



SAN FRANCISCO PLANNING DEPARTMENT

Community Plan Evaluation Checklist

Case No.: **2014.0011E**
Project Address: 1298 Howard St.
Zoning: RCD (Regional Commercial), WMUG (WSOMA Mixed Use-General), and RED-MX (Residential Enclave-Mixed) 55-X and 45-X Height and Bulk Districts
Block/Lots: 3728/019, 024, 025, 086, and 087
Total Size of Lots: 37,125 square feet
Plan Area: Western SoMa Community Plan
Project Sponsor: John Kevlin, 1298 Howard LP, 415-567-9000
Staff Contact: Timothy Johnston, 415-575-9035, timothy.johnston@sfgov.org

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PROJECT DESCRIPTION

The project site consists of five parcels that form a 37,125 square foot (sq. ft.) rectangle at Ninth Street between Howard and Natoma streets in the South of Market neighborhood. The corner parcels 086 and 087 are currently improved with a 5,000 sq. ft. automotive gas station (dba Chevron) and limited restaurant (dba Burger King) that were built in 1998. Adjacent to the east are the interior parcels 019, 024 and 025 that are improved with an 800 sq. ft. car wash with a queuing lane that was constructed in 1999.

The project sponsor proposes to demolish the existing gas station, restaurant, car wash, and all other improvements currently on the project site, and construct two buildings consisting of 124 dwelling units (100,419 square feet), 12,600 square feet of office space, and 1,250 square feet of retail (restaurant) space. A new 30-ft. wide pedestrian through-alley connecting Howard Street and Natoma Street would physically separate the Project into two discrete buildings (main building and alley building), with ingress and egress either from Natoma Street or Howard Street. The buildings would be physically separated at ground level, but would be connected at the second floor by two pedestrian bridges. The main building would consist of 104 dwelling units (19 studios, 36 one-bedroom units, and 49 two-bedroom units), and would include the proposed office and restaurant space. The 12,600 square feet of office space and 1,250 square feet of the proposed retail space would share a large ground floor space in the main building with frontage on both Howard Street and Ninth Street, but the 1,250 square feet of retail space would be located in a separate portion of the main building fronting Howard Street, with access provided via the pedestrian through-alley. The alley building would consist of 20 dwelling units (10 studios and 10 two-bedroom townhomes). The larger building that includes the ground-floor commercial space would have six stories and be 55-feet in height at its tallest point, while the smaller building along the eastern boundary that only includes dwelling units would have four stories and be 45-feet in height. Common area open space for residents of the project would total 9,520 sq. ft. The project's residential lobby entrance would be located at the pedestrian alley between the two buildings that provide access to the units within the larger building and the upper floors of the smaller building via two bridges at the second floor. The ground floor units within the smaller building would have private stoop entrances that also face onto the pedestrian alley.

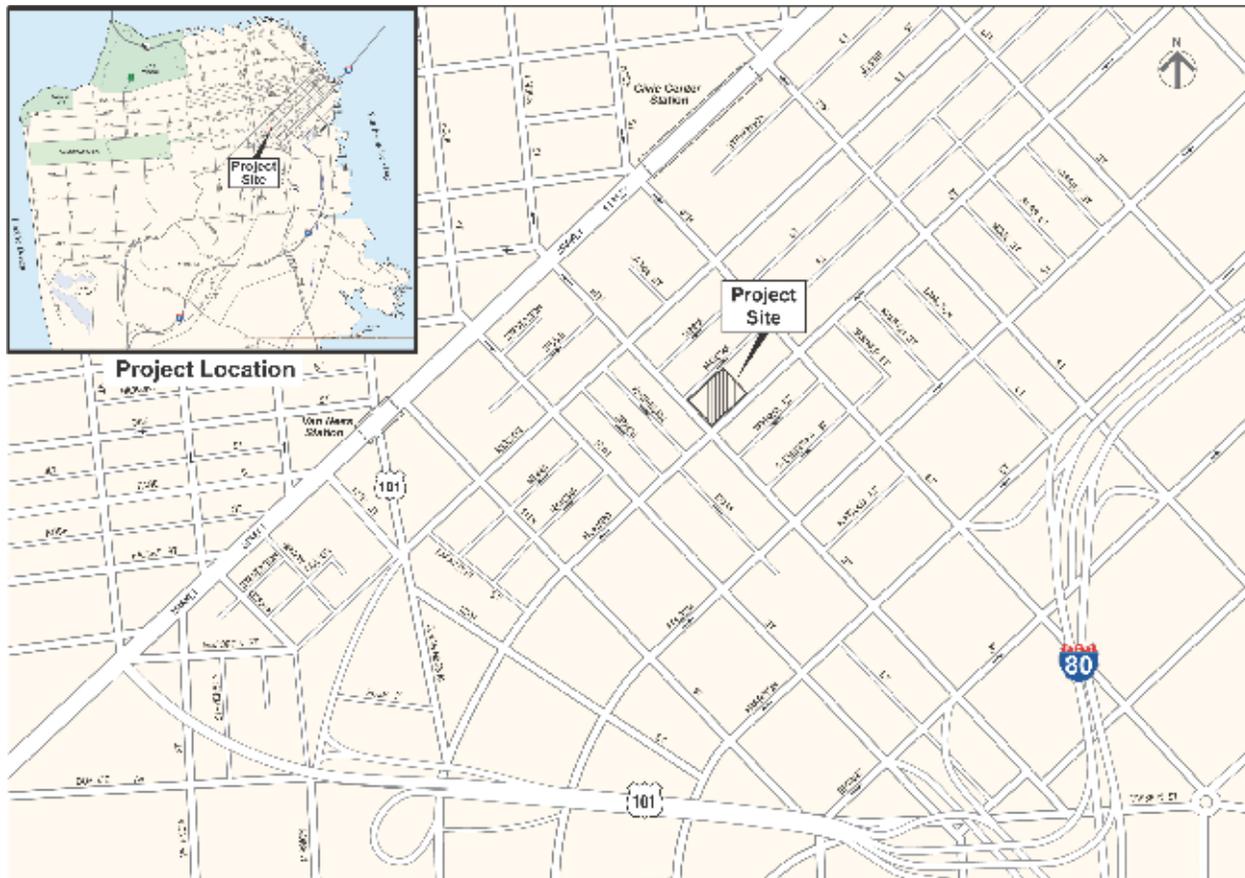


Figure 1 – Project Location

The Project would include a basement-level parking garage with 71 vehicle parking spaces, eight car-share spaces, and three service vehicle spaces. The Project would also provide a total of 188 Class 1 bicycle parking spaces, 31 Class 2 bicycle parking spaces, two showers, and 14 lockers. Subject to review and approval by the San Francisco Municipal Transportation Agency (SFMTA), the Project would also include sidewalk widening, a bulb-out, and a raised crosswalk.

Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee (“Fee”). This Fee is made payable to the Department of Building Inspection (“DBI”) for use by the Mayor’s Office of Housing and Community Development for the purpose of increasing affordable housing citywide. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on March 4, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the Affordable Housing Fee is at a rate equivalent to an off-site requirement of 30%.

Construction of the proposed project would occur over approximately 21 months. Construction equipment to be used would include backhoes, excavators, and construction cranes. The entire project site would be excavated to a depth of 15 feet to accommodate the foundation and the basement level. The total amount of excavation for the project would be approximately 20,000 cubic yards (cy) of soil.

Figures 2 and 3 (pages 3 and 4) show two different site plan options for the proposed project (one with the driveway to the underground garage on Howard Street, and one with the driveway on Natoma Street), and Figures 4 through 15 (pages 5 through 15) show the floor plans, building elevations, and building sections.

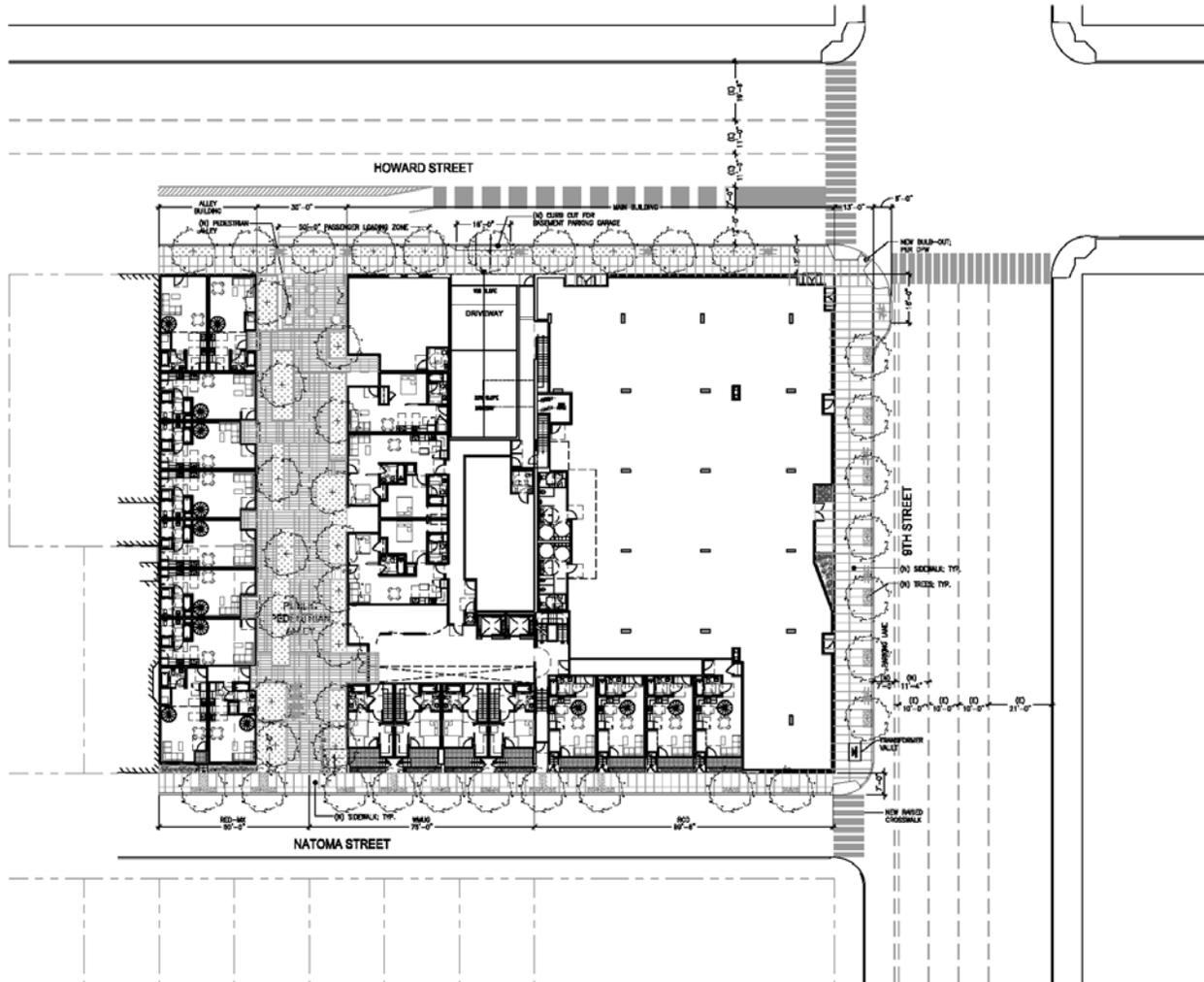


Figure 2 – Howard Street Driveway Option

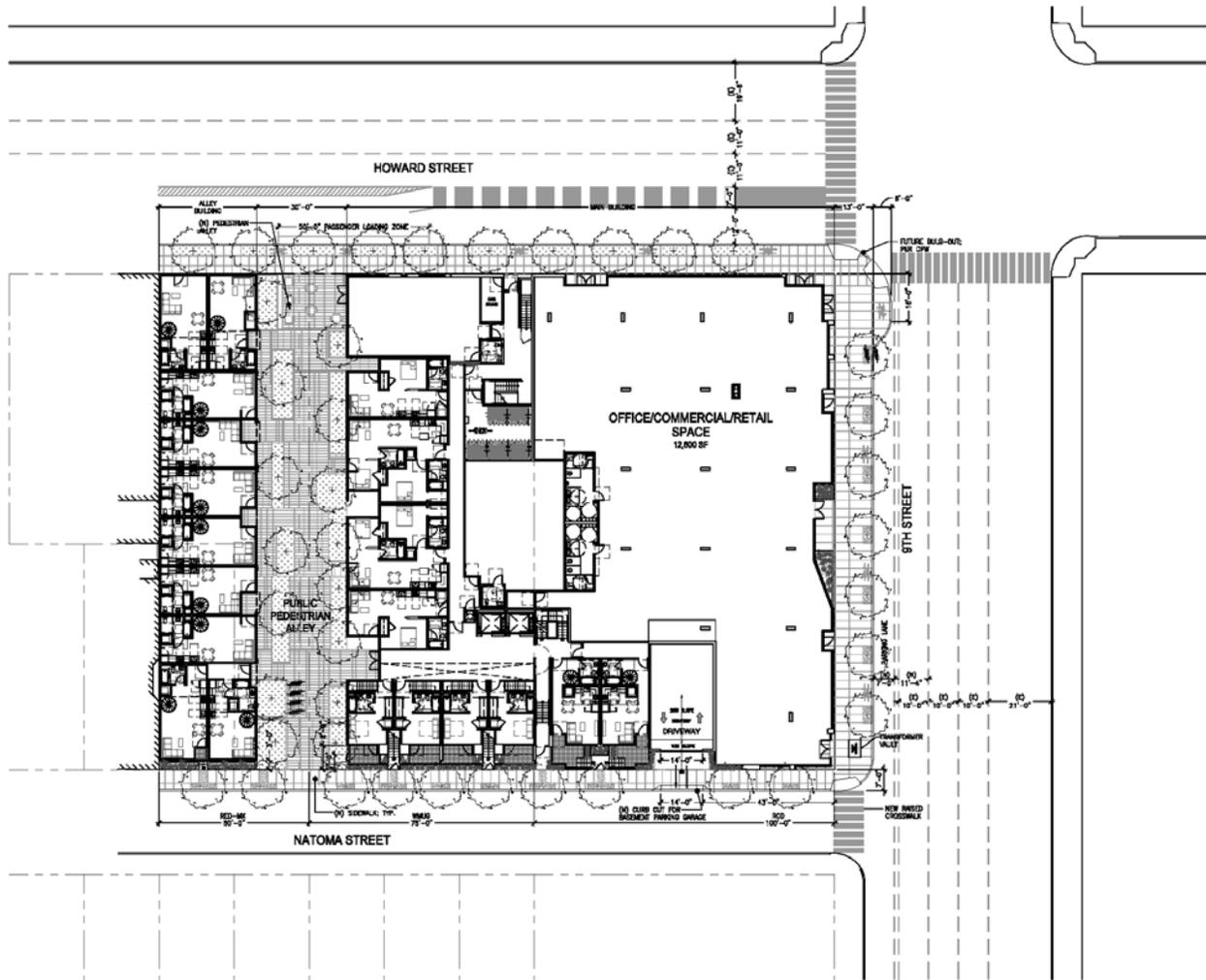


Figure 2 – Natoma Street Driveway Option

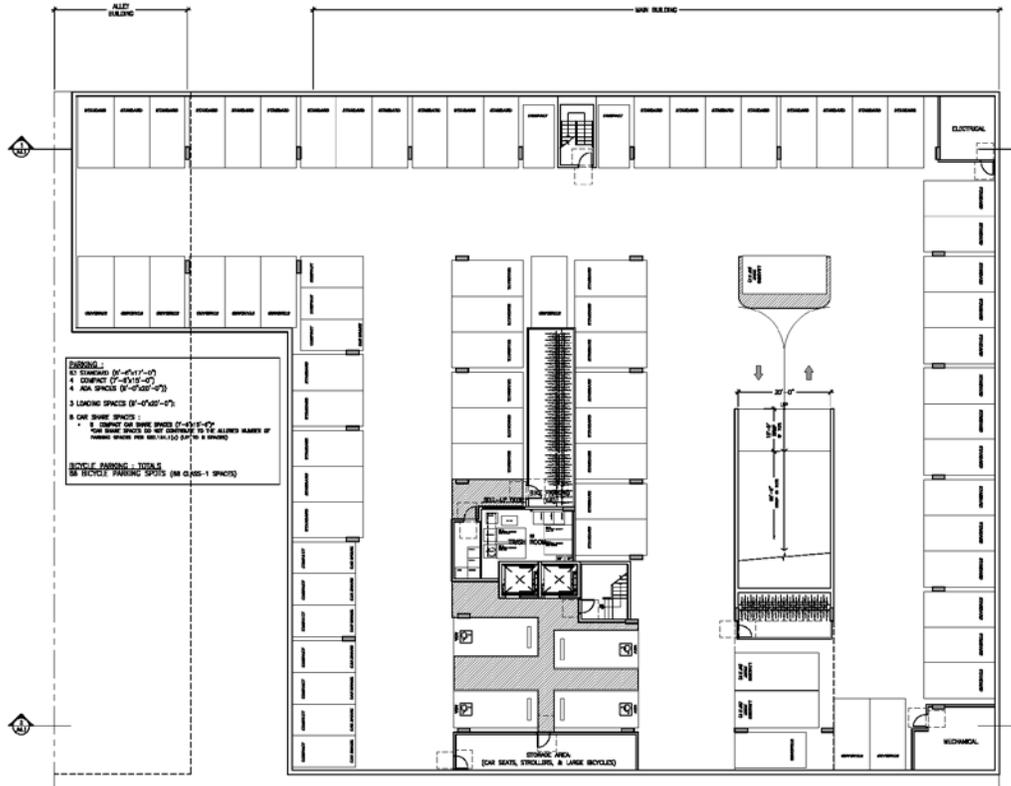


Figure 3 – Basement Plan (Natoma Street Driveway Option)

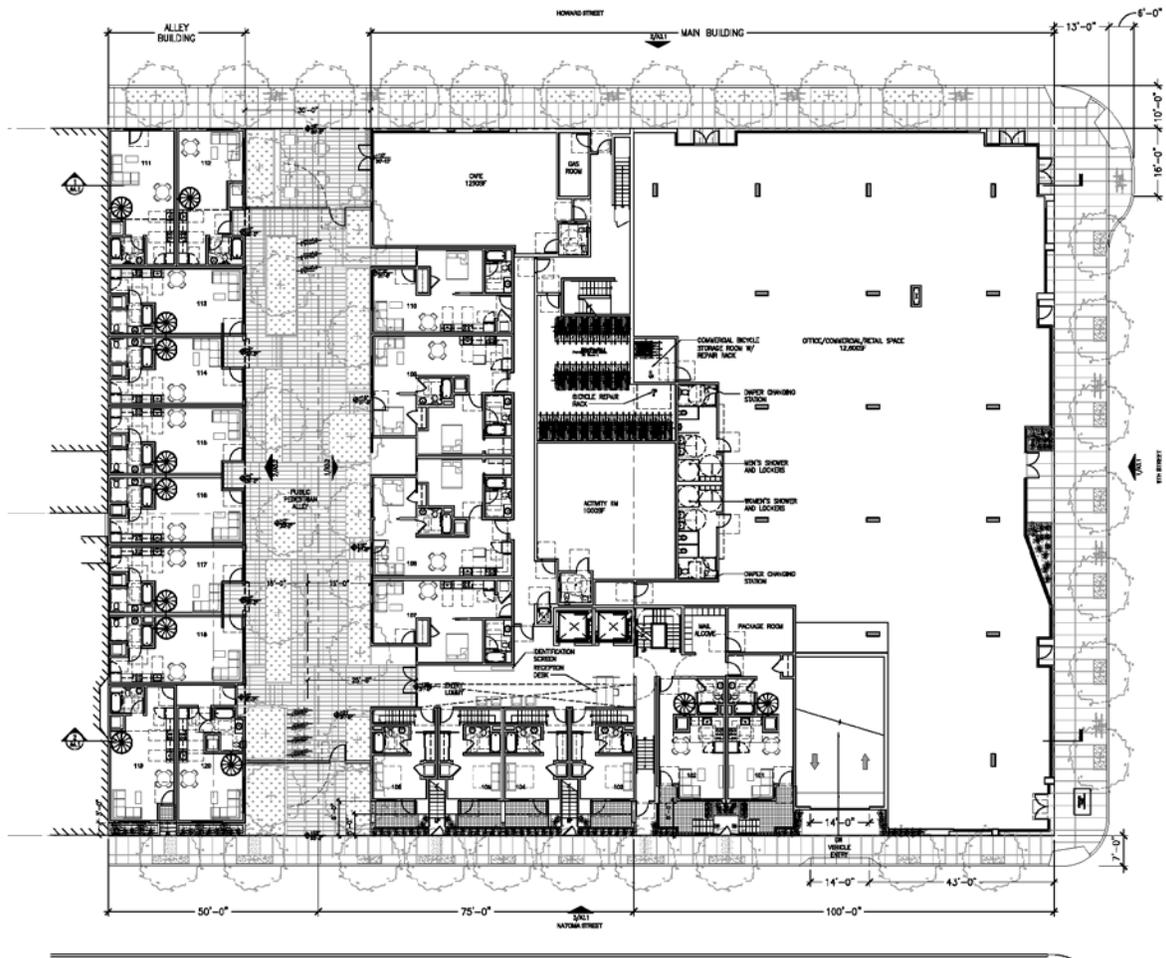


Figure 4 – Floor Plan, Floor 1 (Natoma Street Driveway Option)

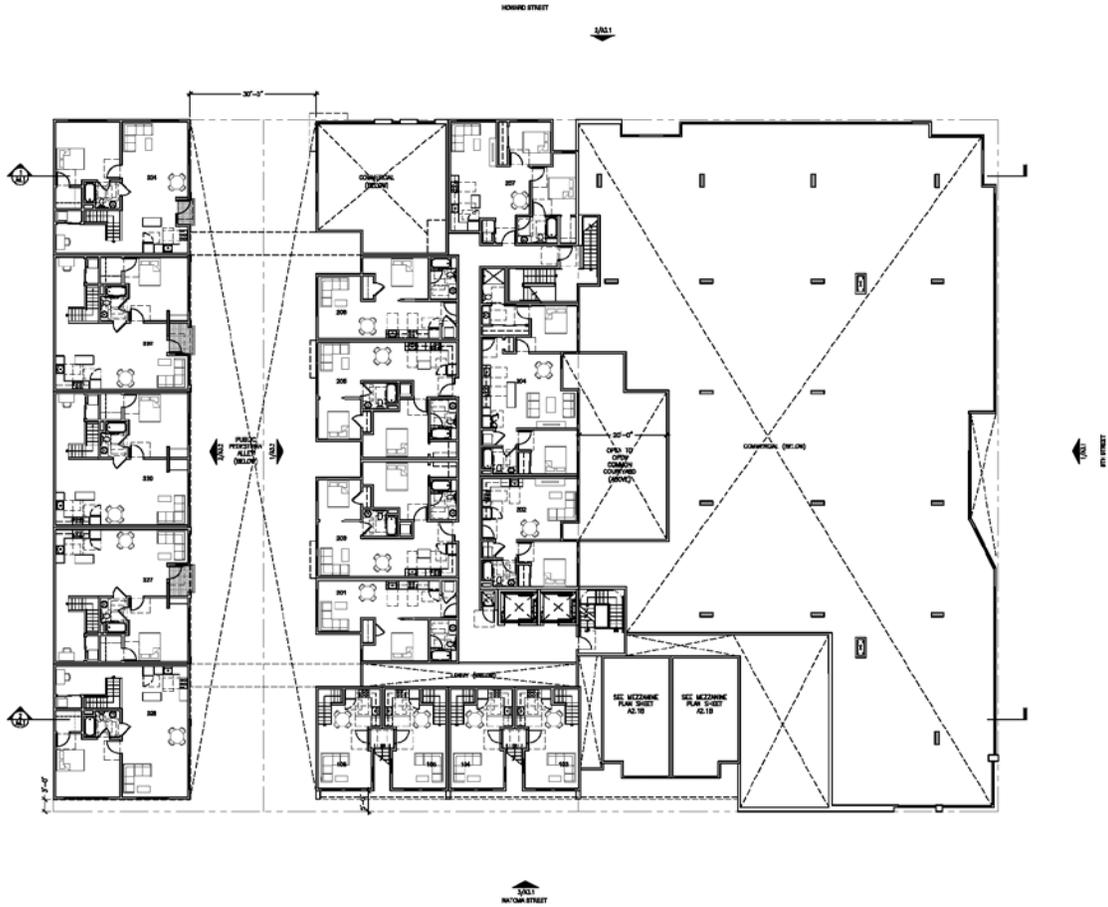


Figure 5 – Floor Plan, Floor 1.5 (Natoma Street Driveway Option)

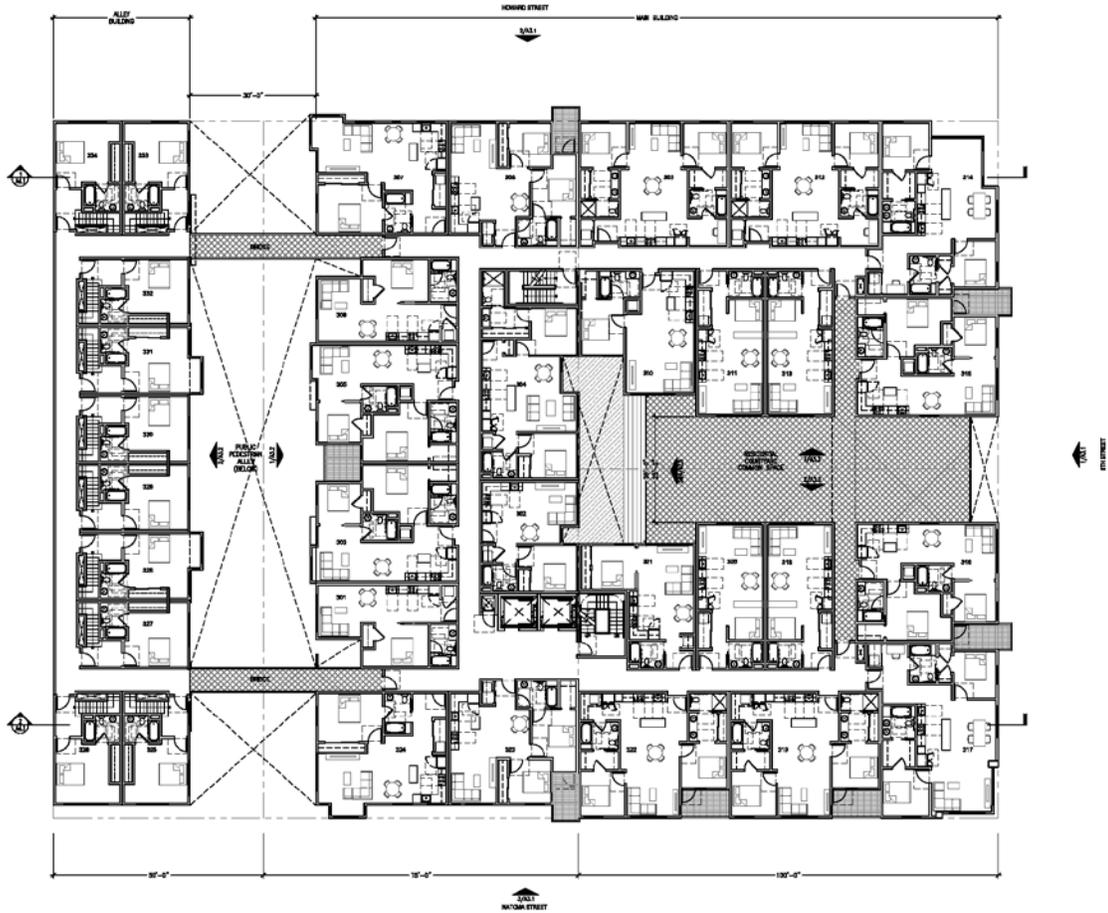


Figure 6 – Floor Plan, Floor 2

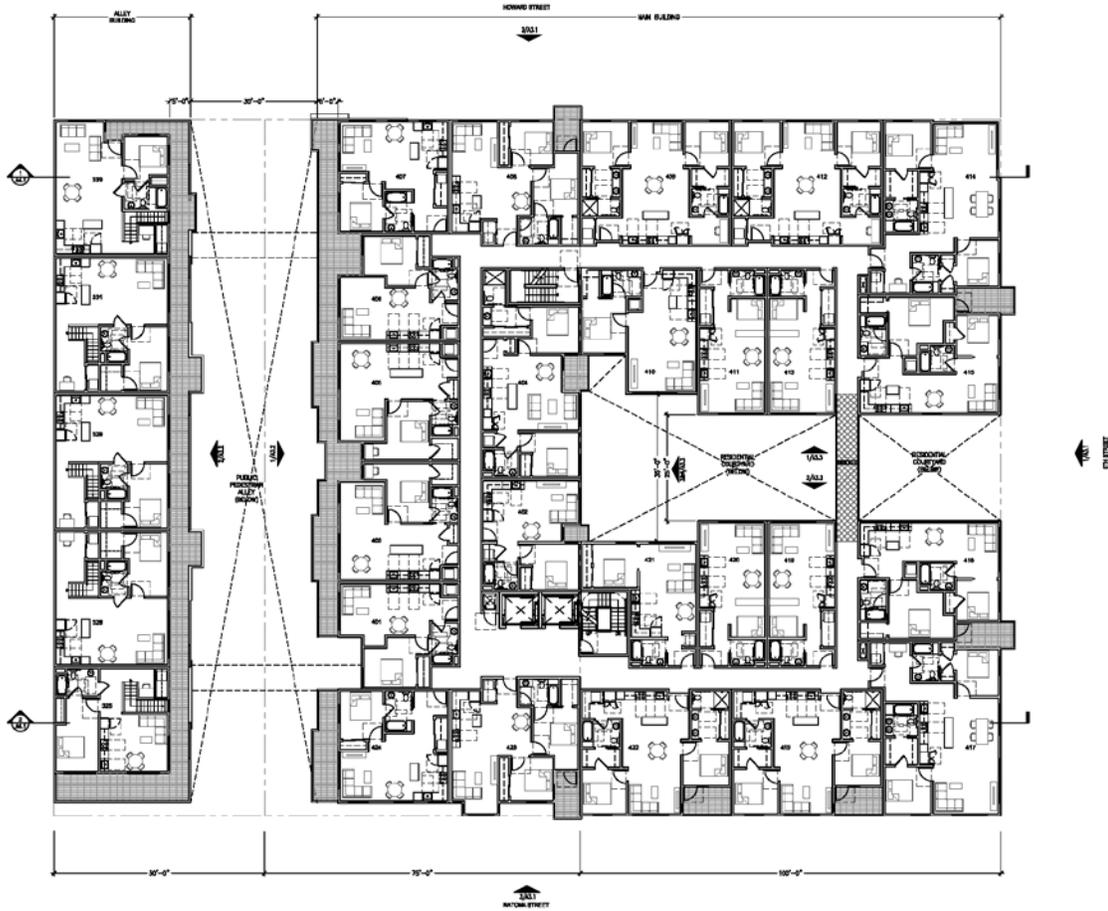


Figure 7 – Floor Plan, Floor 3

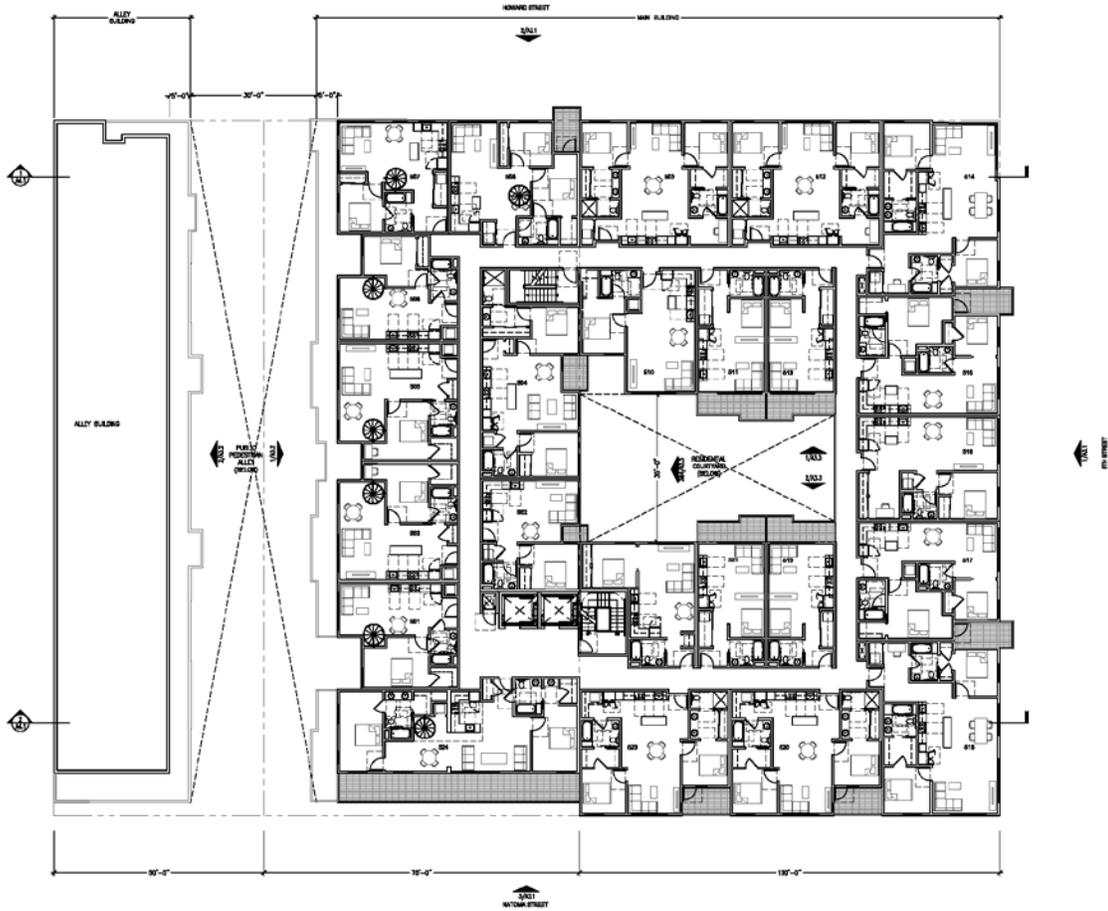


Figure 8 – Floor Plan, Floor 4

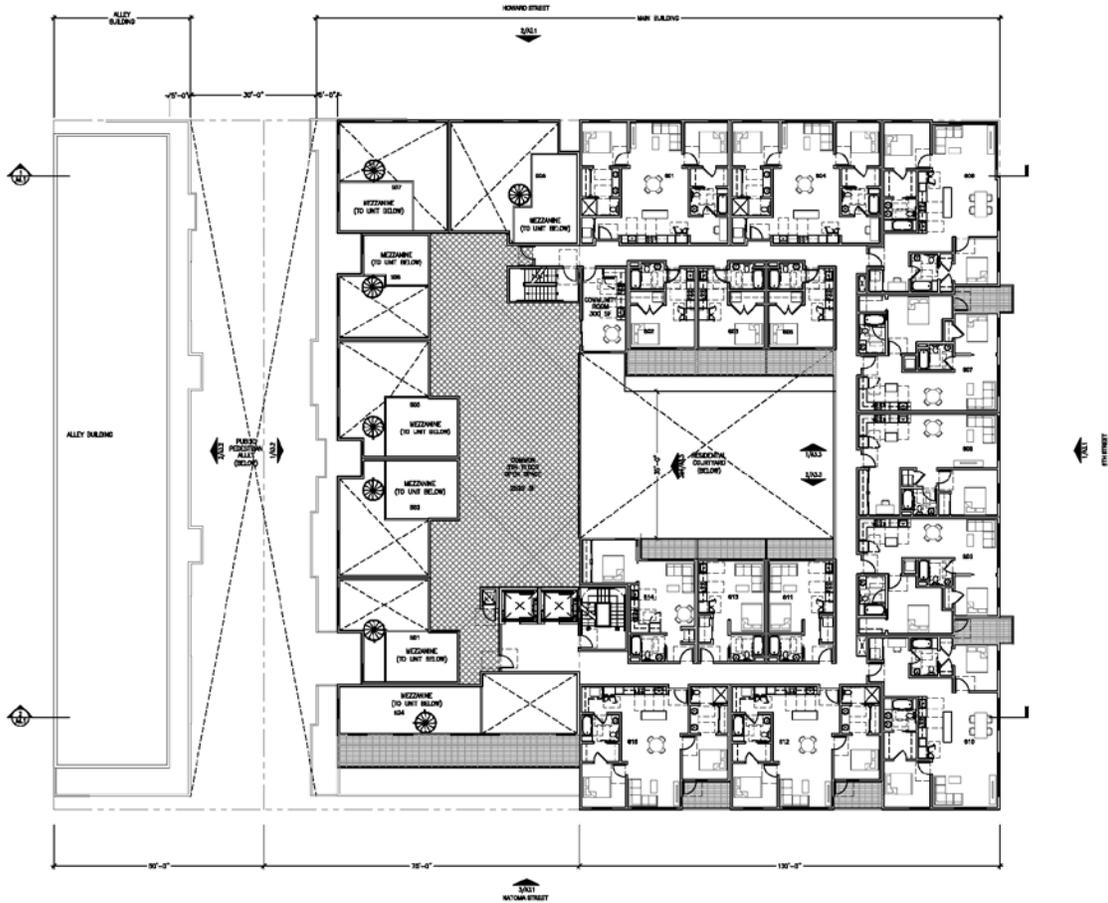


Figure 9 – Floor Plan, Floor 5



Figure 10 – 9th Street Elevation (top) & Howard Street Elevation (bottom, showing Natoma Street Driveway Option)



Figure 11 – Natoma Street Elevation (depicting Natoma Street Driveway Option)



Figure 12 – Northeast Elevations of both buildings



Figure 15 – Schematic Rendering, Howard Street view with Natoma Street Driveway Option

Transportation Demand Management

The project also proposes the following transportation demand management (TDM) measures:

Unbundle Parking

All Accessory Parking spaces would be leased or sold separately from the rental or purchase fees for use for the Life of the Development Project, so that residents or tenants have the option of renting or buying a parking space at an additional cost, and would, thus, experience a cost savings if they opt not to rent or purchase parking.

Improve Walking Conditions

The streetscape improvements would include, at a minimum, complete streetscape improvements consistent with the Better Streets Plan and any local streetscape plan so that the public right-of-way is safe, accessible, convenient and attractive to persons walking.

- The recommended sidewalk width adjacent to the property, unless the recommended sidewalk width is determined to be infeasible or undesirable by City staff;
- The required streetscape elements; AND one of the following:
 - Ten additional streetscape elements identified by City staff that contribute to VMT reduction/increased walking 1; OR
 - Five of the additional streetscape elements identified by City staff, PLUS the recommended sidewalk adjacent to and beyond the project site (but not to exceed 50 feet beyond the project site in any direction), unless the recommended sidewalk width is determined to be infeasible or undesirable by City staff; OR

- Five of the additional streetscape elements identified by City staff, PLUS the project would provide a minimum of two Safety Tools identified in the WalkFirst toolkit if the Development Project is located on a High-Injury Corridor.

Bicycle Parking

The project would provide Class 1 and 2 bicycle parking spaces as required by the Planning Code for office land uses. For each Dwelling Unit, one and half Class 1 Bicycle Parking spaces or one Class 1 Bicycle Parking space for each bedroom, whichever is greater, and four Class 2 Bicycle Parking spaces for every 20 Dwelling Units, would be provided.

Showers and Clothes Lockers

The project would provide at least one shower and at least six clothes lockers for every 30 Class 1 Bicycle Parking spaces, but no fewer than the number of showers and clothes lockers that are required by the Planning Code, if any.

Bicycle Repair Station

The project would include a bicycle repair station consisting of a designated, secure area within the building, such as within a bicycle storage room or in the building garage, where bicycle maintenance tools and supplies are readily available on a permanent basis and offered in good condition to encourage bicycling. Tools and supplies should include, at a minimum, those necessary for fixing a flat tire, adjusting a chain, and performing other basic bicycle maintenance. Available tools should include, at a minimum, a bicycle pump, wrenches, a chain tool, lubricants, tire levers, hex keys/Allen wrenches, torx keys, screwdrivers, and spoke wrenches.

Car-Share Parking and Membership

The project would proactively offer memberships to a Certified Car-share Organization, at least once annually, to each Dwelling Unit and/or employee for the Life of the Project and/or provide car-share parking spaces as specified below. If requested by the resident and/or employee, the project would pay for, or otherwise provide, memberships minimally equivalent to one annual membership per Dwelling Unit and/or employee. Residents or employees would pay all other costs associated with the car-share usage, including hourly or mileage fees. Any car-share parking space(s) provided to comply with Section 166 of the Planning Code would meet the availability and specifications required in the Planning Code. Any car-share parking spaces provided in excess of those required of the project by the Planning Code may be occupied by car-share vehicles operated by a Certified Car-share Organization or may be occupied by other car-share vehicles that the property owner provides for the sole purpose of shared use and that are operated in compliance with Section 166 of the Planning Code, including, but not limited to the following standards:

1. All residents/tenants eligible to drive shall have access to the vehicles; the vehicles may also be made available to users who do not live or work on the subject property;
2. Users shall pay for the use of vehicles;
3. Vehicles shall be made available by reservation on an hourly basis, or in smaller intervals;
4. Vehicles must be located at on-site unstaffed, self-service locations (other than any incidental garage valet service), and generally be available for pick-up by eligible users 24 hours per day;
5. The property owner or a third party vendor shall provide automobile insurance for its users when using car-share vehicles and shall assume responsibility for maintaining car-share vehicles.

6. One car-share parking space for each 20,000 square feet of Occupied Floor Area, with a minimum of two car-share parking spaces.
7. One car-share parking space for every 80 Dwelling Units, with a minimum of two car-share parking spaces.

Delivery Supportive Amenities

The project would facilitate delivery services by providing an area for receipt of deliveries that offers one of the following: (1) clothes lockers for delivery services, (2) temporary storage for package deliveries, laundry deliveries, and other deliveries, or (3) providing temporary refrigeration for grocery deliveries, and/or including other delivery supportive measures as proposed by the property owner that may reduce Vehicle Miles Traveled by reducing the number of trips that may otherwise have been by single occupancy vehicle.

Multimodal Wayfinding Signage

The project would provide multimodal wayfinding signage that can withstand weather elements (e.g., wind, rain) in key locations. That is, the signs would be located in externally and/or internally so that the residents, tenants, employees and visitors are directed to transportation services and infrastructure, including:

- transit
- bike share
- car-share parking
- bicycle parking and amenities (including repair stations and fleets)
- showers and lockers
- taxi stands
- shuttle/carpool/Vanpool pick-up/drop-off locations

Wayfinding signage would meet City standards for any on-street wayfinding signage, in particular for bicycle and car-share parking, and shall meet best practices for any interior wayfinding.

Real Time Transportation Information Displays

The project would provide real time transportation information on displays (e.g., large television screens or computer monitors) in prominent locations (e.g., entry/ exit areas, lobbies, elevator bays) on the project site to highlight sustainable transportation options and support informed trip-making. At minimum, the project would include such screens at each major entry/exit.

The displays would include real time information on sustainable transportation options in the vicinity of the project site, which may include, but are not limited to, transit arrivals and departures for nearby transit routes, walking times to these locations, and the availability of car-share vehicles (within or adjacent to the building), shared bicycles, and shared scooters.

Tailored Transportation Marketing Services

The project would provide individualized, tailored marketing and communication campaigns, including incentives to encourage the use of sustainable transportation modes. Marketing services shall either be provided by the TDM coordinator or a communications professional.

Marketing services would include, at a minimum, the following activities:

- (1) Promotions. The TDM coordinator would develop and deploy promotions to encourage use of sustainable transportation modes. This includes targeted messaging and communications campaigns,

incentives and contests, and other creative strategies. These campaigns may target existing and/or new residents/employees/ tenants.

(2) **Welcome Packets.** New residents and employees would be provided with tailored marketing information about sustainable transportation options associated with accessing the project site (e.g., specific transit routes and schedules; bicycle routes; carpooling programs, etc.) as part of a welcome packet. For employees, the packet would reflect options for major commute origins. New residents and employees would also be offered the opportunity for a one-on-one consultation about their transportation options.

On-site Childcare

The project would include an on-site childcare facility to reduce commuting distances between households, places of employment, and childcare. The on-site childcare facility would comply with all state and City requirements, including provisions within the San Francisco Planning Code. The childcare facility may be a stand-alone facility, or it may be a Designated Child Care Unit that meets all the provisions of Planning Code Section 414A.6(a). If a Designated Child Care Unit is provided, that unit would provide child care for the Life of the Project.

On-site Affordable Housing

The project would include on-site Affordable Housing, as defined in Planning Code Section 415, and as follows:

- the project would provide greater than or equal to five percent and less than or equal to 10 percent on-site Affordable Housing where total household income does not exceed 80 percent of Area Median Income; OR
- the project would provide greater than or equal to three percent and less than or equal to seven percent on-site Affordable Housing where total household income does not exceed 55 percent of Area Median Income.

PROJECT APPROVAL

The proposed 1298 Howard St. project would require the following approvals:

- **Large Project Authorization** (Planning Commission)
- **Conditional Use Authorization** (Planning Commission)
- **Building Permit** (Department of Building Inspection)

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

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Evaluation (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Western SoMa

Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project (WSOMA PEIR).¹ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the WSOMA PEIR was certified, are determined to have a substantially more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific mitigated negative declaration or environmental impact report. If no such topics are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

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

The WSOMA PEIR identified significant impacts related to transportation and circulation, cultural and paleontological resources, wind and shadow, noise and vibration, air quality, biological resources, and hazards and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to shadow, transportation and circulation, cultural and paleontological resources, air quality, and noise. Aside from shadow, mitigation measures were identified for the above impacts and reduced these impacts to less than significant except for those related to transportation (program-level and cumulative traffic impacts at three intersections; and cumulative transit impacts on several San Francisco Municipal Transportation Agency (Muni) lines), cultural and paleontological resources (cumulative impacts from demolition of historic resources), noise (cumulative noise impacts), air quality (program-level toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}) pollutant impacts, program-level and cumulative criteria air pollutant impacts).

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the WSOMA PEIR in 2012, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Western SoMa Plan Area. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR:

- State statute regarding aesthetics and parking impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled, (VMT), effective March 2016 (see “Senate Bill 743” and “Transportation” below);

¹ San Francisco Planning Department. 2012. Western SoMa Community Plan, Rezoning of Adjacent Parcels, and 350 Eighth Street Project Final Environmental Impact Report. Planning Department Case Nos. 2008.0877E and 2007.1035E, State Clearinghouse No. 2009082031. Certified December 6, 2012. Available: <<http://www.sf-planning.org/index.aspx?page=1893>>.

- Transit Effectiveness Project (aka “Muni Forward”) adopted in March 2014, increased transportation and transit funding through passage of Propositions A and B in November 2014, and the Transportation Sustainability Program² (see “Transportation” below);
- San Francisco ordinance establishing Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, Health Code Section 38 amended December 2014 (see “Air Quality” below); and
- San Francisco Recreation and Open Space Element of the General Plan, adopted April 2014 (see “Recreation” below); and
- Health Code Article 22A, amended August 2013 (see “Hazardous Materials” below).

The proposed project would include, (1) the demolition and removal of the existing gas station, car wash, retail, and parking uses; (2) the merger of the five subject lots; and (3) the construction of a two-building, mixed-use development with 124 dwelling units, 71 parking spaces in a below-grade garage, and 13,500 sq. ft. of office/retail space on the ground floor along Ninth Street. The two buildings would be separated by a 30-foot wide pedestrian alley, stretching from Howard Street to Natoma Street, but the two buildings would be connected at the second floor with two pedestrian bridges. As discussed in this checklist below, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the WSOMA PEIR.

SENATE BILL 743

Aesthetics and Parking

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project meets all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.³ Project elevations are included in the project description.

Automobile Delay and Vehicle Miles Traveled

CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular

² San Francisco Planning Department. “Transportation Sustainability Program.” Available: <<http://tsp.sfplanning.org>>.

³ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1298 Howard St., July 14, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2014.0011E.

capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
1. LAND USE AND LAND USE PLANNING— Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The WSOMA PEIR determined that adoption of the Western SoMa Community Plan would not result in a significant impact related to land use. The WSOMA PEIR anticipated that future development under the Community Plan would result in more cohesive neighborhoods and would include more clearly defined residential, commercial, and industrial areas. No land-use mitigation measures were identified in the PEIR.

The WSOMA PEIR determined that implementation of the Community Plan would not create any new physical barriers because the rezoning and Community Plan do not provide for any new major roadways, such as freeways that would disrupt or divide the project area or individual neighborhoods or subareas.

Furthermore, the Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the RCD (Regional Commercial), WMUG (WSOMA Mixed Use-General), and RED-MX (Residential Enclave-Mixed) Districts and is consistent with the Regional Commercial District (RCD) for lot 087, the WSoMa Mixed Use - General District (WMUG) for lot 086, and with the Residential Enclave - Mixed District (RED-MX) for lots 19, 24 and 25, with a split height and bulk district designation of 55-X for lots 086 & 087 and 45-X for lots 19, 24 and 25. These height and

⁴ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

bulk districts permit buildings up to 55 feet and 45 feet in height, respectively, with no bulk restrictions. The RCD District permits non-residential development at a floor area ratio of 2.5:1 and principally permitted individual commercial uses up to 10,000 sq. ft., with uses greater than this area requiring a Conditional Use Authorization. Office uses are permitted on the first or second floor of a building, but not both. The RCD District also principally permits residential dwelling units without specific density limitations, allowing physical controls such as height, bulk, and setbacks to control dwelling unit density. At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms in this district. The WMUG District permits non-residential development at a floor area ratio of 4.0:1 and commercial uses up to 10,000 sq. ft. are permitted per lot. Office uses that do not provide professional, financial or medical services that are primarily open to the general public on a client-oriented basis are not permitted. The WMUG District also principally permits residential dwelling units without specific density limitations, allowing physical controls such as height, bulk, and setbacks to control dwelling unit density. At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms in this district. The RED-MX District limits non-residential development to a floor area ratio of 1:1 and permits only restaurant, personal service and other retail uses to no more than 1,250 sq. ft. per lot at the ground floor, and requires a Conditional Use Authorization for any floors above. Office uses of any type are not permitted within this district. Similar to the other districts described above, the RED-MX District principally permits residential dwelling units without specific density limitations, allowing physical controls such as height, bulk, and setbacks to control dwelling unit density. At least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms in this district. As proposed, the project is permitted in the RCD, WMUG and RED-MX Districts and is consistent with the development density as envisioned in the Western SoMa Community Plan.^{5,6}

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

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
2. POPULATION AND HOUSING— Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁵ Adam Varat, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 1298 Howard St., April 3, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.0011E.

⁶ Jeff Joshlin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 1298 Howard St, June 7, 2016. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.0011E.

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

One of the objectives of the Western SoMa Community Plan is to identify appropriate locations for housing to meet the citywide demand for additional housing. The WSOMA PEIR concluded that the growth in population, housing, and jobs that would result with the implementation of the Western SoMa Community Plan is anticipated and accommodated by local and regional plans for the Project Area and would be considered appropriate in this part of the city. The WSOMA PEIR determined that the anticipated increase in population and density that would occur as a result of Plan implementation would not result in significant adverse physical effects on the environment. No mitigation measures related to population and housing issues were identified in the PEIR.

The proposed project’s residential and retail uses are expected to add approximately 186 residents and 47 employees to the site. These direct effects of the proposed project on population and housing would be within the scope of the population growth anticipated under the Western SoMa Community Plan and evaluated in the WSOMA PEIR.

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

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Archeological Resources

The WSOMA PEIR determined that implementation of the Community Plan could result in significant impacts on archeological resources and identified two mitigation measures that would reduce these potential impacts to a less than-significant-level. WSOMA PEIR Mitigation Measure M-CP-4a (Project-Specific Preliminary Archeological Assessment) and M-CP-4b (Procedures for Accidental Discovery of Archeological Resources) apply to projects involving any soils-disturbing or soils-improving activities including excavation to a depth of 5 or more feet below grade. Given that the proposed project would involve excavation down to approximately 15 feet below ground surface, over approximately 37,120 sq. ft., and generating approximately 20,000 cubic yards of soil to construct an underground parking garage, Mitigation Measures M-CP-4a and M-CP-4b apply to the project.

As part of project implementation of Mitigation Measure M-CP-4a, the Planning Department's archeologist conducted a Preliminary Archeology Review (PAR) of the project site and the proposed project. The PAR determined that the project would have the potential to adversely affect an archeological resource. Therefore, in accordance with Mitigation Measure M-CP-4a, the project sponsor would be required to prepare an Archeological Testing Program to more definitively identify the potential for California Register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. In addition, the project would be subject to Mitigation Measure M-CP-4b to reduce potential impacts from accidental discovery of buried archeological resources during project construction to a less than significant level. Mitigation Measures M-CP-4a and M-CP-4b are described on pages 48-52 as Project Mitigation Measures 1 and 2, respectively. The project would not result in significant impacts related to archeological resources with implementation of these mitigation measures.

Historic Architectural Resources

Pursuant to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), historical resources are buildings or structures that are listed, or are eligible for listing, in the California Register of Historical Resources or are identified in a local register of historical resources, such as Articles 10 and 11 of the San Francisco Planning Code. The WSOMA PEIR identified significant and unavoidable impacts related to causing a substantial adverse change in the significance of a historic resource through demolition.

The subject property contains a service station constructed in between 1998 and 1999 which is a non-contributor to the Western SOMA Light Industrial and Residential Historic District due to it being constructed outside of the period of significance as well as being not age eligible for listing in the California Register. The composition and style of the project's proposed façade, its massing, materials, and scale would all be compatible with the Western SoMa Light Industrial Residential Historic District.^{7, 8} However, because historical resources are located on both the northeast and northwest sides of the project site, Mitigation Measures M-CP-7a and M-CP-7b apply to the project, which are aimed at protecting adjacent historical resources within the Western SoMa Light Industrial Residential Historic District. These are listed below on page 53 as Project Mitigation Measures 3 and 4, respectively. As a result, the proposed project would not contribute to the significant historic resource impact identified in the WSOMA PEIR, and no historic resource mitigation measures would apply to the proposed project.

⁷ Justin Greving, Preservation Planner, San Francisco Planning Department, *Preservation Team Review Form* (August 8, 2016).

⁸ Richard Brandi, Architectural Historian, *Historic Resource Evaluation 1298 Howard Street Project* (March 6, 2015).

For the reasons above, the proposed project would not result in significant impacts on cultural and paleontological resources that were not already identified in the WSOMA PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
4. TRANSPORTATION AND CIRCULATION— Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The WSOMA PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, bicyclists, emergency access, or construction. Transportation system improvements included as part of the Western SoMa Community Plan were identified to have significant impacts related to commercial loading, but the impact was reduced to less-than-significant with mitigation.

The WSOMA PEIR anticipated that adoption of the Western SoMa Community Plan could result in significant impacts on traffic, transit, and loading, and identified four transportation mitigation measures. One mitigation measure reduced loading impacts to less-than-significant. Even with mitigation, however, it was anticipated that the significant adverse traffic impacts and the cumulative impacts on transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable. As discussed above under "SB 743", in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted resolution 19579 replacing automobile delay with a VMT metric for analyzing transportation impacts of a project. Therefore, impacts and

mitigation measures from the WSOMA PEIR associated with automobile delay are not discussed in this checklist.

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

To examine the potential for significant new or more severe transportation impacts associated with the proposed project that were not identified in the WSOMA PEIR, a Transportation Impact Study (TIS) was completed for the proposed project in May 2016.⁹ The results of this study are summarized below.

Vehicle Miles Traveled (VMT) Analysis

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010-2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area's actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from the project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{10,11}

⁹ AECOM, *1298 Howard Street Transportation Impact Study* (May 23, 2016).

¹⁰ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, then both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

¹¹ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

For residential development, the existing regional average daily VMT per capita is 17.2.¹² For office development, regional average daily work-related VMT per employee is 19.1. For retail development, regional average daily retail VMT per employee is 14.9.¹³ Average daily VMT for all three land uses is projected to decrease in future 2040 cumulative conditions. Refer to Table 1 - Daily Vehicle Miles Traveled, which includes the transportation analysis zone in which the project site is located, 622.

Table 1 - Daily Vehicle Miles Traveled

<u>Land Use</u>	<u>Existing</u>			<u>Cumulative 2040</u>		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 622</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 622</u>
Households (Residential)	17.2	14.6	2.2	16.1	13.7	1.9
Employment (Office)	19.1	16.2	7.9	17.0	14.5	6.8
Employment (Retail)	14.9	12.6	8.4	14.6	12.4	8.3

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

Vehicle Miles Traveled Analysis – Residential, Office, and Retail

As noted above, existing average daily VMT per capita for residential uses is 2.2 for the transportation analysis zone (TAZ) in which the project site is located (622). This is more than 87 percent below the

¹² Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

¹³ Retail travel is not explicitly captured in SF-CHAMP, rather, there is a generic "Other" purpose which includes retail shopping, medical appointments, visiting friends or family, and all other non-work, non-school tours. The retail efficiency metric captures all of the "Other" purpose travel generated by Bay Area households. The denominator of employment (including retail; cultural, institutional, and educational; and medical employment; school enrollment, and number of households) represents the size, or attraction, of the zone for this type of "Other" purpose travel.

existing regional average daily VMT per capita of 17.2. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential uses would not result in substantial additional VMT and impacts would be less-than-significant. For office employment, the existing average daily VMT per capita is 7.9 for TAZ 622. This is over 58 percent below the existing regional average daily VMT per capita of 19.1 for office employment. For retail employment, the existing average daily VMT per capita is 8.4 for TAZ 622. This is over 43 percent below the existing regional average daily VMT per capita of 19.1 for retail employment. Cumulatively, these percentages would be 88.2, 60, and 43.2 percent lower than the regional averages, respectively. Furthermore, the project site meets the Proximity to Transit Stations screening criterion, which also indicates the proposed project's residential and employment uses would not cause substantial additional VMT.¹⁴ Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant.

Trip Generation

The proposed project would demolish all the existing uses on the Project site and construct two buildings consisting of 124 dwelling units (100,419 square feet), 12,600 square feet of office space, and 1,250 square feet of retail (restaurant) space. A new pedestrian through-alley connecting Howard Street and Natoma Street would physically separate the Project into two discrete buildings (main building and alley building). The buildings would be physically separated at ground level, but would be connected at the second floor by two pedestrian bridges. The main building would consist of 104 dwelling units (19 studios, 35 one-bedroom units, and 49 two-bedroom units), and would include the proposed office and restaurant space. The 12,600 square feet of office space and 1,250 square feet of the proposed retail space would share a large ground-floor space in the main building with frontage on both Howard Street and Ninth Street, but the 1,250 square feet of retail space would be located in a separate portion of the main building fronting Howard Street, with access provided via the pedestrian through-alley. The alley building would consist of 20 dwelling units (10 studios and 10 two-bedroom townhomes).

Localized trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.¹⁵ The proposed project would generate an estimated 445 person trips (inbound and outbound) on a weekday daily basis, consisting of 136 person trips by auto, 153 transit trips, 123 walk trips and 33 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 260 person trips, consisting of 81 person trips by auto (652 vehicle trips accounting for vehicle occupancy data for this Census Tract), 90 transit trips, 71 walk trips and 19 trips by other modes.

Transit

Western SoMa Mitigation Measure M-C-TR-2: Impose Development Impact Fees to Offset Transit Impacts was adopted to address significant transit impacts. Subsequently, as part of the Transportation Sustainability Program the San Francisco Board of Supervisors approved amendments to the San

¹⁴ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1298 Howard Street, July 14, 2016. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.0011E .

¹⁵ San Francisco Planning Department, Transportation Calculations for 1298 Howard Street, May 23, 2016. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.0011E.

Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015). The Transportation Sustainability Fee updated, expanded, and replaced the prior Transit Impact Development Fee.

The SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) involved system-wide review and evaluation, and made recommendations to improve service and increase transportation efficiency. Service improvements have been made along several routes with the Western SoMa Plan Area, including the 14 and 14R transit lines.

San Francisco Transportation and Road Improvement Bond, Proposition A, approved in November 2014, authorized the city to borrow \$500 million through issuing general obligation bonds in order to meet transportation infrastructure needs of the city. The projects to be funded include Muni Forward projects; pedestrian, bicycle, and vehicle, safety programs; transit vehicle maintenance. San Francisco Adjusting Transportation Funding for Population Growth, Proposition B, also approved in November 2014, increases the base contribution to SFMTA by a percentage equal to the city's annual population increase.

The project site is located within a quarter mile of several local transit lines including Muni lines 12, 14, 14R, 19, and 83X. The proposed project would be expected to generate 153 daily transit trips, including 90 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 90 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

The WSOMA PEIR identified less-than-significant impacts relating to exceedance of the capacity utilization standards for Muni lines or regional transit providers, or a substantial increase in delays or operating costs. However, the PEIR identified significant cumulative (2030) transit impacts for the "Other Lines" corridor, which includes the J Church, 10 Townsend, 12 Folsom-Pacific, 19 Polk, and 27 Bryant routes within the Southeast Screenline related to additional programmatic growth. The WSOMA PEIR identified Mitigation Measure M-C-TR-2 to impose development impact fees. Even with this mitigation, however, the cumulative transit impact of the Western SoMa Plan Area development was found to be significant and unavoidable and a Statement of Overriding Considerations related to this impact was adopted as part of the PEIR Certification and Plan approval. The proposed project's 90 p.m. peak hour transit trips would represent a less than one percent contribution to both the "Other Lines" corridor and the Southeast Screenline. As such, the proposed project would not make a cumulatively considerable contribution to the unacceptable levels of cumulative transit service identified in the WSOMA PEIR. Mitigation Measure M-C-TR-2 is, therefore, not applicable to the proposed project. However, as discussed above, the proposed project would be subject to the Transportation Sustainability Fee.

Traffic Circulation

The project sponsor originally proposed a design with a driveway along Howard Street ("Howard Street Driveway Option"), which was analyzed in the *1298 Howard Street Transportation Impact Study* (Final Report) submitted on May 23, 2016 ("1298 Howard Street TIS"). Subsequently, a Natoma Street Driveway Option was suggested in response to potential concerns raised by the Planning Department that the Howard Street Driveway Option could create potential conflicts between bicyclists traveling along Howard Street and Project-generated vehicle traffic entering and exiting the Project's garage. The proximity of the Howard Street driveway to the downstream intersection at Ninth Street / Howard Street was also a concern. As a result, a subsequent transportation impact memorandum was prepared to

analyze any potential differences in transportation related impacts, comparing and contrasting a Natoma Street Driveway Option versus a Howard Street Driveway Option.¹⁶

This additional analysis concluded that under the Natoma Street Driveway Option, potential transportation-related impacts of the Project would be similar in significance to those under the Howard Street Driveway Option. However, the Natoma Street Driveway Option appears to offer substantial benefits over the Howard Street Driveway Option in terms of minimizing potential conflicts between bicycles and Project-generated vehicle traffic (and, to a lesser extent, between pedestrians and Project generated vehicle traffic) at the Project’s driveway. By relocating the Project’s driveway to Natoma Street, the Natoma Street Driveway Option would also substantially reduce the complexity of potential conflicts along vehicle– vehicle and vehicle–bicycle conflicts along Howard Street compared to the Howard Street Driveway Option. Regardless, potential impacts to the physical environment are found to be less than significant under either driveway option.

One project improvement measure has been identified for the Howard Street Driveway Option only, and would not apply if the Natoma Street Driveway Option is ultimately approved and construction (pages 57-59).

Conclusion

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁶ AECOM, 1298 Howard Street Transportation Impact Study, Supplemental Analysis of Natoma Street Driveway Option (May 31, 2016). This document is on file and available for review as part of Case File No. 2014.0011E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The WSOMA PEIR determined that implementation of the Western SoMa Area Plan would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to traffic-generated noise levels along major streets throughout the plan area. The WSOMA PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.¹⁷ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

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

Mitigation Measure M-NO-1c: Siting of Noise-Generating Uses requires a noise analysis for new development including commercial, industrial, or other uses that would be expected to generate noise

¹⁷ Western SoMa FEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d address the siting of sensitive land uses in noisy environments. In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project’s future users or residents except where a project or its residents may exacerbate existing environmental hazards (California Building Industry Association v. Bay Area Air Quality Management District, December 17, 2015, Case No. S213478. Available at: <<http://www.courts.ca.gov/opinions/documents/S213478.PDF>>). As noted above, the Western SoMa FEIR determined that incremental increases in traffic-related noise attributable to implementation of the Western SoMa Area Plan would be less than significant, and thus would not exacerbate the existing noise environment. Therefore, Western SoMa FEIR Mitigation Measures M-NO-1a, M-NO-1b, and M-NO-1d are not applicable. Nonetheless, for all noise sensitive uses, the general requirements for adequate interior noise levels of Mitigation Measures M-NO-1a, M-NO-1b are met by compliance with the acoustical standards required under the California Building Standards Code (California Code of Regulations Title 24).

levels in excess of ambient noise in the project vicinity in order to reduce potential conflicts between existing sensitive receptors and new noise-generating uses. The proposed project includes retail use on the ground floor that could potentially become a noise-generating use. However, any retail use would have to comply with the land use noise compatibility requirements in the San Francisco General Plan and Police Code Section 2909, and would therefore not adversely affect nearby noise-sensitive uses. As a result, there would be no particular circumstances about the project site that would appear to warrant heightened concern about noise levels that could be generated by the proposed retail use. Therefore, Mitigation Measure M-NO-1c would not apply to the proposed project.

Mitigation Measures M-NO-2a: General Construction Noise Control Measures and M-NO-2b: Noise Control Measures during Pile Driving require implementation of noise controls during construction in order to reduce construction-related noise impacts. The proposed project would involve construction of a five-story mixed-use building along with a four-story residential building and, therefore, would contribute to construction-related noise impacts. The project would be subject to Mitigation Measures M-NO-2a—detailed under Project Mitigation Measure 5 on pages 53-54—in order to reduce these impacts to a less-than-significant level. The foundation may require pile driving, although if needed, the project sponsor would utilize pre-drilled piers to reduce the resulting noise and groundborne vibration created by this construction activity. Therefore, since the foundation may require pile driving and could potentially result in vibration effects typically generated by pile-driving activities, Mitigation Measure M-NO-2b would apply to the proposed project and is included as Project Mitigation Measure 6 on pages 54-55, and would reduce the construction noise and vibration impacts to less-than-significant levels.

In addition, all construction activities for the proposed project (occurring over the course of approximately 21 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance). The Noise Ordinance requires that construction work be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA¹⁸ (Ldn¹⁹) at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works (DPW) or the Director of the Department of Building Inspection (DBI) to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of San Francisco Public Works authorizes a special permit for conducting the work during that period.

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

¹⁸ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

¹⁹ The Ldn is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. The Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

project, because the construction noise would be temporary (approximately 21 months), intermittent, and restricted in occurrence and level, because the contractor would be subject to and would comply with the Noise Ordinance. Compliance with the Noise Ordinance would reduce any construction-related noise effects on nearby residences to the greatest extent feasible.

The project site is not located within an airport land use plan area, within two miles of a public airport, or in the vicinity of a private airstrip. Therefore, the Community Plan Evaluation Checklist topics 5e and 5f are not applicable.

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

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

The WSOMA PEIR identified significant and unavoidable impacts related to violation of an air quality standard, uses that emit Diesel Particulate Matter (DPM), exposure of sensitive land uses to substantial pollutant concentrations, and construction emissions. The WSOMA PEIR identified five mitigation measures that would help reduce air quality impacts; however, due to the uncertain nature of future development proposals that would result from adoption of the Western SoMa Community Plan, it could not be determined whether implementation of these mitigation measures would reduce impacts to a less-than-significant level.

Construction Dust Control

To reduce construction dust impacts, 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 DBI. Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities.

For projects over one half-acre, such as the proposed project, the Dust Control Ordinance requires that the project sponsor submit a Dust Control Plan for approval by the San Francisco Department of Public Health. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has a site-specific Dust Control Plan, unless the Director waives the requirement. The site-specific Dust Control Plan would require the project sponsor to implement additional dust control measures such as installation of dust curtains and windbreaks and to provide independent third-party inspections and monitoring, provide a public complaint hotline, and suspend construction during high wind conditions. The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, which would ensure that these impacts would remain less than significant.

Criteria Air Pollutants

The Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB) 2011 BAAQMD *CEQA Air Quality Guidelines* (Air Quality Guidelines)²⁰ 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 does not need to perform a detailed air quality assessment of the 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 would meet the screening criteria provided in the BAAQMD Air Quality Guidelines for construction and operational criteria air pollutants. Therefore, Mitigation Measure M-AQ-6 does not apply.

Mitigation Measure M-AQ-2 (Transportation Demand Management Strategies for Future Development Projects) is required for projects generating more than 3,500 vehicle trips resulting in excessive criteria pollutant emissions. The proposed project would generate approximately 136 daily vehicle trips. Therefore, Mitigation Measure M-AQ-2 would not apply to the proposed project.

Health Risk

Subsequent to certification of the WSOMA PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

Construction

The project site is located within an identified Air Pollutant Exposure Zone; therefore, the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during 15 months of the anticipated 21-month construction period. Therefore, the proposed project's temporary and variable construction activities would result in short-term emissions of DPM and other TACs that would add emissions to areas already adversely affected by poor air quality. As a result, WSOMA PEIR Mitigation Measure M-AQ-7 (Construction Emissions Minimization Plan for Health Risks and Hazards) has been identified as applicable to the project, and is detailed under Project Mitigation Measure 7 (see pages 55-57). Mitigation Measure M-AQ-7 requires, among other things, diesel equipment to meet a minimum performance standard (all engines greater than 25 horsepower must meet Tier 2 emissions standards and be equipped

²⁰ Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, updated May 2011.

with a Level 3-verified diesel emissions control strategy. Compliance with this mitigation measure would result in less-than-significant air quality impacts from construction vehicles and equipment. The project sponsor has agreed to implement Project Mitigation Measure 5.

Siting Sensitive Land Uses

For land use projects within the Air Pollutant Exposure Zone, as defined by Article 38, that are sensitive to air quality, such as the proposed project, the Ordinance requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor has submitted an initial application to DPH.²¹ The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. These requirements supersede the provisions of WSOMA PEIR Mitigation Measure M-AQ-3 (Reduction in Exposure to Toxic Air Contaminants for New Sensitive Receptors). Therefore, this measure is no longer applicable to the proposed project, and impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Siting New Sources

Mitigation Measure M-AQ-4: Siting of Uses that Emit PM_{2.5} or DPM and Other TACs involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project involves construction of a five-story, mixed-use building and a four-story residential building containing 124 dwelling units, 13,850 sf of retail space, and a basement parking garage, and would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, such as a diesel emergency generator, that would emit TACs as part of everyday operations. The project site is located within an identified Air Pollutant Exposure Zone and would result in an increase in construction- and operational-related criteria air pollutants including those from the generation of daily vehicle trips and energy demand. The proposed project is below the screening criteria provided in the Air Quality Guidelines for construction- and operational-related criteria air pollutants. Thus, the ambient health risk to sensitive receptors from air pollutants is not considered substantial. Therefore, Mitigation Measure M-AQ-4 is not applicable to the proposed project.

Conclusion

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

²¹ Maher Ordinance Application, February 4, 2014

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
7. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The WSOMA PEIR assessed the Greenhouse Gas (GHG) emissions that could result from implementation of the Western SoMa Community Plan. The PEIR concluded that the resulting GHG emissions from plan implementation would be less than significant. No mitigation measures were identified in the PEIR.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions have proven effective as San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy.²² Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations. Thus, the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on greenhouse gas emissions beyond those analyzed in the WSOMA PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
8. WIND AND SHADOW—Would the project:				
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wind

The WSOMA PEIR determined that implementation of the Western SoMa Community Plan would have a potentially significant impact related to the alteration of wind in a manner that would substantially affect public areas. However, the PEIR determined that this impact could be reduced to a less-than-significant

²² Compliance Checklist Greenhouse Gas Analysis (December 17, 2014), for case no. 2014.0011E.

level with implementation of Mitigation Measure M-WS-1 (Screening-Level Wind Analysis and Wind Testing), which would require a wind analysis for any new structures within the Community Plan area that have a proposed height of 80 feet or taller.

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally the case that projects less than 80 feet in height would not have the potential to generate significant wind impacts. The proposed 55- and 45-foot-tall mixed-use residential buildings would be similar in height to existing buildings in the area. The project would not contribute to the significant wind impact identified in the WSOMA PEIR because the proposed structure would not exceed 80 feet in height. Therefore, Mitigation Measure M-WS-1 would not apply to the proposed project.

For the above reasons, the proposed project is not anticipated to cause significant impacts that were not identified in the WSOMA PEIR related to wind.

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. The WSOMA PEIR determined that implementation of the Western SoMa Community Plan would have a significant and unavoidable impact related to the creation of new shadows in a manner that would substantially affect outdoor recreation facilities or other public areas. No mitigation measures were identified in the PEIR.

The proposed project would construct a mixed-use development consisting of two buildings 55- and 45-foot tall; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks²³ which demonstrates shadow effects in the absence of intervening buildings on the block. The shadow fan analysis determined that the project would not cast shadows on property owned by the San Francisco Recreation & Parks Department.

The proposed project would shade portions of nearby streets and sidewalks and private property within the project vicinity at times. However, the shadows that would be cast upon adjacent 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 properties may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would also not be considered a significant impact under CEQA.

In light of the above, the project would not contribute to the significant shadow impact identified in the WSOMA PEIR.

²³ San Francisco Planning Department, *Preliminary Shadow Fan Analysis: 1298 Howard Street (3728/019, 024, 025, 086, and 087)*. November 16, 2016.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
9. RECREATION—Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The WSOMA PEIR determined that implementation of the Western SoMa Community Plan would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures were identified in the PEIR.

Consistent with the findings of the WSOMA PEIR, this analysis presumes that occupants of the proposed project would only marginally increase the use of existing recreational facilities in the study area. Therefore, as the proposed project would not substantially degrade recreational facilities and is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on recreation beyond those analyzed in the WSOMA PEIR.

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

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

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

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on utilities and service systems beyond those analyzed in the WSOMA PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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11. PUBLIC SERVICES—Would the project:

a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The WSOMA PEIR determined that the anticipated increase in population resulting from plan implementation of the Plan 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 PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on public services beyond those analyzed in the WSOMA PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
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12. BIOLOGICAL RESOURCES—Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

As discussed in the WSOMA PEIR, the Western SoMa Community Plan 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 Western SoMa Community Plan would largely consist of new construction of mixed-uses in these heavily built-out former industrial neighborhoods, vegetation loss or disturbance of wildlife other than common urban species would be minimal. Therefore, the WSOMA PEIR concluded that implementation of the Plan would not result in any significant effects related to riparian habitat, wetlands, movement of migratory species, local policies or ordinances protecting biological resources, or habitat conservation plans.

The WSOMA PEIR determined that the Western SoMa Community Plan would result in significant but mitigable impacts on special-status birds and bats that may be nesting in trees or roosting in buildings that are proposed for removal/demolition as part of an individual project. As identified in the PEIR, Mitigation Measures M-BI-1a (Pre-Construction Special-Status Bird Surveys) and M-BI-1b (Pre-Construction Special-Status Bat Surveys) would reduce these impacts to a less-than-significant level. Mitigation Measure M-BI-1a requires that conditions of approval for building permits issued for construction of projects within the Western SoMa Community Plan area include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. Mitigation Measure M-BI-1b requires pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. The proposed project would involve demolition of an existing gas station,

car wash, and convenience store, and therefore could contribute to this significant impact. However, the project would be subject to Mitigation Measures M-BI-1a and M-BI-1b will reduce these impacts to a less-than-significant level. Mitigation Measures M-BI-1a and M-BI-1b are detailed on page 57 as Project Mitigation Measures 8 and 9, respectively.

As the proposed project includes the above mitigation measures and is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on biological resources beyond those analyzed in the WSOMA PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The WSOMA PEIR concluded that the Western SoMa Community Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced groundshaking, liquefaction, and landslides. The PEIR also noted that new development is generally safer than comparable older development due to improvements in building codes and construction techniques. Compliance with applicable codes and recommendations made in project-specific geotechnical analyses would not eliminate earthquake risk, but would reduce them to an acceptable level, given the seismically

active characteristics of the Bay Area. Therefore, the PEIR concluded that the project would not result in significant impacts related to geological hazards. No mitigation measures were identified in the PEIR.

The proposed project would involve excavation to a depth of approximately 15 feet in an area of liquefaction potential—designated as a Seismic Hazards Study Zone (SHSZ) by the California Division of Mines and Geology. For any development proposal in an area of liquefaction potential, the Department of Building Inspection (DBI) will, in its review of the building permit application, require the project sponsor to prepare a geotechnical report. As such, a geotechnical report was prepared for the project.²⁴ The project sponsor has agreed to adhere to the recommendations contained in the report, which relate to foundations, temporary shoring, underpinning, and seismic design.

The project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Therefore, potential damage to structures from geologic hazards such as landslide hazards and seismic stability of the project site would be addressed through the DBI requirement for a geotechnical or other subsurface report and review of the building permit application pursuant to its implementation of the Building Code.

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²⁴ Rockridge Geotechnical, Inc. *Preliminary Geotechnical Investigation Proposed Mixed-Use Building at 1298 Howard Street San Francisco, California*. Geotechnical Report. September 22, 2013. This report is available for review as part of Case No. 2014.0011E.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The WSOMA PEIR determined that the anticipated increase in population resulting from implementation of the Western SoMa Community Plan 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 PEIR.

The project site is entirely covered by impervious surfaces and the proposed project would continue to fully cover the project site with impervious surfaces. As a result, the proposed project would not result in an increase in the amount of that runoff or drainage from the site. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with the Stormwater Design Guidelines, incorporating Low Impact Design (LID) approaches and stormwater management systems into the project. Therefore, the proposed project would not adversely affect runoff and drainage.

For the above reasons, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the WSOMA PEIR.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The WSOMA PEIR identified less-than-significant impacts related to the routine transport, use, or disposal of hazardous materials, the potential for the Plan or subsequent development projects within the Plan area to interfere with an adopted emergency response plan, and the potential for subsequent projects to expose people or structures to a significant risk with respect to fires.

Hazardous Building Materials

The proposed project would involve demolition of the existing gas station, car wash, and limited restaurant that were built in 1998. Because this structure was built after the 1970s, hazardous building materials such as polychlorinated biphenyls (PCBs), mercury, asbestos and lead-based paint are not likely to be present in these structures. Further, the project sponsor is required to comply with existing regulations for hazardous materials. Therefore, demolishing of the existing structures on the project site would not expose workers or the community to hazardous building materials.

For the above reasons, the proposed project would not result in significant impacts that were not identified in the WSOMA PEIR related to hazardous building materials.

Soil and Groundwater Contamination

The WSOMA PEIR identified potentially significant impacts related to exposing the public or the environment to unacceptable levels of hazardous materials as a result of subsequent projects within the

Plan Area. The PEIR determined that Mitigation Measure M-HZ-3 (Site Assessment and Corrective Action) would reduce these impacts to a less-than-significant level.

Subsequently, the San Francisco Board of Supervisors amended Health Code Article 22A, which is administered and overseen by the Department of Public Health (DPH) and is also known as the Maher Ordinance. Amendments to the Maher Ordinance became effective August 24, 2013, and require that sponsors for projects that disturb more than 50 cubic yards of soil to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. Mitigation Measure M-HZ-3 of the WSOMA PEIR related to contaminated soil and groundwater is therefore superseded by the Maher Ordinance.

The proposed project is located on the Maher Map²⁵ and would excavate up to 15 feet below grade and disturb approximately 20,000 cubic yards of soil. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.²⁶ The Phase I found that the underlying fill material within the project site generally contained elevated levels of lead in concentrations that exceeded the California and the federal hazardous waste criteria in two boring locations extending to a depth of 6 feet below ground surface. Elevated concentrations of motor oil in the groundwater and chloroform in the soil vapor were detected at the southwestern portion of the project site. In February 2014, the San Francisco Department of Public Health required that a Site Mitigation Plan be prepared to address the elevated lead found within the surficial sediments at the site prior to redevelopment of the site. In addition, the Phase I notes that the three existing underground storage tanks and five existing fuel dispenser islands associated with the existing gas station should be removed under the oversight of local regulatory agencies prior to redevelopment of the site.

Pursuant to compliance with Article 22A of the Health Code, the proposed project would not result in significant impacts that were not identified in the WSOMA PEIR related to hazardous soil and/or groundwater.

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

²⁵ The Maher Map identifies sites that are known or suspected to contain contaminated soil and/or groundwater.

²⁶ Innovative & Creative Environmental Solutions. *Phase I Environmental Site Assessment: 1298 Howard Street, San Francisco, CA*. Phase I Environmental Site Assessment. March 27, 2014.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
16. MINERAL AND ENERGY RESOURCES— Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on mineral and energy resources beyond those analyzed in the WSOMA PEIR.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Western SoMa PEIR determined that no agricultural or forest resources exist in the Plan Area; therefore the Western SoMa Community Plan would have no effect on agricultural and forest resources. No mitigation measures were identified in the PEIR.

As the proposed project is within the development projected under the Western SoMa Community Plan, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the WSOMA PEIR.

MITIGATION MEASURES

Project Mitigation Measure 1 – Archeological Testing Program

Project sponsors wishing to obtain building permits from the City are required to undergo environmental review pursuant to CEQA. The San Francisco Planning Department, as the Lead Agency, requires an evaluation of the potential archeological effects of a proposed individual project. Pursuant to this evaluation, the San Francisco Planning Department has established a review procedure that may include the following actions, carried out by the Department archeologist or by a qualified archeological consultant, as retained by the project sponsor.

This archeological mitigation measure shall apply to any project involving any soils-disturbing or soils-improving activities including excavation, utilities installation, grading, soils remediation, compaction/chemical grouting to a depth of five feet or greater below ground surface and located within properties within the Draft Plan Area or on the Adjacent Parcels for which no archeological assessment report has been prepared.

Projects to which this mitigation measure applies shall be subject to Preliminary Archeology Review (PAR) by the San Francisco Planning Department archeologist. As the PAR determined that the project has the potential to adversely affect archeological resources, an Archeological Testing Program is required. The Program would more definitively identify the potential for California Register-eligible archeological resources to be present within the project site and determine the appropriate action necessary to reduce the potential effect of the project on archeological resources to a less-than-significant level. The Archeological Testing Program is detailed below.

- A. *Consultation with Descendant Communities.* On discovery of an archeological site²⁷ associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate

²⁷ The term “archeological site” is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

representative²⁸ of the descendant group and the Environmental Review Officer (ERO) shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the ERO or the Planning Department archeologist. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- a) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
 - b) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.
- C. *Archeological Monitoring Program.* If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program (AMP) shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading,

²⁸ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;

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

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.

- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
 - *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
 - *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
 - *Final Report.* Description of proposed report format and distribution of results.
 - *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.
- E. *Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.
- F. *Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

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

Project Mitigation Measure 2 – Procedures for Accidental Discovery of Archeological Resources

This mitigation measure is required to avoid any potential adverse effect on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c).

The project sponsor shall distribute the San Francisco Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); and to utilities firms involved in soils-disturbing activities within the project site. Prior to any soils-disturbing activities being undertaken, each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The project sponsor shall provide the ERO with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firms) to the ERO confirming that all field personnel have received copies of the "ALERT" sheet.

Should any indication of an archeological resource be encountered during any soils-disturbing activity of the project, the project head foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archeological consultant from the pool of qualified archeological consultants maintained by the San Francisco Planning Department archeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include preservation in situ of the archeological resource, an archeological monitoring program, or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a 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 monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

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 Archaeological Site Survey Northwest Information Center (NWIC) shall receive one copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning Division of the San Francisco Planning Department shall receive one bound copy, one unbound copy, and one unlocked, searchable PDF copy on a 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 from that presented above.

Project Mitigation Measure 3 – Protect Historical Resources from Adjacent Construction Activities.

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

Project Mitigation Measure 4 – Construction Monitoring Program for Historical Resources. For those historical resources identified in Mitigation Measure M-CP-7a, and where heavy equipment would be used on a subsequent development project, the project sponsor of such a project shall undertake a monitoring program to minimize damage to adjacent historic buildings and to ensure that any such damage is documented and repaired. The monitoring program, which shall apply within 100 feet where pile driving would be used and within 25 feet otherwise, shall include the following components. Prior to the start of any ground-disturbing activity, the project sponsor shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) identified by the San Francisco Planning Department within 125 feet of planned construction to document and photograph the buildings' existing conditions. Based on the construction and condition of the resource(s), the consultant shall also establish a maximum vibration level that shall not be exceeded at each building, based on existing condition, character-defining features, soils conditions, and anticipated construction practices (a common standard is 0.2 inch per second, peak particle velocity). To ensure that vibration levels do not exceed the established standard, the project sponsor shall monitor vibration levels at each structure and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard.

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

Project Mitigation Measure 5 – General Construction Noise Control Measures. To ensure that project noise from construction activities is minimized to the maximum extent feasible, the sponsor of a subsequent development project shall undertake the following:

- The sponsor of a subsequent development project shall require the general contractor to ensure that equipment and trucks used for project construction use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds, wherever feasible).
- The sponsor of a subsequent development project shall require the general contractor to locate stationary noise sources (such as compressors) as far from adjacent or nearby sensitive receptors as possible, to muffle such noise sources, and to construct barriers around such sources and/or the construction site, which could reduce construction noise by as much as 5 dBA. To further reduce noise, the contractor shall locate stationary equipment in pit areas or excavated areas, if feasible.
- The sponsor of a subsequent development project shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools, which could reduce noise levels by as much as 10 dBA.
- The sponsor of a subsequent development project shall include noise control requirements in specifications provided to construction contractors. Such requirements could include, but not be limited to: performing all work in a manner that minimizes noise to the extent feasible; undertaking the most noisy activities during times of least disturbance to surrounding residents and occupants, as feasible; and selecting haul routes that avoid residential buildings inasmuch as such routes are otherwise feasible.
- Prior to the issuance of each building permit, along with the submission of construction documents, the sponsor of a subsequent development project shall submit to the San Francisco Planning Department and Department of Building Inspection (DBI) a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: (1) a procedure and phone numbers for notifying DBI, the Department of Public Health, and the Police Department (during regular construction hours and off-hours); (2) a sign posted on-site describing noise complaint procedures and a complaint hotline number that shall be answered at all times during construction; (3) designation of an on-site construction complaint and enforcement manager for the project; and (4) notification of neighboring residents and non-residential building managers within 300 feet of the project construction area at least 30 days in advance of extreme noise-generating activities (defined as activities generating noise levels of 90 dBA or greater) about the estimated duration of the activity.

Project Mitigation Measure 6 – Noise Control Measures During Pile Driving

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

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

Project Mitigation Measure 7 – Construction Emissions Minimization Plan for Health Risks and Hazards.

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

1. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
 - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
 - b) All off-road equipment shall have:
 - i. Engines that meet or exceed either United States Environmental Protection Agency or California Air Resources Board (ARB) Tier 2 off-road emission standards, *and*
 - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).²⁹
 - c) Exceptions:
 - i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
 - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted

²⁹ Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).

- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

TABLE A1
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE*

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

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

**Alternative fuels are not a VDECS

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB

verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

Project Mitigation Measure 8 – Pre-Construction Special-Status Bird Surveys. Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bird surveys when trees would be removed or buildings demolished as part of an individual project. Pre-construction special-status bird surveys shall be conducted by a qualified biologist between February 1 and August 15 if tree removal or building demolition is scheduled to take place during that period. If bird species protected under the Migratory Bird Treaty Act or the California Fish and Game Code are found to be nesting in or near any work area, an appropriate no-work buffer zone (e.g., 100 feet for songbirds) shall be designated by the biologist. Depending on the species involved, input from the California Department of Fish and Game (CDFG) and/or United States Fish and Wildlife Service (USFWS) may be warranted. As recommended by the biologist, no activities shall be conducted within the no-work buffer zone that could disrupt bird breeding. Outside of the breeding season (August 16 – January 31), or after young birds have fledged, as determined by the biologist, work activities may proceed. Special-status birds that establish nests during the construction period are considered habituated to such activity and no buffer shall be required, except as needed to avoid direct destruction of the nest, which would still be prohibited.

Project Mitigation Measure 9 – Pre-Construction Special-Status Bat Surveys. Conditions of approval for building permits issued for construction within the Draft Plan Area or on the Adjacent Parcels shall include a requirement for pre-construction special-status bat surveys by a qualified bat biologist when large trees (those with trunks over 12 inches in diameter) are to be removed, or vacant buildings or buildings used seasonally or not occupied, especially in the upper stories, are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no disturbance buffer shall be created around active bat roosts being used for maternity or hibernation purposes at a distance to be determined in consultation with the CDFG. Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.

IMPROVEMENT MEASURE

Project Improvement Measure 1 - Vehicle Parking for Howard Street Driveway Option

If the Howard Street Driveway Option is approved and constructed instead of the Natoma Street Driveway Option, it should be the responsibility of the Project Sponsor to ensure that vehicle queues do not block any portion of the sidewalk or roadway of Howard Street, including any portion of any travel lanes or bike lanes, except for curbside on-street parking as described below. The owner / operator should also ensure that no pedestrian conflict as defined below is created at the Project driveway.

A vehicle queue is defined as one or more stopped vehicles destined to the Project garage blocking any portion of the Howard Street sidewalk or roadway (except for curbside on-street parking) for a consecutive period of three minutes or longer on a daily or weekly basis, or for more than five percent of any 60-minute period. Queues could be caused by unconstrained parking demand exceeding parking space or valet capacity; vehicles waiting for safe gaps in high volumes of pedestrian traffic; car or truck congestion within the parking garage; or a combination of these or other factors.

A pedestrian conflict is defined as a condition where drivers of inbound and / or outbound vehicles, frustrated by the lack of safe gaps in pedestrian traffic, unsafely merge their vehicle across the sidewalk while pedestrians are present and force pedestrians to stop or change direction to avoid contact with the vehicle, and / or contact between pedestrians and the vehicle would occur.

There is one exception to the definition of a conflict. Sometimes, outbound vehicles departing from the Project driveway would be able to cross the sidewalk without conflicting with pedestrians, but then would have to stop and wait in order to safely merge into the Howard Street roadway (due to a lack of gaps in Howard Street traffic and / or a red signal at the Ninth Street / Howard Street intersection). While waiting to merge, the rear of the vehicle could protrude into the southern half of the sidewalk. This protrusion should not be considered a pedestrian conflict. This is because the obstruction would be along the southern edge of the sidewalk, while the pedestrian path of travel would be along the north side of the sidewalk; street trees and other streetscape elements would already impede pedestrian flow along the south side of the sidewalk. Any pedestrians that would be walking along the south side of the sidewalk would be able to divert to the north and maneuver behind the stopped car. This exception only applies to outbound vehicles, and only if pedestrians are observed to walk behind the stopped vehicle. This exception does not apply to any inbound vehicles, and does not apply to outbound vehicles if pedestrians are observed to walk in front of the stopped outbound vehicle.

If vehicle queues or conflicts occur, the Project Sponsor should employ abatement methods as needed to abate the queue and / or conflict. Appropriate abatement methods would vary depending on the characteristics and causes of the queue and conflict. 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 additional valet attendants; use of off-site parking facilities or shared parking with nearby uses; travel demand management strategies such as additional bicycle parking or employee shuttles; parking demand management strategies such as time-of-day parking surcharges; expanded hours of truck access limitations; and / or limiting hours of access to the Project driveway during periods of peak pedestrian traffic. Any new abatement measures should be reviewed and approved by the Planning Department.

If the Planning Director, or his or her designee, suspects that vehicle queues or a conflict are present, the Department should notify the property owner in writing. The facility owner / operator should hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant should submit a report to the Department documenting conditions. Upon review of the report, the Department should determine whether or not queues and / or a conflict exists, and should notify the garage owner / operator of the determination in writing.

If the Department determines that queues or a conflict do exist, upon notification, the facility owner / operator should have 90 days from the date of the written determination to carry out abatement measures. If after 90 days the Department determines that vehicle queues and / or a conflict are still present or that the facility owner / operator has been unsuccessful at abating the identified vehicle queues or conflicts, the hours of inbound and / or outbound access of the Project driveway should be limited

during peak hours. The hours and directionality of the access limitations should be determined by the Planning Department, communicated to the facility owner / operator in writing. The facility owner / operator should be responsible for limiting the hours of Project driveway access as specified by the Department. This measure would not apply if the Natoma Street Driveway Option is approved and constructed.