



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.1218E
 Project Address: 645 Texas Street
 Zoning: Mixed Use Residential (MUR)
 40-X
 Block/Lot: 4102/026
 Lot Size: 32,495 square feet
 Plan Area: Eastern Neighborhoods Area Plan
 Project Sponsor: Jessie Stuart, Trumark Urban- (415) 370-1767
 Staff Contact: Laura Lynch- (415) 575-9045
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PROJECT DESCRIPTION

The project site is located at 645 Texas Street and 1300 22nd Street (herein referred to as 645 Texas Street). The project site is on Assessor's block 4102, lot 026 and is a corner lot with frontages along 22nd, Texas and Mississippi Streets. The lot size is approximately 32,500 square feet (sf). Two existing one and two-story structures occupy the site and include industrial, institutional and office uses, totaling approximately 30,000 sf. The existing 22 and 18-foot tall structures were constructed in 1948 and 1983, respectively. The project site includes a parking lot, providing 10 parking spaces and four loading spaces that are accessed via two curb-cuts, one along 22nd Street and one along Mississippi Street. Development of the project would require all on-site businesses to relocate. The site is minimally vegetated with shrubbery and non-native trees.

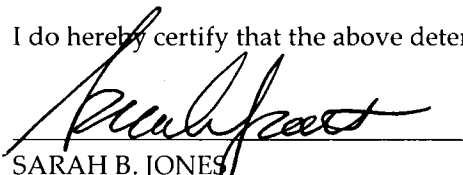
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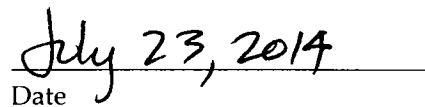
EXEMPT STATUS

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

DETERMINATION

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


 SARAH B. JONES
 Environmental Review Officer


 Date

cc: Trumark Urban, Project Sponsor; Supervisor Malia Cohen, District 10; Diego Sanchez, Current Planning Division; Rich Sucre, Historic Preservation Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The project sponsor, Trumark Urban, proposes to demolish the existing buildings at 645 Texas and 1300 22nd Streets and construct a five-story, 45-foot (ft) tall building (up to 60 ft measuring to the top of the elevator penthouse). The project would consist of 91-93 residential units with approximately 108,000 gross sf of residential and accessory uses.¹ The project would provide a residential unit mix of approximately 37 one-bedroom units and 56 two-to three-bedroom units. In addition, the project would include about 545 sf of ground floor retail and approximately 9,500-11,000 sf of common and private open space. Common open space (8,500 - 9,500 sf) would be provided within an interior courtyard and a communal roof deck. Private open space (1,000 - 1,500 sf) would be provided via balconies and decks for 19 units; each about 60-300 sf. The project would also provide approximately 26,780 sf of below grade parking with a total of 65 - 73 vehicle spaces, two car share spaces, and 96 Class I bicycle parking spaces. Eight Class II bicycle parking spaces will be located on 22nd Street. Access to the parking garage would be provided by a new 10-foot curb-cut along Mississippi Street.

PROJECT APPROVAL

The proposed project is subject to notification under Section 306 of the Planning Code. A hearing with the Planning Commission would be required for approval of the Large Project Authorization (LPA) pursuant to Planning Code Section 329. The Planning Commission approval of the LPA would be the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EXEMPTION OVERVIEW

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

The project site is located within the Showplace Square/Potrero Hill Plan Area, which was evaluated as part of the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans² (Eastern Neighborhoods PEIR). The proposed project is also consistent with the zoning controls and the

¹ The environmental analysis is based on 93 units. However, the figures provided are based on 91 units. Any units in addition to the 91 shown on the figures would be provided within the building envelope presented in those figures.

² Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048.

provisions of the Planning Code applicable to the project site.^{3,4} This determination evaluates the potential project-specific environmental effects of the 645 Texas Street project described above, and incorporates by reference information contained in the PEIR. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{5,6}

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

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods PEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed-uses. Option B fell between Options A and C. The Draft PEIR also evaluated two community-proposed alternatives that focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR.

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the

³ Adam Varant, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 645 Texas Street, July 7, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1218E.

⁴ Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 645 Texas Street, July 7, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1218E.

⁵ San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

⁶ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned from M-1 (Light Industrial) to the MUR (Mixed Use Residential) District. The MUR District is intended to serve as a major housing opportunity area within the eastern portion of the South of Market. The district controls are intended to facilitate the development of high-density, mid-rise housing, including family-sized housing and residential hotels. The district is also designed to encourage the expansion of retail, business service and commercial and cultural arts activities. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Exemption (CPE) Checklist,⁷ under Land Use. The 645 Texas Street site, which is located in the Showplace Square/ Potrero Hill Plan Area of the Eastern Neighborhoods, was designated as a site allowing buildings up to 40 feet in height (or 45 ft with the approval of an LPA).

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 645 Texas Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 645 Texas Street project, and identified mitigation measures applicable to the 645 Texas Street project. Therefore, no further CEQA evaluation for the 645 Texas Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The project site is located within the Potrero Hill neighborhood; on Assessor's block 4102, lot 026. The project is on a corner parcel with frontages on Texas, 22nd and Mississippi Streets. The project site is an irregular shaped lot totaling 32,500 sf with two curb cuts allowing vehicle access from 22nd and Mississippi Streets. The project is located within a 40-X height and bulk district and is zoned MUR. Parcels north of the project site are zoned MUR and Residential House, Two Family (RH-2) providing a number of single-family homes and two-unit residential structures, these buildings range from one to three stories. Parcels to the east and west of the project site are zoned MUR and consists of residential, commercial, live/work, and mixed use buildings, these buildings range from three to four stories. South of the project site, parcels are zoned PDR and include a number of single-story, industrial uses; types of industrial uses include a dog grooming facility and wood flooring warehouse.

The project site is located within a 40 ft height district. Industrial buildings north and south of the site range from approximately 16 to 25 ft in height, while the residential structure west of the site varies in height from 43 to 56 ft, and the live/work residential structures east of the project site range in height from 22 to 45 ft.

As part of Large Project Authorization, the Planning Commission would review and evaluate all physical aspects of a proposed project at a public hearing. At such hearing, the Director of Planning would present

⁷ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2012.1218E and online at <http://www.sf-planning.org/index.aspx?page=2780>.

any recommended project modifications or conditions to the Planning Commission. The Planning Commission may subsequently require these or other modifications or conditions, or disapprove the project, in order to achieve the objectives and policies of the General Plan or the Planning Code. Further, as a component of the review process under this Section 329, projects may seek specific exceptions to the provisions of this Code. The proposed project would seek an exception from the height limit in requesting minor deviations from the provisions for the measurement of height as part of the Large Project Authorization.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 645 Texas Street project was determined to be consistent with the development density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 645 Texas Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

The PEIR identified significant and unavoidable impacts in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would result in a net loss of approximately 20,000 sf of PDR building space and would contribute to the significant cumulative land use impact identified in the PEIR. In addition, the project would involve the demolition of two buildings determined not to be historic resources by Preservation staff; therefore, demolition of these buildings would not result in a significant impact on historic resources. Traffic and transit ridership generated by the project would not considerably contribute to the traffic and transit impacts identified in the Eastern Neighborhoods PEIR. A shadow study was conducted for the proposed project and determined the project would not shade any Planning Code Section 295 or non- section 295 open spaces. The project would shade nearby sidewalks, but at levels commonly expected in urban areas.

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

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability
F. Noise	
F-1: Construction Noise (Pile Driving)	Applicable: project would include pile driving which may expose neighboring residences to temporary noise and vibration. Therefore the project contractor shall ensure piles be pre-drilled and undertake other measures to reduce

Mitigation Measure	Applicability
	noise from pile driving.
F-2: Construction Noise	Applicable: temporary construction noise would occur from the use of heavy equipment.
F-3: Interior Noise Levels	Not Applicable: project is subject to California Noise Insulation Standards in Title 24.
F-4: Siting of Noise-Sensitive Uses	Applicable: project would add noise sensitive uses in areas where noise levels exceed 60 dBA (Ldn). The requirements of this mitigation measure have been completed during the environmental review process through the preparation of a noise study.
F-5: Siting of Noise-Generating Uses	Not Applicable: project would is not expected to generate excessive noise levels.
F-6: Open Space in Noisy Environments	Applicable: The requirements of this mitigation measure have been complied with as part of this environmental review process and the majority of open space is shielded by proposed buildings. No Further mitigation is required.
G. Air Quality	
G-1: Construction Air Quality	Not Applicable: project would comply with the San Francisco Dust Control Ordinance.
G-2: Air Quality for Sensitive Land Uses	Not Applicable: project is not in the Air Pollutant Exposure Zone.
G-3: Siting of Uses that Emit DPM	Not Applicable: proposed residential land uses are not uses that would emit substantial levels of DPM.
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed residential land uses are not uses that would emit substantial levels of other TACs.
J. Archeological Resources	
J-1: Properties with Previous Studies	Not Applicable: project site does not contain any previous archeological studies.
J-2: Properties with no Previous Studies	Applicable: project site is located in an area with no previous archeological studies. As a result, in compliance with Mitigation Measure J-2, the project contractor would be required to be on alert for archeological resources throughout the construction period.

Mitigation Measure	Applicability
J-3: Mission Dolores Archeological District	Not Applicable: project site is not located within the Mission Dolores Archeological District.
K. Historical Resources	
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan Area	Not Applicable: plan-level mitigation completed by Planning Department.
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission.
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission.
L. Hazardous Materials	
L-1: Hazardous Building Materials	Applicable: project involves the demolition of industrial buildings.
E. Transportation	
E-1: Traffic Signal Installation	Not Applicable: plan-level mitigation required by San Francisco Municipal Transit Agency (SFMTA).
E-2: Intelligent Traffic Management	Not Applicable: plan-level mitigation required by SFMTA.
E-3: Enhanced Funding	Not Applicable: plan-level mitigation required by SFMTA & San Francisco County Transit Authority (SFCTA).
E-4: Intelligent Traffic Management	Not Applicable: plan-level mitigation required by SFMTA & Planning Department.
E-5: Enhanced Transit Funding	Not Applicable: plan-level mitigation required by SFMTA.
E-6: Transit Corridor Improvements	Not Applicable: plan-level mitigation required by SFMTA.
E-7: Transit Accessibility	Not Applicable: plan-level mitigation required by SFMTA.
E-8: Muni Storage and Maintenance	Not Applicable: plan-level mitigation required by SFMTA.
E-9: Rider Improvements	Not Applicable: plan-level mitigation required by SFMTA.

Mitigation Measure	Applicability
E-10: Transit Enhancement	Not Applicable: plan-level mitigation required by SFMTA.
E-11: Transportation Demand Management	Not Applicable: plan-level mitigation required by SFMTA.

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

PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on February 12, 2014 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Eight individuals submitted concerns regarding the proposed project. These concerns are related to parking, pedestrian safety at the intersection of Texas and 22nd Streets, traffic, recreation, hazardous materials, noise, shadow, design, and compliance with existing zoning. The Community Plan Exemption Checklist addresses these concerns, as they relate to physical environmental effects, in the applicable checklist topics. Non-CEQA related comments regarding the design, height and bulk restrictions, and Planning Code requirements were noted and forwarded to Current Planning staff, which would review the entitlement application and provide recommendations to the Planning Commission. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public.

CONCLUSION

As summarized above and further discussed in the CPE Checklist:⁸

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

⁸ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2012.1218E and online at <http://www.sf-planning.org/index.aspx?page=2780>.

5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

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

Attachment A: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
MITIGATION MEASURES FROM THE EASTERN NEIGHBORHOODS AREA PLAN EIR				
<p>PMM-1 –Archeological Resources (PEIR Mitigation Measure J-2) The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	<p>Project sponsor/ Planning Department</p>	<p>Prior to any soil- disturbing activities on the project site.</p>	<p>Distribute Planning Department Archeological Resource “Alert” sheet to prime contractor, sub- contractors and utilities firms;</p> <p>Project sponsor, archeologist and Environmental Review Officer (ERO). Submit signed affidavit of distribution to ERO.</p>	<p>Date Signed affidavit submitted to the ERO: _____</p>
<p>Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.</p>	<p>Head Foreman and/or project sponsor</p>	<p>Accidental discovery.</p>	<p>Suspend any soils disturbing activity; and Notify ERO of accidental discovery.</p>	
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an</p>	<p>Project Sponsor/ Archeological consultant</p>	<p>In case of accidental discovery.</p>	<p>If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained.</p>	

Attachment A: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.			Identify and evaluate archeological resources; make recommendation to the ERO.	
Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.	Project Sponsor	After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.	ERO	
The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.	Project Sponsor	Following completion of any* archeological field program. (*Required.)	Submittal of Draft/ Final FARR to ERO.	
Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning	Project Sponsor		Distribution of Final FARR.	

Attachment A: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.				
PMM-2 – Construction Noise from pile driving (Mitigation Measure F-1 of the Eastern Neighborhoods FEIR). The project sponsor shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.	Project sponsor/ project contractor	During construction.	Project sponsor/ contractor shall provide monthly reports to the Planning Department throughout all construction pile driving activities.	Considered complete upon receipt of final monitoring report at completion of construction.
PMM-3 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods FEIR). The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:	Project sponsor	Prior to and during construction.	Project sponsor, contractor(s), shall provide Department of Building Inspection and the Planning Department with monthly reports during construction period.	Considered complete upon receipt of final monitoring report at completion of construction.

Attachment A: MITIGATION MONITORING AND REPORTING PROGRAM (Includes Text for Adopted Mitigation Measures)				
MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<ul style="list-style-type: none"> • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 				
<p>PMM-4 – Hazardous Building Materials. The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor/ contractor	Prior to demolition of structures	Project Sponsor/contractor shall submit a monitoring report to the Department of Public Health and Planning.	Considered complete upon receipt of final monitoring report.



SAN FRANCISCO PLANNING DEPARTMENT

Attachment B: Community Plan Exemption Checklist

Case No.: 2012.1218E
Project Address: 645 Texas Street (aka 1300 22nd Street)
Zoning: MUR (Mixed-Use Residential Use) District
40-X Height and Bulk District
Block/Lot: 4102/026
Lot Size: 32,495 square feet
Plan Area: Eastern Neighborhoods Area Plan
Project Sponsor: Jessie Stuart, Trumark Urban
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PROJECT DESCRIPTION

Project Location

The project site is within the Potrero Hill/Showplace Square Area Plan that was evaluated as part of the Eastern Neighborhoods Rezoning & Area Plans Programmatic Final Environmental Impact Report (PEIR) (see Figure 1. Project Location). The project site is located at 645 Texas Street and 1300 22nd Street (herein referred to as 645 Texas Street). The project site is on Assessor's block 4102, lot 026 and is a corner parcel with frontages along 22nd, Texas and Mississippi Streets. The lot size is approximately 32,500 square feet (sf). The project site is located within the Mixed Use Residential (MUR) Use District and within the 40-X height and bulk district. The project site is well served by transit and is located approximately two blocks away from the Caltrain Station at 22nd Street, between Pennsylvania Avenue and Iowa Street.

Two existing one and two-story structures occupy the site and include industrial, institutional and office uses, totaling approximately 30,000 sf. The existing 22 and 18 foot (ft) tall structures were constructed in 1948 and 1983, respectively. The project site includes a parking lot that provides 10 parking spaces and four loading spaces that are accessed via two curb cuts, one along 22nd Street and one along Mississippi Street. The existing buildings are occupied with industrial, institutional and office spaces; the institutional use on site is Norcal Vocational Inc., providing services for people with developmental disabilities. Development of the project would require all on-site businesses to relocate. The site is minimally vegetated with shrubbery and non-native trees.

Project Characteristics

The project sponsor, Trumark Urban, proposes to demolish the existing buildings at 645 Texas Street and 1300 22nd Street and construct a five-story, 45 ft-tall building (up to 60 ft measuring to the top of the elevator penthouse). The project would consist of 91-93 residential units with approximately 108,000 gross sf of residential and accessory uses.¹ The project would provide a residential unit mix of approximately 37 one-bedroom units and 56 two- to three-bedroom units. In addition, the project would include about 545 sf of ground floor retail and 9,500-11,000 sf of common and private open space.

¹ The environmental analysis is based on 93 units. However, the figures provided are based on 91 units. Any units in addition to the 91 shown on the figures would be provided within the building envelope presented in those figures.

Common open space (8,500- 9,500 sf) would be provided within an interior courtyard and a communal roof deck. Private open space (700 - 1,500 sf) would be provided via balconies and decks for 19 units, each about 60-300 sf. The project would also provide approximately 26,780 sf of below grade parking with a total of 65-73 vehicle spaces, two car share spaces, and 96 Class I bicycle parking spaces. Access to the parking garage would be provided by a new 10 ft curb cut along Mississippi Street.

The project proposes a new bulb-out at the corner of 22nd and Mississippi Streets. The project would remove the existing curb cuts along 22nd and Mississippi Streets; this would create one additional on-street parking space and one on-street loading space along 22nd Street. Loading would be allowed from 9:00 a.m. to 3:00 p.m. Monday-Friday. In addition, eight new on-street bicycle parking spaces are proposed along 22nd Street. Figure 2 shows the proposed project site plan. Figures 3 through 8 show the proposed floor plans. Figures 9 and 10 illustrate east, west and southern elevations.

Project Construction

Construction activities would consist of demolition, excavation, and below and above grade construction. Project construction is expected to last 18 months with approximately two months of pile driving and drilling for support piers. Construction activities would require excavation to a depth of about 15 ft below grade and 14,500 cubic yards of soil disturbance.

SETTING

The project is located within a 40-X height and bulk district and is zoned MUR. Parcels north of the project site are zoned MUR and Residential House, Two Family (RH-2) providing a number of single-family homes and two-unit residential structures, these buildings range from one to three stories. Parcels to the east and west of the project site are zoned MUR and consists of residential, commercial, live/work, and mixed use buildings, these buildings range from three to four stories. South of the project site, parcels are zoned Production Distribution and Repair (PDR) and include a number of single-story, industrial uses; types of industrial uses include a dog grooming facility and wood flooring warehouse.

The project site is located within a 40 ft height district. Industrial buildings north and south of the site range from approximately 16 to 25 ft in height, while the residential structure west of the site varies in height from 43 to 56 ft, and the live/work residential structures east of the project site range in height from 22 to 45 ft.

PROJECT APPROVAL

The issuance of a Planning Code Section 329, Large Project Authorization, by the San Francisco Planning Commission is the Approval Action per Chapter 31 of the San Francisco Administrative Code. The Approval Action date establishes the start of the 30-day appeal period for this California Environmental Quality Act (CEQA) exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

The proposed project at 645 Texas Street would require the following approvals:

Actions by the Planning Commission

- Large Project Authorization

Actions by other City Departments

- Approval of a Site Mitigation Plan (SMP) from the San Francisco Department of Public Health (DPH) prior to commencement of any excavation work;
- Building Permit from the Department of Building Inspection (DBI) for the demolition of the existing building on the project site;
- Building Permit from DBI for the Site Permit and construction of the residential building;
- Encroachment Permit from the Department of Public Works (DPW) for the proposed corner extension along 22nd and Texas Streets, installation of street trees and Class II bicycle parking; and
- Approval from the San Francisco Municipal Transportation Agency (SFMTA), through the Color Curb Program, for the proposed on-street loading.



Figure 1. Location Map

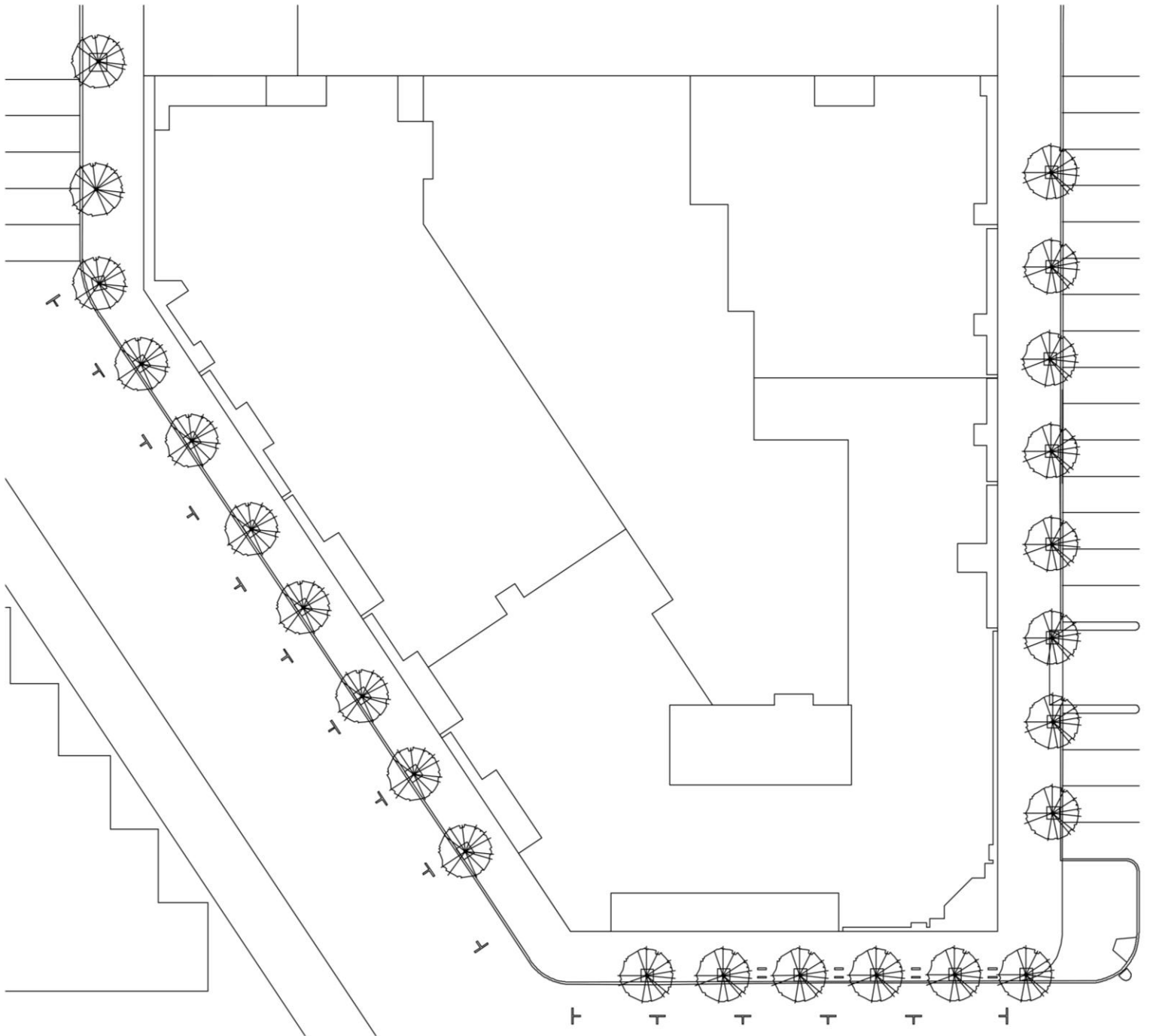


Figure 2. Proposed Site Plan

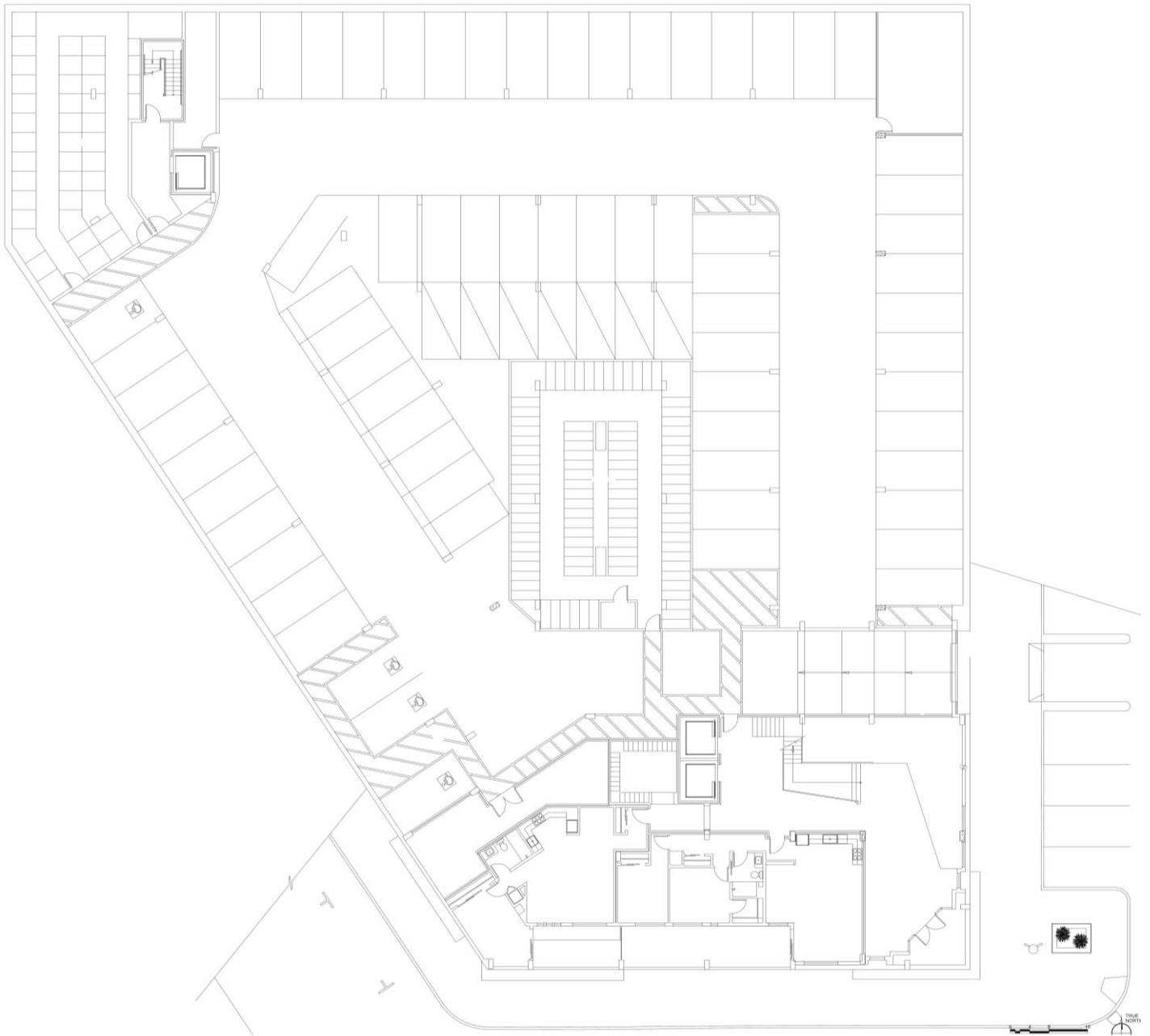


Figure 3. Proposed Garage Level Plan



Figure 4. Proposed 1st Floor Plan



Figure 5. Proposed 2nd Floor Plan



Figure 6. Proposed 3rd Floor Plan



Figure 7. Proposed 4th Floor Plan



Figure 8. Proposed 5th Floor/Roof Plan

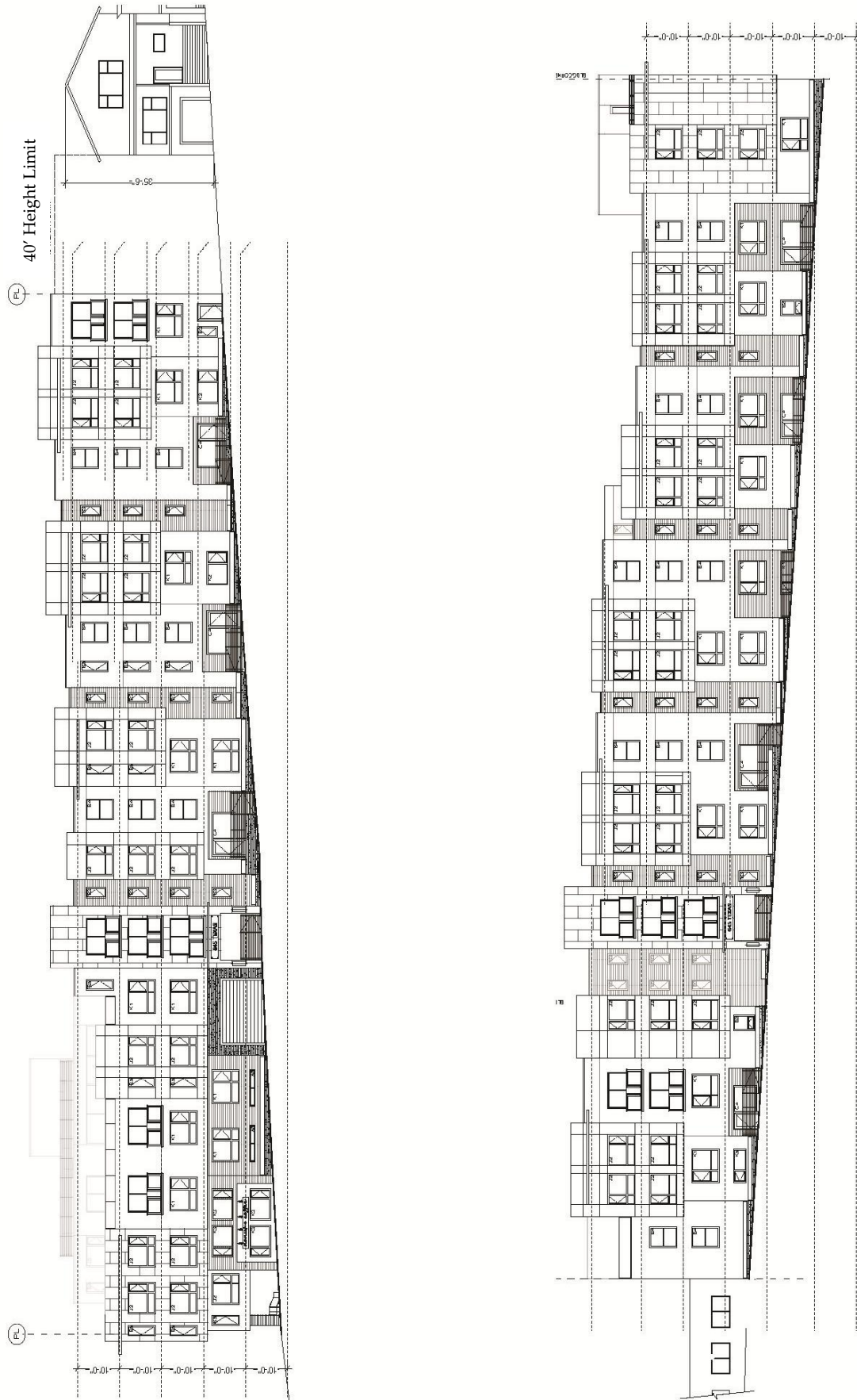


Figure 9. Proposed West and East Elevations



Figure 10. 22nd Street/ South Elevation

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).² The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such impacts are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are listed on page 51.

The Eastern Neighborhoods PEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Additionally, the PEIR identified significant cumulative impacts related to land use, transportation, and cultural resources. Mitigation measures were identified for the above impacts and reduced all impacts to less-than-significant except for those related to land use (cumulative impacts on PDR use), transportation (program-level and cumulative traffic impacts at nine intersections; program-level and cumulative transit impacts on seven Muni lines), cultural resources (cumulative impacts from demolition of historical resources), and shadow (program-level impacts on parks).

The proposed project would include construction of a 108,000 gross square foot residential/retail mixed-use building. As discussed below in this checklist, the proposed project would not result in new significant environmental effects or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

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:

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

The proposed project meets each of the above three criteria because the project proposes residential and retail uses (i.e. mixed-use residential), is located within an urban environment and on a site that was

² San Francisco Planning Department, Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (PEIR), Planning Department Case No. 2004.0160E, State Clearinghouse No. 2005032048, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

previously developed, and is located within a transit priority area due to its close proximity to the Caltrain Station at 22nd Street between Pennsylvania Avenue and Iowa Street.³ Thus, this checklist does not consider aesthetics in determining the significance of project impacts under CEQA. The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes, in the Transportation and Circulation Section.

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

Eastern Neighborhoods Plan Area PEIR

The Eastern Neighborhoods Rezoning and Area Plans rezoned much of the City’s industrially zoned land. The goals of the Area Plan were to reflect local values, increase housing, maintain some industrial land supply, and improve the quality of all existing areas with future development. A major issue discussed in the Area Plan process was the degree to which existing industrially zoned land would be rezoned to primarily residential and mixed-use districts. Therefore, reducing the availability of land traditionally used for light industrial uses, also known as PDR (Production, Distribution, and Repair).

The Eastern Neighborhoods PEIR evaluated three land use alternatives. Option A retained the largest amount of existing land that accommodated PDR uses and converted the least amount of industrially zoned land to residential use. Option C converted the most existing land accommodating PDR uses to residential and mixed uses. Option B fell between Options A and C.

While all three options were determined to result in a decline in PDR employment, the loss of PDR jobs was determined to be the greatest under Option C. The alternative ultimately selected – the ‘Preferred Project’ – represented a zoning designation that ultimately fell between Options B and C. Because the amount of PDR space to be lost with future development under all three options could not be precisely gauged, the PEIR determined that the Preferred Project would result in a significant and unavoidable impact on land use character, due to the cumulative loss of PDR use in the Plan Area. This impact was addressed in a Statement of Overriding Considerations with CEQA Findings and adopted as part of the Eastern Neighborhoods Rezoning and Area Plans approval on January 19, 2009.

³ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 645 Texas Street, March 21, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2012.1218E.

The Eastern Neighborhoods PEIR included Mitigation Measure A-1, for land use controls in Western SoMa that could incorporate, at a minimum, no net loss of land currently designated for PDR uses, restrict non-PDR uses on industrial (or other PDR-designated) land, and incorporate restrictions on potentially incompatible land uses proximate to PDR zones. These PDR zones are often found in clusters, similar to the PDR 1-G zoning district located south of the project. The mitigation measure was judged to be infeasible because the outcome of the community-based Western SoMa planning process could not be known at the time and the mitigation measure was seen to conflict with other City policy goals, including the provision of affordable housing.

Additionally the Eastern Neighborhoods PEIR determined that land use impacts related to physically dividing an established community (1a) or conflicting with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigation an environmental effect (1b) to be less than significant.

Proposed Project

As discussed in the Eastern Neighborhoods PEIR, the underlying premise of the Eastern Neighborhoods Area Plans was that by delineating PDR-focused zones, separate from residential and neighborhood commercial districts, PDR activities would tend to concentrate in PDR zones more so than the M-1 (Light Industrial) and M-2 (heavy industrial) zoning categories which allowed for a mix of industrial, residential and commercial activities. Transitions between PDR zones and residential areas would be achieved by UMU zoning (Mixed-Use Urban) or MUR zoning. The concentration of PDR activities would result in more cohesive neighborhood subareas with a greater consistency in land use and building types with clearly defined residential neighborhoods and commercial corridors. PDR clusters, as the Area Plan refers to, would preserve PDR uses by minimizing the secondary economic effects that are related to increases in land values that occur through the conversion of specific sites to nonindustrial uses, undermining the economic viability of existing and adjacent industrial agglomerations.

Prior to rezoning that occurred under the Eastern Neighborhoods Rezoning and Area Plans process, the project site was zoned Light Industrial (M-1). This zoning designation was changed to the current MUR designation. As discussed above, the project site is currently occupied by two existing buildings housing office, institutional, and industrial uses. Development of the proposed project would require these businesses to relocate elsewhere. Other PDR businesses near the project site include a dog training facility, wood flooring warehouse, and caterer. Development of the proposed project would result in a net loss of approximately 14,000 sf - 18,000 sf of PDR building space that is proximate to other PDR businesses and would therefore contribute to the significant cumulative land use impact identified in the PEIR. Mitigation Measure A-1 applied to the Planning Commission and Board of Supervisors' actions and does not apply to individual development projects.

The proposed project would be constructed within the existing lot boundaries and would not alter the established street grid or permanently close any streets or sidewalks. The proposed project would be consistent with the land use and zoning regulations adopted in the Eastern Neighborhoods PEIR.⁴⁵

⁴ Adam Varant, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 645 Texas Street, July 7, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1218E.

⁵Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 645 Texas Street, July 7, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1218E.

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

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

Eastern Neighborhoods Plan Area PEIR

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City’s traditionally industrially zoned land to meet the citywide demand for additional housing. The Eastern Neighborhoods PEIR concluded that an increase in population in the Plan Area is expected to occur as a secondary effect of the proposed rezoning and that any population increase would not, in itself, result in adverse physical effects. This rezoning would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City’s Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plans. The Eastern Neighborhoods PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR.

Proposed Project

The proposed project would increase the population on site by replacing the existing office, industrial, and institutional uses with 93 new dwelling units, adding approximately 200 new residents to the area.⁶ The existing businesses on-site would be required to relocate within available office, industrial and institutional spaces. However, the proposed project would not displace a substantial number of housing units because the project site contains no residences. As such, construction of replacement housing would not be necessary. These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Area Plan and evaluated in the Eastern Neighborhoods PEIR.

⁶ Based on the average household size of 2.15 persons per household identified in the Eastern Neighborhoods PEIR.

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

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

Historic Architectural Resources

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

The PEIR identified three mitigation measures that were tasked to the Planning Department that could reduce the severity of impacts to historic resources as a result of development enabled under the Plan Areas (Mitigation Measures K-1 to K-3). These mitigation measures were the responsibility of the Planning Department and do not apply to subsequent development projects. Demolition or substantial alteration of a historic resource typically cannot be fully mitigated; therefore, the PEIR concluded that the Eastern Neighborhoods Area Plans would have a significant and unavoidable impact on historic resources.

Specific to the project site, Preservation staff evaluated the two existing buildings for potential impacts to historic resources. In evaluating whether the proposed project would have an impact on historic resources under CEQA, the Planning Department must first determine whether the buildings on the project site are considered historic resources. A property may be considered a historic resource if it meets

any of the California Register of Historical Resources criteria related to: (1) Events, (2) Persons, (3) Architecture, or (4) Information Potential that make it eligible for listing in the California Register of Historical Resources, or if it is considered a contributor to a potential historic district.

To assist with the determination of the property's historic eligibility, an Historic Resource Evaluation (HRE) was prepared to provide further background information. The structures at the project site were constructed in 1948 and 1983. Planning Department records show that the buildings were not inhabited by any person(s) of significance (Criterion 1) and no significant events occurred on the site (Criterion 2). The original architects of the property along the northwest corner of 22nd and Mississippi Streets (1948) was Hertzka & Knowles; this building represents a simple one and two story industrial building and is not representative work of the master architects. The property along Texas Street was designed by Robert Gefken (1983) and was constructed as a two-story office building; thus, neither building is noted for its architectural style (Criterion 3). Preservation staff determined neither building is a historical resource for the purposes of CEQA.⁷

As such, the subject property is not considered a historic resource under CEQA and demolition of the existing buildings would not result in a significant impact. In addition, the project site is not located within a known or eligible historic district. For these reasons, the proposed project would not result in significant impacts on historic architectural resources that were not identified in the Eastern Neighborhoods PEIR.

Archeological Resources

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

The property at 645 Texas Street has no previous archeological assessment and therefore the project would be required to implement Mitigation Measure J-2. In accordance with Mitigation Measure J-2, Preliminary Archeological Review (PAR) was conducted by Planning Department staff archeologists. The existing property and the proposed project's excavation depth were analyzed. The project purposes a below grade parking garage requiring excavation to a depth of 15 ft; therefore, the project was determined to have the potential to affect below-grade archeological resources. As a result, in compliance with Mitigation Measure J-2 of the PEIR, the project would be required to implement the Project Mitigation Measure 1, which requires the project contractor to be on alert for archeological resources throughout the construction period. Should archeological resources be encountered, all soils disturbing activities must cease until the significance of the resources is evaluated in the event that archeological

⁷ Left Coast Architectural History, *1300 22nd Street Historical Resource Evaluation*, September 9, 2013. This report is available for review, by appointment, at the Planning Department, 1650 Mission Street, Suite 400, in File No. 2012.1218E.

resources are discovered, additional actions and reporting requirements must be completed by the project sponsor. The full text of Project Mitigation Measure 1 is found on page 51.

Human Remains

The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. Thus, the project would not have the potential to result in significant impacts from the disturbance of human remains.

Paleontological Resources

A geotechnical report was prepared for the proposed project. Borings to a depth of 17-26 ft were analyzed. Soils beneath the site consists of approximately 3 ft of fill, below that, approximately 8-10 ft of clay, underlain by a silty sand to a depth of approximately 13 ft, underlain by sandy lean and fat clay to a depth of 15 to 26 ft, underlain by strong serpentinite bedrock at a depth of 15-26 ft. Based on review by the geotechnical engineer, the soils located below the imported fill (3 ft) and above the juristic aged bedrock (15-26 ft) are alluvial in nature and appear to be of Holocene Age. By definition, to be considered a fossil, a specimen must be more than 11,000 years old. Therefore, earthmoving activities in the Holocene-age material would have no impact on unique paleontological resources.⁸ In addition the serpentine bedrock is a metamorphic rock and has a low-potential for containing paleontological resources.⁹ Thus, the project would not have the potential to result in significant impacts from the disturbance of paleontological resources.

The proposed project would be required to implement project Mitigation Measure 1, in compliance with the PEIR. For the reasons discussed above, the proposed project would not result in significant impacts on archeological resources that were not identified in the Eastern Neighborhoods PEIR.

⁸ San Francisco Planning Department, California Pacific Medical Center, Long Range Development Plan Draft EIR, July 21, 2010, Chapter 4.4. This project is on file and available for public review at the San Francisco Planning Department, as part of Case File 2005.0555E.

⁹ San Francisco Planning Department, Calaveras Dam Replacement Project, January 27, 2011, Chapter 4.10. This project is on file and available for public review at the San Francisco Planning Department, as part of Case File 2005.0161E E.

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

The Eastern Neighborhoods PEIR found that growth resulting from proposed zoning changes would not result in significant impacts related to pedestrians, bicyclists, loading, emergency access, or construction. As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on pedestrians, bicyclists, loading, emergency access, or construction beyond those analyzed in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR anticipated that growth resulting from the proposed zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with mitigation, however, it was determined that significant adverse cumulative traffic impacts at certain local intersections and cumulative impacts on certain transit lines could not be fully mitigated. Thus, these impacts were found to be significant and unavoidable.

The project site is not located within an airport land use plan area, or in the vicinity of a private airstrip. Therefore, topic 5c is not applicable.

Trip Generation

The proposed project consists of the demolition of two buildings and the construction of a 45 ft tall, 133,550 sf, residential building. The project would provide approximately 93 units, 73 vehicle parking spaces, 104 bicycle parking spaces and one on-street loading space (on 22nd Street). The proposed project would provide vehicle access to the site from Mississippi Street.

Trip generation from the proposed project was calculated using information in the 2002 *Transportation Impacts Analysis Guidelines for Environmental Review* (SF Transportation Guidelines) developed by the San Francisco Planning Department.¹⁰ The proposed project would generate an estimated 937 person trips (inbound and outbound) on a daily basis. These person trips would be distributed among travel modes as follows: 558 person trips by auto, 250 transit trips, 75 walk trips and 53 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 87 vehicle trips (accounting for vehicle occupancy data for the Census Tract in which the project is located).

Traffic

The proposed project's vehicle trips would travel through the intersections surrounding the project block. Intersection operating conditions are characterized by the concept of Level of Service (LOS), which ranges from A to F and provides a description of an intersection's performance based on traffic volumes, intersection capacity, and vehicle delays. LOS A represents free flow conditions, with little or no delay, while LOS F represents congested conditions, with extremely long delays; LOS D (moderately high delays) is considered the lowest acceptable level in San Francisco. The intersection of 22nd and Missouri Streets, approximately 1,000 feet from the project site, currently operates at LOS A and is anticipated to continue operating at LOS A under future 2030 conditions.¹¹

The proposed project would generate an estimated 87 new p.m. peak hour vehicle trips that would travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would be dispersed among the local roadway network, would not substantially increase traffic volumes at the intersection of 22nd and Missouri Streets or other nearby intersections, and would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS.

The proposed project would not contribute considerably to LOS delay conditions as its contribution of an estimated 87 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or new vehicle trips generated by Eastern Neighborhoods' Plan projects. The project is located directly across from the proposed project at 790 Pennsylvania Avenue; this project proposes approximately 251 residential units. This project and others within the vicinity, including the proposed project, are within the anticipated growth analyzed within the Eastern Neighborhoods PEIR and would not result in any new significant cumulative traffic impacts.

The proposed project would also not contribute considerably to cumulative traffic conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

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

Transit

The project site is located within a quarter mile of several local transit lines including the 48 Quintara and the 10 Townsend. The 48 Quintara inbound, connects the site to the surrounding Potrero Hill neighborhood and Ocean Beach and stops within one-quarter mile of the project site. The 10 Townsend connects the project site to San Francisco General Hospital and the Pacific Heights neighborhood.

¹⁰ San Francisco Planning Department, Transportation Calculations for 645 Texas Street, May 1, 2013. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1218.

¹¹ The *San Francisco Potrero Hope Transportation Study* (Case no. 2010.0515!) document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of their respective case file numbers.

Additionally, the project is located within one half mile of the Third Street T line, 19 Polk, and 22 Fillmore transit lines. The project site would also have a direct connection to Caltrain, with the 22nd Street station located three blocks from the site. The proposed project would be expected to generate 250 daily transit trips, including 42 trips during the p.m. peak hour. Given the availability of nearby transit, the addition of 42 p.m. peak hour transit trips would be accommodated by existing capacity.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of the 48 Quintara. Mitigation measures proposed to address this impact include pursuing enhanced transit funding; conducting transit corridor and service improvements; and increasing transit accessibility, service information and storage/maintenance capabilities for Muni lines in the Eastern Neighborhoods. Even with mitigation, however, cumulative transit impacts on the above line was found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impact was adopted as part of the PEIR certification and project approval.

The proposed project would not contribute considerably to these conditions as it represents a minor contribution of p.m. peak hour transit trips and would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhoods' projects. The proposed project would also not contribute considerably to cumulative transit conditions and thus would not result in any significant cumulative transit impacts. Additionally, the proposed project is within the growth projections assumed in the Eastern Neighborhoods PEIR and would not result in any new significant transit impacts.

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

Pedestrians

Although the Eastern Neighborhoods PEIR anticipated that growth resulting from the zoning changes would not result in significant impacts related to pedestrians, neighbors of the project site have expressed concerns associated with pedestrian safety. The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median; these are conditions that can adversely affect pedestrians. The streets surrounding the project are not Neighborhood Commercial Streets or Neighborhood Network Connection Streets as defined by the San Francisco General Plan. The project would include sidewalk improvements complete with a sidewalk extension on the corner of Mississippi and 22nd Streets. The project would also reduce auto and pedestrian conflicts on site by eliminating the existing curb-cuts on Mississippi and 22nd Streets and creating a single 10 ft curb-cut along Mississippi Street. The proposed project would improve conditions for pedestrians and would not cause a hazard to pedestrians or otherwise interfere with pedestrian accessibility to the project site and adjoining areas. Pedestrian activity may increase as a result of the proposed project, but not to a degree that would result in substantial overcrowding on public sidewalks. In addition, a site visit was conducted by planning department staff on November 8th 2013;¹² during this site visit no pedestrians were observed within the project vicinity. For the above reasons, the proposed project would not result in pedestrian safety impacts that were not identified in the Eastern Neighborhoods PEIR.

¹² Planning Department Site Visit, November 8th, 2013. 4:00-5:00 p.m., weather conditions were overcast, low 60 degrees Fahrenheit.

Parking

As discussed within the Evaluation of Environmental Effects section of this document (page 14), the proposed project meets the definition of a transit priority project and therefore parking effects are not to be considered significant CEQA impacts. However, the Planning Department acknowledges that parking conditions may be of interest to the public and decision makers. Therefore, the following presents a parking demand analysis for informational purposes.

The parking demand for the new residential and retail uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the demand for parking would be for 131 spaces. The proposed project would provide 65-73 off-street spaces. Thus, as proposed, the project would have an unmet parking demand of an estimated 58-66 spaces. 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 would be created.

Further, the project site is located in a MUR zoning district where under Section 151.1 of the Planning Code, the proposed project would not be required to provide any off-street parking spaces. 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. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may 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.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 131 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities, such as Bicycle Lane 7, located approximately three blocks east of the project site. Given that the unmet demand could be met by existing facilities and given that the proposed 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.

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. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

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 San Francisco 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 (i.e. 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.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit or pedestrians.

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

Eastern Neighborhoods Plan Area PEIR

The Eastern Neighborhoods PEIR identified potential conflicts related to residential and other noise-sensitive uses in proximity to noise-generating uses such as PDR, retail, entertainment, cultural/institutional/educational and office uses. In addition, the PEIR identified significant construction noise impacts. Noise resulting from an increase in Plan Area traffic was found to be less than significant. The Eastern Neighborhoods PEIR identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels. Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2 relate to construction noise. Mitigation Measures F-3, F-4, and F-6 apply to individual projects that include new noise-sensitive uses. Lastly, Eastern Neighborhoods PEIR Mitigation Measure F-5 applies to projects that include new noise-generating uses

Proposed Project

Construction Noise

The Eastern Neighborhoods PEIR identified Mitigation Measure F-1 applicable to projects that require pile driving during construction and Mitigation Measure F-2; which requires the preparation and implementation of a construction noise plan. The proposed project would require 18 months of construction with about two months of pile driving. Due to the close proximity of construction activity to surrounding residential uses directly north, east and west of the project site, the project would be required to implement the construction noise mitigation measures identified in the PEIR, to reduce noise

from pile driving activities (Project Mitigation Measure 2) and noise from general construction activities (Project Mitigation Measure 3). The full text of Project Mitigation Measures are found on page 51.

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

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours.

Nonetheless, during the approximately 18 month construction period, occupants of the nearby properties could be disturbed by construction noise. At times, construction noise could interfere with indoor activities in nearby residences and other businesses near the project site and may be considered an annoyance by occupants of nearby properties. With implementation of PEIR Mitigation Measures F-1 and F-2, project related construction noise would be less than a significant.

Noise Sensitive Uses

Mitigation Measure F-3 applies to new development that includes noise-sensitive uses located in areas where noise levels exceed 60 dBA (Ldn), where such development is not already subject to California Noise Insulation Standards in Title 24. The project is subject to Title 24 therefore Mitigation Measure F-3 is not applicable to the proposed project.

Mitigation Measure F-4 requires the preparation of an analysis that includes, at minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line of site to, the project site, and at least one 24-hour noise measurement (with maximum noise levels taken every 15 minutes) to demonstrate that acceptable interior noise levels consistent with Title 24 can be attained. The proposed project would add noise sensitive uses in areas where noise levels exceed 60 dBA (Ldn). Therefore, in compliance with Mitigation Measure F-4, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels consistent with Title 24,¹³ as summarized below.

Pursuant to Mitigation Measures F-4 a noise study was prepared by Charles M. Salter Associates, Inc.¹⁴ The study included long-term continuous noise measurements in addition to one 15-minute spot measurement. The report notes that 1dBA was added to all measurements to accommodate a typical increase in traffic as a result of the project. Two long-term continuous noise measurements were conducted at the project site between the 21st and 23rd of January 2013 and two 15-minute short-term

¹³ 645 Texas Street , San Francisco, CA Environmental Noise Study, March 04, 2013, Charles M Salter Associates, Inc. This document is on file and is available for review as part of Case File No. 2012.1218E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

¹⁴ 1645 Texas Street , San Francisco, CA Environmental Noise Study, March 04, 2013, Charles M Salter Associates, Inc. This document is on file and is available for review as part of Case File No. 2012.1218E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA.

measurements to quantify the existing noise environment. The noise study assessed the potential noise from surrounding uses and concluded that potential noise-generated uses within 900 ft of the site would not substantially impact the noise environment for the proposed residential use.

The noise study confirmed that the project is located in areas where noise levels exceed 60 dBA. The long-term continuous measurement along 22nd Street measured approximately 66 dBA, the long-term continuous monitor where Texas and 22nd Streets meet measured approximately 66 dBA. Lastly, the short-term measurements along Mississippi Street measured between 63 and 65 dBA.

The noise study provided the following recommendations: (1) the building façade, windows and exterior doors should be sound rated; (2) when windows are required to be closed to meet State Building Code noise levels, then an alternative method of supplying fresh air must be provided. The noise study concludes that with incorporation of these recommendations, interior noise levels would be acceptable. Therefore, the proposed project has complied with Eastern Neighborhoods PEIR Mitigation Measure F-4 and additional analysis is not required.

Eastern Neighborhoods PEIR Mitigation Measure F-5 addresses impacts related to individual projects that include new noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the vicinity of the project site. The proposed project would introduce new noise sensitive uses, and is not expected to generate excessive noise levels. In addition, any noise generated by the project including mechanical equipment would be subject to noise control requirements pursuant to the Noise Ordinance. Thus, Mitigation Measure F-5 does not apply to the project.

Mitigation Measure F-6 requires that open space required under the Planning Code for individual projects located in noisy areas be protected, to the maximum feasible extent, from existing ambient noise levels. The noise study prepared for the project noted that existing daily noise levels on site range from 63 to 66 dBA. According to project plans, the majority of open space for the project is located within an interior courtyard. Additional common and private open space would be located via decks, balconies and a roof deck along Mississippi Street. The majority of the open space provided within the courtyard would be protected by the proposed buildings. The preliminary design for the project's open space was reviewed as part of the project's noise study and concluded that the acoustical shielding of open spaces provided by the building and the roof deck fence would be sufficient. Therefore, the project has met the requirements of Mitigation Measure F-6, to the extent feasible.

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

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

Eastern Neighborhoods Plan Area PEIR

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses¹⁵ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels. Eastern Neighborhoods PEIR Mitigation Measure G-1 addresses air quality impacts during construction, Mitigation Measure G-2 addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3 and G-4 address proposed uses that would emit DPM and other TACs. All other air quality impacts were found to be less than significant.

Proposed Project

Construction Dust Control

Eastern Neighborhoods PEIR Mitigation Measure G-1 Construction Air Quality requires individual projects involving construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. The San Francisco Board of Supervisors subsequently approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by DBI. Project-related construction activities would result in construction dust, primarily from ground-disturbing activities.

¹⁵ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering, disturbed areas, covering stockpiled materials, street and sidewalk sweeping and other measures.

The regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that construction dust impacts would not be significant. These requirements supersede the dust control provisions of PEIR Mitigation Measure G-1.

Health Risk

Subsequent to certification of the PEIR, San Francisco (in partnership with the Bay Area Air Quality Management District (BAAQMD)), inventoried and assessed air pollution and exposures from mobile, stationary, and area sources within San Francisco and identified portions of the City that result in additional health risks for affected populations (“Air Pollutant Exposure Zone”). The Air Pollutant Exposure Zone was identified based on two health based criteria:

- (1) Areas where the excess cancer risk from all sources is greater than 100 per one million persons exposed; or
- (2) Areas where PM_{2.5} concentrations from all sources (including ambient concentrations) are greater than 10µg/m³.

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

The proposed project would include development of residential uses and is considered a sensitive land use for purposes of air quality evaluation. As discussed above, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and Eastern Neighborhoods PEIR Mitigation Measure G-2 Air Quality for Sensitive Land Uses is not applicable to the proposed project. Furthermore, the proposed residential land uses are not uses that would emit substantial levels of DPM or other TACs and Eastern Neighborhoods Mitigation Measures G-3 and G-4 are similarly not applicable.

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”¹⁶ The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria¹⁷ for determining whether a project’s criteria air pollutant emissions would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have the potential to result in a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed

¹⁶ San Francisco Planning Department, Eastern Neighborhood’s Rezoning and Area Plans Final Environmental Impact Report. See page 346. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=4003>. Accessed June 4, 2014.

¹⁷ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011. See pp. 3-2 to 3-3.

BAAQMD significance thresholds. Criteria air pollutant emissions during construction and operation of the proposed project would meet the Air Quality Guidelines screening criteria. Therefore, the project would not have a significant impact related to criteria air pollutants, and a detailed air quality assessment is not required.

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

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

Eastern Neighborhoods Plan Area PEIR

The Eastern Neighborhoods PEIR assessed the greenhouse gas (GHG) emissions that could result from rezoning of the Showplace Square/ Potrero Hill Plan Area under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of carbon dioxide-equivalents (CO₂E) per service population,¹⁸ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

Proposed Project

The proposed project would increase the activity on-site by demolishing the existing 30,000 sf of office, institutional, and industrial uses and creating 133,550 sf of residential and retail use. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential 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.

¹⁸ Memorandum from Jessica Range, MEA to MEA staff, *Greenhouse Gas Analyses for Community Plan Exemptions in Eastern Neighborhoods*, April 20, 2010. This memorandum provides an overview of the GHG analysis conducted for the Eastern Neighborhoods Rezoning EIR and provides an analysis of the emissions using a service population (equivalent of total number of residents and employees) metric.

The BAAQMD has prepared guidelines and methodologies for analyzing GHGs. These guidelines allow for projects that are consistent with a Qualified GHG Reduction Strategy to conclude that the project’s GHG impact is less than significant. San Francisco’s *Strategies to Address Greenhouse Gas Emissions (GHG Reduction Strategy)*¹⁹ presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco’s Qualified GHG Reduction Strategy in compliance with the BAAQMD’s guidelines. These actions 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- 05,²⁰ and Assembly Bill 32 (also known as the Global Warming Solutions Act.)^{21,22} Therefore, projects that are consistent with San Francisco’s GHG Reduction Strategy would not result in GHG emissions that would have a significant effect on the environment and would not conflict with state, regional, and local GHG reduction plans and regulations.

The proposed project would 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: bicycle parking requirements, street tree planting requirements for new construction, mandatory recycling and composting ordinance, San Francisco green building requirements for energy efficiency, and stormwater management. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy.²³

Furthermore, the proposed project is within the development projections assumed in the PEIR analysis and would not result in impacts associated with GHG emissions beyond those calculated in the PEIR. For the above reasons, the proposed project would not result in significant GHG emissions that were not identified in the Eastern Neighborhoods PEIR.

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

¹⁹ 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>.

²⁰ Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million MTCO₂E); by 2020, reduce emissions to 1990 levels (estimated at 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E).

²¹ San Francisco Department of Environment (DOE), “San Francisco Community-Wide Carbon Emissions by Category.” Excel spreadsheet provided via email between Pansy Gee, DOE and Wade Wietgreffe, San Francisco Planning Department. June 7, 2013.

²² The *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.

²³ Greenhouse Gas Analysis: Compliance Checklist. September 18, 2013. This document is on file and available for public review as part of Case File No 2012.1218E.

Eastern Neighborhoods Plan Area PEIR

Wind

No significant impacts related to wind were anticipated to result from the implementation of the Eastern Neighborhoods Rezoning and Area Plans. Specific projects within the Eastern Neighborhoods would require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods PEIR.

Shadow

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

Proposed Project

Wind

Based on the experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 ft in height do not have the potential to generate significant wind impacts. In general, projects less than approximately 80 to 100 ft in height are unlikely to result in substantial adverse effects on ground-level wind speeds. Wind impacts are generally caused by large building masses extending substantially above their surroundings and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The structures surrounding the project site range in building height. Industrial buildings north and south of the site range from approximately 16 to 25 ft in height, while the residential structure west of the site varies in height from 43 to 56 ft, and the live/work residential structures east of the project site range in height from 22 to 45 ft. Although the proposed 45 ft tall building (up to 60 ft including the elevator penthouse), would be taller than buildings to the north, south and east of the project site, it would be similar in height to the building west of the project. Therefore, the proposed project is not anticipated to result in significant wind impacts not identified in the Eastern Neighborhoods PEIR.

Shadow

A shadow study for the proposed project at 645 Texas Street was prepared by Adam Noble at CADP²⁴ in compliance with Section 295 of the Planning Code. The shadow study analyzed possible shadows that would be cast upon Recreation and Park Department facilities. The Potrero Hill Recreation Center was

²⁴ 645 Texas Street Shadow Analysis, CADP, Adam Noble, November 5, 2013. This document is part of the case file number 2012.1218E and can be reviewed at 1650 Mission Street, San Francisco, CA.

analyzed given its close proximity (0.2 miles) to the proposed project. The shadow analysis found that the proposed project would not shade the Potrero Hill Recreation Center or any Section 295 open space or other non-Section 295 open spaces.

The proposed project would shade portions of nearby streets and sidewalks and private property within the project vicinity. Shadows cast on streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby properties may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

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

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

The Eastern Neighborhoods PEIR concluded that implementation of the Eastern Neighborhoods Rezoning and Area Plans would not result in substantial or accelerated deterioration of existing recreational resources or require the construction or expansion of recreational facilities that may have an adverse effect on the environment. No mitigation measures related to recreational resources were identified in the Eastern Neighborhoods PEIR.

The proposed project would increase the population on site by approximately 200 people.²⁵ The increase in demand for recreational facilities would be within the development projected under the Eastern Neighborhoods Rezoning and Area Plans and there would be no additional impacts on recreational resources beyond those analyzed in the Eastern Neighborhoods PEIR.

²⁵ Based on the average household size of 2.15 persons per household identified in the Eastern Neighborhoods PEIR.

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

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

The proposed project would comply with all applicable federal, state and local regulations related to solid waste. In addition, the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on utilities and service systems beyond those analyzed in the Eastern Neighborhoods PEIR.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
11. PUBLIC SERVICES—Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that the anticipated increase in population would not result in a significant impact to public services, including fire protection, police protection, and public schools. No mitigation measures were identified in the PEIR.

The proposed project would result in 93 new residential units (up to 200 residents on site).²⁶ As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on public services beyond those analyzed in the Eastern Neighborhoods PEIR.

²⁶ Based on the average household size of 2.15 persons per household identified in the Eastern Neighborhoods PEIR.

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

Eastern Neighborhoods Plan Area PEIR

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

Proposed Project

The proposed project entails the demolition of two existing buildings and a parking lot. The project site is fully paved and consists of minimal non-native trees and shrubbery. The existing vegetation on the project site that would be removed as part of the proposed project is not protected. Furthermore, the project site does not support habitat for any candidate, sensitive or special status species. The project site

currently has 20 street trees, none of which would be removed. In compliance with the provisions of the San Francisco Green Landscape Ordinance, the proposed project would include the planting of seven additional street trees along Texas, Mississippi, and 22nd Streets for a total of 27 street trees. As a result, the proposed project would not conflict with any local policies or ordinances that protect biological resources.

Planning Code Section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes. This ordinance focuses on location-specific hazards and building feature-related hazards. Location-specific hazards apply to buildings in, or within 300 feet of, and having a direct line of sight to, an Urban Bird Refuge, which is defined as an open space “two acres and larger dominated by vegetation, including vegetated landscaping, forest, meadows, grassland, or wetlands, or open water.” The project site is not within 300 feet of an Urban Bird Refuge; therefore, the standards related to location-specific hazards are not applicable to the proposed project. Feature-related hazards, which can occur on buildings anywhere in San Francisco, are defined as freestanding glass walls, wind barriers, skywalks, balconies, and greenhouses on rooftops that have unbroken glazed segments of 24 square feet or larger. The proposed project would comply with the feature-related standards of Planning Code Section 139 by using bird-safe glazing treatment on 100 percent of any feature-related hazards. As a result, the proposed project would not interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors.

For these reasons, implementation of the proposed project would not result in significant impacts to biological resources not identified in the PEIR.

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

Eastern Neighborhoods Plan Area PEIR

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

Proposed Project

A geotechnical investigation was prepared for the proposed project.²⁷ The geotechnical report addresses areas of concern including the potential for differential settlement due to material transitions, shallow bedrock, naturally occurring asbestos, presence of undocumented fills, and shallow groundwater. Recommendations are provided within this report to alleviate these topics of concern and are summarized below. The report concluded that construction of the project is feasible provided that the recommendations of the report are incorporated into the project design.

Site Background and Conditions

The project was developed as a commercial and industrial use dating back to 1947. Based on information provided within the Phase 1 Environmental Site Assessment and Preliminary Sub-Slab Vapor Quality Evaluation (see Hazardous Materials section), prior to 1947 the project site was an undeveloped field east of a former railroad and railroad tunnel. The existing site is developed with Portland cement concrete overlying granular base material. A concrete block retaining wall supports the northern property line. In addition, the site slopes from an elevation of approximately 53 ft above sea level at the southeast corner of the site and rises to 68 ft at the northern property line.

Seismic Hazards

The project is located in an area that may experience moderate to severe earthquakes and would therefore experience strong ground shaking, typical within the Bay Area region. Although the site is not located within a state designated liquefaction hazard zone, the site is located immediately west of a mapped hazard zone. With regards to soil, undocumented fill was encountered at a depth ranging from three to seven feet. It is anticipated that a majority of this fill would be removed during the excavation for the proposed garage. However if undocumented fill is discovered below the excavation depth of 15 ft, the fill should be removed and replaced.

Foundation and Below Grade Excavation

A geotechnical report was prepared for the proposed project. Borings to a depth of 17-26 ft were analyzed. Soils beneath the site consists of approximately 3 ft of fill, below that, approximately 8-10 ft of clay, underlain by a silty sand to a depth of approximately 13 ft, underlain by sandy lean and fat clay to a depth of 16 to 26 ft, underlain by strong serpentinite bedrock at a depth of 15-26 ft.

The report has identified three foundations types that are appropriate to support the proposed project. These foundation types include the following: shallow foundation with spread footings, mat foundation, or drilled piers. As described in the Project Description, the project sponsor anticipates using drilled piers as the preferred foundation method in accordance with applicable building codes.

Borings collected for the proposed project encountered hard bedrock. The proposed project would involve excavation into the bedrock requiring heavy ripping and possible use of a D8 dozer and/ or hydraulic hoe rams. Additionally, due to portions of the site exhibiting shallow bedrock, there is a potential for differential movement beneath the proposed structure. The report recommends over-excavation of the site for the proposed parking garage to provide for a more uniform cushion of support. As a result of the over-excavation, additional effort or larger construction equipment would be required for grading and excavation.

²⁷ Cornerstone Earth Group, *Preliminary Geotechnical Investigation, 645 Texas Street and 1300-1302 22nd Street, San Francisco, California*. November 13, 2013. This report is available for review as part of Case No. 2012.1218 E.

Drilled piers may be used to support the building requiring less bedrock excavation and is the preferred foundation type. However, drilled piers should extend into competent bedrock across the entire building footprint. If shallow footings are selected as the foundation method, five feet of native soil or engineered fill should be imported beneath the foundation. The shallow footings would also require additional excavation into the bedrock.

Due to the presence of shallow groundwater, approximately 7-15 ft below ground surface (bgs), the garage slab would be designed to tolerate the conditions of the high groundwater table. The varying groundwater depths across the site would require further exploration. Dewatering and shoring of utility trenches and temporary retaining wall excavations would likely be required, especially on the western half of the site. Prior to any slab on-grade construction, the exposed excavated area should be stabilized with 12-18 inches of crushed rock underlain by a filter fabric.

The project site is covered by impervious surfaces; therefore, implementation of the proposed project would not result in soil erosion or the loss of topsoil. The proposed project would not include the use of septic tanks or alternative wastewater disposal systems, and there are no unique geologic or physical features on the project site that could be altered by implementation of the proposed project.

With regards to naturally occurring asbestos, this topic is addressed within the Hazardous Materials section of this document. Please see page 48.

DBI Review

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. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. DBI would review the geotechnical report and building plans for the proposed project to determine the adequacy of the proposed engineering and design features and to ensure compliance with all applicable San Francisco Building Code provisions regarding structural safety. The above-referenced geotechnical investigation report would be available for use by DBI during its review of building permits for the site. In addition, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. The DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI's implementation of the Building Code would ensure that the proposed project would not result in significant impacts related to soils or geology.

For these reasons, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER				
QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Eastern Neighborhoods Plan Area PEIR

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

Proposed Project

The proposed project would not result in an increase in the amount of impervious surface area on the site. In accordance with the City's Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to Low Impact Design (LID) approaches and stormwater management systems in compliance with the Stormwater Design Guidelines. In addition, the project sponsor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) for construction on the site that would be reviewed, approved, and enforced by the San Francisco Public Utilities Commission (SFPUC). The SWPPP would specify best management practices and erosion and sedimentation control measures to prevent sediment from entering the City's combined stormwater/sewer system during construction.

The project is located within the Islais Creek Basin; however, groundwater in San Francisco is not currently used as a potable water supply. Groundwater is relatively shallow throughout the project site; approximately 7 to 15 ft bgs (see Geology and Soils section). The proposed project would involve excavation to a depth of approximately 15 ft bgs and therefore is likely to encounter groundwater. Any groundwater that may be encountered during construction and permanent operations would be subject to requirements of the City's Sewer Use Ordinance (Ordinance Number 19-92, amended 116-97), as supplemented by Department of Public Works Order No. 158170, requiring a permit from the Wastewater Enterprise Collection System Division of the SFPUC. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge is required to contain specified water quality standards and may require the project sponsor to install and maintain meters to measure the volume of the discharge to the combined sewer system. Effects from lowering the water table due to dewatering, if any, would be temporary and would not be expected to substantially deplete groundwater resources. In the event that project related excavation would require permanent pumping of ground water, the project sponsor would be required to obtain a permit pursuant to Public Works Code Article 4.1, which regulates the quantity and quality of discharges to the combined sewer system. The geotechnical report noted that due to the variable ground water depths across the site, further exploration will be required to establish a design ground water elevation that could be utilized for uplift and dewatering design.

The project site is not in a designated flood zone, and therefore the proposed project would not place housing within a 100-year flood hazard area, would not impede or redirect flood flows in a 100-year flood hazard area, and would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. As shown on Map 5, Tsunami Hazard Zones, in the Community Safety Element of the *General Plan*, the project site is not within a tsunami hazard zone.²⁸ As a result, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche or tsunami.

For these reasons, the proposed project would not result in significant impacts on hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

²⁸ San Francisco Planning Department, San Francisco General Plan, Community Safety Element, p. 15. Available online at http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf. Accessed July 15, 2014

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

Eastern Neighborhoods PEIR

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

The Eastern Neighborhoods PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present

a health risk to existing building occupants if the buildings are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that Mitigation Measure L-1: Hazardous Building Materials would reduce effects to a less-than-significant level.

Proposed Project

Hazardous Building Materials

The proposed project would involve the demolition of an industrial building, once used as a paint manufacturing facility and currently housing industrial uses. Therefore, the project would be required to implement PEIR Mitigation Measure L-1 (Project Mitigation Measure 4), which requires that all hazardous building materials be removed and properly disposed of in accordance with applicable federal, state and local laws. The full text of Project Mitigation Measures are found on page 51.

Industrial Uses

The Phase 1 addressed site contamination related to past and existing industrial uses. The existing site was once used as a paint manufacturing facility, consisting of above and underground storage tanks (UST). These tanks have since been removed. In 1997, with the installation of two groundwater monitoring wells, DPH granted a case closure for the property and the former USTs. The current tenants of the site include industrial businesses with a variety of chemicals stored on site. Based on the Phase 1, the presence of these chemicals do not appear likely to have impacted soil or groundwater quality beneath the site, provided the materials were managed and used in accordance with the manufacture's guidelines. Furthermore, the Phase 1 recommends that all hazardous materials from the site be removed using appropriate off-site disposal and for the closure of the existing tenants' hazardous materials use permits.

Asbestos Containing Materials and Lead Based Paints

The Phase 1 found that due to the age of the existing structure at 1300 22nd Street, the building materials may contain asbestos and/or lead based paints. Therefore, prior to demolition, painted components of the structure should be surveyed for the presence of lead paints and asbestos containing materials. Lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. Children six years old and under are most at risk. Therefore, demolition must be conducted in compliance with Section 3425 of the *San Francisco Building Code (Building Code)*, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures.

Section 3425 contains performance standards, the including establishment of containment barriers and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to Section 3425 shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

Section 3425 also includes notification requirements, contents of notice, and requirements for project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more square feet or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of the DBI with written notice that describes the address and location of the proposed project; the scope and specific location of the work; whether the responsible party has reason to know or presume that lead-based paint

is present; the methods and tools for paint disturbance and/or removal; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential; whether it is owner-occupied or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include: a Post Sign notifying the public of restricted access to work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3425 contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

With regards to asbestos containing material, section 19827.5 of the *California Health and Safety Code* requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified of any demolition or renovation project that involves the removal of 100 square feet or more of asbestos-containing materials 10 days in advance of the work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/alterd including size, age, and prior use; the approximate amount of friable asbestos that would be removed or disturbed; the scheduled starting and completion dates of demolition or abatement; the nature of the planned work and methods to be employed; the procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. Approved methods for control of asbestos-containing materials during abatement include adequate wetting of all asbestos-containing materials and providing containment with a negative air pressure ventilation system to prevent migration of asbestos-containing materials. BAAQMD randomly inspects asbestos removal operations. In addition, BAAQMD will inspect any removal operation when a complaint has been received.

The local office of the State Occupational Safety and Health Administration (Cal/OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.17 where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the San Francisco Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice and abatement requirements described above.

Accordingly, the project sponsor would ensure that the buildings are surveyed for asbestos-containing materials prior to demolition or renovation, and would provide BAAQMD with notification of any planned demolition or renovation activities a minimum of 10 days prior to these activities. The project sponsor would retain a certified asbestos removal contractor to completely remove all asbestos-

containing materials prior to demolition or renovation using BAAQMD-approved methods, and would also retain a licensed waste hauler to legally dispose of the removed materials.

The proposed project would be subject to and would comply with the above regulations; therefore, impacts from lead-based paint and asbestos containing materials would be less than significant.

Soil and Groundwater Contamination

The proposed project would develop a formerly industrial site and construct a new residential building. The project would involve approximately 14,500 cubic yards of soil excavation and disturbance. Thus, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase 1 determines the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to the DPH. In addition, a Phase 1 Environmental Site Assessment and Preliminary Sub-Slab Vapor Quality Evaluation²⁹ (further referred to as "Phase 1") and Work Plan, addressing further testing of soil and groundwater contaminants were prepared for the project site. Due to the site's previous use as a paint manufacturing facility and the existing and surrounding industrial uses, the soil and possible groundwater have been contaminated. DPH has reviewed the Phase 1 and proposed work plan and determined that, in accordance with the Maher Ordinance, the project sponsor would be required to submit an SMP.³⁰

A substantial amount of groundwater was not encountered during the Phase 1 and therefore no testing of groundwater occurred. However, eight soil samples were conducted during the Phase 1. The samples showed that nickel, vanadium and cobalt were detected above the California Human Health Screening Levels (CHHSLs) for residential use. The CHHSLs is used to screen sites for potential human health concern; exceeding the CHHSLs does not indicate that adverse impacts to human health are occurring or will occur, but suggests that further evaluation is necessary. The Phase 1 suggests that soils containing metals such as nickel would require off-site disposal and some may require disposal as California Hazardous waste. The results of these samples will be reviewed by DPH; any requirements for site remediation as a result of DPH's review would be complete prior to construction.

The proposed project would be required to remediate potential soil and groundwater contamination described above in accordance with Article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous soil and groundwater that were not identified in the Eastern Neighborhoods PEIR.

²⁹ Cornerstone Earth Group, *Phase I environmental Site Assessment and Preliminary Soil and Sub-Slab Vapor Quality Evaluation*, November 12, 2012. This report is available for review as part of Case No. 2012.1218 E.

Naturally Occurring Asbestos

Results of subsurface investigation indicate that the site is underlain by weathered serpentine bedrock, which was encountered at 16 to 26 feet below ground surface (bgs). Therefore, the proposed project's construction would potentially release serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.³¹ To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,³² and are enforced by the BAAQMD.

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a hazard to the public or environment from exposure to NOA.

For these reasons, the proposed project would not result in significant impacts related to hazards or hazardous materials that were not identified in the Eastern Neighborhoods PEIR.

³¹ California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed April 15, 2013.

³² California Air Resources Board, Operations, July 29, 2002.

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

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

The proposed project would be required to comply with the standards of Title 24 and the requirements of the San Francisco Green Building Ordinance. As the proposed project is located within the Eastern Neighborhoods Plan Area, there are no known mineral resources present.

For these reasons, the proposed project would not result in significant impacts to mineral and energy resources that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

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

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

The project site does not contain agricultural uses, forest land, or timberland, and it is not zoned for such uses. The proposed project would not convert farmland to non-agricultural use and would not convert forest land or timberland to non-forest use.

For these reasons, the proposed project would have no impacts on agriculture or forest resources that were not identified in the Eastern Neighborhoods PEIR and no mitigation measures are necessary.

MITIGATION MEASURES

Project Mitigation Measure 1 –Archeological Resources (PEIR Mitigation Measure J-2)

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

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

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

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

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

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical

Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

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

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

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

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

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

Project Mitigation Measure 4 – Hazardous Building Materials (Mitigation Measure L-1 of the Eastern Neighborhoods PEIR)

The project sponsor shall ensure that any equipment containing polychlorinated biphenyls (PCBs) or di (2 ethylhexyl) phthalate (DEHP), such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.