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Certificate of Determination
EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.:	**2012.0906E**
Project Title:	**333 Brannan Street**
Zoning/Plan Area:	MUO (Mixed Use-Office); 65-X Height and Bulk District East SoMa subarea of Eastern Neighborhoods Area Plan
Block/Lot:	3788/042
Lot Size:	35,700 square feet
Project Sponsor:	Chris Heimburger, Kilroy Realty Finance Partnership, L.P. KR 329 Brannan, LLC – (415) 778-5685
Staff Contact:	Wade Wietgrefe – (415) 575-9050 Wade.Wietgrefe@sfgov.org

PROJECT DESCRIPTION:

The project site is located at the southwest corner of Brannan Street and Stanford Street, in the eastern portion of the South of Market neighborhood. The project site contains two 10-to-15-foot-tall, one-story buildings totaling approximately 13,660 square feet (sf) and a surface parking lot. The project site is occupied by AT&T and operations include general office, truck storage, and dispatch activities. The proposed project includes removal of the existing surface parking lot and buildings and construction of a new six-story, 65-foot-tall building (85-foot-tall with a mechanical penthouse), comprised of 178,500 gross sf (gsf), including 175,050 gsf of office, 3,450 gsf of ground-floor retail, and below-grade parking.

[continued on next page]

EXEMPT STATUS:

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

DETERMINATION:

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

Sarah Jones
Environmental Review Officer

July 31, 2013
Date

cc: Kilroy Realty Finance Partnership, L.P, Project Sponsor
John Kevlin, Project Contact
Rich Sucre, Current Planning Division
Supervisor Jane Kim, District 6
Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

Project Location

The project site at 333 Brannan Street is located in the eastern portion of the South of Market neighborhood. The project site (Assessors Block 3788, Lot 042) is within the block bounded by Brannan Street to the north, Stanford Street to the east, Townsend Street to the south, and Third Street to the west.[1] The rectangular-shaped project site is adjacent to the southwest corner of Brannan Street and Stanford Street. Stanford Street is a narrow (35-foot-wide) one-way, northbound, one-lane roadway that provides a connection between Townsend Street and Brannan Street (see Figure 1, Project Vicinity).

The project site is 140 feet wide by 255 feet long and has two 10-to-15-foot-tall, one-story buildings on the project site: a 50-foot-wide, 10,020-square-foot office building that extends 200 feet along Stanford Street and a 26-foot-wide, 3,640-square-foot garage (vehicle storage/parking) building that extends 140 feet along the southern boundary of the project site. Both buildings were constructed in 1972. In between the two buildings along Stanford Street is a 29-foot-wide flush curb that provides vehicular access to the remainder of the project site, a surface parking lot for approximately 50 vehicles. Two other curb cuts, 24-and-28-feet wide, respectively, exist along Brannan Street. Ten-foot-tall chain link fencing exists along the perimeter of the project site. No trees exist on or adjacent to the project site. The project site is occupied by AT&T and operations include general office, truck storage, and dispatch activities. Based on United States Geological Survey data, the project site elevation is between 30 and 35 feet above mean sea level, with a gentle slope to the east. The project site is within a Mixed Use-Office (MUO) Use District and 65-X Height and Bulk District.

Land uses adjacent to the project site include one-to-three-story office and production, distribution, and repair (PDR) uses within buildings across Brannan Street to the north, three-to-six-story office and residential uses within buildings across Stanford Street to the east, one-to-three-story retail and parking garage uses within buildings across an access driveway to the south, and a surface parking lot, adjacent to the project site to the west. The buildings to the north, east, and south are within the locally designated South End Historic District, which is contiguous with the South End National Register of Historic Places Historic District.

Land uses in the project vicinity vary. South Park, which is surrounded by a mixture of residential, retail, and office uses, is approximately 275 feet north of the project site. Further north, approximately 1,000 feet from the project site, is Interstate-80 (I-80) and the land uses adjacent to I-80 here are largely PDR and office. Approximately 1,500 feet south and east of the project site is the San Francisco Bay and the uses are largely recreational, residential, and/or retail-related, including AT&T Park. Approximately 1,500 feet west of the project site is the Caltrain station at 4th Street and King Street, which is adjacent to newer Mission Bay mixed use development. Many of the buildings in the project vicinity are within the aforementioned historic districts (see Figure 2, Land Uses in the Project Site Vicinity).

[1] Note: In the South of Market area, streets that run in the northwest/southeast direction are generally considered north-south streets, whereas streets that run in the southwest/northeast direction are generally considered east-west streets.

Figure 1, Project Vicinity

Printed: 29, May 2013

Comments: Boundaries of South End Historic District are approximate.

0 250 500 1,000 Feet

Figure 2, Land Uses in the Project Site Vicinity

Comments: Boundaries of South End Historic District are approximate.
PDR = Production, distribution, and repair

0 100 200 Feet

Project Characteristics

The proposed project would include removal of the existing surface parking lot and two existing buildings and construction of a new six-story, 65-foot-tall (85-foot-tall with a mechanical penthouse), 178,500 gsf building. The new building would include 175,050 gsf of office on the below-grade terrace and above-grade ground through fifth floors, 3,450 gsf of ground-floor retail space along the Brannan Street frontage, and below-grade parking for 45 vehicles, two off-street loading vehicles, and a minimum of 12 bicycles. The main entrance to the office use would be through a new open-air 1,695-sf private courtyard at the northwest corner of the project site, along Brannan Street. The office use would also have access to a new open air 1,510-sf seven-foot below-grade private courtyard, at the terrace level, along Stanford Street, although the private courtyard would not be accessible from Stanford Street. The below-grade parking garage would be accessed from a new 30-foot-wide curb cut at Stanford Street, at the southeast corner of the project site.

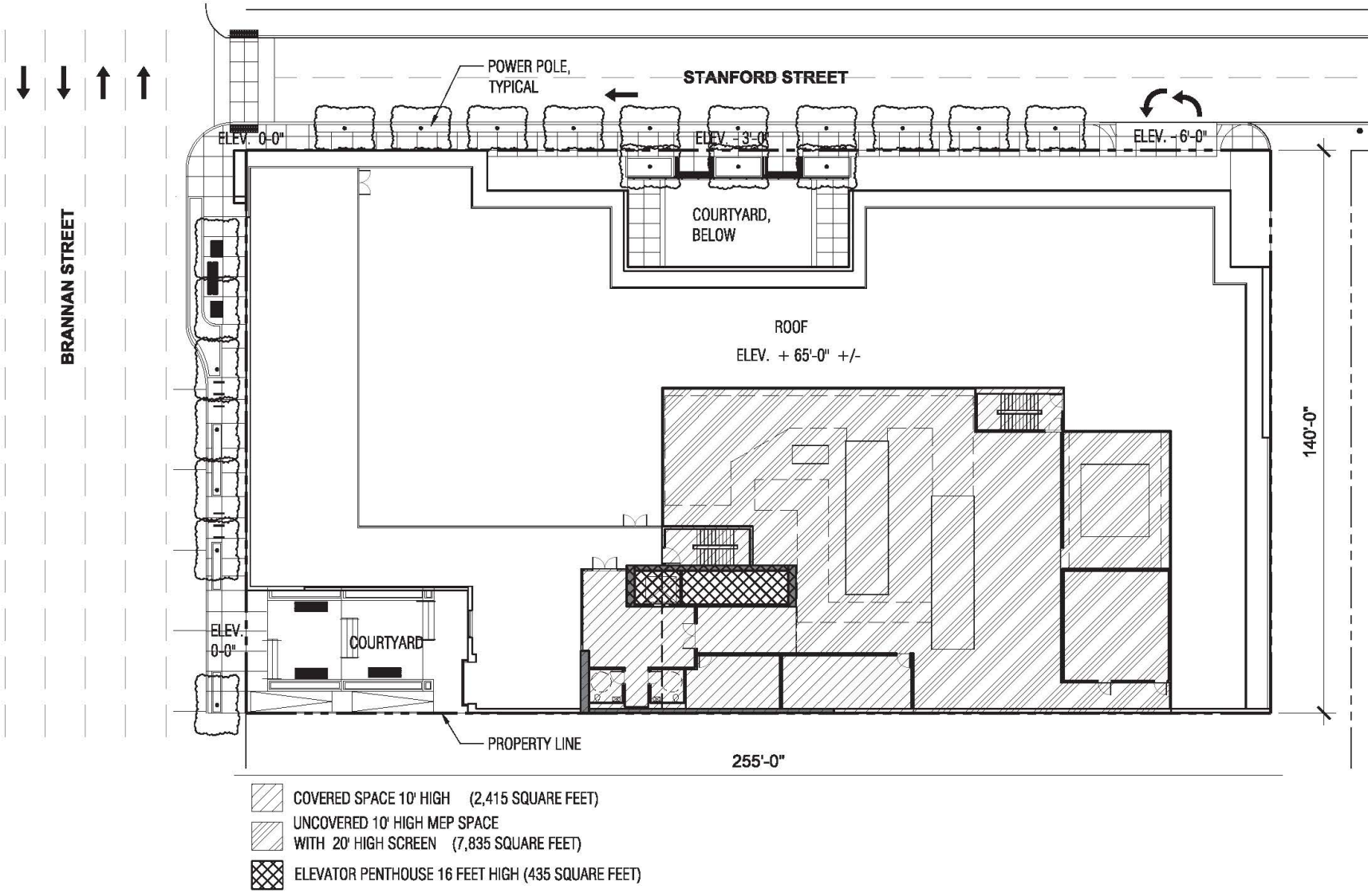
The project sponsor is also considering an alternate means of access to the project site. Under this variant, the proposed project would share a driveway with the separately proposed and adjacent 345 Brannan Street project, 32 feet to the south, thereby eliminating the need for a new curb cut on Stanford Street. This would also result in the reconfiguration of the parking level of the new 333 Brannan Street building and four less vehicular parking spaces (see Figure 3, Proposed Site Plan; Figure 4, Proposed Ground-Floor Plan; Figure 5, Proposed Basement Plan; Figure 6, Proposed Basement Plan – Variant, and Figure 7, Proposed Representative Upper-Floor Plan). No changes would occur to the proposed 345 Brannan Street project under the variant.

The basement would fill the majority of the project site, with the exception of the northwest corner. Below-ground-surface (bgs) construction would include spread footings or a mat foundation to approximately 18 – 20 feet bgs (and 24 feet bgs for elevator pit). The excavation area would require the removal and disposal of approximately 20,415 cubic yards of soil. At the ground through fifth floor, the new building would be set back approximately 55feet from property line at the northwest corner of the project site for the aforementioned new Brannan Street courtyard. The terrace through third floors would also be set back approximately 28 feet from the eastern property line along 56 feet mid-lot for the aforementioned new Stanford Street courtyard. In addition, at the fourth and fifth floors and the roof, the building would be set back ten feet from Stanford Street for approximately 195 feet. The roof would contain a mechanical equipment area with screens and penthouses between 10 and 20 feet tall (see Figure 8, Proposed Elevations). Within the mechanical equipment area would be two backup diesel generators.[2] On the street frontages of the project site, the proposed project would include 20 new trees.

Construction would last approximately 15 months with an anticipated date of occupancy in Winter, 2015. Diesel-generating equipment would be required for the proposed project during the initial and middle phases of construction for approximately nine months. Construction phases would consist of demolition, bgs construction, superstructure construction, exterior wall construction and glazing, and building construction interior and finishes. The estimated construction cost is $25,000,000.

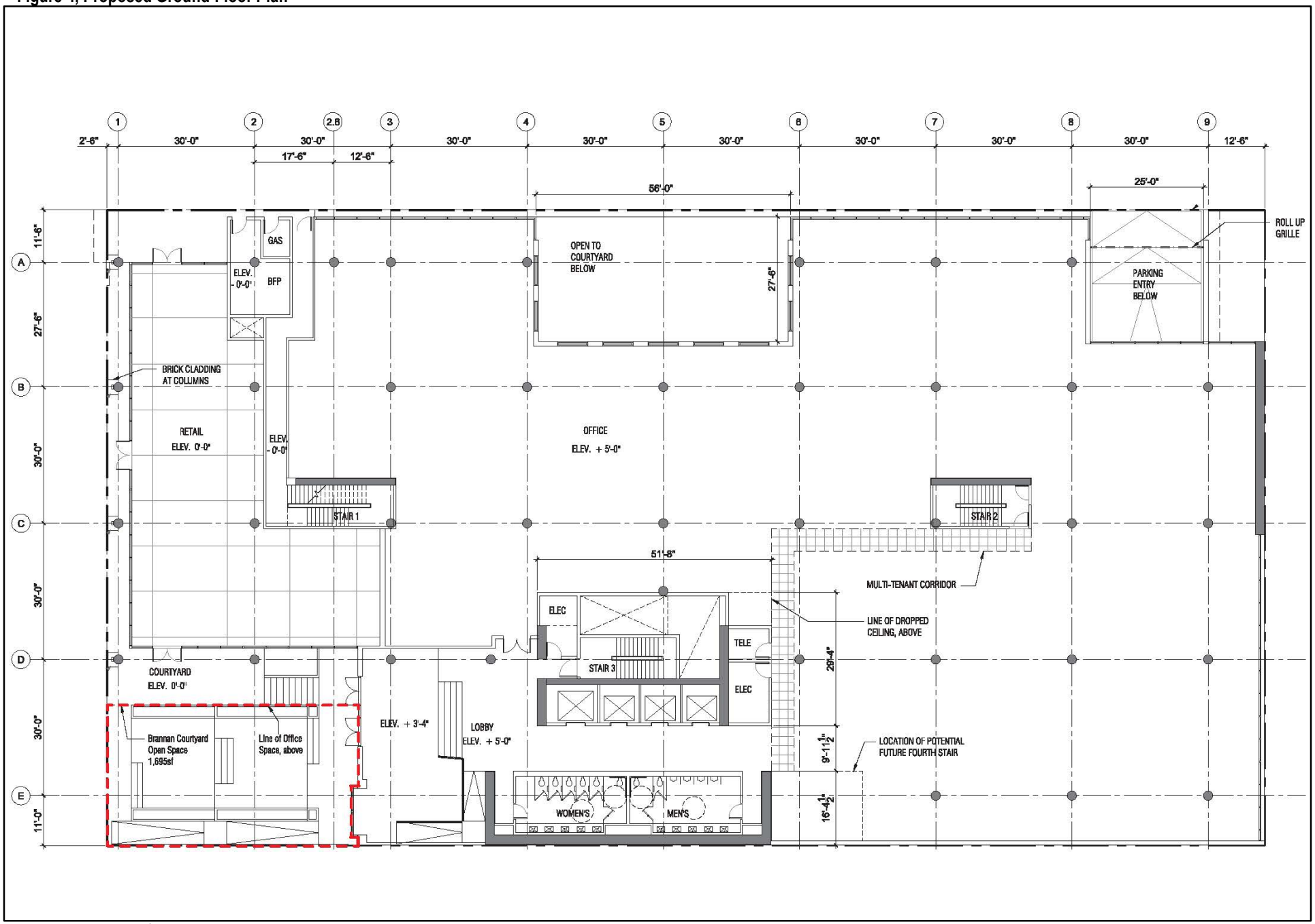
[2] The backup diesel generators are estimated to be rated for 500 kilowatts (kW) and 750 kW, respectively.

Figure 3, Proposed Site Plan



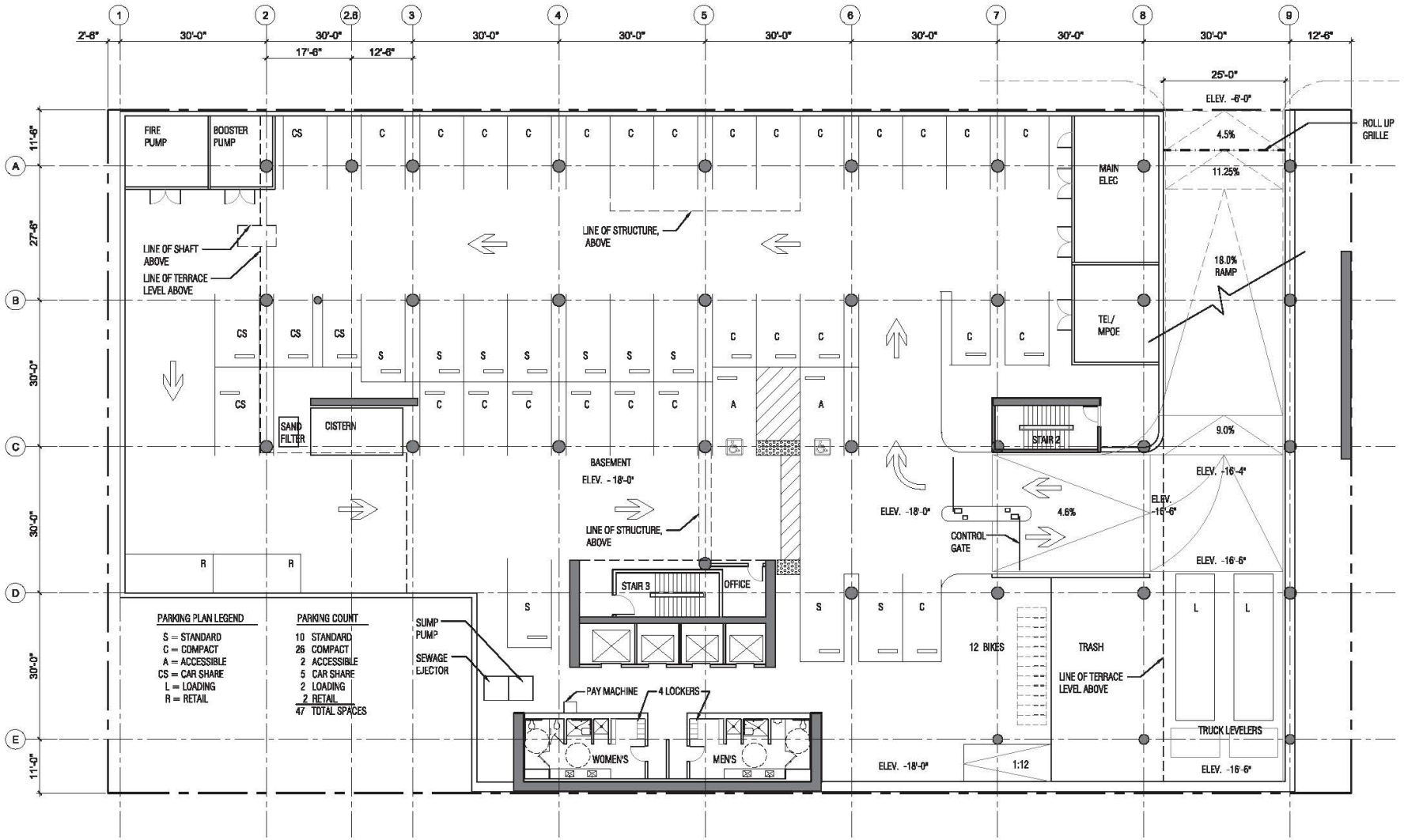
Comments: Not to Scale
Source: William McDonough + Partners, A1.00, July 10, 2013.

Figure 4, Proposed Ground-Floor Plan



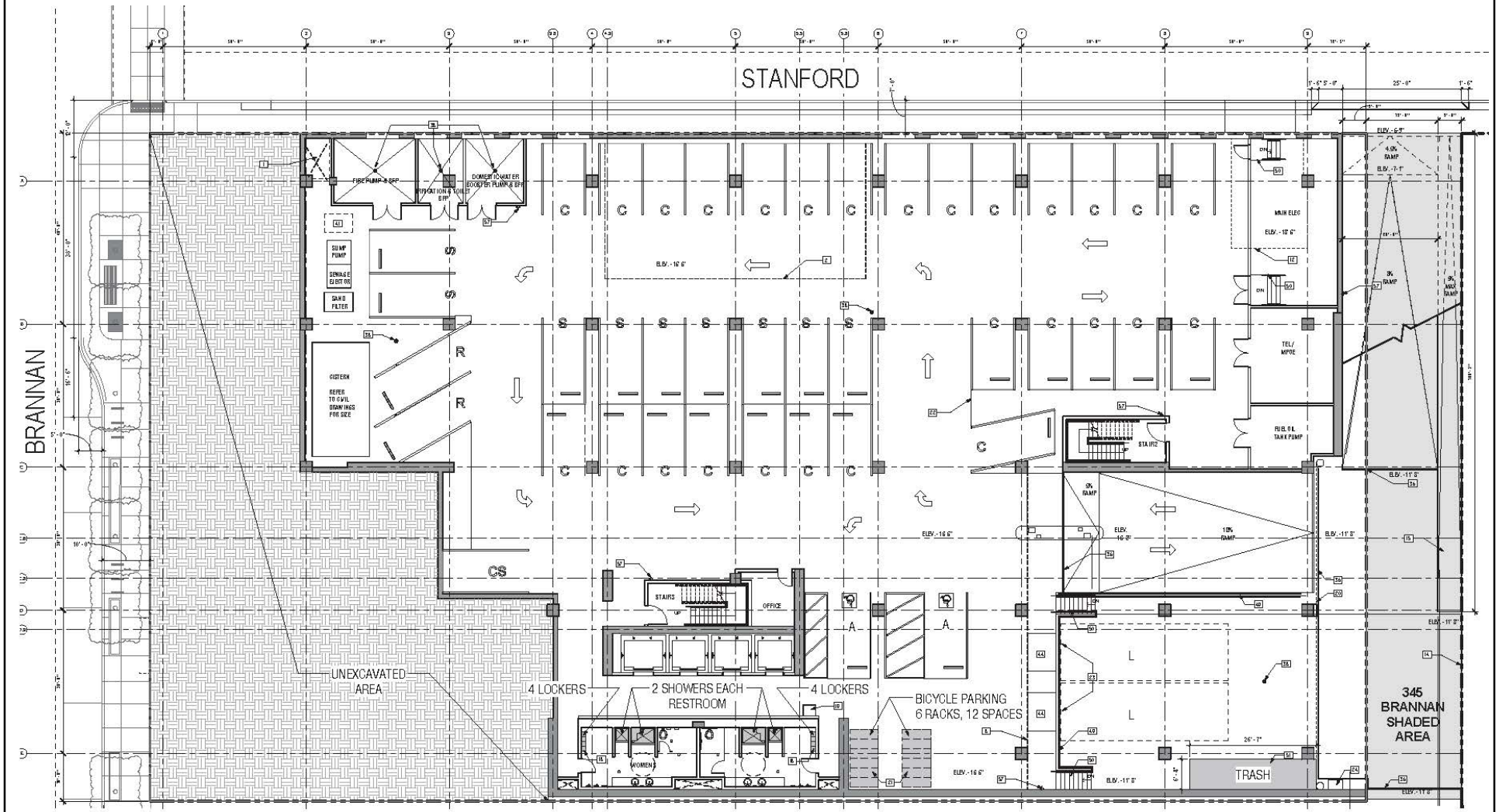
Comments: Not to Scale
Source: William McDonough + Partners, A1.03, July 10, 2013.

Figure 5, Proposed Basement Plan



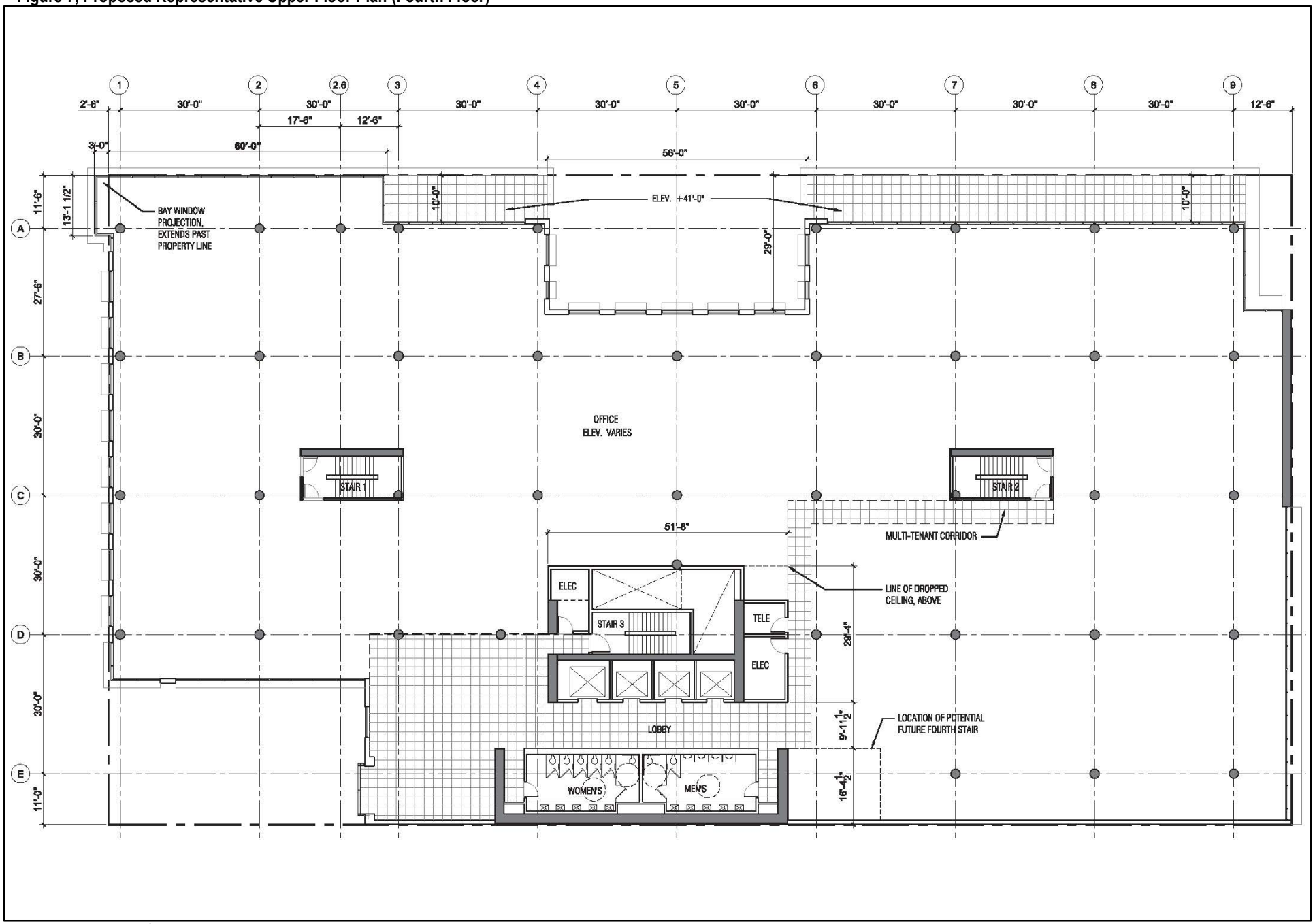
Comments: Not to Scale
Source: William McDonough + Partners, A1.01, July 10, 2013.

Figure 6, Proposed Basement Plan - Variant



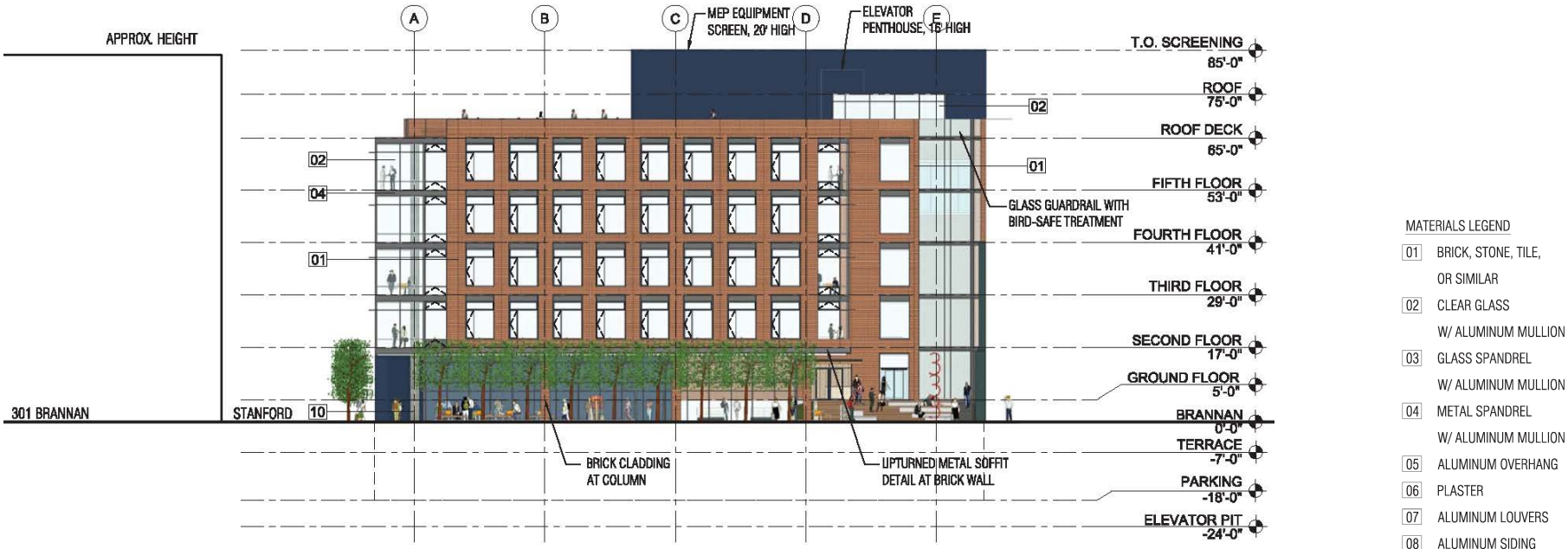
Comments: Not to Scale
Source: Fehr & Peers, 2013

Figure 7, Proposed Representative Upper Floor Plan (Fourth Floor)

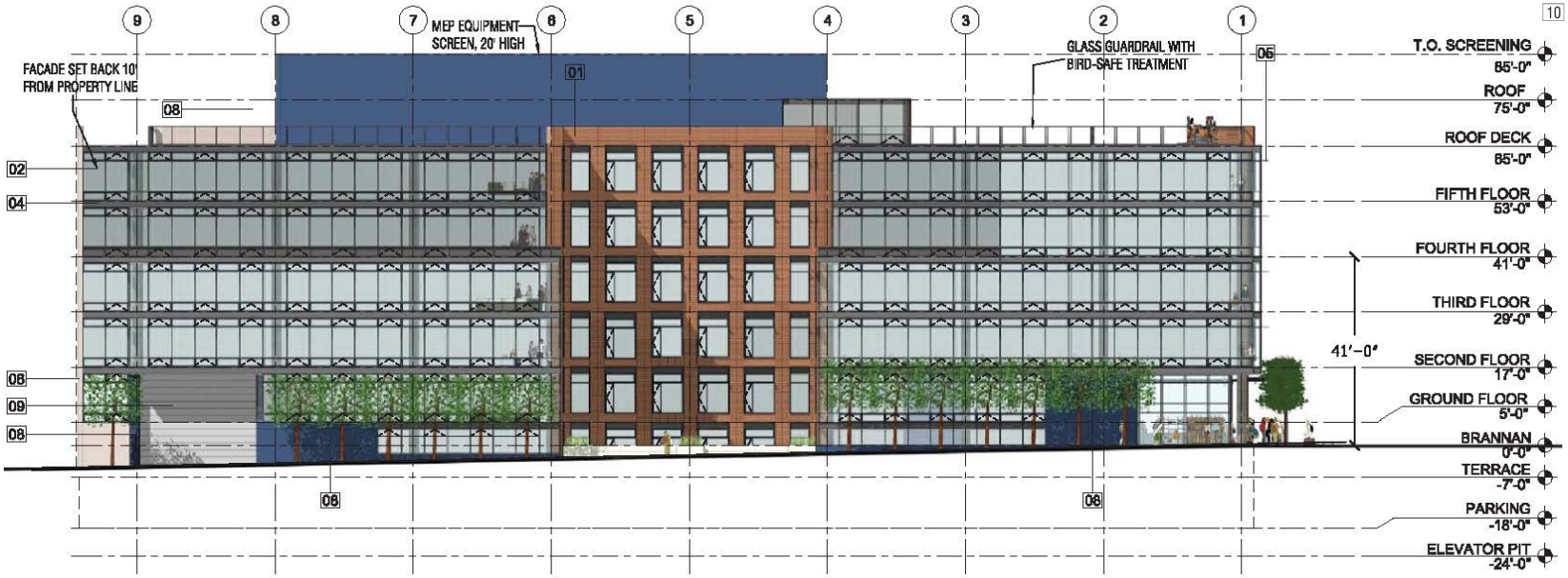


Comments: Not to Scale
Source: William McDonough + Partners, A1.05, July 10, 2013.

Figure 8, Proposed Elevations



Northwest Elevation (Brannan Street)



Northeast Elevation (Stanford Street)

Comments: Not to Scale
Source: William McDonough + Partners, A2.00 and A2.01, July 10, 2013.

Circulation/Public Right-of-Way Improvements
The proposed project would include the installation of a 67-foot-long, five-foot-wide sidewalk bulbout adjacent to the northeast corner of the project site, at the Brannan Street and Stanford Street intersection. In addition, the proposed project would include the installation of a raised crosswalk across Stanford Street at the Brannan Street intersection. The existing building at the project site encroaches upon the sidewalk on the western side of Stanford Street by one foot. The proposed project's new building would be within the project site's property line, thereby effectively increasing the width of the sidewalk by one foot. The proposed project would also add a two-foot wide landscape buffer on the eastern edge of this sidewalk.

Project Approvals

The proposed project would require the following approvals, with the large project authorization identified as the Approval Action for the whole of the proposed project:

Planning Commission

- Large project authorization (Section 329 of the Planning Code).
- Office allocation (Section 321 of the Planning Code).

Department of Public Works

- Approval of construction within the public right-of-way (e.g., bulbout).

San Francisco Municipal Transportation Agency

- Approval of modifications to transportation facilities (e.g., removal of parking).

Department of Building Inspection

- Approval of demolition and building permits.

REMARKS

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

This Certificate of Determination (determination) evaluates the topics for which a significant impact is identified in the final programmatic EIR, *Eastern Neighborhoods Rezoning and Area Plans Final EIR* (Eastern Neighborhoods FEIR – Case No. 2004.0160E; State Clearinghouse No. 2005032048) and evaluates whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the determination under each topic area. The Community Plan Exemption Checklist (Attachment A) identifies the potential environmental impacts of the proposed project and indicates whether such impacts are addressed in the Eastern Neighborhoods FEIR.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods FEIR. This determination does not identify new or additional information that would alter the conclusions of the Eastern Neighborhoods FEIR. This determination also identifies mitigation measures contained in the Eastern Neighborhoods FEIR that would be applicable to the proposed project at 333 Brannan Street. Relevant information pertaining to prior environmental review conducted for the Eastern Neighborhoods is included below, as well as an evaluation of potential environmental effects.

Background

The Eastern Neighborhoods FEIR included analyses of the following environmental issues: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods project. The proposed project at 333 Brannan Street is in conformance with the height, use, and density for the site described in the Eastern Neighborhoods FEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed project at 333 Brannan Street.

Potential Environmental Effects

The following discussion demonstrates that the proposed project at 333 Brannan Street would not result in peculiar impacts that were not identified or a more severe adverse impact than discussed in the Eastern Neighborhoods FEIR, including project-specific impacts related to land use and planning, cultural and paleontological resources, transportation and circulation, noise, air quality, shadow, and hazards and hazardous materials.

Land Use and Planning

The Eastern Neighborhoods Area Plan (Area Plan) rezoned much of the city's industrially zoned land. The goals of the Area Plan were to reflect local values, increase housing, maintain some industrial land supply, and improve the quality of all existing areas with future development. A major issue discussed in the Area Plan process was the degree to which existing industrially zoned land would be rezoned to primarily residential and mixed use districts, thus reducing the availability of land traditionally used for PDR employment and businesses.

The Eastern Neighborhoods FEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed uses. Option B fell between Options A and C.

While all three options were determined to result in a decline in PDR employment, the loss of PDR jobs was determined to be greatest under Option C. The alternative ultimately selected – the "Preferred Project" – represented a combination of Options B and C. Because the amount of PDR space to be lost with future development under all three options could not be precisely gauged, the FEIR determined that the Preferred Project would result in a significant and unavoidable impact on land use due to the cumulative loss of PDR use in the Area Plan. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009. The proposed project would not convert existing PDR space (the site contains buildings and storage for AT&T which is identified as Management/Information/Professional services in the FEIR) to non-PDR space. However, the proposed project would contribute to this impact because the proposed project would preclude an opportunity for PDR given light PDR uses are allowed in the MUO Use District (as they were in the previous zoning for the project site: Service/Secondary Office (SSO)) and the incremental loss in PDR opportunity is considerable due to the size of the project site (0.8 acre) and its ability to potentially accommodate PDR uses. As a result, the proposed project would contribute considerably to the cumulative land use impact.

The Eastern Neighborhoods FEIR included one mitigation measure, Mitigation Measure A-1, for land use controls in Western SoMa that could incorporate, at a minimum, no net loss of land currently designated for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones. The measure was judged to be infeasible, because the outcome of the community-based Western SoMa planning process could not be known at the time, and the measure was seen to conflict with other City policy goals, including the provision of affordable housing. The project site is not located in Western SoMa; therefore this mitigation measure is not applicable.

The project site is in the East SoMa Area Plan of the San Francisco General Plan and is in the MUO Use District, which is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Allowed uses within the MUO Use District include office and retail uses. The proposed project's office and retail uses are consistent with uses permitted within the MUO Use District.

Furthermore, the Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is consistent with the MUO Zoning and satisfies the requirements of the General Plan and the Planning Code. [3,4]

[3] Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning Section, 333 Brannan Street, May 29, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

[4] Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning, 333 Brannan Street, July 5, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Cultural Resources

Archeological Resources

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

The project site is one of the properties subject to Eastern Neighborhoods FEIR Mitigation Measure J-2. Mitigation Measure J-2 states any project resulting in soils disturbance for which no archeological assessment report has been prepared or for which the archeological document is incomplete or inadequate shall be required to conduct a preliminary archeological sensitivity study prepared by a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. Based on the study, a determination shall be made if additional measures are needed to reduce potential effects of a project on archeological resources to a less-than-significant level. The Planning Department's archeologist conducted a preliminary archeological review of the project site in conformance with the study requirements of Mitigation Measure J-2: the results are summarized below.[5]

A clear understanding of the human- and nature-caused formation of the project site is prevented by the inconsistent picture that emerges from the normally very reliable 19th century historical mappings and geotechnical sampling of the project site. Historical cartography indicates that the project site was located on the northwestern slope of the 100-foot-high Malakoff Hill and that by the mid-19th Century, the northerly slope that covered the project site was completely excavated by the 1870s or 1880s, including for the creation of building pads for two-story row houses along Stanford Street and Brannan Street and a two-story building (unknown use) at the corner. These buildings remained in place most likely until the 1906 earthquake and fire. Thus, this complete excavation would have removed any remains of historic occupation and, less certainly, remains of prehistoric occupation, if the depth of this excavation entailed removal of all soils down to and, even including, bedrock material.

[5] Environmental Planning Preliminary Archeological Review: Checklist for 333 Brannan Street from Randall Dean, July 8, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

Conversely, the geotechnical investigations'[6] soil sampling within the project site suggests that the northern and eastern portions of the project site are underlain by a residual soil that could represent the historic land surface (if improvements in the site since the 1870s have not entailed massive excavation) in which archeological deposits have been, in effect, preserved by being insulated with historic fill or could contain paleosols that may have served as stable land surfaces for occupation by prehistoric populations. This narrative of the landscape evolution seems somewhat at odds with history of site formation conveyed by the 19th century mapping, but it may be the case that much of the "removal" of the northern half of the Malakoff Hill in the 1870s-1880s was, in fact, the removal of deep Late Holocene deposited sand deposits that had created the impression of a 100-foot-high rocky knob on Steamboat Point (Steamboat Point refers to the area along the original shoreline to the southwest of the project site).

The project site is located in the vicinity of a number of recorded prehistoric (CA-SFR-2, -SFR-113, -SFR-114, -SFR-154, -SFR-175, MCE 3-1, 888 Howard Street) and historical archeological sites (CA-SFR-94H, -SFR-130H). In addition, a National Register-eligible prehistoric shell midden district is to the north, which newly discovered prehistoric midden sites in the SoMa area must be evaluated as contributing elements to the district under Evaluating Criteria A (Events) and D (Information Potential) of the National Register. The majority of the prehistoric sites in the SoMa area are shellmidden sites and smaller sites related to the occupation sites, such as lithic workshops, food processing areas, and cemeteries. It may very well be that some of the contemporaneous prehistoric midden sites were configurations of large, long-occupied multi-component shell mound sites with ancillary occupation or activity sites. The recorded and also historically documented (not yet archeologically investigated) historical period archeological sites in the vicinity include pre-1870 maritime industries along the shoreline of Steamboat Point. These sites included *Tichenor's Boatways* (CA-SFR-130H) in operation from the early 1850s through the 1860s and the 1830s-constructed whaleship, the *Lydia* (CA-SFR-94H). In addition to the northwest of the project site a block-size archeological sites contains a number of later 19th century artifact-filled features (privies, etc.) associated with households of different size, demographic composition, economic, occupation, ethnic, racial, national/regional origin, education and confessional status.

The proposed project would result in bgs construction and would include spread footings or a mat foundation to approximately 18 – 20 feet bgs (and 24 feet bgs for elevator pit). Based on the inconsistent information provided by historical cartography and recent geotechnical soil sampling, below-ground surface construction could potentially encounter both prehistoric and historical archeological deposits, particularly in the northern and eastern portion of the project site, which could contain potential information of significance. Therefore, based on the Preliminary Archeological Review, it has been determined that the Planning Department's second standard archeological mitigation measure (monitoring) would apply to the proposed project. The Preliminary Archeological Review and its requirements (e.g., monitoring) are consistent with Mitigation Measure J-2 from the Eastern Neighborhoods FEIR. With implementation of this mitigation measure, impacts related to archeological resources would be less than significant. In accordance with the Eastern Neighborhoods FEIR

[6] Treadwell & Rollo, *Preliminary Geotechnical Study, 333 Brannan Street, San Francisco, California*, October 4, 2012. Treadwell & Rollo, *DRAFT Geotechnical Investigation, 333 Brannan Street, San Francisco, California*, March 6, 2013. These documents are on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

requirements, the project sponsor has agreed to implement Project Mitigation Measure 1, as updated below.

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

> **Project Mitigation Measure 1 – Archeological Monitoring (Mitigation Measure J-2 of the Eastern Neighborhoods FEIR).** Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archaeological consultant from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the Planning Department archaeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).
>
> *Archeological monitoring program* (AMP). 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 project archeologist 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 potential risk these activities pose to 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 the 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 crews and heavy 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, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

Consultation with Descendant Communities: On discovery of an archeological site[7] associated with descendant Native Americans or the Overseas Chinese an appropriate representative[8] 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.

If the ERO in consultation with the archeological consultant 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) An archeological 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.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. 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

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

[8] 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.

the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

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

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the 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, curation, possession, 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 draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. 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 or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Historic Architectural Resources

The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition of buildings identified as historical resources, and found this impact to be significant and unavoidable. This impact was addressed in a Statement of Overriding Considerations with findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

Eastern Neighborhoods FEIR Mitigation Measure K-1, Interim Procedures for Permit Review in the Eastern Neighborhoods Area Plan, required certain projects to be presented to the Landmarks Preservation Advisory Board (now the Historic Preservation Commission (HPC)). This mitigation measure is no longer relevant, because the South of Market Historic Resource Survey was completed and adopted by the HPC on February 16, 2011. Mitigation Measures K-2 and K-3, which amended Article 10 of the Planning Code to reduce potential adverse effects to contributory structures within the South End Historic District (East SoMa) and the Dogpatch Historic District (Central Waterfront), do not apply the proposed project because the project site is not located within the South End or Dogpatch Historic Districts.

The existing project site contains two 10-to-15-foot-tall, one-story buildings totaling approximately 13,660 sf and a surface parking lot. The two existing buildings were included the Planning Department's South of Market Area Historic Resource Survey. Both buildings were given a California Historical Resource Status Code of 6Z: found ineligible for California Register, National Register, or Local designation through survey evaluation. Therefore, the project site does not contain any historical structures, sites, or architectural features. Although the project site is located adjacent to the South End Historic District, Planning Department Preservation staff has determined that the proposed project would have no impact on historic architectural resources.[9] Therefore, the proposed project would not result in peculiar impacts that were not identified or a more severe adverse impact than discussed in the Eastern Neighborhoods FEIR related to historic architectural resources.

Transportation and Circulation

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership and identified 11 transportation mitigation

[9] Personal communication, email between Allison Vanderslice and Wade Wietgrefe, March 26, 2013. This email is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts at certain local intersections and the cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

Trip Generation

Using the guidance in the *Transportation Impact Analysis Guidelines for Environmental Review,* October 2002 (*Transportation Guidelines*),[10] a project-specific transportation study for the 333 Brannan Street project was prepared, which is summarized below. The proposed project would generate 3,686 daily person-trips and 668 daily vehicle-trips. During the PM peak hour, the proposed project would generate an estimated 70 vehicle trips, 136 transit trips, 43 walk trips and 14 trips by other modes, including bicycle.[11]

Traffic

The proposed project's vehicle trips would travel through the intersections in the project vicinity. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions with extremely long delays. LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. LOS during the PM peak hour was calculated for 12 study intersections in the transportation study during the Existing, Existing plus Project, and Cumulative Conditions. Table 1 presents the resulting LOS and corresponding delay at each study intersection. As shown in the table, all study intersections would operate acceptably under Existing Conditions during the PM peak hour, except for the intersection of Third Street and King Street. Poor operating conditions at the intersection of Third Street and King Street (LOS E during the PM peak hour) is primarily due to the high volume of vehicles approaching or departing from the I-280 freeway, which touches down two blocks to the west of the intersection.

TABLE 1
WEEKDAY PM PEAK HOUR INTERSECTION LEVEL OF SERVICE

Intersection	Control	Existing		Existing plus Project		Cumulative	
		Avg. Delay[1]	LOS[2]	Avg. Delay[1]	LOS[2]	Avg. Delay[1]	LOS[2]
1. Second Street and Harrison Street	Signalized	13	B	13	B	19	B
2. Second Street and Bryant Street	Signalized	12	B	12	B	16	B
3. Brannan Street and Fourth Street	Signalized	39	D	42	D	**>80**	**F**
4. Brannan Street and Third Street	Signalized	54	D	55[3]	D[3]	**>80**	**F**
5. Brannan Street and Stanford Street	Side-street STOP	17 (NB)	C	19 (NB)	C	34 (NB)	D
6. Brannan Street and Second Street	Signalized	20	B	21	C	35	D
7. Brannan Street and Delancey Street	All-way STOP	14 (WB)	B	14 (WB)	B	33 (WB)	D
8. Brannan Street and The Embarcadero	Signalized	27	C	27	C	29	C
9. Third Street and Townsend Street	Signalized	29	C	30	D	**>80**	**F**

[10] This document can be found here: *http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753*.

[11] Fehr & Peers, *Transportation Impact Study, 333 Brannan Street,* July 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906!.

10. Second Street and Townsend Street	Signalized	11	B	11	B	19	B
11. Third Street and King Street	Signalized	**69**	**E**	**70**	**E**	**>80**	**F**
12. Second Street and King Street	Signalized	24	C	24	C	27	C

Notes:
Bold indicates unacceptable LOS E or F.
1. Delay reported as seconds per vehicle.
2. LOS = Level of Service. For signalized intersections, LOS based on average intersection delay, based on the methodology in the *Highway Capacity Manual*, 2000.
3. Assumes minor modification to signal timing which SFMTA monitors on a regular basis.

Source: Fehr & Peers, 2013

The proposed project would generate 70 new PM peak hour vehicle trips to surrounding intersections. As shown in Table 1 above, 11 of the 12 study intersections would continue to operate acceptably under Existing plus Project Conditions during the PM peak hour and impacts to those intersections would be less-than-significant. One intersection, Third Street and King Street, operates at LOS E during Existing Conditions and would continue to do so for the Existing Plus Project Conditions. Therefore, the proposed project's contributions to LOS E or F critical movements at this intersection were reviewed.

At the signalized intersection of Third Street and King Street, during the PM peak hour, the proposed project would add one vehicle trip to the critical eastbound-left-turn movement which would operate at LOS F under Existing plus Project Conditions. This project-related contribution would represent less than one percent to the total PM peak hour volume to this critical movement. The Proposed Project would add 10 vehicle trips to the westbound-through movement which would operate at LOS E under Existing plus Project Conditions. This project-related contribution would represent approximately one percent to the total PM peak hour volume to this critical movement. The proposed project's contributions to these failing critical movements would be minimal (less than 5 percent), and therefore, the proposed project would have a less-than-significant impact to the intersection of Third Street and King Street.

The proposed project would add vehicle trips to the surrounding roadways; however, a general increase in traffic would not be considered a major traffic hazard. The proposed project would include the installation of a 67-foot-long, five-foot-wide sidewalk bulbout adjacent to the northeast corner of the project site, at the Brannan Street and Stanford Street intersection. This bulbout would not extend into traffic lanes. During the PM peak hour, the proposed project's new driveway would serve 70 vehicle trips (7 inbound and 63 outbound). This would be equivalent to one vehicle entering the garage (and crossing the sidewalk) every 12 minutes during the peak hour and one vehicle existing the garage every 60 seconds during the peak hour and less frequently throughout the rest of the day.

For the shared driveway variant in the future near-term, the proposed project driveway curb cut would provide access to the underground parking garages of both 333 Brannan Street and the proposed 345 Brannan Street project. In the PM peak hour, the driveway would serve 63 vehicle trips (16 inbound and 47 outbound) from the proposed 345 Brannan Project in addition to the 70 vehicle trips from the 333 Brannan Street project.[12] This total of 23 inbound and 110 outbound vehicles during the PM peak hour

[12] LCW Consulting, *345 Brannan Street Transportation Study*, January 7 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2007.0385!.

would be equivalent to one vehicle entering the garage every three minutes during the peak hour and one vehicle exiting the garage every 30 or so seconds during the peak hour, and less frequently throughout the rest of the day. Given the infrequent number of project-related vehicle trips and that the proposed project would not construct components that would obstruct traffic, the proposed project would not cause major traffic hazards and the impact would be less-than-significant.

It should be noted that the proposed project would be subject to the Section 163 of the Planning Code, which requires the project sponsor to establish a transportation management program to minimize the transportation impacts of added office employment in the downtown and South of Market area, by facilitating the effective use of transit, encouraging ridesharing, and employing other practical means to reduce commute travel by single-occupant vehicles.

Although the proposed project would have less than significant traffic impacts, City decisionmakers may wish to consider the following measures that could be implemented to lessen the less-than-significant impacts of automobile traffic on area roadways:

Project Improvement Measure 1 – Transportation Demand Management Measures. The project sponsor or property owner should develop and implement a Transportation Demand Management (TDM) program that goes beyond the requirements of Section 163 of the Planning Code and seeks to annually reduce the number of single occupancy vehicle (SOV) trips to and from the project site because persons would be arriving/departing via alternative modes of transportation (e.g., walking, bicycling, transit, other). The project sponsor or property owner should consider the following TDM measures and any others that would reduce SOV trips to and from the project site:

- Provide TDM training for property managers and coordinators;
- Require that the points of access to bicycle parking, through stairwells and garage off of Stanford Street, include signage indicating the location of these facilities;
- Encourage office tenants and their workers to allow bicycles into the workplace;
- Ensure that bicycle safety strategies are developed along the Stanford St. side of the property, avoiding conflicts with private cars and loading vehicles accessing the garage;
- Facilitate access to the Townsend St. bike lane and the Second St. bike route through on-site signage;
- Facilitate access to carshare spaces provided in the parking garage through on-site signage; and
- Explore the potential for providing a free or subsidized transit pass to each tenant and/or encourage each tenant to provide this benefit.

Project Improvement Measure 2 – Queue Abatement Condition of Approval. The owner/operator of the off-street parking facility shall ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

> If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.
>
> If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative (2025) impacts relating to weekday PM peak hour traffic conditions, with the Preferred Project having significant impacts at nine intersections. The project site is not located near any of the nine intersections. Therefore, the proposed project would not contribute trips at these intersections and therefore would not contribute to those impacts and the mitigation measures would not apply. General mitigation measures were proposed for the entire Area Plan. These include intelligent traffic management, enhanced transportation funding, and parking management to discourage driving. Even with mitigation, however, cumulative impacts at the above intersections were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative traffic impacts was adopted as part of the FEIR Certification and project approval.

Future year 2035 Cumulative traffic volumes were developed in order to assess the cumulative effects of the Proposed Project and other future developments that may result in increases in traffic volumes. The model run accounts for residential and non-residential growth associated with the proposed project, therefore, the Cumulative Conditions include traffic associated with the travel demand generated by the proposed project. As shown in Table 1 above, eight of the 12 study intersections would continue to operate acceptably under Cumulative Conditions during the PM peak hour and impacts to those intersections would be less than significant. Four intersections would operate at LOS F during Cumulative Conditions. Therefore, the proposed project's contributions to LOS E or LOS F critical movements at these intersections were reviewed.

At the signalized intersection of Brannan Street and Fourth Street, during the PM peak hour, the proposed project would add 17 vehicle trips to the critical westbound approach which would operate at LOS F under Cumulative Conditions. This project-related contribution would represent approximately 1.5 percent to the total PM peak hour volume to this critical movement. The proposed project's contributions to this failing critical movement would be minimal (less than 5 percent), and therefore, the

proposed project would have a less-than-significant impact to the intersection of Brannan Street and Fourth Street.

At the signalized intersection of Brannan Street and Third Street, during the PM peak hour, the proposed project would add 24 vehicle trips to the critical westbound approach which would operate at LOS F under Cumulative Conditions. This project-related contribution would represent approximately 2.1 percent to the total PM peak hour volume to this critical movement. The proposed project would add zero vehicle trips to the critical eastbound approach which would operate at LOS F under Cumulative Conditions. The proposed project's contributions to these failing critical movements would be minimal (less than 5 percent), and therefore, the proposed project would have a less-than-significant impact to the intersection of Brannan Street and Third Street.

At the signalized intersection of Townsend Street and Third Street, during the PM peak hour, the proposed project would add two vehicle trips to the critical westbound-through movement which would operate at LOS F under Cumulative Conditions. This project-related contribution would represent less than one percent to the total PM peak hour volume to this critical movement. The proposed project's contributions to this failing critical movement would be minimal (less than 5 percent), and therefore, the proposed project would have a less-than-significant impact to the intersection of Townsend Street and Third Street.

At the signalized intersection of Third Street and King Street, during the PM peak hour, the proposed project would add 10 vehicle trips to the critical westbound-through movement which would operate at LOS E under Cumulative Conditions. This project-related contribution would represent approximately 1.1 percent to the total PM peak hour volume to this critical movement. The proposed project would add one vehicle trip to the critical eastbound-left movement which would operate at LOS F under Cumulative Conditions. This project-related contribution would represent less than one percent to the total PM peak hour volume to this critical movement. The proposed project would add zero vehicle trips to the critical northbound-right movement which would operate at LOS F under Cumulative Conditions. The proposed project's contributions to these failing critical movements would be minimal (less than 5 percent), and therefore, the proposed project would have a less-than-significant impact to the intersection of Third Street and King Street.

The proposed project would not contribute considerably to these conditions as its contribution of 70 PM peak hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips generated by Eastern Neighborhoods' projects. The proposed project would not contribute considerably to cumulative conditions and thus, the proposed project would not have any peculiar cumulative traffic impacts and traffic mitigation measures identified in the FEIR are not applicable to the proposed project (i.e., project site is not located near intersections to be signalized and other measures are to be implemented by the San Francisco Municipal Transportation Agency (SFMTA)).

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

Transit

The project site is located within a quarter-mile of several local transit lines including Muni lines 8X/8AX/8BX, 10, 12, 30, 45, 82X, N Judah and T Third that operate during the PM peak hour. In addition, the project site is within ½ mile to ¾ mile of regional transit providers and lines: BART, Caltrain, AC Transit, SamTrans, and Golden Gate Transit. The proposed project would generate 136 new PM peak hour transit trips (80 local and 56 regional). Based on the screenline analysis conducted in the transportation study, this amount of new PM peak hour transit trips would not be anticipated to cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service, or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result.

It should be noted that the proposed project would be subject to the Transit Impact Development Fee ("TIDF"). The TIDF attempts to recover the cost of carrying additional riders generated by new development by obtaining fees on a square footage basis. TIDF funds may be used to increase revenue service hours reasonably necessary to mitigate the impacts on non-residential development on public transit.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. The project site is not located near any of the seven lines. Mitigation measures proposed to address these impacts related to pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in Eastern Neighborhoods. Even with mitigation, however, cumulative impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of PM peak hour transit trips would not be a substantial proportion of the overall transit volume generated by Eastern Neighborhood projects (less than one percent to all local and regional transit screenlines). The proposed project would not contribute considerably to cumulative transit conditions and thus, the proposed project would not result in any peculiar cumulative transit impacts.

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

Noise

The Eastern Neighborhoods FEIR identified significant construction noise impacts resulting from pile driving and other construction activities. In addition, the Eastern Neighborhoods FEIR identified potential conflicts and significant impacts from short-term or long-term noise levels that could prove disruptive to occupants of new residential development and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods FEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 requires individual projects that include pile-driving within the Eastern Neighborhoods Area Plan and within proximity to noise-sensitive uses to ensure that piles be pre-drilled, wherever feasible, to reduce construction-related noise and vibration. The proposed project would not include pile-driving activities, therefore, Mitigation Measure F-1 is not applicable.

Mitigation Measure F-2 requires individual projects that include particularly noisy construction procedures (including pile-driving) in proximity to sensitive land uses to submit a site-specific noise attenuation measures under the supervision of a qualified acoustical consultant to the Department of Building Inspection prior to commencing construction. The project site is adjacent to residential uses within buildings across Stanford Street to the southeast. The proposed project would include bgs construction consisting of spread footings or a mat foundation to approximately 18 – 20 feet bgs. According to a geotechnical investigation prepared for the proposed project,[13] the majority of the anticipated materials bgs could be drilled using standard drilling equipment. However, the possibility exists that harder, more intact inclusions of rock would be encountered bgs. Therefore, additional equipment, such as a hydraulic hoe ram, may be required in some areas to facilitate excavation. Hoe rams are typically large hydraulic chisel-hammers attached on the end of a backhoe or excavator arm that can be very loud as the steel chisel hits the target object.[14] This type of construction equipment (impact tool) is exempt from noise level requirements in the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance).

The contactor of the proposed would be subject to and would be required to comply with the Noise Ordinance, which requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 PM. and 7:00 AM., unless the Director of DPW authorizes a special permit for conducting the work during that period.

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 AM to 5:00 PM). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 15 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties.

The project site is within close proximity to sensitive land uses and the proposed project could result in particularly noisy construction procedures exempt from the noise level requirements of the Noise

[13] Treadwell & Rollo, 2013.

[14] Rules of the City of New York, Title 15, Department of Environmental Protection, Chapter 28, Citywide Construction Noise Mitigation.

Ordinance. Therefore, Mitigation Measure F-2, Construction Noise, from the Eastern Neighborhoods FEIR would apply to the proposed project. With implementation of this mitigation measure, impacts related to construction noise would be less than significant. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 2, as updated below.

> **Project Mitigation Measure 2 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods FEIR).** Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:
>
> - Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
> - Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
> - Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
> - Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
> - Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, and F-6 include additional measures for individual projects that include new noise-sensitive uses. The proposed project's uses, office and retail, would not include a new noise-sensitive use; therefore these mitigation measures are not applicable.

Eastern Neighborhoods FEIR Mitigation Measure F-5 requires individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity to submit an acoustical analysis that demonstrates the proposed use would comply with the General Plan and the Noise Ordinance. The Noise Ordinance does not allow for a noise level more than eight dBA above the local ambient at any point outside of the property plane for commercial properties and states no fixed noise source may cause the noise level measured inside any sleeping or living room in any dwelling unit located on residential property to exceed 55 dBA between the hours of 7 AM and 10 PM with windows open. Typical residential building construction will generally provide exterior-to-interior noise level reduction performance of no less than 15 dB when exterior windows are open. The project site is located within the vicinity of residential uses and the proposed project would generate new sources of noise, primarily from mechanical equipment on the new

building. Therefore, pursuant to Mitigation Measure F-5, Illingworth & Rodkin, an expert in noise analysis, prepared a noise study.[15] A summary of the analysis is presented below.

Illingworth & Rodkin completed ambient noise level measurements at the project site and vicinity. A long-term measurement (continuous measurements with 10-minute intervals) was made adjacent to the project site at Brannan Street over a 48-hour period between February 11th and 13th, 2013. A site survey of the project site was undertaken to identify all noise sensitive uses within 900 feet with a direct line of sight to the project site. Short-term measurements were made at three locations near residential uses within the 900 feet survey area during the same 48-hour period as the long-term measurements. The primary noise source in the area is transportation noise from Brannan Street, with occasional noise contributions from existing area commercial uses and distant traffic. The average daytime ambient noise level for the long-term measurement was 60 dBA at Brannan Street and the calculated daytime maximum noise level measurements for the short-term measurements were between 78 and 86 dBA.

To evaluate the proposed project's compliance with Mitigation Measure F-5, project-specific noise criterion were evaluated by Illingworth & Rodkin. For the General Plan allowable residential exterior level compliance, the criterion is 70 dBA, assuming average exterior to interior noise reduction of 15 dB. For the Noise Ordinance, the criteria varies dependent on the property plane, but is eight dBA above the measured or modeled ambient at each property plane.

Specific details on the proposed new mechanical equipment are not known at this time. However, the proposed new building is expected to include backup diesel generators, packaged HVAC units, and cooling condensers at the rooftop and may include parking lot make-up air fan outlets near ground level. The operation of the mechanical equipment would only occur during the daytime and operation of the proposed backup diesel generators would only occur during periodic testing or during an emergency. Based on Illingworth & Rodkin's experience with similar systems at comparably sized projects, the following are the projected noise levels for the above proposed pieces of equipment: individual packaged HVAC units and cooling condensers – between 65 and 70 dBA at 20 feet; make-up air exhaust and intake fans – between 61 and 63 dBA at 20 feet from the face vent openings; and unenclosed backup diesel generator – between 85 to 90 dBA at 20 feet. Considering this range of sound levels, the use of a solid 20-foot-high equipment screen, that sound-rated enclosures and mufflers to further reduce backup diesel generator noise are commonly available, and that the noise from parking lot make-up air fan outlets would be required to comply with the Noise Ordinance through mechanical system attenuation and architectural design elements, the proposed project would be not expected to adversely affect nearby noise-sensitive uses. Furthermore, the proposed project would not double traffic volumes in the project vicinity, according the project-specific transportation study,[16] which would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3 decibel increase). Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity.

[15] Illingworth & Rodkin, Inc., *Office Building at 333 Brannan Street, Noise Assessment Report, San Francisco, California*, May 29, 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

[16] Fehr & Peers, 2013.

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

Air Quality

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

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection. Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would be required to comply with the Construction Dust Control Ordinance; therefore, the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines),[17] which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact. The proposed project meets the screening criteria provided in the BAAQMD Air Quality Guidelines for construction-related criteria air pollutants.

[17] Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

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

(1) Excess cancer risk from all sources > 100; and

(2) $PM_{2.5}$ concentrations from all sources including ambient >10μg/m^3.

Sensitive receptors[18] within these hot spots are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside these hot spots. These locations (i.e., within hot spots) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

Construction activities from the proposed project would result in DPM and other TACs from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would be expected to last approximately 15 months. Diesel-generating equipment would be required for approximately nine months.

The project site is not located within an identified hot spot. However, the remainder of Mitigation Measure G-1 that deals with maintenance and operation of construction equipment is applicable to the proposed project because the proposed project would include the use of construction equipment. Compliance with the Construction Emissions Minimization measures would reduce to a less-than-significant level impacts from construction vehicles and equipment. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 3.

> **Project Mitigation Measure 3 – Construction Air Quality (Mitigation Measure G-1 of the Eastern Neighborhoods FEIR).** The City would also condition project approval such that each subsequent project sponsor would require the contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure G-2 requires new residential development near high-volume roadways and/or warehousing and distribution centers to include an analysis of DPM and/or TACs, and, if warranted, to incorporate upgraded ventilation systems to minimize exposure of future residents to DPM and other pollutant emissions, as well as odors. The proposed project would not include the addition of residential units. Therefore, Mitigation Measure G-2 is not applicable to the proposed project.

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

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring that uses generating substantial DPM emissions, including warehousing and distribution centers, commercial, industrial, or other uses that would be expected to be served by at least 100 trucks per day or 40 refrigerated trucks per day, be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would construct a new 178,500 gsf building, including 175,050 of office, and 3,450 gsf of retail and it is not expected to generate substantial DPM emissions or, according the project-specific transportation study,[19] be served by 100 trucks per day or 40 refrigerator trucks per day. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would construct a new 178,500 gsf building, including 175,050 of office, and 3,450 gsf of retail and, according to the project-specific transportation study, would not generate more than 10,000 vehicle trips per day or 1,000 truck trips per day, but would include two new stationary sources (i.e., backup diesel generators), items that would emit TACs as part of everyday operations. The project site is adjacent to residential uses within buildings across Stanford Street to the southeast. However, new backup diesel generators are required to comply with BAAQMD Regulation 2, Rule 5 New Source Review for Toxic Air Contaminants. Regulation 2, Rule 5 requires new sources that result in an excess cancer risk greater than one in one million and/or a chronic hazard index greater than 0.20 to implement the best available control technology to reduce emissions. Furthermore, the project site is not located within an identified hot spot, therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure *G*-4 is not applicable to the proposed project.

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

The Eastern Neighborhoods FEIR stated that with implementation of Mitigation Measures G-2, G-3, and G-4, the Plan would be consistent with the *Bay Area 2005 Ozone Strategy*, the applicable air quality plan at the time. Subsequent to the certification of the FEIR, the *2010 Clean Air Plan* was adopted by the BAAQMD and it updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the California Clean Air Act 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. Consistency with the *2010 Clean Air Plan* is determined by whether or not the proposed project would result in significant and unavoidable air quality impacts or hinder implementation of control measures (e.g., excessive parking or preclude extension of transit line or bicycle path). As stated above, the proposed project would not result in significant and unavoidable air quality impacts and the proposed project does not include elements that would hinder implementation of control measures. Therefore, the proposed project would not conflict with an applicable air quality plan.

[19] Fehr & Peers, 2013.

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

Shadow

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

The proposed project would construct a 65-foot-tall building (85-foot-tall with a mechanical penthouse). Therefore, a shadow analysis was conducted pursuant to Planning Code Section 295.[20] The shadow analysis found that the proposed project would not cast any net new shadow on any property under the jurisdiction of the Recreation and Parks Commission, including South Park which is approximately 275 feet to the north of the project site.

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

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

Hazards and Hazardous Materials

The Eastern Neighborhoods FEIR determined that the rezoning of currently zoned industrial (PDR) land to residential, commercial, or open space uses in the Eastern Neighborhoods would result in the incremental replacement of some of the existing non-conforming businesses with development of these other land uses. Development may involve demolition or renovation of existing structures that may contain hazardous building materials, such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP) and fluorescent lights containing

[20] Loisos + Ubbelohde, Architecture. Energy, *Shadow Study, 333 Brannan Street*, May 23, 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

mercury vapors, that were commonly used in older buildings and which could present a public health risk if disturbed during an accident or during demolition or renovation. The Eastern Neighborhoods FEIR identified a mitigation measure to reduce this impact to a less-than-significant level.

Because the proposed project would demolish two existing buildings which may include the removal of transformers, fluorescent light ballasts, and fluorescent lights, the proposed project could present a public health risk. Therefore, Mitigation Measure L-1, Hazardous Building Materials, from the Eastern Neighborhoods FEIR would apply to the proposed project. With implementation of this mitigation measure, impacts related to hazardous building materials would be less than significant. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 4, below.

With compliance with hazardous materials regulations and Project Mitigation Measure 4, the proposed project would not result in peculiar impacts that were not identified or a more severe adverse impact than discussed in the Eastern Neighborhoods FEIR related to hazards and hazardous materials.

> **Project Mitigation Measure 4 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods FEIR).** The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or DEHP, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to the applicable federal, state, and local laws.

Public Notice and Comment

A "Notification of Project Receiving Environmental Review" was mailed on May 3, 2013, to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Some recipients of the notice submitted comments regarding physical environmental effects, including concerns that the proposed project's generation of new vehicle trips and location of vehicle entry would adversely affect the transportation system in the project area, and that noise-generation from operation would adversely affect nearby residential uses. The transportation and noise section in the Certificate of Determination adequately addresses these two concerns, respectively.

Conclusion

The Eastern Neighborhoods FEIR incorporated and adequately addressed all potential impacts of the proposed project at 333 Brannan Street. As described above, the proposed project at 333 Brannan Street would not have any additional or peculiar significant adverse effects not examined in the Eastern Neighborhoods FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods FEIR. Thus, the proposed project at 333 Brannan Street would not result in any environmental impacts substantially greater than described in the FEIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code.

Attachment A
Community Plan Exemption Checklist

Case No.:	**2012.0906E**
Project Title:	**333 Brannan Street**
Zoning/Plan Area:	MUO (Mixed Use-Office); 65-X Height and Bulk District East SoMa subarea of Eastern Neighborhoods Area Plan
Block/Lot:	3788/042
Lot Size:	35,700 square feet
Project Sponsor:	Chris Heimburger, Kilroy Realty Finance Partnership, L.P. KR 329 Brannan, LLC – (415) 778-5685
Staff Contact:	Wade Wietgrefe – (415) 575-9050 Wade.Wietgrefe@sfgov.org

A. PROJECT DESCRIPTION

The project site is located at the southwest corner of Brannan Street and Stanford Street, in the eastern portion of the South of Market neighborhood. The project site contains two 10-to-15-foot-tall, one-story buildings totaling approximately 13,660 square feet (sf) and a surface parking lot. The project site is occupied by AT&T and operations include general office, truck storage, and dispatch activities. The proposed project includes removal of the existing surface parking lot and buildings and construction of a new six-story, 65-foot-tall building (85-foot-tall with a mechanical penthouse), comprised of 178,500 gross sf (gsf), including 175,050 gsf of office, 3,450 gsf of ground-floor retail, and below-grade parking.

The proposed project would require a Large Project Authorization and Office Allocation from the Planning Commission, approval of construction within the public right-of-way from the Department of Public Works, and approval of demolition and building permits from the Department of Building Inspection.

B. EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether any such impacts are addressed in the applicable programmatic final EIR (FEIR) for the plan area.[1] Items checked "Sig. Impact Identified in FEIR" identify topics for which a significant impact is identified in the FEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the FEIR. If the analysis concludes that the proposed project would contribute to a significant impact identified in the FEIR, the item is checked "Proj. Contributes to Sig. Impact Identified in FEIR." Mitigation measures identified in the FEIR applicable to the proposed project are identified in the text of the Certificate of Determination under each topic area.

[1] The FEIR also refers to any Initial Study that was conducted for the FEIR.

Items checked "Project Has Sig. Peculiar Impact" identify topics for which the proposed project would result in a significant impact that is peculiar to the proposed project, i.e., the impact is not identified as significant in the FEIR. This column is not applicable for the proposed project. Therefore, a separate Focused Initial Study or EIR is not required for the proposed project.

Any item that was not addressed in the FEIR is discussed in the Checklist. For any topic that was found to be less than significant (LTS) or have no impacts in the FEIR and/or for the proposed project, the topic is marked LTS/No Impact and is discussed in the Checklist below.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
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?	☐	☐	☐	☒
c)	Have a substantial impact upon the existing character of the vicinity?	☒	☐	☐	☒

Significant Impact Identified in FEIR

The Eastern Neighborhoods FEIR determined that the rezoning and community plans would result in a significant and unavoidable impact on land use due to the cumulative loss of production, distribution, and repair (PDR) use in the Area Plan. For a discussion of Topic 1c, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR determined that the rezoning and community plans is a regulatory program, not a physical development project; therefore, the rezoning and community plans would not create any new physical barriers in the Eastern Neighborhoods. Furthermore, the Eastern Neighborhoods FEIR determined that the rezoning would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to the cumulative loss of PDR use in the Area Plan.

The proposed project would not create any new physical barriers in the Eastern Neighborhoods. The project site contains two, one-story buildings and a surface parking lot. The proposed project includes removal of the existing buildings and surface parking lot and construction of a new six-story, 65-foot-tall building, comprised of 178,500 gsf on the majority of the project site. Consequently, the proposed project would not physically disrupt or divide the project area or individual neighborhoods or subareas.

The project site is in the East SoMa Area Plan of the San Francisco General Plan and is in the Mixed Use-Office (MUO) Use District, which is designed to encourage office uses and housing, as well as small-scale light industrial and arts activities. Allowed uses within the MUO Use District include office and retail uses. The proposed project's office and retail uses are consistent with uses permitted within the MUO Use District.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
2. AESTHETICS—Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that implementation of the design policies of the area plans would not substantially degrade the visual character or quality of the area, have a substantial adverse effect on a scenic vista, substantially damage scenic resources that contribute to a scenic public setting, or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The existing character of the project site and surroundings is dominated by uses typical in an urban setting: one-to-three-story office and PDR buildings, and three-to-six-story office and residential buildings. Public viewpoints in the project vicinity are dominated by these existing nearby buildings and the AT&T Park, approximately 850 feet south of the project site.

The proposed project includes removal of the existing buildings and surface parking lot and construction of a new six-story, 65-foot-tall building, comprised of 178,500 gsf on the majority of the project site. Although the removal of the existing buildings and construction of the new building would change the visual appearance of the project site and surroundings, it would not substantially degrade its visual character or quality. In addition, the new building would not be substantially taller than the existing development in the project vicinity. For example, the

existing brick office building across Stanford Street to the east is approximately the same height as the top of the mechanical penthouse in the new building. Furthermore, the proposed project would not obstruct longer-range views from various locations in the Area Plan and the City as a whole. The new building envelope and design meets Planning Code requirements for MUO Use District.

The new building would introduce a new source of light and glare. However, the proposed project would be subject to and would be required to comply with the City's Green Building Code,[2] which requires all newly constructed non-residential buildings to design interior and exterior lighting such that zero direct-beam illumination leaves the building site, except for emergency lighting and lighting required for nighttime activity. Therefore, the new lighting would not adversely affect day or nighttime views in the area or substantially impact other people or properties because the lighting would not extend beyond the project site. Furthermore, Planning Commission Resolution No. 9212 (1981) established guidelines aimed at limiting glare from proposed buildings and the City's Standards for Bird-Safe Buildings requires that new structures do not create a substantial source of glare. The proposed project would be subject to and would be required to comply with this resolution and regulation.

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

The new building would be visible from some residential and commercial buildings within the project site vicinity, which could reduce private views. Reduced private views on private property would be an unavoidable consequence of the proposed project and may be an undesirable change for those individuals affected. Nonetheless, the change in private views would not exceed those commonly expected in an urban setting and would not constitute a significant impact under CEQA.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
3.	**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?	☐	☐	☐	☒

[2] Building Code, 2010 Edition, Section 13.C.5.106.8

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project does not involve the development of residential use or the displacement of people. No housing would be removed; therefore the construction of replacement housing would not be necessary. In addition, the proposed project would not add any new infrastructure that would indirectly induce population growth.

The Eastern Neighborhoods FEIR concluded that an increase in population in the Area Plan is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects, but would serve to advance some key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The proposed project would not induce substantial population growth and any increase in population would be within the scope of the Eastern Neighborhoods FEIR analysis. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to population and housing.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
4. 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 archaeological 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?	☒	☒	☐	☐

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified potentially significant archeological resource impacts related to the greater potential for the disturbance of soils below the existing surface. The Eastern Neighborhoods FEIR anticipated that program implementation may result in demolition of

buildings identified as historical resources, and found this impact to be significant and unavoidable. For a discussion of this Topic, please see the Certificate of Determination.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to archeological resources or historic architectural resources. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to cultural resources.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
5.	**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, obstructions to flight, 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?	☒	☐	☐	☒

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes would result in significant and unavoidable impacts on traffic and transit ridership. For a discussion of Topics 5a, b, and f, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR did not address whether the Plan would result in change in air traffic pattern or result in inadequate emergency access. The Eastern Neighborhoods FEIR determined that the Plan would result in less-than-significant impacts to parking and loading, pedestrian and bicycle conditions, and construction.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to the traffic and transit ridership.

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

Parking

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 San Francisco General Plan Polices, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

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

The parking demand for the new uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the long-term and short-term demand for parking would be 164 and 33 spaces (for a total of 197

spaces), respectively. The proposed project would provide 40 non-carshare off-street spaces. Thus, as proposed, the project would have an unmet parking demand (long-term and short-term) of 157 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit of 157 spaces 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, reducing the number of unoccupied spaces in the project vicinity from 264 to 107.[3] Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the proposed 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 MUO 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.

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. In many cases the Planning Commission does not support the parking ratio proposed by the project sponsor and the ratio is substantially reduced. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission does not support the provision of any off-street parking spaces.

Here, if no off-street parking spaces were provided, the proposed project would have an unmet demand of 197 spaces. As mentioned above, the unmet parking demand of 157 spaces could be accommodated by existing facilities, as could the unmet demand of 197 spaces that could occur if no off-street parking is approved by the Planning Commission as indicated by the number of unoccupied spaces in the project vicinity. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial parking deficit with or without the off-street parking currently proposed that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, impacts related to parking would be less than significant.

Loading

Per the requirements of the Planning Code, the proposed project would be required to provide two off-street loading spaces. Each service vehicle space would be required to have a minimum

[3] Note: the proposed bulbout on Brannan Street would remove an additional 2 on-street parking spaces, and the driveway onto Stanford would remove approximately one extra parking space. If the shared driveway variant would be implemented, one on-street parking space would be restored to Stanford Street where the second driveway to 345 Brannan Street project would have been. If Improvement Measure 3 is implemented, an additional three-to-six on-street parking spaces would be removed.

width of ten feet, a minimum length of 25 feet, and a minimum vertical clearance of 14 feet. The proposed project would provide two off-street loading spaces that meet the size requirements in the proposed basement; therefore, the proposed project meets the loading requirements of the Planning Code.

During the peak hour of loading, the proposed project would have a demand for 2.2 loading spaces and during the average hour during the day, the proposed project would have a demand for less than two loading spaces. The proposed loading space supply should be sufficient to accommodate the anticipated demand; however, there may occasionally be times when some deliveries may need to wait for another vehicle to exit a loading space or double-park on Stanford Street. While this would obstruct traffic, because these events are anticipated to occur infrequently before the AM peak period on a low-volume street with no transit or bicycle facilities, impedance to travel would be negligible and would not create potentially hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

With the current Stanford Street roadway and parking configuration, a typical garbage truck (modeled as 36.5' x 8.5') would be unable to make the reverse movement into the proposed garage driveway in order to park next to the dumpsters at the internal loading spaces. This movement is not possible unless on-street parking is removed. The Stanford Street right-of-way is 35 feet wide, and accounting for 7-foot wide sidewalk on the east and west sides of the street, and an 8-foot wide parking lane, the travel lane is about 13 feet wide. It is anticipated that dumpsters would be pushed up the garage ramp to street-side, and garbage would be collected on the street by a double-parked garbage truck. As stated above, temporary double-parking would not create potentially hazard conditions or significant delays.

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

Although the proposed project would have less than significant loading impacts, City decisionmakers may wish to consider the following measures that could be implemented to lessen the less-than-significant impacts of loading:

> **Project Improvement Measure 3 – Reallocate Parking to Accommodate Loading.** The project sponsor or property owner should seek approval from the San Francisco Municipal Transportation Agency (SFMTA) for a prohibition of parking on Stanford Street (estimated at 85 feet for the proposed project and 75 feet for the shared driveway variant) to enable truck maneuvers into the project driveway, as shown in Appendix H in the Transportation Impact Study.[4] In addition, the project sponsor or property owner should seek approval from the SFMTA for an adjacent on-street commercial loading space.

[4] Fehr & Peers, *Transportation Impact Study, 333 Brannan Street,* July 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906!.

Pedestrian

Pedestrian trips generated by the proposed project would include walk trips to and from the local and regional transit stops, as well as some walk trips to and from nearby commercial and industrial uses. Overall, the proposed project would add approximately 179 pedestrian trips to the surrounding streets (this includes 136 transit trips and 43 walk trips) during the weekday PM peak hour. These new pedestrian trips would be spread out over several adjacent sidewalks and crosswalks and could be accommodated on the existing facilities adjacent to the project site without substantially affecting the current pedestrian conditions along Brannan street (10-foot wide sidewalks), Second Street (10-foot wide sidewalks), or Stanford Street (8-foot wide sidewalks). Pedestrian volumes around the project site are generally low to moderate.

The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median; conditions that can negatively impact pedestrians. The proposed project would provide a new curb cut along Stanford Street for vehicular ingress/egress to the new building. Stanford Street not identified in the General Plan as a "Citywide Network Pedestrian Street," "Neighborhood Commercial Street," or "Neighborhood Network Connection Street" and the frequency of vehicles entering and exiting the project site from the proposed project (estimated at one per every 50 seconds during the PM peak hour) would not be substantial enough to cause a hazard to pedestrians or otherwise interfere with pedestrian accessibility to the project site and adjoining areas. Pedestrian activity may increase as a result of the proposed project, but not to a degree that would result in substantial overcrowding on public sidewalks. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to pedestrians.

It should be noted that the proposed five-foot bulbout onto Brannan Street would increase sidewalk space and enhance visibility of pedestrians to drivers (and vice-versa), benefiting pedestrian safety.

Bicycle

The Proposed Project would provide four showers, eight clothes lockers, and a bicycle rack in the proposed basement, which would be accessible from Stanford Street and include 12 bicycle spaces. The proposed project would meet Planning Code requirements for bicycle facilities.

The project site is near a number of streets with bicycle facilities. The project site is within convenient bicycling distance of office and retail buildings in the Financial District, Potrero Hill, and SoMa. As such, it is anticipated that a majority of the trips on other modes (211 daily trips and 14 during the PM peak hour) generated by the proposed project would be bicycle trips. The project site is near bicycle facilities on The Embarcadero, Second Street, and Townsend Street.

Although the proposed project could result in an increase in the number of bicycles in the vicinity of the project site, this increase could be accommodated on the existing bicycle facilities without substantially affecting bicycle travel in the area. The proposed project would have a driveway curb cut on Stanford Street. There is an existing curb cut at the same location. The proposed project garage driveway (or variant) would serve 70 vehicles during the PM peak hour, or about one vehicle every 50 seconds. Stanford Street is not a designated bicycle facility and bicycle traffic

is expected to be relatively low, therefore proposed project traffic would not create a new hazard or substantial conflict to bicyclists at the driveway location. Stanford Street is one-way northbound, and thus all vehicles would access it from Townsend Street to the south and would need to cross the westbound bicycle lane on Townsend Street to do so. Observations taken for preparation of the transportation study[5] indicate that bicycle traffic along the westbound Townsend Street bike was light during the PM peak hour, and because only six vehicles would cross it to access the project site in the PM peak hour, the proposed project traffic would not create a new hazard or substantial conflict to bicyclists at the intersection of Stanford Street and Townsend Street.

For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to land use and planning.

Emergency Access

The proposed project would not close off any existing streets or entrances to public uses. Therefore, the proposed project would not result in a significant impact related to emergency access nor result in any peculiar impacts related to emergency access that were not identified in the Eastern Neighborhoods FEIR related to emergency access.

Construction

The proposed project's construction activities would last approximately 15 months. Although construction activities would result in additional vehicle trips to the project site from workers, soil hauling, and material and equipment deliveries, these activities would be limited in duration. Therefore, the proposed project's construction would not result in a substantial impact to transportation or peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to construction.

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

While the proposed project's impacts during construction would be less than significant, City decisionmakers may wish to consider the following improvement measure to further reduce these less-than-significant impacts.

> **Project Improvement Measure 4 – Construction Transportation Management Plan.** The project sponsor should develop and implement a Construction Management Plan (CMP), addressing transportation-related circulation, access, staging, and hours for deliveries. The CMP would disseminate appropriate information to contractors and affected agencies with respect to coordinating construction activities to minimize overall disruptions and ensure that overall circulation in the project area is maintained to the extent possible, with particular focus on ensuring transit, pedestrian, and bicycle connectivity. The CMP would supplement and expand, rather than modify or supersede,

[5] Fehr & Peers, *Transportation Impact Study, 333 Brannan Street,* July 2013. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906!.

any manual, regulations, or provisions set forth by the San Francisco Municipal Transportation Agency (SFMTA), the Department of Public Works (DPW), or other City departments and agencies, and the California Department of Transportation. The CMP should include, but not necessarily limited to, the following:

- Identify construction traffic best management practices in San Francisco, as well as others that, although not being implemented in the City, could provide valuable information for the project. Management practices include, but are not limited to the following:
  - Identifying ways to reduce construction worker vehicle-trips through transportation demand management programs and methods to manage construction worker parking demands.
  - Identifying best practices for accommodating pedestrians, such as temporary pedestrian wayfinding signage or temporary walkways.
  - Identifying best practices for accommodating bicyclists and bicycle facilities such as bicycle wayfinding signage or temporary detours.
  - Identifying ways to consolidate truck delivery trips, including a plan to consolidate deliveries from a centralized construction material and equipment storage facility.
  - Identify a route for construction-related trucks to utilize during construction.
  - Restricting deliveries and trucks trips to the project site during off-peak hours (generally 7 AM to 9 AM and 4 PM to 6 PM, but may include other times during Giants game days), where feasible.

- Require consultation with surrounding community, including business and property owners near the project site to assist coordination of construction traffic management strategies as they relate to the needs of other users adjacent to the project site.

- Develop a public information plan to provide adjacent residents and businesses with regularly-updated information regarding project construction activities, peak construction vehicle activities, (e.g. concrete pours), travel lane closures, and other lane closures.

Topics:		*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
6.	**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?	☒	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☒	☒	☐	☐
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?	☒	☐	☐	☒

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified significant construction noise impacts resulting from pile driving and other construction activities. In addition, the Eastern Neighborhoods FEIR identified potential conflicts and significant impacts from short-term or long-term noise levels that could prove disruptive to occupants of new residential development and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. For a discussion of Topics 6a, b, c, d, and g, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR noted that the two airport-related criteria are not relevant because the Area Plan is located more than two miles from the San Francisco International Airport and not located near a private strip.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to construction noise or potential conflicts with occupants of noise-sensitive uses.

Conditions at the project site have not changed since certification of the FEIR; the project site is still not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, Topics 6e and f are not applicable. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to noise.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
7.	**AIR QUALITY** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☒
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?	☒	☐	☐	☒

Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter and toxic air contaminants as part of everyday operations. These significant impacts would conflict with the applicable air quality plan at the time, the *Bay Area 2005 Ozone Strategy.* For a discussion of this Topics 7a, b, c, d, and e, please see the Certificate of Determination.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to construction- or operational-related air pollutant emissions nor would it conflict with the applicable air quality plan, the *2010 Clean Air Plan*. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to air quality.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
8.	**GREENHOUSE GAS EMISSIONS—Would the project:**				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Background

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (Air Basin). BAAQMD is responsible for attaining and maintaining air quality in the Air Basin within federal and State air quality standards. Specifically, BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the Air Basin and to develop and implement strategies to attain the applicable federal and State standards. The BAAQMD assists CEQA lead agencies in evaluating the air quality impacts of projects and plans proposed in the Air Basin.

Subsequent to the Eastern Neighborhoods FEIR, the BAAQMD prepared guidelines which provided new methodologies for analyzing air quality impacts, including greenhouse gas (GHG) emissions. The following analysis is based on the findings in the Eastern Neighborhoods FEIR and incorporates BAAQMD's methodology for analyzing GHG emissions as well as other amendments to the CEQA Guidelines related to GHGs.

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the East SoMa Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO_2E per service population,[6] respectively.[7] The Eastern Neighborhoods FEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. The Eastern Neighborhoods FEIR adequately addressed GHG emissions and the resulting emissions were determined to be less than significant. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The project sponsor proposes to construct a new office building with ground-floor retail. The proposed project would contribute to the cumulative effects of climate change by emitting GHGs during construction and operational phases. Construction of the proposed project is estimated at approximately 15 months. Project operations would generate both direct and indirect GHG emissions. Direct operational emissions include GHG emissions from vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with

[6] SP= Service Population. Service population is the equivalent of total number of residents + employees.

[7] Memorandum from Jessica Range, MEA to MEA staff, *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population metric.

landfill operations. The project site is located within East SoMa Area Plan analyzed under the Eastern Neighborhoods FEIR.

As discussed above, the BAAQMD prepared new guidelines and methodologies for analyzing GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified GHG Reduction Strategy, as defined in the BAAQMD's studies. On August 12, 2010, the San Francisco Planning Department submitted a draft of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to the BAAQMD.[8] This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with the BAAQMD's studies.

The BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in BAAQMD's studies and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB (Assembly Bill) 32 goals, and also serve as a model from which other communities can learn."[9] San Francisco's collective policies and programs have resulted in a 14.5 percent reduction in GHG emissions compared to 1990 levels.[10]

Based on the BAAQMD's studies, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced GHG emissions levels; (3) San Francisco has met and exceeded AB 32 GHG reduction goals for the year 2020; (4) current and probable future state and local GHG reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's

[8] San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: http://www.sfplanning.org/index.aspx?page=1570.

[9] Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: http://www.sfplanning.org/index.aspx?page=1570. Accessed November 12, 2010.

[10] 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.

Strategies to Address Greenhouse Gas Emissions meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project was determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions.*[11]

For the above reasons, the proposed project would not result in any peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to GHG emissions.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
9.	**WIND AND SHADOW—Would the project:**				
a)	Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒
b)	Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☒	☐	☐	☒

Significant Impact Identified in FEIR

The Eastern Neighborhoods FEIR determined shadow impacts to be significant and unavoidable due to the potential new shadows on parks without triggering Section 295 of the Planning Code review. For a discussion of Topic 9b, please see the Certificate of Determination.

Wind impacts are directly related to building design and articulation and the surrounding site conditions. The Eastern Neighborhoods FEIR determined the rezoning and community plans would not result in a significant impact to wind because the Planning Department, in review of specific future projects, would continue to require analysis of wind impacts, where deemed necessary, to ensure that project-level wind impacts mitigated to a less-than-significant level. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to shadows.

Planning Code Section 148 established two comfort criteria and one hazard criterion for assessing wind impacts of proposed projects in San Francisco. The hazard criterion, which is an equivalent wind speed of 26 miles per hour for a single full hour, is used as a significance criterion in evaluating CEQA impacts. Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Given the proposed project would construct a new building with a mechanical penthouse up to 85 feet tall, a project-specific evaluation of the probable wind impacts of the proposed project was

[11] San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist, May 28, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

completed by RWDI, an expert in wind analyses.[12] A summary of the analysis is presented below.

Winds blowing over low-rise buildings tend to flow down to pedestrian levels at large vacant areas. When gaps between buildings are aligned to the predominant wind direction, wind tends to channel through the gap causing increased wind activity in the gap. The project site's prevailing winds from the west and northwest blowing over the surrounding buildings are directed down to pedestrian levels at the project site. Stanford Street, adjacent to the project site to the east, is oriented along the prevailing wind direction. However, given the existing on-site buildings are very low in height, the channeling effect is not expected to cause significant wind activity. Due to the low heights of the existing and surrounding buildings, it is RWDI's opinion that the current wind conditions on the streets do not exceed the hazard criterion.

The proposed project's new building would be similar in height to surrounding buildings but slightly taller than the buildings to the northwest and southwest. Therefore, winds may be intercepted by the new building and downwashed to the street level on Brannan Street. The channeling effect on Stanford Street may be more considerable than in the existing conditions due to the increased height of the buildings along the gap, but the resultant wind conditions would be expected to remain suitable for sidewalks. Based on the size and location of the proposed project, wind conditions are predicted to not exceed the wind hazard criterion on and around the proposed development and therefore, the proposed project would not have the potential to result in significant wind hazard impact.

In regards to the proposed 345 Brannan Street project, adjacent to the project site to the west, the proposal includes the construction of a new 65-foot-tall building. Given the proposed 345 Brannan Street building would be similar in height as the surroundings and the proposed project's new building, it would not be expected to cause any negative wind effects on the proposed project. Furthermore, the proposed project's new building would include canopies above entrances and building corners that would reduce downwashing flows near entrances and sidewalks.

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

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[12] Rowan Williams Davies & Irwin Inc,, *Pedestrian Wind Assessment, 333 Brannan Street, San Francisco, CA* May 16, 2013. This document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2012.0906E.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
10. 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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have a significant adverse effect on the environment. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The proposed project would construct a new building including 175,050 gsf of office and 3,450 gsf of ground-floor retail. As discussed further in Population and Housing above, this increase in office and retail space would be among the space, and associated jobs, anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to recreational resources.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
11. 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?	☐	☐	☐	☒

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

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

No Peculiar Impacts

The proposed project would construct a new building including 175,050 gsf of office and 3,450 gsf of ground-floor retail. As discussed further in Population and Housing above, this increase in office and retail space would be among the space, and associated jobs, anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to utility and service systems.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
12. 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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that the anticipated increase in population would not result in a significant impact to public services , including fire protection, police protection, and public schools. No mitigation measures were identified in the FEIR. Impacts on parks and recreation are discussed under Topics 9 and 10.

No Peculiar Impacts

The proposed project would construct a new building including 175,050 gsf of office and 3,450 gsf of ground-floor retail. As discussed further in Population and Housing above, this increase in

office and retail space would be among the space, and associated jobs, anticipated to be added in the Eastern Neighborhoods FEIR. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to public services.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
13.	**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, or 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods project area is almost fully developed with buildings and other improvements such as streets and parking lots. Most of the project area consists of structures that have been in industrial use for many years. As a result, landscaping and other vegetation is sparse, except for a few parks. Because future development projects in the Eastern Neighborhoods would largely consist of new construction of housing in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the Eastern Neighborhoods FEIR concluded that the project would not result in any significant effects related to biological resources. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

The project site contains two, one-story buildings and a surface parking lot. Similar to the rest of the Eastern Neighborhoods Area Plan, the project site does not support or provide habitat for any rare or endangered wildlife species, animal, or plant life or habitat. No trees exist at or adjacent to the project site. Furthermore, the proposed project would be subject to and would be required to comply with the City's Standards for Bird-Safe Buildings so that new building would not include a feature-related hazard to birds. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to biological resources.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
14. 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?	☐	☐	☐	☒
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 Table 18-1-B of the Uniform 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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR concluded that the project would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, liquefaction, and landslides. The FEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and

construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level, given the seismically active characteristics of the Bay Area. Therefore, the FEIR concluded that the project would not result in significant impacts to geology. No mitigation measures were identified in the FEIR.

No Peculiar Impacts

A geotechnical investigation was prepared for the proposed project.[13] The following discussion relies on the information provided in the geotechnical investigation.

Based on the soil analysis of the geotechnical soil borings to approximately 10 feet below ground surface (bgs) and previous geotechnical investigations at the project site and adjacent 345 Brannan Street property, the soil profile was: up to 10 feet of very loose to very dense sand fill with varying amounts of silt, clay, gravel, and brick and other debris; hard clay with sand and gravel that is likely residual soil beneath the fill; and Franciscan Complex bedrock at depths between five and 20 feet bgs beneath the upper two layers. Groundwater was encountered in one of the geotechnical borings at eight feet bgs. It is expected that perched groundwater within bedrock seems and fissures is present within fractures and seams in bedrock throughout the project site.

The project site does not lie within an Alquist-Priolo Earthquake Fault Zone as defined by the California Division of Mines and Geology. No known active faults cross the project site. The closest mapped active fault in the vicinity of the project site is the San Andreas Fault, located approximately eight miles west from the project site. The proximity would likely result in strong to very strong earthquake shaking at the project site.

The project site is not located within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco. Based on project site conditions, subsurface data indicate the soil and bedrock below the groundwater level appear to be sufficiently dense and/or have sufficient cohesion to resist liquefaction during a large earthquake on one of the nearby faults. Because the potential for liquefaction to occur at the project site is low, the potential for lateral spreading at the project site is low. The geotechnical investigation also concluded the risk of ground failure at the project site is low.

The geotechnical investigation concluded that seismic densification could occur on the order of one to two inches in the very loose to medium dense sandy fill above the groundwater level. However, the proposed project's basement would extend below the sandy fill, therefore, seismic densification should not affect the new building.

The geotechnical investigation provided recommendations for the proposed project's construction. These recommendations include, but are not limited to, spread footings or a mat

[13] Treadwell & Rollo, *DRAFT Geotechnical Investigation, 333 Brannan Street, San Francisco, California*, March 6, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.0906E.

foundation in residual soil and/or bedrock, waterproofing below-grade walls, and temporary shoring, including tiebacks, during construction.

Based on the above-noted recommendations, the geotechnical investigation concluded that the project would not cause significant geology and soil impacts. The proposed project would be subject to and would be required to comply with the recommendations of the geotechnical investigation by incorporating the recommendations into the final building design, including spread footings or a mat foundation to approximately 18 – 20 feet bgs. Furthermore, the proposed project would be subject to the building permit review process. The Department of Building Inspection (DBI), through the process, reviews the geotechnical investigation to determine the adequacy of necessary engineering and design features to ensure compliance with all Building Code provisions regarding structure safety. Past geological and geotechnical investigation would be available for use by DBI during its review of building permits for the project site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to geology and soils.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
15. 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?	☐	☐	☐	☒

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

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

No Peculiar Impacts

The project site contains two, one-story buildings and a surface parking lot. The proposed project would construct a new building on the majority of the project site. Groundwater is estimated to be approximately eight feet bgs. The proposed project's excavation has the potential to encounter groundwater, which could impact water quality. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Although dewatering may be required during construction, any effects related to lowering the water table would be temporary and would not be expected to substantially deplete groundwater resources.

The proposed project would not increase the amount of impervious surface area on the project site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would be required to comply with Low Impact Design approaches and stormwater management systems to comply with the Stormwater Design Guidelines. Therefore, the proposed project would not adversely affect runoff and drainage. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hydrology and water quality.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
16.	**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?	☒	☒	☐	☐
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?	☐	☐	☐	☒

Significant Impact Identified in FEIR

The Eastern Neighborhoods FEIR determined that development may involve demolition or renovation of existing structures that may contain hazardous building materials, such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP) and fluorescent lights containing mercury vapors, that were commonly used in older buildings and which could present a public health risk if disturbed during an accident or during demolition or renovation. For a discussion of Topic 16C, please see the Certificate of Determination.

The Eastern Neighborhoods FEIR determined that the rezoning of currently zoned industrial (PDR) land to residential, commercial, or open space uses in the Eastern Neighborhoods would result in the incremental replacement of some of the existing non-conforming business with development of these other land uses. This could result in exposure to the public or the environment to hazards, but existing regulations would reduce impacts to less-than-significant levels, with the exception of those hazardous materials and waste addressed in the Certificate of

Determination. In addition, the FEIR determined that the rezoning and community plans would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires. Lastly, the FEIR determined that the project area is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, the rezoning and community plans would have no adverse effects in terms of air safety.

No Peculiar Impacts

As discussed in the Certificate of Determination, the proposed project would not result in a peculiar impact with regard to emitting hazardous building materials during demolition.

The project site was previously occupied by dwellings in the 1880s, a small machine shop by 1913, a steel pipe warehouse and storage yard (circa 1931 to 1965) and a transfer warehouse from 1966 to 1970. The project site contains two, one-story buildings totaling approximately 13,660 sf, constructed in 1972, and a surface parking lot. The project site is listed as a small quantity generator of hazardous waste. A 5,000 gallon underground storage tank operated at the project site between 1974 and 1985, when it was removed. A soil sample from the tank pit did not contain measureable concentrations of the contaminants of concern.

In May 2013, a letter from the San Francisco Department of Public Health (DPH) was sent to the current owners of the project site stating the project site is located on fill which presents a potential source of contamination. DPH requested the current owners apply to the Voluntary Remedial Action Program (VRAP), including a work plan for subsurface investigation to be prepared and submitted to the DPH to determine current project site conditions.[14] Based on the results of the subsurface investigation, the DPH may request preparation of a site mitigation plan (SMP) to address the testing and management of contaminated soils. The SMP would also address other items such as a worker health and safety plan, dust control plan, and stormwater controls. A No Further Action Letter would be sent by the DPH upon review of the final project report.

Subsequent to the May 2013 DPH letter, the San Francisco Board of Supervisors approved and the Mayor signed a series of amendments to the San Francisco Building and Health Codes, referred to as the Soil and/or Groundwater Testing Requirements Ordinance (Ordinance No. 155-13, July 16, 2013), which is an update to the existing Maher Ordinance. The intent of the updated Maher Ordinance is to identify, investigate, analyze, and when deemed necessary, remediate hazardous substances in soils by expanding the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances in order to protect the environment and public health and safety. The project site is within the boundaries of the updated Maher Ordinance and the elements requested by the DPH in the VRAP would

[14] San Francisco Department of Public Health, Environmental Health, Review of Phase I Environmental Site Assessment and Request for Work Plan, 333 Brannan Street, San Francisco, SMED 928, May 2, 2013. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File 2012.0906E.

now be required for the proposed project with implementation of the updated Maher Ordinance. Therefore, the proposed project would not create a significant impact related to hazardous materials. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to hazards and hazardous materials.

Topics:	*Sig. Impact Identified in FEIR*	*Project Contributes to Sig. Impact Identified in FEIR*	*Project Has Sig. Peculiar Impact*	*LTS/ No Impact*
17. 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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

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

No Peculiar Impacts

No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. The energy demand for the proposed project would be typical for such project and would meet, or exceed, current state or local codes and standards concerning energy consumption, including Title 24 of the California Code of Regulation enforced by DBI. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to mineral and energy resources.

Topics:	Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
18. 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?	☐	☐	☐	☒

No Significant Impacts Identified in FEIR

The Eastern Neighborhoods FEIR determined that no agricultural resources exist in the Area Plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the FEIR.

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

No Peculiar Impacts

The existing project site consists of two buildings and a surface parking lot and is located within the East SoMa Area Plan analyzed under the Eastern Neighborhoods FEIR. Therefore, no agricultural uses, forest land, or timberland exist at the project site. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods FEIR related to agricultural resources.

Topics:		Sig. Impact Identified in FEIR	Project Contributes to Sig. Impact Identified in FEIR	Project Has Sig. Peculiar Impact	LTS/ No Impact
19.	**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?	☒	☒	☐	☐
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?	☒	☒	☐	☐

Significant Impacts Identified in FEIR

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

No Peculiar Impacts

The proposed project would include construction of a new office building with ground-floor retail. As discussed in this document, the proposed project would not result in new, peculiar environmental effects, or effects of greater severity than were already and disclosed in the Eastern Neighborhoods FEIR.

C. DETERMINATION

On the basis of this review, it can be determined that:

☒ The proposed project qualifies for consideration of a Community Plan exemption based on the applicable General Plan and zoning requirements; **AND**

☒ All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.

☐ The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.

DATE July 31, 2013

Sarah Jones
Environmental Review Officer
for
John Rahaim, Planning Director