



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2014-002024ENV
 Project Address: 701 Third Street
 Zoning: MUO (Mixed Use Office) District
 105-F Height and Bulk District
 Block/Lot: 3794/006
 Lot Size: 13,750 square feet
 Plan Area: Eastern Neighborhoods Area Plan (East South of Market Plan Area)
 Project Sponsor: Tim Wilson, Four One Five LLC, (303) 785-3113
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PROJECT DESCRIPTION

The project site is located on the southeast corner of the intersection of Third and Townsend Streets in the East South of Market (East SoMa) neighborhood. The project site is currently occupied with an approximately 3,200-square-foot McDonald's fast food restaurant and drive-through as well as a surface vehicular parking lot with 14 parking spaces. The proposed 701 Third Street project would entail the demolition of the existing building, drive-through and parking lot and the construction of a new 11 story, 105-foot tourist hotel (with a 16-foot-tall mechanical penthouse) with ground floor commercial space fronting Townsend Street and Third Street. The proposed building would have a total of 116,124 gross square feet (gsf), which would include 230 hotel rooms, a breakfast service space, workout facility and one basement level for parking with 14 off-street spaces including one van space, and 1,970 gsf of ground-floor commercial space. The project also includes 1,850 square feet of open space located at grade at the rear of the hotel. Section 842 of the Planning Code establishes the maximum Floor Area Ratio (FAR) for this zoning district as 7.5:1, allowing 103,125 square feet on the site. The proposed total floor area for the project would be 102,676 square feet.

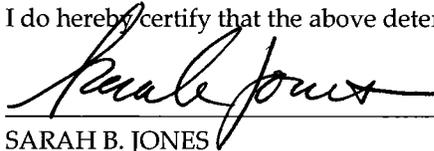
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EXEMPT STATUS

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

DETERMINATION

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


 SARAH B. JONES

April 26, 2016
 Date

Environmental Review Officer

cc: Tim Wilson, Four One Five LLC Project Sponsor; Supervisor Jane Kim, District 6; Richard Sucre, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The retail space would have two entrances, one at the front of the building from Third Street and the other opening to the public access corridor at the rear of the building. The main entrance to the hotel would be located on Third Street with an associated vehicular drop-off lane. A single twelve-foot wide vehicular drive along Third Street would provide access to the limited on-site underground parking. The underground parking would contain 14 parking spaces including one van space, eight Class I bicycle stalls, and a freight loading zone. Access to bicycle parking would be provided through the elevator located in the main lobby. The project proposes three open space areas including a fully landscaped rear courtyard with a public access corridor connecting to Townsend Street, a ninth floor outdoor terrace, and a rooftop terrace with associated vegetated roofs. The parking space at the eastern end of the property on Third Street will be removed for the access to the garage. A passenger drop-off area on Third Street in front of the hotel entrance would replace the four existing parking spaces between the curb-cut and the Townsend intersection. The project proposes additional streetscape work including; a corner bulbout, ten Class II bicycle spaces in bicycle racks on the sidewalk, accessibility ramps at the intersection of Third and Townsend Streets, and the addition of 12 trees with ornamental grates along Townsend Street and along Third Street adjacent to the project site. The project proposes to demolish the single 3,200 gsf fast food restaurant on the project site and adjacent surface parking lot, access driveways and drive-thru lane. Approximately 11,500 square feet would be excavated to a depth of 15 feet to construct the one level basement included in the proposed project. A total of 3,704 cubic yards of earth would be removed during excavation. Construction is anticipated to occur over 18 months.

PROJECT APPROVAL

The approval of a Large Project Authorization by the Planning Commission (per Planning Code Section 329) is the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

In addition, the proposed 701 Third Street project would require the following approvals:

Actions by the San Francisco Planning Commission

- Large project authorization is required per Planning Code Section 329 for new construction of a building greater than 25,000 gsf and taller than 75-feet in height.
- Large project authorization modifications are required for (i) Permitted Obstructions per Planning Code Section 136 for bay windows that are 12 feet wide and (ii) for street frontage per Planning Code Section 145.1.
- Conditional use authorization is required per Planning Code Section 303, 842.49, and 890.46 for the tourist hotel use in the MUO Zoning District.
- Approval of a building permit application is required for the demolition of existing buildings on the subject property.
- Approval of a building permit application is required for the proposed new construction on the subject property.

Actions by other City Departments**San Francisco Department of Building Inspection**

- Approval of building permit application is required for the demolition of existing buildings on the subject property.
- Approval of a building permit application is required for proposed new construction on the subject property.

San Francisco Department of Public Health

- Approval of project compliance with San Francisco Health Code Article 22A (the Maher Ordinance).

San Francisco Municipal Transportation Agency and SFMTA Board of Directors

- Approval of one bulb out and relocation of the bus shelter on Townsend Street as well as the passenger loading zone (white zone) on the east side of Third Street.

San Francisco Board of Supervisors

- Approval of proposed sidewalk changes.

State and Regional Approvals**California Department of Alcoholic Beverage Control**

- If the proposed retail or hotel uses elect to sell alcoholic beverages, liquor licenses would be required.

COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 701 Third Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared

¹ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{2,3}

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁴

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned from M-2 (Heavy Industrial) to MUO (Mixed Use Office) District. The MUO District is designed to encourage office

² San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

³ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

⁴ Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

uses and housing, as well as small-scale light industrial and arts activities. Nighttime entertainment and small tourist hotels are permitted as a conditional use. Large tourist hotels, such as the proposed project, are permitted as a conditional use in height districts of 105 feet and above. Dwelling units and group housing are permitted. Office, general commercial, most retail, production, distribution, and repair uses are also principal permitted uses.

The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist, under Land Use. The 701 Third Street site, which is located in the East SoMa Plan area of the Eastern Neighborhoods, was designated as a site with building up to 105 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 701 Third Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 701 Third Street project, and identified the mitigation measures applicable to the 701 Third Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{5,6} Therefore, no further CEQA evaluation for the 701 Third Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is within the Eastern Neighborhoods of San Francisco, specifically in the East SoMa neighborhood, adjacent to the Mission Bay district, and is characterized by industrial, service, residential, and commercial uses including banks, restaurants, bars, and a variety of retail establishments. The 13,750-square-foot rectangular site is composed of a single lot (Lot 006 of Assessor's Block 3794) on the block bounded by Townsend Street to the north, Third Street to the west, King Street to the south, and Second Street to the east. Surrounding land uses include a Heavy Industrial District (M-2) to the east, South Beach Downtown Residential (SB-DTR) to the northeast, Mission Bay Redevelopment Area (MB-RA) to the south, and Service/Light Industrial Districts (SLI) to the north and west. Buildings along the opposite side of Townsend Street are within the 65 foot height district, while buildings along the opposite of King Street are within the 150 foot district. Buildings within the block on which the project site is located, are all within the 105-F district. The project site is located within a block and a half of AT&T Park.

Immediately adjacent land uses to the project site include a mixed use residential building with ground-floor retail at 177 Townsend Street (twelve-story building built in 2007) to the northeast, a Wells Fargo ATM to the southeast, and a mixed use residential building at 188 King Street (eight-story building built

⁵ Susan Exline, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 701 Third Street, October 27, 2015. This document (and all other documents cited in this report, unless otherwise noted) is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No 2014-002024ENV.

⁶ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 701 Third Street, October 30, 2015.

in 2006) abutting the project site to the east. Other uses on the same Third Street block include three restaurants (single-story buildings), SBC Pizza Deli, Polo Grounds Pub & Grill, and Louisiana Fried Chicken. Other uses along Townsend Street include two mixed use office buildings with underground parking at 153 Townsend Street (nine-story building built in 2002) and 123 Townsend Street (six-story building built in 1903), and an additional mixed use office at 139 Townsend Street (six-story building built in 1909).

The project site is well served by public transportation and bicycle facilities. The San Francisco Municipal Railway (Muni) operates numerous transit lines within one-quarter mile of the project site, including surface buses and the N Judah and T Third light rail lines and E Embarcadero historic streetcar on King Street, as well as a number of surface buses that run on Second, Third, Fifth, and Townsend streets. The project site is served by transit lines (Muni lines 10-Townsend, 30-Stockton, and 45 Union/Stockton. The Caltrain Station with train service to South Bay destinations is located one block away on 4th Street between Townsend and King Streets. With respect to bicycle facilities, there are bicycle routes on Townsend, Second, and King streets.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 701 Third Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 701 Third Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The project would not contribute to these significant and unavoidable impacts. A Transportation Impact Study was prepared for the project which concluded that the project would not result in any significant transportation impacts. In addition, the project site is located in an area where the existing average vehicle miles traveled (VMT) is more than 15 percent below the existing regional average for residential and retail uses, and therefore, the proposed project would not result in substantial additional VMT so it would not result in a significant VMT impact.⁷ A shadow study completed for the project indicated that the project would not contribute to shadowing of Willie Mays Plaza or other public open spaces. While the surrounding streets and sidewalks may experience shadow as a result of the proposed project, it would not be above levels commonly expected in urban areas.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

⁷ San Francisco Planning Department. Eligibility Checklist: CEQA Section 21099 – Modernization and Transportation Analysis for 701 3rd Street. March 14, 2016.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: Pile driving is not proposed.	N/A
F-2: Construction Noise	Applicable: Construction of the proposed project would result in temporary construction noise from use of heavy equipment.	Completed. The project sponsor has developed and will implement a set of noise attenuation measures during construction.
F-3: Interior Noise Levels	Not Applicable: The project is subject to the California Noise Insulation Standards and is therefore not required to conduct a detailed analysis of noise reduction requirements.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: The project is subject to the California Noise Insulation Standards and is therefore not required to conduct a detailed analysis of noise reduction requirements.	N/A
F-5: Siting of Noise-Generating Uses	Not Applicable: The project would add a back-up diesel generator but would not generate noise levels in excess of the ambient noise. The generator would be used only in case of power outages and briefly tested approximately once a month. The generator would be required to comply with noise standards.	The back-up generator, located on the rooftop, would be housed in a steel sound-attenuated facility to ensure compliance with noise standards.
F-6: Open Space in Noisy Environments	Not Applicable: CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project’s future users or	N/A. However, the project sponsor has conducted and submitted a noise analysis. The project sponsor has designed the building in a way that would protect open space to the maximum extent feasible.

Mitigation Measure	Applicability	Compliance
	residents. ⁸	
G. Air Quality		
G-1: Construction Air Quality	Not Applicable: The project site is not within the City’s Air Pollution Exposure Zone and the project will be required to comply with the regulations of the San Francisco Dust Control Ordinance, which supersedes the dust control provisions of the Eastern Neighborhoods PEIR	N/A
G-2: Air Quality for Sensitive Land Uses	Not Applicable: Hotel use is not a sensitive receptor for the purpose of air quality analysis.	N/A
G-3: Siting of Uses that Emit DPM	Not Applicable: The project does not include development of a warehouse or distribution center, commercial, industrial or other uses expected to be served by at least 100 trucks or 40 refrigerated trucks per day	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: The project is not located within the identified Air Pollution Exposure Zone. The project would include a backup generator, but would be required to comply with BAAQMD new source permit requirements as part of the permit process for the new generator.	N/A

⁸ 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>

Mitigation Measure	Applicability	Compliance
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: No final archaeological research design and treatment plan is on file for the project site	N/A
J-2: Properties with no Previous Studies	Applicable: No previous final archaeological research and treatment plan is on file for the project site and soil disturbance to approximately 15 feet below ground surface proposed in this mitigation area.	The project sponsor has agreed to implement the Planning Department’s Second Standard Mitigation Measure (Archeological Monitoring). The project sponsor will retain an archaeological consultant from the Planning Department’s Qualified Archaeological Consultant List, who will undertake an archaeological monitoring program including procedures for discovery of a significant archaeological resource, consultation and data recovery programs when applicable.
J-3: Mission Dolores Archeological District	Not Applicable: The project is not located in the Mission Dolores District	N/A
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: Plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: Plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: Plan-level mitigation completed by Planning Commission	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: The proposed	The project sponsor agrees to

Mitigation Measure	Applicability	Compliance
	project involves demolition of an existing building	remove and properly dispose of any hazardous materials identified, before or during work, in accordance with applicable federal, state and local laws
E. Transportation		
E-1: Traffic Signal Installation	Not Applicable: Plan level mitigation by SFMTA	N/A
E-2: Intelligent Traffic Management	Not Applicable: Plan level mitigation by SFMTA	N/A
E-3: Enhanced Funding	Not Applicable: Plan level mitigation by SFMTA & SFCTA	N/A
E-4: Intelligent Traffic Management	Not Applicable: Plan level mitigation by SFMTA & Planning Department	N/A
E-5: Enhanced Transit Funding	Not Applicable: Plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: Plan level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: Plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: Plan level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: Plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: Plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: Plan level mitigation by SFMTA	N/A

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on May 29, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised

by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Comments received raised concerns primarily about traffic; specifically calling attention to congestion and delay impacts on Third Street from inadequate passenger and freight loading zones, relocation of the bus shelter and safety performance considerations for drivers and pedestrians. Commenters also requested review of the impact the project might have on views (specifically the potential to block street views off of Third Street) and the height of the proposed building. One comment expressed concern regarding obstruction of an art sculpture located on or near the roof on the side of the adjacent building at 177 Townsend Street. The new construction would obscure the sculpture, particularly views of it from across Third Street. However, this would not be an impact on the environment under CEQA. In addition, pursuant to SB 743, the proposed project qualifies as a transit-oriented infill project, and therefore, aesthetics and parking are not impact topic areas for the purpose of environmental review. Additional comments raised concerns about wind, light and shadow impacts to the surrounding streets and the common areas of nearby residential buildings. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁹:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁹ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014-002024ENV.

**EXHIBIT 1:
 MITIGATION MONITORING AND REPORTING PROGRAM
 701 3rd Street (Case No. 2014-002024ENV)
 (Also includes the text for Improvement Measures)**

MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR	Responsibility for Implementation	Mitigation Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Noise</p> <p><i>Project Mitigation Measure 1 - Construction Noise</i> (Mitigation Measure F-2 of the Eastern Neighborhoods PEIR)</p> <p>Where environmental review of a development project undertaken subsequent to the adoption of the proposed zoning controls determines that construction noise controls are necessary due to the nature of planned construction practices and the sensitivity of proximate uses, the Planning Director shall require that the sponsors of the subsequent development project develop a set of site-specific noise attenuation measures under supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection to ensure that maximum feasible noise attenuation will be achieved.</p> <p>To reduce construction noise impacts the following shall be incorporated:</p> <ul style="list-style-type: none"> • If necessary based on the final construction plan and equipment list, a site specific noise reduction plan should be prepared by a qualified acoustical consultant, detailing locations of noise construction barriers (minimum of 4 psf) and other site mitigation, to reduce noise levels at adjacent residential and commercial properties. Barriers could be effective in reducing noise levels along the north (Townsend Street) and the west (Third Street) property lines. The specific height of the barrier would depend on the equipment being used and the height of the engine/exhaust outlet. • During construction, mufflers shall be provided for all heavy construction equipment and all stationary noise sources in accordance with the manufacturers' recommendations. • Limit unnecessary idling of internal combustion engines. • Stationary noise sources and staging areas shall be located as far from noise-sensitive properties as feasible. If for construction purposes, location of stationary construction equipment near existing noise-sensitive uses is required, a local sound-rated barrier shall be erected between the equipment and the sensitive receptor. The barrier shall be located as close to the equipment as feasible. Locating stationary noise sources near existing roadways away from adjacent properties and louder portions of the site is preferred. • Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools shall be equipped with shrouds or shields. 	<p>Project Sponsor along with Project Contractor</p>	<p>During construction</p>	<p>Project Sponsor to provide Planning Department with monthly reports during construction period.</p>	<p>Considered complete upon receipt of final monitoring report at completion of construction.</p>

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<ul style="list-style-type: none"> Construction vehicle access routes shall be designed to minimize impact on adjacent noise-sensitive properties. A “construction liaison” shall be designated to ensure coordination between construction staff and neighboring properties to minimize disruptions due to construction noise. Adjacent occupants and property owners shall be notified in writing of the construction schedule and contact information for the construction liaison. A qualified acoustical engineer shall be retained as needed to address neighbor complaints as they occur. If complaints occur, noise measurements could be conducted to determine if construction noise levels at adjacent property lines are within the standards. Short-term or long-term construction noise monitoring could also be utilized to diagnose complaints and determine if additional mitigation is required for certain phases of construction as needed. 				
<p>Cultural Resources</p> <p><i>Project Mitigation Measure 2 – Archeological Monitoring (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)</i> Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the Environmental Review Officer (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 <i>construction</i> can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p>	Project Sponsor	Prior to issuance of grading or building permits.	The project sponsor shall retain archeological consultant to undertake archaeological monitoring program in consultation with ERO.	Complete when Project Sponsor retains qualified archaeological consultant.

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<p><i>Archeological monitoring program (AMP).</i> The archeological monitoring program shall minimally include the following provisions:</p> <ul style="list-style-type: none"> ▪ The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to 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 archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; ▪ The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis 	<p>The Project Sponsor and archeological consultant.</p>	<p>Prior to any soil disturbance.</p>	<p>Consultation with ERO on scope of AMP.</p>	<p>After consultation with and approval by ERO of AMP.</p>
<p>If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO</p>	<p>The archeological consultant, Project Sponsor and project contractor.</p>	<p>Monitoring of soil disturbing activities.</p>	<p>Archaeological consultant to monitor soil disturbing activities specified in AMP and immediately notify the ERO of any encountered archaeological resource.</p>	<p>Considered complete upon completion of AMP.</p>

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<p>of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.</p>				
<p>If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ul style="list-style-type: none"> A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. 	<p>ERO, archaeological consultant and Project Sponsor.</p>	<p>Following discovery of significant archeological resource that could be adversely affected by project.</p>	<p>Redesign of project to avoid adverse effect or undertaking of archaeological data recovery program.</p>	<p>Considered complete upon avoidance of adverse effect.</p>
<p>If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to 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.</p>	<p>Archaeological consultant in consultation with ERO.</p>	<p>After determination by ERO that an archaeological data recovery program is required.</p>	<p>Archaeological consultant to prepare an ADRP in consultation with the ERO.</p>	<p>Considered complete upon approval of ADRP by ERO.</p>

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<p>The scope of the ADRP shall include the following elements</p> <ul style="list-style-type: none"> ▪ 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. 				
<p><i>Human Remains, Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.</p>	<p>Archaeological consultant or medical examiner.</p>	<p>Discovery of human remains.</p>	<p>Notification of County/City Coroner and, as warranted, notification of NAHC.</p>	<p>Considered complete on finding by ERO that all State laws regarding human remains/burial objects have been adhered to, consultation with MLD is completed as warranted, and that sufficient opportunity has been provided to the archaeological consultant for scientific/historical analysis of remains/funerary objects.</p>

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<i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.	Archeological consultant	Following completion of cataloguing, analysis, and interpretation of recovered archaeological data.	Preparation of FARR.	FARR is complete on review and approval of ERO.
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.	Archeological consultant	Following completion and approval of FARR by ERO.	Distribution of FARR after consultation with ERO.	Complete on certification to ERO that copies of FARR have been distributed.
Hazardous Materials				
<i>Project Mitigation Measure 3 –Hazardous Building Materials</i> (Mitigation Measure L-1 of the Eastern Neighborhoods PEIR) Project sponsor to 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 construction, 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.	Project Sponsor/contractor	During project construction.	Project Sponsor/contractor to ensure that any hazardous materials are identified, either before or during work, and abated according to applicable federal, state, and local laws.	Considered complete upon removal of hazardous materials in compliance with applicable federal, state, and local laws.
Traffic and Transportation				
<i>Project Improvement Measure 1</i> The project sponsor and subsequent property manager would implement a TDM Program that seeks to minimize the number of single occupancy vehicle trips by encouraging other modes of transportation, including walking,	Project sponsor/Property manager	Prior to and during construction	Project sponsor and/or Property manager to provide the San Francisco Planning Department with reports	Ongoing for the duration of the proposed project.

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<p>bicycling, transit, car share, carpooling, and/or other modes. The project sponsor agreed to implement the following TDM measures:</p> <ul style="list-style-type: none"> • TDM Coordinator: Project sponsor shall identify a TDM coordinator for the project site who would be responsible for implementation and ongoing operation of all other TDM measures included in the proposed project. • New-hire Packet: Project sponsor shall provide a transportation insert for the new-hire packet that includes information on transit services, where transit passes could be purchased, the 511 Regional Rideshare Program, and nearby bike and car share programs. • Current Transportation Resources: Project sponsor shall provide and maintain a regular supply of Muni maps, and San Francisco bicycle and pedestrian maps. • City Access: The project sponsor shall provide City staff access to the project site to perform trip counts, intercept surveys, and/or other types of data collection. • Bicycle Fleet: Project sponsor shall provide and maintain a fleet of five bicycles and related amenities such as locks, baskets, lights, etc. for use by the building occupants. • Bicycle Parking Signage: Project sponsor shall install signage at the street level to direct bicyclists to available parking facilities in the project site. 			of compliance.	
<p><i>Project Improvement Measure 2</i> The project sponsor will establish a restricted parking area on both sides of the proposed project driveway entrance to increase visibility. Additionally, install an advance warning sign on Third Street just south of the proposed project driveway to caution northbound drivers and bicyclists that a driveway is present.</p>	Project sponsor	Design measures to be incorporated into project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of occupancy	Project sponsor to provide the San Francisco Planning Department with documentation of compliance.	Complete when included in final design
<p><i>Project Improvement Measure 3</i> The project sponsor will implement appropriate traffic calming devices in the</p>	Project sponsor	Design measures to be	Project sponsor to provide the San	Complete when included in final design

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<p>garage exit aisle to slow existing traffic, such as speed bumps, rumble strips, and/or “slow speed” signage. The project sponsor will also provide visible/audible warning notification at the driveway entrance to alert pedestrians to the possibility of conflicting vehicles entering and exiting the driveway. Conditions at the driveway should be monitored to determine whether an additional audible warning signal is necessary to enhance traffic calming controls and visible warning signal.</p>		<p>incorporated into project design and evaluated in environmental/building permit review, prior to issuance of a final building permit and certificate of occupancy</p>	<p>Francisco Planning Department with documentation of compliance.</p>	
<p><i>Project Improvement Measure 4</i> As an improvement measure to reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the project sponsor should ensure that the contractor add certain measures to the SFMTA Blue Book requirements for proposed project construction. The proposed project should include the following measures:</p> <ul style="list-style-type: none"> • Carpool and Transit Access for Construction Workers: To minimize parking demand and vehicle trips associated with construction workers, the construction contractor should include methods to encourage carpooling and transit access to the project site by construction workers. On-site construction workers should also be encouraged to consider cycling and walking as alternatives to driving alone to and from the site. • Project Construction Updates for Adjacent Businesses and Residents: To minimize construction impacts on access for nearby institutions and businesses, the project sponsor should provide nearby residences and adjacent businesses with regularly-updated information regarding the proposed project construction, including a construction contact person, construction activities duration, peak construction activities (e.g. concrete pours), travel closures and lane closures. 	<p>Project sponsor/Project contractor</p>	<p>Prior to and during construction</p>	<p>Project sponsor/Project contractor to provide the San Francisco Planning Department with documentation of compliance.</p>	<p>Considered complete upon completion of construction.</p>