



SAN FRANCISCO PLANNING DEPARTMENT

Initial Study – Community Plan Evaluation

Case No.: 2015-005863ENV
Project Address: **360 Fifth Street**
Zoning: Mixed Use Residential (MUR) District
85-X and 45-X Height and Bulk Districts
Block/Lot: 3753/005, 006A, 007, 057, 058, 100, 101, 147
Lot Size: 23,125 square feet (0.53 acres)
Plan Area: Eastern Neighborhoods Area Plan (East SoMa Plan Area)
Project Sponsor: John Kevlin – Reuben, Junius & Rose
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PROJECT DESCRIPTION

The project site is located at 360 Fifth Street on the west side of Fifth Street between Clara and Shipley streets (see Figure 1)¹. The project site consists of eight lots (005, 006A, 007, 057, 058, 100, 101, 147) on Assessor's Block 3753 (see Figure 2). The 23,125-square-foot (0.53 acre) project site is currently occupied by three existing two-story structures totaling approximately 17,897 square feet (sf), dedicated to Production, Distribution and Repair (PDR) use. The existing buildings are currently, or recently have been occupied by a woodworking shop, internet technology offices, artisan workshops, and an independent radio station.

The block on which the project site is located is bounded by Sixth Street to the west, Shipley Street to the north, Fifth Street to the east, and Clara Street to the south. The site slopes gently downward from northwest to southeast. The project vicinity includes a mix of residential, retail/commercial, PDR, office and institutional uses. The project block includes one- to four-story buildings, including restaurant supply services, fine art rental, financial services, automobile maintenance and repair services, residential buildings, and the City Life Church of San Francisco. The blocks surrounding the project site include similar uses. San Francisco Fire Department Station No. 1 is located on the block to the north of the project site, at 935 Folsom Street.

The proposed project would include the demolition of the three existing two-story structures and the construction of a 141,700-gross-square-foot (gsf), four- to eight-story, 45-foot to 85-foot-tall, mixed use residential building with up to 127 dwelling units over approximately 1,300 sf of ground floor retail with frontages on Fifth and Shipley streets, and approximately 8,000 sf of PDR space at the ground and

¹ Market Street is oriented in a northeast-southwest direction, but is referred to as an east-west street for the purposes of this document, as are streets running parallel to Market Street including Harrison and Lansing streets. Essex, First, and Fremont streets are oriented in a northwest-southeast direction (perpendicular to Market Street), but are referred to as north-south streets in this document. This convention is used to describe the locations of other buildings and uses in relation to the project site.

basement levels with frontages on Fifth and Clara streets. A residential lobby would be located between the retail and PDR spaces, with access from Fifth Street. The eastern portion of the building with frontage along Fifth Street would be eight stories and the western portion would be four stories. The proposed building would include rooftop mechanical equipment, a common open space area, and an elevator penthouse. The proposed building would measure up to 101 feet tall at its highest point, which is at the top of the elevator penthouses (see Figures 7 through 13).

The proposed project would include 127 dwelling units including: 31 studios (24 percent), 43 one-bedroom (34 percent), 34 two-bedroom (27 percent), and 19 (15 percent) three-bedroom units (see Figures 4 through 6). Up to 1,430 square feet of residential amenity space would be provided, including 894 sf on the ground floor.

A total of approximately 10,300 square feet of open space would be provided in a combination of private decks (320 sf), a ground floor courtyard (3,330 sf), a fifth floor terrace (5,180 sf), and a roof deck (1,490 sf) (see Figure 14). Planning Code Section 135 requires 80 sf of usable open space per residential unit so a minimum of 10,160 sf of open space is required for 127 residential units.²

Primary pedestrian access to the building would be through a residential lobby/lounge located on Fifth Street. Pedestrian access to the PDR and retail uses would also be from Fifth Street (see Figure 4). The proposed project would include up to 35 vehicle parking spaces, two car-share spaces, and two service vehicle loading spaces, in a one-level underground parking garage, with an 8.5-foot overhead clearance, that would be accessed via an 18-foot-wide driveway and a proposed 20-foot curb cut (replacing an existing curb cut) on Clara Street. Five existing curb cuts (two on Fifth Street, one on Clara Street, and two on Shipley Street) would be removed.

All 35 spaces would be allocated to building residents. Thirty-three of these spaces would be independently-accessible, of which two would be Americans with Disabilities Act (ADA) accessible spaces (one ADA car space, and one ADA van space). Two bicycle storage areas in the below-grade garage would provide 110 class I bicycle parking spaces (see Figure 4). Access to the bicycle storage areas would be from the residential lobby elevator. Eleven class II bicycle parking spaces³ would be provided on the three project frontages.

Per Planning Code Section 152.1, one off-street loading space is required for the residential portion of the proposed project. No off-street loading spaces are required for the retail or PDR portions of the proposed project. As proposed, the project does not include any off-street loading spaces. Two service vehicle loading spaces (9 feet by 18 feet) are proposed in the underground parking garage. These loading spaces would primarily be used for move-in/move-out activities that can be accommodated by a smaller moving vehicle.

There are, currently, no on-street passenger loading zones (white curb) on any of the project site's frontages along Shipley, Clara, or Fifth streets. There is one on-street freight loading zone (yellow curb)

² Per Planning Code Section 135(d)(5), 80 sf of usable open space is required per residential unit in Eastern Neighborhoods Mixed Use Districts.

³ Section 155.1(a) of the Planning Code defines class I 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 II 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."

on the south side of Clara Street, at the southwest corner of the intersection of Clara and Fifth streets. Residential and retail deliveries would likely occur from this on-street freight loading space. Garbage pick-up would occur alongside the project frontage on Shipley Street.

The project sponsor intends to apply for one yellow freight loading space on the south side of Shipley, adjacent to the project frontage, through San Francisco Municipal Transportation Agency's (MTA's) Color Curb Program.

Given that the proposed project involves new construction and the project site is over 0.5 acres, the proposed project is subject to the San Francisco Better Streets Plan ("Better Streets Plan"), as codified in Planning Code Section 138.1.⁴

The Better Streets Plan identifies:

- Fifth Street as a Mixed-Use Street;
- Clara Street as an Alley; and
- Shipley Street as an Alley.

Per the Better Streets Plan, Fifth Street should have minimum sidewalk width of 12 feet, with a recommended width of 15 feet, and Clara and Shipley streets should have minimum sidewalk width of 6 feet with a recommended width of nine feet. The existing sidewalk widths meet the Better Streets Plan minimum standards on the Shipley and Clara Street project frontages; the sidewalk on Fifth Street is 10 feet wide, 2 feet less than the minimum standard (see Figure 15). Given that Fifth Street will be subject to some improvements in the future, and given that both Shipley and Clara streets are fairly narrow rights-of-way, the proposed project does not include sidewalk extensions. However, the proposed building is designed with pedestrian-level (ground floor) setbacks on all three project frontages; this would effectively increase the sidewalk width along all frontages (see Figures 16 through 18). On Fifth Street a continuous 2-foot setback is proposed to effectively increase the sidewalk width to a minimum of 12 feet. A 5.5-foot intermittent ground-floor setback is proposed on Shipley Street, and a 3-foot, intermittent, ground-floor setback is proposed on Clara Street. The setbacks on Shipley and Clara streets would be partially occupied by the stoop, stair, and landing areas for individual walk-up access to the ground-floor dwelling units.


Five existing street trees on Fifth Street and one on Clara Street would be removed and replaced with seven new street trees along Fifth Street.

⁴ The Better Streets Plan was adopted by the City in December 2010. The plan provides a comprehensive set of guidelines for the design of San Francisco's pedestrian realm. The plan seeks to balance the needs of all street users with a particular focus on the pedestrian environment and how streets can be used as a public space. The Better Streets Plan policies can be found at: www.sfbetterstreets.org.



SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
CASE NO: 2015-005863ENV

 PROJECT SITE

Project
North 



NTS

FIGURE 1
PROJECT LOCATION

SUBJECT PROPERTY

PROPERTY ADDRESS: 342-360 5TH ST. & 210-212 CLARA ST.
SAN FRANCISCO, CA

BLOCK & LOT NUMBER: BLOCK 3753/ LOTS 005, 006A, 007,
057, 058, 100, 101, & 147

SITE AREA: 23,125 SF

ZONING DISTRICT: EAST SOMA NEIGHBORHOOD &
CENTRAL SOMA NEIGHBORHOOD

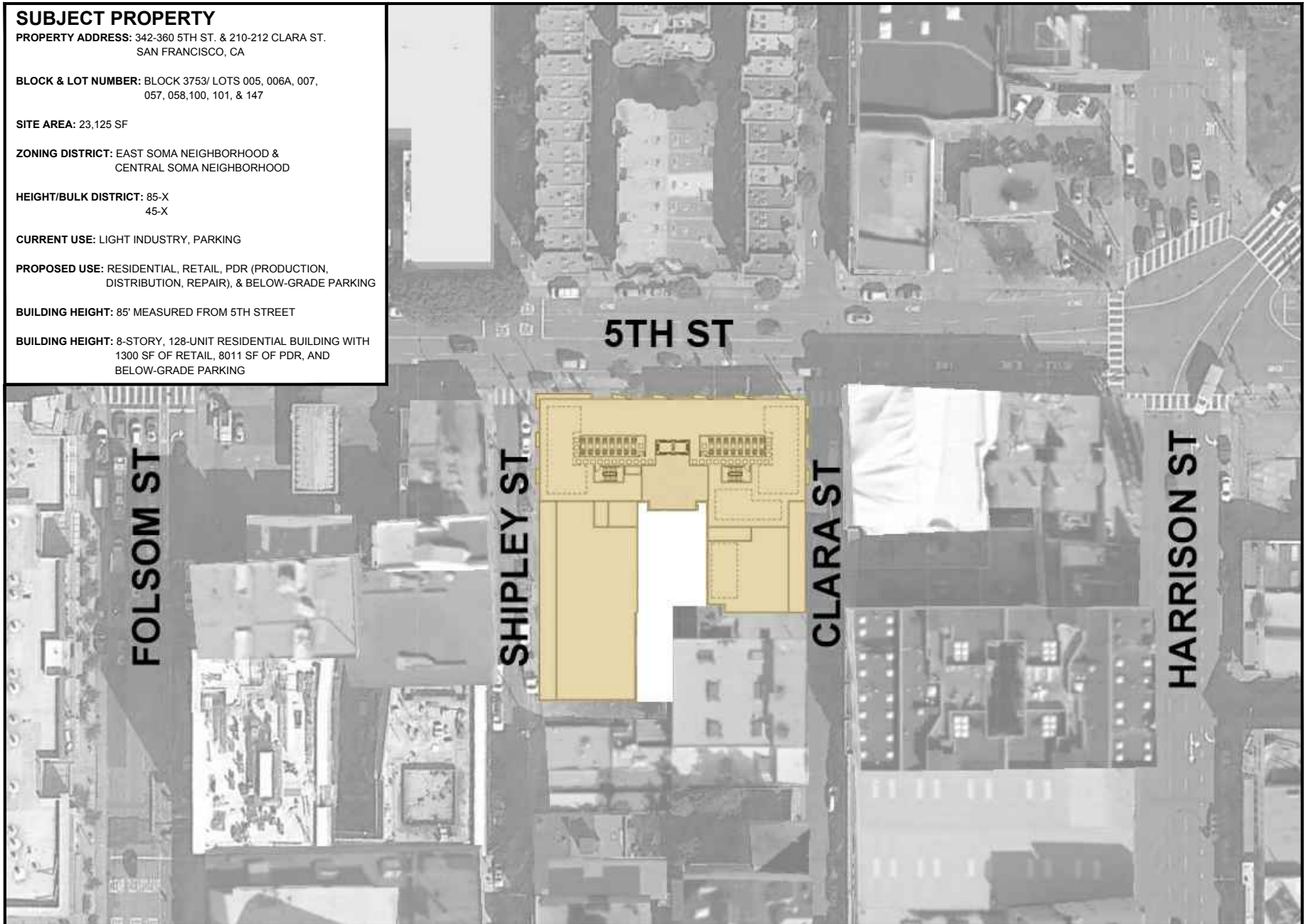
HEIGHT/BULK DISTRICT: 85-X
45-X

CURRENT USE: LIGHT INDUSTRY, PARKING

PROPOSED USE: RESIDENTIAL, RETAIL, PDR (PRODUCTION,
DISTRIBUTION, REPAIR), & BELOW-GRADE PARKING

BUILDING HEIGHT: 85' MEASURED FROM 5TH STREET

BUILDING HEIGHT: 8-STORY, 128-UNIT RESIDENTIAL BUILDING WITH
1300 SF OF RETAIL, 8011 SF OF PDR, AND
BELOW-GRADE PARKING



SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
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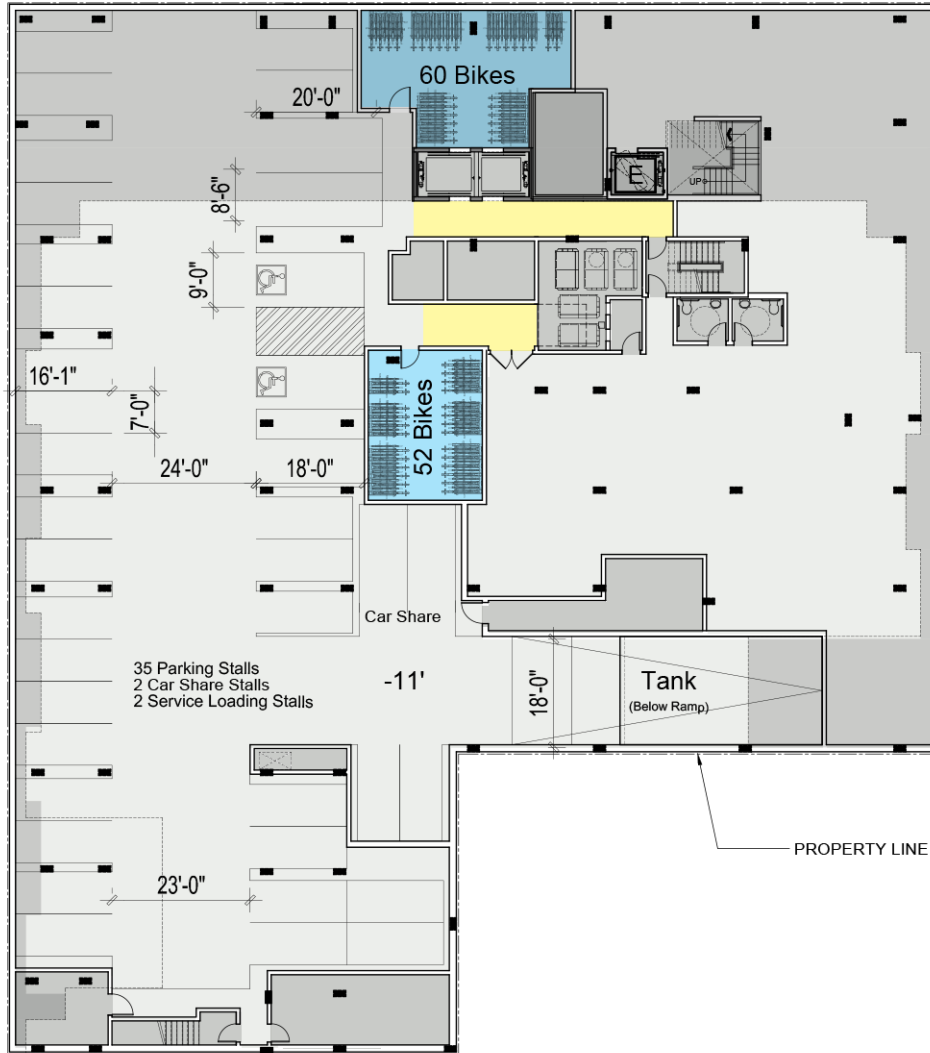


FIGURE 2
PROJECT SITE

5TH STREET

SHIPLEY STREET

CLARA STREET



SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
CASE NO: 2015-005863ENV

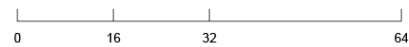


FIGURE 3
BASEMENT PLAN

5TH STREET

SHIPLEY STREET

CLARA STREET



- S = Studio
- 1 BD = 1 Bedroom
- 2 BD = 2 Bedroom
- 3 BD = 3 Bedroom

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
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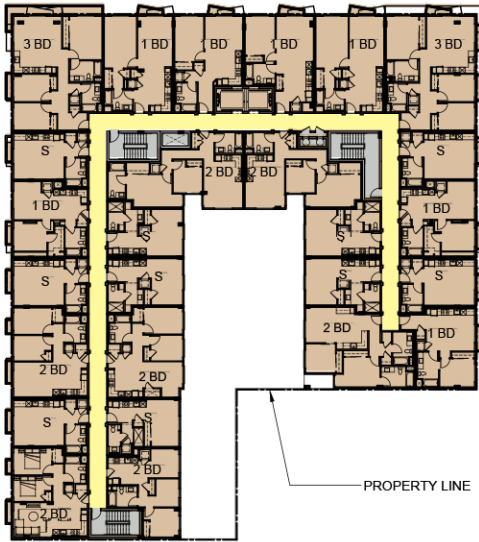


FIGURE 4
 PROPOSED GROUND FLOOR PLAN

5TH STREET

SHIPLEY STREET

CLARA STREET

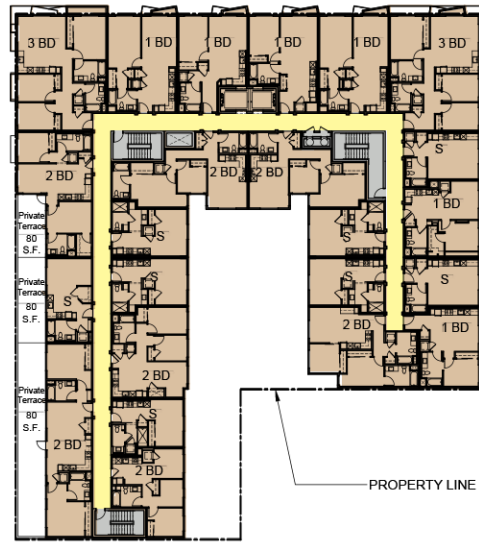


Levels 2-3

5TH STREET

SHIPLEY STREET

CLARA STREET

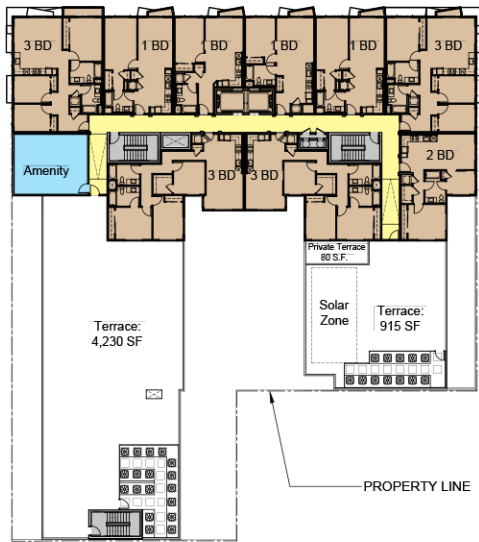


Level 4

5TH STREET

SHIPLEY STREET

CLARA STREET

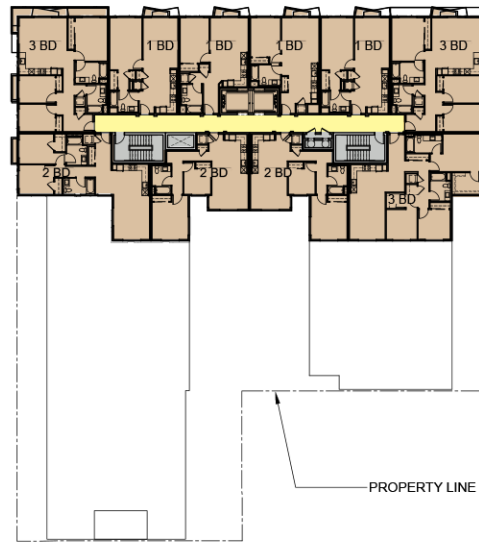


Level 5

5TH STREET

SHIPLEY STREET

CLARA STREET



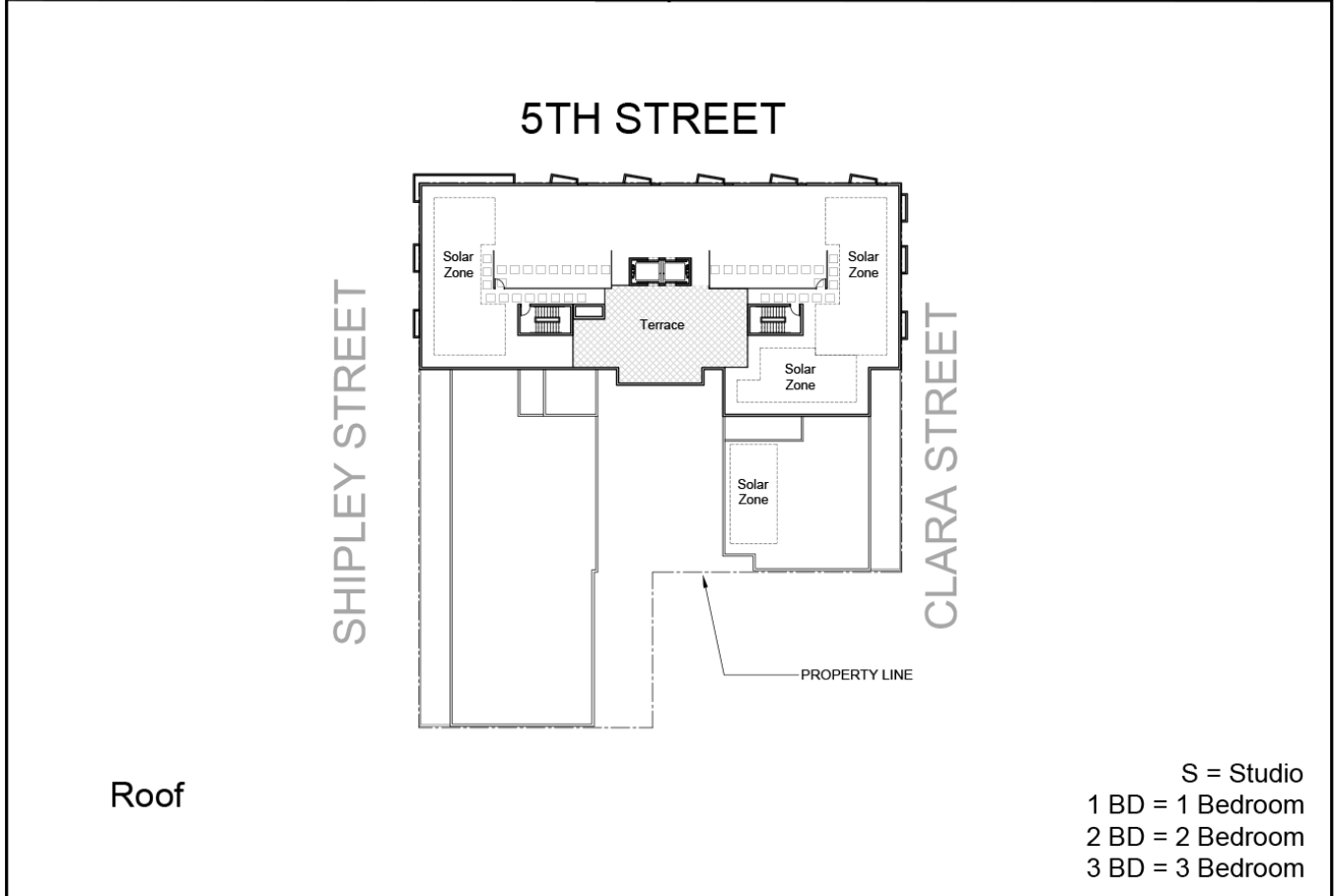
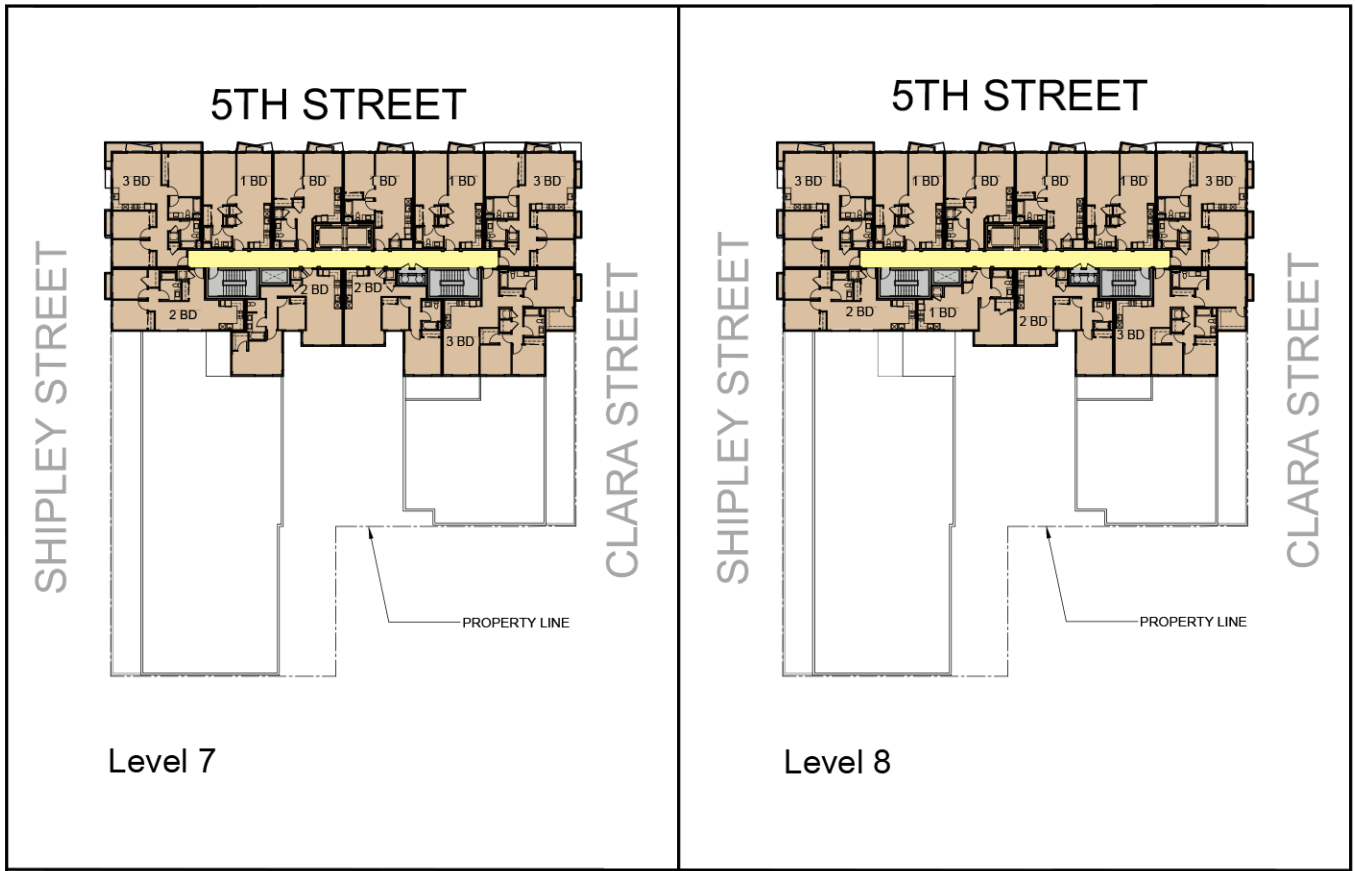
Level 6

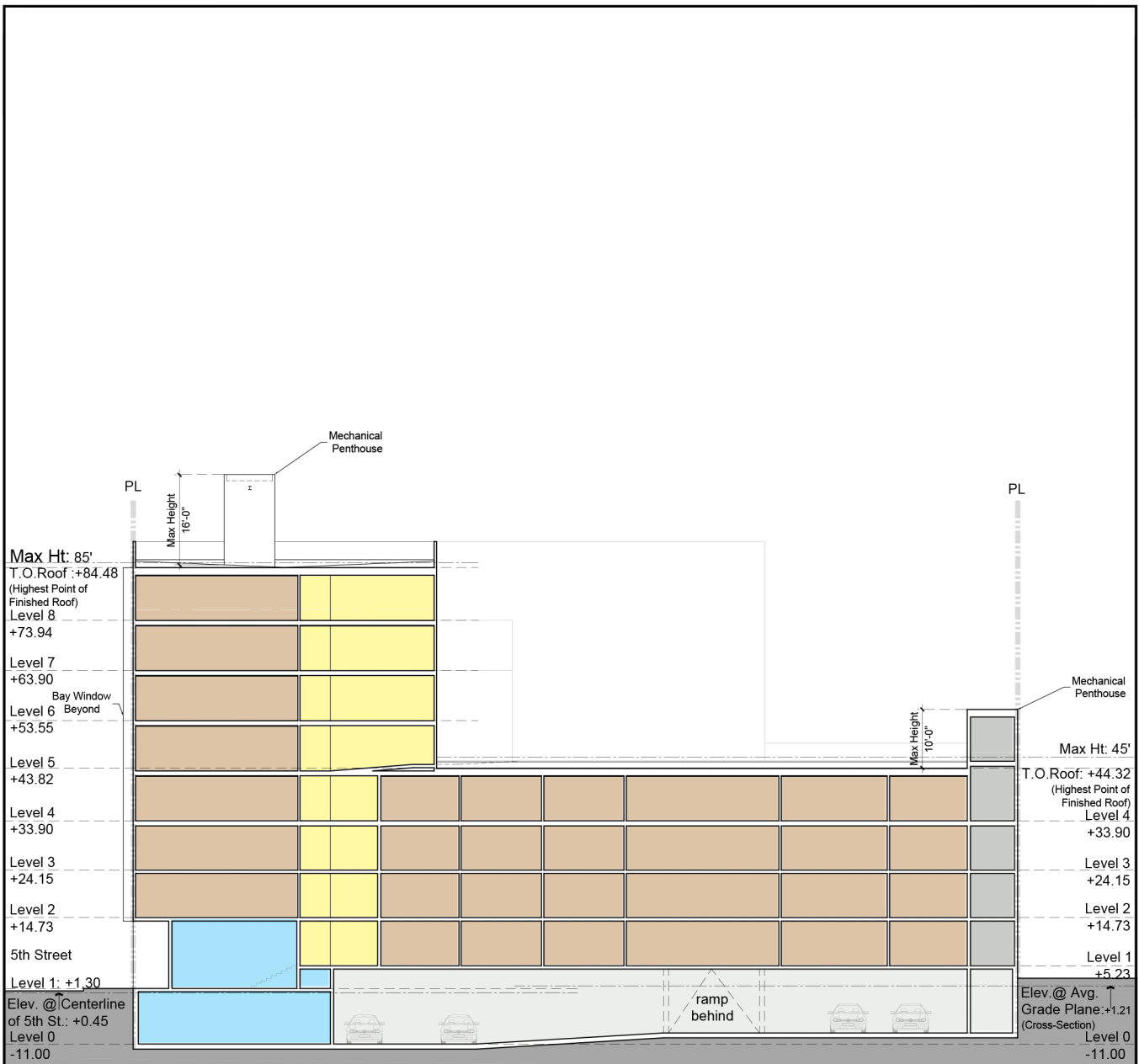
S = Studio
 1 BD = 1 Bedroom
 2 BD = 2 Bedroom
 3 BD = 3 Bedroom

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV



FIGURE 5
 TYPICAL FLOOR PLANS (LEVELS 2-6)





5TH STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

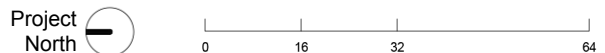
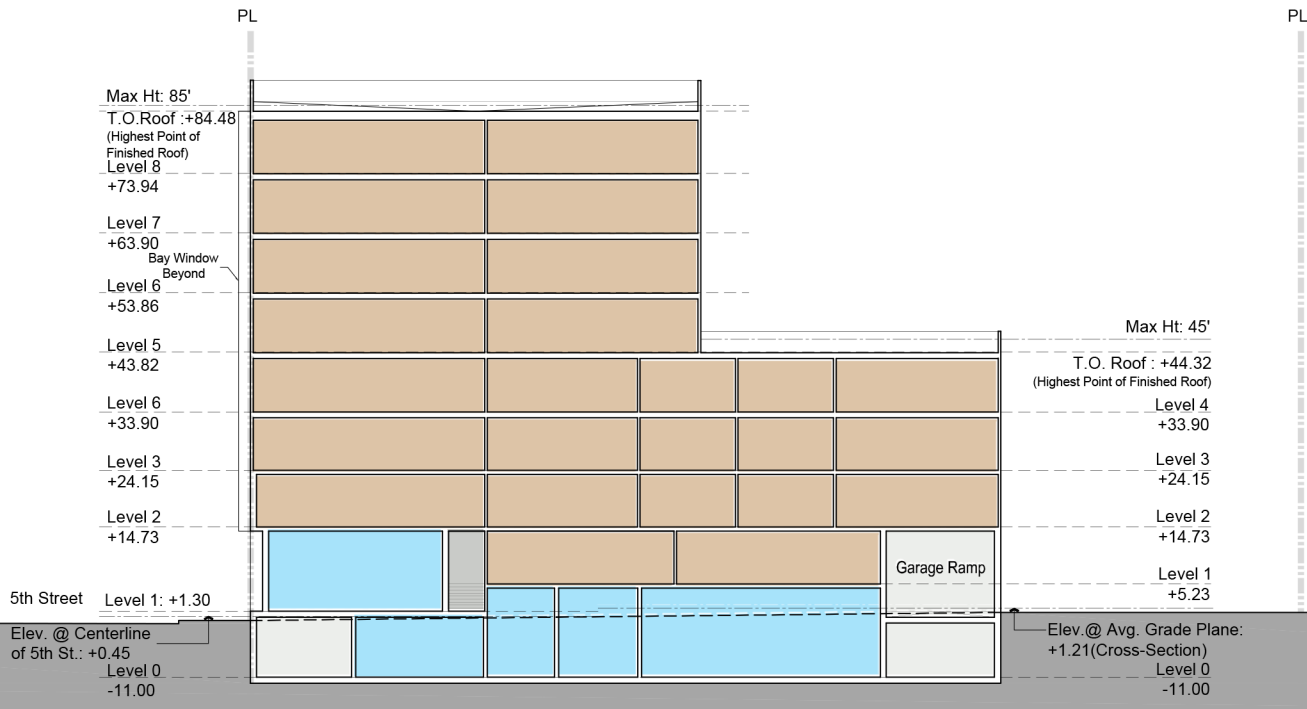


FIGURE 7
PROPOSED SECTION (LOOKING SOUTH)

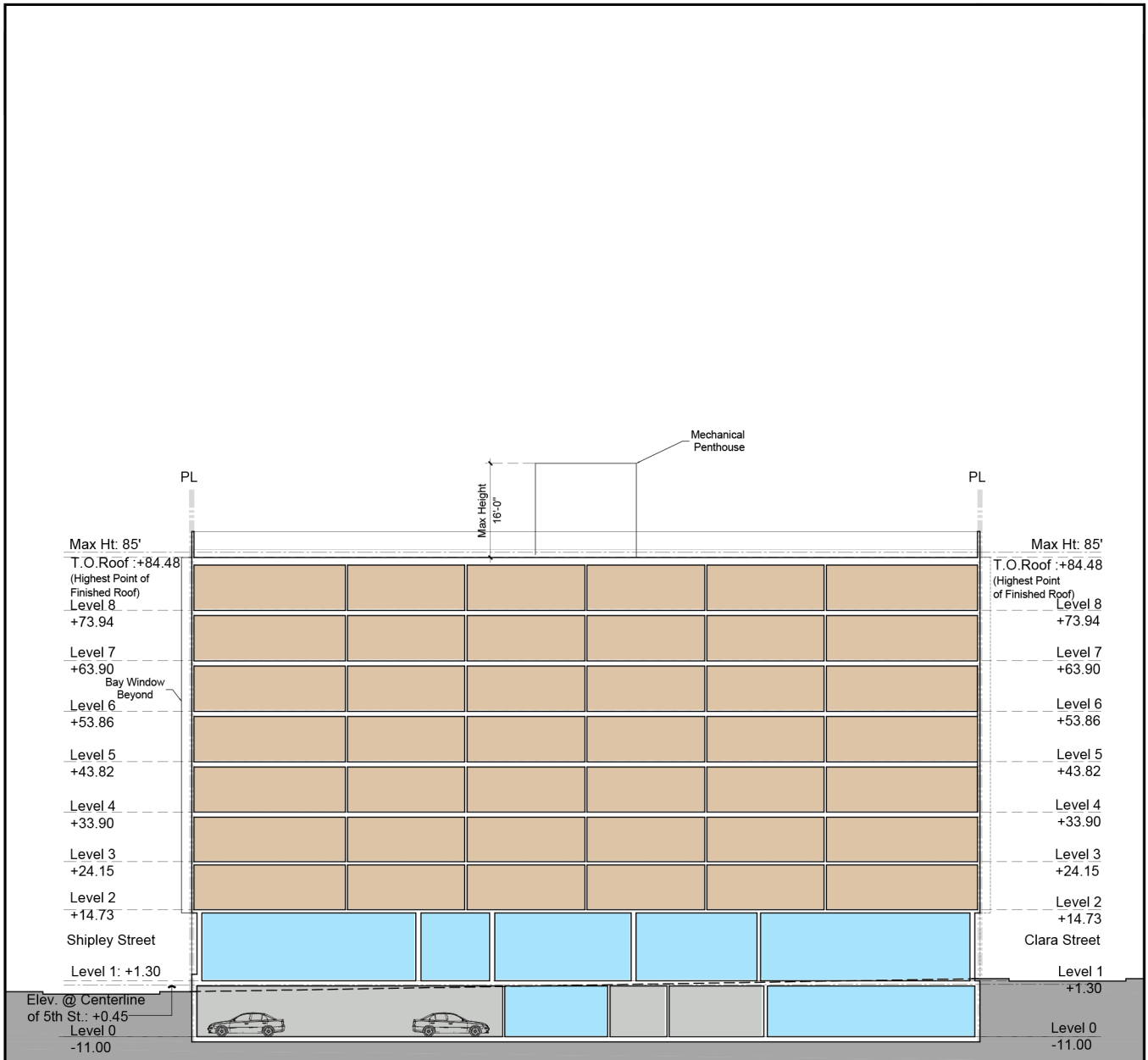


5TH STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV



FIGURE 8
 PROPOSED SECTION (LOOKING SOUTHEAST)



CLARA STREET

SHIPLEY STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
CASE NO: 2015-005863ENV

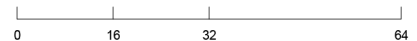
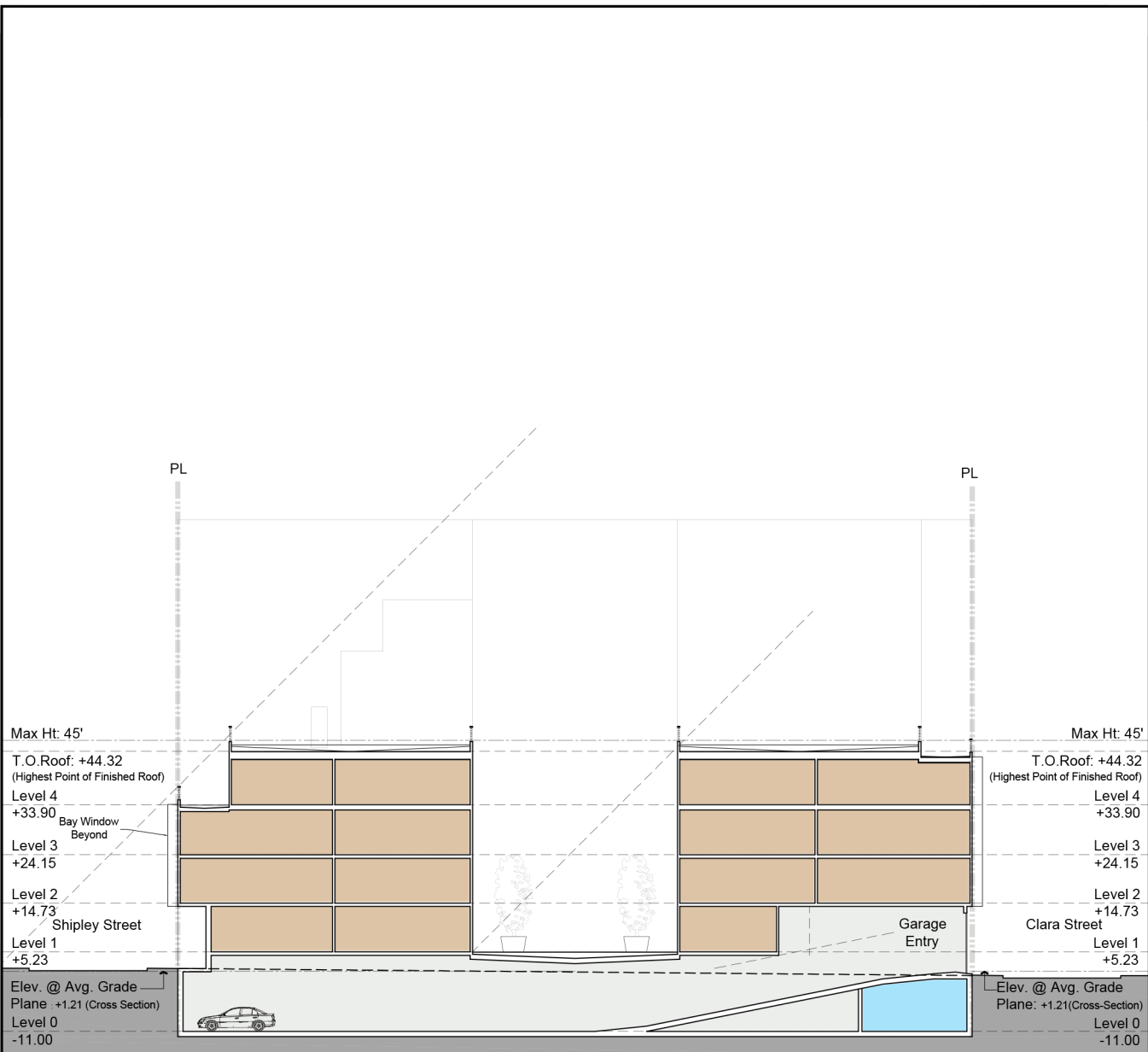


FIGURE 9

PROPOSED SECTION (LOOKING EAST)



SHIPLEY
STREET

CLARA
STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
CASE NO: 2015-005863ENV



FIGURE 10
PROPOSED SECTION (LOOKING EAST)



5TH STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

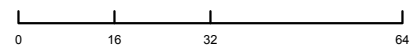


FIGURE 11
 BUILDING ELEVATION - FROM CLARA STREET



CLARA
STREET

SHIPLEY
STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
CASE NO: 2015-005863ENV

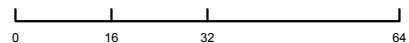


FIGURE 12
BUILDING ELEVATION - FROM 5TH STREET



5TH
STREET

SOURCE: TRAMMELL CROW RESIDENTIAL
360 FIFTH STREET
CASE NO: 2015-005863ENV

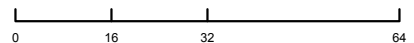
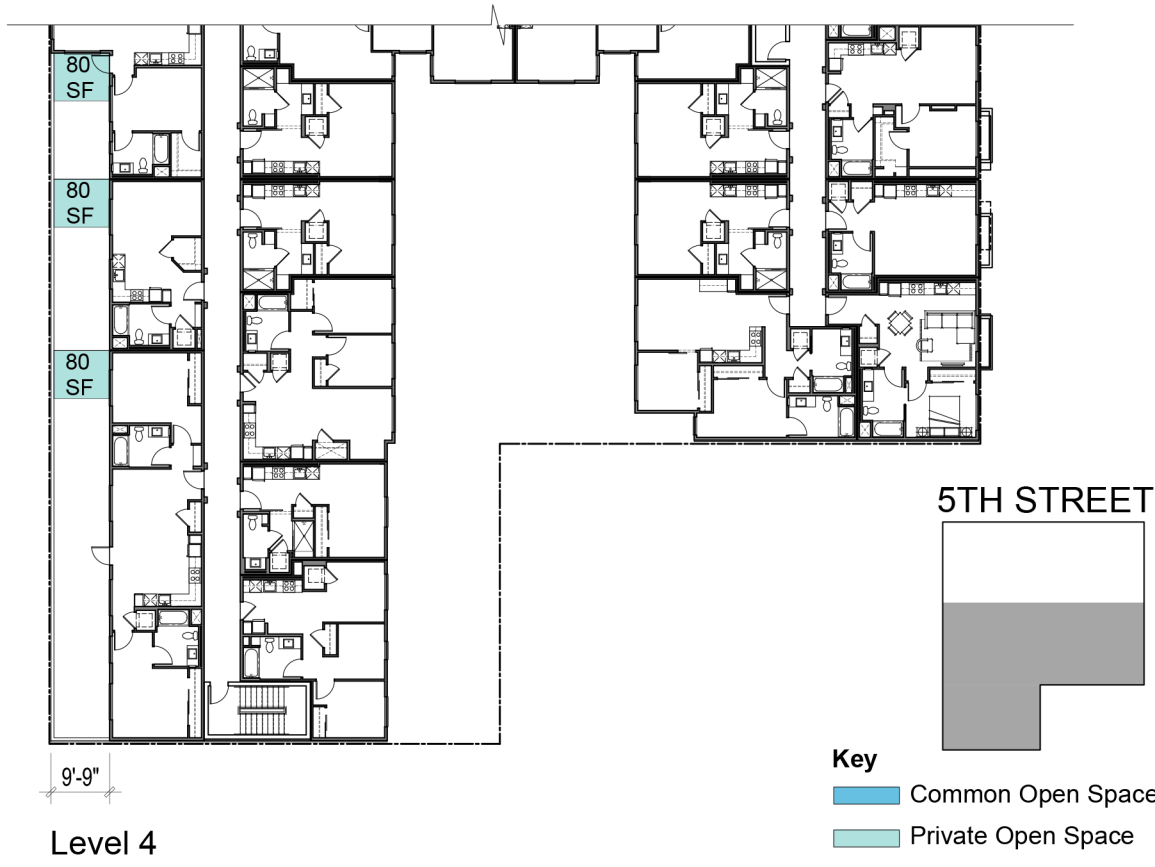
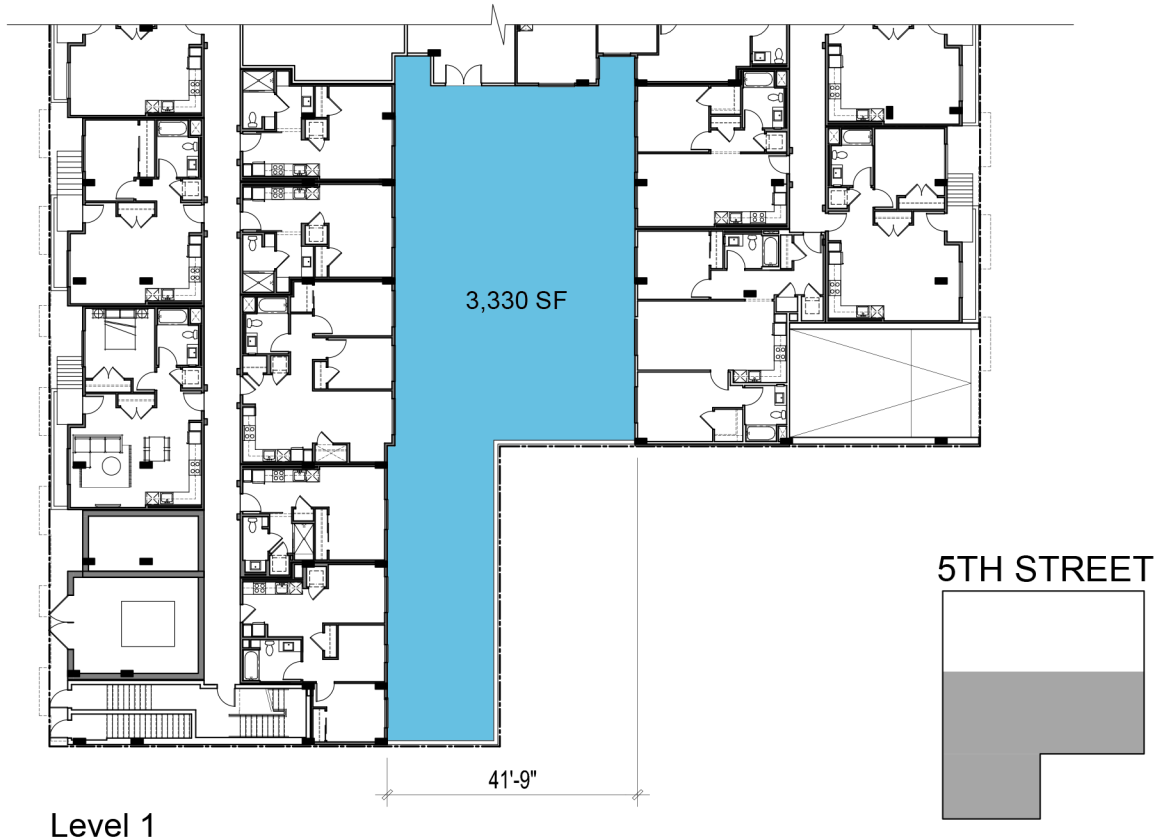


FIGURE 13
BUILDING ELEVATION - FROM SHIPLEY STREET



Key

- Common Open Space
- Private Open Space

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

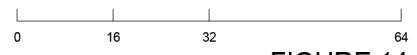
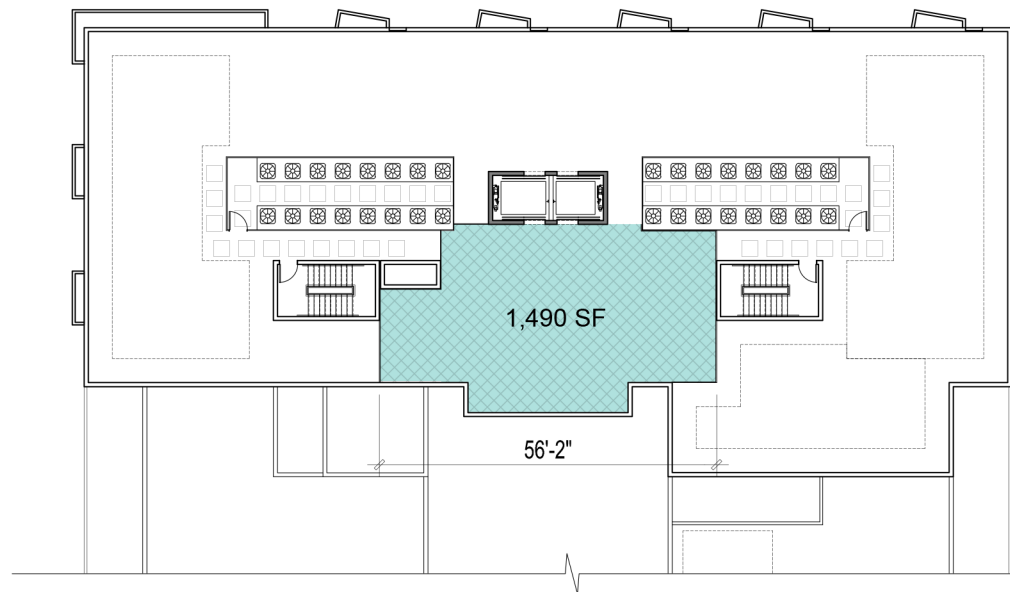
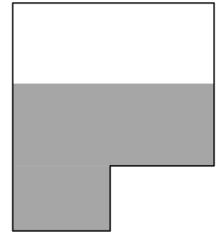


FIGURE 14
 OPEN SPACE - LEVEL 1 AND 4



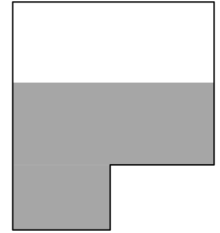
Level 5

5TH STREET



Roof

5TH STREET



Key

- Common Open Space
- Private Open Space

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

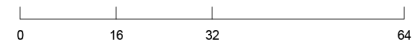
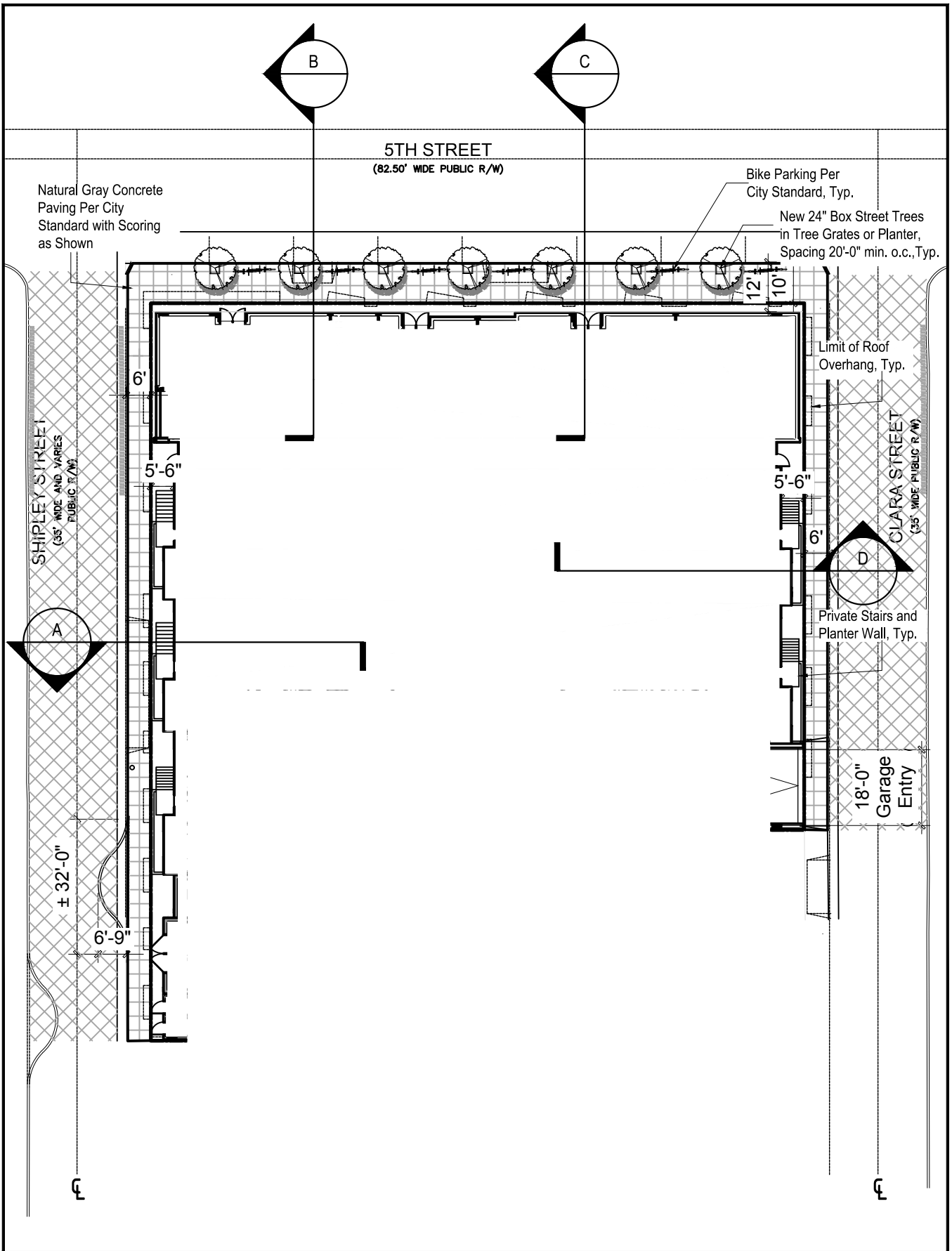


FIGURE 15
 OPEN SPACE - LEVEL 5 AND ROOF



SOURCE: TRAMMELL CROW RESIDENTIAL
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 CASE NO: 2015-005863ENV

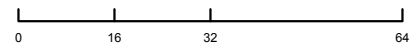
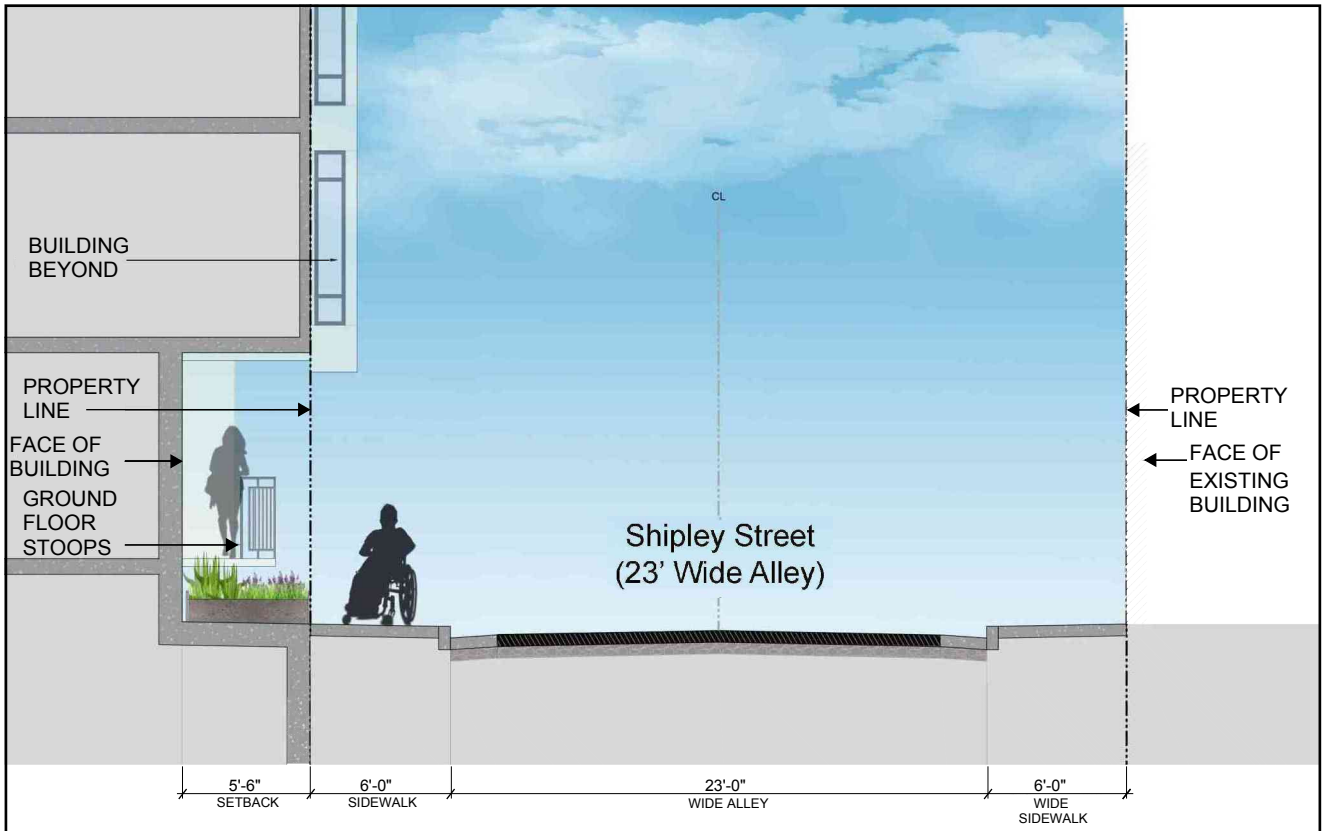


FIGURE 16
 STREETSCAPE IMPROVEMENTS



Section A

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

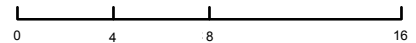
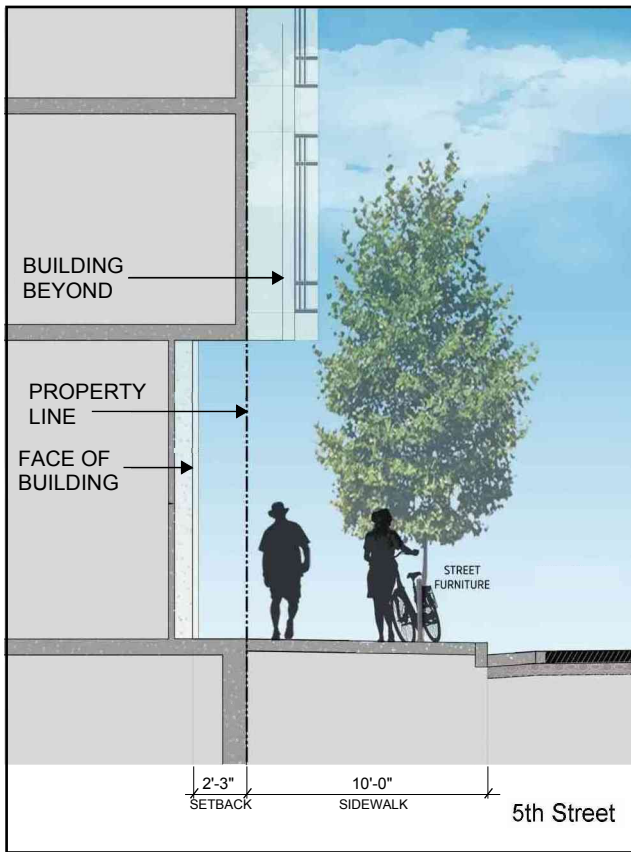
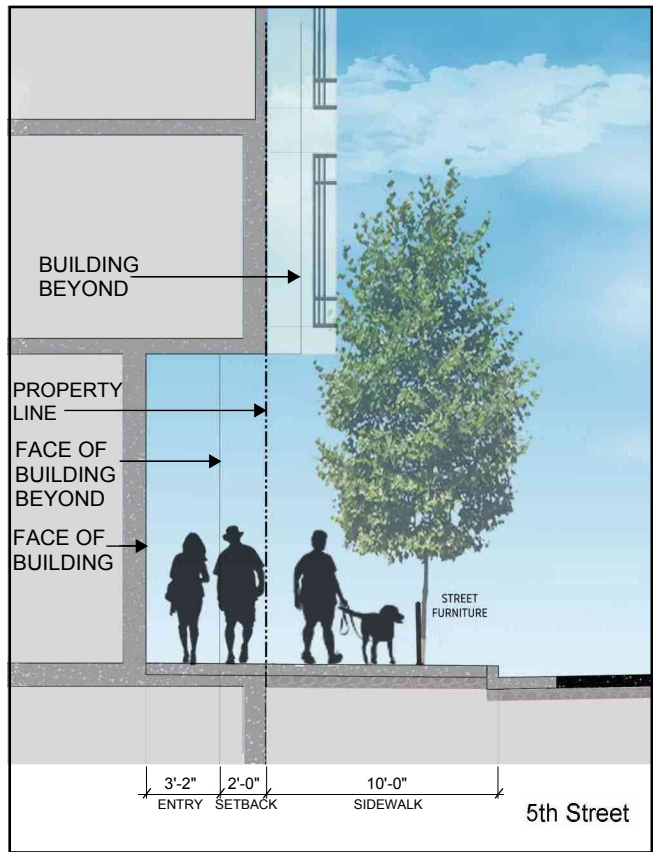


FIGURE 17
 STREETScape IMPROVEMENTS - SHIPLEY STREET



Section B



Section C

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

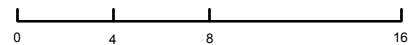


FIGURE 18
 STREETScape IMPROVEMENTS - 5TH STREET

Pursuant to Planning Code section 169, the proposed project is subject to the Transportation Demand Management Program (added by Ordinance 34-17, approved February 2017). As required under Planning Code section 169, the project sponsor is required to develop a transportation demand management plan describing the strategies the project sponsor/property owner would adopt to reduce single-occupancy driving to/from the project site. Compliance with this plan would be required as a condition of approval for the proposed project and would be monitored by Planning Department staff for the life of the project.⁵ Accordingly, the project sponsor has agreed to implement the following transportation demand management measures:

PKG-1: Unbundle Parking

Unbundle⁶ parking in transportation analysis zone 631, where the project site is located.

PKG-4: Parking Supply

Provide parking at a rate that is less than or equal to 50 percent and greater than 40 percent of the neighborhood residential parking rate. The project parking rate is 0.28 vehicles per unit, which is 41 percent of the neighborhood residential parking rate of 0.68 vehicles per unit in transportation analysis zone 631, where the project site is located.

ACTIVE-2: Bicycle Parking

Provide class I and class II bicycle parking spaces as required by the planning code. The proposed project is providing 107 class I and seven class II bicycle spaces for the residential use, and one class I and two class II bicycle spaces for the retail use, and two class I and two class II bicycle spaces for the PDR use all of which meet the planning code, and transportation demand management program requirements.

CSHARE-1: Car-share Parking and Membership

Provide car-share parking as required by the planning code. To meet this requirement, the proposed project would provide two car-share spaces, to be located on the garage level.

LU-2: On-site Affordable Housing

The proposed project would include on-site affordable housing where either 5 to 10 percent of the units would be affordable to households with income that does not exceed 80 percent of the area median income, or 3 to 7 percent of the units would be affordable to households with income that does not exceed 55 percent of the area median income.

Construction of the proposed building would involve soil disturbance over the entire project site and excavation up to 12 to 14 feet deep, resulting in removal of about 10,300 cubic yards of soil. Project construction is estimated to take approximately 24 months.

The proposed 360 Fifth Street project would require the following approvals:

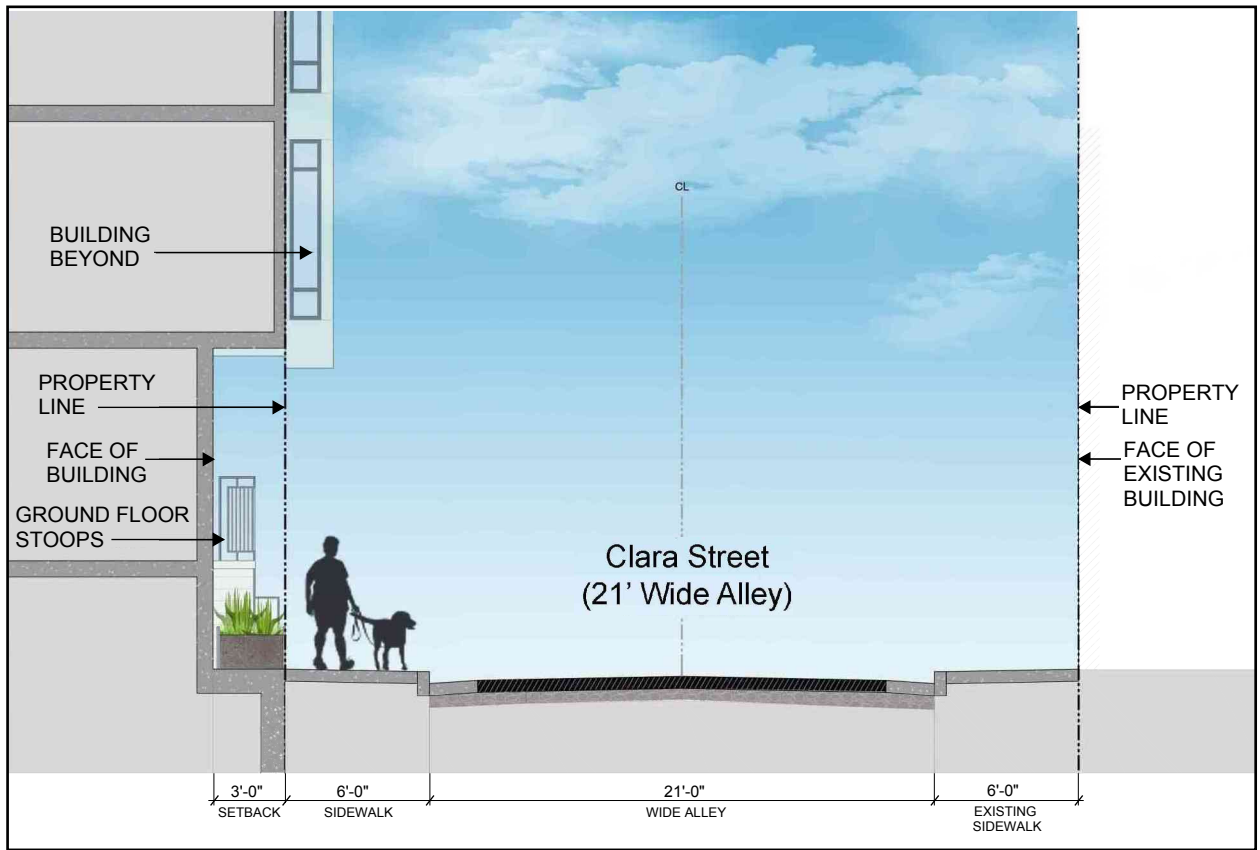
- Large Project Authorization (*Planning Commission*)
- Conditional Use Authorization (*Planning Commission*)

⁵ Planning Codes Section 169 requires, prior to issuance of a certificate of occupancy that a property owner facilitate a site inspection by the Planning Department and document implementation of applicable aspects of the transportation demand management plan, maintain a transportation demand management coordinator, allow for department inspections, and submit periodic compliance reports throughout the life of the project.

⁶ "Unbundled" parking means that the cost of a parking space is separated from the cost of rent, lease, or ownership of a unit.

- Demolition Permit (*Planning Department and Department of Building Inspection*)
- Site/Building Permit (*Planning Department and Department of Building Inspection*)
- Approval of project compliance with the Stormwater Control Guidelines (*Department of Public Works*).
- Approval of a stormwater control plan (*San Francisco Public Utilities Commission*)
- Approval of construction within the public right-of-way (e.g., bulbouts and sidewalk extensions) (*San Francisco Department of Public Works and San Francisco Municipal Transportation Agency*)
- Approval of a proposed commercial freight (yellow) loading space through San Francisco Municipal Transportation Agency's Color Curb program.

A Large Project Authorization by the Planning Commission constitutes the *approval action* for the proposed project. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.



Section D

SOURCE: TRAMMELL CROW RESIDENTIAL
 360 FIFTH STREET
 CASE NO: 2015-005863ENV

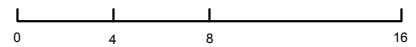


FIGURE 19
 STREETScape IMPROVEMENTS - CLARA STREET



Existing View



Proposed Project View

View Looking Northwest Towards Clara St. from 5th St.



Existing View



Proposed Project View

View Looking Southeast Towards Shipley St. From 5th St.

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).⁷ The initial study considers whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific, focused mitigated negative declaration or environmental impact report. If no such impacts are identified, no additional environmental review shall be required for the project beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study in accordance with CEQA section 21083.3 and CEQA Guidelines section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures section at the end of this 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 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 demolition of the existing buildings on the project site, and construction of four- to eight-story, 45-foot to 85-foot-tall, mixed-use building containing 127 dwelling units, approximately 1,300 square feet of retail, approximately 8,000 square feet of PDR space, and 35 vehicle parking spaces. As discussed below in this initial study, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

CHANGES IN THE REGULATORY ENVIRONMENT

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

⁷ 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.

These include:

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

Aesthetics and Parking

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁸ Project elevations are included in the project description.

⁸ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 360 Fifth Street, May 1, 2017. 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. 2015-005863ENV.

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*](#)⁹ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of project impacts on non-automobile modes of travel such as transit, walking, and bicycling.) Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist, including PEIR Mitigation Measures E-1: Traffic Signal Installation, E-2: Intelligent Traffic Management, E-3: Enhanced Funding, and E-4: Intelligent Traffic Management. Instead, a VMT and induced automobile travel impact analysis is provided in the Transportation section.

⁹ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
1. LAND USE AND LAND USE PLANNING—Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 division of an established community typically involves the construction of a physical barrier to neighborhood access such a new freeway, or the removal of a means of access, such as a bridge or a roadway. The Eastern Neighborhoods PEIR determined that implementation of the area plans would not create any new physical barriers to neighborhood access or remove any existing means of access that could physically divide established communities.

The Citywide Planning and Current Planning divisions of the planning department have determined that the proposed project is permitted in the MUR District and the SoMa Youth and Family SUD, and is consistent with the height and bulk controls, floor area ratio requirements (applicable to non-residential uses), and the development density envisioned in the East SoMa and Central SoMa Area Plans.¹⁰¹¹ As a result, implementation of the proposed project would introduce residential, retail, and PDR uses that would be consistent with and maintain the mixed-use character of the project vicinity.

However, the Eastern Neighborhoods PEIR also identified a cumulative impact to neighborhood character that would result from the loss of PDR uses throughout the plan area. The Eastern Neighborhoods PEIR analyzed a range of potential rezoning options and considered the effects of losing between approximately 520,000 to 4,930,000 square feet of PDR space in the plan area throughout the lifetime of the plan (year 2025). This was compared to an estimated loss of approximately 4,620,000 square feet of PDR space in the plan area under the No Project scenario. Within the East SoMa subarea, the Eastern Neighborhoods PEIR considered the effects of losing up to approximately 770,000 square feet of PDR space through the year 2025. The Eastern Neighborhoods PEIR determined that adoption of the rezoning and area plans would result in a significant unavoidable impact on land use due to the cumulative loss of PDR space. This impact was addressed in a *statement of overriding considerations* with CEQA findings and adopted as part of the Eastern Neighborhoods Rezoning and Areas Plans approval on January 19, 2009.

Development of the proposed project would result in the net loss of approximately 9,900 square feet of PDR building space and this would contribute considerably to the significant cumulative land use impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR.¹²

The project site is located in the Mixed Use Residential District, which is intended to promote high-density housing and a flexible mix of smaller neighborhood-serving retail and commercial uses, including some PDR uses, appropriate for development to take advantage of major transit investments. The proposed loss of approximately 9,900 square feet of existing PDR uses represents a considerable contribution to the cumulative loss of PDR space analyzed in the Eastern Neighborhoods PEIR, however, it would not result in new or more severe impacts than were disclosed in the PEIR. As such, the project’s contribution to this cumulative impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

Implementation of the proposed project would preclude an opportunity for future development of PDR space on the 0.53-acre project site given that PDR uses are permitted in the MUR District, as they were in the previous RSD (Residential/Service Mixed-Use District) zoning for the project site. However, the incremental loss of 0.53 acres of PDR opportunity does not represent a considerable contribution to the loss of PDR opportunity analyzed in the PEIR, and it would not result in significant impacts that were not already identified or are more severe than those identified in the PEIR. As such, the project’s land use impact does not require any additional environmental review beyond that provided in the Eastern Neighborhoods PEIR and this project-specific initial study.

For these reasons, implementation of the proposed project would not result in significant impacts related to land use beyond those identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

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

¹² As shown on the project plans, the existing buildings on the project site include a total of approximately 17,900 gsf of PDR space. Approximately 8,000 gsf of PDR space would be provided as part of the proposed project, resulting in a net loss of approximately 9,900 gsf of PDR space.

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

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

Pursuant to CEQA Guidelines 15131 and 15064(e), economic and social effects such as gentrification and displacement are only considered under CEQA where these effects would cause substantial adverse physical impacts on the environment. Only where economic or social effects have resulted in adverse physical changes in the environment, such as "blight" or "urban decay" have courts upheld environmental analysis that consider such effects. But without such a connection to an adverse physical change, consideration of social or economic impacts "shall not be considered a significant effect" per CEQA Guidelines 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 consists of a four-to eight-story building containing a total of 127 dwelling units, which would result in a total of about 309 residents on the project site.¹³ These direct effects of the proposed project on population and housing would not result in new or substantially more severe significant impacts on the physical environment beyond those identified in the Eastern Neighborhoods PEIR. The project’s contribution to indirect effects on the physical environment attributable to population growth are evaluated in this initial study under land use, transportation and circulation, noise, air quality, greenhouse gas emissions, recreation, utilities and service systems, and public services.

<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>
3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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.

Between 2007 and 2010, the Planning Department conducted the SoMa Area Plan and Western SoMa Community Plan Historic Resource Survey (SoMa Survey) and determined that the existing buildings on the project site are not historical resources under CEQA. The project site is also not located within an historic district. Therefore, the proposed project would not contribute to the significant historic resource

¹³ The Eastern Neighborhoods PEIR assumed that the plan area would have an average household size of 2.43 residents per dwelling unit in the year 2025.

impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

Archeological Resources

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

The project site is located in the Archeological Mitigation Zones J-2: Properties with No Previous Studies of the Eastern Neighborhoods PEIR, so PEIR Mitigation Measure J-2 is applicable to the proposed project.¹⁴ PEIR Mitigation Measure J-2 states that any project resulting in soils disturbance for which no archeological assessment report has been prepared or for which the archeological document is incomplete or inadequate shall be required to conduct a preliminary archeological sensitivity study prepared by a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. Based on the study, a determination shall be made if additional measures are needed to reduce potential effects of a project on archeological resources to a less-than-significant level. The Planning Department's archeologist conducted a preliminary archeological review of the project site in conformance with the study requirements of Mitigation Measure J-2: the results are summarized below.¹⁵

Based on the preliminary archeological review, it has been determined that the Planning Department's third standard archeological mitigation measure (archeological testing) would apply to the proposed project. The preliminary archeological review and its requirements for archeological testing are consistent with Mitigation Measure J-2 from the Eastern Neighborhoods PEIR. PEIR Mitigation Measure J-2 is identified as Project Mitigation Measure 1: Archeological Testing and is discussed on p. 59.

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

¹⁴ Randall Dean, San Francisco Planning Department, email to Rachel Schuett, San Francisco Planning Department, March 17, 2017.

¹⁵ Ibid.

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

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

Accordingly, the planning department conducted project-level analysis of the pedestrian, bicycle, loading, and construction transportation impacts of the proposed project.¹⁶ 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” subsection. 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.

¹⁶ San Francisco Planning Department. Transportation Calculations for 360 Fifth Street, February 14, 2017.

As discussed previously under “Changes to the Regulatory Environment”, in response to state legislation that called for removing automobile delay from CEQA analysis, the Planning Commission adopted Resolution No. 19579 replacing automobile delay with a VMT metric for analyzing the transportation impacts of a project. Therefore, impacts and mitigation measures from the Eastern Neighborhoods PEIR associated with automobile delay are not discussed in this checklist.

The Eastern Neighborhoods PEIR did not evaluate vehicle miles traveled or the potential for induced automobile travel. The VMT Analysis and Induced Automobile Travel 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.^{17,18}

¹⁷ 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.

For residential development, the existing regional average daily VMT per capita is 17.2.¹⁹ For retail development, the regional average daily retail VMT per employee is 14.9. For office development, the regional average daily retail VMT per employee is 19.1²⁰ Average daily VMT for all three land uses are 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, 631.

Table 1. Daily Vehicle Miles Traveled

<u>Land Use</u>	<u>Existing</u>			<u>Cumulative 2040</u>		
	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 631</u>	<u>Bay Area Regional Average</u>	<u>Bay Area Regional Average minus 15%</u>	<u>TAZ 631</u>
Households (Residential)	17.2	14.6	2.2	16.1	13.7	1.8
Employment (Office)	19.1	16.2	8.2	17.0	14.5	6.7
Employment (Retail)	14.9	12.6	9.1	14.6	12.4	8.7

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

In TAZ 631, the existing average daily household VMT per capita is 2.2, the existing average daily VMT per office employee is 8.2, and the average daily VMT per retail employee is 9.1.^{21,22} In TAZ 631, the

¹⁸ San Francisco Planning Department, Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A, March 3, 2016.

¹⁹ Includes the VMT generated by the households in the development and averaged across the household population to determine VMT per capita.

²⁰ 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.

²¹ <http://sftransportationmap.org/>. Accessed May 30, 2017.

future 2040 average daily household VMT per capita is estimated to be 1.8, and the future 2040 average daily VMT per office and retail employee is estimated to be 6.7, and 8.7, respectively. Given that the project site is located in an area in which the existing and future 2040 residential, office and retail employee VMT would be more than 15 percent below the existing and future 2040 regional averages, the proposed project's residential, retail, and PDR uses would not result in substantial additional VMT, and impacts would be less than significant. Furthermore, the project site meets the proximity to transit screening criterion, which also indicates the proposed project's residential, retail, and PDR uses would not cause substantial additional VMT.²³

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The five existing curb cuts along the project's frontages would be removed, and a new 20-foot-wide curb cut would be provided on Clara Street for access into the project driveway. These features fit within the general types of projects that would not substantially induce automobile travel, and the impacts would be less than significant.²⁴

Trip Generation

The proposed project includes the demolition of the existing buildings on the project site and the construction of a four- to eight-story building containing 127 dwelling units, approximately 1,300 sf of retail, and 8,000 sf of PDR space, 35 automobile parking spaces and 121 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.²⁵ The proposed project would generate an estimated 1,093 person trips (inbound and outbound) on a weekday daily basis, consisting of 336 person trips by auto, 248 transit trips, 362 walk trips and 146 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 189 person trips, consisting of 58 person trips by auto (50 vehicle trips accounting for vehicle occupancy data for this census tract), 43 transit trips, 63 walk trips, and 25 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 go towards funding transit and complete streets. In addition, the 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).²⁶ 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.

²² For VMT screening and analysis, PDR uses are treated like office uses.

²³ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 360 Fifth Street, May 1, 2017.

²⁴ Ibid.

²⁵ San Francisco Planning Department, Transportation Calculations for 360 Fifth Street, February 14, 2017.

²⁶ 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.

The City is also currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management. Both the Transportation Sustainability Fee and the transportation demand management efforts are part of the Transportation Sustainability Program.²⁷ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9: Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes within the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines including the: 12 Folsom Pacific, 14X Mission Express, 27 Bryant, 30 Stockton, 45 Union-Stockton, 47 Van Ness, 8 Bayshore, 8AX Bayshore A Express, and 8 BX Bayshore B Express. The proposed project would be expected to generate 248 daily transit trips, including 43 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 43 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. The project site is not located within a quarter-mile of any of the seven impacted Muni lines. The proposed project would not contribute considerably to these conditions as its minor contribution of 43 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The

²⁷ <http://tsp.sfplanning.org>

proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

The proposed project includes a parking garage with access off of Clara Street. Given that no transit operations occur on Clara Street, there would be no conflict between vehicles entering and exiting the project driveway and transit operations. Based on these factors, the operations of the proposed project's garage would not result in significant transit impacts.

For these reasons, the proposed project would not result in significant transit impacts beyond those identified in the Eastern Neighborhoods PEIR and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods PEIR.

Pedestrians

The project driveway would be located on Clara Street. Clara is a one-way eastbound alley, thus driveway operations would be left-in, left-out only. Clara Street is an alley, and would not be considered a primary pedestrian walkway. Also, the primary pedestrian entrance to the proposed project's residential, retail, and PDR uses would be from Fifth Street. As a result, operation of the project's driveway and garage would not result in a substantial increase in conflicts between vehicles and pedestrians.

For these reasons, the proposed project would not result in significant impacts on pedestrians beyond those identified in the Eastern Neighborhoods PEIR.

Bicycles

As mentioned above, the project driveway would be located on Clara Street and would have left-in, left-out only operations. Clara Street is an alley which does not include a bicycle route. Also, the primary access to the proposed project's class I bicycle parking facilities would be via the residential lobby, from Fifth Street. As a result, operation of the project's driveway and garage would not result in a substantial increase in conflicts between vehicles and bicyclists.

For these reasons, the proposed project would not result in significant impacts on bicycles beyond those identified in the Eastern Neighborhoods PEIR.

Conclusion

For the above reasons, the proposed project would not result in significant impacts to transit, pedestrians, or bicyclists beyond those identified in the Eastern Neighborhoods PEIR, and no mitigation is 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>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Rezoning and Area Plans 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 Rezoning and Area Plans would be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures, three of which may be applicable to subsequent development projects.²⁸ These mitigation measures would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

²⁸ 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 Impacts

The Eastern Neighborhoods PEIR includes two mitigation measures that address impacts from construction noise. PEIR Mitigation Measure F-1: Construction Noise (Pile Driving), addresses noise impacts related to pile driving. The proposed building foundation would be a mat supported on piles; therefore, pile driving may be required. Therefore, PEIR Mitigation Measure F1 would be applicable to the proposed project. PEIR Mitigation Measure F1 is identified as Project Mitigation Measure 2: Construction Noise (Pile Driving), and is discussed on p. 63. PEIR Mitigation Measure F-2: Construction Noise requires the development of a noise attenuation plan and the implementation of noise attenuation measures to minimize noise impacts from construction activities. PEIR Mitigation Measure F-2, which is applicable to the proposed project, is identified as Project Mitigation Measure 3: Construction Noise, and is discussed on p. 63.

In addition, all construction activities for the proposed project (approximately 24 months) would be subject to the San Francisco Noise Ordinance, which is codified as article 29 of the San Francisco Police Code. The noise ordinance regulates construction noise and 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 noise levels at the site property line by 5 dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m. unless the Director of 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 (8:00 a.m. to 5:00 p.m.). The police department is responsible for enforcing the noise ordinance during all other hours. Nonetheless, during the approximately 24-month construction period for the proposed project, occupants of the nearby properties could be disturbed by construction noise. There may be times when construction noise could interfere with indoor activities in residences and businesses near the project site. The increase in project-related construction noise in the project vicinity 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. In addition, the construction contractor would be required to comply with the noise ordinance and PEIR Mitigation Measures F-1 and F-2, which would reduce construction noise impacts to a less-than-significant level.

Operational Impacts

PEIR Mitigation Measure F-5: Siting of Noise-Generating Uses, addresses impacts related to individual development projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the project vicinity. The proposed project would result in the development of residential uses, a small amount of retail (1,300 sf), and approximately 8,000 sf of PDR uses. The PDR uses have the potential to generate noise levels in excess of ambient levels. Therefore, PEIR Mitigation Measure F-5 is applicable to the proposed project. As such, an acoustical analysis was prepared for the proposed project.²⁹ The acoustical analysis found that the noise environment at the project site is predominantly controlled by vehicular traffic along Fifth Street and Interstate 80. Long term

²⁹ Charles M. Salter Associates, Inc. 360 5th Street Multi-Family Residences Environmental Noise Study. March 27, 2017.

noise measurements taken at the project site identified ambient noise levels of 76 dBA L_{dn} ³⁰ on the Fifth Street frontage and 66 dBA L_{dn} on the Clara Street frontage. A survey was conducted to identify noise-sensitive uses within 900 feet of, and with a direct line of site to the proposed project. Several were identified including churches, museums, schools, and residential developments. However, the proposed project's PDR uses are not expected to generate noise that is louder than the measured dominant noise sources, which are primarily related to vehicle traffic, buses, trucks and emergency vehicles. Also, the proposed project would include the installation of mechanical equipment, such as heating and ventilation systems, that could produce operational noise, but this equipment would be required to comply with the standards set forth in the noise ordinance. The proposed project would not include the installation of a backup diesel generator. Therefore, the proposed project would not substantially increase the ambient noise environment and noise impacts resulting from the proposed project would be less than significant.

The proposed project would be subject to the California Building Standards Code (Title 24 of the California Code of Regulations), which establishes uniform noise insulation standards. The Title 24 acoustical standards for residential structures are incorporated into section 1207 of the San Francisco Building Code and require that these structures be designed to prevent the intrusion of exterior noise so that the noise level attributable to exterior sources, with windows closed, shall not exceed 45 dBA in any habitable room.

The Title 24 acoustical standards for nonresidential structures are incorporated into the San Francisco Green Building Code. Title 24 allows the project sponsor to choose between a prescriptive or performance-based acoustical standard for nonresidential structures. Pursuant to the Title 24 acoustical standards, all building wall, floor/ceiling, and window assemblies are required to meet certain sound transmission class or outdoor-indoor sound transmission class ratings to ensure that adequate interior noise levels 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, 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 (L_{dn}) 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.

³⁰ L_{dn} (sometimes written as DNL) is the Day-Night Average Sound Level. This is a descriptor for a 24-hour A-weighted average noise level. DNL accounts for the increased acoustical sensitivity of people to noise during the nighttime hours. DNL penalizes sound levels by 10 dB during the hours between 10 p.m. and 7 a.m. For practical purposes, the DNL and CNEL are usually interchangeable.

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, Initial Study Checklist topics 5e and 5f are not applicable.

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses³¹ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the area plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs.³²

³¹ The Bay Area Air Quality Management District 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.

³² The Eastern Neighborhoods PEIR also includes Mitigation Measure G-2, which has been superseded by Health Code article 38, as discussed below, and is no longer applicable.

Construction Dust Control

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 DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities.

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

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the Bay Area Air Quality Management District’s quantitative thresholds for individual projects.”³³ The air district’s *CEQA Air Quality Guidelines* provide screening criteria³⁴ 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 proposed project, with 127 dwelling units, 1,300 sf of retail, and 8,000 sf of PDR uses is below the construction screening criteria and operational screening criteria for the “apartments, mid-rise”, “strip mall”, and “general light industry” land use types. However, it would require approximately 10,300 cubic yards of excavation. Therefore, while a detailed

³³ 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.

³⁴ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

air quality assessment is not required, additional analysis was undertaken to quantify construction-related emissions, as discussed under “Construction”, below.

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone³⁵, carbon monoxide (CO), particulate matter (PM)³⁶, nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. In general, the San Francisco Bay Area Air Basin experiences low concentrations of most pollutants when compared to federal or state standards. The air basin is designated as either in attainment³⁷ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project’s individual emissions contribute to existing cumulative air quality impacts. If a project’s contribution to cumulative air quality impacts is considerable, then the project’s impact on air quality would be considered significant.³⁸

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 air district’s quantitative thresholds for individual projects.”³⁹ The air district prepared updated *2011 BAAQMD CEQA Air Quality Guidelines*,⁴⁰ which provided new methodologies for analyzing air quality impacts. The air quality guidelines also provide thresholds of significance for those criteria air pollutants that the Bay Area air basin is in non-attainment. These thresholds of significance are used by the City.

Construction

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over approximately 12 months (269 working days). Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model and provided within an air quality memorandum.⁴¹ The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts’ staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 269 working days. As shown in Table 2, unmitigated project construction emissions would be below the threshold of significance for ROG, NO_x, exhaust PM₁₀, and exhaust PM_{2.5}.

³⁹ 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.

⁴⁰ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3..

⁴¹ Planning Department, *Air Quality Memorandum*. Project File 2015-005863ENV – 360 Fifth Street. May 1, 2017.

Table 2: Daily Project Construction Emissions

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NO _x	Exhaust PM ₁₀	Exhaust PM _{2.5}
Unmitigated Project Emissions	10.77	15.86	0.91	0.86
Mitigated Project Emissions	10.77	15.86	0.91	0.86
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in **bold**.

Source: BAAQMD, 2011; Planning Department, 2017

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). The *air pollutant exposure zone* as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. For sensitive use projects within the air pollutant exposure zone, such as the proposed project, the ordinance requires that the project sponsor submit an *enhanced ventilation proposal* for approval by the Department of Public Health that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a minimum efficiency reporting value 13 filtration. The building department will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved enhanced ventilation proposal. In compliance article 38, the project sponsor has submitted an initial application to the health department.⁴²

Also, since the project site is located within an identified air pollutant exposure zone; the ambient health risk to sensitive receptors from air pollutants is considered substantial. The proposed project would require heavy-duty off-road diesel vehicles and equipment during six to nine months of the anticipated 24-month construction period. Thus, Project Mitigation Measure 4 Construction Air Quality has been identified to implement the portions of Eastern Neighborhoods PEIR Mitigation Measure G-1 related to emissions exhaust by requiring engines with higher emissions standards on construction equipment. Project Mitigation Measure 4 would reduce DPM exhaust from construction equipment by 89 to 94 percent compared to uncontrolled construction equipment.⁴³ Therefore, impacts related to construction health risks would be less than significant through implementation of Project Mitigation Measure 4, which is discussed on p. 63.

⁴² Application for Article 38 Compliance Assessment, 342-360 Fifth Street; 210-312 Clara Street; 215-21 Shipley Street, submitted February 5, 2016.

⁴³ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's *Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition* has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. The proposed project would not include a backup diesel generator, so PEIR Mitigation Measure G-4: Siting of Uses that Emit Other TACs, is not applicable.

Conclusion

For these reasons, the proposed project would not result in significant air quality impacts beyond identified in the PEIR.

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

Eastern Neighborhoods PEIR

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the East SoMa Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide equivalent (CO₂E)⁴⁴ per service population, respectively.⁴⁵ The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three rezoning options would be less than significant. No mitigation measures were identified in the PEIR.

Proposed Project

The Bay Area Air Quality Management District has prepared guidelines and methodologies for analyzing GHG emissions. 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 would be less than significant. San Francisco's *Strategies to Address*

⁴⁴ CO₂E, defined as equivalent Carbon Dioxide, is a quantity that describes other greenhouse gases in terms of the amount of Carbon Dioxide that would have an equal global warming potential.

⁴⁵ 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.

*Greenhouse Gas Emissions*⁴⁶ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's GHG reduction strategy in compliance with the air district and CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,⁴⁷ exceeding the year 2020 reduction goals outlined in the air district's *2010 Clean Air Plan*,⁴⁸ Executive Order S-3-05⁴⁹, and Assembly Bill 32 (also known as the Global Warming Solutions Act).^{50,51} In addition, San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under Executive Orders S-3-05⁵² and B-30-15^{53,54} and Senate Bill 32.^{55,56} 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 by introducing a new building containing a total of 127 dwelling units, 1,300 sf of retail, and 8,000 sf of PDR uses, with 35 parking spaces to replace three existing buildings totaling about 18,000 sf. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of residential, retail, and PDR operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

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

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, Transportation Sustainability Fee, bicycle parking requirements, low-emission car parking requirements,

⁴⁶ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, November 2010. Available at http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed March 3, 2016.

⁴⁷ ICF International, Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco, January 21, 2015.

⁴⁸ 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.

⁴⁹ 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.

⁵⁰ California Legislative Information, *Assembly Bill 32*, September 27, 2006. Available at http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf, accessed March 3, 2016.

⁵¹ 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.

⁵² 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 MTCO₂E); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

⁵³ 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.

⁵⁴ 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.

⁵⁵ Senate Bill 32 amends California Health and Safety Code Division 25.5 (also known as the California Global Warming Solutions Act of 2006) by adding Section 38566, which directs that statewide greenhouse gas emissions to be reduced by 40 percent below 1990 levels by 2030.

⁵⁶ Senate Bill 32 was paired with Assembly Bill 197, which would modify the structure of the State Air Resources Board; institute requirements for the disclosure of greenhouse gas emissions criteria pollutants and toxic air contaminants; and establish requirements for the review and adoption of rules, regulations, and measures for the reduction of greenhouse gas emissions.

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, thereby reducing the proposed project's energy-related GHG emissions.⁵⁷

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 energy⁵⁸ and reducing the energy required to produce new materials.

Compliance with the City's street tree planting requirements would serve to increase carbon sequestration. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).⁵⁹ Thus, the proposed project was determined to be consistent with San Francisco's GHG reduction strategy.⁶⁰

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.

⁵⁷ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

⁵⁸ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

⁵⁹ 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.

⁶⁰ San Francisco Planning Department, Greenhouse Gas Analysis: Compliance Checklist for 360 Fifth Street. February 13, 2017.

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

Wind

Based on the height and location of the proposed approximately 45- to 85--foot-tall building, a pedestrian screening-level wind assessment (“wind assessment”) was prepared by a qualified wind consultant for the proposed project.⁶¹ The objective of the wind assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development, which provides a screening-level estimation of the potential wind impact. The wind assessment found that, due to the heights of the existing buildings in the area, wind conditions on and around the project site do not exceed the 26-mile-per-hour wind hazard criterion under the existing condition. 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 any 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 could be redeveloped with taller buildings without triggering section 295 of the Planning Code because certain parks are not subject to section 295 of the Planning Code (i.e., under jurisdiction of departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods PEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposals could not be determined at that time. Therefore, the PEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the PEIR.

The proposed project would construct a 45- to 85-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would

⁶¹ Rowan, Williams, Davies & Irwin, Inc. 360 Fifth Street, San Francisco, California, Revised Screening-Level Wind Analysis. April 17, 2017.

have the potential to cast new shadow on nearby parks.⁶²The preliminary shadow fan indicated that the proposed project would not cast new shadow on any park or open space.

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

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

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

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

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

⁶² Planning Department, Preliminary Shadow Fan for 360 Fifth Street. March 22, 2017.

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 of the General Plan was adopted in April 2014. The amended open space element 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 open space element identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are both set to open in 2017. In addition, the amended open space element 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 Eastern Neighborhoods Plan area.

As shown on Figure 14, the proposed project would provide 10,000 sf of common-usable open space on levels one and five and on the roof, and 320 sf of private usable open space would be provided as private balconies on levels four and five. This usable open space would help alleviate the demand for recreational facilities.

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 Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
10. UTILITIES AND SERVICE SYSTEMS—Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 management 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-percent reduction in per capita water use by 2020. The plan includes a quantification of the SFPUC's water use reduction targets and a plan for meeting these objectives. The SFPUC projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City's sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned

improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

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

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

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

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in 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>
12. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is located within East SoMa Plan area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources beyond those 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>
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
g) 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"/>

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 related to geologic hazards. No mitigation measures were identified in the PEIR.

A geotechnical investigation was conducted to assess the geologic conditions underlying the project site and provide recommendations related to the proposed project's design and construction. The findings and recommendations presented in the geotechnical report are summarized, below.⁶³

The geotechnical investigation included drilling two test borings, and performing cone penetration tests at two additional locations on the project site. The results of the investigation indicate that the project site is underlain by 6 to 10 feet of fill, and the fill is underlain by 3 to 5 feet of marsh deposit (peat and sand), which is underlain by 30 to 50 feet of bay mud. Groundwater was encountered at 5 to 6 feet. The project site is not in an Alquist-Priolo earthquake fault zone. There are no known active faults that run underneath the project site or in the project vicinity; the closest active fault to the project site is the San Andreas Fault, which is located about seven miles to the southwest. The project site is within a liquefaction hazard zone, but it is not in a landslide hazard zone.⁶⁴

The geotechnical report recommends that the proposed building the foundation system should consist of a mat supported on piles. The geotechnical report identified several pile types that could support the project including: precast, prestressed, concrete piles, steel H-piles, augured-cast-in-place piles, augured-cast-in-place drilled displacement piles, and torqued-down steel pipe piles. Not all pile types require pile driving, including the augured piles that are recommended by the geotechnical investigation which reduces noise and vibration. However, the analysis contained herein conservatively assumes that pile driving would be required. Construction of the proposed project would require excavation to 12 to 14 feet below the ground surface. About 10,300 cubic yards of soil would be excavated and removed from the project site. The geotechnical report includes recommendations related to site preparation, foundation design, shoring, and seismic design.

Since the project site is within a liquefaction hazard zone, the Seismic Hazards Mapping Act requires that (1) the seismic hazard area on the project site be identified, and (2) the geotechnical recommendations to address the seismic hazard issues be made conditions of the building permit. The project sponsor would be required to implement any applicable recommendations identified in the geotechnical report.

In addition, the proposed project is required to conform to the Building Code, which ensures the safety of all new construction in the San Francisco. The building department will review the project-specific geotechnical report during its review of the building permit for the proposed project. In addition, the building department may require additional site specific soils report(s), as needed. Implementation of the recommendations in the geotechnical report, in combination with the requirement for a geotechnical report and the review of the building permit application pursuant to the Building Code would minimize the risk of loss, injury, or death due to seismic or other geological hazards.

For this reason, the proposed project would not result in a significant effect related to geology and soils beyond those identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

⁶³ Langan Engineering and Environmental Services, Inc. Geotechnical Investigation, 360 5th Street, San Francisco, California (hereinafter "Geotechnical Report"), December 27, 2016.

⁶⁴ San Francisco Planning Department, GIS database geology layer, accessed May 30, 2017.

<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>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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, tsunamis, 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.

A portion of the project site (about 13,100 sf) is currently unpaved, and is used as a surface parking lot/storage area. The proposed project would cover the entire project site, including this currently unpaved area, so the amount of impervious surface would increase incrementally. However, as shown in Figure 14, about 10,000 sf of common open space would be provided on levels one, four, and five, and on

the roof. Some of the common open space area would be vegetated, and/or include semi-pervious surfaces, thus reducing the amount of stormwater runoff from the project site. Further, the Eastern Neighborhoods PEIR anticipated an increase in stormwater runoff due to new development within the plan area, which would include runoff related to a slight increase in impervious surfaces on the project site.

Following certification of the Eastern Neighborhoods PEIR, the Board of Supervisors adopted the Stormwater Management Ordinance (Ordinance No. 83-10, effective May 22, 2010). In accordance with this ordinance, the proposed project must maintain, reduce, or eliminate the existing volume and rate of stormwater runoff discharged from the project site. To achieve this objective, the proposed project is required to implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit (or eliminate altogether) site discharges from entering the City’s combined stormwater/sewer system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges and would minimize the potential for constructing new or expanding existing stormwater drainage facilities.

As a result, although the proposed project would incrementally increase impervious surface coverage on the site, this increase would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project’s rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, 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. PEIR Mitigation Measure L-1 is identified as Project Mitigation Measure 5: Hazardous Building Materials, and is discussed on p. 65.

Soil and Groundwater Contamination

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

are located on sites with potentially hazardous soil or groundwater within Eastern Neighborhoods Plan area are subject to this ordinance.

The project site is located in an area that it is known or suspected to contain contaminated soil and/or groundwater.⁶⁵ In addition, the proposed project would disturb in excess of 50 cubic yards of soil (10,300 cubic yards) in an area with artificial fill and known prior industrial uses. Therefore, the project is subject to the Maher Ordinance, which is administered and overseen by the Department of Public Health. 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 phase I 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 health department or other appropriate state or federal agencies, and to remediate any site contamination in accordance with the plan prior to the issuance of any building permit.

Accordingly, a phase I site assessment has been prepared to assess the potential for site contamination.⁶⁶ Review of historic maps shows the entire project block as fully developed with one- and two-story residences and commercial buildings on the 1887 and 1899 Sanborn maps. The area was then presumably destroyed in the 1906 earthquake and fire, since a different configuration of four residences, two storefronts and a storage building are shown on the project site on the 1913 Sanborn map. The lot at the corner of Clara and Fifth streets was developed with the existing structure in 1945. Past commercial occupants have included a rattan furniture factory, a liquor store, and construction, window tinting, and design firms.⁶⁷

A visual inspection of the site did not reveal the presence of stressed vegetation, unusual or noxious odors, hazardous materials or liquids spills, or onsite underground storage tanks or groundwater monitoring wells. However, there is a monitoring well located a few feet from the northern property line; it was installed in conjunction with a leaking underground storage tank case on the adjoining property to the northwest. Diesel-range petroleum hydrocarbon was detected in this groundwater monitoring well continuously during quarterly monitoring from 1999 to 2009. However, the analytical results from the well do not conform to other monitoring data from the leaking tank case. It is possible that the detected diesel-range combination is from an undiscovered heating oil tank that may or may not be present on the project site.⁶⁸ The site assessment identified the known presence of contaminated groundwater at the margin of the site as a recognized environmental condition; thus, additional investigation is required.⁶⁹ A phase II environmental site assessment is currently being prepared.

In August 2015, a site investigation was conducted using a magnetic locator (metal detector) and ground penetrating radar. The purpose of the investigation was to look for geophysical evidence of a buried fuel

⁶⁵ San Francisco Planning Department, Expanded Maher Area Map, March 2015. Available online at http://www.sf-planning.org/ftp/publications_reports/library_of_cartography/Maher%20Map.pdf, accessed May 30, 2017.

⁶⁶ RGA Environmental, Inc Phase 1 Environmental Assessment Report, 354-360 5th Street and 210-212 Clara Street, San Francisco, California (hereinafter "Phase 1 ESA"), May 15, 2015.

⁶⁷ Phase 1 ESA.

⁶⁸ Phase 1 ESA.

⁶⁹ Phase 1 ESA.

storage tank that could be the source of the groundwater contamination. The investigation was inconclusive.⁷⁰ A limited subsurface investigation was conducted in August 2015 which included soil and groundwater testing. Soil samples near the (now decommissioned) ground water monitoring well contained diesel-range petroleum hydrocarbons, as did the nearest groundwater sample.⁷¹

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Ordinance application⁷² to and received a subsurface investigation work plan approval⁷³ from the health department. The proposed project would be required to remediate potential soil and/or groundwater 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.

As discussed above, implementation of Project Mitigation Measure 5 and compliance with all applicable federal, state and local regulations would ensure that the proposed project would not result in significant impacts related to hazards or hazardous materials beyond those 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>
16. MINERAL AND ENERGY RESOURCES—Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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. 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

⁷⁰ RGA Environmental, Inc. Letter to Tyler Evje, Thompson Dorfman Partners, LLC., Re: Geophysical Investigation. September 3, 2015.

⁷¹ RGA Environmental, Inc. Results of Limited Subsurface Investigation, 360 5th Street, San Francisco, California. August 21, 2015.

⁷² Maher Ordinance Application, 360 5th Street, submitted October 9, 2015.

⁷³ Department of Public Health Letter to Tyler Evje, Thompson Dorfman Partners, LLC., Re: Subsurface Investigation Workplan Approval Residential and Commercial Development 354-360 5th Street and 210-212 Clara Street, San Francisco, CA 94107. EHB-SAM NO-SMED: 1332. November 22, 2016.

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

The Eastern Neighborhoods PEIR determined that no agricultural resources exist in the area plan; therefore the rezoning and community plans would have no effect on agricultural resources. No mitigation measures were identified in the PEIR. The Eastern Neighborhoods PEIR did not analyze the effects on forest resources.

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

MITIGATION MEASURES

Project Mitigation Measure 1: Archeological Testing (Implementing PEIR Mitigation Measure J-2)

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

Consultation with Descendant Communities: On discovery of an archeological site⁷⁴ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁷⁵ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

⁷⁴ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁷⁵ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America. An appropriate representative of other descendant groups should be determined in consultation with the Department archeologist.

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

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

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

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

significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project

sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

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

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

Project Mitigation Measure 2: Construction Noise (Pile Driving) (Implementing PEIR Mitigation Measure F-1)

For subsequent development projects within proximity to noise-sensitive uses that would include pile-driving, individual project sponsors 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. Individual project sponsors 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 (Implementing PEIR Mitigation Measure F-2)

The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the DBI 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: Construction Air Quality (Implementing PEIR Mitigation Measure G-1)

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

A. *Engine Requirements.*

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. *Waivers.*

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

to the table below.

Table – Off-Road Equipment Compliance Step-down Schedule

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

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

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

side of the construction site facing a public right-of-way.

- D. *Monitoring.* After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

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

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