specifically for small children, located one block north of the project site.
- Civic Center Plaza (at the intersection of Grove and Larkin Streets): An approximately 5.9-acre public open space containing lawn areas and two tot lots, located adjacent to the City Hall, two blocks southwest of the project site.

In addition, U.N. Plaza, an approximately 2.6-acre pedestrian mall extending from Market Street to Hyde Street in the city's Civic Center area, is located two blocks southeast of the project site. It is not managed by the SFRPD. U.N. Plaza contains landscaped areas and limited seating and is used primarily for passive recreation, in addition to holding events such as seasonal farmer's markets and occasional art festivals.

The proposed project would provide passive recreational uses onsite for the residents, including a 3,686-square-foot roof deck with a sunscreen canopy element that would function as a partially enclosed indoor-outdoor space and a 1,764-square-foot courtyard located on the second story (the first residential level) along the western portion of the project site's northern boundary, open to the sky. Both of these common open spaces would be accessible only to building residents. In addition, residents of the proposed residential units would be within walking distance of the above-noted open spaces.

Although the proposed project would introduce a new permanent population (approximately 156 residents) to the project site, the number of new residents projected would not be large enough so as to substantially increase demand for or use of either neighborhood parks and recreational facilities (discussed above) or citywide facilities such as Golden Gate Park, such that substantial physical deterioration would be expected. The permanent residential population on the site and the incremental on-site daytime population growth that would result from the proposed commercial use would not require the construction of new recreational facilities or the expansion of existing facilities. The project would have a less-than-significant effect on existing recreational facilities, and would not contribute substantially to cumulative effects.

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

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

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
10. UTILITIES AND SERVICE SYSTEMS— Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐	☐

The project site is within an urban area that is served by utility service systems, including water, wastewater and storm water collection and treatment, and solid waste collection and disposal. The proposed project would add new daytime and nighttime population to the site that would increase the

demand for utilities and service systems on the site, but not in excess of amounts expected and provided for in the project area.

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

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant (Southeast Plant) provides wastewater and stormwater treatment and management for the east side of the city, including the project site. No new sewer or stormwater facilities or construction would be needed to serve the proposed project. The proposed project would meet the wastewater pre-treatment requirements of the San Francisco Public Utilities Commission (SFPUC), as required by the San Francisco Industrial Waste Ordinance in order to meet Regional Water Quality Control Board requirements.[86] The proposed project would add residential units and commercial uses to the project site, which would incrementally increase the demand for wastewater and stormwater treatment services, but not in excess of amounts expected and provided for in the project area.

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

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

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

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

[86] City and County of San Francisco, Ordinance No. 19-92, *San Francisco Public Works Code*, Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

project area. Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated within anticipated water use and supply for San Francisco.[87,88] The proposed project would also be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the San Francisco Green Building Ordinance. The project site is not located within a designated recycled water use area, as defined in the Recycled Water Ordinance 390-91 and 393-94; thus, the project is not required to install a recycled water system. Since the proposed project's water demand could be accommodated by the existing and planned supply anticipated under the San Francisco Public Utilities Commission's (SFPUC's) 2010 Urban Water Management Plan (UWMP), as updated by the SFPUC's 2013 Water Availability Study, the proposed project would result in less-than-significant water service impacts.

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

Solid waste from the project site would be collected by Recology and hauled to the Recology transfer station near Candlestick Point, and recycled as feasible, with non-recyclables being disposed of at the Altamont Landfill in Alameda County, where it is required to meet federal, state and local solid waste regulations. The Altamont Landfill has a permitted maximum disposal of 11,150 tons per day and is operating well below that capacity, at approximately 4,000 to 5,000 tons per day. In addition, the landfill has an annual solid waste capacity of 2,226,500 tons from the City and County of San Francisco. However, the landfill is well below its allowed capacity, receiving approximately 1.29 million tons of solid waste in 2007, the most recent data year available. The total permitted capacity for the landfill is 62 million cubic yards; the remaining capacity is approximately 45.7 million cubic yards.

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

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87 San Francisco Public Utilities Commission (SFPUC), *2010 Urban Water Management Plan*, which includes county-wide demand projections through the year 2035, and compares water supply and demand. Available online at: *http://www.sfwater.org/Modules/ShowDocument.aspx?documentID=1055*, accessed May 7, 2013

88 SFPUC, 2013 Water Availability Study for the City and County of San Francisco. Available online at: http://www.sfsewers.org/modules/showdocument.aspx?documentid=3589, accessed June 14, 2013.

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

The California Integrated Waste Management Act of 1989 (AB 939) requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment showed the City generated approximately 870,000 tons of waste material in 2000. By 2010, that figured decreased to approximately 455,000 tons. Waste diverted from landfills is defined as recycled or composted. San Francisco has a goal of 75 percent landfill diversion by 2010 and 100 percent by 2020. As of 2009, 78 percent of San Francisco's solid waste was being diverted from landfills, having met the 2010 diversion target. Since 2007, waste diversion increased by 6 percentage points.[89]

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's solid waste. The proposed project would meet both the construction and demolition debris diversion rate and the requirements of the Mandatory Recycling and Composting Ordinance, which requires all persons in San Francisco to separate recyclables, compostables and landfilled trash and participate in recycling and composting programs.

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

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

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

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[89] San Francisco Department of Public Health, Environmental Health Section. Available on the internet at www.sustainablesf.org/indicators/view/4. Accessed on May 7, 2013.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☒	☐	☐

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

The proposed project, being a more intensive use of the project site than currently exists, would incrementally increase police service calls in the project area. Police protection is provided by the Tenderloin Police Station located at 301 Eddy Street (on the corner of Eddy and Jones Streets, approximately four blocks northeast of the project site). Although the proposed project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not be substantial in light of the existing demand for police and fire protection services. The Tenderloin Station would be able to provide the necessary police services and crime prevention in the area. Meeting this additional service demand would not require the construction of new police facilities. Hence, the proposed project would have a less-than-significant impact on police services.

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

The project site receives fire protection services from the San Francisco Fire Department (SFFD). Fire stations located nearby include Station 3, at 1067 Post Street (near the corner of Post and Polk Streets, approximately seven blocks north of the project site) and Station 36 at 109 Oak Street (at the corner of Oak and Franklin Streets, approximately ten blocks southwest of the project site). Although the proposed project would increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not be substantial in light of existing demand for fire protection services.

Furthermore, the proposed project would be required to comply with all applicable *Building* and *Fire Codes*, which establish requirements pertaining to fire protection systems, including, but not limited to, the provision of state-mandated smoke alarms, fire alarm and sprinkler systems, fire extinguishers, required number and location of egress with appropriate distance separation, and emergency response

notification systems. Since the proposed project would be required to comply with all applicable *Building* and *Fire Codes*, and the proposed project would result in an incremental increase in demand, it would not result in the need for new fire protection facilities, and would not result in significant impacts to the physical environment. Hence, the proposed project would have a less-than-significant impact on fire protection services.

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

The Tenderloin Community School, at 627 Turk Street, is the nearest public school to the project site (about 950 feet west of the site). Nearby private schools include the following: DeMarillac Academy, at 175 Golden Gate Avenue, about 700 feet southeast of the project site; and the San Francisco City Academy, at 230 Jones Street, or about 1,200 feet northeast of the project site. The proposed project, a mix of commercial and residential uses, would incrementally increase the number of school-aged children that would attend public schools in the project area. However, this increase would not exceed the projected student capacities that are expected and provided for by the San Francisco Unified School District as well as private schools in the project area. Therefore, the implementation of the proposed project would not necessitate the need for new or physically altered schools.

The San Francisco Unified School District (SFUSD) has experienced overall declines in enrollment in the last decade. However, beginning in 2008, the SFUSD saw kindergarten enrollments begin to increase, and anticipates continued growth of SFUSD enrollment. SFUSD projections from 2009 indicate that elementary school enrollment will increase by about 11 percent from 2008 to 2013. Given a small decline in enrollment from 2009 to 2010, and then continued enrollment growth after 2010, the SFUSD projects that enrollment levels in 2013 will still be lower than 2008 levels.[90] Thus, the SFUSD anticipates increases in students, and has adequate capacity for enrollment growth.

In addition, the proposed project would be subject to a citywide development impact fee, which requires a payment of $2.24 per square foot of assessable space for residential development constructed within the SFUSD to be paid to the district.[91]

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

[90] San Francisco Unified School District, Capital Plan FY 2010-2019, September 2009. Available online at 2*http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/capital-plan-final-2010-2019.pdf*. Accessed May 13, 2013.

[91] San Francisco Unified School District, Developer Impact Fee Annual and Five Year Reports for the Fiscal Year Ending June 30 2012, November 2013. Available online at *http://www.sfusd.edu/en/assets/sfusd-staff/files/SFUSD_AnnualFiveYearReport_FY1112_Final.pdf*. Accessed May 13, 2013.

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

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

Impact C-PS-1: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial cumulative impact to public services. (Less than Significant)

The proposed project is not expected to significantly increase demand for public services, especially not beyond levels anticipated and planned for by public service providers. Cumulative development in the project area would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, project would have a less-than-significant cumulative impact on public services.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
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?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒

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

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

The project site is entirely covered with impervious surfaces and does not provide habitat for any rare or endangered plant or animal species. Thus, the proposed project would not adversely affect or substantially diminish plant or animal habitats, including riparian or wetland habitat. The proposed project would not interfere with any resident or migratory species, nor affect any rare, threatened or endangered species. The proposed project would not interfere with species movement or migratory corridors.

Migrating birds do pass through San Francisco, but the project site does not contain habitat to support migrating birds. Nesting birds, their nests, and eggs are fully protected by *Fish and Game Code* (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). Although the proposed project would be subject to the MBTA, the site does not contain habitat supporting migratory birds; therefore the project would have a less-than-significant impact to nesting birds.

The proposed project would not conflict with any local policies or ordinances directed at protecting biological resources. Therefore for the above reasons, the proposed project would have a less-than-significant impact on special status species, avian species, riparian, wetland, and sensitive natural communities; and the project would result in a less-than-significant impact on approved local, regional, and state habitat conservation plans.

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

The City's Urban Forestry Ordinance, *Public Works Code* Sections 801 et. seq., requires a permit from the Department of Public Works (DPW) to remove any protected trees. Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. As discussed in the Project Description, there are currently three Carob trees (*Ceratonia siliqua*) located on the Golden Gate Avenue sidewalk adjacent to the project site. These trees are proposed to be removed as part of the proposed project, and removal would require a permit from DPW. However, the proposed project would include the installation of a total of 11 street trees to be in compliance with Section 138.1(c)(1) of the *Planning Code*, which requires that one tree be planted every 20 feet of property frontage. Because the proposed project would not conflict with the City's local tree ordinance, this impact would be less than significant

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

As discussed above, the project site does not contain biological resources, and the project vicinity has few street trees, which do not provide a habitat for endangered or threatened plant or animal species. Therefore, the project could not impact such species. The proposed project would not have the potential to contribute to cumulative impacts on biological resources.

In summary, as noted above, the proposed project would have less-than-significant impacts on special status species, avian species, riparian, wetland, or sensitive natural communities; would not conflict with an approved local, regional, or state habitat conservation plan or tree protection ordinance; and would have a less-than-significant cumulative impact on biological resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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:					
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.)	☐	☐	☒	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	☐
iv) Landslides?	☐	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
d) Be located on expansive soil, as defined in the *California Building Code*, creating substantial risks to life or property?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☐	☒	☐

The project site would be connected to the existing sewer system and would not require use of septic systems. Therefore, Topic 13(e) would not be applicable to the project site.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project. Responses in this section rely on the information and findings provided in the Preliminary Geotechnical Study for the project site, unless otherwise noted.[92] The study relied on available geotechnical data from the surrounding area to develop preliminary conclusions and recommendations, including four borings conducted in 1997 on the lot adjacent to the project site to the west.

Based on test borings conducted in the project vicinity, the site is likely underlain by 3 to 5 feet of fill (measured below existing grades). In general, fill encountered in this area consists mainly of loose sand with varying amounts of silt, although abandoned foundation elements and construction debris are also commonly found in the fill. The fill is underlain by loose to very dense, fine-grained sand (Dune sand), to a depth of 20 to 30 feet below ground surface (bgs). The sand is generally loose to medium dense at the upper 10 to 15 feet and medium dense to very dense below 15 feet bgs. The Dune sand is underlain by the Colma formation, which consists of dense to very dense sand with varying amounts of clay and interbedding of stiff sandy clay lenses. The Colma formation, which is located at a depth of 30 feet bgs, is relatively incompressible and is a suitable bearing layer for foundation elements. The groundwater level

92 Rockridge Geotechnical, *op. cit.* (see footnote 30, p. 38).

at the project site is estimated to be at about 20 feet bgs, although it varies somewhat with seasons and rainfall quantity.

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

With respect to potential rupture of a known earthquake fault, published data indicate that neither known active faults nor extensions of active faults exist beneath the project site. Therefore, the potential of surface rupture occurring at the site is low.

In terms of the potential for strong seismic ground shaking, the site is located within a 50-kilometer radius of several major active faults, including the San Andreas (11 km), San Gregorio (17 km), Hayward (18 km) and Calaveras (36 km). According to U.S. Geological Survey, the overall probability of moment magnitude 6.7 or greater earthquake to occur in the San Francisco Bay Region during the next thirty years is 63 percent. Therefore, there is potential that a strong to very strong earthquake would affect the project during its lifetime.

ABAG has classified the Modified Mercalli Intensity Shaking Severity Level of ground shaking in the proposed project vicinity due to an earthquake on the North San Andreas Fault as "VIII-Very Strong."[93] Very strong shaking would result in damage to some masonry buildings, fall of stucco and some masonry walls, fall of chimneys and elevated tanks, and shifting of unbolted wood frame structures off their foundations. However, the *San Francisco Building Code* requires that the project applicant include analysis of the potential for strong seismic shaking as part of the final design-level geotechnical investigation.

Liquefaction and lateral spreading of soils can occur when ground shaking causes saturated soils to lose strength due to an increase in pore pressure. In terms of seismic-related ground failure, including liquefaction, the site is within a designated liquefaction hazard zone as shown on the California Geological Survey (CGS) seismic hazard zone map for the area titled State of California Seismic Hazard Zones, City and County of San Francisco, Official Map, dated November 17, 2000. CGS provided recommendations for the content of site investigation reports within seismic hazard zones in Special Publication 117A, which recommends that at least one exploration point extend to a depth of at least 50 feet to evaluate liquefaction potential. Review of nearby borings indicates that loose to medium dense sand is likely present both above and below the natural groundwater table in the site vicinity. Loose sand above the groundwater table may densify and loose to medium dense sand below the groundwater table may liquefy during strong ground shaking due to a seismic event on a nearby fault. *San Francisco Building Code* requirements ensure that the project applicant include analysis of the potential for liquefaction impacts as part of the design-level geotechnical investigation prepared for the proposed project, the

[93] Association of Bay Area Governments. Earthquake Hazard Map for San Francisco Scenario: Entire San Andreas Fault System, http://www.abag.ca.gov/cgi-bin/pickmapx.pl. Accessed on May 13, 2013.

recommendation of which would ensure that the impacts of seismic-related ground failure, including liquefaction, would be less than significant.

With respect to landslides, based on the *San Francisco General Plan*, the project site is relatively level and is not located within a mapped landslide zone.[94] Therefore, in light of the above, the proposed project would have a less-than-significant impact with respect to potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground-shaking, liquefaction, or lateral spreading, and no impact with respect to landslides.

Impact GE-2: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)

The project site is generally flat and entirely covered with impervious surfaces. The proposed project would not substantially change the general topography of the site or any unique geologic or physical features of the site. The project would require excavation of the construction of the proposed building and removal of approximately 5,200 cubic yards of soil. The project site size of 10,632 square feet (0.25 acre) would be under the one-acre threshold for a National Pollutant Discharge Elimination System (NPDES) General Construction Permit.

The project sponsor and its contractor would be required to implement BMPs that include erosion and sedimentation control measures, as required by the City and/or resources agencies, which would ensure that short-term construction-related erosion impacts would be less than significant.

Impact GE-3: The proposed project would not be located on a geologic unit or soil that is unstable, nor would the project site become unstable as a result of the project, and thus would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)

The area around the project site does not include hills or cut slopes likely to be subject to landslide. Improvements proposed as part of the project include a one-story basement below grade, which would require excavation to a maximum of approximately 13 feet bgs. According to the preliminary geotechnical study, the site is underlain by 3 to 5 feet of fill (consisting mainly of loose sand with varying amounts of silt), with Dune sand extending down to 20 to 30 feet bgs beneath the fill. Groundwater was measured at a depth of approximately 20 feet bgs.[95] Therefore, excavation of the garage is unlikely to extend below the groundwater elevation.

During construction, excavation of the fill materials and Dune sand will be necessary to construct the proposed basement level of the structure. In order to prevent the Dune sands from caving and to protect neighboring structures, excavation activities will require the use of shoring and underpinning in

[94] *San Francisco General Plan*, Community Safety Element, Map 4. Available online at: *http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf*. Accessed on May 13, 2013.

[95] Rockridge Geotechnical, *op. cit.*(see footnote 30, p. 38).

accordance with the recommendations of the geotechnical report and *San Francisco Building Code* requirements.

San Francisco Building Code requirements will ensure that the project applicant include analysis of the potential for unstable soil impacts as part of the design-level geotechnical investigation prepared for the proposed project; therefore, potential impacts of unstable soils would be less than significant.

Impact GE-4: The proposed project would not be located on expansive soil, as defined in the *California Building Code*, creating substantial risks to life or property. (Less than Significant)

Expansive soils expand and contract in response to changes in soil moisture, most notably when near surface soils change from saturated to a low-moisture content condition, and back again. The presence of expansive soils is typically determined on site specific data. Anticipated excavation of the basement garage is expected to remove the existing fill materials at the site, leaving only the underlying Dune sands. Due to the low clay content within the Dune sands, they would have a low likelihood for expansion. However, areas not excavated, including sidewalks and other adjacent improvements, may be affected by expansive soils, if present. Due to the *San Francisco Building Code* requirement that the project applicant include analysis of the potential for soil expansion impacts as part of the design-level geotechnical investigation prepared for the proposed project, potential impacts related to expansive soils would be less than significant.

Impact GE-5: The proposed project would not substantially change the topography or any unique geologic or physical features of the site. (No Impact)

The existing project site is already developed. The proposed project would not substantially change the topography of the site, with the exception of excavation for the underground garage. There are no unique geologic or physical features of the site. Therefore, no impact would occur to topographic or unique geologic or physical features.

Impact C-GE-1: The proposed project would not make a considerable contribution to any cumulative significant effects related to geology or soils. (Less than Significant)

The proposed project would not result in a large degree of excavation and there are no other foreseeable projects in the project vicinity that would combine with the proposed project's impacts in a considerable manner. Thus, the proposed project's cumulative impacts related to geology and soils would be less than significant.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. HYDROLOGY AND WATER QUALITY— Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐
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)?	☐	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐
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?	☐	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☐	☒
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?	☐	☐	☒	☐	☐
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

The project site is not within a 100-year flood hazard area and the project does not propose housing or structures that would impede or redirect flood flows within a 100-year flood hazard area. Therefore, Topics 14(g) and 14(h) do not apply. The project is not located in an area identified as subject to seiche or

potential inundation in the event of a tsunami along the San Francisco coast, based on a 20-foot water level rise at the Golden Gate (Maps Six and Seven of the Community Safety Element of the *San Francisco General Plan*). In addition, the developed area of the project site would not be subject to mudflow. Thus, Topic 14(j) does not apply.

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

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

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

Construction of the proposed project would replace the existing impervious surface at the site with an equal amount of impervious surface area; therefore, the project would not result in any change in infiltration or runoff. Groundwater beneath the site has been estimated at a depth of approximately 20 feet below ground surface (bgs). However, the groundwater level would likely fluctuate with the season. Groundwater is not used as a drinking water supply in San Francisco. The proposed development would necessitate excavation to a maximum depth of approximately 13 feet bgs. If groundwater were encountered on-site, then dewatering activities would be necessary. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified of projects necessitating dewatering. The SFPUC may require water analysis before discharge. The project would be required to obtain a Batch Wastewater Discharge Permit from the SFPUC Wastewater Enterprise Collection System

Division (WWE/CSD) prior to any dewatering activities. Groundwater encountered during construction of the proposed project would be subject to requirements of the Article 4.1 of the *Public Works Code*, Industrial Waste, requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. These measures would ensure protection of water quality during construction of the proposed project. Therefore, groundwater resources would not be substantially degraded or depleted, and the proposed project would not substantially interfere with groundwater recharge. Thus, the proposed project would have a less-than-significant impact on groundwater.

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

The ground surface elevation at the site and vicinity is approximately 56 feet San Francisco City Datum. The project site is not within a flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Maps. Therefore, potential flood hazard impacts would be less than significant.

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

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

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
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?	☐	☐	☒	☐	☐
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?	☐	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☐	☒
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?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	☐
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	☐	☐	☒	☐	☐

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

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

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

Impact HZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant)

Potential Soil and Groundwater Contamination

Because of historic land use on the project site, the project site is located in an area of San Francisco governed by Article 22A of the *Health Code*, also known as the Maher Ordinance, which is administered

and overseen by the Department of Public Health (DPH).[96] The project would disturb more than 50 cubic yards of soil and would involve excavation of approximately 5,200 cubic yards of soil. Therefore, the project is subject to the Maher Ordinance. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of *Health Code* Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.[97] The Phase I ESA included: (1) a reconnaissance-level site visit to look for evidence of the release(s) of hazardous materials and petroleum products and to assess the potential for onsite releases of hazardous materials and petroleum products; (2) observations of adjacent properties and the project site vicinity; (3) interviews with people familiar with the project site; (4) review of regulatory agency files; and (5) review of historical documents including aerial photographs and topographical maps. The following summarizes the findings of the Phase I ESA.

According to historic sources, the project site was used as a location of a horse stable and a carriage house in the late 1800s. At some point a tin shop was also located on the project site. A wood and coal storage yard was located at 312 Golden Gate Avenue, which may have historically been partially or wholly contained within the present-day boundaries of the project site. The uses of the project site vicinity appeared to have been dominated by residences and boarding houses in the late 1800s. According to historical maps, fires from the 1906 earthquake likely destroyed the structures at the project site and the surrounding area. As a result, burned debris from the fires is likely present in the subsurface at the project site. It appears that the project site was redeveloped sometime around 1920, at which point it contained an auto supply store. Later in the 1920s, it was redeveloped for use as a gasoline station by Standard Oil Co., a use that continued until the 1950s. The existing building on the site was constructed in 1960, and was the location of a bank. In 1991 the building underwent renovations and the U.S. Postal Service began its operations at the site.

As noted in the Phase I ESA, the project site vicinity has been an active residential and commercial area since at least the late 1800s. A regulatory agency database report (EDR Report) indicates that hundreds of facilities of environmental concern are located in the vicinity of the project site including: 221 leaking underground storage tank (LUST) sites within ½ mile of the site, 139 historical auto stations within one

[96] San Francisco Planning Department, "Expanded Maher Area" Map, February 2014. Available on the internet at: http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf.

[97] Terraphase Engineering, *Draft Phase I Environmental Site Assessment, 101 Hyde Street, San Francisco, CA*, October 12, 2012. This document is available for review as part of Case File No. 2012.0086E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

quarter mile of the Site, and 247 historical cleaners within one quarter mile of the site. The majority of the LUST sites appear to be related to former heating oil USTs that were associated with commercial and residential properties in the area and have since been granted case closure.

In addition to the EDR Report, both Envirostor and GeoTracker online databases were reviewed. The Envirostor database did locate additional cleanup sites within one mile of the project site; however, these sites are listed as "referred to another agency," "no further action," or "certified operation and maintenance" and many of these sites appear to be duplicates of the LUST cases discussed above.

The Phase I ESA identified several Recognized Environmental Conditions associated with the project site that indicate a potential for residual contamination to be present at the site: (1) former use of the project site as a gasoline service station from the late 1920s until at least the 1950s; (2) reports of numerous leaking USTs, many of which have received "soils only" closure from the Local Oversight Program within DPH (groundwater in the vicinity of the Site is likely to have been affected with petroleum hydrocarbons from one or more of the leaking USTs); (3) identification of several historical dry cleaners in the vicinity of the project site, including a dry cleaner immediately east of the project site (at 116 Hyde Street), which has operated since at least the 1940s; (4) the likely presence of burned debris (associated with polycyclic aromatic hydrocarbons [PAHs]) in the soil from the fires that occurred following the 1906 earthquake; and (5) the potential presence of naturally occurring asbestos in the soil at the project site.

The Phase I ESA recommended that soil samples from beneath the site be collected to assess for PAHs, naturally occurring asbestos, and petroleum hydrocarbons and lead in the vicinity of the former gasoline service station. Shallow groundwater sampling was also recommended to assess impacts to groundwater from the former gasoline service station as well as impacts from other leaking USTs that have operated in the vicinity of the project site. Pending results from these samples, the Phase I recommended the collection of soil gas samples to assess potential impacts to indoor air from volatile organic compounds, BTEX (benzene, toluene, ethylbenzene, xylenes), and methane in the subsurface.

DPH reviewed and approved the Phase I ESA. Based on the results reported in the Phase I ESA, DPH determined that additional site investigation is warranted, and requested preparation of a Phase II Site Investigation and Work Plan. The proposed Work Plan was approved by DPH in November 2014,[98] and was implemented in December 2014.[99] The Work Plan undertook four soils borings at the project site. Two would be advanced to a depth of approximately 12 feet, which is approximately the depth of excavation proposed for the project basement, while the other two borings—one at the site of the proposed 15-foot-

[98] Roux Associates Inc., *Phase II Site Characterization and Work Plan, 101 Hyde Street, San Francisco California*, September 16, 2014; and San Francisco Department of Public Health, Approval to Work for Phase II Site Characterization & Work Plan, Property Development, 101 Hyde Street, San Francisco, CA 94102; EHB-SAM No.: 1045. These documents are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in File No. 2012.0086E.

[99] Roux Associates Inc., *Subsurface Investigation Report, 101 Hyde Street, San Francisco California*, February 2, 2015. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in File No. 2012.0086E.

deep elevator pit and the second at the location of the former service station—would be advanced to approximately 16 feet in depth. Soil sampling was taken at depths of 2 feet and 6 feet, and also at depths of 10 feet and 14 feet in the two deeper borings. The soil samples were analyzed for total petroleum hydrocarbons (TPH) as gasoline, TPH as diesel, TPH as motor oil, volatile organic compounds (VOCs), semi-volatile organic compounds, polychlorinated biphenyls, and metals. Groundwater was not encountered in any of the borings; therefore, no groundwater sampling was conducted.

The results of the soil sampling indicate that concentrations of TPH as gasoline were below the laboratory reporting limit, while TPH as motor oil was identified in three shallow samples. At the deeper samples, all three compounds were below laboratory detection limits and the San Francisco Bay Regional Water Quality Control Board's (RWQCB) Environmental Screening Levels (ESLs). Concentrations of semi-volatile organic compounds were detected above laboratory reporting limits in two samples, but appeared to be isolated; the concentrations were below the ESLs. Concentrations of volatile organic compounds and polychlorinated biphenyls were below laboratory reporting limits. Three shallow samples also revealed the presence of lead, at concentrations ranging from 140 to 180 mg/kg, exceeding the California soluble threshold limit concentration for hazardous waste. However, subsequent soluble lead testing revealed that concentrations of lead did not exceed federal hazardous criteria. The remaining detections of lead in soil samples were at low concentrations, indicating that the elevated concentration of lead detected in the shallow is not widespread.

Based on the test results, the soil sampling consultant estimated that up to approximately 1,900 cubic yards of soil to be excavated from the project site would have to be disposed of as hazardous waste, while the remaining soil excavated would likely be suitable for reuse.

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

Hazardous Building Materials

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

exposure to other hazardous building materials would be potentially significant but could be mitigated to a less-than-significant level.

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

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

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

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

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

Lead-based Paint. Work that could result in disturbance of lead paint must comply with Section 3425 of the *San Francisco Building Code*, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to 1979, Section 3425 requires specific notification and work standards, and identifies

prohibited work methods and penalties. (The reader may be familiar with notices commonly placed on residential and other buildings in San Francisco that are undergoing re-painting. These notices are generally affixed to a drape that covers all or portions of a building and are a required part of the Section 3425 notification procedure.)

Section 3425 applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and child care centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the U.S. Department of Housing and Urban Development Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

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

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

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

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

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

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

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

Several schools are located within a quarter-mile of the project site, including the following: Tenderloin Community School, at 627 Turk Street, about 950 feet west of the project site; DeMarillac Academy, at 175 Golden Gate Avenue, about 700 feet southeast of the project site; and the San Francisco City Academy, at 230 Jones Street, or about 1,200 feet northeast of the project site.

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

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

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

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

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

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

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

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

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
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?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☒	☐	☐

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

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

In addition, because the site has been designated as having no known mineral deposits, the proposed project would not result in the loss of availability of a locally- or regionally- important mineral resource, and would have no impact on mineral resources.

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

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

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

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

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

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

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
17. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **—Would the project**					
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?	☐	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐
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)?	☐	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐
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?	☐	☐	☐	☒	☐

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

The project site is located within an urbanized area of San Francisco. No land in San Francisco County has been designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as agricultural land. Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not require the conversion of any land designated as prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project would not conflict with any existing agricultural zoning or Williamson Act contracts.[100] No land in San Francisco is designated as forest land or timberland by the State *Public Resource Code*. Therefore, the proposed project would not conflict with zoning for forest land, cause a loss of forest land, or convert forest land to a different use. The proposed project would therefore have no impact on agricultural and forest resources.

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

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

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
18. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	☐

[100] San Francisco is identified as "Urban and Built-Up Land" on the California Department of Conservation Important Farmland in California Map, 2008. Available online at *www.consrv.ca.gov*. Accessed on April 30, 2013.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	☐

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

a) As discussed in the various topics in this Initial Study, the proposed project is anticipated to have less-than-significant impacts on the environmental topics discussed. The project, however, could have potentially significant impacts resulting from disturbance to archeological resources, emissions from construction equipment, or exposure to hazardous building materials during demolition. These impacts would be mitigated through implementation of Mitigation Measures M-CP-2 (Archeological Resources (Testing)), M-AQ-2 (Construction Air Quality), and M-HZ-2 (Hazardous Building Materials Abatement), to less-than-significant levels, as described within Section E.

b) The proposed project in combination with the past, present and foreseeable projects as described in Section E, would not result in cumulative impacts to land use, aesthetics, population and housing, transportation and circulation, noise, air quality, GHG emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural and forest resources.

c) The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning) would be generally consistent with local and zoning requirements. Mitigation Measures M-CP-2 (Archeological Resources (Testing)), M-AQ-2 (Construction Air Quality), and M-HZ-2 (Hazardous Building Materials Abatement) would address cultural resources, air quality, and hazardous materials impacts. Implementation of these mitigation measures would reduce any direct and indirect impact to humans from construction and operation noise and the release of hazardous materials to less-than-significant levels.

F. Mitigation Measures and Improvement Measures

The following mitigation measures have been identified to reduce potentially significant impacts resulting from the proposed project to less-than-significant levels. Accordingly, the project sponsor has

agreed to implement all mitigation measures described below. No improvement measures have been identified for this project.

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

Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the Planning Department archeologist. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less-than-significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Consultation with Descendant Communities: On discovery of an archeological site[101] associated with descendant Native Americans or the Overseas Chinese an appropriate representative[102] of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological 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.

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

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

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

A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

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

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

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

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

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

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California

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

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

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-AQ-2: Construction Air Quality

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

E.*Engine Requirements.*

5. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
6. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
7. 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.

8. 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.

F. *Waivers*.

3. 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).

4. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to Table below.

Table – Off-Road Equipment Compliance Step-down Schedule

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

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.

G. *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.

4. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. 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.

5. The ERO 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.

6. 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.

H. *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.

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

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

G. Public Notice and Comment

On January 7, 2013, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially interested parties. No comments were received.

H. Determination

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

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

DATE April 15, 2015

I. Initial Study Preparers

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