



# SAN FRANCISCO PLANNING DEPARTMENT

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## REVISED Initial Study – Community Plan Evaluation

*Date of Preparation:* September 20, 2018  
*Case No.:* **2014-0376ENV**  
*Project Address:* 2918-2924 Mission Street  
*Zoning:* Mission Neighborhood Commercial Transit (NCT) District  
65-B/55-X, 65-B/55-X, and 65B/45-X Height and Bulk Districts  
*Block/Lot:* 6529/002, 002A, 003  
*Lot Sizes:* 2600, 2620, and 6433 sf; 11,653 sf total  
*Plan Area:* Mission Subarea of the Eastern Neighborhoods  
*Project Sponsor:* Mark Loper, Reuben, Junius & Rose, LLP  
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THIS INITIAL STUDY/COMMUNITY PLAN EVALUATION (IS/CPE) SUPERSEDES THE IS/CPE THAT WAS PUBLISHED ON AUGUST 30, 2017.

### BACKGROUND

The Planning Department issued an Initial Study/Community Plan Evaluation (IS/CPE) for the 2918-2924 Mission Street Project (the “proposed project”) described below on August 30, 2017. The Planning Commission considered the project on December 15, 2017. On that date, the Planning Commission adopted the IS/CPE and approved the Conditional Use Authorization for the project and the Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19865), which constituted the Approval Action under Chapter 31 of the Administrative Code. On January 2, 2018, J. Scott Weaver, Law Office of J. Scott Weaver, on behalf of the Calle 24 Latino Cultural District, filed an appeal of the CPE determination. The Board of Supervisors held a hearing on the appeal of the environmental determination on June 19, 2018. The Board upheld the appeal and reversed the determination by the Planning Department that the proposed project does not require additional environmental review. The Board found that there are environmental effects that are peculiar to the proposed project that were not analyzed as significant effects in the Eastern Neighborhoods Program Environmental Impact Report, and these effects are potentially significant off-site impacts. Specifically, the Board found the environmental analysis of the proposed project to be adequate in all respects except for the shadow analysis on the outdoor play areas of the Zaida T. Rodriguez early education school and directed the Planning Department to conduct

further, more detailed, shadow analysis on these play areas to accurately assess the shadow impacts on these areas.<sup>1</sup>

In response to this direction, the Planning Department has updated the IS/CPE to include additional analysis of the shadow effects of the proposed project on the Zaida T. Rodriguez early education school. The remainder of the IS/CPE has not changed, except for clarification of the list of required approvals by the Planning Commission and of the retail uses in the project description. This IS/CPE supersedes the August 30, 2017 IS/CPE for the proposed project.

## PROJECT DESCRIPTION

The project site consists of three lots on the west side of Mission Street between 25<sup>th</sup> Street and 26<sup>th</sup> Street; the southernmost lot extends from Mission Street to Osage Alley. The proposed project would demolish an approximately 5,200-square-foot (sf), one story, commercial building and adjacent 6,400-sf surface parking lot to construct an eight-story, 85-foot-tall, residential building with ground floor retail. As proposed, the project would require waivers, concessions, and/or incentives from Planning Code physical development limitations pursuant to California Government Code section 65915, commonly known as the state density bonus law, including for a building height 20 feet above the 65-foot height limit.

The proposed approximately 67,300-sf building would include 75 dwelling units (18 studio, 27 one-bedroom, and 30 two-bedroom). Retail spaces, totaling about 7,000 sf, would front Mission Street on either side of the building lobby. A 44-foot-long white loading zone would be provided in front of the lobby and the existing parking lot curb cut would be removed. A bicycle storage room with 76 class 1 bicycle spaces would be accessed through the lobby area and from Osage Alley. Six street trees and seven bicycle racks (14 class 2 bicycle parking spaces)<sup>2</sup> would be installed on Mission Street. Open space would be provided by common terraces on the second floor and rooftop of approximately 1,050 sf and 5,750 sf, respectively, and approximately 1,100 sf of private decks. The proposed building would include an elevator and stair penthouse approximately 9 feet in height above the 85-foot-tall roof.

Construction of the proposed building would generally involve excavation of about 3 feet of soil over the entire project site and up to an estimated 17 feet deep at the location of two areas of known soil contamination, resulting in removal of about 2,100 cubic yards of soil. The building slab would be constructed on top of an impermeable vapor barrier placed over a gravel layer and a passive ventilation system. Project construction is estimated to take approximately 20 months, which includes about two to three months for demolition, excavation, and pile driving, which would be the most intensive phases of construction.

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<sup>1</sup> Board of Supervisors, Motion No. M18-094, Findings Reversing the Community Plan Evaluation – 2918-2924 Mission Street, July 10, 2-19. This and other documents pertaining to the CPE appeal in Board of Supervisors File No. 180718 are available at <https://sfgov.legistar.com/LegislationDetail.aspx?ID=3306976&GUID=573556D0-4ACA-4E05-A3BE-0E0EC81CF040&Options=ID|Text|&Search=180019>

<sup>2</sup> Section 155.1(a) of the planning code defines class 1 bicycle spaces as “spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees” and defines class 2 bicycle spaces as “spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.”

Adjacent properties include a commercial bank to the north at the corner of Mission and 25<sup>th</sup> Street, the Zaida T. Rodriguez Early Education School to the south, and a residential apartment building and parking garage to the west. The Zaida T. Rodriguez annex child development center on Bartlett Street is across Osage Alley from the project site, as are two to three-story residences. The local vicinity on Mission Street is characterized by a wide variety of commercial, retail, public and residential uses. Across from the project site, the eastern side of Mission Street is the western boundary of the Calle 24 Latino Cultural District; the Calle 24 Special Use District begins one block further east on Lilac Street. The Bay Area Rapid Transit (BART) 24<sup>th</sup> Street station is located one block north of the project site, as are several MUNI bus lines. Access to U.S. 101 is less than one mile southeast of the site via Cesar Chavez Street.

Figure 1 shows the proposed project's location; Figure 2 shows the site plan; Figure 3 shows the ground floor plan; Figures 4 – 10 show the plans for levels 2 through 8; Figure 11 shows the roof plan; and Figure 12 shows the building elevation.

The proposed 2918-2924 Mission Street project would require the following approvals:

#### **Actions by the Planning Commission**

- Conditional Use Authorization pursuant to Planning Code sections 121.1, 121.7, and 303 for development of large lots in Neighborhood Commercial districts and a lot merger resulting in a lot frontage exceeding 100 feet in the Mission NCT District

#### **Actions by other City Departments**

- Building Permit for demolition of existing building – Department of Building Inspection
- Building Permit for construction of new building – Department of Building Inspection
- San Francisco Entertainment Commission Review for Residential Projects within 300 feet of a Place of Entertainment per Chapter 116 of Administrative Code
- San Francisco Department of Public Health – Review for Compliance with Article 22A of the San Francisco Health Code

2918-2914 Mission Street



Printed: 22, December 2015

Figure 1. Project Site Location



Figure 2. Site Plan

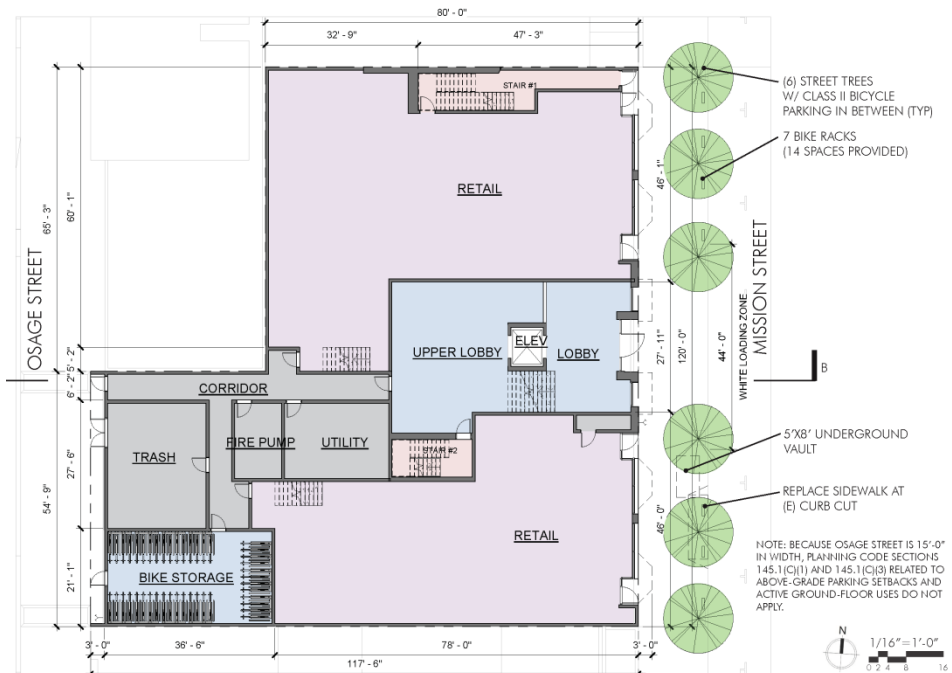


Figure 3. Ground Floor Plan



Figure 4. Second Floor Plan

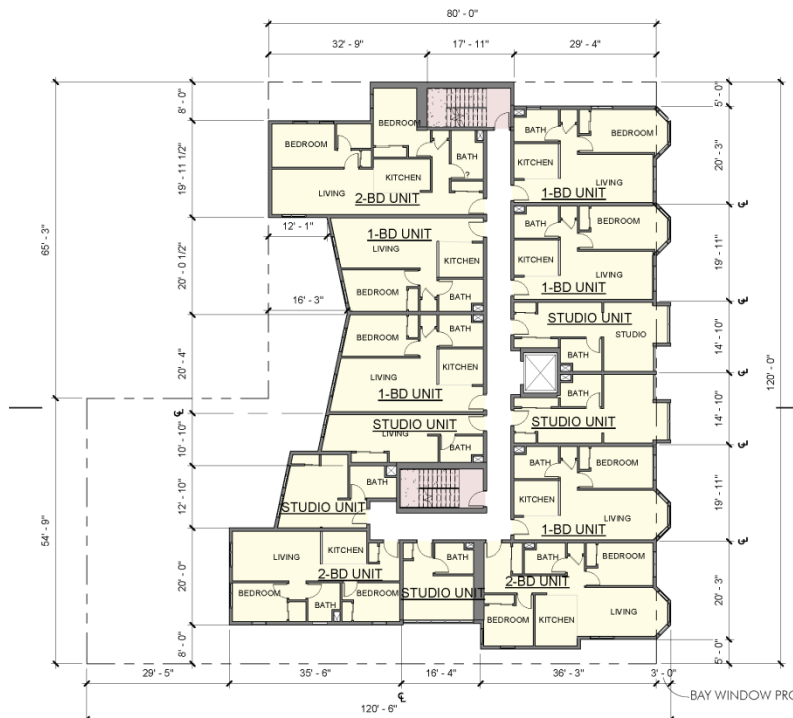


Figure 5. Third Floor Plan

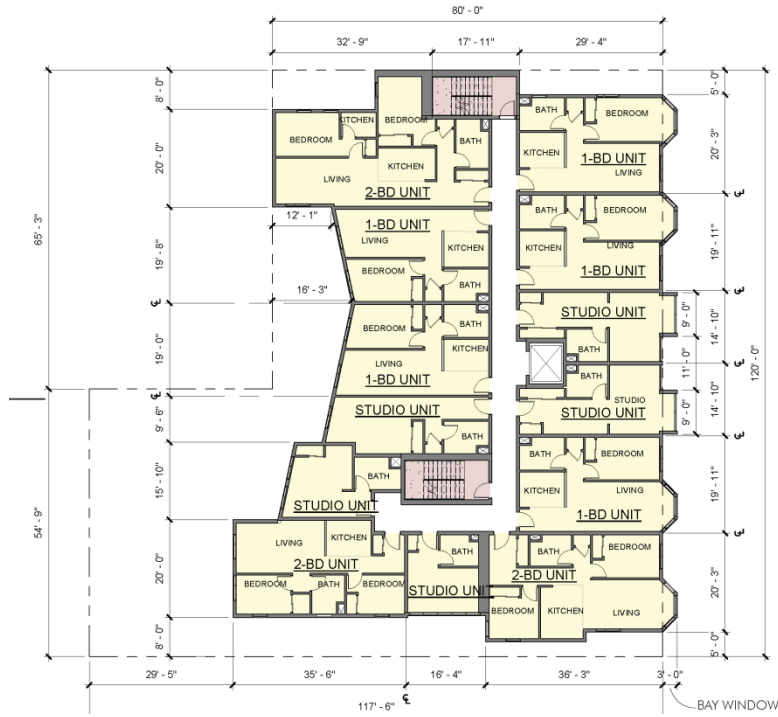


Figure 6. Fourth Floor Plan

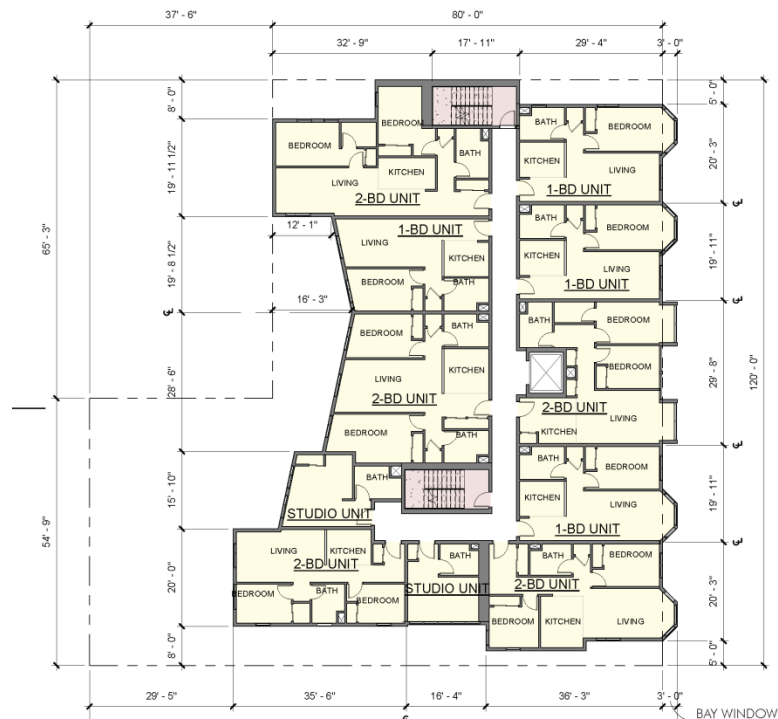


Figure 7. Fifth Floor Plan

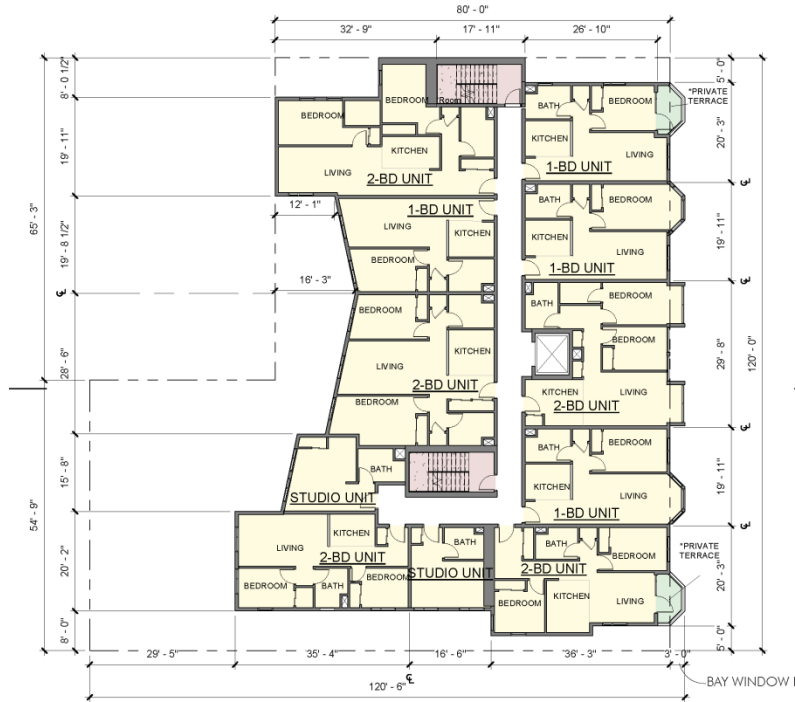


Figure 8. Sixth Floor Plan

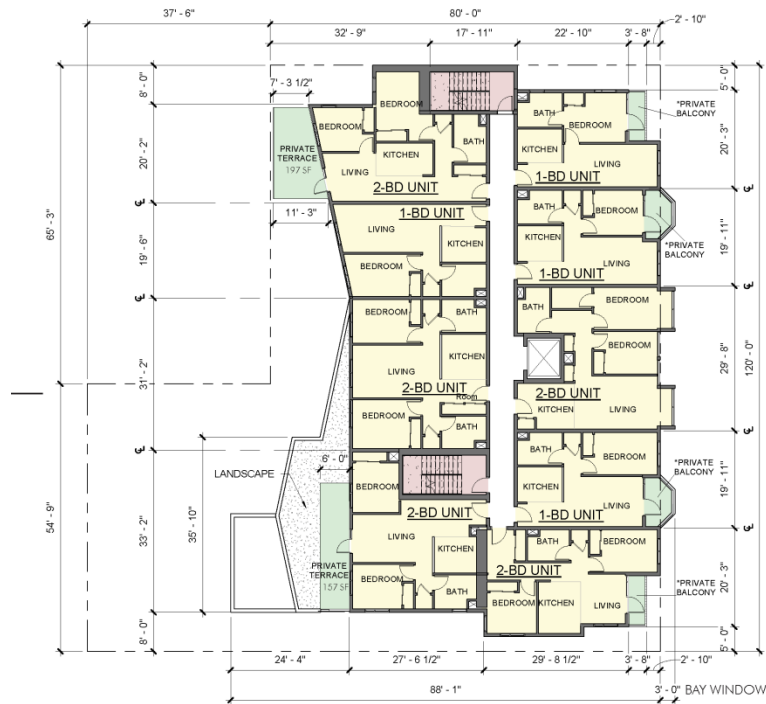


Figure 9. Seventh Floor Plan



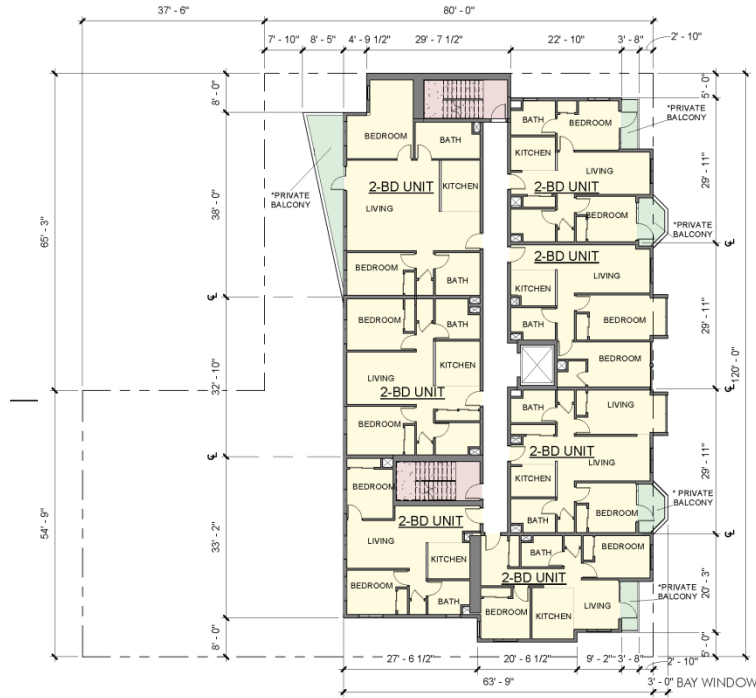


Figure 10. Eighth Floor Plan

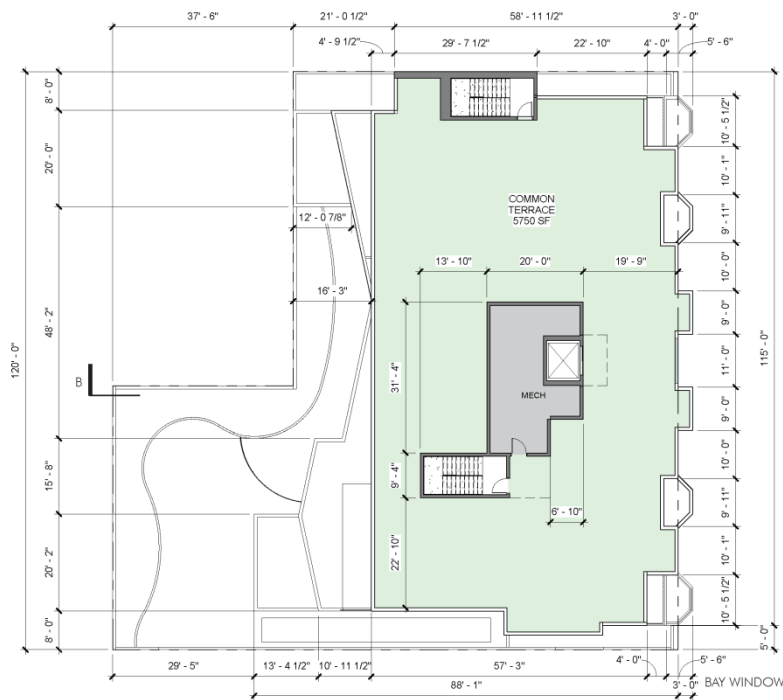


Figure 11. Roof Plan

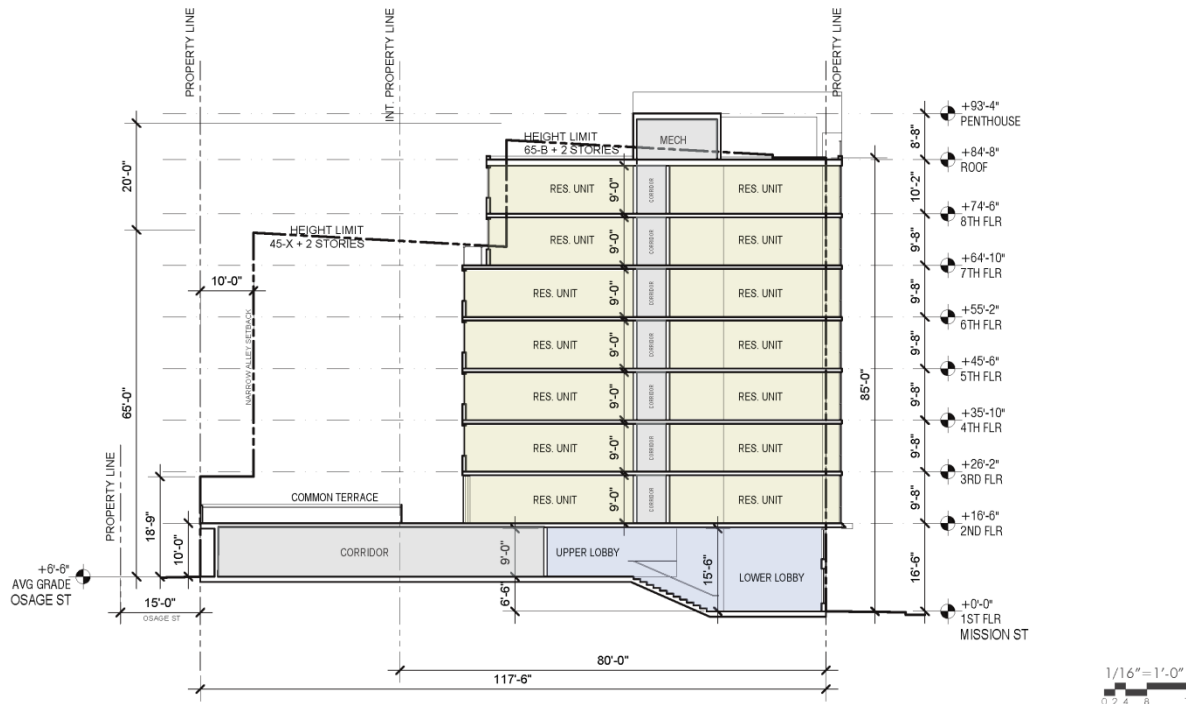


Figure 12. Building Elevation

## EVALUATION OF ENVIRONMENTAL EFFECTS

This initial study evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).<sup>3</sup> The initial study 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 Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific mitigated negative declaration or environmental impact report. If no such impacts are identified, no further environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with 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 provided under the Mitigation Measures Section at the end of this initial study.

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified

<sup>3</sup> San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

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

The proposed project would include construction of an eight-story building with 75 dwelling units and ground floor retail space. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

## CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have implemented or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regarding Aesthetics, Parking Impacts, effective January 2014, and state statute and Planning Commission resolution regarding automobile delay, and vehicle miles traveled, (VMT) effective March 2016 (see “CEQA section 21099” heading below);
- The adoption of 2016 interim controls in the Mission District requiring additional information and analysis regarding housing affordability, displacement, loss of PDR and other analyses, effective January 14, 2016 through April 14, 2017;
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, the Transportation Sustainability Program process(see initial study section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment effective June 2015 (see initial study section “Noise”);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, amended December 2014 (see initial study section “Air Quality”);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see initial study section “Recreation”);
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see initial study section “Utilities and Service Systems”); and
- Article 22A of the Health Code amendments effective August 2013 (see initial study section “Hazardous Materials”).

### **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 initial study does not consider aesthetics or parking in determining the significance of project impacts under CEQA.<sup>4</sup> Project elevations are included in the project description.

### **Automobile Delay and Vehicle Miles Traveled**

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

In January 2016, OPR published for public review and comment a [Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA](#)<sup>5</sup> 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 Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this initial study, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT analysis is provided in the Transportation section.

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<sup>4</sup> San Francisco Planning Department. Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis for 2918-2924 Mission Street, April 13, 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. 2014.0376ENV.

<sup>5</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).

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

The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would not remove any existing PDR uses and would therefore not contribute to any impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR. In addition, the project site was zoned NC-3 (Neighborhood Commercial) prior to the rezoning of Eastern Neighborhoods, which did not encourage PDR uses and the rezoning of the project site did not contribute to the significant impact.

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

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the Mission Neighborhood Commercial Transit (NCT) District and is consistent with bulk and density limits under the state density bonus law (California Government Code section 65915). The project is consistent with objectives of the Mission Area Plan by maximizing development potential in keeping with neighborhood character, providing a variety of dwelling unit mixes to satisfy an array of housing needs, and providing bicycle parking. The Mission NCT District requires that at least 40 percent of all dwelling units contain two or more bedrooms or 30 percent of all dwelling units contain three or more bedrooms. The Mission NCT permits commercial uses up to 5,999 sf per use as principally permitted uses. The project proposes 75 dwelling units, 40 percent of which are two-bedroom units, as well as two separate ground floor retail spaces totaling 6,700 sf, each of which is below the 5,999-sf permitted use size limitation. The project is seeking a height concession pursuant to the state density bonus law to exceed the applicable 45 and 65-foot height limits. As proposed, with the allowable height concession pursuant to the state density bonus, the project is permitted in the Mission NCT District and is consistent with the development density as envisioned in the Mission Area Plan.<sup>6,7</sup>

<sup>6</sup> San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2918-2924 Mission Street, April 19, 2017.

<sup>7</sup> San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 2918-2924 Mission Street, June 1, 2017.

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

| Topics:   | <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>2. POPULATION AND HOUSING—</b>   |   |  |  |  |
| <b>Would the project:</b>   |   |  |  |  |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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

The PEIR determined that implementation of the rezoning and area plans would not have a significant impact from the direct displacement of existing residents, and that each of the rezoning options

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

Pursuant to CEQA section 21082.2 and CEQA Guidelines section 15064, economic and social changes such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as “blight” or “urban decay” have courts upheld environmental analysis that considers such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts “shall not be considered a significant effect” per CEQA Guidelines section 15382. While the Eastern Neighborhoods PEIR disclosed that adoption of the Eastern Neighborhoods Rezoning and Area Plans could contribute to gentrification and displacement, it did not determine that these potential socio-economic effects would result in significant adverse physical impacts on the environment.

The proposed project includes 75 dwellings units, which would result in an increase of about 185 residents.<sup>8</sup> The proposed project would not result in the displacement or elimination of any existing residential dwelling units. These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on population and housing beyond those identified in the Eastern Neighborhoods PEIR. The project’s contribution to indirect effects of population growth identified in the Eastern Neighborhoods PEIR on land use, transportation, air quality, noise, public services, utilities, and recreational resources are evaluated under each of those topics in this initial study below.

| <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> |
|---|---|--|--|--|
| <b>3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>   |   |  |  |  |
| 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"/>                            |

<sup>8</sup> Estimated number of new residents based on average household size (2.47) of occupied housing units in the Census Tract 209 per the 2010 U.S. Census Bureau Profile of General Population and Housing Characteristics (DP-1) summary data and the proposed project’s 75 new dwelling units [75 \* 2.47 = 185 residents]. Available at <http://factfinder.census.gov>. Accessed May 27, 2016.

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

### Historic Architectural Resources

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

The commercial building at 2918-2922 Mission Street was constructed in 1924. It was included in the *South Mission Historic Resource Survey*<sup>9</sup> and was given a rating of 6L, indicating that the property is ineligible for National Register, California Register of Historical Resources, or local designation through survey evaluation. Further, the building is not located within a historic district. As such, the building would not be considered a historic resource pursuant to CEQA. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

The project site is located across Mission Street from the Calle 24 Latino Cultural Heritage District.<sup>10</sup> A cultural heritage district is defined as a region and community linked together by similar cultural or heritage assets, and offering visitor experiences that showcase those resources. The purpose of the Latino Cultural Heritage District is to recognize, promote and preserve cultural assets of the district. While there may be properties within the Calle 24 Latino Cultural Heritage District that qualify as historic resources, the district itself is not a historic district under CEQA. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

<sup>9</sup> San Francisco Planning Department, *South Mission Historic Resources Survey*, adopted by Historic Preservation Commission Motion 0093, November 17, 2010.

<sup>10</sup> Board of Supervisors Resolution, File No. 140421, May 28, 2014.



**Archeological Resources**

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

The proposed project would involve approximately 2,100 cubic yards of excavation to depths up to 17 feet in an area where no previous archeological studies have been prepared. Therefore, the proposed project is subject to Eastern Neighborhoods PEIR Mitigation Measure J-2, which requires preparation of a Preliminary Archeological Sensitivity Study. The Planning Department’s archeologist conducted a preliminary archeological review of the project site in conformance with the study requirements of Mitigation Measure J-2 and determined that the Planning Department’s first standard archeological mitigation measure (accidental discovery) applies to the proposed project.<sup>11</sup> The Preliminary Archeological Review and its requirements (e.g., accidental discovery measure) are consistent with Mitigation Measure J-2 from the Eastern Neighborhoods PEIR. With implementation of this project mitigation measure, impacts related to archeological resources would be less than significant. In accordance with the Eastern Neighborhoods PEIR requirements, the project sponsor has agreed to implement Project Mitigation Measure 1, as updated in the Mitigation Measures section below.

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

| <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>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>   |   |  |  |  |
| 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"/>                            |

<sup>11</sup> Planning Department Archeologist, Randall Dean, *Preliminary Archeological Review 2918-2924 Mission Street*, June 3, 2016.

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

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, emergency access, and construction transportation impacts of the proposed project as discussed below.<sup>12</sup> Based on this project-level review, the department determined that the proposed project would not have significant impacts that are peculiar to the project or the project site.

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

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

<sup>12</sup> San Francisco Planning Department, Transportation Study Determination, Case No. 2014.0376ENV, 2918 Mission Street, January 29, 2016.

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

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

### **Vehicle Miles Traveled (VMT) Analysis**

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

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

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for 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.<sup>13,14</sup>

For residential development, the existing regional average daily VMT per capita is 17.2.<sup>15</sup> For retail development, regional average daily retail VMT per employee is 14.9.<sup>16</sup> Average daily VMT for

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<sup>13</sup> 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.

<sup>14</sup> San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

<sup>15</sup> Includes the VMT generated by the households in the development.

residential and retail 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, 129.

**Table 1. Daily Vehicle Miles Traveled**

| <u>Land Use</u>             | <u>Existing</u>                          |  |                | <u>Cumulative 2040</u>                   |  |                |
|-----------------------------|--|--|----------------|--|--|----------------|
|                             | <u>Bay Area<br/>Regional<br/>Average</u> | <u>Bay Area<br/>Regional<br/>Average<br/>minus<br/>15%</u> | <u>TAZ 129</u> | <u>Bay Area<br/>Regional<br/>Average</u> | <u>Bay Area<br/>Regional<br/>Average<br/>minus<br/>15%</u> | <u>TAZ 129</u> |
| Households<br>(Residential) | 17.2                                     | 14.6   | 7.2            | 16.1                                     | 13.7   | 6.3            |
| Employment<br>(Retail)      | 14.9                                     | 12.6   | 9.2            | 14.6                                     | 12.4   | 9.3            |

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 (TAZ) that exhibits low levels of VMT<sup>17</sup>; 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.

The proposed project would include 75 dwelling units and ground-floor retail space. Existing average daily VMT per capita is 7.2 for residential uses in the transportation analysis zone the project site is located in, TAZ 129. This is 58 percent below the existing regional average daily VMT per capita of 17.2. Future 2040 average daily VMT per capita is 6.3 for TAZ 129. This is 61 percent below the future 2040 regional average daily VMT per capita of 16.1. The existing average daily VMT per retail employee is 9.2 for TAZ 129, which is 37 percent below the existing regional average of 14.82. Future 2040 VMT per

<sup>16</sup> 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.

<sup>17</sup> According to the guidelines, a low level of VMT would be 15 percent less than the regional average VMT, as shown in Table 1.

employee is projected to be 9.3 for TAZ 129, which is 36 percent below the future regional average of 14.58.<sup>18</sup> Therefore, the proposed project would not cause substantial additional VMT and impacts would be less-than-significant impact.

### **Trip Generation**

The proposed project would include 45 studios/one-bedroom units and 30 two-bedroom units, approximately 6,700 sf of retail space, and 76 class 1 bicycle parking spaces

Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department.<sup>19</sup> The proposed project would generate an estimated 1,681 person trips (inbound and outbound) on a weekday daily basis, consisting of 859 person trips by auto, 429 transit trips, 294 walk trips and 99 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 204 person trips, consisting of 93 person trips by auto (61 vehicle trips accounting for vehicle occupancy data for this census tract), 64 transit trips, 32 walk trips and 16 trips by other modes.

### **Transit**

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code, referred to as the Transportation Sustainability Fee (Ordinance 200-154, effective December 25, 2015).<sup>20</sup> The fee updated, expanded, and replaced the prior Transit Impact Development Fee, which is in compliance with portions of Mitigation Measure E-5: Enhanced Transit Funding. The proposed project would be subject to the fee. The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding. In compliance with Mitigation Measure E-11: Transportation Demand Management, the San Francisco Board of Supervisors approved amendments to the San Francisco Planning Code to create a Transportation Demand Management (TDM) Program for all new projects of certain sizes, in all zoning districts (Ordinance No. 34-17, effective March 19, 2017).<sup>21</sup> Both the Transportation Sustainability Fee and the TDM program are part of the Transportation Sustainability Program.<sup>22</sup> In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project, which was approved by the SFMTA Board of Directors in March 2014. This program (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and

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<sup>18</sup> San Francisco Planning Department. Eligibility Checklist: CEQA section 21099 – Modernization of Transportation Analysis for 2918-2924 Mission Street, September 21, 2016.

<sup>19</sup> San Francisco Planning Department, Transportation Calculations for 2918-2924 Mission Street, September 21, 2016.

<sup>20</sup> Two additional files were created at the Board of Supervisors for TSF regarding hospitals and health services, grandfathering, and additional fees for larger projects: see Board file nos. 151121 and 151257.

<sup>21</sup> <https://sfgov.legistar.com/View.ashx?M=F&ID=4979626&GUID=D19B15D5-5169-4ADE-8C32-0966CE4201C8>.

<sup>22</sup> <http://tsp.sfplanning.org>

increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16<sup>th</sup> Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16<sup>th</sup> Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 14-Mission, 14R-Mission Rapid, 12-Folsom/Pacific, 27-Bryant, 36-Teresita, 48-Quintara, 49-Van Ness/Mission, 67-Bernal Heights, and the Bay Area Rapid Transit (BART). The proposed project would be expected to generate 429 daily transit trips, including 64 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 64 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 27-Bryant, 48-Quintara, and 49-Van Ness/Mission. The proposed project would not contribute considerably to these conditions as its minor contribution of 64 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

## **Conclusion**

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

| Topics:  | Significant<br>Impact Peculiar<br>to Project or<br>Project Site | Significant<br>Impact not<br>Identified in PEIR | Significant<br>Impact due to<br>Substantial New<br>Information | No Significant<br>Impact not<br>Previously<br>Identified in PEIR |
|--|---|---|--|--|
| <b>5. NOISE—Would the project:</b>   |   |   |  |  |
| a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?  | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |
| b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?  | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |
| e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels? | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |
| f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?   | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |
| g) Be substantially affected by existing noise levels?   | <input type="checkbox"/>  | <input type="checkbox"/>                        | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/>                              |

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.<sup>23</sup> These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

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

## Construction Noise

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The geotechnical investigation (see Geology and Soils Section below) prepared for the project provides recommendations for the use and installation of various types of foundations (spread footings, a mat foundation, and deep foundations such as drilled piers, micropiles, or auger-cast-in-place piles). Because deep piers may require pile driving for installation of steel casing, Eastern Neighborhoods PEIR Mitigation Measure F-1 would apply, and is included in the Mitigation Measures Section as Project Mitigation Measure 2.

Construction of the proposed project would result in temporary elevated noise levels at nearby residences and schools. The Zaida T. Rodriguez Early Education School is located adjacent to the south of the project site at 2950 Mission Street and across Osage Alley at 421 Bartlett Street. Project construction phases would include demolition, shoring and excavation, foundation installation, structural framing, interior framing, and exterior and interior finishes. The noisiest of these activities is typically excavation and foundation installation, estimated to take around two to three months of the 20-month construction period, when heavy machinery would be in use. Accordingly, Eastern Neighborhoods PEIR Mitigation Measure F-2 would apply to the project and is included in the Mitigation Measures Section as Project Mitigation Measure 3. This measure requires that site-specific construction noise attenuation measures are developed by a qualified acoustical consultant to achieve maximum feasible noise attenuation. The project sponsor has prepared a noise and vibration mitigation plan.<sup>24</sup> According to the mitigation plan, ambient noise and construction noise measurements would be taken at noise sensitive locations in the vicinity of the project site during construction. Construction noise reduction may be achieved by various methods of equipment source noise reduction, noise barriers, and sensitive receptor noise reduction. These methods could include the following: providing intake and exhaust mufflers on pneumatic impact tools and equipment; using noise-attenuating shields, shrouds or portable barriers; using electric instead of diesel or gasoline-powered equipment; providing enclosures for stationary items of equipment and noise barriers around particularly noisy areas at the project site; minimizing noisy activities during the most noise sensitive hours; installing noise control curtains; and installing removable secondary acoustic window inserts to existing windows in sensitive receptor buildings. The noise mitigation plan measures would be subject to review by the Department of Building Inspection prior to construction. Compliance with this mitigation measure would result in a less-than-significant impact with regard to construction noise.

In addition, all construction activities for the proposed project (approximately 20 months) would be subject to and required to comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). Construction noise is regulated by the noise ordinance. The noise ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works or the Director of the Department of Building Inspection to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient

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<sup>24</sup> Clearwater Group, *Site Mitigation Plan, 2918-2924 Mission Street*, May 26, 2016.



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 public works authorizes a special permit for conducting the work during that period.

The building department is responsible for enforcing the noise ordinance for private construction projects during normal business hours (8 a.m. to 5 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. Nonetheless, during the construction period for the proposed project of approximately 20 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other businesses near the project site. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the noise ordinance and Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 (Project Mitigation Measures 2 and 3), which would reduce construction noise impacts to a less-than-significant level.

### **Operational Noise**

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project's residential and retail uses would be similar to that of the surrounding vicinity and are not expected to generate noise levels in excess of ambient noise, therefore PEIR Mitigation Measure F-5 would not apply.

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, the building department 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 the building department, a detailed acoustical analysis of the exterior wall and window assemblies may be required.

Additionally, the proposed project would be subject to the Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of these regulations is to address noise conflicts between residential uses in noise critical areas, such as in proximity to highways and other high-volume roadways, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. In accordance with the adopted regulations, residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design would limit exterior noise to 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval

processes to ensure that the design of new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development.

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

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

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses<sup>25</sup> as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

<sup>25</sup> The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.<sup>26</sup>

### **Construction Dust Control**

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the building department. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

In addition, compliance with article 22A of the San Francisco Health Code and section 106.3.2.4 of the building code, a site mitigation plan (which includes a dust control plan) has been prepared for project construction and approved by the San Francisco Department of Public Health. Dust control measures set forth include installation of wind screens on the perimeter security fences to reduce potential dust migration to off-site areas and a dust monitoring program that triggers additional engineering controls or halting work if dust levels in excess of action levels or visible dust are observed.<sup>27</sup>

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

### **Criteria Air Pollutants**

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”<sup>28</sup> The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide

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<sup>26</sup> The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code Article 38, as discussed below, and is no longer applicable.

<sup>27</sup> San Francisco Department of Public Health, Environmental Health, SFHC Article 22a Compliance, Wash Club Laundry and Mini-Mart, 2918-2924 Mission Street, San Francisco. EHB-SAM Case No: 1296, June 15, 2016.

<sup>28</sup> San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

screening criteria<sup>29</sup> for determining whether a project's criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. The project would entail demolition of an existing one-story commercial building and construction of an eight-story, 85-foot-tall mixed-use residential building with 75 dwelling units and about 6,700-sf of ground-floor retail space. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria as the proposed 75-unit residential building would be below the 240 dwelling unit construction criteria pollutant screening size and 451 dwelling unit operational criteria pollutant screening size. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

### **Health Risk**

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The 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<sub>2.5</sub> 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.

Since certification of the PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, amended December 8, 2014)(Article 38). The 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<sub>2.5</sub> 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.

The project site is not located within an identified Air Pollutant Exposure Zone. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and the remainder of Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is not

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<sup>29</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

applicable to the proposed project. The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. In addition, the proposed project would not include any sources, such as backup generators, that would emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less than significant.

**Conclusion**

For the above reasons, none of the Eastern Neighborhoods PEIR air quality mitigation measures are applicable to the proposed project and the project would not result in significant air quality impacts that were not identified in the PEIR.

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

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Mission Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E<sup>30</sup> per service population,<sup>31</sup> respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project’s GHG emissions and allow for projects that are consistent with an adopted GHG reduction strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions*<sup>32</sup> presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s GHG

<sup>30</sup> CO<sub>2</sub>E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

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

<sup>32</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at [http://sfmea.sfplanning.org/GHG\\_Reduction\\_Strategy.pdf](http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf), accessed March 3, 2016.

reduction strategy in compliance with the BAAQMD and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,<sup>33</sup> exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*,<sup>34</sup> Executive Order S-3-05<sup>35</sup>, and Assembly Bill 32 (also known as the Global Warming Solutions Act).<sup>36,37</sup> In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05<sup>38</sup> and B-30-15.<sup>39,40</sup> Therefore, projects that are consistent with San Francisco's GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would increase the intensity of use of the site with the demolition of the existing 5,200-sf commercial building and the construction of an eight-story, approximately 67,300-sf mixed use building that includes 75 residential dwelling units and approximately 6,700 sf of retail space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

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

The proposed project would be required to comply with the energy efficiency requirements of the City's Green Building Code, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency,

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<sup>33</sup> ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

<sup>34</sup> Bay Area Air Quality Management District, *Clean Air Plan*, September 2010. Available at <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>, accessed March 3, 2016.

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

<sup>36</sup> California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf), accessed March 3, 2016.

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

<sup>38</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

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

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

thereby reducing the proposed project’s energy-related GHG emissions.<sup>41</sup> Additionally, the project would be required to meet the renewable energy criteria of the Green Building Code, further reducing the project’s energy-related GHG emissions.

The proposed project’s waste-related emissions would be reduced through compliance with the City’s Recycling and Composting Ordinance, Construction and Demolition Debris Recovery Ordinance, and Green Building Code requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy<sup>42</sup> and reducing the energy required to produce new materials.

Compliance with the City’s Street Tree Planting requirements would serve to increase carbon sequestration. The project would not include new commercial refrigeration systems or wood burning fireplaces, which would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).<sup>43</sup> Thus, the proposed project was determined to be consistent with San Francisco’s GHG reduction strategy.<sup>44</sup>

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

| <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> |
|--|---|--|--|--|
| <b>8. WIND AND SHADOW—Would the project:</b>   |   |  |  |  |
| a) Alter wind in a manner that substantially affects public areas?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

**Wind**

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Based on the height and location of the proposed

<sup>41</sup> Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.  
<sup>42</sup> Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.  
<sup>43</sup> While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.  
<sup>44</sup> San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 2918-2924 Mission Street*, September 21, 2016.

approximately 85-foot-tall building, a pedestrian wind assessment was prepared by a qualified wind consultant for the proposed project.<sup>45</sup> The objective of the wind assessment was to provide a screening-level evaluation of the potential wind impacts of the proposed development, to assess the need for further detailed modelling and analysis. The wind assessment found that the existing wind conditions on the adjacent streets are expected to be below the 26-mile-per-hour wind hazard criterion as outlined in the San Francisco Planning Code section 148 throughout the year. The wind assessment also found that the proposed building would not cause winds that would reach or exceed the 26-mile-per-hour wind hazard criterion at all pedestrian areas on and around the proposed development and that wind speeds at building entrances and public sidewalks would be suitable for the intended pedestrian usage.

### Shadow

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

The proposed project would construct an approximately 85-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis to determine whether the project would have the potential to cast new shadow on nearby parks or other publicly accessible open spaces.<sup>46</sup> The preliminary shadow fan analysis indicates that the proposed project would not cast shadows on any neighborhood parks or recreational resources subject to Planning Code section 295. Further, the proposed project would not cast shadows on any other publicly accessible open spaces, including on any schoolyards participating in the Shared Schoolyard Project (or any identified for planned program expansion), a joint partnership through which the San Francisco Unified School District, Public Works, and Recreation and Parks Department are able to open schoolyards to the public on weekends.<sup>47</sup> At the request of the Board of Supervisors, the Planning Department has reviewed the potential impacts of the proposed project on the schoolyard of the Zaida T. Rodriguez early education school, adjacent to the project site.

The proposed project would cast shadow on the schoolyards of the Zaida T. Rodriguez early education school, a San Francisco Unified School District public school. The Zaida T. Rodriguez school has two campuses: a pre-kindergarten (Pre-K) that operates year-round on weekdays (excluding school holidays) from 7:30 a.m. to 5:30 p.m. at 2915 Mission Street, adjacent to and south of the project site; and a transitional kindergarten (TK) that operates most weekdays on the school year calendar (late August to

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<sup>45</sup> RWDI, *Screening-Level Wind Analysis, 2918 Mission Street, RWDI #1604031*, September 8, 2016.

<sup>46</sup> San Francisco Planning Department, *Preliminary Shadow Fan*, August 10, 2017.

<sup>47</sup> San Francisco Share Schoolyard Project, [http://www.sfshareschoolyard.org/participating\\_schools](http://www.sfshareschoolyard.org/participating_schools), accessed September 6, 2018.



early June, excluding school holidays<sup>48</sup>) from 8 a.m. to 2 p.m. at 421 Bartlett, across Osage Alley to the west of the proposed project.<sup>49</sup> The location of the campuses and their respective schoolyards (also referred to as play yards) are shown on **Figure 13**. The campus schoolyards are open to students and teachers, and are only in active use during limited periods during the day. According to school staff, the Pre-K yard is used for morning recess separately by two groups, the first group from 9 a.m. to 10 a.m. and the second group from 10:30 a.m. to 11:30 a.m., and then for lunch recess beginning around noon.<sup>50</sup> The TK yard is used for morning recess by one group from 9 a.m. to 9:30 a.m., and the second group from 9:30 a.m. to 10 a.m., followed by lunch recess beginning around noon.



**Figure 13.** Zaida T. Rodriguez Early Education School Play Yards (figure not to scale)

Shadow effects of the proposed project on the nearby schoolyards were evaluated using a three-dimensional digital model of the proposed project according to the well-established quantitative methodologies used for shadow analysis on City parks subject to Planning Code section 295 (although schoolyards are not subject to section 295). Under these procedures, quantification of shadow effect is

<sup>48</sup> SFUSD academic calendar for 2018-2019 school year is from August 20, 2018 to June 4, 2019.

<http://www.sfusd.edu/en/assets/sfusd-staff/news-and-calendars/files/instructional-calendar/2018-19-calendar-ENG.pdf>; accessed September 13, 2018.

<sup>49</sup> San Francisco Unified School District (SFUSD), "Zaida T. Rodriguez Early Education School" webpage; <http://www.sfusd.edu/en/schools/school-information/rodriguez-ees.html>; Accessed August 30, 2018.

<sup>50</sup> ESA, Shadow Analysis of Proposed 2918 Mission Street Project, September 20, 2018

expressed as a percentage of theoretical annual available sunlight (TAAS).<sup>51</sup> The findings of the shadow analysis are summarized for each schoolyard below.<sup>52</sup> This analytical approach does not take into account existing shadow cast by trees, canopies, and shade structures that also shadow portions of the schoolyard. As such, the section 295 shadow analysis overstates the actual net new shadow of the proposed project; thus, the evaluation below also qualitatively discusses the net new shadow when existing shadow is taken into account.

*TK Schoolyard (421 Bartlett Street Campus)*

On an annual basis, the existing shadow coverage of the yard from nearby buildings is 3.75 percent of TAAS. The proposed project would increase shadow by approximately 17 percent on an annual basis, resulting in overall shadow totaling 20.75 percent of TAAS. Net new shadow would fall on the TK yard year-round beginning at 6:47 a.m. at the summer solstice (approximately June 21) and 8:20 a.m. at the winter solstice (approximately December 21). Shadow would leave the yard by about 11:30 a.m. from late February through mid-November, and by about 10:20 a.m. during the remainder of the year. The area of net new shadow on the yard would vary by season and time of day, from as low as 2 percent of the schoolyard to as much as 97 percent of the schoolyard.

As discussed above, use of the yard is limited to students and teachers for a 30 minute morning recess between the hours of 9 to 10 a.m., and again for lunch recess after noon. Because net new project shadow would be completely gone from the yard by 11:30 a.m. at all times of the year, there would be no new shadow during the lunch recess; therefore the focus of this analysis is shadow during the limited period between 9 and 10 am. During the morning recess, the amount of existing shadow on the yard from nearby structures varies from about 2 to 13 percent of the schoolyard area, with the largest amount from March through mid-October. (Note: the TK school is not in session during the summer months). The amount of net new shadow on the yard during morning recess from the proposed project would vary from an average high of about 81 percent of the schoolyard area at 9 a.m. decreasing to 63 percent at 10 a.m. during the months of March through mid-October, and an average low of about 44 percent of the schoolyard area at 9 a.m. decreasing to 6 percent at 10 a.m. during the remainder of the year (mid-October through February). Combining the existing and net new project shadow, the total amount of shadow on the yard by area would vary from 91 percent at 9 a.m. decreasing to 65 percent at 10 a.m. from March to mid-October, and from 47 percent at 9 a.m. decreasing to 10 percent at 10 a.m. from mid-October through February. Thus, during roughly half the school year (spring and early fall), there would be an average total shadow coverage on the schoolyard of approximately 78 percent, and during the other half of the school year (late fall and winter), shadow coverage would average about 29 percent of the schoolyard area during the morning recess.

In summary, during the two hours per day that the yard is used by students for recreation, shadow coverage exceeding two-thirds of the yard, on average, would occur approximately one quarter of the time, particularly at the earliest hour of morning recess in the late spring and early fall. Project shadows would disappear after approximately 10:20 a.m. in the winter months, and 11:30 a.m. at any time of the

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<sup>51</sup> The theoretical annual available sunlight is the amount of sunlight, measured in square-foot-hours that would fall on a given park during the hours covered by section 295. It is computed by multiplying the area of the park by 3,721.4, which is the number of hours in the year subject to section 295. This quantity is not affected by shadow cast by existing buildings, but represents the amount of sunlight that would be available with no buildings in place.

<sup>52</sup> ESA and Fastcast, Shadow Analysis of Proposed 2918 Mission Street Project, Case No. 2014.0376ENV, September 19, 2018.

year. The greatest amount of shadow would occur around the summer solstice, when school is not in session.

Consistent with the section 295 shadow analysis methodology the three dimensional model used for the shadow analysis presented above includes the proposed project and existing buildings, but does not include existing trees, canopies, and shade structures that also shadow portions of the schoolyard. As such, this analysis overstates the actual net new shadow of the proposed project on the TK schoolyard. During the 9 to 10 a.m. morning recess hour, portions of the yard are currently shadowed by a gazebo/overhang structure on the east side of the school building, a shade structure over the sandbox, and a stand of trees that border the northern and southern edges of the yard. Because these elements are not included in the model, their resulting shadow cannot be quantified; however based on field observations, it appears that these features currently shade roughly 25 percent of the schoolyard during the 9 a.m. to 10 a.m. hour (see Figure 14 and 15). Thus, the actual amount of net new shadow resulting from the proposed project would be less than calculated in the shadow study discussed above. Existing shadow from trees and canopies covers active play areas to the north of the play structure, the sandbox and adjacent areas, and the breezeway beneath the gazebo.



**Figure 14.** Northern edge of TK yard – September 8, 2018 at 9:40 a.m.



**Figure 15.** Southern edge of TK yard with sandbox and gazebo – September 8, 2018 at 9:40 a.m.

*Pre-Kindergarten Schoolyard (2915 Mission Street)*

On an annual basis, the existing shadow coverage of the Pre-K yard from nearby buildings is 8.11 percent of TAAS. The proposed project would increase shadow by approximately 0.18 percent, resulting in overall shadow totaling 8.29 percent of TAAS. In general, net new project shadow would fall on the yard for 21 weeks between mid-April and the end of August for durations of between 15 minutes and almost 4¾ hours (284 minutes).<sup>53</sup> In the morning, project shadow would begin to reach the Pre-K play yard between about 7 a.m. and 7:30 a.m., depending on the date, and would leave the play yard no later than 9:10 a.m. This morning shadow would overlap with the first 10 minutes of the first recess period. During these 10 minutes, approximately 5 percent of the schoolyard would be shadowed by the project. Approximately half of the schoolyard is currently shadowed by the school building during the first recess period. Project shadow would again reach the Pre-K play yard beginning as early as about 4:45 p.m. and would last until the last section 295 minute, which typically occurs between 6:52 p.m. and 7:36 p.m. during the weeks when project shadow would fall on the Pre-K play yard. Most of the late afternoon shade would reach the Pre-K play yard after the Pre-K school's 5:30 p.m. closing time.<sup>54</sup>

<sup>53</sup> In mid-April and late August, project shadow would reach the Pre-K play yard for only 15 minutes per day.

<sup>54</sup> Cumulative shadow analysis determined that a proposed project at 2976 Mission Street would add a nominal amount of shadow (less than 0.01 percent of TAAS and a maximum of 33 square feet) on the Pre-K yard.

*Nearby Public Property*

The proposed project would shade portions of nearby streets, sidewalks, and properties at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly experienced or expected in urban areas.

*Conclusion*

As discussed above, the proposed project would not shade any properties under the jurisdiction of the Recreation and Parks Department or any other publicly accessible open spaces, including any schoolyards participating in the Shared Schoolyard Project. Net new shadow resulting from the proposed project would fall on the Zaida T. Rodriguez schoolyards for varying durations at different times of the year. The greatest amount of shadow would occur around the summer solstice, when the TK yard is not in use. Net new shadow coverage on the TK yard during the two hours per day that the yard is used by students for recreation would cover more than two-thirds of the yard area on average approximately one quarter of the time it is used, and would cast the most new shadow at the earliest hour of morning recess in the late spring and early fall. During other times of the year, net new shadow would cover approximately one quarter of the yard on average during morning recess. However, as noted above, these percentages do not take into consideration existing shadow from trees, canopies, and gazebos. There would be no new shadow coverage resulting from the proposed project during lunch recess, as the schoolyard would be unaffected by project shadows after approximately 10:20 a.m. in the winter months, and after approximately 11:30 a.m. at any time of the year. Shadow from the project, while noticeable during the current morning recess times at certain times of the year, would not substantially affect the use of the schoolyards, and would not exceed levels commonly experienced or expected in a dense urban environment. Net new shadow coverage on the Pre-K yard would be limited to 5 percent of the yard for 10 minutes of morning recess, and after 4:45 p.m. until school closing at 5:30 p.m.

Although occupants of nearby property may regard the increase in shadow on public streets and sidewalks and private properties as undesirable, the limited increase in shading as a result of the proposed project would not be considered a significant impact under CEQA.

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

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

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

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

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and the In Chan Kaajal Park at 17<sup>th</sup> and Folsom, have opened. . In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to "Transportation" section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

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

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

| <u>Topics:</u>   | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| <b>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>  |   |  |  |  |
| 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"/>  |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?   | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |

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

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

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

Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

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

| <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>11. PUBLIC SERVICES—Would the project:</b>   |   |  |  |  |
| a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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

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

| <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>12. BIOLOGICAL RESOURCES—Would the project:</b>   |   |  |  |  |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |



| <u>Topics:</u>   | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| 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 Eastern Neighborhoods PEIR, the Eastern Neighborhoods Plan area is in a developed urban environment that does not provide native natural habitat for any rare or endangered plant or animal species. There are no riparian corridors, estuaries, marshes, or wetlands in the plan area that could be affected by the development anticipated under the area plan. In addition, development envisioned under the Eastern Neighborhoods Area Plan would not substantially interfere with the movement of any resident or migratory wildlife species. For these reasons, the PEIR concluded that implementation of the area plan would not result in significant impacts on biological resources, and no mitigation measures were identified.

The project site is a fully developed lot covered by a building and asphalt-paved parking lot located within the Mission Plan area of the Eastern Neighborhoods Area Plan and does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

| <u>Topics:</u>   | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|--|---|--|--|--|
| <b>13. GEOLOGY AND SOILS—Would the project:</b>  |   |  |  |  |
| 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"/>  |

| <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> |
|---|---|--|--|--|
| 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"/>                                     |  |
| iv) Landslides?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Result in substantial soil erosion or the loss of topsoil?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| f) Change substantially the topography or any unique geologic or physical features of the site?   | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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

A geotechnical investigation was prepared for the proposed project to inform excavation and construction with regard to potential geologic hazards.<sup>55</sup> Three soil borings drilled to depths up to 50 feet below ground surface indicate that subsurface conditions consist of sand with varying amounts of silt and clay. Groundwater was encountered at depths between 27 and 30 feet. The site is adjacent to the BART subsurface easement (tunnels and tracks) along Mission Street. Because the project site is within the BART zone of influence, project design and construction are subject to BART's design requirements, review and approval.<sup>56</sup> These guidelines inform the geotechnical investigation recommendations for building foundations to avoid adverse effects on the adjacent BART structures.

The geotechnical investigation states that the proposed project is not located in an Alquist-Priolo Earthquake Fault zone and notes that the nearest active fault, the North San Andreas Fault, is about 5 miles to the west. Additionally, there are no mapped active faults crossing the project site and there is a

<sup>55</sup> Langan Treadwell Rollo, *Geotechnical Investigation, 2918 Mission Street*, May 6, 2016.

<sup>56</sup> BART, *General Guidelines for Design and Construction Over or Adjacent to BART's Subway Structures*, July 23, 2003.

low risk of surface rupture that could damage the structure. However, the project site is located within a seismically active area, as is the entire Bay Area, and will be subject to strong ground shaking during a major earthquake on a nearby fault, which could result in seismic hazards such as that associated with soil liquefaction, lateral spreading, and seismic densification. The study states that the potential for these hazards is low, but that a moderate to large earthquake on a nearby fault could cause settlement on the order of ¼ to ½-inch.

The geological investigation concludes that the proposed project is feasible with incorporation of the recommended measures. Detailed recommendations with regard to selection of the appropriate foundation(s) to support the proposed structure within the BART zone of influence, support of temporary slopes and neighboring structures in compliance with BART requirements during excavation, and underpinning the adjacent buildings are provided. Additional recommendations regarding site preparation, shoring, floor slabs, below-grade retaining walls, site drainage, seismic design criteria, and construction monitoring are also provided.

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

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

| <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> |
|---|---|--|--|--|
| <b>14. HYDROLOGY AND WATER QUALITY—Would the project:</b>   |   |  |  |  |
| 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"/>                            |

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

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

The project site is currently occupied by a one-story structure and an asphalt-paved parking lot; the proposed project would also occupy the entire project site and there would not be any change in the amount of impervious surface coverage, which in turn, could increase the amount of drainage and runoff. In accordance with the Stormwater Management Ordinance (Ordinance No. 64-16) and Public Works Code section 147, the proposed project would be subject to and would comply with the San Francisco Public Utilities Commission (SFPUC) Stormwater Management Requirements and Design Guidelines, incorporating low impact design approaches and stormwater management systems into the project. Adherence to these requirements would ensure that stormwater is managed appropriately so as to not adversely affect drainage systems and water quality.

Stormwater runoff during construction must comply with the Construction Site Runoff Ordinance (Ordinance No. 260-13) and the Public Works Code section 146. Construction activities that disturbs 5,000 sf or more, such as the project, must submit an erosion and sediment control plan to the SFPUC for review and approval prior to construction. The plan would outline the best management practices to be implemented during construction to prevent the discharge of sediment, non-stormwater, and waste runoff from the project site.

The proposed project would not expose people or structures to flooding risks or hazards, or impede or redirect flood flows in a 100-year flood hazard area, because the project site is not located within a 100-year flood zone. Because the project site is not located within a flood hazard zone or near a water reservoir with a dam or levee, the proposed project would not 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. Similarly, the project site also is not located within a tsunami hazard zone and would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche or tsunami.<sup>57</sup>

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

| <i>Topics:</i>   | <i>Significant Impact Peculiar to Project or Project Site</i> | <i>Significant Impact not Identified in PEIR</i> | <i>Significant Impact due to Substantial New Information</i> | <i>No Significant Impact not Previously Identified in PEIR</i> |
|--|---|--|--|--|
| <b>15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>  |   |  |  |  |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| 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"/>                            |

<sup>57</sup> San Francisco Planning Department, *San Francisco General Plan, Community Safety Element*. (Map 05, Tsunami Hazard Zones, page 15). October 2012. Available online at: [http://www.sf-planning.org/ftp/General\\_Plan/Community\\_Safety\\_Element\\_2012.pdf](http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf), accessed November 13, 2014.

| <u>Topics:</u>  | <i>Significant<br/>Impact Peculiar<br/>to Project or<br/>Project Site</i> | <i>Significant<br/>Impact not<br/>Identified in PEIR</i> | <i>Significant<br/>Impact due to<br/>Substantial New<br/>Information</i> | <i>No Significant<br/>Impact not<br/>Previously<br/>Identified in PEIR</i> |
|---|---|--|--|--|
| h) Expose people or structures to a significant risk of loss, injury, or death involving fires? | <input type="checkbox"/>  | <input type="checkbox"/>                                 | <input type="checkbox"/>   | <input checked="" type="checkbox"/>  |

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

**Hazardous Building Materials**

The Eastern Neighborhoods PEIR determined that future development in the plan area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1 would apply to the proposed project and is included as Mitigation Measure 4 in the Mitigation Measures Section below. With implementation of Mitigation Measure 4, there would be a less-than-significant impact on the environment with respect to hazardous building materials.

**Soil and Groundwater Contamination**

Since certification of the PEIR, article 22A of the Health Code, also known as the Maher Ordinance, was expanded to include properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, remediation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater are subject to this ordinance. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a *phase I environmental site assessment* that meets the requirements of Health Code section 22.A.6. The site assessment 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* to the Department of Public Health or other appropriate state or federal agency(ies), and to remediate site contamination in accordance with an approved site mitigation plan prior to the issuance of any building permit.

The proposed project would excavate approximately 2,100 cubic yards of soil from a site formerly used as an automobile service station and listed on the California State Water Resources Control Board's Leaking Underground Storage Tank list due to a release from a 1,000-gallon unleaded gasoline storage tank removed in 2006.<sup>58</sup> The water board case was closed in November 2006.<sup>59,60</sup> Therefore, the project is subject to the Maher Ordinance. In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to the health department for oversight of site investigation and cleanup. As required, the sponsor's consultant has prepared a phase I site assessment, submitted a work plan for subsurface investigation to the health department for review and approval,<sup>61</sup> performed a *phase II subsurface investigation*,<sup>62</sup> and received health department approval of its proposed site mitigation plan.<sup>63,64</sup> The phase I site assessment indicates that the site was used for automobile sales and service for about four decades, from 1935 to the mid-1970s, and would likely have used petroleum hydrocarbon fuels, oils, lubricants, degreasers, and solvents. Later site uses may have included dry cleaner operations, based on a permit from 1991, which could have used chlorinated solvents on-site. The results of the soil, soil vapor, and groundwater sampling and analysis indicate that contaminants are present in subsurface soil, soil vapor, and groundwater at the site. Contaminants include petroleum hydrocarbons, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polycyclic aromatic hydrocarbons (PAHs), asbestos, and various metals, some at concentrations exceeding the San Francisco Bay Regional Water Quality Control Board's *environmental screening levels* for residential use. Screening levels are levels of commonly-found contaminants below which the presence of the chemical in soil, soil gas, or groundwater can be assumed not to pose a significant threat to human health, water resources, or the environment under most circumstances.<sup>65</sup>

Project construction would require excavation of the top 3 feet of soil over most of the site for foundation construction, and excavation to 7.5 feet below ground surface for the elevator pit. The site mitigation plan proposes over-excavation of soil in areas where soil vapor contamination exceeds applicable screening levels, and post-excavation confirmatory soil sampling to verify that impacted areas have been removed. In addition, additional investigation of the extent of lead in soil would be performed and removed, as needed. According to the site mitigation plan, all soil contaminants above screening levels, except for

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<sup>58</sup> Clearwater Group, *Phase I Environmental Site Assessment, Wash Club Laundry, 2918-2920-2922-2924 Mission Street*, July 12, 2015.

<sup>59</sup> California State Water Resources Control Board, GeoTracker Database Search, Available online at <http://geotracker.waterboards.ca.gov>. Accessed September 22, 2016.

<sup>60</sup> San Francisco Department of Public Health, *Remedial Action Completion Certification, Underground Storage Tank Case, Wash Club Laundry, 2922 Mission Street, LOP Case Number: 11769*, November 2, 2006.

<sup>61</sup> Clearwater Group, *Work Plan for Subsurface Investigation, Wash Club Laundry, 2918-2924 Mission Street*, March 7, 2016.

<sup>62</sup> Clearwater Group, *Subsurface Investigation Report, San Francisco Health Code Article 22A, Maher Ordinance, Wash Club Laundry and Mini-Mart, 2918-2924 Mission Street, Local Oversight Program Site Number: 11769, EHB-SAM Case Number 1296*, May 24, 2016.

<sup>63</sup> Clearwater Group, *Site Mitigation Plan, San Francisco Health Code Article 22A, Maher Ordinance, Wash Club Laundry and Mini-Mart, 2918-2924 Mission Street, Local Oversight Program Site Number: 11769, EHB-SAM Case Number 1296*, May 26, 2016.

<sup>64</sup> San Francisco Department of Public Health, Environmental Health, *SFHC Article 22A Compliance, Wash Club Laundry and Mini-Mart, 2918-2924 Mission Street, EHB-SAM Case Number: 1296*. June 15, 2016.

<sup>65</sup> San Francisco Bay Regional Water Quality Control Board, *User's Guide: Derivation and Application of Environmental Screening Levels (ESLs), Interim Final*, February 2016.

arsenic (which is attributable to background conditions in the Bay Area), would be removed during the excavation activities prior to project construction. Excavated materials would be hauled for disposal at an appropriate landfill facility. To reduce the potential hazards that could result from exposure to hazardous materials in soil during the excavation, handling, transportation and disposal of excavated soil, the site mitigation plan includes eight mitigation plans and procedures for project construction. These include the following: waste management and disposal plan; dust control plan; stormwater pollution protection plan; soil management and handling procedures plan; health and safety plan; vapor screening plan; excavation management waste plan; and noise and vibration mitigation plan.<sup>66</sup>

Groundwater was encountered at a depth of approximately 27-30 feet below ground surface. Groundwater sampling indicates that total petroleum hydrocarbons (as motor oil) and phenol are present at concentrations above the default tier 1 environmental screening levels<sup>67</sup> and are not considered a risk for residential use based on the nature of the contaminants and depth to groundwater.<sup>68</sup> This is corroborated by the Tier 2 screening levels, which consider site-specific conditions (i.e., depth to groundwater, subsurface materials, and presence of a building slab) in determining the screening levels and indicate that contaminant concentrations at the project site are well below the Tier 2 screening levels that are protective of residential uses.<sup>69</sup> Thus, no remediation of groundwater would be required.<sup>70</sup> In addition, the site mitigation plan states that the building design would include a vapor barrier and passive venting system to reduce the upward migration of water vapor, residual VOCs, or SVOCs in the subsurface. As discussed above, the site mitigation plan has been reviewed and approved by the City health department.

The proposed project would be required to remediate potential soil contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods 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> |
|---|---|--|--|--|
| <b>16. MINERAL AND ENERGY RESOURCES—Would the project:</b>  |   |  |  |  |
| 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"/>                            |

<sup>66</sup> Clearwater Group, Site Mitigation Plan, *San Francisco Health Code Article 22A, Maher Ordinance, Wash Club Laundry and Mini-Mart, 2918-2924 Mission Street, Local Oversight Program Site Number: 11769, EHB-SAM Case Number 1296*, May 26, 2016.

<sup>67</sup> Tier 1 ESLs are based on a conservative default site scenario to protect sites with unrestricted land and water use, shallow soil and groundwater contamination, and permeable soil. Tier 2s are based on a site-specific conceptual site model based on the subsurface conditions at the project site.

<sup>68</sup> Ibid.

<sup>69</sup> San Francisco Bay Regional Water Quality Control Board, *Environmental Screening Levels (ESLs), ESL Workbook*, February 2016.

<sup>70</sup> San Francisco Department of Public Health, Stephanie Cushing, personal communication, October 4, 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> |
|--|---|--|--|--|
| c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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

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

| <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>17. AGRICULTURE AND FOREST RESOURCES:—Would the project:</b>   |   |  |  |  |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?                                    | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?                                       | <input type="checkbox"/>                                      | <input type="checkbox"/>                         | <input type="checkbox"/>                                     | <input checked="" type="checkbox"/>                            |

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

mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

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

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## MITIGATION MEASURES

### **Project Mitigation Measure 1 – Accidental Discovery of Archeological Resources** (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* section 15064.5(a) and (c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm 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, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) 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 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 describing 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 (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 copy, one unbound copy and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

**Project Mitigation Measure 2 – Construction Noise - Pile Driving** (Mitigation Measure F-1 of the Eastern Neighborhoods PEIR)

The project sponsor shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors would be required to use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.

**Project Mitigation Measure 3 – Construction Noise** (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR)

The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:

- Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses;
- Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses;
- Monitor the effectiveness of noise attenuation measures by taking noise measurements; and
- Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed.

**Project Mitigation Measure 4 – Hazardous Building Materials (Eastern Neighborhoods Mitigation Measure L-1)**

In order to minimize impacts to public and construction worker health and safety during demolition of the existing structure, the sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any florescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.