



# SAN FRANCISCO PLANNING DEPARTMENT

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## Mitigated Negative Declaration

*PMND Date:* May 20, 2015; amended on [June 15, 2015]  
*Case No.:* **2012.0506E**  
*Project Title:* **950 Gough Street**  
*Zoning:* RM-4 [Residential-Mixed, High Density] Use District  
80-B Height and Bulk District  
*Block/Lot:* 0744/010, 0744/010A, 0744/011  
*Lot Size:* 18,900 square feet  
*Project Sponsor:* Maracor Development  
Brad Dickason, (415) 295-4501  
*Lead Agency:* San Francisco Planning Department  
*Staff Contact:* Laura Lynch – (415) 575-9045  
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### PROJECT DESCRIPTION:

The proposed project would include the development of three contiguous vacant lots with frontages on Gough and Eddy Streets. Under the proposed project, an eight-story, 80-foot-tall, mixed-use building with 95 dwelling units and approximately 10,100 square feet of ground-floor church space would be constructed. The project would include a two level parking garage that would accommodate 61 off-street vehicle parking spaces and 97 bicycle parking spaces (including 10 spaces on the sidewalk), which would be accessible from a curb cut on Eddy Street. The project site is a corner lot within a block bounded by Eddy Street to the north, Turk Street to the south, Gough Street to the west, and Franklin Street to the east. The project is located within San Francisco's Downtown/Civic Center neighborhood and adjacent to the Western Addition Neighborhood. The project is partially excavated due to the fire of the previous church; however, the project would require approximately 5,000 cubic yards of soil disturbance to a depth of approximately 20 feet below ground surface.

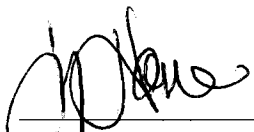
### FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 112-116.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

Mitigated Negative Declaration  
(June 15, 2015)

CASE NO. 2012.0506E(950 Gough Street)



fn

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SARAH B. JONES  
Environmental Review Officer

6/15/15

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Date of Issuance of Final Mitigated  
Negative Declaration

cc: Brad Dickason, Project Sponsor  
Sharon Lai, Current Planner  
Virna Byrd M.D.F

# INITIAL STUDY

(2012.0506E: 950 Gough Street)

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# Initial Study

## 950 Gough Street

### Planning Department Case No. 2012.0506E

#### **A. PROJECT DESCRIPTION**

This Initial Study (IS) evaluates the proposed 950 Gough Street project. This section describes the project location and site characteristics, discusses the proposed church and residential development at the project site, and outlines the required project approvals and entitlements.

##### **Project Location and Site Characteristics**

The project site consists of three contiguous lots, totaling approximately 18,900 square feet (sf), on the southeast corner of Gough and Eddy Streets (as shown in Figure 1: Project Site). The project site is within the Downtown/Civic Center neighborhood on the block bounded by Eddy to the north, Turk Street to the south, Gough Street to the west and Franklin Street to the east. The project site has two frontages: Gough Street currently provides a 10-foot-wide public sidewalk and Eddy Street provides a 15-foot-wide public sidewalk.

The existing project site consists of three contiguous vacant lots (Assessor's Block 0744, Lots 10, 10A & 11) previously used as a temporary garden. The property currently has no buildings, as result of a fire that destroyed St. Paulus Evangelical Lutheran Church on November 5, 1995. The project site is across Gough Street (east) from Jefferson Square Park, Margaret S. Hayward Playground and James P. Lang Field. The project site is located within an RM-4 (Residential-Mixed, High Density) Use District and the 80-B Height and Bulk District.

##### **Proposed Project**

The proposed project entails the merger of three contiguous lots to create one 18,900 sf lot with frontages on Gough and Eddy Streets. The project would construct an approximately 125,000 square foot (sf), 80-foot-tall, eight-story over basement, mixed-use building (see figures 3 to 16). The building would provide space for a church (approximately 10,100 sf) on the basement and ground floor levels. In addition, the building would include eight stories, approximately 91,000 sf, of residential space. The sixth floor on the south side of the building would be set back to provide private open space. Private open space would also be provided within the courtyard located on the second floor.

##### *Residential Program*

The mixed-use building would contain eight floors of approximately 91,000 sf of residential space, with 95 dwelling units for sale or rent. Additionally, 11 of the 95 units would be on-site Below Market Rate (BMR) inclusionary dwelling units. The building would contain



Figure 1: Project Site





Figure 2: Existing Site Plan

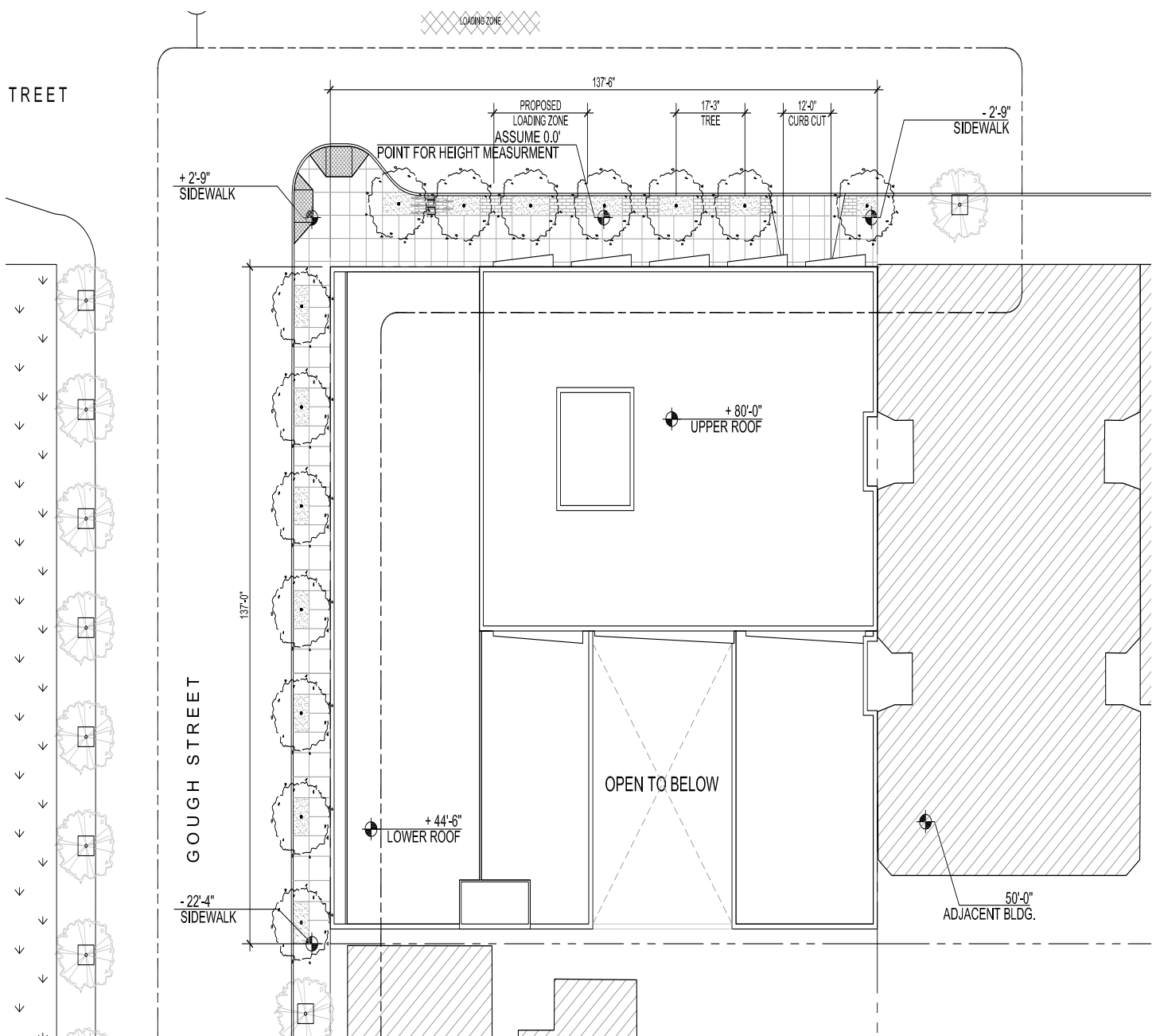


Figure 3: Proposed Site Plan

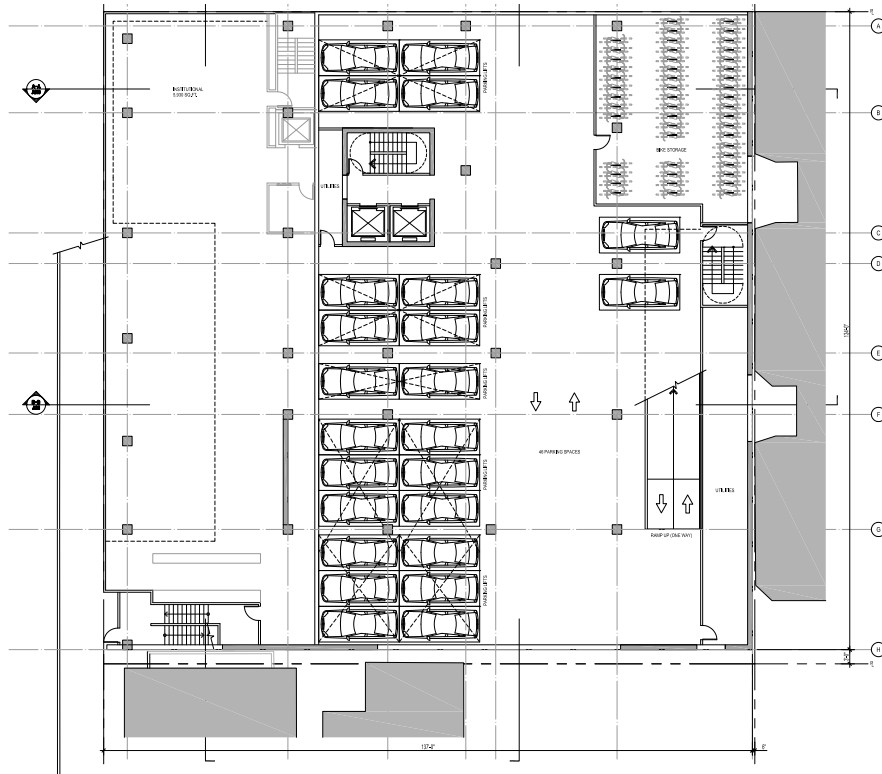


Figure 4: Basement Floor Plan

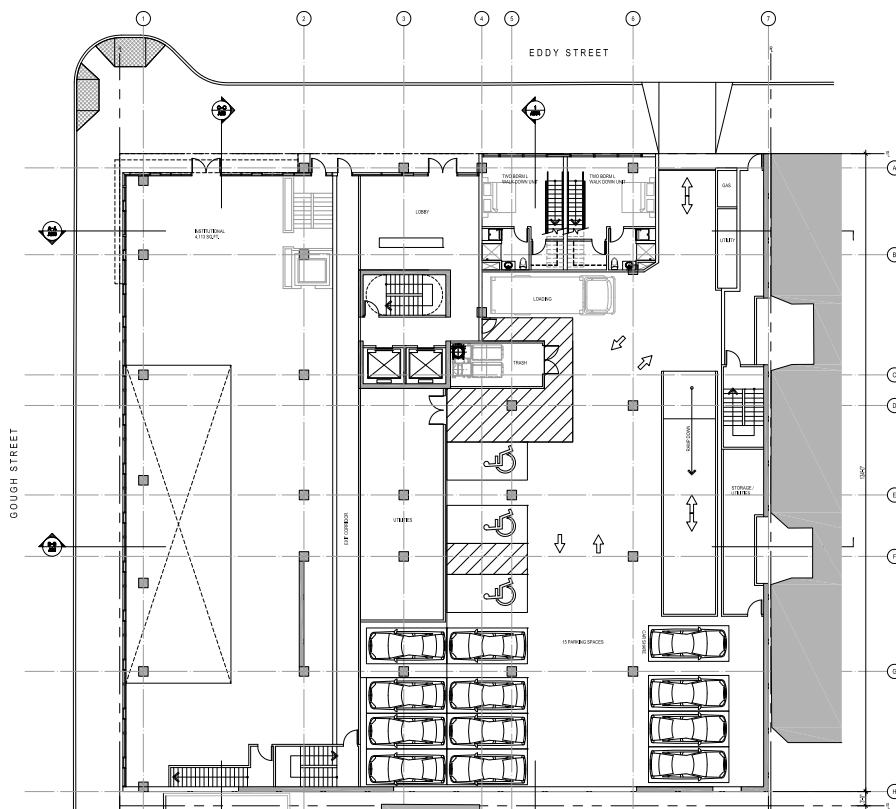
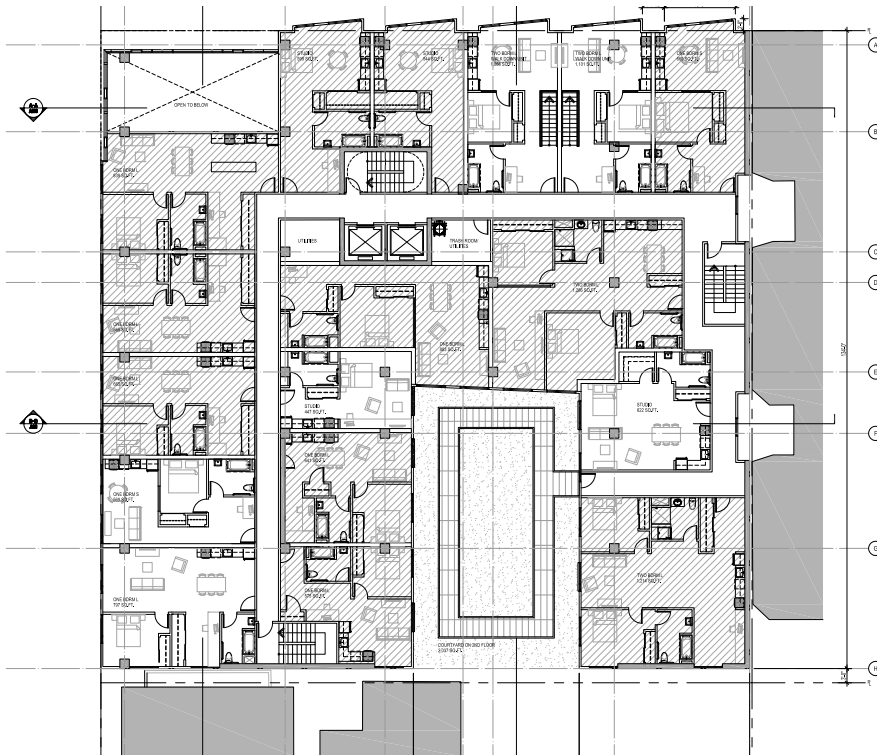
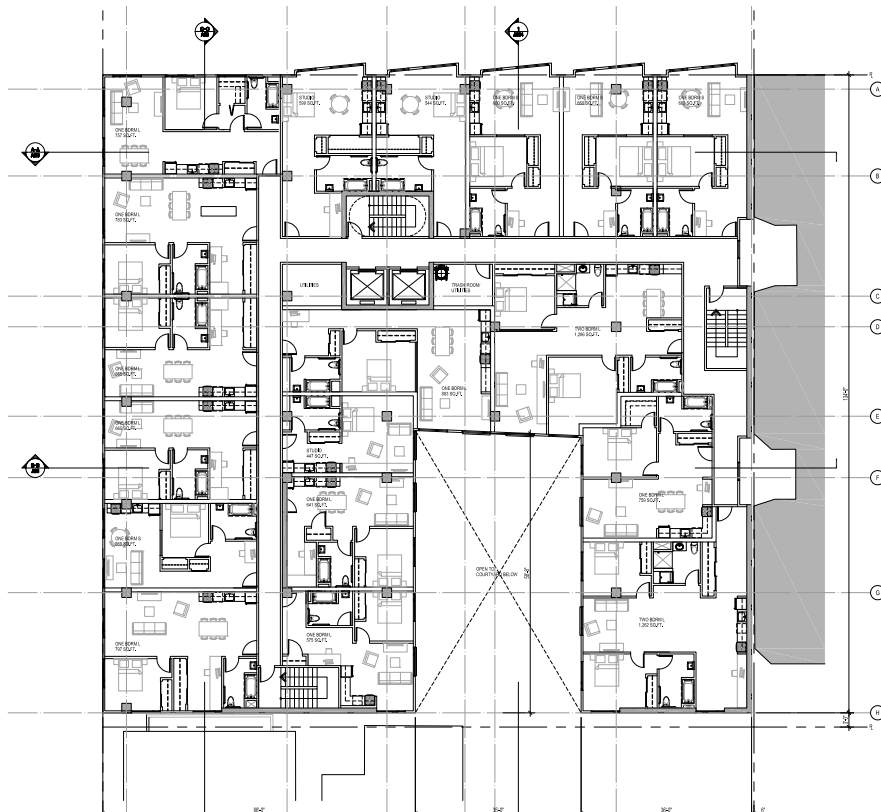


Figure 5: Ground Floor Plan





**Figure 6: Second Floor Plan**



**Figure 7: Third Floor Plan**

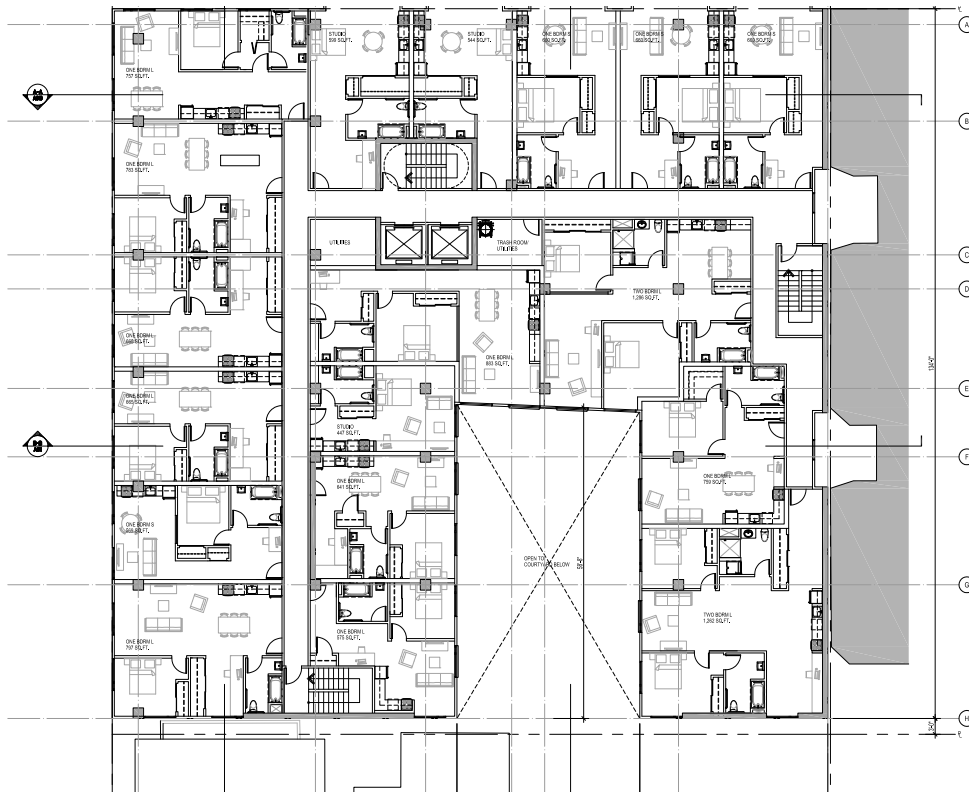


Figure 8: Fourth Floor Plan

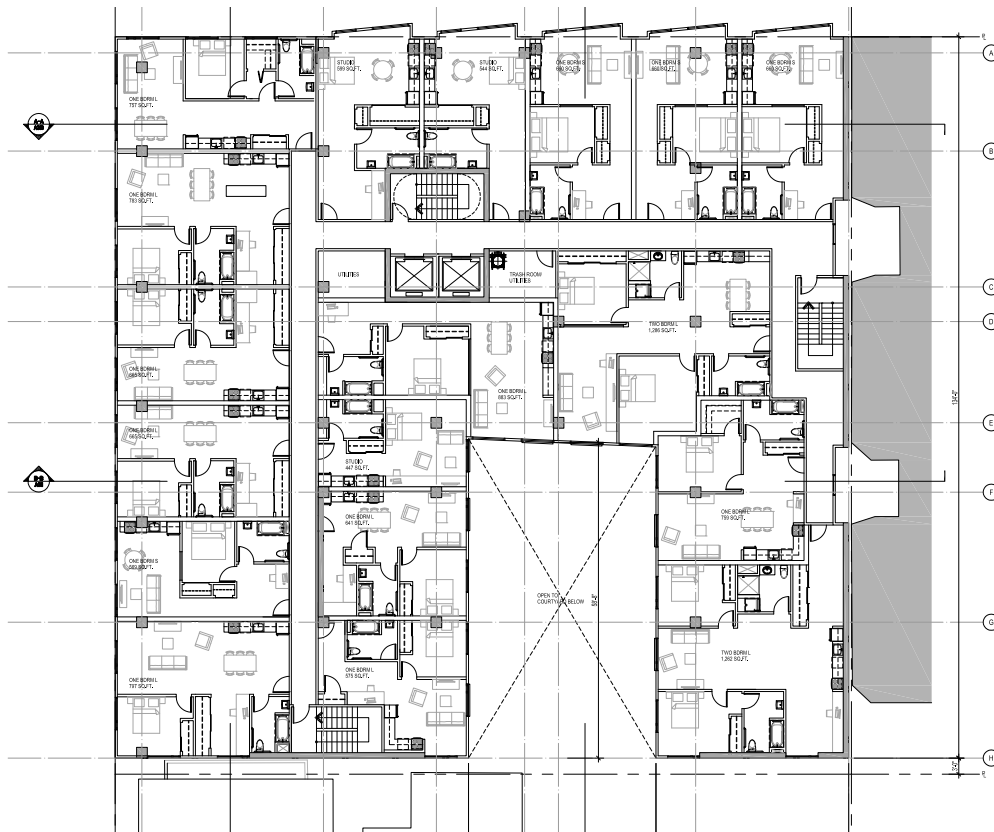


Figure 9: Fifth Floor Plan



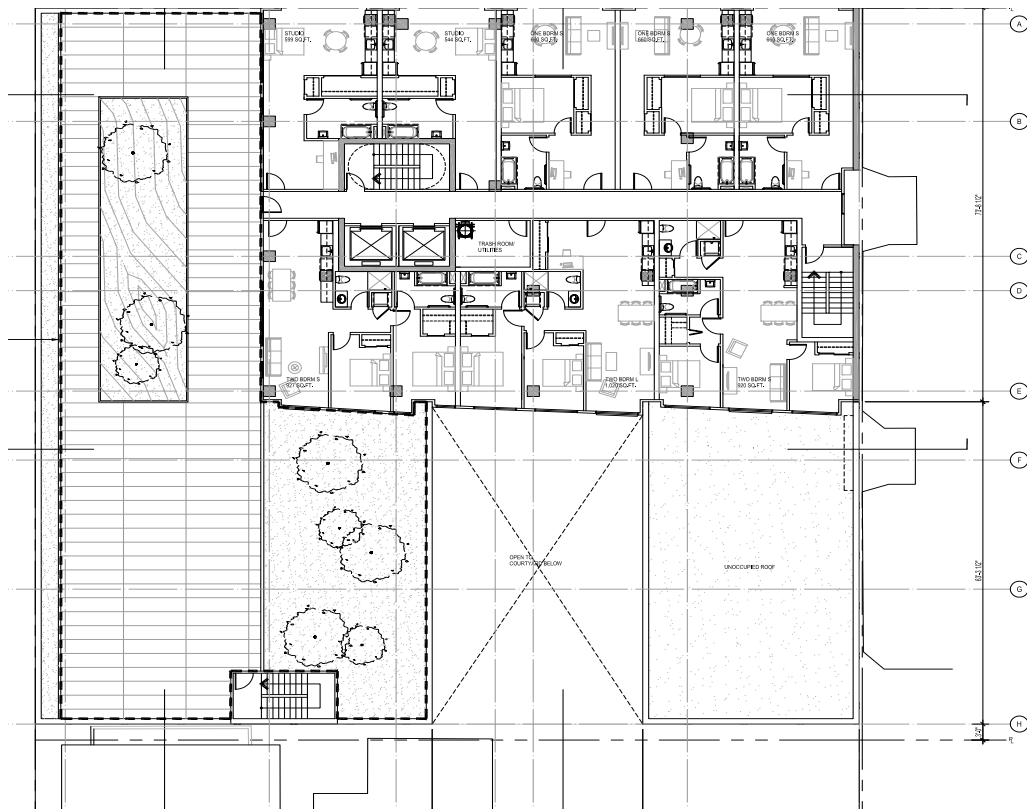


Figure 10: Sixth Floor Plan

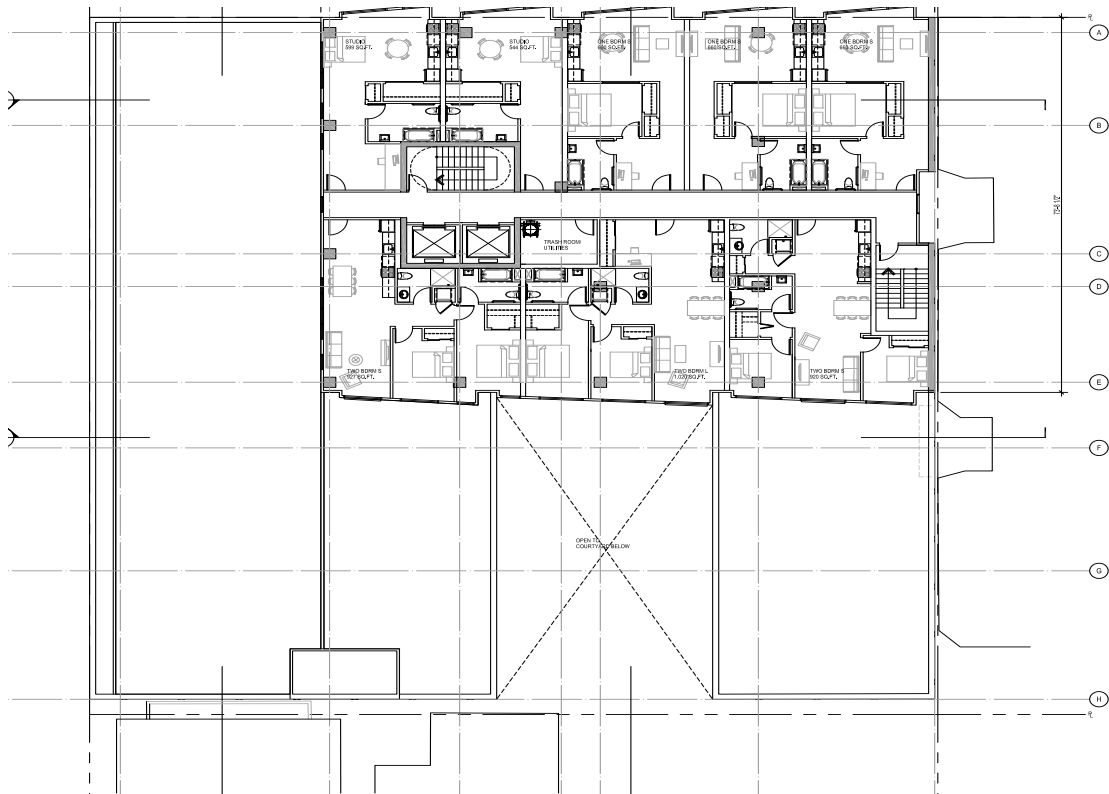
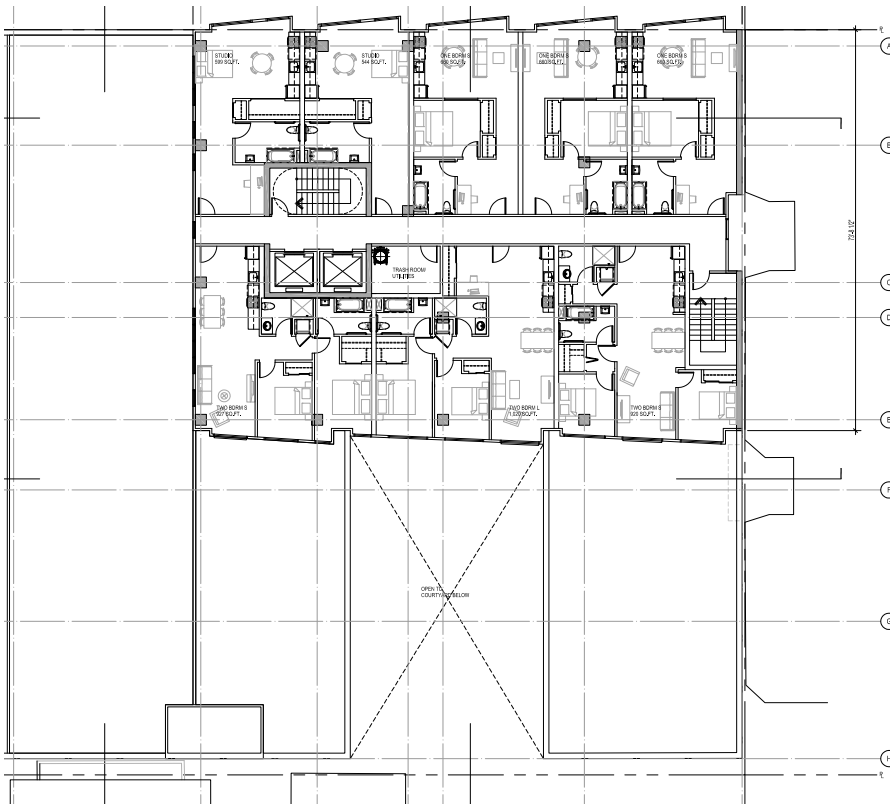
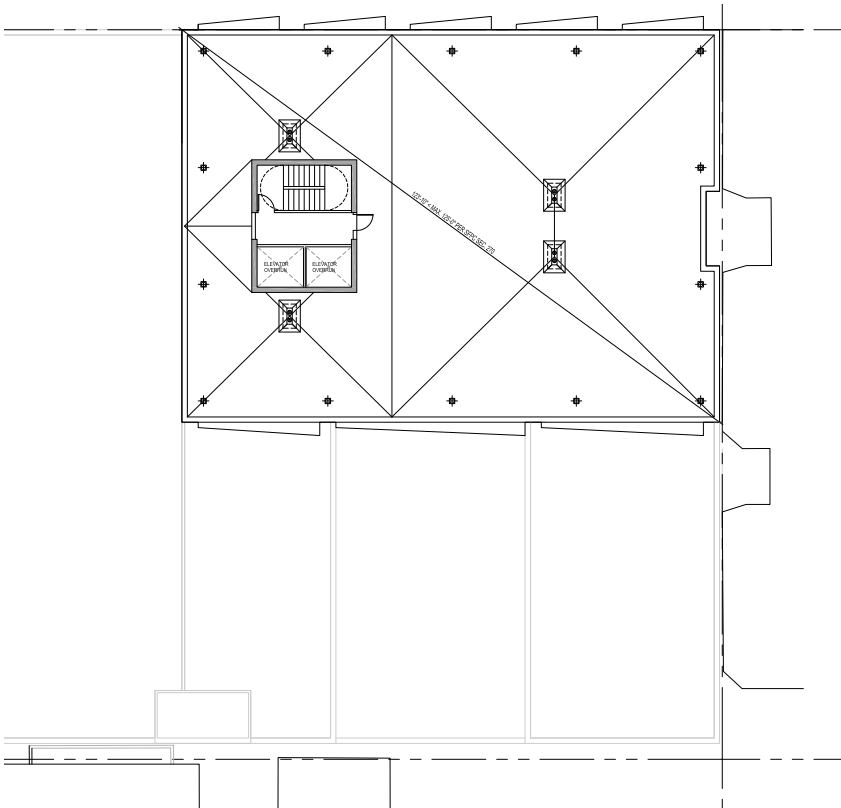


Figure 11: Seventh Floor Plan



**Figure 12: Eighth Floor Plan**



**Figure 13: Roof Plan**



**Figure 14: Eddy Street Elevation**



**Figure 15: Gough Street Elevation**



**Figure 16: South Elevation**

approximately 19 studio units, 57 one-bedroom units and 19 two-bedroom units. Studio units would account for approximately 20 percent of the total units, one-bedroom units would account for approximately 60 percent of the total units, and two-bedroom units would account for approximately 20 percent of the total units. The basement and ground floor would include a church (10,100 sf), accessible from Eddy Street and a parking garage (20,000 sf) with 61 parking spaces. An approximately 2,100-sf utility closet would be located in the basement of the building. Figures 3 to 13 depict the proposed project's floor plans from the ground floor to the ninth floor.

#### *Open Space*

The project would provide common open space for all 95 units on the sixth floor setback at the roof top deck and the courtyard at the second floor. In total, the project would provide approximately 8,000 sf of open space. The rooftop common open space at the sixth floor would provide 5,900 sf and the courtyard would provide approximately 2,100 sf of open space.

#### *Circulation and Parking*

A two-level, 20,000-sf, 61-car parking garage would be provided at the basement and ground floor levels. The project would require approximately 20 ft. of excavation to construct the below grade basement portion of the parking and church space. The proposed curb cut would be on Eddy Street providing vehicle access to the two-level parking garage. Parking lifts at the basement and ground floor levels would provide 61 parking spaces. In addition, 97 Class I bicycle stalls would be provided in the basement. The trash/recycling room would be located on the ground floor.

#### *Landscaping, Street Improvements, and Street Activation*

Landscaping and street improvements are included in the design of the project as shown in Figure 2. Landscaping and sidewalk improvements are proposed on Gough and Eddy Streets. These landscaping and streetscape improvements would meet the City's *Better Streets Plan* requirements for streetscape elements, codified in *Planning Code* Section 138.1.

The street trees along Eddy Street would be set in iron grates. A pedestrian bulb out would be constructed at the northeastern corner of Gough and Eddy Streets.

#### **Anticipated Development Schedule**

Development of the project is anticipated to commence construction by winter 2015. The construction would be performed in a single stage, expected to last 22 months. The building is anticipated to be occupied by summer 2017.

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## Site Grading and Construction Activity

The proposed project would require excavation to a depth of approximately 20 feet below ground surface (bgs) for the subterranean parking garage, and the removal of approximately 5,000 cubic yards of soil. Due to the fire of the previous building, the project site is partially excavated and would require additional excavation for the proposed garage space. The proposed project would use a mat slab foundation design. No pile driving would occur.

Total construction costs are estimated at \$30,000,000.00

## Project Approvals

The project would require the following approvals:

- **Conditional Use** authorization would be required for the construction of a building greater than 40 feet in height with a frontage greater than 50 feet;
- **Conditional Use** authorization would be required for the proposed construction of a church on the ground floor;
- **Variance** would be required for rear yard requirements pursuant to *Planning Code* Section 134;
- **Variance** would be required to address the lack of required off-street parking requirements pursuant to *Planning Code* Section 151;
- **Variance** would be required to address projections over the street pursuant to *Planning Code* Section 136;
- **Site permits** (Department of Building Inspection) (DBI). The proposed project would require approval by DBI for the site permit.
- **Stormwater control plan** (Public Utilities Commission). This plan is required because the project would result in ground disturbance over 5,000 sf.
- **Lot Merger** (Department of Public Works) (DBI). The proposed project would require the merging of three lots into one parcel.

The proposed project is subject to notification under Section 306.3 of the Planning Code. Approval of the Conditional Use Authorization would constitute the Approval Action for the 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.

## B. PROJECT SETTING

The project site is located within the Downtown/Civic Center neighborhood and directly adjacent to the Western Addition neighborhood. The project is located on three individual parcels; these parcels would be merged into a single corner lot with frontages along Eddy and Gough Streets. The property is on a downward slope toward Turk Street. Gough consists of three lanes of south-bound traffic, while Eddy consists of two-way traffic along a relatively flat street.

The project site is located within a Residential Mixed-Use, High Density (RM-4) zoning district. North and west of the project site are RM-3 (Residential Mixed-Use, Medium Density) zoning districts along Eddy and Ellis Streets. RM-2 (Residential, Mixed District, Moderate Density) zoning districts are located west of the project site along Laguna Street. NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) and RTO (Residential, Transit-Oriented Neighborhood District) zoning districts are south of the project, along Gough Street. One block to the west between Laguna and Gough Streets is P (Public) zoning districts where Jefferson Square Park, James P. Lang Field and Margaret S. Hayward Playground are located. East of the project site are RC-4 (Residential-Commercial Districts, High Density) districts along Eddy and Turk Streets at Franklin Street and Van Ness Avenue. NC-3 (Moderate-Scale Neighborhood Commercial District) and C-2 (Community Business District) districts are located southeast of the project site along Golden Gate Avenue and McAllister Street.

The neighborhood vicinity surrounding the project site at 950 Gough Street is characterized as mixed-use consisting of residential, recreational, commercial, institutional and church uses. The project site is east of three Recreational and Park facilities; Jefferson Square Park, James P. Lang Field and Margaret S. Hayward Playground. Residential uses in the vicinity include one- to -four-unit family dwellings and multi-unit, high-density apartment buildings within a three-block radius. Institutional uses such a Sacred Heart Cathedral Preparatory High School, Academy of Art University, and Chinese American International School along with churches including St Mary's Cathedral and St. Mark's Lutheran Church are also located within a three-block radius from the project site. Government agencies including California Public Utilities Commission, San Francisco Unified School District, San Francisco Housing Authority and Family Service Agency of San Francisco are located within a one- to-four-block radius from the project site. Directly adjacent to the project site along Eddy Street is a Housing Authority property providing apartments for the elderly. In addition, the San Francisco Federal Credit Union, British Motor Car Distributors and other commercial establishments are located within a three-block radius from 950 Gough Street. The project site is accessible from Highway 101/Van Ness Avenue, which is located two blocks to the east. The site is also accessible to the Van Ness Avenue Muni Metro Stations and a variety of Muni bus lines, which will be discussed further in this document.

Building heights in the area vary from 30 feet to 80 ft. Abutting the project along Eddy Street (east) is a 55 ft tall apartment building managed by the San Francisco Housing Authority, providing residential units to the elderly. Abutting the property along Gough Street (south) is a 30 ft tall building that is currently undergoing renovations to be used by the Chinese American

International School. North of the project site is a two-story single-family Victorian building, a four-story community services building and a four-story building providing classrooms to Sacred Heart Cathedral Preparatory. As mentioned above, the types of buildings range from residential, institutional, commercial and religious. Ages of the buildings also range from contemporary to historic.

### C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the <i>Planning Code</i> or Zoning Map, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

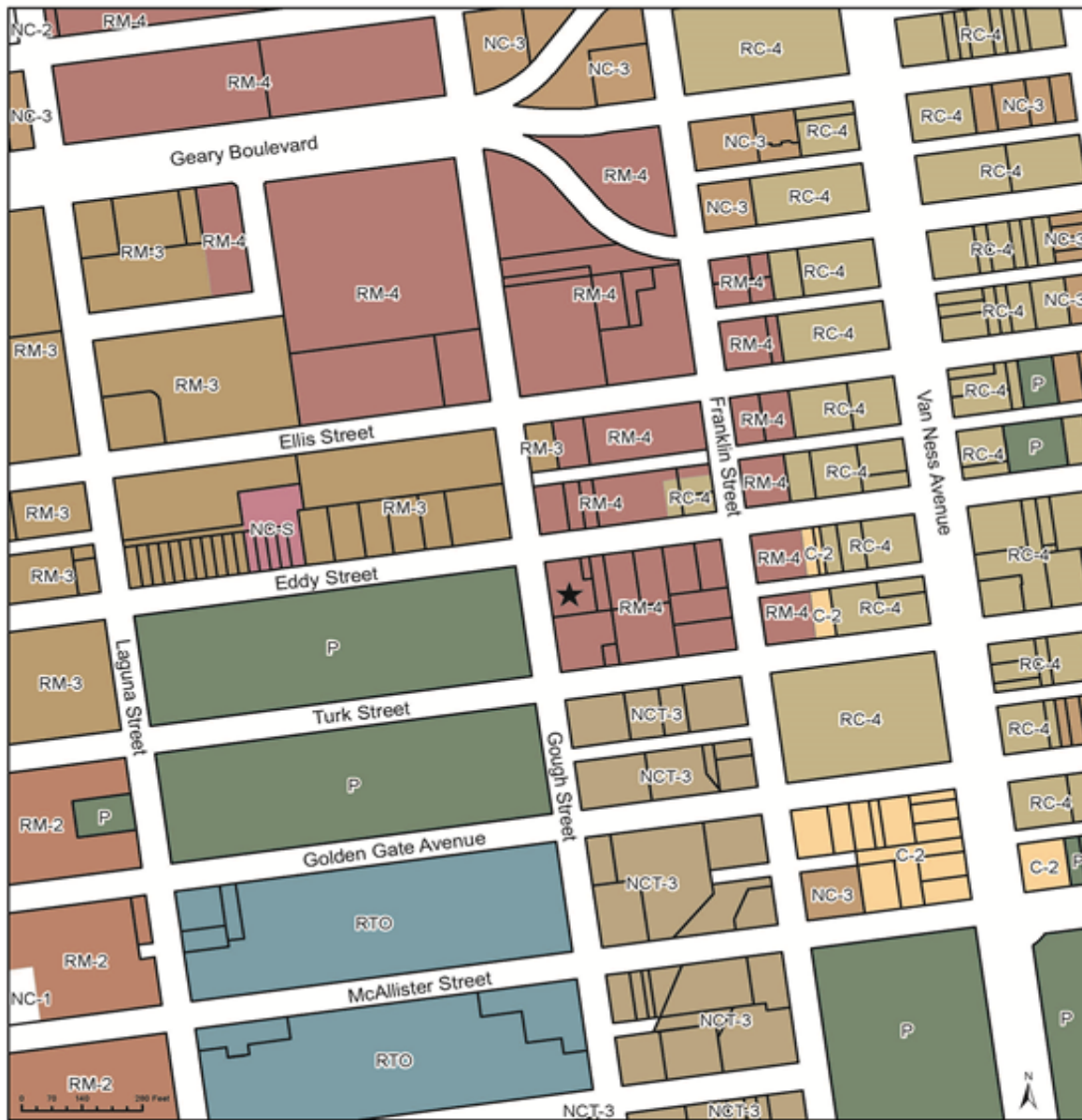
### SAN FRANCISCO PLANNING CODE

The *San Francisco Planning Code (Planning Code)*, which incorporates the City's Zoning Maps, governs permitted uses, densities, and configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless (1) the proposed project conforms to the *Planning Code*, (2) allowable exceptions are granted pursuant to provisions of the *Planning Code*, or (3) amendments to the *Planning Code* are included as part of the proposed project.

#### *Zoning*

The project site is located within a Residential Mixed-Use, High Density (RM-4) zoning district (as shown in figure 11). As described in Section 206.2 of the *Planning Code*, RM-4 zoning districts are devoted almost exclusively to apartment buildings of high density, usually with smaller units, close to downtown. Buildings over 40 feet in height are very common and other tall buildings may be accommodated in some instances. Group housing is especially common in these districts, as well as supporting nonresidential uses. The RM-4 zoning district in which the project site is located, generally extends along Gough and Franklin Streets north to Geary Boulevard.

The project site's RM-4 zoning principally allows for residential dwellings. The proposed project would entail the construction of a church located on the ground floor and eight stories of residential units. The ground floor church use is conditionally permitted within the RM-4 zoning district requiring the Conditional Use Authorization by the Planning Commission. Additionally,



**Land Use Districts**

- |   |   |
|---|---|
| C-2 (Community Business District)                               | RC-4 (Residential-Commercial District, High Density)      |
| NC-3 (Moderate-Scale Neighborhood Commercial District)          | RM-2 (Residential, Mixed District, Moderate Density)      |
| NC-S (Neighborhood Commercial Shopping Center District)         | RM-3 (Residential, Mixed District, Medium Density)        |
| NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) | RM-4 (Residential, Mixed District, High Density)          |
| P (Public)  | RTO (Residential, Transit-Oriented Neighborhood District) |

★ Project Location (950 Gough Street)

Figure 17: Land Use Districts



a conditional use permit would be required for the construction of a building greater than 40 feet in height with a frontage greater than 50 feet.

The project as proposed may need several variances. These include variances from rear yard requirements pursuant to *Planning Code* Section 134, off-street parking requirements pursuant to *Planning Code* Section 151 and projections over the street per *Planning Code* Section 136 (note: based on the preliminary level of plans, a determination could not be made as to the *Planning Code* compliance of the exposure and usable open space requirements). Thus, the proposed project would be consistent with the existing zoning.

### **Height and Bulk**

The project site is located in an 80-B Height and Bulk District. The proposed building would be approximately 80 feet in height with a mechanical penthouse extending above the roof an additional 10 ft (90 feet in height). Although the additional penthouse would extend above 80 feet, these features are exempt per *Planning Code* Section 260(b). As shown in Figure 12, the 80-B height and bulk district predominates on the project block, and the blocks north to Ellis Street and south to Turk Street. Along Gough Street from Geary Boulevard to McAllister Street height and bulk limits include 240-E, 130-E, 85-X, and 50-X. Along Franklin Street from Geary Boulevard to McAllister Street height and bulk limits include 130-V, 130-E, 120-X, 96-X, 85-X, and 65-X. The 40-X height and bulk limit is located on the blocks bound between Golden Gate Avenue and McAllister Street and Gough and Laguna Streets.

The proposed project is within the 80-B height and bulk district, which permits construction to a height of 50 feet but above that height up to 80 feet high, a maximum dimension of 100 feet in length and 125 feet diagonally apply. The proposed project would conform to the height and bulk limits, resulting in the construction of an 80-foot tall, eight-story over basement structure. The project sponsor designed the building according to the bulk constraints. Thus, the proposed project would comply with the 80-B height and bulk district limits.

### **Required Permits**

In addition to the Conditional Use Authorization required from the Planning Commission, the proposed project would require a building permit for the new construction on the subject property.

### **Plans and Policies**

#### *San Francisco General Plan*

The *San Francisco General Plan (General Plan)*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The



★ Project Location (950 Gough Street)

Figure 18: Height and Bulk Districts

*General Plan* contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies and objectives for the physical development of the City. Any conflict between the proposed project and policies that relate to physical environmental issues are discussed in Section E, Evaluation of Environmental Effects. The compatibility of the proposed project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project.

### **Proposition M – The Accountable Planning Initiative**

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the topics of the Evaluation of Environmental Effects addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Question 1c, Land Use); (3) preservation and enhancement of affordable housing (Question 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Questions 4a, b, f, and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Question 1c, Land Use); (6) maximization of earthquake preparedness (Questions 13 a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (Question 3a, Cultural Resources); and (8) protection of open space (Questions 8a and b, Wind and Shadow, and Questions 9a and c, Recreation).

Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action that requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation would be consistent with the Priority Policies.

As noted above, the compatibility of the proposed project with *General Plan* objectives and policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project.

### **Regional Plans and Policies**

The five principal regional planning agencies and their over-arching policy-plans to guide planning in the nine-county bay area include the Association for Bay Area Governments' (ABAG) *Projections 2009*, the Bay Area Air Quality Management District's (BAAQMD's) *Bay Area 2010 Clean Air Plan (2010 Clean Air Plan)*, the Metropolitan Transportation Commission's Regional

Transportation Plan – Transportation 2035, the San Francisco Regional Water Quality Control Board’s San Francisco Basin Plan, and the San Francisco Bay Conservation and Development Commission’s *San Francisco Bay Plan*. Due to the size and nature of the proposed project, no anticipated conflicts with regional plans would occur.

#### D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Land Use                           | <input checked="" type="checkbox"/> Air Quality        | <input type="checkbox"/> Biological Resources              |
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Geology and Soils                 |
| <input type="checkbox"/> Population and Housing             | <input type="checkbox"/> Wind and Shadow               | <input type="checkbox"/> Hydrology and Water Quality       |
| <input type="checkbox"/> Cultural and Paleo. Resources      | <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Hazards/Hazardous Materials       |
| <input type="checkbox"/> Transportation and Circulation     | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mineral/Energy Resources          |
| <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Agricultural and Forest Resources |
| <input type="checkbox"/> Mandatory Findings of Significance |  |  |

#### E. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked "Less Than Significant Impact," "No Impact," or "Not Applicable" indicates that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that issue. For items that have been checked "Less Than Significant with Mitigation Incorporated," staff has determined that the proposed project would not have a significant adverse environmental effect provided that the project sponsor implements mitigation measures presented in Section G of this document. A discussion is included for most issues checked "Less Than Significant with Mitigation Incorporated," "Less Than Significant Impact," "No Impact," or "Not Applicable." For all of the items without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department’s Transportation Impact Analysis Guidelines for Environmental Review, or the California Natural Diversity Data Base and maps, published by the California Department of Fish

and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

On the basis of this study, project-specific effects that have been determined to be potentially significant include: transportation/circulation, air quality, noise and shadow and wind. These issues are discussed below. For issues requiring mitigation to reduce the impact to a less-than-significant level, this document identifies such mitigation measures that, if implemented by the project sponsor, would reduce impacts to less-than-significant levels. These mitigation measures are referred to in the environmental analysis, at the end of each individual checklist topic discussion throughout this section.

For each checklist topic analyzed, the evaluation has considered the impacts of the proposed project both individually and cumulatively. The items checked, in Section D above, have been determined to be “Less than Significant with Mitigation Incorporated.”

### **SENATE BILL 743 AND PUBLIC RESOURCES CODE SECTION 21099**

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.<sup>1</sup> Among other provisions, SB 743 amended CEQA by adding Public Resources Code Section 21099 regarding the analysis of aesthetics and parking impacts for certain urban infill projects in transit priority areas.<sup>2</sup>

#### *Aesthetics and Parking Analysis*

Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

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

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<sup>1</sup> SB 743 can be found on-line at:

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB743](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB743).

<sup>2</sup> A “transit priority area” is defined in as an area within one-half mile of an existing or planned major transit stop. A “major transit stop” is defined in Section 21064.3 of the California Public Resources Code as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A map of San Francisco Transit Priority Areas can be found on-line at: <http://sfmea.sfplanning.org/Map%20of%20San%20Francisco%20Transit%20Priority%20Areas.pdf>.

The proposed project meets each of the above three criteria and thus, this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.<sup>3</sup>

Public Resources Code section 21099(e) states that a Lead Agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources. As such, there will be no change in the Planning Department's methodology related to design and historic review.

The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this Initial Study presents parking demand analysis for informational purposes and considers any secondary physical impacts associated with constrained supply (e.g., queuing by drivers waiting for scarce onsite parking spaces that affects the public right-of-way) as applicable in the transportation analysis in Section E.4, Transportation and Circulation.

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<sup>3</sup> San Francisco Planning Department, "Transit-Oriented Infill Project Eligibility Checklist," 950 Gough Street, Case No. 2012.0506E, March 07, 2014. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.0678E.

Topics:	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>1. LAND USE AND LAND USE PLANNING— Would the project:</b>					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact LU-1: The proposed project would not physically divide an existing community. (Less than Significant)**

The proposed project would construct a new mixed-use building on a vacant lot; the lot was previously developed with a church. All construction would occur within the existing lot boundaries of the project site and would not interfere with or change the existing street plan nor impede the passage of persons. Therefore, the proposed project would not physically divide an established community and impacts are considered *less-than-significant*.

**Impact LU-2: The proposed project would be consistent with applicable land use plans, policies, and regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)**

The proposed project would not substantially conflict with any applicable land use plan, policy, or regulation such that an adverse physical change would result (see Section C. Compatibility with Existing Zoning and Plans). Environmental plans and policies are those, like the 2010 Clean Air Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not substantially conflict with any such adopted environmental plan or policy and this impact would be *less-than-significant*.

**Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the project's vicinity. (Less than Significant)**

Land uses in the vicinity of the site are primarily multi-unit, high-rise residential units, institutional, and public. The proposed project would result in a mixed-use building

(church/residential) that would not be substantially or demonstrably incompatible with the existing uses in the project area.

Land use impacts are considered to be significant if the proposed project would have a substantial impact upon the existing character of the vicinity. The construction of the church/residential building would not be considered a significant impact because the uses are consistent with established uses within the neighborhood under the existing conditions. While the proposed project would result in an intensification of use on the existing lot, the land use would not be out of character with the residential and mixed-use buildings that are typically found in the project vicinity. In addition, the site historically contained St. Paulus Church; the proposed project would re-establish this church use within the ground floor. The proposed project would include land uses permitted and already existing within the project vicinity. Therefore, the proposed project would have a *less-than-significant* impact regarding the existing character of the project's vicinity.

**Impact C-LU: The proposed project, in combination with past, present and reasonably foreseeable future projects in the vicinity of the site, would not have a substantial adverse cumulative impact to land use. (Less than Significant)**

807 Franklin Street<sup>4</sup> is currently undergoing environmental review for the proposed construction of a new 8-story, 51 unit apartment building on a vacant portion of the lot. Adjacent to the project site at 930 Gough<sup>5</sup>, a project has been approved to rehabilitate and occupy the existing three buildings with Pre-K through 8<sup>th</sup> grade educational uses. The proposed projects would result in noticeable physical change to the surrounding area in terms of increasing the number of persons in the surrounding area, within the vicinity of the project site. Although these changes would result in a more dense urban fabric, they would not alter the overall mix of residential, institutional, religious and office uses in the area and they would not result in the physical division of the established community. Some projects would require modifications, variances, or exceptions to *Planning Code* requirements or *General Plan* land use designations. The proposed project site at 1333 Gough and 1481 Post Streets<sup>6</sup>, would involve the construction of a 36-story, 262 unit residential tower, while a major project in its own right, would occur in a different neighborhood (Western Addition), on the opposite side of a major thoroughfare (Geary Boulevard), and would not combine with the proposed project in any substantial way to alter the project site's neighborhood character.

Given the nature of these projects and the distance from the project site, combined land use impacts would be unlikely. Cumulatively, the proposed project combined with other past,

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<sup>4</sup> This proposed project is on file and available for public review at the San Francisco Planning Department, as part of Case File 2013.1224E.

<sup>5</sup> This proposed project is on file and available for public review at the San Francisco Planning Department, as part of Case File 2014.0112.

<sup>6</sup> This proposed project is on file and available for public review at the San Francisco Planning Department, as part of Case File 2005.0679.



present, and reasonably foreseeable future projects would result in a physical change to the neighborhood. However, these changes would not create adverse neighborhood impacts, as the land uses of the proposed project and other proposed projects are compatible with the land use zoning of the neighborhood, and the intensity and density of approved and reasonably foreseeable development were not found to exceed the level of development compatible with the neighborhood and community. Further, the proposed project would not contribute in a cumulatively considerable way to the division of an established community; conflict with plans, policies, and regulations; or change neighborhood character. Therefore, the project would not result in any significant cumulative land use impacts.

Given that the proposed project and uses would occur within the boundaries of the existing lot lines, no physical barriers to movement through the community would occur, and the proposed project would not substantially conflict with any applicable land use plan, policy, or regulation such that an adverse physical change would result. Thus, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would result in a *less-than-significant* cumulatively considerable land use impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>2. POPULATION AND HOUSING— Would the project:</b>					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input 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"/>	<input type="checkbox"/>

**Impact PH-1: The proposed project would not induce substantial population growth in San Francisco, either directly or indirectly. (Less than Significant)**

In general, a project would be considered growth inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project would not be implemented. Implementation of the proposed project would develop an existing vacant lot and construct a new mixed-use building with approximately 95 dwelling units and a 10,100 sf church at the street level. The proposed project would therefore directly increase population and employment at the project site and contribute to anticipated population growth in both the neighborhood and citywide context.

The 2010 US Census reported a population of 805,235 residents in the City and County of San Francisco, and a population of 2,465 residents in Census Tract 160, which includes the project site and its immediate vicinity.<sup>7</sup> Based on an average household size for Census Tract 160 of 1.50 persons per household, the addition of 95 dwelling units would increase the population at the project site by approximately 143 residents. This would represent a residential population increase of approximately 0.02 percent Citywide, 5.8 percent within the Census Tract 160. This increase in the number of residential units on the project site is not considered to be substantial. Therefore, implementation of the proposed project would not directly induce substantial population growth and would not indirectly induce substantial population growth in the project area, as it would not involve any extensions to area roads or other infrastructure.

The proposed project would also include a new church use at the ground floor and would add employment to the site, estimated at approximately four employees. This minor increase in

<sup>7</sup> United States Census 2010, "2010 Census Interactive Population Search." Available online at: <http://www.census.gov/2010census/popmap/>. Accessed January 29, 2015.

employment would not generate a substantial demand for additional housing in the context of Citywide employment growth.

While the proposed project would increase population at the project site, compared to the existing conditions, project-specific population impacts would not be significant relative to the number of area-wide residents and employees in the project vicinity. Overall, the increase in housing and employment would be less than significant in the context of the expected increases in the population of San Francisco. The proposed project would not directly or indirectly induce substantial population growth in San Francisco and would result in a *less-than-significant* population impact.

**Impact PH-2: The proposed project would not displace substantial numbers of people or existing housing units or create demand for additional housing, necessitating the construction of replacement housing. (No Impact)**

The proposed project would not displace any residences because the project involves construction of an eight-story over basement, church/residential building on a site that is currently vacant. The additional 95 residential units would provide housing in the Downtown/Civic Center area. Therefore, no residential, employee, or housing unit displacement would result from the proposed project. Assuming that some of these employees would be new to the region, the increase of four employees could result in a small increase in demand for additional housing. However, the number of such employees would be very small compared to the total population and the available housing stock in San Francisco and the Bay Area and would not necessitate the construction of new housing. The proposed project would result in *less-than-significant* impacts related to the displacement of people or creation of demand for additional housing.

**Impact C-PH: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial adverse cumulative impact on population and housing. (Less than Significant)**

As described above, the proposed project would not induce substantial population growth or have significant physical environmental effects on housing demand or population. The proposed project in combination with other projects such as those listed in the above section E.1 Land Use and Land Use Planning, would not collectively result in significant impacts related to population and housing. The project would not generate substantial demand for housing elsewhere, nor would the project, as an infill development on three contiguous parcels, be anticipated to induce substantial growth. Residential and employment growth due to the proposed project, along with cumulative projects, would not exceed already acknowledged growth projections for San Francisco as set forth in Plan Bay Area and modified by the Planning Department. Because of this consistency with existing growth forecasts, cumulative effects related to growth inducement would not be significant.

For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable population and housing impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>3. CULTURAL AND PALEONTOLOGICAL RESOURCES – Would the project:</b>					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco Planning Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact CP-1: The proposed project would not 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. (Less than Significant)**

### Regulatory Context

Under CEQA, the term “historical resource” includes the following [CCR §15064.5(a)]:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (California Register) (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).
2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code (PRC) or identified as significant in an historic resource survey meeting the requirements section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

3. Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register (Pub. Res. Code §5024.1, Title 14 CCR, Section 4852) including the following:<sup>8</sup>
  - a) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - b) Is associated with the lives of persons important in our past;
  - c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
  - d) Has yielded, or may be likely to yield, information important in prehistory or history.
4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register, not included in a local register of historical resources (pursuant to section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

Furthermore, PRC Section 5024.1(d)(1) states that the California Register includes properties formally determined eligible for, or listed in the National Register of Historic Places (NRHP).

Under CEQA [15064.5(b)], significant impacts for historical resources are defined as follows:

Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

Under these provisions, the significance of a historical resource is materially impaired when a project, "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance."<sup>9</sup>

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<sup>8</sup> The criteria for the California Register of Historical Resources are established in PRC§5024.1, Title 14 CCR, Section 4852 as Criteria one through four.

<sup>9</sup> CEQA Guidelines 15064.5(b).

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## Summary of Historical Resources

The project site was occupied by the Saint Paulus Church, constructed in 1893, but burned down on November 5, 1995. The church was considered a historic resource and was listed on the NRHP as an individual resource in 1982. Currently the parcel is a vacant lot. There are no potential or listed conservation districts, per Article 10 of the San Francisco *Planning Code*. Therefore, the proposed project would not have significant impacts to Article 10 resources.

While the proposed development site is not a historical resource, there are two historical resources, as defined by CEQA, adjacent to the project site. These historical resources are discussed in detail below.

### 964 Eddy Street

The proposed project, 950 Gough Street, is directly south of 964 Eddy Street, a two-story over basement Italianate style Victorian residential building. According to Resolution No. 184<sup>10</sup> the building provides a good example of a restrained Italianate style Victorian building. Character-defining features of the building for the time period include a front façade that has the typical arrangement with slanted bay windows, a portico, and a pronounced cornice at the roofline. The right side of the front façade is occupied by bay windows and their plan outline is reflected in all elements of the bay from the basement to the upper cornice. A prominent vertical emphasis is maintained by the composition of the bay and other features, and by the ornate woodwork accentuating these features. 964 Eddy Street, also known as the Rothschild house, was surveyed, evaluated, and found to be eligible as a San Francisco Landmark under Article 10 of the Planning Code. On February 21, 1980 the City Planning Commission adopted a resolution designating 964 Eddy Street as San Francisco Landmark No. 112.

### 1010 Gough Street

1010 Gough Street, adjacent to 964 Eddy Street, is a five-story building located on the northeast corner of Gough and Eddy Streets. 1010 Gough Street also known as Family Service Agency was designed by the famous architect Bernard Maybeck. According to Resolution No 180<sup>11</sup> the building was designed and constructed in the Spanish Colonial revival style, which continues to contribute and represent the character of the area, residential detail with institutional scale. 1010 Gough Street was surveyed, evaluated, and found to be eligible as a San Francisco Landmark under Article 10 of the *Planning Code*. On February 21, 1980 the City Planning Commission adopted a resolution designating 1010 Gough Street as San Francisco Landmark No. 111. Currently and historically the building served agencies that provide social services for families and children. The Family Service Agency currently occupies 1010 Gough Street.

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<sup>10</sup> Preservation Advisory Board Resolution No. 184, Final Case Report 964 Eddy Street, February 17, 1977.

<sup>11</sup> Preservation Advisory Board Resolution No. 180, Final Case Report Family Service Agency, 1010 Gough Street, November 1, 1978.

## Project Impacts

The project site consists of a vacant partially excavated lot; therefore, no historic resources exist on the project site. In addition the project site is not located within an Article 10 designated historic district or a National Register Historic District. While the proposed building would be taller than the two historic resources within the project vicinity, 964 Eddy Street and 1010 Gough Street, it would not overwhelm the resources and would not interfere with the character-defining features or visibility of the two resources. Therefore, significant impacts to historic resources under Article 10 would not result from the proposed project and the proposed project would have a *less-than-significant* impact on historical resources.

### **Impact CP-2: The proposed project could result in damage to, or destruction of, as-yet unknown archeological remains, should such remains exist beneath the project site. (Less than Significant)**

Factors considered in determining the potential for encountering archeological resources include the location, depth, and amount of excavation proposed, as well as any existing information about known resources in the area. Constructing the below-grade garage would require excavation of approximately 2,100 cubic yards of soil to depths of approximately 20 feet below ground surface (bgs). Due to the proposed excavation, the Planning Department conducted a study to determine if any archeological resources would be impacted. In a memorandum dated September 5, 2013, the San Francisco Planning Department staff Archaeologist determined that there would be no CEQA-significant archeological deposits present at the project site.<sup>12</sup> Based on the review of archeological documentation of the affected area, no CEQA-significant archeological resources are expected within project-affected soils.

### **Impact CP-3: The proposed project would not indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)**

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Lithologic units that may contain fossils typically include sedimentary formations, although fossils may also occur in volcanic and other types of formations. Collecting localities and the geological formations containing those localities are also considered paleontological resources; they represent a limited, nonrenewable, and impact-sensitive scientific and educational resource.

The project site is underlain by 3 to 10 feet of fill that may also contain debris such as brick and concrete fragments.<sup>13</sup> The fill is underlain by sand extending to a depth to at least 45 feet below

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<sup>12</sup>Randall Dean, San Francisco Planning Department Staff Archaeologist, *Memorandum from to Craig Jung*, San Francisco Planning Department, April 18, 2013.

<sup>13</sup> ENGEO Incorporated, Geotechnical Exploration for St. Paulus Lutheran Center, 980 Gough St dated March 26, 2014.

the surface. The sand that would be affected by project construction has a low potential to contain fossils. The project site does not contain any unique geologic feature. Based on this information, impacts to paleontological resources and unique geologic features are considered less-than-significant.

**Impact CP-4: The proposed project would not be expected to disturb human remains. (Less than Significant)**

Impacts on Native American burials are considered under Public Resources Code (PRC) Section 15064.5(d)(1). When an Initial Study identifies the existence of, or the probable likelihood of, Native American human remains within the project site, the CEQA lead agency is required to work with the appropriate tribal entity, as identified by the California Native American Heritage Commission (NAHC). The CEQA lead agency may develop an agreement with the appropriate tribal entity for testing or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. By implementing such an agreement, the project becomes exempt from the general prohibition on disinterring, disturbing, or removing human remains from any location other than the dedicated cemetery (Health and Safety Code Section 7050.5) and the requirements of CEQA pertaining to Native American human remains. The project's treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing activity would comply with applicable state laws, including immediate notification of the City and County of San Francisco (CCSF) Coroner. If the Coroner were to determine that the remains are Native American, the NAHC would be notified and would appoint a Most Likely Descendant (PRC Section 5097.98).

The Planning Department's 2013 preliminary archeological sensitivity analysis<sup>14</sup> did not identify the project site as a site of potential Native American burials. As such the project is not anticipated to disturb any human remains, including Native American burials and would result in a *less-than-significant* impact on human remains.

**Impact CP-C-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not result in cumulative impacts to cultural resources. (Less than Significant)**

The St. Paulus Lutheran Church, constructed in 1883, was a historic resource (National Register of Historic Places #82002251) and burned down in 1995. As such, the proposed project would have no impact to on-site historic resources. 950 Gough Street is not located within an historic district and cumulative projects within the vicinity include the proposed project at 807 Franklin Street. Although the proposed project at 807 Franklin Street involves the development of a lot containing a potentially historic resource, this project is not located within a historic district, and independent environmental review would occur. Therefore, the proposed project and other

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<sup>14</sup> Randall Dean, San Francisco Planning Department, Staff Archaeologist, *Memorandum from to Craig Jung*, San Francisco Planning Department, April 18, 2013.



projects would have *less-than-significant* cumulative impact on an historic district or off-site historical resource.

**Impact C-CP-2: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not cause a substantial adverse in the significance of an archeological or paleontological resources nor disturb human remains. (Less than Significant)**

Project-related impacts on archeological or paleontological resources and human remains are site-specific and generally limited to the proposed project's construction area. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would result in a *less-than-significant* cumulatively considerable impact on archeological or paleontological resources and human remains.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>4. TRANSPORTATION AND CIRCULATION— Would the project:</b>					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, topic 4c is not applicable.

A transportation study was prepared for the proposed project.<sup>15</sup> The following discussion relies on the information provided in the transportation study. Please note that at the time of the preparation of the transportation study, a larger project was proposed providing a higher number of residential units.

<sup>15</sup> CHS Consulting Group, 950 Gough Street Transportation Study, San Francisco, CA. April 2014.

The project proposed at the time of the transportation analysis is as follows:

The Proposed Project includes the construction of a new eight-story, 80-foot-tall building with a total of 127,203 gross square feet (gsf). The proposed project would include approximately 93,440 gsf of residential use (112 dwelling units), 9,701 gsf of church use, and 24,062 gsf of residential parking garage with 61 spaces. The residential composition of the project would consist of seven two-bedroom units, 69 one-bedroom units, and 36 studio units. The church use would consist of a sanctuary space with approximately 200 seats and two offices for staff. The church services would include Sunday services starting at 11:00 AM and smaller gatherings throughout weekdays.

### Setting

The project site is located on the southeast corner of the Eddy and Gough Streets on a block bounded by Eddy Street to the north, Franklin Street to the east, Turk Street to the south, and Gough Street to the west in the Civic Center/Downtown neighborhood, bordering the Western Addition neighborhood. The San Francisco General Plan identifies that Gough, Franklin and Turk Streets are designated as Major Arterials in the Congestion Management Program (CMP) Network.<sup>16</sup> Eddy Street, in this location, is classified as a Neighborhood Residential Street within the San Francisco General Plan and is an approximately 40-ft-wide, two-way street with one travel lane in an east/west direction and off-street parking on both sides of the street. Gough Street in this location is approximately 40-ft-wide, with three one-way travel lanes heading south and off-street parking on both sides of the street. Turk Street is approximately 40-ft-wide, with three one-way travel lanes heading west, and off-street parking on both sides of the street. Franklin Street is approximately 40-foot-wide, with two one-way travel lanes heading north and off-street parking on both sides of the street.

Muni bus routes in the project vicinity include the 31-Balboa and 5-Fulton. The 31-Balboa bus stop is directly adjacent to the project site at the northwest corner of Gough and Eddy Streets. The 5-Fulton is located two blocks south of the project site at the corner of McAllister Street and Gough Street. Additionally, within a three- to five-block radius are Muni bus routes 19-Polk, 38-Geary, 16X-Noriega Express, 47-Van Ness, 49-Mission/Van Ness and 90-San Bruno Owl, and 21-Grove Street. Golden Gate Transit route #92 is two-to-three blocks away. Designated bicycle routes near the project site are located along Sutter/Post (Route 16), Polk (Route 25), McAllister (Route 20), and Webster (Route 345) Streets, which range from three-to-five blocks from the project site.

**Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, nor would the proposed project conflict with an applicable congestion management program. (Less than Significant)**

### Approach to Analysis

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<sup>16</sup> San Francisco General Plan, Transportation Element- Map 6, Adopted July 1995.

Policy 10.4 of the Transportation Element of the *General Plan* states that the City will “Consider the transportation system performance measurements in all decisions for projects that affect the transportation system.” To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section describes the potential impacts that these rehabilitations and improvements could have on traffic, transit, pedestrian, bicycle, loading, parking, and emergency vehicle circulation, as well as any potential transportation impacts related to the construction of the proposed project. Parking is also discussed for informational purposes.

The analysis considers the project impact to transportation and circulation in the area of the project. Below is the significance criteria used by the San Francisco Planning Department to assess whether a proposed project would result in significant impacts to the transportation network. These criteria are organized by transportation mode to facilitate the transportation impact analysis; however, the transportation significance thresholds are essentially the same as the ones presented above in the checklist.

The operational impact on signalized intersections is considered significant when project related traffic causes the intersection level of service (LOS) to deteriorate from LOS D or better to LOS E or F, or from LOS E to LOS F. The project may result in significant adverse impacts at intersections that operate at LOS E or F under existing conditions depending upon the magnitude of the project’s contribution to the worsening of the average delay per vehicle. In addition, the project would have a significant adverse impact if it would cause major traffic hazards or contribute considerably to cumulative traffic increases that would cause deterioration in levels of service to unacceptable levels.

The project would have a significant effect on the environment if it would cause a substantial increase in transit demand that could not be accommodated by adjacent transit capacity, resulting in unacceptable levels of transit service; or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service levels could result. With the Muni and regional transit screenlines analyses, the project would have a significant effect on the transit provider if project-related transit trips would cause the capacity utilization standard to be exceeded during the peak hour.

The project would have a significant effect on the environment if it would result in substantial overcrowding on public sidewalks, create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas.

The project would have a significant effect on the environment if it would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas.

A project would have a significant effect on the environment if it would result in a loading demand during the peak hour of loading activities that could not be accommodated within proposed on-site loading facilities or within convenient on-street loading zones, and created

potentially hazardous conditions or significant delays affecting traffic, transit, bicycles, or pedestrians.

The project would have a significant effect on the environment if it would result in inadequate emergency access. Construction-related impacts generally would not be considered significant due to their temporary and limited duration. The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. The proposed project would not interfere with air traffic patterns. Therefore, checklist item 5c is not applicable.

### Trip Generation

Based on the *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*),<sup>17</sup> the proposed project would generate 1,190 person trips, of which the residential use would generate approximately 858 daily person trips with 148 PM peak hour person trips, and the church would generate 332 daily person trips and 20 PM peak hour person trips.<sup>18</sup> Table 1 shows the proposed project's calculated daily and PM peak hour trip generation by mode split. Weekday PM peak hour conditions (between the hours of 4:00 p.m. and 6:00 p.m.) typically represent the worse-case conditions for the local transportation network.

As shown in Table 1, total PM peak hour person trips for the proposed project are estimated to be approximately 168. These trips would be distributed among various modes of transportation, including private automobile, carpooling, public transit, walking, and other modes. Of the 168 peak-hour person trips, 61 would be vehicle person-trips, 68 would be transit trips, 24 would be walking trips, and 15 would be trips made via other modes of transportation such as bicycle, taxi, or motorcycle. Table 2 shows the PM peak hour vehicle-trip generation, which is based on an average vehicle occupancy rate in persons per vehicle of 1.12 for residential use (based on 2000 Census and American Community Survey 2007-2011 for Census tract 160) and 2.06 for the church use (based on Institute of Transportation Engineers' *Trip Generation*, 8<sup>th</sup> Edition) was applied to the number of auto person trips to determine the number of vehicle trips generated by the proposed project, resulting in 50 PM peak hour vehicle trips.

Table 1: PM Peak Hour Project Person Trips by Mode

Land Use	Auto	Transit	Walk	Other	Total
Residential	50	63	21	14	148
Church	11	5	3	1	20
Total	61	68	24	15	168

<sup>17</sup> This document can be found here: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>.

<sup>18</sup> Total values represent the residential/church uses of the proposed project. Note that the total proposed residential square footage at the time of this analysis was 127,200 square feet.

Table 2: PM Peak Hour Project Vehicle-Trip Generation

Land Use	PM Peak Hour Vehicle-Trips	Inbound	Outbound
Residential	45	30	15
Church	5	2	3
Total	50	32	18

### Traffic

As set forth in the *Transportation Guidelines*, the Planning Department evaluates traffic conditions for the weekday PM peak hour conditions (between the hours of 4 PM to 6 PM), which typically represent the worse conditions for the local transportation network. As shown in Table 3, the Existing and the Existing plus Project Weekday AM and PM Peak Hour. The project would result in 401 daily vehicle trips (33.7% of 1,190 total daily person trips), of which 50 vehicle trips would occur during the PM peak hour. Residents, governmental agencies, schools and businesses in the vicinity could experience an increase in vehicular activity as a result of the proposed project; however, it would not be above levels that are common and generally accepted in urban areas. At the intersection of Eddy/Gough Streets the total daily vehicles are approximately 3,500, of which AM peak is approximately 300 vehicles and PM peak is approximately 270 vehicles.<sup>19</sup> Adding an additional 50 vehicles during PM peak hours to a roadway that experiences 270 vehicles would not result in a substantial increase in traffic volume. The change in traffic in the project area as a result of the proposed project would be undetectable to most drivers although it could be noticeable to those immediately adjacent to the project site. As seen in Table 3, under Existing plus Project conditions, the intersection of Market Street and Octavia Boulevard would continue to operate at unacceptable LOS conditions (LOS F) during the AM peak hour. It is noted that the southbound critical through movement along Octavia Boulevard would continue to operate at LOS F, and the project would add two project vehicle trips, or less than one percent to this critical movement during the AM peak hour. Therefore, the project's contribution to the LOS F operating conditions at this intersection during the AM peak hour would be *less-than-significant*. This intersection operates at LOS D, or acceptably, during the PM peak hour.

<sup>19</sup> San Francisco Municipal Transportation Authority, "SFMTA Traffic Count Data," Silver Avenue and Gambier Street, accessed April 15, 2014. Available online at: <http://www.sfmta.com/sites/default/files/adtcounets.accessible3.pdf>.

Table 3: AM and PM Peak Hour Level of Service and Delay Analysis

Intersection	AM Peak Hour				PM Peak Hour			
	Existing		Existing plus Project		Existing		Existing plus Project	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Eddy Street/Van Ness Ave	16.2	B	16.3	B	15.9	B	16.0	B
Turk Street/Van Ness Ave	18.4	B	18.5	B	19.2	B	19.2	B
Golden Gate Ave/ Van Ness Ave	18.2	B	18.3	B	17.7	B	17.7	B
Eddy Street/ Franklin Street					13.2	B	13.5	B
Turk Street/ Franklin Street					16.5	B	16.6	B
Eddy Street/ Gough Street	16.4	B	16.5	B	13.6	B	13.7	B
Turk Street/ Gough Street	19.6	B	19.7	B	19.7	B	19.7	B
Market Street/ Octavia Blvd	>80	F	>80	F	36.0	D	36.1	D

Source: CHS, 2014

Delay is presented in seconds per vehicle.

LOS = Level of Service

### Circulation/Access

All vehicle and bicycle parking would be accessed from Eddy Street via a driveway located 115 feet east of the Eddy/Gough Street intersection. One driveway would provide the entrance to and exit from the two-level parking garage. This driveway/curb-cut would be approximately 18 feet wide. The existing 20-foot-wide curb cut/driveway would be removed. Vehicles and bicycles entering the project site coming from Gough Street would travel southbound then eastbound on Eddy Street to access the driveway and those coming northbound from Franklin Street would travel westbound on Eddy Street to access the driveway. Eddy Street is two-way eastbound/westbound street that could be used to either access the downtown area or Ocean Beach. Vehicles and bicycles exiting the project site would make a westbound or eastbound turn on Eddy Street to access either one-way, northbound Franklin Street or one-way, southbound Gough Street.

The garage entry would not be recessed from the Eddy Street southern curb, which could lead to vehicles blocking the sidewalk while waiting to enter or exit. Therefore, the project would be subject to the following queue abatement improvement measure because it includes more than 20 off-street parking spaces as part of the project.

#### *Improvement Measure I-TR-1a: Queue Abatement*

It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is

defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

## **Parking**

As noted above, Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." The proposed project meets each of the three criteria and thus, this Initial Study does not consider the adequacy of parking in determining the significance of project impacts under CEQA. Therefore, this analysis presents a parking demand, supply and requirements under the Planning Code analysis for informational purposes.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking



facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous *General Plan* Polices, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

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

As determined using the *Transportation Guidelines*, the proposed project would generate an estimated demand of 137 off-street parking spaces on the weekdays and 183 off-street spaces on Sundays. Section 151 of the *Planning Code* states that residential dwelling units in the Downtown/Civic Center area, RM-4, have parking requirements that require up to one parking spot for every dwelling unit. With regards to parking for the church, the *Planning Code* requirement is one parking spot for each 20 seats where the number of seats in the main auditorium exceeds 200 seats. Two hundred seats are proposed for the new church, so no off-street parking spaces would be required. The proposed project would construct 95 new dwelling units, and would therefore be required to provide 95 off-street parking spaces, but only 61 would be provided. The project sponsor will be requesting a parking variance to address the parking deficiency. The proposed project will also provide 97 bicycle parking spaces; of which 97 would be Class I spaces and 10 would be Class II spaces.

Based on occupancy surveys conducted for the transportation study, it was found that off-street vehicular parking within the study area is approximately 64 percent occupied during the weekday midday peak period (1:30 to 3:00 PM), and approximately 45 percent is occupied during the evening peak period (6:30 to 8:00 PM). In addition the study analyzed Sunday midday (10:00-12:00 PM) to take into account the proposed Church use that would provide service on Sundays at 11:00 AM. Sunday midday had an occupancy rate of approximately 46%. Therefore, during the daytime and evening time, off-street vehicular parking could be found by proposed project resident's and church members, if an unmet on-site parking demand would occur. This unmet parking demand would cause an increase in competition for on-street and off-street parking spaces in the proposed project vicinity. However, the project site is well served by public transit and bicycle facilities, as mentioned above in the setting.

The parking demand for the new uses associated with the proposed project was based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the demand for parking based on the previous size of the proposed project would be 137 off-street parking spaces. Due to church services, on an average Sunday afternoon the demand would be 183 off-street parking spaces; the proposed project would not include any off-street parking spaces for the church use. The proposed project would provide 61 off-street spaces for the residential use; thus, as proposed, the project would have an unmet parking demand of 76 spaces during the weekdays and 183 spaces on Sunday. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays are created.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. In many cases the Planning Commission does not support the parking ratio proposed by the project sponsor and the ratio is substantially reduced. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission does not support the provision of any off-street parking spaces.

This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit. Therefore, the provision of off-street parking is not a requirement for the development of the residential project, and the residential use of the proposed project would not be constrained by a lack of parking.

Here, if no off-street parking spaces were provided, the proposed project would have an unmet demand of 137 spaces on weekdays and 183 spaces on Sundays. As mentioned above, the unmet parking demand of 72 spaces during the weekdays and 183 spaces on Sundays could be accommodated by existing facilities, as could the unmet demand of 137 spaces on weekdays if no off-street parking is approved by the Planning Commission. There are 422 available on-street spaces and 298 available off-street spaces at private parking lots during the weekday midday period within the project vicinity that could accommodate the unmet demand. During the weekday evening and Sunday midday periods, there are over 1,000 available on-street and off-street parking spaces within the project vicinity, which would absorb any additional parking demand generated by the proposed project (i.e., the long-term parking demand during the evening hours and Sunday church parking demand). Given that the unmet demand could be met by existing facilities and given that the project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

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

### **Loading**

In accordance to Planning Code Section 152 and 153, the proposed project would not be required to provide off-street loading space. The mixed-use project proposes to include one on-street, 23-foot-long, yellow zone loading space on Eddy Street. The yellow zone would be used during off-peak hours for move-in/move-out activities and passenger loading and unloading. Based on the four daily truck trips generated by the proposed project, average and peak hour loading demand would be less than one truck trips which would be accommodated by the 23-foot yellow zone included in the project. A majority of the loading would occur during off-peak hours. As such, the proposed project would not create hazardous conditions or significantly delay traffic, transit, bicycles, or pedestrians and therefore the impact of loading would not be significant.

### **Construction**

The project sponsor expects construction of the proposed project to last approximately 22 months, and construction would temporarily affect traffic and parking conditions near the proposed project. Throughout the construction period, there would be a flow of construction-related trucks to and from the site. The impact of construction traffic would be a temporary reduction of the capacities of local streets due to the slower movement and larger turning radii of trucks, which may affect traffic operations. Construction-period traffic impacts resulting from the proposed project are considered short term.

The project sponsor does not anticipate closures of any traffic lanes on Gough or Eddy Streets during construction, but may request temporary closures of the sidewalks and/or travel lanes abutting the project. Temporary closures of any traffic lane, parking lane, or sidewalk would require review and approval by the Department of Public Works (DPW) and the City's Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT)

Construction workers would need to find parking on nearby streets, or the project sponsor would have to arrange for off-street parking spaces in the area for construction workers until completion of the basement parking garage when construction worker parking demand could be accommodated on site. Construction staging would be provided on the project site and on sidewalks immediately adjacent to the project site and would not require the use of on-street parking spaces for staging. During the estimated 22-month construction period, temporary and intermittent traffic, parking, and transit impacts in the vicinity would result from truck movements to and from the project site. Trucks would deliver and remove materials to and from the site during working hours, and construction workers would likely drive to and from the site. It is expected that the construction schedule would be approximately 7:00 am to 5:00 pm Monday through Friday, and Saturdays from 8:30 am to 4:30 pm. Truck movements during periods of

peak traffic flow would have a greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks.

Prior to construction, the project contractor would coordinate with Muni's Street Operations and Special Events Office to coordinate construction activities and minimize any impacts to transit operations. Due to their temporary and limited duration, construction-related impacts generally would not be considered significant. Although the project's construction truck traffic and loading impacts would be considered less than significant, the project sponsor has agreed to adopt an improvement measure that would further reduce any non-significant transportation effects associated construction activities by limiting truck movements during peak-hour traffic. Improvement Measure, I-TR-1b, is presented below.

***Improvement Measure I-TR-1b: Transportation (Construction Activities)***

Construction traffic occurring between 7:00 and 9:00 am or between 3:30 and 6:00 pm would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although this would not be considered a significant impact. The Project Sponsor will require the construction contractor to limit truck movements to the hours between 9:00 am and 3:30 pm (or other times, if approved by the San Francisco Municipal Transportation Authority, or SFMTA) in order to minimize the disruption of the general traffic flow on adjacent streets during the AM and PM peak periods. The Project Sponsor and construction contractor will meet with the Traffic Engineering Division of the SFMTA, the Fire Department, Muni, the Planning Department and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during construction of the proposed project.

**Impact TR-2: The proposed project would not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less than Significant)**

Vehicular access to the site would be provided at one access point via a driveway located on Eddy Street. The new curb cut, ramp, and associated driveway would be approximately 18 feet wide, utilizing a new curb cut. The ramp would be located approximately 115 feet east of the corner of Gough and Eddy Streets. Location of the curb cut along Eddy Street would be ideal opposed to Gough Street, which contains a steep slope and three lanes of one-way traffic. The primary pedestrian and leasing office building access point would be on Eddy Street; however, the ground-floor church would have pedestrian access from the Gough Street frontage. The proposed project would not interfere with existing traffic circulation or cause major traffic hazards, nor would it have a significant effect on traffic-related hazards. Therefore, the project would have a *less-than-significant* impact related to design features and incompatible uses.

**Impact TR-3: The proposed project would not result in inadequate emergency access. (Less than Significant)**

Emergency vehicle access to the project site would be via Eddy and Gough Streets. The proposed project would not interfere with emergency access to the project site or to other sites in the vicinity of the project site. Emergency vehicles would be able to reach the project site from along the existing city streets. The proposed buildings are required to meet the standards contained in the *Building and Fire Codes*. The San Francisco Building and Fire Departments would review the final building plans to ensure sufficient access and safety. Therefore, the project would have *less-than-significant* impacts on emergency access to the project site or any surrounding sites.

**Impact TR-4: The proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)**

### **Transit**

Muni bus routes within the project vicinity include the 31-Balboa and 5-Fulton. The 31-Balboa bus stops are directly adjacent to the project site at the northwest and southwest corners of Gough and Eddy Street. The 5-Fulton is located two blocks south of the project site at the corner of McAllister Street and Gough Street. Additionally, within a five-block radius are Muni bus routes 19-Polk, 38-Geary, 47-Van Ness, 76x-Marin Headlands Express, 47-Caltrain, 49-Mission/Van Ness 90-San Bruno Owl, and 21-Grove Street. Golden Gate Transit route #92 is three blocks from the project site. An estimated 68 weekday PM peak hour transit trips would result from the proposed project. The increase in transit demand associated with the proposed project would not have a significant or noticeable impact upon transit services in the project area or affect transit operations in the project area.

The increase in transit demand associated with the proposed project would not result in a significant adverse impact on transit service or operations in the project area.

### **Bicycle and Pedestrian Conditions**

The 50 PM peak hour vehicle trips associated with the proposed project would not be expected to result in significant adverse bicycle and vehicle conflicts. Designated bicycle routes near the project site are located along Sutter/Post (Route 16), Polk (Route 25), McAllister (Route 20) and Webster (Route 345) Streets, which range from three to five blocks from the project site. Currently, an existing curb cut at Eddy Street allows vehicle access to the project site. As described above, the proposed development would include a single vehicle entry on Eddy Street, which is an existing potential point of vehicle, bicycle, and pedestrian conflicts. Although there is one existing curb cut, the site is currently fenced off and there is no vehicular traffic. Reducing the size of the existing curb cut would lower the speed of vehicles entering and exiting the project and would result in fewer bicycle and pedestrian conflicts.

The proposed project would similarly not be expected to result in significant adverse conditions for pedestrians. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. In

addition as part of the Better Streets Plan improvements, the proposed project would include a bulb-out at the corner of Gough and Eddy Streets. Pedestrian activity would marginally increase by 24 PM peak hour trips as a result of the proposed project, but not to a degree that could not be accommodated on local sidewalks or that would result in safety concerns. As mentioned previously within this CEQA topic, the proposed development has been designed to have its garage access and curb cut facing onto Eddy Street, which would minimize pedestrian-vehicle conflicts around the rest of the site. In light of the above, the proposed project would not be expected to result in any new adverse conditions affecting pedestrians or result in hazardous conditions for pedestrians. Thus the proposed project would have a *less-than-significant* impact on pedestrians and bicyclists.

**Impact C-TR-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would have less-than-significant transportation cumulative impacts. (Less than Significant)**

The geographic context for the analysis of cumulative transportation impacts is the local roadway within the 950 Gough Street vicinity. Project impacts related to bicycle and pedestrian circulation, loading supply and demand, emergency vehicle access, and construction would be localized and site specific, and would not contribute to impacts from other development and infrastructure projects in San Francisco. The scope of the projects at 807 Franklin Street, 930 Gough Street (under construction) and 1333 Gough and 1481 Post Street would increase traffic, transit use, pedestrian trips, and other trips and may cause intersections in the area to operate at a greater level of service. Although the proposed project would generate approximately 1,190 person trips, 401 daily vehicle trips and a total of 168 PM peak person trips, these trips would not contribute to a level of significant cumulative impact to nearby intersections. Of the 168 peak-hour person trips, 61 would be vehicle person-trips, 68 would be transit trips, 24 would be walking trips, and 15 would be trips made via other modes of transportation such as bicycles, taxi, or motorcycle.

Bicycle and pedestrian impacts are by their nature site-specific and generally do not contribute to impacts from other development projects. Bicycle trips throughout the City may increase under the cumulative scenario due to general growth. Bicycle trips generated by the proposed project would include bicycle trips to and from the project site. However, as stated in the project analysis, the proposed project would not create potentially hazardous conditions for bicyclists or pedestrians or otherwise interfere with bicyclist or pedestrian accessibility to the site and adjoining areas. Increases in the number of motor vehicle trips could increase some conflicts between bicyclists and pedestrians and the new vehicles; however, the volume of these conflicts would not likely be considered significant. Considering the proposed project's growth with reasonably foreseeable future projects and growth throughout the City, the cumulative effects of the proposed project on bicycle and pedestrian facilities would not be considerable, even in the context of proposed and approved nearby development discussed under Impact C-LU-1, p. 24. Furthermore, the proposed project would not add a conflict (e.g., new curb cut or loading zone) along a near or long-term project identified in the San Francisco Bicycle Plan, nor would it

conflict with the Better Streets Plan. For the above reasons, the proposed project would result in less-than-significant cumulative bicycle- and pedestrian-related impacts.

As described above, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in cumulatively considerable transportation and circulation impacts.

In light of the foregoing, the project would result in a less-than-significant impact with regard to transportation, both individually and cumulatively.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>5. NOISE— Would the project:</b>					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, topics 6e and 6f are not applicable.

**Impact NO-1: The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise. (Less than Significant)**

*Substantial Permanent Increase in Ambient Noise Levels*

Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, Muni buses, emergency vehicles, and land use activities, periodic temporary construction-related noise from nearby development, or street maintenance. Noises generated by residential and church uses are common and generally accepted in urban areas. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3 decibel (dB) increase). The proposed project would involve the development of an existing vacant lot and new construction of a mixed-use building with up to 95 dwelling units and approximately 10,100 sf of church space. The proposed project would generate 168 daily vehicle trips near roadways with volumes that would not be doubled by the proposed project's vehicle trips.

The proposed project would include new fixed noise sources that would produce operational noise on the project site. The proposed heating, ventilation, and air conditioning equipment and the backup diesel generator would be located on the rooftop. Operation of this equipment would be subject to the City's Noise Ordinance (Article 29 of the San Francisco Police Code). Section 2909 (a)(1) regulates noise from mechanical equipment and other similar sources on residential property. Mechanical equipment operating on residential property must not produce a noise level more than 5 dBA above the ambient noise level at the property boundary. Section 2909 (d) states that no fixed noise source may cause the noise level measured inside any sleeping or living room in a dwelling unit on residential property to exceed 45 dBA between 10 PM and 7 AM or 55 dBA between 7 AM and 10 PM with windows open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed. The proposed project would be subject to and required to comply with the Noise Ordinance.

For the above reasons, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity.

*Expose Persons to Noise Levels in Excess of Standards*

Residential uses are considered noise sensitive uses because they may contain noise sensitive receptors, including children and the elderly. Residential development in noisy environments could expose these sensitive receptors to noise levels in excess of established standards. The United States Department of Housing and Urban Development (HUD) has developed minimum national noise standards for land use compatibility. HUD considers noise levels below 65 dB as generally "acceptable," between 65 dB and 75 dB as "normally unacceptable," and in excess of 75 dB as "considered unacceptable" for residential land uses. The California State Office of Planning and Research (OPR) has developed similar statewide guidelines. OPR's guidelines have largely



been incorporated into the Environmental Protection Element of the General Plan. In addition, the California Building Code and Title 24 of the California Code of Regulations have regulations to limit interior noise levels to 45 dBA Ldn. In instances where exterior noise levels exceed 60 Ldn, Title 24 requires an acoustical report to be submitted with the building plans describing the noise control measures that have been incorporated into the design of the project to meet the noise requirements.

Ambient noise levels in San Francisco are largely influenced by traffic-related noise. Figure V.G-2 and Figure V.G-3 in the San Francisco 2004 and 2009 Housing Element EIR identifies roadways within San Francisco with traffic noise levels exceeding 60 Ldn and 75 Ldn, respectively. In addition, most of San Francisco's neighborhoods are currently affected by traffic noise levels exceeding 60 Ldn.

Based on modeling of traffic noise volumes conducted by the San Francisco Department of Public Health (DPH),<sup>21</sup> the project site has an ambient traffic noise level of 70 to 75 dBA, which is above the threshold and the placement of sensitive uses is discouraged. Additionally, the proposed project would result in the placement of sensitive receptors where noise levels are in excess of established standards.

To satisfy requirements set forth by the *Housing Element of the San Francisco General Plan*, the Project Sponsor conducted a noise study<sup>22</sup> and determined that the noise levels along the streets that border the project site were above 70 dBA (See Figure 13: Noise Measurement Locations). Results of the noise study are summarized below.

Noise level measurements were taken at the project site as part of the noise analysis. A long-term unattended measurement (continuous measurement with 15-minute intervals) was made at an elevation 15 feet above the ground on the corner of Eddy and Gough within Jefferson Square Park between June 14th and 19th, 2013. These noise level measurement locations are near the proposed new building and replicate the same exposure to sources as the proposed project. The unattended measurement was used to calculate the day/night average noise level (Ldn). The Ldn for the three day period ranged from 72 to 74 dBA.

In addition, to assess noise variation along Gough and Eddy Streets, three attended noise readings were taken on the morning of Thursday June 20, 2013. These additional readings also allow for an estimating variation in the 24-hour noise exposure along Gough and Eddy Streets. Figure 17 shows the locations of the four noise measurements.

The *California Building Code* (Title 24, Chapter 12) requires that the indoor noise level in new multifamily housing not exceed L<sub>dn</sub> 45 dBA where the exterior noise level is greater than L<sub>dn</sub> 60 dBA. In order to meet the indoor L<sub>dn</sub> 45 dBA requirement, it would be necessary for all of the facades to be sound rated in the following manner: by use of typical 1-inch assemblies (two ¼-

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<sup>21</sup> Traffic noise map presented on DPH website: <http://www.sfdph.org/dph/EN/Noise/default.asp>.

<sup>22</sup> Papdimos Group, *Noise Study for 950 Gough Street*, San Francisco, CA 94102, July 31, 2013.

inch-thick-panes with ½-inch airspace) to achieve a sound transmission class (STC)<sup>23</sup> rating of 30; the use of dual-pane systems with wider airspaces and enhanced lamination layers to achieve an STC rating of 45; and by use of a “glass/curtain wall” system (glass, framing, mullions, operable sections, etc.). The *Building Code* requires that where windows need to be closed to achieve an indoor  $L_{dn}$  of 45 dB, an alternative method of supplying fresh air (e.g., mechanical ventilation) must be provided.

The project sponsor has agreed to incorporate the features described above into the project, which would reduce the noise impact on sensitive receptors to *less than significant*.

### **Generation of Traffic Noise During Operation**

Vehicular traffic makes the greatest contribution to ambient noise levels throughout much of San Francisco. Based on published scientific acoustic studies, the traffic volumes in a given location would need to approximately double to produce an increase in ambient noise levels noticeable to most people.<sup>24</sup> While implementation of the proposed project would increase the number of daily vehicle trips by 401 and 50 vehicle trips during the PM peak hour, these new vehicle trips would not produce a substantial increase in existing traffic-related noise. At the intersection of Eddy/Gough Streets the total daily vehicles are approximately 3,500, of which AM peak is approximately 300 vehicles and PM peak is approximately 270 vehicles.<sup>25</sup> Therefore, the proposed project would not cause a noticeable increase in the ambient noise level in the project vicinity.

### **Generation of Building Noise During Operation**

The project includes mechanical equipment that could produce operational noise, such as that from heating and ventilation systems and on-site generators. These operations would be subject to Section 2909 of the City’s Noise Ordinance (Article 29 of the San Francisco Police Code). As amended in November 2008, this section establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise generated by residential uses, the limit is five dBA in excess of ambient; for noise generated by commercial and industrial uses, the limit is eight dBA in excess of ambient; and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. In addition, the noise ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours (until 10:00 p.m.).

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<sup>23</sup> STC is a single-figure rating standardized by ASTM and used to rate the sound insulation properties of building partitions. The STC rating is derived from laboratory measurements of a building element and as such is representative of the maximum sound insulation. Increasing STC ratings correspond to improved noise isolation.

<sup>24</sup> Available online at:

[http://www.fhwa.dot.gov/environment/noise/regulations\\_and\\_guidance/analysis\\_and\\_abatement\\_guidance/revguidance.pdf](http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf). Accessed November 7, 2013.

<sup>25</sup> San Francisco Municipal Transportation Authority, “SFMTA Traffic Count Data,” accessed December 7, 2013. Available online at: <http://www.sfmta.com/sites/default/files/adtcounets.accessible4.pdf>.

Figure 19: Noise Measurement Locations



★ Sound Measurement Locations

The proposed project would comply with Article 29, Section 2909, by assuring that mechanical equipment does not cause ambient noise levels to exceed the stated standard. Compliance with Article 29, Section 2909, would minimize noise from building operations, therefore having a *less-than-significant* impact.

**Impact NO-2: During construction, the proposed project would result in a temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project, but any construction-related increase in noise levels and vibration would be considered a less than significant impact. (Less than Significant)**

The proposed project's construction activities would last approximately 22 months. Construction noise and vibration would be intermittent and limited to the period of construction. The closest sensitive receptors to construction activities would be elderly residential building adjacent to the east, and north of the project site and the Chinese American International School, currently under construction, immediately south of the site. Construction activities would generate noise and vibration that could be considered an annoyance by occupants of nearby properties. Construction activities would require the use of heavy trucks, excavating and grading equipment, material loaders, concrete breakers, and other mobile and stationary construction equipment. Construction noise and vibration would fluctuate depending on the construction phase, equipment type and duration of use, and distance between noise source and listener. The greatest construction-generating noise and vibration phases would generally be limited to the initial and middle phases during excavation, new foundation construction, and exterior and façade element construction. In particular, the greatest noise and vibration levels would occur from the installation of cantilever soldier piles for a temporary shoring system to laterally restrain the sides of the excavation for the proposed below-grade parking level of the new building and limit the movement of adjacent improvements. Once the façade is in place, noise from interior finishing would generally be contained within the building envelope and would not be expected to generate excessive noise.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code).<sup>26</sup> The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, impact wrenches) must have boot intake and exhaust muffled to the satisfaction of San Francisco Department of Public Works (DPW) or San Francisco Department of Building Inspection (DBI). Section 2908 of the ordinance prohibits construction between 8:00 PM and 7:00 AM, if noise would exceed the ambient noise level by 5 dBA at the project site's property line, unless a special permit is authorized by DPW or DBI. Compliance with the noise ordinance would reduce most potential construction noise impacts to a *less-than-significant* level, including noise effects on residential uses in the immediate vicinity, which are considered sensitive receptors.

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<sup>26</sup> Police Code, Article 29, Section 2907-2908; Ordinance 278-008, File No. 081119, November 25, 2008.

Noise and vibration levels over the estimated 22-month construction period would fluctuate depending on the construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. Construction noises associated with the proposed project would include construction, excavation, truck traffic, and site work. Pile driving would not be required during construction. Excavation and exterior finishing would likely generate the most construction-related noise (see Table 4) that could result in noise peaks and ground vibration that may disrupt nearby residents and students.

**Table 4: Maximum dBA at 10 Feet for Typical Construction Equipment**

Phase	( $L_{eq}$ ) <sup>21</sup>
Ground Clearing	84
Excavation	89
Foundations	78
Erections	85
Exterior Finishing	89
Pile Driving	90-105

Source: U.S. Environmental Protection Agency, Noise from Construction Equipment and Building Operations, Building Equipment, and Home Appliances, December 1971.

Noise levels would be sporadic rather than continuous in nature because of the different types of construction equipment used. Closed windows typically can reduce daytime interior noise levels to an acceptable level. Construction noise could be disruptive at times, but would not be expected to exceed noise levels commonly experienced in an urban environment. Noise generally attenuates (decreases) at a rate of six to seven and one-half dBA per doubling of distance. Therefore, the exterior noise level for the sensitive receptors identified above would be less than 89 dBA during the noisiest construction activities. Given the above-mentioned sensitive receptors in the area, Mitigation Measure NO-2 Construction Noise would be required.

1. Conduct noise monitoring at the beginning of major construction phases (e.g., grading, excavation) to determine the need and the effectiveness of noise-attenuation measures.
2. Erect temporary plywood noise barriers around the construction site where the site adjoins noise-sensitive receivers, such as the Chinese American International School along Gough Street and the elderly residency along Eddy Street.
3. Utilize noise control blankets on the building structure adjacent to the American International School and the elderly residency– and possibly other noise-sensitive receivers – as the building is erected to reduce noise emission from the site.
4. Post signs on-site pertaining to permitted construction days and hours, complaint

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- procedures, and who to notify in the event of a problem, with telephone numbers listed.
  5. Notify the Department of Building Inspection and neighbors in advance of the schedule for each major phase of construction and expected loud activities.
  6. When feasible, select "quiet" construction methods and equipment (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds).
  7. Require that all construction equipment be in good working order and that mufflers are inspected to be functioning properly. Avoid unnecessary idling of equipment and engines.
  8. Mobile noise-generating equipment (e.g., dozers, backhoes, and excavators) shall be required to prepare the entire site. However, the developer will endeavor to avoid placing stationary noise generating equipment (e.g., generators, compressors) within noise-sensitive buffer areas (measured at linear 20 feet) between immediately adjacent neighbors.
  9. The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools.

With implementation of Mitigation Measure NO-2 and noise regulations and the temporary nature of construction work, construction-noise would have a *less-than-significant* effect on the environment.

**Impact C-NO: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative noise impacts. (Less than Significant)**

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis, and are also required to comply with the Noise Ordinance. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site with compliance with the Noise Ordinance. As such, construction noise effects associated with the proposed project are not anticipated to combine with proposed project at 807 Franklin.

Population would not significantly increase as a result of the proposed project combined with other projects. As such, cumulative traffic noise would not increase significantly because the proposed project combined with other projects would not result in a doubling of traffic volumes along nearby streets. Ambient noise levels would not increase as a result of the proposed project contributing considerably to cumulative traffic volumes. Moreover, the proposed project's mechanical equipment and occupants would be required to comply with the Noise Ordinance.

As such, the proposed project would not contribute cumulatively to any increases in the ambient noise levels.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>6. AIR QUALITY – Would the project:</b>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Overview

The Bay Area Air Quality Management District (BAAQMD) is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan*, was adopted by the BAAQMD on September 15, 2010. The *2010 Clean Air Plan* updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter,

air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2010 Clean Air Plan contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The *2010 Clean Air Plan* represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of air quality plans.

### **Criteria Air Pollutants**

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), 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 SFBAAB experiences low concentrations of most pollutants when compared to federal or state standards. The SFBAAB is designated as either in attainment<sup>27</sup> or unclassified for most criteria pollutants with the exception of ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, 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.<sup>28</sup>

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. Table 5 identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the SFBAAB.

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<sup>27</sup> "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status for a specified criteria air pollutant.

<sup>28</sup> Bay Area Air Quality Management District (BAAQMD), *California Environmental Quality Act Air Quality Guidelines*, May 2011, page 2-1.



**Table 5**  
**Criteria Air Pollutant Significance Thresholds**

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (exhaust)	82	15
PM <sub>2.5</sub>	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

**Ozone Precursors.** As discussed previously, the SFBAAB is currently designated as non-attainment for ozone and particulate matter. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO<sub>x</sub>). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Acts emissions limits for stationary sources. To ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a specified emissions limit must offset those emissions. For ozone precursors ROG and NO<sub>x</sub>, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).<sup>29</sup> These levels represent emissions below which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO<sub>x</sub> emissions as a result of increases in vehicle trips, architectural coating and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects and those projects that result in emissions below these thresholds, would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO<sub>x</sub> emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

<sup>29</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17.

**Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>).**<sup>30</sup> The BAAQMD has not established an offset limit for PM<sub>2.5</sub>. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM<sub>10</sub> and PM<sub>2.5</sub>, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels below which a source is not expected to have an impact on air quality.<sup>31</sup> Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

**Fugitive Dust.** Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust<sup>32</sup> and individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.<sup>33</sup> The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.<sup>34</sup> The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust and the BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

**Other Criteria Pollutants.** Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO<sub>2</sub> concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO<sub>2</sub> emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than five percent of the Bay Area total basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO<sub>2</sub>. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is

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<sup>30</sup> PM<sub>10</sub> is often termed "coarse" particulate matter and is made of particulates that are 10 microns in diameter or smaller. PM<sub>2.5</sub>, termed "fine" particulate matter, is composed of particles that are 2.5 microns or less in diameter.

<sup>31</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

<sup>32</sup> Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at [http://www.wrapair.org/forums/dejffdh/content/FDHandbook\\_Rev\\_06.pdf](http://www.wrapair.org/forums/dejffdh/content/FDHandbook_Rev_06.pdf), accessed February 16, 2012.

<sup>33</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

<sup>34</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011.

limited). Therefore, given the Bay Area's attainment status and the limited CO and SO<sub>2</sub> emissions that could result from development projects, development projects would not result in a cumulatively considerable net increase in CO or SO<sub>2</sub>, and quantitative analysis is not required.

### **Local Health Risks and Hazards**

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but short-term) adverse effects to human health, including carcinogenic effects. Human health effects of TACs include birth defects, neurological damage, cancer, and mortality. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.<sup>35</sup>

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than that for other land uses. Therefore, these groups are referred to as sensitive receptors. Exposure assessment guidance typically assumes that residences would be exposed to air pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM<sub>2.5</sub>) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.<sup>36</sup> In addition to PM<sub>2.5</sub>, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily

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<sup>35</sup> In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

<sup>36</sup> SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

based on evidence demonstrating cancer effects in humans.<sup>37</sup> The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the “Air Pollutant Exposure Zone,” were identified based on health-protective criteria that considers estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. Each of these criteria is discussed below.

**Excess Cancer Risk.** The above 100 per one million persons (100 excess cancer risk) criteria is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.<sup>38</sup> As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,<sup>39</sup> the USEPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.<sup>40</sup>

**Fine Particulate Matter.** In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this document, USEPA staff concludes that the then current federal annual PM<sub>2.5</sub> standard of 15 µg/m<sup>3</sup> should be revised to a level within the range of 13 to 11 µg/m<sup>3</sup>, with evidence strongly supporting a standard within the range of 12 to 11 µg/m<sup>3</sup>. The Air Pollutant Exposure Zone for San Francisco is based on the health protective PM<sub>2.5</sub> standard of 11 µg/m<sup>3</sup>, as supported by the USEPA’s Particulate Matter Policy Assessment, although lowered to 10 µg/m<sup>3</sup> to account for uncertainty in accurately predicting air pollutant concentrations using emissions modeling programs.

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<sup>37</sup> California Air Resources Board (ARB), Fact Sheet, “The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines,” October 1998.

<sup>38</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

<sup>39</sup> 54 Federal Register 38044, September 14, 1989.

<sup>40</sup> BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67.

**Proximity to Freeways.** According to the California Air Resources Board, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,<sup>41</sup> lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

**Health Vulnerable Locations.** Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM<sub>2.5</sub> concentrations in excess of 9 µg/m<sup>3</sup>.<sup>42</sup>

The above citywide health risk modeling was also used as the basis in approving a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014) (Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality. The project site is located within the Air Pollutant Exposure Zone.

### **Construction Air Quality Impacts**

Project-related air quality impacts fall into two categories: short-term impacts from construction and long-term impacts from project operation. The following addresses construction-related air quality impacts resulting from the proposed project.

**Impact AQ-1: The proposed project's construction activities would generate fugitive dust and criteria air pollutants, but would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)**

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<sup>41</sup> California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>.

<sup>42</sup> San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14 Amendment to Health Code Article 38

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROG's are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project includes the construction of a new eight-story residential/church building with below grade parking. During the project's approximately 22 month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

### **Fugitive Dust**

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the ARB, reducing particulate matter PM<sub>2.5</sub> concentrations to state and federal standards of 12 µg/m<sup>3</sup> in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.<sup>43</sup>

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI).

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

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<sup>43</sup> ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. CCSF Ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to a *less-than-significant* level.

### **Criteria Air Pollutants**

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To assist lead agencies in determining whether short-term construction-related air pollutant emissions require further analysis as to whether the project may exceed the criteria air pollutant significance thresholds shown in Table 5 above, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), developed screening criteria. If a proposed project meets the screening criteria, then construction of the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The *CEQA Air Quality Guidelines* note that the screening levels are generally representative of new development on greenfield<sup>44</sup> sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The proposed project includes the construction of an eight story, 95 unit residential building with an approximately 10,100 sf church use at the ground floor. The size of proposed construction

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<sup>44</sup> A greenfield site refers to agricultural or forest land or an undeveloped site earmarked for commercial, residential, or industrial projects.

activities would be below the criteria air pollutant screening sizes for 95 residential units with 10,100 sf of church identified in the BAAQMD's *CEQA Air Quality Guidelines*. Thus, quantification of construction-related criteria air pollutant emissions is not required and the proposed project's construction activities would result in a *less-than-significant* criteria air pollutant impact.

**Impact AQ-2: The proposed project's construction activities would generate toxic air contaminants, including diesel particulate matter, which would expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)**

The project site is located within the Air Pollutant Exposure Zone as described above. In addition, the project is located adjacent to sensitive land uses including residential, residential care facilities for the elderly, and institutional uses. Off-road equipment (which includes construction-related equipment) is a large contributor to DPM emissions in California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.<sup>45</sup> Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment such that off-road equipment is now considered the sixth largest source of DPM emissions in California.<sup>46</sup> For example, revised PM emission estimates for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.<sup>47</sup> Approximately half of the reduction in emissions can be attributed to the economic recession and half to updated methodologies used to better assess construction emissions.<sup>48</sup>

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines would be phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years,

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<sup>45</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

<sup>46</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

<sup>47</sup> ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, [http://www.arb.ca.gov/msei/categories.htm#inuse\\_or\\_category](http://www.arb.ca.gov/msei/categories.htm#inuse_or_category).

<sup>48</sup> ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.



the USEPA estimates that by implementing the federal Tier 4 standards, NO<sub>x</sub> and PM emissions will be reduced by more than 90 percent.<sup>49</sup>

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

"Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005). In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk."<sup>50</sup>

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The proposed project would require construction activities for the approximate 22-month construction period. Project construction activities would result in short-term emissions of DPM and other TACs. The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact. Implementation of Mitigation Measure M-AQ-2, Construction Air Quality, would reduce the magnitude of this impact to a less-than-significant level. While emission reductions from limiting idling, educating workers and the public and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS) can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS.<sup>51</sup> Emissions reductions from

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<sup>49</sup> USEPA, "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

<sup>50</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 8-6.

<sup>51</sup> 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

the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes subject to the mitigation. Therefore, compliance with Mitigation Measure M-AQ-2 would reduce construction emissions impacts on nearby sensitive receptors to a *less-than-significant* level.

***Project Mitigation Measure M-AQ-2 Construction Air Quality***

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.

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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 VDECSs 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).

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 or designee (ERO) 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 onsite 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 Table below.

**Table**

**– Off-Road Equipment Compliance Step-down Schedule**

<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>
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.

### **Operational Air Quality Impacts**

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following addresses air quality impacts resulting from operation of the proposed project.

**Impact AQ-3: During project operations, the proposed project would result in emissions of criteria air pollutants, but not at levels that 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. (Less than Significant)**

As discussed above in Impact AQ-1, the BAAQMD, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine whether a project requires an analysis of project-generated criteria air pollutants. All screening criteria are met by the proposed project, and therefore the lead agency or applicant does not need to perform a detailed air quality assessment, resulting in a *less-than-significant* impact.

**Impact AQ-4: The proposed project would generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. (Less than Significant with Mitigation)**

The project site is located within the Air Pollutant Exposure Zone as described above. In addition, the project is located adjacent to sensitive land uses including residential, residential for the elderly, and institutional uses.

**Sources of Toxic Air Contaminants**

Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day “minor, low-impact” sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project’s 401 vehicle trips would be well below this level and would be distributed among the local roadway network, therefore an assessment of project-generated TACs resulting from vehicle trips is not required and the proposed project would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

The proposed project would also include a backup emergency generator. Emergency generators are regulated by the BAAQMD through their New Source Review (Regulation 2, Rule 5) permitting process. The project applicant would be required to obtain applicable permits to operate an emergency generator from the BAAQMD. Although emergency generators are intended only to be used in periods of power outages, monthly testing of the generator would be required. The BAAQMD limit testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD would limit the excess cancer risk from any facility to no more than ten per one million population and requires any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics (TBACT). However, because the project site is located in an area that already experiences poor air quality, the proposed emergency back-up generator has the potential to expose sensitive receptors to substantial concentrations of diesel emissions, a known TAC, resulting in a significant air quality impact. Implementation of Mitigation Measure AQ-4a, Best Available Control Technology for Diesel Generators, would reduce the magnitude of this impact to a less-than-significant level by reducing emissions by 89 to 94 percent compared to equipment with engines that do not meet any emission standards and without a VDECS. Therefore, although the proposed project would add a new source of TACs within an area that already experiences poor air quality, implementation of M-AQ-4 would reduce this impact to a *less-than-significant* level.

***Project Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators***

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

**Siting Sensitive Land Uses**

The proposed project would include development of 95 residential units and is considered a sensitive land use for purposes of air quality evaluation. For sensitive use projects within the Air Pollutant Exposure Zone as defined by Article 38, such as the proposed project, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM<sub>2.5</sub> (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 MERV filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance Article 38, the project sponsor has submitted an initial application to DPH.<sup>52</sup> The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

**Impact AQ-5: The proposed project would not conflict with, or obstruct implementation of, the 2010 Clean Air Plan. (Less than Significant).**

The most recently adopted air quality plan for the SFBAAB is the *2010 Clean Air Plan*. The *2010 Clean Air Plan* is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the *2010 Clean Air Plan* (CAP), this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from

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<sup>52</sup> Application for Article 38 Compliance Assessment, 950 Gough Street, February 2, 2015.

the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2010 Clean Air Plan* includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures and energy and climate control measures. The proposed project's impact with respect to GHGs are discussed in Section 8, Greenhouse Gas Emissions, which demonstrates that the proposed project would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and high availability of viable transportation options ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the project would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 401 net new vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project would be generally consistent with the *San Francisco General Plan*, as discussed in Section C. Transportation control measures that are identified in the *2010 Clean Air Plan* are implemented by the *San Francisco General Plan* and the Planning Code, for example, through the City's Transit First Policy, bicycle parking requirements, and transit impact development fees. Compliance with these requirements would ensure the project includes relevant transportation control measures specified in the *2010 Clean Air Plan*. Therefore, the proposed project would include applicable control measures identified in the CAP to meet the CAP's primary goals.

Examples of a project that could cause the disruption or delay of *Clean Air Plan* control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would develop a vacant lot with a mixed use residential and church use within a dense, walkable urban area near a concentration of regional and local transit service. It would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project would not interfere with implementation of the *2010 Clean Air Plan*, and because the proposed project would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, this impact would be *less-than-significant*.

**Impact AQ-6: The proposed project would not create objectionable odors that would affect a substantial number of people. (Less than Significant)**

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors<sup>53</sup>. Additionally, the proposed project includes a mixed-use building providing 10,100 sf of ground level church space with 95 residential units and would therefore not create a significant sources of new odors. Therefore, odor impacts would be *less-than-significant*.

### **Cumulative Air Quality Impacts**

**Impact C-AQ-1b: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project area would contribute to cumulative air quality impacts. (Less than Significant with Mitigation)**

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.<sup>54</sup> The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The project would add new sources of TACs (e.g., construction new vehicle trips) within an area

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<sup>53</sup> Site Visit, March 24<sup>th</sup>, 2014

<sup>54</sup> BAAQMD, *CEQA Air Quality Guidelines*, May 2011, page 2-1.



already adversely affected by air quality, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would be a significant cumulative impact. The proposed project would be required to implement Mitigation Measure M-AQ-2, Construction Air Quality, pages 66 to 68, which could reduce construction period emissions by as much as 94 percent and Mitigation Measure M-AQ-4, Best Available Control Technology for Diesel Generators, page 70, which requires best available control technology to limit emissions from the project's emergency back-up generator. Furthermore, compliance with Article 38 would ensure that new sensitive receptors are not exposed to cumulatively significant levels of air pollution. Implementation of these mitigation measures and adherence to Article 38 would reduce the project's contribution to cumulative air quality impacts to a *less-than-significant* level.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>7. GREENHOUSE GAS EMISSIONS— Would the project:</b>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

GHG emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will contribute to global climate change and its associated environmental impacts.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to

describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of greenhouse gases and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions* (GHG Reduction Strategy)<sup>55</sup> which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified GHG Reduction Strategy in compliance with CEQA guidelines. The actions outlined in the strategy have resulted in a 14.5 percent reduction in GHG emissions in 2010 compared to 1990 levels, exceeding the year 2020 reduction goals outlined in the BAAQMD's *2010 Clean Air Plan*, Executive Order S-3-05,<sup>56</sup> and Assembly Bill 32 (also known as the Global Warming Solutions Act.)<sup>57,58</sup>

Given that the City's local greenhouse gas reduction targets are more aggressive than the State and Region's 2020 GHG reduction targets and consistent with the long-term 2050 reduction targets, the City's Greenhouse Gas Reduction Strategy is consistent with the goals of EO S-3-05, AB 32, and the *2010 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's Greenhouse Gas Reduction Strategy would be consistent with the goals of EO S-3-05, AB 32, and the *2010 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

The following analysis of the proposed project's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Given the analysis is in a cumulative context, this section does not include an individual project-specific impact statement.

**Impact C-GG-1: The proposed project would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)**

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with waste removal, disposal, and landfill operations.

<sup>55</sup> San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. The final document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

<sup>56</sup> Executive Order S-3-05 sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO<sub>2</sub>E); by 2020, reduce emissions to 1990 levels (estimated at 427 million MTCO<sub>2</sub>E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO<sub>2</sub>E).

<sup>57</sup> San Francisco Department of Environment (DOE), *San Francisco Climate Action Strategy, 2013 Update*.

<sup>58</sup> The *2010 Clean Air Plan*, Executive Order S-3-05, and Assembly Bill 32 goals, among others, are to reduce GHGs in the year 2020 to 1990 levels.

The proposed project would increase the activity onsite through removal of an existing parking lot and new construction of a mixed-use building with up to 95 dwelling units and 10,100 sf of church space. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and church operations that result in an increase in energy use, water use and wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project would be subject to and required to comply with several regulations adopted to reduce GHG emissions as identified in the GHG Reduction Strategy. The regulations that are applicable to the proposed project include the Commuter Benefits Ordinance, Emergency Ride Home Program, Bicycle Parking requirements, Street Tree Planting Requirements for New Construction, Mandatory Recycling and Composting Ordinance, SF Green Building Requirements for Energy Efficiency, and Stormwater Management.

These regulations, as outlined in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, have proven effective as San Francisco's GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the *2010 Clean Air Plan* GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco's GHG Reduction Strategy.<sup>59</sup> Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project's contribution to climate change. Therefore, the proposed project's GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project's contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. As such, the proposed project would result in a *less-than-significant* impact with respect to GHG emissions.

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<sup>59</sup> San Francisco Planning Department, "Greenhouse Gas Analysis: Compliance Checklist," April 14, 2014. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.0678E.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>8. WIND AND SHADOW – Would the project:</b>					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact WS-1: The proposed project would not alter wind in a matter that substantially affects public areas. (Less than Significant)**

A wind analysis letter was prepared for the proposed project.<sup>60</sup> The following discussion relies on the information provided in the letter.

Winds in San Francisco are generally from the west, off the Pacific Ocean. Wind speeds, in general, are greatest in the spring and summer, and least in fall. Daily variation in wind speed is evident, with the strongest wind in the late afternoon and lightest winds in the morning.

Wind speed can affect the comfort of pedestrians. Winds up to 4 mph have no noticeable effect on pedestrian comfort. When winds range from 4 to 8 mph, a pedestrian typically feels wind on the face. Between 8 and 13 mph, winds will disturb hair and cause clothing to flap. With winds between 13 and 19 mph, loose paper, dust, and dry soil will be raised. The force of winds from 19 to 26 mph can be felt on the body. When winds range from 26 to 34 mph, it becomes difficult to use an umbrella and to walk steadily, and wind noise is unpleasant. Above 34 mph, winds can increase difficulty with balance and pedestrians can be in danger of being blown over by gusts of wind.

### **Regulatory Framework**

Because of these wind-inducing effects that large buildings can cause, proposed large-scale buildings in the City of San Francisco are evaluated to consider the wind generation associated with their development. Proposed buildings are assessed based on specific comfort criteria established by the City in order to maintain a comfortable wind environment. When necessary, such impacts can be reduced or avoided through appropriate building articulation to limit large flat building facades that would divert wind into a street or public right-of-way.

<sup>60</sup> Donald Ballanti, Consulting Meteorologist, *Technical Memorandum: Wind and Comfort Analysis of the Proposed 950 Gough Street Housing Development*, San Francisco, California. September 18, 2013.

Section 148 of the *Planning Code* establishes wind criteria to determine impacts for the purposes of environmental review in C-3 use districts. The proposed project is not located within a C-3 use district. The Planning Department uses the wind hazard criterion and pedestrian-comfort criteria from Section 148 for evaluating the wind impacts of a proposed building located anywhere in the City. Section 148 identifies comfort levels of 7 mph equivalent wind speed for public seating areas, and 11 mph equivalent wind speed for areas of substantial pedestrian use. These comfort levels are not to be exceeded more than ten percent of the time between the hours of 7:00 am and 6:00 pm.

### Wind Study

A wind study was conducted for the proposed project on March 2, 2015 to describe the pedestrian wind environment that would exist in the immediate vicinity of the site after construction of the proposed project.<sup>61</sup> The study did not perform a wind tunnel test but instead provided an assessment based on the site reconnaissance and review of the project plans.

Building heights on the block of the project site vary from three to five stories. Northwest of the site building heights vary from four to eight stories. North of the site buildings range from three to six stories. The topography around the project site slopes uphill toward the north and west. A row of large, mature trees in Jefferson Square Park are west of and across the street from the project site.

The proposed project would construct an 80-foot-tall, eight-story, residential/church building. Massing of the proposed building would consist of a five-level, low-rise base with a taller 8 level tower located at the northeastern corner of the site. The low-rise portion of the project would have shelter from prevailing northwestern to western winds due to existing structures and trees combined with steep upwind terrain.

The existence of structures upwind and the steep terrain that magnifies the wind shadow created by upwind structures, only the upper stories of the building would be exposed to prevailing wind. In addition, the approximately 40 ft setback at the fifth floor creates a windy environment, the deck atop the sixth level should be landscaped to reduce wind and improve usability.

The project's design was found to not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the site. Due to the lack of terrain features, nearby large structures or site exposure that might suggest that Section 148 wind criterion is likely to be exceeded near the project site, wind tunnel testing for the proposed project is not required.

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<sup>61</sup> Donald Ballanti, Consulting Meteorologist, *Technical Memorandum: Wind and Comfort Analysis of the Proposed 950 Gough Street Housing Development*, San Francisco, California. March 2, 2015. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, Case File No. 2012.0506E

The wind analysis concludes by stating that the massing and orientation of the proposed project does not have the potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the site. In addition, wind and comfort conditions at the Jefferson Square Park would be unaffected by the proposed project, because wind effects propagate downwind.

While the proposed project's wind hazard impacts would be less than significant, the project sponsor has agreed to the following improvement measure that could improve usability of the new rooftop deck on the new building by reducing wind exposure.

**Improvement Measure I-WS-1: Wind Reduction on New Rooftop Deck**

To reduce wind and improve usability on the new rooftop deck, the project sponsor should provide wind screens or landscaping along the north and west perimeter of the new rooftop deck. Suggestions include *Planning Code* compliant porous materials or structures (vegetation, hedges, screens, latticework, perforated or expanded metal) as opposed to a solid surface.

**Impact WS-2: The proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)**

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. *Planning Code* Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. The proposed 80-foot-tall building requires the Recreation and Park Commission to determine the significance of shadowing on the adjacent open spaces, Jefferson Square Park, James P. Lang Field, and Margaret S. Hayward Playground.

To determine whether this project would comply with Section 295, a preliminary shadow fan analysis was prepared by the Planning Department. This preliminary analysis determined that the proposed project would not cast any new shadows on James P. Lang Field, west of the project site, but does have the potential to impact properties protected by the ordinance by casting new shadows on Jefferson Square Park and Margaret S. Hayward Playground and determined that further analysis was required.<sup>62</sup>

The Proposition K Memorandum dated February 3, 1989<sup>63</sup>, developed by the Recreation and Park Department and the Planning Department, provided tolerance levels for the Absolute Cumulative Limit of new shading for specific parks and established criteria for parks not yet

<sup>62</sup> Glenn Cabrerros, San Francisco Planning Department, letter dated January 25, 2014 (Case No. 2012.0506K) Shadow Analysis.

<sup>63</sup> San Francisco Recreation and Park Department and San Francisco Planning Department, *Proposition K – The Sunlight Ordinance*, memorandum dated February 3, 1989.

named in the memorandum but still subject to Section 295 Review. The established tolerance limits are based on the additional new shadow-foot-hours expressed as a percentage of the theoretical total foot-hours of sunlight for each park over a period of one year. Jefferson Square Park, not named in the 1989 memo, but subject to the qualitative criteria,<sup>64</sup> is larger than 2 acres and shadowed less than 20% of the year. The Prop K memo establishes a potentially permissible quantitative limit for additional shadows where the Absolute Cumulative Limit is up to 1.0% if the specific shadow meets the additional qualitative criteria.

The project site is located directly across from the northwest entrance of Jefferson Square Park on the corner of Gough and Eddy Streets, which is approximately 245,778 sf in size and bound by Eddy Street (north), Turk Street (south), Laguna Street (west) and Gough Street (east). Jefferson Square Park is under the jurisdiction of Recreation and Park Department. The park contains landscaped areas, paved walkways and stairs, eight fixed benches and areas for active and passive uses. On the western half of the park there is a designated dog-walking area. The park slopes uphill to the north and is primarily comprised of open grassy areas punctuated by approximately 80 trees, ranging from saplings to mature trees with dense canopies.

A more refined project-specific analysis using year-around modeling was conducted for the proposed project by PreVision Design<sup>65</sup> to determine the project's shadow impact on Jefferson Square Park. It was determined by PreVision Design that Margaret S. Hayward Playground would not receive new shadowing from the proposed building. PreVision Design also concluded as part of the report's quantitative data analysis that only Jefferson Square Park will receive any new shadow from the proposed project at any point throughout the year, and as such is the only park reviewed by this study.

A shadow modeling study was conducted using a 3D computer model of the proposed project, existing park space, and the surrounding urban environment. This modeling was used to simulate and calculate levels of current and new shading. The model calculated both existing and proposed amounts of shading on the park, from one hour after sunrise to one hour before sunset. Between these times, analyses were performed at 15-minute intervals, every 7 days, between the summer and winter solstices. The data taken from these 27 sample dates was then extrapolated to simulate the full-year shading.

The proposed project would shade a portion of Jefferson Square Park throughout the year in the first few hours after sunrise plus one hour specified by Section 295. The duration of shading is greatest between June 7<sup>th</sup> and July 5<sup>th</sup> beginning one hour after sunrise at approximately 6:45 a.m. and lasting for approximately three hours. The park currently experiences 914,638,249 sf/hrs (1.0595%) of shade annually; the proposed project would increase the existing shadow by

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<sup>64</sup> Qualitative criteria for each park should be based on existing shadow profiles, important times of day, important seasons in the year, size and duration of new shadows and the public good served by buildings casting new shadow.

<sup>65</sup> Adam Phillips, PreVision Design, *950 Gough Street Shadow Analysis*, April 1, 2014.

0.595%<sup>66</sup> annually. The report also analyzed the potential shadow from a proposed project at 807 Franklin Street; this project would include a new mixed use residential development that as currently proposed could potentially cast additional shadow on Jefferson Square. The cumulative shadow analysis shows that both projects would increase the shading by 5,733,191 sfh, a total increase of 0.63%. The new shadow from both projects would primarily occur within the early hours after sunrise and would affect the northeast corner of the park. The duration becomes shorter each day removed from that date to where it is only one hour at the winter solstice. During the equinoxes, the duration of shading is approximately two hours.

Park uses were observed on 12/18/2013 (morning), 12/19/2013 (midday/evening), 12/21/2013 (morning), 1/01/2014 (midday) and 1/04/2014 (midday/evening). During the 30-minute observation periods, 12 to 28 people were using the park. Weekends during the afternoon/evening observation period the most visitors (28) used the park for walking their dogs. There was no shadow observed during weekend afternoon/evening observations. Shadowing was present during the weekday and weekend morning observations. People walking their dogs were prevalent during all observation times since the park is dog friendly. Weekday observations found that many people just pass through the park. Many park users were observed with their personal belongings occupying the benches resting or sleeping.

New shadow created from the proposed project would not have a significant impact on Jefferson Square Park. Even though the proposed project would cast a new shadow covering two-thirds of the eastern portion of the park, the shadow would decrease in size to 16 percent within an hour. The duration of the greatest amount of shadowing would occur from June 7<sup>th</sup> to July 5<sup>th</sup> in the morning from 6:45 am to 9:45 am and would decrease to only an hour of daily shadowing by the Winter Solstice. The areas that would be impacted would not be active use areas of the park, entrance walkways and grassy areas. There would still be 56,840 sf of un-shaded area available for users wanting sunlight in the morning hours when the greatest amount of shadowing would occur. Due to the low intensity of park use it is unlikely that such areas would become crowded or less desirable during these morning hours. The park has a total of eight fixed benches of which five would receive new shadow at the time of maximum shading; however, this shading is very short in duration and within an hour only one bench would be shaded. Furthermore, the new shadow on Jefferson Square Park from the proposed project and 807 Franklin Street would be 0.63%, which is below the allowed Absolute Cumulative Limit, up to 1.0%, as outlined in the 1989 Proposition K Memorandum.

The proposed project would also add new shade to portions of adjacent sidewalks, streets, residences and properties, including the recreational field at Sacred Heart Cathedral Preparatory located on the northwestern corner of Gough and Eddy Streets. The height of the proposed building would be taller than existing buildings in the project site vicinity; however, the new building would not exceed the height limit applicable to the project site and the new shadow

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<sup>66</sup> Adam Phillips, PreVision Design, *950 Gough Shadow Study Update memo*, April 27, 2015.



would not exceed levels commonly expected in urban areas. Due to the dense urban fabric of the project vicinity, the loss of sunlight on private residences and property is rarely considered to be a significant environmental impact and the limited increase in shading as a result, the proposed project would not be considered a significant impact under CEQA.

**Impact C-WS: The proposed project, in combination with other past, present or reasonably foreseeable projects would result in less-than-significant wind impacts. (Less than Significant)**

Based on the information provided above, the proposed project, along with other potential and future development in the vicinity, would not result in a significant wind impact in the project vicinity. As mentioned in the Land Use section, the proposed projects at 807 Franklin Street would not increase the height of an existing building or result in new building construction. Future proposed projects that would construct buildings 80 feet or taller in height would be required to comply with the applicable height and bulk requirements, as defined in the *Planning Code*. Therefore, any building 80 feet in height or taller that substantially alters wind patterns would not be constructed. The proposed project would not result in significant wind impacts. Therefore, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would result in a *less-than-significant* cumulatively considerable wind impact.

**Impact C-WS-2: The proposed project, in combination with other past, present, or reasonably foreseeable future projects, would result in less-than-significant cumulative impacts to shadow. (Less than Significant)**

Based on the analysis above, the proposed project along with the 807 Franklin Street development have the potential to cast shadow on public open space; however, the project would not have a significant impact based on the amount of shadow, and use of the open space at the time of the new shadow. Future projects would be subject to *Planning Code* Section 295 and other controls to avoid substantial net new shading of public open space. Thus the proposed project, in combination with other past, present, and reasonably foreseeable future projects proposed in the vicinity, would result in a *less-than-significant* cumulatively considerable shadow impact.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>9. RECREATION—Would the project:</b>					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact RE-1: The proposed project would not increase the use of existing neighborhood parks or other recreational facilities, such that substantial physical deterioration of the facilities would occur or be accelerated. (Less than Significant)**

The proposed project would develop 95 residential units and a church on a vacant lot. The San Francisco Recreation and Park Department, which administers more than 220 parks, playgrounds, and open spaces throughout the City, as well as recreational facilities including recreation centers, swimming pools, golf courses, and athletic fields, tennis courts, and basketball courts, would serve the new residents of the proposed project.<sup>67</sup> The project site is in a developed urban neighborhood, and does not contain large regional park facilities, but includes a number of neighborhood parks and open spaces, as well as other recreational facilities. The 2013 *Final Updated Draft Recreation and Open Space Element of the San Francisco General Plan* has identified high-need areas that are given highest priority for the construction of new parks and recreation improvements. The project site is located in the moderate-need area of the three categories presented, proximate to some low- and higher- need areas.<sup>68</sup>

The nearest recreation facilities to the project site include Jefferson Square Park, James P. Lang Field and Margaret S. Wood Playground, directly adjacent to the project site. Other parks and recreational facilities in the nearby vicinity include the Joseph L. Alioto Performing Arts Piazza, Civic Center Plaza, Father Alfred E. Boeddeker Park, Hayes Valley Playground, and Tenderloin Recreation Center, as well as a number of other small neighborhood parks such as Patricia's Green. Joseph L Alioto Performing Arts Piazza and Civic Center Plaza are located 0.6 mile (six to seven blocks) southeast of the project site at the intersection Polk and McAllister Streets. Father Alfred E. Boeddeker Park is located 0.9 mile (seven blocks) east of the project site at the

<sup>67</sup> San Francisco Recreation and Park Department. Available online at: [sfrecpark.org](http://sfrecpark.org). Accessed December 17, 2013.

<sup>68</sup> Recreation and Open Space Element of the San Francisco General Plan is available for public review at: <http://openspace.sfplanning.org>. Accessed February 17, 2013.

intersection of Eddy and Jones Streets. The Hayes Valley Playground is located 0.6 mile (ten blocks) southwest from the project site at the intersection of Buchanan and Hayes Streets. The Tenderloin Recreation Center is located 0.9 mile (six to seven blocks) east of the project at the intersection of Ellis and Hyde Streets. Patricia's Green is located 0.5 mile (eight blocks) south of the project site at the intersection of Hayes and Octavia Streets.

The proposed project would provide on-site open space for passive recreational use for project residents through a combination of a common terrace on the sixth floor and a courtyard. Accordingly, project residents would have convenient access to private and public open space and recreational facilities in the neighborhood.

Residents of the proposed project would not be expected to increase the use of existing neighborhood parks and recreation facilities to such extent that these facilities would be physically degraded or their substantial physical deterioration would be accelerated. The incremental residential growth that would result from the proposed project would not require the construction of new recreational facilities or the expansion of existing facilities. The proposed project's impact on recreational facilities would therefore be *less-than-significant*.

**Impact C-RE: The proposed project, in combination with past, present, and reasonable foreseeable future projects, would not contribute considerably to recreational impacts in the project site vicinity. (Less than Significant)**

Recreation facility use in the project area would likely increase with the development of the proposed project, especially in combination with other reasonably foreseeable residential and mixed-use development projects in the vicinity. However, each individual project would be subject to compliance with the City's open space requirements, as defined in the *Planning Code*. In addition, as described above, a number of public open space and recreational facilities exist in the project area. The proposed project would not cause a significant impact on parks and recreation facilities. Thus, cumulative impacts to recreational resources would be *less than significant*.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>10. UTILITIES AND SERVICE SYSTEMS— Would the project:</b>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is within an urban area that is served by utility service systems, including water, wastewater and stormwater collection and treatment, and solid waste collection and disposal. The proposed church/residential building would increase demand for and use of such utilities and services, but not in excess of amounts expected in the area and provided by the existing utility and service systems.

**Impact UT-1: Implementation of the proposed project would not require or result in the construction of wastewater collection and treatment facilities, new storm water drainage facilities, or expansion of existing facilities. (Less than Significant)**

The project site is located within an area that is served by existing utilities and service systems including solid waste disposal, wastewater, and stormwater collection and treatment, power, water and communication facilities. The proposed project would add additional demand to the existing site, which would increase the demand for utilities and service systems, but not in excess of amounts expected and provided for in the project area.

The San Francisco Public Utilities Commission (SFPUC) provides both water and wastewater service in San Francisco. San Francisco's combined sewer and wastewater treatment system serves the project site, which handles both sewage treatment and stormwater runoff. The proposed project would also require the construction of wastewater facilities, including collection and conveyance pipeline infrastructure. Project related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay.

The project site is a vacant lot, partially excavated with exposed soils and impervious surfaces. Construction of the proposed project would completely cover the site with impervious surfaces. Therefore, the project would change the amount of stormwater discharged currently from the project site. Additionally, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Green Building Ordinance (SFGBO), adopted May 6, 2008. The SFGBO would require that the project meet the performance standard identified in the Leadership in Energy and Environmental Design (LEED) NC<sup>69</sup> credit 6.2 or LEED credit 6.1 for quality control of stormwater. Specifically, this credit requires the project sponsor to implement a stormwater management plan that reduces impervious cover, promotes infiltration, and captures and treats the stormwater runoff for the peak runoff rate and the total runoff volume reduction for the two-year, 24-hour storm using a variety of best management practices (BMPs). The BMPs must be capable of removing 80 percent of the average annual post-development total suspended solids (TSS). The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Although the project would incrementally increase the demand for wastewater treatment and could increase the demand for stormwater treatment, it would not cause the collection treatment capacity to be exceeded, or require the expansion of wastewater treatment facilities or extension of a sewer trunk line. Additionally, requirements for stormwater treatment mandated by the SFGBO would decrease the incremental amount of stormwater requiring treatment at the Southeast Water Pollution Control Plant. Therefore, compliance with the SFGBO in terms of stormwater management for the proposed project would have a *less-than-significant* impact on San Francisco's wastewater and stormwater systems.

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<sup>69</sup> LEED NC stands for Leadership in Energy and Environmental Design- New Construction.

**Impact UT-2: The proposed project would not require expansion or construction of new water supply or treatment facilities. (Less than Significant)**

The proposed project would add residential units and a church use to the project site, which would increase the demand for water on the site, but not in excess of amounts expected and provided for in the project area. Although the proposed project would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated within anticipated water use and supply for San Francisco.<sup>70,71</sup> The proposed project would also be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the San Francisco Green Building Ordinance. The project site is not located within a designated recycled water use area, as defined in the Recycled Water Ordinance 390-91 and 393-94; thus, the project is not required to install a recycled water system. Since the proposed project's water demand could be accommodated by the existing and planned supply anticipated under the San Francisco Public Utilities Commission's (SFPUC's) 2010 Urban Water Management Plan (UWMP), as updated by the SFPUC's 2013 Water Availability Study, the proposed project would result in less-than-significant water service impacts.

**Impact UT-3: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)**

San Francisco's solid waste is disposed of at the Altamont Landfill in Alameda County and is required to meet federal, state and local solid waste regulations. This landfill has a permitted peak maximum disposal capacity of 11,150 tons per day,<sup>73</sup> and the landfill site has a currently permitted capacity of 87.1 million cubic yards. The site has approximately 45,720,000 cubic yards of its capacity remaining.

San Francisco was required by the California State Integrated Waste Management Act of 1989 to adopt an integrated waste management program, as well as implement a program to reduce waste disposal and to have its waste diversion performance periodically reviewed by the Integrated Waste Management Board. Since 2000, the City has diverted increasing amounts of waste from landfills, with 60 percent of its waste diverted from landfills by 2002.<sup>74</sup> Development of the proposed project would comply with *San Francisco Building Code Chapter 13 C*, which requires at least 75 percent of all demolition and construction-related solid waste to be recycled and diverted from landfills. In addition, during operation, the proposed project would comply with City Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which

<sup>70</sup> San Francisco Public Utilities Commission (SFPUC), *2010 Urban Water Management Plan*, which includes county-wide demand projections through the year 2035, and compares water supply and demand. Available online at: <http://www.sfwater.org/Modules/ShowDocument.aspx?documentID=1055>, accessed May 7, 2013

<sup>71</sup> SFPUC, 2013 Water Availability Study for the City and County of San Francisco. Available online at: <http://www.sfsewers.org/modules/showdocument.aspx?documentid=3589>, accessed June 14, 2013.

<sup>73</sup> California Integrated Waste Management Board, Active Landfill Profiles, Altamont Landfill. Available online at <http://www.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail/>. Website accessed June 26, 2013.

<sup>74</sup> Ibid.

requires everyone in San Francisco to separate recyclable and compostable materials from waste. Residents and employees of the proposed project would comply with this ordinance and participate in San Francisco's recycling and composting programs in order to maximize diversion from the City's solid waste disposal stream.

Recycling, composting, and waste reduction are expected to increasingly divert waste from the landfill, per California and local requirements. The City was required by the State's Integrated Waste Management Act (AB 939) to divert 50 percent of its waste stream from landfill disposal by 2000. The City met this threshold in 2003 and has since increased it to 69 percent in 2005 and 70 percent in 2006. In addition, the Board of Supervisors adopted a plan in 2002 to recycle 75 percent of annual wastes generated by 2010. The proposed project would be in compliance with the *San Francisco Building Code* Chapter 13 C, which requires a minimum of 75 percent of all construction and demolition debris to be recycled and diverted from landfills. This requirement is enforced through the building permit process.

While the increased use of the site through residential development would add incrementally to total waste generation at the project site, because of the long-term capacity available at the Altamont Landfill and the increasing rate of diversion in San Francisco, the project would be adequately served by the City's landfill and thus would have a *less-than-significant* impact on solid waste facilities.

**Impact UT-4: The construction and operation of the proposed project would follow all applicable federal, state and local statutes and regulations related to solid waste. (Less than Significant)**

As addressed above, the development of the project would be subject to, and would comply with, *San Francisco Building Code* Chapter 13 C by diverting at least 75 percent of all demolition and construction-related debris from the landfill. In addition, residents and employees of the proposed project would comply with the City of San Francisco's Ordinance 100-009, the Mandatory Recycling and Composting Ordinance, which requires the separation of recyclables and compostables from solid waste. As such, the project would be in compliance with the requirements of the California Integrated Waste Management Act of 1989, which mandates that cities adopt an Integrated Waste Management Plan to establish policies relative to waste disposal and recycling. Therefore, the proposed project would comply with all applicable regulations related to solid waste, and the impact of the construction of the proposed project on solid waste facilities would be *less than significant*.

**Impact C-UT: In combination with past, present, and reasonably foreseeable future development in the project site vicinity, the proposed project would not have a substantial cumulative impact on utilities and service systems. (Less than Significant)**

Cumulative development in the project area would incrementally increase demand on citywide utilities and service systems, but not beyond levels anticipated and planned for by public service

providers. Given that the City's existing service management plans address anticipated growth in the region, the project would not be expected to have a considerable effect on utility service provision or facilities under cumulative conditions. Thus, this project, in combination with other foreseeable projects, would not be expected to have a substantial effect on utility service provision or facilities. The project-related impacts to public services and utilities under cumulative conditions would therefore be *less than significant*.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>11. PUBLIC SERVICES— Would the project:</b>					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would have significant impacts under CEQA if it were to result in substantial adverse physical impacts on the provision of, or need for, new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services, especially such that the construction of these facilities could cause significant environmental impacts.

**Impact PS-1: The proposed project would increase demand for police service, but would not result in substantial adverse impacts associated with the provision of such services. (Less than Significant)**

The existing project area currently receives police protection services from the San Francisco Police Department (SFPD). The Northern police station located at 1125 Fillmore St, approximately 0.5 mile away, serves the project site.<sup>75</sup> The construction of a 127,200 sf, 80-foot-tall, eight-story, mixed-use building with a 10,100 sf church would create additional demand for police services in the area. Given the nature and scale of the proposed project, it would not require the construction of a new police station and would have a *less than significant* effect on existing police protection services.

<sup>75</sup> San Francisco Police Department website: <http://sf-police.org/index.aspx?page=825>. Website accessed on 06/26/13.



**Impact PS-2: The proposed project would not substantially increase demand for fire protection services, and would not result in substantial adverse impacts associated with the provision of such service. (Less than Significant)**

The residents of the proposed building would be adequately served by the existing fire protection services. The nearest fire station, Station #5, is located less than 0.5 mile away at 1301 Turk Street. In addition, Station #3 and Station #36 are less than a mile away.<sup>76</sup> The proposed project would increase demand for fire protection services at the site by adding 95 residential units and a 10,100-sf church. This would increase the number of calls received by the San Francisco Fire Department (SFFD) or the level of service SFFD must provide in this area as a result of the proposed project; however, this increase in responsibilities would not be substantial compared to existing demand for fire protection services throughout the City, nor would it create the need for new fire protection facilities that could result in environmental impacts.

The project would comply with the regulations of the *2001 California Fire Code*, which includes requirements for fire protection systems, such as the provision of smoke alarms and fire extinguishers, adequate building access, and emergency response systems.

Due to cumulative development in the project area, call volume, and traffic delays could increase for the SFFD. The SFFD would minimize potential impacts by shifting primary response duties to other nearby fire stations. However, the increased demand would be incremental, funded largely through project-related increases to the City's tax base, and would not likely be substantial compared to the existing demand and capacity for fire suppression and emergency medical services in the City. Thus, the proposed project would have a *less-than-significant* impact on fire protection services.

**Impact PS-3: The proposed project would not result in a substantial increased demand for school facilities and would not require new or expanded school facilities. (Less than Significant)**

The proposed project would provide 95 new residential units that are likely to be occupied by families with school-age children. Existing schools in the area could accommodate these new students. The project site is near a number of public schools. The Tenderloin Community Elementary School is 0.4 mile east of the project site, Rosa Parks Elementary School is 0.6 mile west of the project site, Betsy Carmichael Elementary is approximately 1.5 miles southeast from the site, John Muir Elementary is approximately 0.9 mile southwest of the site, and Everett Middle School and Mission High School are both approximately 1.7 miles southwest of the project site. Both Gateway High School (a public charter high school) and the Ida B Wells High School are near the project site, as are a number of private schools and academies such as, Sacred Heart Cathedral Preparatory School is 0.1 mile north of the site and the Chinese American International School is located .02 mile south of the site.

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<sup>76</sup> San Francisco Fire Department website: <http://www.sf-fire.org/index.aspx?page=176>. Website accessed on 06/26/13.

The San Francisco Unified School District (SFUSD) has experienced overall declines in enrollment in the last decade. However, beginning in 2008, the SFUSD saw kindergarten enrollments begin to increase, and anticipates continued growth of SFUSD enrollment. The 2009 SFUSD projections indicate that elementary school enrollment will increase by about 11 percent from 2008 to 2013. Given a small decline in enrollment from 2009 to 2010, and then continued enrollment growth after 2010, the SFUSD projects that enrollment levels in 2013 will still be lower than 2008 levels.<sup>77</sup> Thus, SFUSD anticipates increases in students, and has adequate capacity for enrollment growth.

In addition, the proposed project would be subject to a citywide development impact fee, which requires a payment of \$2.24 per square foot of assessable space for residential development constructed within the SFUSD to be paid to the district.<sup>78</sup>

In summary, the proposed project would not result in a substantial increased demand for school facilities, and would not require new or expanded school facilities. The proposed project would result in a *less-than-significant* impact on school facilities.

**Impact PS-4: The proposed project would not substantially increase the demand for government services, and would not necessitate the need for new or physically altered government facilities. (Less than Significant)**

Since the proposed project would only add 95 residential units the overall population increase in the area would be nominal compared to overall population growth for the entire City. The proposed project would not result in a population increase that would necessitate the need for new or physically altered government facilities, and therefore would have a less than significant impact on governmental facilities.

**Impact C-PS: The proposed project, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not have a substantial cumulative impact to public services. (Less than Significant)**

The proposed project in combination with the other residential and mixed-use projects proposed in the area would incrementally increase demand for public services, which include fire protection, police protection, schools, parks, and other governmental services. The City and public service providers anticipated and planned for growth and increased demand. As such, increased demand for public services would be adequately provided. Therefore, cumulative impacts to public services would be *less than significant*.

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<sup>77</sup> San Francisco Unified School District, Capital Plan FY 2010-2019, September 2009. Accessed January 6, 2013.

<sup>78</sup> San Francisco Unified School District, Developer Impact Fee Annual and Five Year Reports for the Fiscal Year Ending June 30 2011, November 2011. Accessed January 6, 2013.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>12. BIOLOGICAL RESOURCES— Would the project:</b>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>

The proposed project is located in a developed area, partially excavated. The project area does not include riparian habitat or other sensitive natural communities as defined by the California Department of Fish and Wildlife and the United States Fish and Wildlife Service; therefore, Topic 12(b) is not applicable to the proposed project. In addition, the project area does not contain any wetlands as defined by Section 404 of the Clean Water Act; therefore Topic 12(c) is not applicable to the proposed project. Moreover, the proposed project does not fall within any local, regional or state habitat conservation plans; therefore, Topic 12(f) is not applicable to the proposed project.

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**Impact BI-1: The proposed project would have no substantial impact on special status species, avian species, or riparian, wetland, or sensitive natural communities and would not conflict with an approved local, regional, or state habitat construction plan. (Less than Significant)**

Outside of the three parks adjacent to the project site, the area around the project site can be characterized as urban where it is completely developed, covered with built structures and the surfaces are impermeable. The project site temporarily contained a community garden; however, this use has since been vacated and is currently an unoccupied vacant lot. No habitat, including wetlands or riparian habitats, for rare or endangered plant or animal species exist at the project site. The proposed project would not lead to the interference with any resident or migratory species, affect any rare, threatened, or endangered species, or involve tree removal.

Thus, the proposed project would not adversely affect or substantially diminish plant or animal habitats, including riparian or wetland habitat. The proposed project would not interfere with any resident or migratory species, nor affect any rare, threatened or endangered species. The proposed project would not interfere with species movement or migratory corridors.

Migrating birds do pass through San Francisco, but the project site does not contain habitat to support migrating birds. Nesting birds, their nests, and eggs are fully protected by *Fish and Game Code* (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). Although the proposed project would be subject to the MBTA, the site does not contain habitat supporting migratory birds; therefore the project would have a less-than-significant impact to nesting birds.

The proposed project would not conflict with any local policies or ordinances directed at protecting biological resources. Therefore for the above reasons, the proposed project would have a less-than-significant impact on special status species, avian species, riparian, wetland, and sensitive natural communities; and the project would result in a *less-than-significant impact* on approved local, regional, and state habitat conservation plans.

**Impact BI-2: Implementation of the proposed project would not conflict with local tree protection regulations. (Less than Significant)**

The San Francisco Planning Department, DBI, and DPW have established guidelines to ensure that legislation adopted by the Board of Supervisors governing the protection of trees is implemented. The DPW Code Section 8.02-8.11 requires disclosure and protection of Landmark, Significant, and Street trees, collectively "protected trees" located on private and public property. A Landmark tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the city's character and has been found worthy of landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A Significant tree is either located on property

under the jurisdiction of the DPW, or on privately owned land within ten feet of the public-right-of-way, and is greater than 20 feet in height or meets other criteria.

A Tree Disclosure Statement prepared for the project noted that no trees are located on the subject property or the adjacent property. There is one street tree along Eddy Street. There are no Landmark trees on the project site or adjacent properties. As mentioned above, the project does not include tree removal. The removal of a protected tree would require issuance of a permit from the Director of Public Works, and may be subject to replacement or payment of an in-lieu fee in the form of a contribution to the City's Adopt-a-Tree Fund. Compliance with the requirements set forth in DPW Code Section 8.02-8.11 would ensure the protection of trees under the City's *Tree Preservation Ordinance*. Since the proposed project would not conflict with the City's local tree ordinance, the impact would be *less than significant*.

**Impact BI-3: The proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. (Less than Significant)**

Structures in an urban setting may present risks for birds' migratory paths from their location and/or their features. The City has adopted guidelines to describe the issue and provide regulations for bird-safe design within the City.<sup>79</sup> The regulations establish bird-safe standards for new building construction, additions to existing buildings, and replacement facades to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." The two circumstances regulated are: 1) location-related hazards, where the siting of a structure creates increased risk to birds (defined as inside or within 300 feet of open spaces two acres and larger dominated by vegetation or open water) and 2) feature-related hazards, which may create increased risk to birds regardless of where the structure is located. For new building construction located in a location-related standard, the standards include façade requirements consisting of no more than 10 percent untreated glazing and the use of minimal lighting. Lighting that is used shall be shielded without any uplighting. Feature-related hazards include free-standing glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments 24 square feet and larger in size. Any structure that contains these elements shall treat 100 percent of the glazing.

The project site consists of a partially excavated vacant lot, within 300 feet of open spaces two acres or larger. Therefore, the project site is within a location-related hazard. The proposed project would include the development of the existing lots and construction of a new eight-story, 80-foot-tall (90 ft tall with above-roof structures). Because the proposed project would be subject to and would comply with City adopted regulations for bird-safe buildings, the proposed project

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<sup>79</sup> San Francisco Planning Department, "Standards for Bird-Safe Buildings." Website provides the adopted *Standards for Bird-Safe Buildings* adopted by the Planning Commission, July 14, 2011 and Ordinance No. 199-11, adopted by the Board of Supervisors, October 7, 2011. Available online at: <http://www.sf-planning.org/index.aspx?page=2506>. Accessed August 5, 2013.

would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. *Less than significant* impact would occur.

**Impact BI-4: The proposed project in combination with other past, present, or reasonably foreseeable projects, would not result in impact to biological resources would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less than significant)**

The San Francisco Board of Supervisors adopted legislation that amended the City's Urban Forestry Ordinance, Public Works Code Section 801 et. Seq., to require a permit from the Department of Public Works (DPW) to remove any protected trees.<sup>80</sup> If any activity is to occur within the dripline, prior to building permit issuance, a tree protection plan prepared by an International Society of Arborists-certified arborist is to be submitted to the Planning Department for review and approval. All permit applications that could potentially impact a protected tree must include a Planning Department "Tree Disclosure Statement." Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. Article 16 of the San Francisco Public Works Code, the Urban Forestry Ordinance, provides for the protection of landmark, significant, and street trees. Landmark trees are designated by the Board of Supervisors upon the recommendation of the Urban Forestry Council, which determines whether a nominated tree meets the qualification for landmark designations by using establish criteria (Section 810). Significant trees are those trees within the jurisdiction of the DPW or trees on private property within 10 feet of the public right-of-way that meet any of three size criteria. The size criteria for significant trees are the tree must have a diameter at breast height in excess of 12 inches, or a height in excess of 20 feet, or a canopy in excess of 15 feet (Section 810(A)(a)). Street trees are any tree growing within the public right-of-way, including unimproved public streets and sidewalks, and any tree growing on land under the jurisdiction of the DPW (Section 802(w)). If a project would result in tree removal subject to the Urban Forestry Ordinance and the DPW would grant a permit, the DPW shall require that replacement trees be planted (at a one-to-one ratio) by the project sponsor or that an in-lieu fee be paid by the project sponsor (Section 806(b)).

No trees would be removed as part of the proposed project and seven new street trees would be planted along the street frontages of the project site. Therefore, the proposed project would not conflict with any local policy ordinance protecting biological resources and no impact would occur.

**Impact C-BI-1: The proposed project would result in no impact to biological resources; therefore, a discussion of cumulative impacts is not necessary. (No Impact)**

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<sup>80</sup> San Francisco Planning Department, "Required Checklist for Tree Planting and Protection." Available online at: <http://www.sf-planning.org/modules/showdocument.aspx?documentid=8321>. Accessed August 5, 2013

As discussed above, the project site does not contain biological resources, and the project vicinity has few street trees, which do not provide a habitat for endangered or threatened plant or animal species. Therefore, the project could not impact such species. The proposed project would not have the potential to contribute to cumulative impacts on biological resources.

In summary, as noted above, the proposed project would have less-than-significant impacts on special status species, avian species, riparian, wetland, or sensitive natural communities; would not conflict with an approved local, regional, or state habitat conservation plan or tree protection ordinance; and would have a less-than-significant cumulative impact on biological resources.

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<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
<b>13. GEOLOGY AND SOILS— Would the project:</b>					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project would connect to the City's sewer and stormwater collection and treatment system and would not use a septic water disposal system. Therefore, Topic 14e is not applicable to the project site.

This section describes the geology, soils, and seismicity characteristics of the project area as they relate to the proposed project. Responses in this section rely on the information and findings provided in the Preliminary Geotechnical Study for the project site, unless otherwise noted.<sup>81</sup> The

<sup>81</sup> ENGEO Incorporated, Geotechnical Exploration for St. Paulus Lutheran Center, 980 Gough St dated March 26, 2014.



study relied on available geotechnical data from the surrounding area to develop preliminary conclusions and recommendations, including four borings conducted in 2006.

Based on test borings conducted in the project vicinity, the site is likely underlain by 3 to 10 feet of sandy clay fill (measured below existing grades) and 3 to 45 feet of sand. In general, fill encountered in this area consists mainly of loose sand with varying amounts of silt, although abandoned foundation elements and construction debris are also commonly found in the fill. The fill is underlain by medium dense, fine-grained sand, to a depth of at least 45 feet below ground surface (bgs). The project is partially excavated and contains a concrete slab on the southeastern corner of the site and brick footing foundation along the northwest and west side of the site. The proposed project site would require the excavation of the existing fill and a maximum depth of excavation to approximately 15ft.

**Impact GE-1: The proposed project would not result in exposure of people and structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, expansive soils, seismic ground-shaking, liquefaction, or lateral spreading. (Less than Significant)**

The project site is not located within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known or potentially active fault exists on the project site. In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. A geotechnical analysis has been completed for the project site.<sup>82</sup> The analysis examined underlying soils of the project site and made preliminary geotechnical recommendations related to excavation operations on the project site. The analysis indicates that the project site is suitable for the construction of the proposed project and found no evidence of active faulting on the project site. However, during an earthquake at any of the major area faults, the project site would experience very strong ground shaking. Strong ground shaking during an earthquake can result in ground failure associated with soil liquefaction,<sup>83</sup> lateral spreading,<sup>84</sup> and cyclic densification.<sup>85</sup>

The *San Francisco General Plan Community Safety Element* contains maps that show areas of the City subject to geologic hazards. The project site is not located in an area of liquefaction potential, as shown in the *Community Safety Element of the General Plan* (Map 4, titled "Hazards Study

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<sup>82</sup> ENGEO Incorporated, Geotechnical Exploration for St. Paulus Lutheran Center, 980 Gough St dated March 26, 2014.

<sup>83</sup> Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

<sup>84</sup> Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

<sup>85</sup> Soil compaction, or cyclic densification, is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

Zones—Areas of Liquefaction Potential").<sup>86</sup> The project site is located in an area subject to “strong” ground shaking (structural damage) from earthquakes along the San Andreas Fault (Map 2 of the Community Safety Element) and “moderate” shaking intensity from earthquakes along the Northern Hayward Fault (Map 3). The project site is located approximately seven miles west of the San Andreas Fault, 10 miles southwest of the San Gregorio fault and approximately 11 miles east of the Hayward Fault. Therefore, it is likely that the site would experience periodic minor or major earthquakes associated with a regional fault. The 2007 Working Group on California Earthquake Probabilities estimates that there is a 63 percent chance that a magnitude 6.7 or greater earthquake will occur in the San Francisco Bay Area within 30 years. Like the entire San Francisco Bay Area, the project site is subject to ground shaking in the event of an earthquake.

Ground shaking associated with an earthquake on one of the regional faults around the project site may result in ground failure, such as soil liquefaction, lateral spreading, and differential compaction. The eastern half of the site is underlain by three to ten feet of sandy clay fill. The western half is underlain with clean sands suggesting it is dune sand. As discussed above, excavation as deep as 20 ft would be required to accommodate the proposed underground garage and foundation. During excavation the use of temporary shoring along the west and northwest sides of the project site would be required to safely develop the property. Where the excavation abuts an existing retaining wall, the foundations adjacent to the excavation can be underpinned and the remaining excavation shored or the shoring system can be designed for the entire excavated area. The shoring would be constructed adjacent to the existing wall to support both the retained soil and the wall.

The final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas, known landslide areas in San Francisco, and the building inspector’s working knowledge of areas of special geologic concern. Potential geologic hazards would be addressed during the permit review process through these measures. To ensure compliance with all *Building Code* provisions regarding structure safety, when DBI reviews the geotechnical report and building plans for a proposed project, they will determine the adequacy of necessary engineering and design features. Past geological and geotechnical investigations would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site specific soils report(s) be prepared in conjunction with permit applications, as needed. Therefore, DBI’s requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the *Building Code* would avoid potential damage to structures from geologic hazards. As a result, the proposed project would result in *less-than-significant* impacts from exposing people and structures to substantial adverse effects from seismic events and geological impacts.

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<sup>86</sup> City and County of San Francisco, Community Safety Element, *General Plan*, April 1997.

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**Impact GE-2: The proposed project would not result in substantial loss of topsoil or erosion. (Less than Significant)**

The proposed project would require site grading including minor excavation for a subgrade two-level garage where only one of the two levels would be below grade. The project sponsor must propose control measures that are consistent with the State General Permit. A Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented for each site covered by the general permit. A SWPPP would include Best Management Practices (BMPs) designed to reduce potential impacts to surface water quality during the construction of the project. Therefore, the proposed project would result in *less-than-significant* impacts related to substantial soil erosion and loss of top of soil.

**Impact GE-3: The proposed project would not be located on a geologic unit or soil that is unstable, nor would the project site become unstable as a result of the project, and thus would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)**

The parcel is located on a slope but the site is graded and level. The project site has an elevation ranging from approximately 132.5 feet above mean sea level (msl) at the northeast corner of the parcel to 114 feet above msl at the southwest corner. The topography around the project site includes hills or cutslopes but landslides are not likely because a majority of the area surrounding the project site is graded, paved, and developed. Jefferson Square Park, Margaret S. Hayward Playground, and James P. Lang Field are the only adjacent parcels that are not developed and built out. Nonetheless, the areas surrounding the three parks are developed and the proposed project would not impact the geology or soils at the parks so off-site landslides would not result from the proposed project. Groundwater was not encountered during test boring conducted for the geotechnical report. Thirty-six feet was the shallowest boring and 56 feet was the deepest test boring. The proposed project would only require 2 ft of excavation. The geotechnical report stated that liquefaction and lateral spreading would not be issues requiring attention. Subsidence would be an issue to address through soil compaction prior to foundation work. San Francisco *Building Code* requirements will ensure that the project applicant include analysis of the potential for unstable soil impacts as part of the design-level geotechnical investigation prepared for the proposed project; therefore, potential impacts from unstable soils would be *less than significant*.

**Impact GE-4: The proposed project would not be located on expansive soil, as defined in Table multi-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. (Less than Significant)**

Expansive soils expand and contract in response to changes in soil moisture, most notably when near surface soils change from saturated to a low-moisture content condition and back again. The preliminary geotechnical report did not identify expansive soils on the project site. Anticipated excavation of the basement garage is expected to remove surficial soils, including potentially expansive soils, within the building footprint.

Areas not excavated, including sidewalks and other adjacent improvements, may be affected by expansive soils, if present. Due to the San Francisco *Building Code* requirement that the project applicant include analysis of the potential for soil expansion impacts as part of the design-level geotechnical investigation prepared for the proposed project, potential impacts related to expansive soils would be *less-than-significant*.

**Impact GE-5: The proposed project would not substantially change the topography or any unique geologic or physical features of the site. (Less than Significant)**

The proposed project would not substantially change the topography of the site, with the exception of excavation for the underground garage. There are no unique geologic or physical features of the site. Therefore, impacts to topographic or unique geologic or physical features would be *less-than-significant*.

**Impact C-GE-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on geology and soils. (Less than Significant)**

The proposed project would result in less-than-significant impacts to topographical features, loss of topsoil or erosion, or risk or injury or death involving landslides. Geology impacts are generally site specific and in this urban setting would not have cumulative effects with other projects. Therefore, the proposed project combined with other past, present, and future projects would not have considerable cumulative impacts related to geology and soils. In addition, the building plans for planned and foreseeable projects would be reviewed by DBI, and potential geologic hazards would be avoided during the DBI permit review process. Therefore, the cumulative impacts of the project related to geology, soils, and seismicity would be *less-than-significant*.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>14. HYDROLOGY AND WATER QUALITY— Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project would have significant impacts under CEQA if it were to violate any water quality standards or waste discharge requirements, substantially deplete groundwater supplies, alter drainage patterns of the site or area, 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, place housing within a 100-year flood hazard area or place structures within a 100-year flood hazard area that would impede or redirect flood flows, expose people or structures to a significant risk as a result of the failure of a levee or dam; or expose people or structures to a significant risk involving inundation by seiche, tsunami, or mudflow.

The project site is not within a 100-year flood hazard area; it does not propose housing or structures that would impede or redirect flood flows within a 100-year flood hazard area. Therefore, checklist items 15g and 15h do not apply. The project is not located in an area subject to seiches or potential inundation in the event of a tsunami along the San Francisco coast, based on a 20-foot water level rise at the Golden Gate (Maps Six and Seven of the *Community Safety Element of the San Francisco General Plan*). In addition, the developed area of the project site would not be subject to mudflows. Thus, checklist item 15j does not apply.

**Impact HY-1: The proposed project would not violate water quality standards or otherwise substantially degrade water quality. (Less than Significant)**

As discussed in the Utilities and Services section, the project's site wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the Pacific Ocean. Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. Additionally, as new construction, the proposed project would be required to meet the standards for stormwater management identified in the San Francisco Stormwater Management Ordinance (SFSMO) and meet the SFPUC stormwater management requirements per the Stormwater Design Guidelines. The Project Sponsor would be required to submit and have approved by the SFPUC a Stormwater Control Plan (SCP) that complies with the City's Stormwater Design Guidelines using a variety of best management practices (BMPs). For a project that would disturb over 5,000 square feet of ground surface and that is located in the combined sewer system, the BMPs must meet the SFPUC performance requirements equivalent to Leadership in Energy & Environmental Design (LEED) 6.1 and reduce the total stormwater runoff volume and peak runoff rate from the project site. The SFPUC emphasizes the use of low-cost, low impact BMPs to meet this requirement. Implementation of the SCP would ensure that the project meets performance measures set by the SFPUC related to stormwater runoff rate and volume. Therefore, the proposed project would not substantially degrade water quality and water quality standards or violate waste discharge requirements. Thus, the proposed project's impact on water quality standards and water quality would be *less-than-significant*.

**Impact HY-2: The proposed project would not 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. (Less than Significant)**

Groundwater is not used as a drinking water supply in the City and County of San Francisco. As reported in the geotechnical investigation, groundwater was not encountered in the four test borings that ranged from 36 to 56 feet below ground surface. The geotechnical investigation did not anticipate that groundwater seepage during excavation.

The project would not result in the use of groundwater. Encountering groundwater during project construction would be unlikely. If groundwater is encountered during construction, the proposed project would be subject to the requirements of the City's Industrial Waste Ordinance (Ordinance Number 199 77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified of projects requiring dewatering, and may require water analysis before discharge. If dewatering is necessary, the final soils report required for the project would address the potential settlement and subsidence associated with the dewatering. The report would contain a determination as to whether or not a lateral movement and settlement survey should be prepared to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring surface is recommended, DPW would require that a Special Inspector (as defined in Article 3 of the *Building Code*) be retained by the project sponsor to perform this monitoring. Because the project site would remain entirely impervious after project implementation, the project would not affect groundwater recharge, and this impact would be *less-than-significant*.

**Impact HY-3: The proposed project would not result in altered drainage patterns that would cause substantial erosion or flooding or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)**

Compliance with the SFSMO, in general, would require the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the proposed project would implement and install appropriate stormwater management systems that retain runoff onsite, promote stormwater reuse, and limit site discharges before entering the combined sewer collection system. Prior to 1995, St. Paulus Church occupied the site and all stormwater runoff was completely handled and contained by the existing storm and sanitary sewer system. The proposed project would alter drainage on site, changing the site from pervious to impervious but site runoff would continue to drain to the city's combined storm and sanitary sewer system. The foundation and portions of the building below grade would be constructed to be water tight to avoid the need to permanently pump and discharge water. The proposed project's impact on surface or ground water quality would be *less-than-significant* because

stormwater flows from the proposed project could be accommodated by the existing combined sewer system, and there would not be a substantial increase in stormwater flows.

**Impact C-HY-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact on hydrology and water quality. (Less than Significant)**

Given the discussion above, the proposed project would not have a significant impact on water quality standards, groundwater, drainage, or runoff and thus would not contribute considerably to any cumulative impacts in these areas. Flood and inundation hazards are site-specific; thus, the proposed project would not have considerable cumulative impacts because the site is not located in a floodplain. However, other proposed developments in the project area, in combination with the proposed project, could result in intensified uses and a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment in the City, has accounted for such growth in its service projections. Thus, the project's contribution to any cumulative impacts on hydrology or water quality would be less than significant. In light of the above, effects related to water resources from the proposed project would be *less-than-significant*, either individually or cumulatively.

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<u>Topics:</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<u>Not Applicable</u>
<b>15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, topics 15e and f are not applicable.

**Impact HZ-1: The proposed project would not create a significant hazard through routine transport, use, disposal, handling or emission of hazardous materials. (Less than Significant)**

The project would involve the construction of a 125,000-sf, 80-foot-tall, eight-story, residential building with a ground floor church, and would result in the use of relatively small quantities of hazardous materials for routine purposes. The development would likely handle common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards related to hazardous materials. Thus, the use of hazardous materials for the proposed project would be *less-than-significant* impacts.

**Impact HZ-2: Demolition and excavation of the project site could result in handling and accidental release of contaminated soils and hazardous building materials associated with historic uses. (Less than Significant)**

The project site is a vacant lot. The project site is not on the Hazardous Waste and Substances Sites List, commonly called the “Cortese List”, compiled by the California Department of Toxic Substances Control (DTSC) pursuant to Government Code Section 65962.5. The City adopted Ordinance 253-86 (signed by the Mayor on June 27, 1986), which requires analyzing soil for hazardous wastes within specified areas bayward of the historic high tide line, known as the Maher area, when over 50 cubic yards of soil is to be disturbed and on sites specifically designated by DPH.<sup>87</sup> The project site falls outside the boundary of the Maher Ordinance and, therefore, would not be subject to this ordinance.

The project site is not listed on the State Water Resources Control Board Geotracker database as a site with a Leaking Underground Storage Tanks (LUST). As such, the proposed project would not have hazardous materials associated with historic uses related to LUSTs requiring removal and disposal, resulting in the accidental release of contaminated soils and hazardous building materials.

Since the site contains a vacant lot no hazardous building material, such as asbestos, polychlorinated biphenyl (PCB), mercury from disposing fluorescent light bulbs and tubes, and lead based paint would not be present during construction operations. Demolition is not required for the proposed project. As a result of the proposed project, the accidental release from handling contaminated soils and hazardous building materials would be *less-than-significant*.

**Impact HZ-2: The proposed project would not create a potentially significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions**

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<sup>87</sup> The Maher Ordinance applies to that portion of the City bayward of the original high tide line, where past industrial uses and fill associated with the 1906 earthquake and bay reclamation often left hazardous waste residue in soils and groundwater. The ordinance requires that soils must be analyzed for hazardous wastes if more than 50 cubic yards of soil are to be disturbed.

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**involving the release of hazardous materials into the environment, including within one-quarter mile of a school. (Less than Significant)**

### **Setting**

Seven schools are within approximately one-quarter mile of the project site: Chinese American International School (.02 mile south), Sacred Heart Cathedral Preparatory (0.1 mile north), Civic Center Secondary School (0.2 mile southeast) Montessori House of Children (0.3 mile north) and Tenderloin Elementary (0.3 mile east).

The vacant lot was previously used as a church and temporarily as a community garden. As mentioned above, the project is not located on any the Hazardous Waste and Substances Sites List or has previously contained industrial uses.

### **Hazardous Soil**

The proposed project would include excavation to a depth of approximately 20 feet bgs and would require the removal and disposal of 5,000 cubic yards of soil. The project previously included a church that was constructed in 1892; however, the building burned down in 1996. The project site has remained vacant, aside from a temporary community garden use; this use has since been vacated. Thus, no historically industrial use was used on site.

In addition, the San Francisco Board of Supervisors approved and the Mayor signed a series of amendments to the San Francisco Building and Health Codes, referred to as the Soil and/or Groundwater Testing Requirements Ordinance (Ordinance No. 155-13, July 16, 2013), which is an update to the existing Maher Ordinance. The intent of the updated Maher Ordinance is to identify, investigate, analyze, and when deemed necessary, remediate hazardous substances in soils by expanding the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances in order to protect the environment and public health and safety. Although the project site is not within the boundaries of the updated Maher Ordinance and does not require further review by the Department of Public Health, a Phase 1 Environmental Site Assessment<sup>88</sup> was prepared for the project. The Phase 1 determined that there were no recognized environmental conditions, historically recognized environmental conditions, or issues with the project site; concluding that no further investigations for the property are necessary. In addition the closest Leaking Underground Storage Tank (LUST) in the area of the project is located 0.08 mile northwest of the site at 1080 Eddy Street, this tank was removed in 1999 and the soil was since excavated and backfilled; the site received a case closure in 2000. The proposed project would not result in a significant hazard to the public or environment from contaminated soil and the proposed project would result in a *less-than-significant* impact.

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<sup>88</sup> Phase 1 Environmental Site Assessment 950 Gough Street, AEI Consultants, December 15, 2005. This document is available

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**Other Hazardous Materials**

The project site is an existing vacant lot with no buildings. Therefore, no other hazardous materials (e.g., mold, lead-based paint) would be anticipated during construction.

**Impact HZ-3: The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Less than Significant)**

The proposed project would be an infill development, and would not alter or impede access to existing roads. As discussed in the transportation and circulation section, construction-related traffic would not obstruct emergency response vehicles in the project area. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan resulting in a *less-than-significant* impact.

**Impact HZ-4: The proposed project would not expose people or structures to a significant risk of loss, injury or death involving fires. (Less than Significant)**

The proposed project would comply with the San Francisco *Building and Fire Codes* which require life-safety protection for high-rise buildings, including establishment of procedures to be followed in case of fire or other emergencies. The final building plans would be reviewed by DBI and the SFFD. Therefore, the proposed project would not expose people or structures to a significant impact related to loss, injury or death involving fires, and would have a *less-than-significant* impact.

**Impact C-HZ-1: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the site vicinity, would not have a substantial cumulative impact with hazards and hazardous materials. (Less than Significant)**

Impacts from hazards are generally site-specific, and typically do not result in cumulative impacts. Any hazards present at surrounding sites would be subject to the same safety requirements discussed for the proposed project above, which would reduce any cumulative hazard effects to levels considered *less-than-significant*. As such, the proposed project would not contribute considerably to significant cumulative effects related to hazards and hazardous materials.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>16. MINERAL AND ENERGY RESOURCES— Would the project:</b>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact ME-1: The proposed project would have no impact on mineral resources. (No Impact)**

All land in the City of San Francisco, including the project site, is designated as Mineral Resource Zone (MRZ)-4 by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975.<sup>89</sup> The MRZ-4 designation indicates that adequate information does not exist to assign the area to any other MRZ; thus, the area is not designated as having significant mineral deposits. The project site has previously been developed, and future evaluations of the presence of minerals at this site would therefore not be affected by the proposed project. No operational mineral resource recovery sites exist in the project area whose operations or accessibility would be affected by the proposed project. Therefore, significance criteria 16(a) and (b) are not applicable to the proposed project and would have no impact.

**Impact ME-2: The proposed project would result in increased energy consumption, but not in large amounts or in a wasteful manner. (Less than Significant)**

The proposed project would add new residential and church mixed-use building, the project would construct a new eight-story, 80-foot-tall, 124,109 gsf building. Construction activities would require electricity to operate air compressors, hand tools, mobile project offices, and lighting. Construction vehicles and equipment would primarily use diesel fuel, and construction workers would use gasoline and diesel to commute. The construction activities would not result in demand for electricity or fuels greater than that for any other similar project in the region. Given this, the construction-related energy use associated with the proposed project would not be large or wasteful. Therefore, the construction-related impacts on fuel, water, or energy would be less than significant.

<sup>89</sup> California Division of Mines and Geology. Open File Report 96-03 and Special Report 146 Parts I and II.

The operation of the proposed building would not result in the use of large amounts of fuel, water, or energy. The proposed project would use energy produced in regional power plants using hydropower and natural gas, coal, and nuclear fuels and would not use substantial quantities of other nonrenewable natural resources. The proposed project would meet, or exceed, current state and local energy conservation standards, including the City's Green Building Ordinance and Title 24 of the California Code of Regulations, enforced by DBI. While the proposed project would increase demand for energy, the project-generated demand would be typical for a project of this size and would be negligible in the context of the overall consumer demand in San Francisco and the state. Therefore, the operation of the proposed building would not result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner and impacts are considered *less-than-significant*.

**Impact C-ME-1: The proposed project, in combination with the past, present, and reasonably foreseeable future projects in the site vicinity, would result in a less-than-significant cumulative impacts to energy and minerals. (Less than Significant)**

No known minerals exist at the project site and thus, the proposed project would not contribute to any cumulative impact on mineral resources. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco, the greater Bay Area, and the State, and would not in and of itself require any expansion of power facilities. The City plans to reduce GHG emissions to 25 percent below 1990 levels by the year 2017 and ultimately reduce GHG emission to 80 percent below 1990 levels by 2050 which would be achieved through a number of different strategies, including energy efficiency. Therefore, the energy demand associated with the proposed project would not substantially contribute to a cumulative impact on existing or proposed energy supplies or resources. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable mineral and energy resources impact.

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<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>17. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
<b>–Would the project</b>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Impact AF-1: The proposed project would not result in the conversion of farmland or forest lands to non-farm or non-forest use, nor would it conflict with existing agricultural or forest use or zoning. (No Impact)**

The project site is located in San Francisco, an urbanized area. No land in San Francisco County has been designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as agricultural land. Previously the project site contained a temporary use as a community garden; this use has since been vacated. Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project would not require the conversion of any land designated as prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project would not conflict with any existing agricultural zoning or Williamson Act contracts.<sup>90</sup> Additionally, the proposed project

<sup>90</sup> San Francisco is identified as "Urban and Built-Up Land" on the California Department of Conservation Important Farmland in California Map, 2008. Available online at: [www.consrv.ca.gov](http://www.consrv.ca.gov). Accessed August 30, 2013.

would not convert any forest land or timberland to non-forest use. Forest land is defined as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits” (Public Resources Code § 12220(g)). Timberland is defined as “land, other than land owned by the federal government and land designated by the board (State Board of Forestry and Fire Protection) as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species uses to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis after consultation with the district committees and others” (Government Code § 51104(g)). Therefore, significance criteria 18(a), (b), (c), (d), and (e) are not applicable to the proposed project.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:</b>					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



The foregoing analysis identifies potentially significant impacts to noise and air quality, which would all be mitigated through implementation of mitigation measures identified below and described within Section E.

- a) As discussed in the various topics in this Initial Study, the proposed project is anticipated to have less-than-significant impacts on the environmental topics discussed.
- b) The proposed project in combination with the past, present and foreseeable projects as described in Section E, would not result in cumulative impacts to land use, aesthetics, population and housing, transportation and circulation, noise, air quality, GHG emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural and forest resources.
- c) The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Topic E.1 (Land Use and Land Use Planning) would be generally consistent with local and zoning requirements. M-NO-2 (Construction Noise), M-AQ-2 (Construction Air Quality), and M-AQ-4 (Best Available Control Technology for Diesel Generators) would address noise and air quality. Implementation of these mitigation measures would reduce any direct and indirect impact to humans from construction and operation noise and the release of hazardous materials to less-than-significant levels.

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## F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

### *Project Mitigation Measure NO-2 Construction Noise*

1. Conduct noise monitoring at the beginning of major construction phases (e.g., grading, excavation) to determine the need and the effectiveness of noise attenuation measures.
2. Erect temporary plywood noise barriers around the construction site where the site adjoins noise sensitive receivers, such as the Chinese American International School along Gough Street and the elderly residency along Eddy Street.
3. Utilize noise control blankets on the building structure adjacent to the Chinese American International School and the elderly residency– and possibly other noise sensitive receivers – as the building is erected to reduce noise emission from the site.
4. Post signs on site pertaining to permitted construction days and hours, complaint procedures, and who to notify in the event of a problem, with telephone numbers listed.
5. Notify the Department of Building Inspection and neighbors in advance of the schedule for each major phase of construction and expected loud activities.
6. When feasible, select "quiet" construction methods and equipment (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds).
7. Require that all construction equipment be in good working order and that mufflers are

- inspected to be functioning properly. Avoid unnecessary idling of equipment and engines.
8. Mobile noise generating equipment (e.g., dozers, backhoes, and excavators) shall be required to prepare the entire site. However, the developer will endeavor to avoid placing stationary noise generating equipment (e.g., generators, compressors) within noise sensitive buffer areas (measured at linear 20 feet) between immediately adjacent neighbors.
  9. The project sponsor shall require the general contractor to use impact tools (e.g., jack hammers, pavement breakers, and rock drills) that are hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used, along with external noise jackets on the tools.

***Project Mitigation Measure M-AQ-2 Construction Air Quality***

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 or designee (ERO) 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 onsite power generation meets the requirements of Subsection (A)(1).

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 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 M-AQ-4: Best Available Control Technology for Diesel Generators***

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

***Improvement Measure I-WS-1: Wind Reduction on New Rooftop Deck***

To reduce wind and improve usability on the new rooftop deck, the project sponsor should provide wind screens or landscaping along the north and west perimeter of the new rooftop deck. Suggestions include *Planning Code* compliant porous materials or structures (vegetation, hedges, screens, latticework, perforated or expanded metal) as opposed to a solid surface.

***Improvement Measure I-TR-1a: Queue Abatement***

It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street,

alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

***Improvement Measure I-TR-1b: Transportation (Construction Activities)***

Construction traffic occurring between 7:00 and 9:00 am or between 3:30 and 6:00 pm would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although this would not be considered a significant impact. The Project Sponsor will require the construction contractor to limit truck movements to the hours between 9:00 am and 3:30 pm (or other times, if approved by the San Francisco Municipal Transportation Authority, or SFMTA) in order to minimize the disruption of the general traffic flow on adjacent streets during the AM and PM peak periods. The Project Sponsor and construction contractor will meet with the Traffic Engineering Division of the SFMTA, the Fire Department, Muni, the Planning Department and other City agencies to determine feasible measures to reduce traffic congestion and other potential transit and pedestrian circulation effects during construction of the proposed project.

## **G. PUBLIC NOTICE AND COMMENT**

On August 16, 2012, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially interested parties. Comments were received from six individuals or organizations. The comments regarding the proposed project's impact on the physical environment concerned potential shadow impacts, transportation, noise and construction site pollution. Concerns and issues raised in the public comments on the environmental review are discussed in the corresponding topical sections of this Initial Study/Negative Declaration. No significant, adverse environmental impacts from issues of concern have been identified. Comments that do not pertain to physical environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While local concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

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**H. — DETERMINATION**

On the basis of this Initial Study:

- I find that the proposed project ~~COULD NOT~~ have a significant effect on the environment, and a ~~NEGATIVE DECLARATION~~ will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A ~~MITIGATED NEGATIVE DECLARATION~~ will be prepared.
- I find that the proposed project ~~MAY~~ have a significant effect on the environment, and an ~~ENVIRONMENTAL IMPACT REPORT~~ is required.
- I find that the proposed project ~~MAY~~ have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ~~ENVIRONMENTAL IMPACT REPORT~~ is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or ~~NEGATIVE DECLARATION~~ pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or ~~NEGATIVE DECLARATION~~, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

DATE \_\_\_\_\_

\_\_\_\_\_  
 Sarah B. Jones  
 Environmental Review Officer  
 for  
 John Rahaim  
 Director of Planning

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**PROJECT SPONSOR**

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## H. COMMENTS RECEIVED IN RESPONSE TO THE PMND

A “Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration” was mailed on May 20, 2014, to owners of properties within 300 feet of the project site, adjacent occupants, and neighborhood groups. Two comment letters were received. Comments regarding physical environmental effects were related to: (1) Traffic; (2) Cultural and Paleontological Resources; and (3) Shadow. These comments have been addressed under the topics in Section E, Evaluation of Environmental Effects under the following topics: Comment (1) under Topic 2, Population and Housing; Comment (2) under Topic 4, Transportation and Circulation; and Comment (3) under Topic 8. Additionally, comments that were not related to physical environmental effects were received, and are addressed in this section.

Comment (1): Refers to impacts associated with the curb-cut location along Eddy Street. The commenter suggests the curb-cut should be located along Gough Street. The commenter also suggests that the proposed location on Eddy Street would result in an impact on the existing transit circulation and fire and police access throughout San Francisco.

Page 34 addresses “Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, nor would the proposed project conflict with an applicable congestion management program. (Less than Significant)” in addition, the project sponsor has agreed to implement “Improvement Measure I-TR-1a Queue Abatement” which addresses potential issues regarding vehicle queueing along Eddy Street. The commenter also notes that there are already a number of existing curb-cuts along Gough Street and therefore the statement on page 43 of this document “Location of the curb-cut along Eddy Street would be ideal opposed to Gough Street, which contains a steep slope and three lanes of one-way traffic” would not be valid. The project site is a corner lot and therefore there is the option to have the vehicle access on either Gough or Eddy Streets. The topography of Gough Street along with the three lanes of one-way traffic made Eddy Street the more viable option for vehicle access.

Comment (2): Refers to impacts associated with cultural resources. The commenter suggests that the proposed project would have a significant impact on the historical resources at 964 Eddy Street and 1010 Gough Street. The Commenter believes that the height of the proposed structure along with the shadow on private property would “detract from the value of these historical resources.”:

Page 30 confirms that the proposed project is not located within a historic district and the development of the vacant lot across the street would not have an impact on the character defining features of the historic resources. The commenter also suggests that any new shadow cast on the historic resources from the proposed project would “physically overwhelm the two San Francisco Designated Landmarks located directly across Eddy Street from the project site, a “substantial adverse change” to the value of these historical resources.” Shadowing on private properties is not an impact under the California Environmental Quality Act and the proposed project would be built within the height limitations of the district, any comments

related to the proposed design of the project are not related to the physical environment and would be addressed during the entitlement process.

Comment (3): Makes the statement that any additional shadow on the Jefferson Park beyond the previous structure would not be allowed under Section 295 of the Planning Code (Proposition K).

The shadow of the proposed project on Jefferson Square is not limited to the shadow of the previous structure. Page 78 states that the established tolerance limits are based on the additional new shadow-foot-hours expressed as a percentage of the theoretical total foot-hours of sunlight for each park over a period of one year. Jefferson Square Park is larger than 2 acres and shadowed less than 20% of the year. The Prop K memo establishes a potentially permissible quantitative limit for additional shadows where the Absolute Cumulative Limit is up to 1.0% if the specific shadow meets the additional qualitative criteria. The proposed new shadow of the structure would be less than 1.0%.

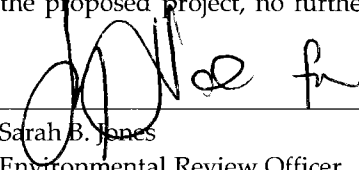
## I. DETERMINATION

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

DATE

6/15/15

  
 Sarah B. Jones  
 Environmental Review Officer  
 for  
 John Rahaim  
 Director of Planning

## **J. INITIAL STUDY PREPARERS**

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