



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.1333E  
 Project Address: 923 Folsom Street  
 Zoning: MUR (Mixed Use Residential) Use District  
 45-X / 85-X Height and Bulk District  
 Block/Lot: 3753/106, 141, 142  
 Lot Size: 24,375 square feet  
 Plan Area: East SoMa Subarea of the Eastern Neighborhoods Area Plan  
 Project Sponsor: Christopher Davenport, Trumark Homes, (925) 309-2503  
 Staff Contact: Tania Sheyner, [Tania.Sheyner@sfgov.org](mailto:Tania.Sheyner@sfgov.org), (415) 575-9127

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### PROJECT DESCRIPTION:

The project site is located on a block bound by Folsom Street to the north, Fifth Street to the east, Shipley Street to the south and Falmouth Street to the west, in San Francisco's South of Market neighborhood. The project site encompasses three contiguous parcels and has frontages along both Folsom and Shipley Streets. It spans 24,375 square feet of total space and currently contains a 3,750-square-foot, two-story, commercial office building (constructed in 1967) and surface parking areas.

The proposed project includes the demolition of the existing structure and construction of a mixed-use project consisting of two buildings – a nine-story building (approximately 85 feet in height) fronting Folsom Street and a four-story building (approximately 44 feet in height) fronting Shipley Street.

(Continued on next page.)

### EXEMPT STATUS:

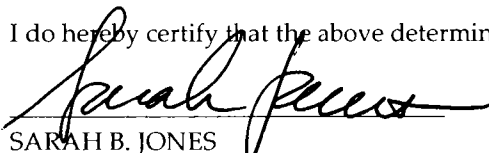
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### REMARKS:

(See next page.)

### DETERMINATION:

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

  
 SARAH B. JONES

Environmental Review Officer

June 20, 2014  
 Date

cc: Christopher Davenport, Project Sponsor; Supervisor Jane Kim, District 6; Doug Vu, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

**PROJECT DESCRIPTION (continued):**

The project would include 115 dwelling units, consisting of 8 junior one-bedroom units, 61 one-bedroom units, and 46 two-bedroom units. In addition, it would provide approximately 1,900 square feet of commercial space on the ground level of the Folsom Street structure. The two buildings would share a basement-level garage, which would contain 87 stacked residential off-street parking spaces as well as 104 secured bicycle spaces. The project would also provide open space in the form of a mid-block courtyard and a roof deck atop the Shipley Street structure. Pedestrian access to the residential uses would be provided via Shipley and Folsom Street entrances, while access to commercial uses would be provided via a storefront entrance on Folsom Street. Vehicular access into the basement-level garage would be provided via a ramp off of Shipley Street.

**Project Approval**

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

Other approvals that would be required to implement the proposed project include the following: approval of a site permit (*Planning Department, Department of Building Inspection*); approval of grading and building permits (*Planning Department and Department of Building Inspection*); approval of a stormwater control plan (*San Francisco Public Utilities Commission*); approval of project compliance with the Stormwater Control Guidelines (*Department of Public Works*); approval of a three-lot merger (*Department of Public Works*); and approval of the installation of a new north-south crosswalk along Shipley Street at the intersection at Fifth Street (*San Francisco Municipal Transportation Agency*).

**REMARKS:**

CEQA Guidelines Section 15183 provides 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 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 which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 923 Folsom Street project described above, and incorporates by reference information contained within the Eastern Neighborhoods Rezoning and Area Plans Final EIR (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048), which is the underlying EIR for the proposed project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" to) the proposed project.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR. This determination does not identify new or additional information that would alter the conclusions of the FEIR. In addition, this determination identifies mitigation measures contained in the FEIR that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the FEIR as well as an evaluation of potential environmental effects are provided in the Community Plan Exemption (CPE) Checklist for the proposed project.<sup>1</sup>

## BACKGROUND:

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods FEIR was adopted in December 2008. The Eastern Neighborhoods FEIR 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 Eastern Neighborhoods FEIR also included changes to existing height and bulk districts in some areas, including the project site at 923 Folsom Street.

During the Eastern Neighborhoods adoption phase, the Planning Commission held public hearings to consider the various aspects of the proposed area plans, and Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods FEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.<sup>2,3</sup>

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 FEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a "No Project" alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the FEIR.

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- 1 The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2012.1333E.
  - 2 San Francisco Planning Department. *Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR)*, Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.
  - 3 San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

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 FEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to MUR (Mixed Use-Residential) District. The MUR use district is intended to provide housing opportunities within the eastern portion of the South of Market (East SoMa). 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 designed to encourage the expansion of retail, business service and commercial (office) uses and cultural arts activities and also serves as a buffer between the higher-density, predominantly commercial area of Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of Sixth Street. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in CPE Checklist, under Land Use. The 923 Folsom Street site, which is located in the East SoMa Plan Area of the Eastern Neighborhoods, was designated as a site with building up to 85 feet in height along Folsom Street and 45 feet in height along Shipley Street.

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 923 Folsom Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods FEIR. This determination also finds that the Eastern Neighborhoods FEIR adequately anticipated and described the impacts of the proposed 923 Folsom Street project, and identified the mitigation measures applicable to the 923 Folsom Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>4,5</sup> Therefore, no further CEQA evaluation for the 923 Folsom Street project is required. In sum, the Eastern Neighborhoods FEIR 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 on a block bound by Folsom Street to the north, Fifth Street to the east, Shipley Street to the south, and Falmouth Street to the west, in San Francisco's South of Market neighborhood. The project site, which is irregular in shape, encompasses three contiguous parcels and has frontages along both Folsom and Shipley Streets. To the east, the project site is bordered by a four-story hotel (with ground-floor commercial uses) along the Folsom Street frontage and a four-story multi-family residential

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4 Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 923 Folsom Street*, June 20, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

5 Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning, 923 Folsom Street*, November 22, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

building along the Shipley Street frontage. To the west, the project site is bordered by a City-owned fire station (Fire Station 1).

The project vicinity is characterized by a mix of building types, sizes, and architectural styles. Along Folsom Street, the dominant feature on the project block is the eight-story mixed-use building at 900 Folsom Street (on the corner of Folsom and Fifth Streets), which is currently under construction. Other buildings along Folsom Street include one- to four-story light-industrial and commercial uses as well as a gas station. Along Shipley Street are one- to four-story primarily residential buildings and an empty lot on the corner of Shipley and Fifth Street that is being used as a surface parking lot.

#### POTENTIAL ENVIRONMENTAL EFFECTS:

The Eastern Neighborhoods FEIR 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 project. The proposed 923 Folsom Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods FEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods. Thus, the project analyzed in the Eastern Neighborhoods FEIR considered the incremental impacts of the proposed 923 Folsom 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 FEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods FEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would not contribute to the significant unavoidable impacts identified in the FEIR. Specifically, the proposed project would not contribute to the significant and unavoidable land use impact because the project is not located in the Western SoMa subarea and is not being rezoned from PDR. In regards to significant and unavoidable transportation impacts related to transit, as discussed in the CPE Checklist, the proposed project would not contribute significantly to impacts on Muni Service. The proposed project would also not contribute to significant and unavoidable historical resources impacts since the proposed project would not include the demolition of a historical resource (based on the Department's South of Market Area Historic Resource Survey, the project site does not contain any historical structure, sites, or architectural features). Lastly, the proposed project would not contribute to significant and unavoidable shadow impacts since the proposed project would not result in new shadows on any nearby parks.

The Eastern Neighborhoods FEIR identified feasible mitigation measures to address significant impacts related to: Noise (F-1, F-2, F-3, F-4, F-5, and F-6), Air Quality (G-1, G-2, G-3, and G-4), Archeological Resources (J-1, J-2, and J-3), Historical Resources (K-1, K-2, and K-3), Hazardous Materials (L-1), and Transportation (E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-8, E-9, E-10, and E-11).

As analyzed and discussed in the CPE Checklist, the following mitigation measures identified in the FEIR do not apply to the proposed project. Mitigation Measures F-1 and F-2 do not apply to the proposed project, because it would not include pile-driving or other particularly noisy construction methods. Mitigation Measure F-3 does not apply to the proposed project, because it only applies to projects that are

not already subject to California Noise Insulation Standards in Title 24 and, as a multi-unit residential development, the project is subject to requirements of Title 24. Mitigation Measure F-5 does not apply to the proposed project because the project would construct residential and commercial uses, which are not considered noise-generating uses that would be expected to generate noise levels in excess of ambient noise in the proposed project site vicinity. Mitigation Measures G-3 and G-4 are not applicable to the proposed project because the project would not include any uses that would emit diesel particulate matter or other toxic air contaminants. Mitigation Measure J-1 is not applicable to the proposed project because the project site is not located within Archeological Mitigation Zone A, which is an area 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-3 is also not applicable to the proposed project because the project site is not located within the Mission Dolores Archeological District. Mitigation Measures K-1 through K-3 are not applicable to the proposed project because the project does not involve demolition of a historical resource. Lastly, Mitigation Measures E-1 through E-11 are not applicable to the proposed project because they all call for improvements and programs that are associated with the implementation of the *Eastern Neighborhoods Rezoning and Area Plans* rather than a specific development project.

As discussed in the CPE Checklist, Eastern Neighborhoods Plan FEIR Mitigation Measures F-4, F-6, G-1, G-2, J-2, L-1 were determined to apply to the proposed project for the following reasons. The project would be subject to Mitigation Measures F-4 and F-6 because the project site is located along streets with noise levels above 60 dBA (Ldn) and because the project would site noise-sensitive uses and open space in a noisy environment. The project would also be subject to the portion of Mitigation Measure G-1 that has not been superseded by the Construction Dust Control Ordinance, which is the portion that addresses maintenance and operation of construction equipment. This measure requires individual projects that include 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 proposed project would also be subject to Mitigation Measure G-2, because the project site is located within an identified air pollutant exposure zone (i.e., an area that experiences higher levels of air pollution) and the proposed project would, therefore, have the potential to expose sensitive receptors to substantial concentrations of air pollutants. Mitigation Measure J-2 is applicable to the project because it 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, which includes the project property. Lastly, Mitigation Measure L-1 is applicable to the proposed project because it would involve demolition of an existing structure and would need to address the removal of hazardous building materials. 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 FEIR.<sup>6</sup>

### **Public Notice and Comment**

A "Notification of Project Receiving Environmental Review" was mailed on July 1, 2013 to adjacent occupants and owners of properties within 300 feet of the project site. One comment was received stating concern with proposing access to the garage off of Shipley Street. The commenter stated that, given

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<sup>6</sup> Please refer the CPE Checklist for a complete discussion.

Shipley Street's narrow width and its location in the "fire zone," it could be overtaxed with new vehicles entering and exiting the proposed garage. This concern is addressed in the transportation section in the CPE Checklist. 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. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public.

### **Conclusion**

The Eastern Neighborhoods Plan FEIR incorporated and adequately addressed all potential impacts of the proposed 923 Folsom Street project. As described above, the proposed 923 Folsom Street project would not have any project-specific significant adverse effects that are peculiar to the project or its site that were not examined in the Eastern Neighborhoods Plan FEIR, nor has any new or additional information come to light that would alter the conclusions of the Eastern Neighborhoods Plan FEIR. Thus, the proposed project would not have any new significant effects on the environment not previously identified in the Eastern Neighborhoods Plan FEIR, nor would any environmental impacts be substantially greater than described in the Eastern Neighborhoods Plan FEIR. Therefore, the proposed project is exempt from further environmental review pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines.



# SAN FRANCISCO PLANNING DEPARTMENT

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## COMMUNITY PLAN EXEMPTION CHECKLIST

*Case No.:* 2012.1333E  
*Project Title:* 923 Folsom Street  
*Zoning:* MUR (Mixed Use Residential) Use District  
45-X / 85-X Height and Bulk District  
*Block/Lot:* 3753/106, 141, 142  
*Lot Size:* 24,375 square feet  
*Plan Area:* East SoMa Subarea of the Eastern Neighborhoods Area Plan  
*Project Sponsor:* Christopher Davenport, Trumark Homes  
(925) 309-2503  
*Staff Contact:* Tania Sheyner – (415) 575-9127  
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### PROJECT DESCRIPTION:

#### Project Location

The project site is located on a block bound by Folsom Street to the north, Fifth Street to the east, Shipley Street to the south, and Falmouth Street to the west, in San Francisco's South of Market neighborhood.<sup>1</sup> The project site (Assessor's Block 3753, Lots 106, 141, and 142), which is irregular in shape, encompasses three contiguous parcels and has frontages along both Folsom and Shipley Streets. It spans 24,375 square feet of total space and currently contains an approximately 11,000-square-foot, two-story, commercial office building (constructed in 1967) in the southeastern portion of the site (along Shipley Street) and surface parking areas throughout the remainder of the site. The surface parking lot spans approximately 18,875 square feet of the site, while the existing building takes up approximately 5,500 square feet of the site. The site was previously occupied by a bus parking lot for a passenger bus operation and the building housed company management and bus maintenance facilities. Currently, the site operates as a parking lot for commuters who work nearby.

A chain-link fence borders the site along both Folsom and Shipley Street frontages, and a curb cut along Folsom Street provides vehicular access to the site. Pedestrian access to the existing commercial building is provided through the parking lot. No trees or landscaping currently exist on the project site. Five street trees are planted along the Folsom Street sidewalk with none along the Shipley Street sidewalk. The project site is flat.

To the east, the project site is bordered by a four-story hotel (with ground-floor commercial uses) along the Folsom Street frontage and a four-story multi-family residential building along the Shipley Street frontage. To the west, the project site is bordered by a City-owned fire station (Fire Station 1).

The project site is within the Mixed-Use Residential (MUR) Use District and within the 85-X Height and Bulk District along Folsom Street and 45-X Height and Bulk District along Shipley Street. Other land uses

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<sup>1</sup> In the South of Market area, streets that run in the northwest/southeast direction are generally considered north-south streets, whereas streets that run in the southwest/northeast direction are generally considered east-west streets. This convention is used throughout this document.



on the project block include residential, commercial, and light industrial (automotive) uses as well as a gas station.

### **Project Characteristics**

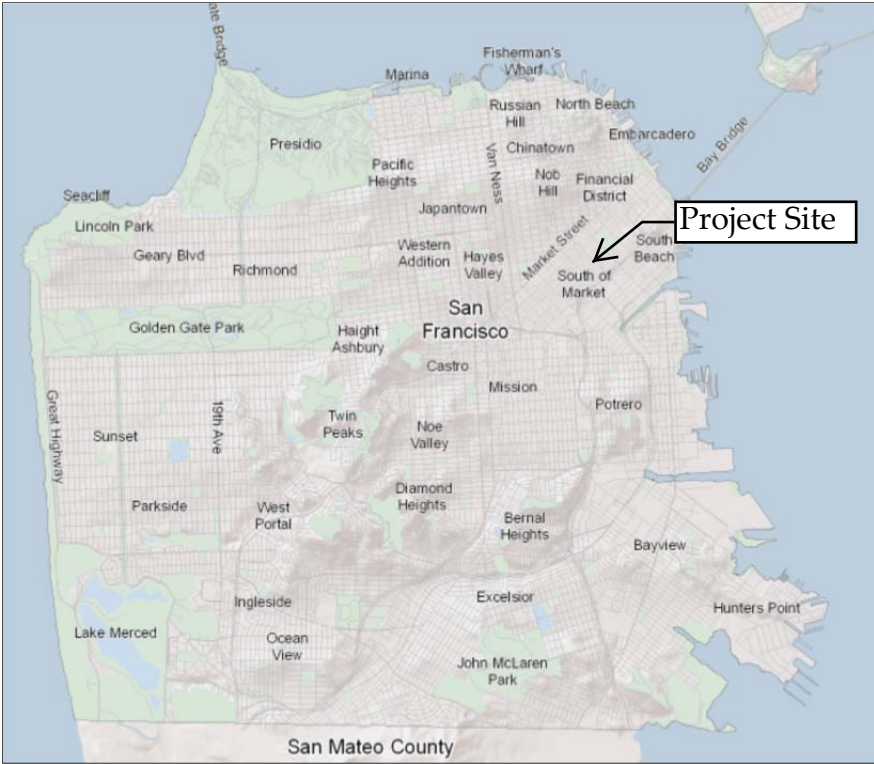
The proposed project would demolish the existing structure and surface parking lot and construct a mixed-use residential project, encompassing a total of approximately 139,000 sf, which would include 115 dwelling units, 1,900 square feet of commercial space, 87 residential off-street parking spaces, and a mid-block courtyard. The proposed unit mix would include 8 junior one-bedroom units ranging from 425 to 500 square feet, 61 one-bedroom units ranging from 539 to 741 square feet, and 46 two-bedroom units ranging from 822 to 976 square feet. The residential uses would be contained within two connected buildings – a nine-story building (approximately 85 feet in height) fronting Folsom Street and a four-story building (approximately 44 feet in height) fronting Shipley Street. The Folsom Street structure would also contain commercial uses on the ground level, currently envisioned as a single-tenant space. The proposed buildings would occupy the entire parcel and would be connected by a corridor along the site's western frontage. With the exception of this connection, which would span four stories, the two buildings would appear distinct and would be separated by a mid-block interior courtyard at the ground level.

The ground floor of the Folsom Street structure would contain a double-height lobby and a mail area adjacent to the commercial space, with elevators and residential units across a hallway. Additional residential units would be located on the second story. On levels three through nine, the Folsom Street structure would consist of a double-loaded corridor arrangement, with units located along both sides of a linear hallway. All levels of the Shipley Street structure would likewise consist of a double-loaded corridor arrangement. No elevators would serve the Shipley Street structure.

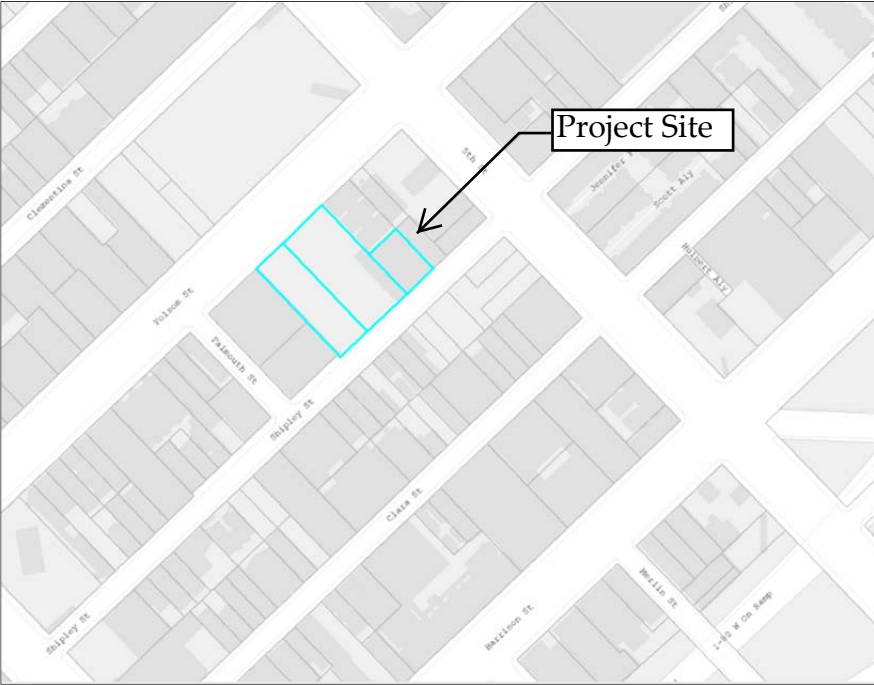
The below-grade parking level would extend approximately 20 feet below grade and would contain a total of 87 parking spaces, consisting of 81 parking spaces in mechanical stackers, 3 handicap-accessible spaces, 1 standard space, and 2 car-share spaces. The parking facility would be for residential use only. The basement level would also contain 104 Class 1 bicycle spaces, as well as utilities, mechanical rooms, trash and residential storage space. The garage would be accessible via a new 10-foot-wide curb cut on the west side of the Shipley Street frontage. The existing curb along Folsom Street would be abandoned and the curb would be leveled out to the existing sidewalk elevation.

Pedestrian access to the residential uses would be provided via Shipley and Folsom Street entrances, while access to commercial uses would be provided via a storefront entrance on Folsom Street. Vehicular access into the proposed garage would be provided via a ramp off of Shipley Street.

As noted above, the project sponsor proposes to provide open space in the form of a ground-level mid-block courtyard, an open space at the fifth floor roof deck atop the Shipley Street structure, and residential balconies. The ground-level courtyard, which would be approximately 5,700-sf in size, would be accessible to the buildings' residents via residential lobbies on the ground level. It would be developed with terraces for units facing the courtyard, a common gathering space for residents of the building, and raised planters landscaped with ground cover, shrubs and trees. The rooftop open space atop the Shipley Street structure, which would be approximately 8,800 sf in size, would also be accessible to all residents and would contain seating and gathering areas, an outdoor grill, dining spaces and raised planters with landscaping.



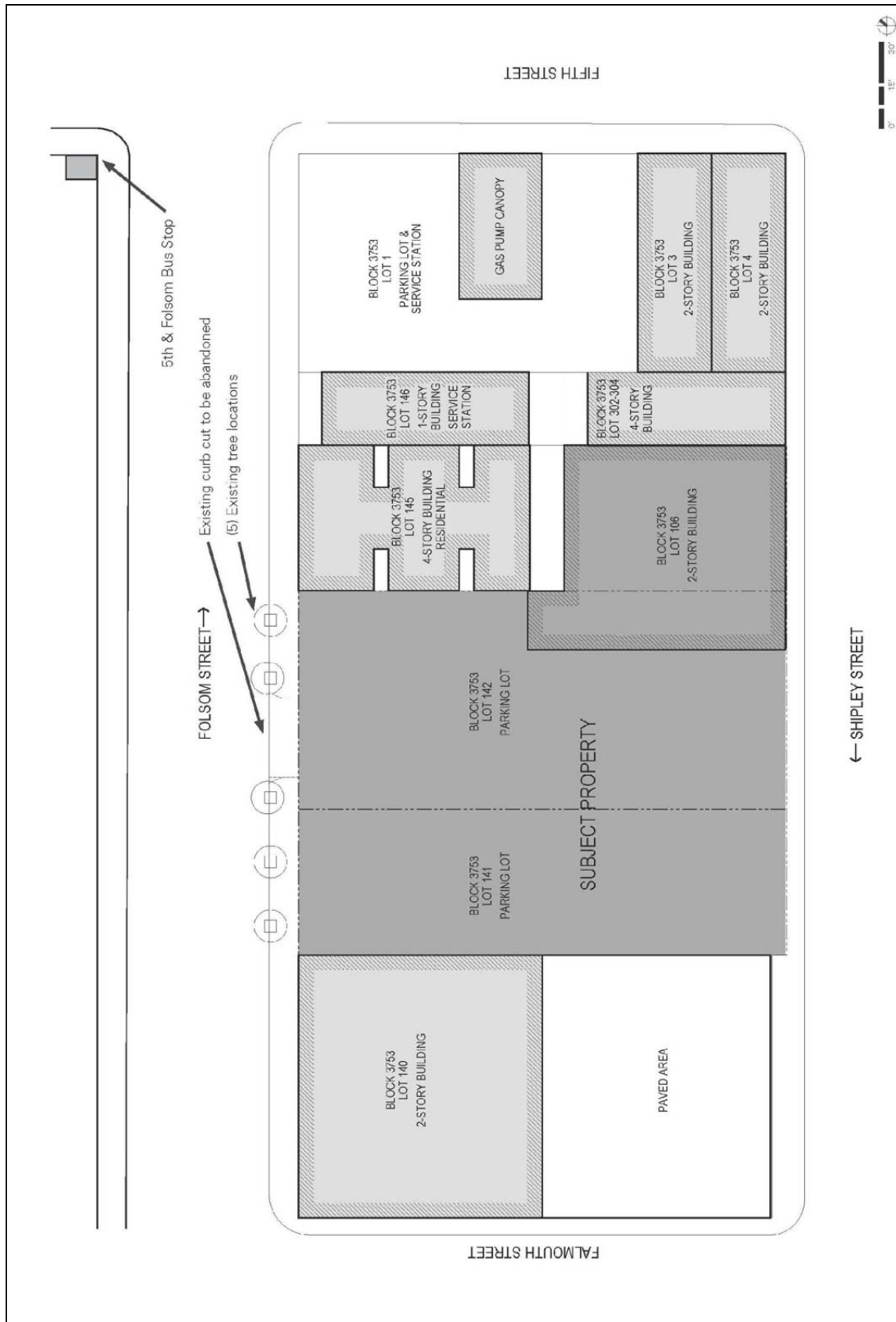
Citywide Location Map



Project Vicinity Map

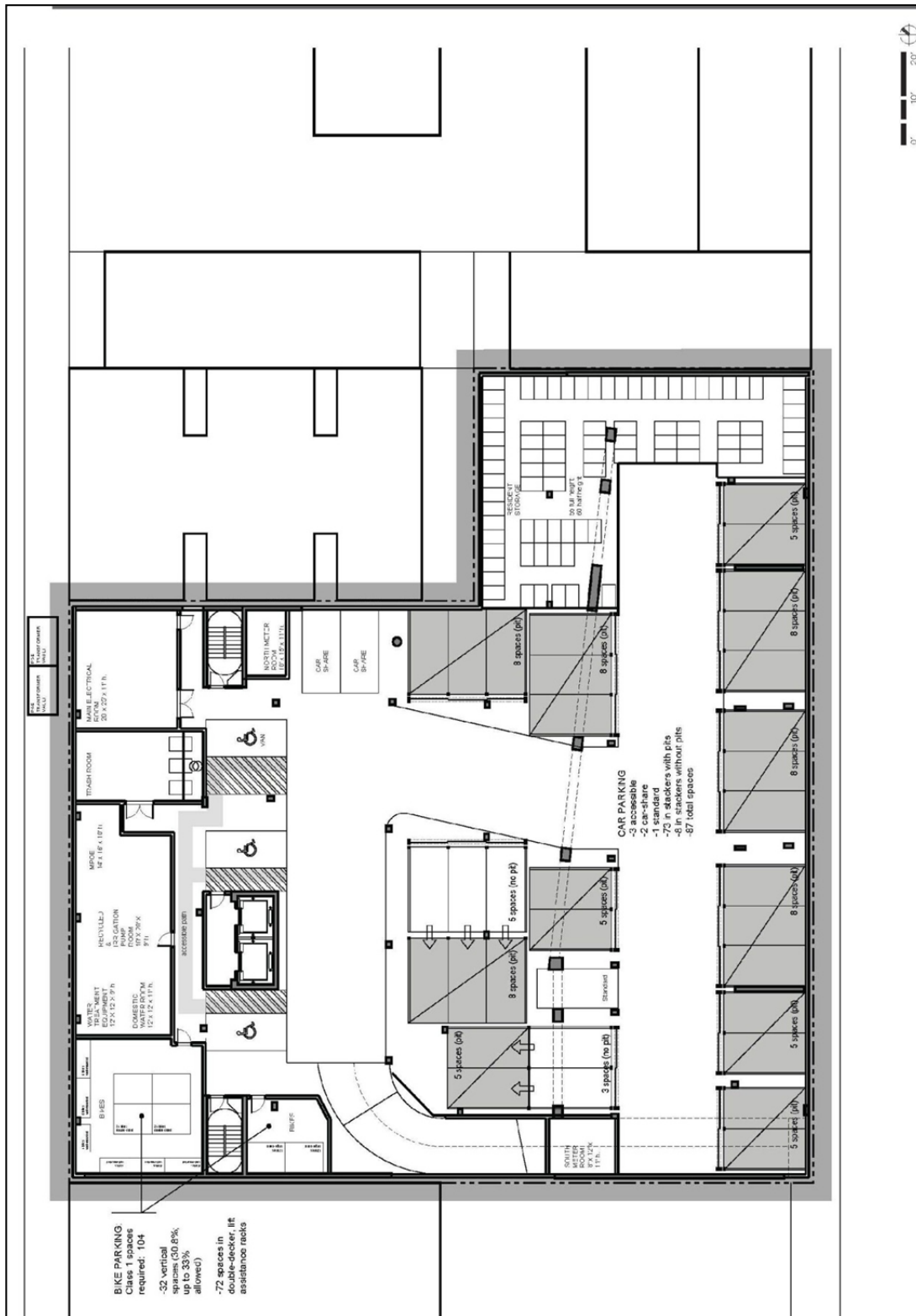
Source: San Francisco Planning Department, 2014  
NOT TO SCALE

Figure 1: Project Site Location



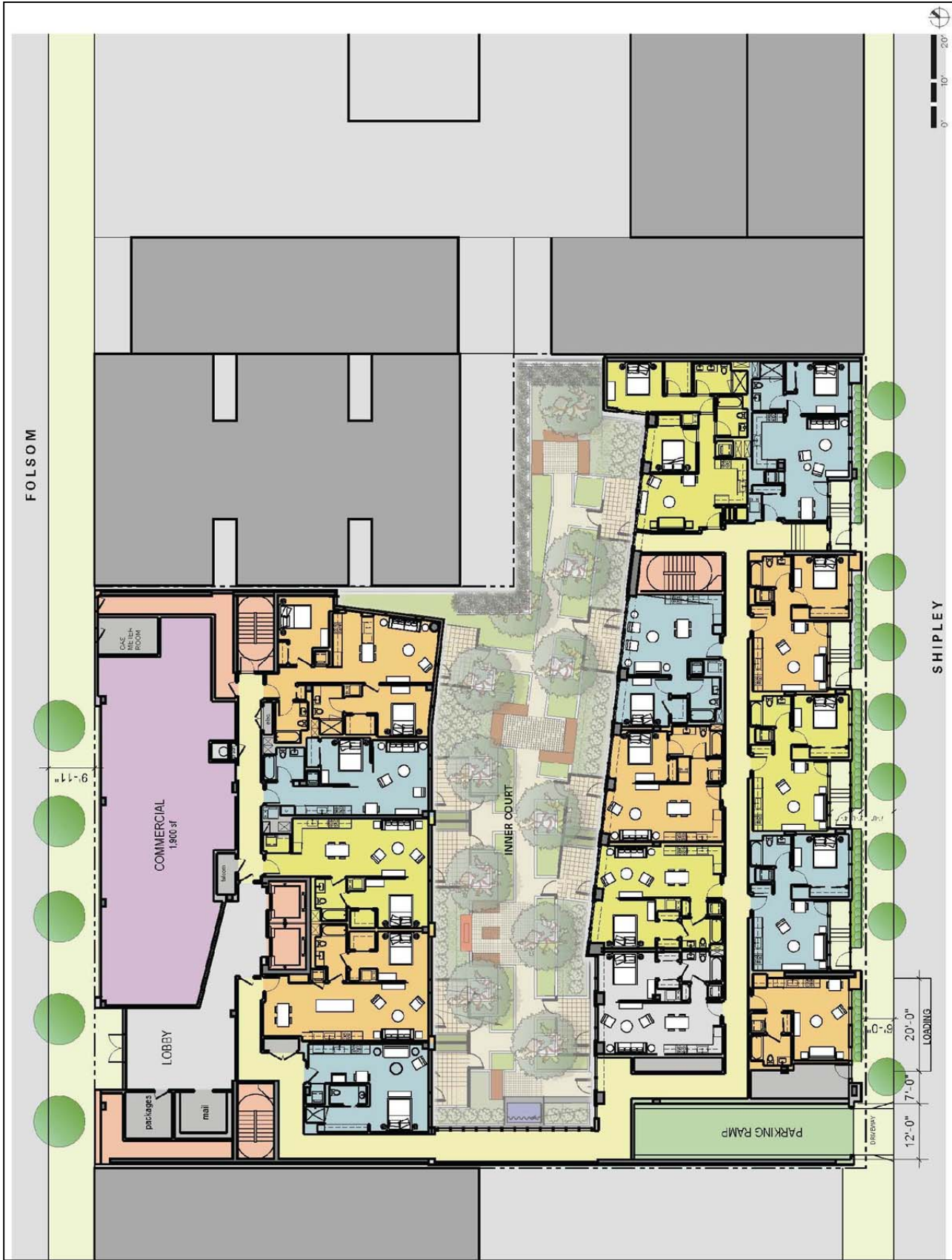
Source: Solomon Cordwell Buenz, 2013  
 NOT TO SCALE

Figure 2: Proposed Site Plan



Source: Solomon Cordwili Bueenz, 2013  
 NOT TO SCALE

Figure 3: Proposed Garage Plan



Source: Solomon Cordwell Buenz, 2013  
 NOT TO SCALE

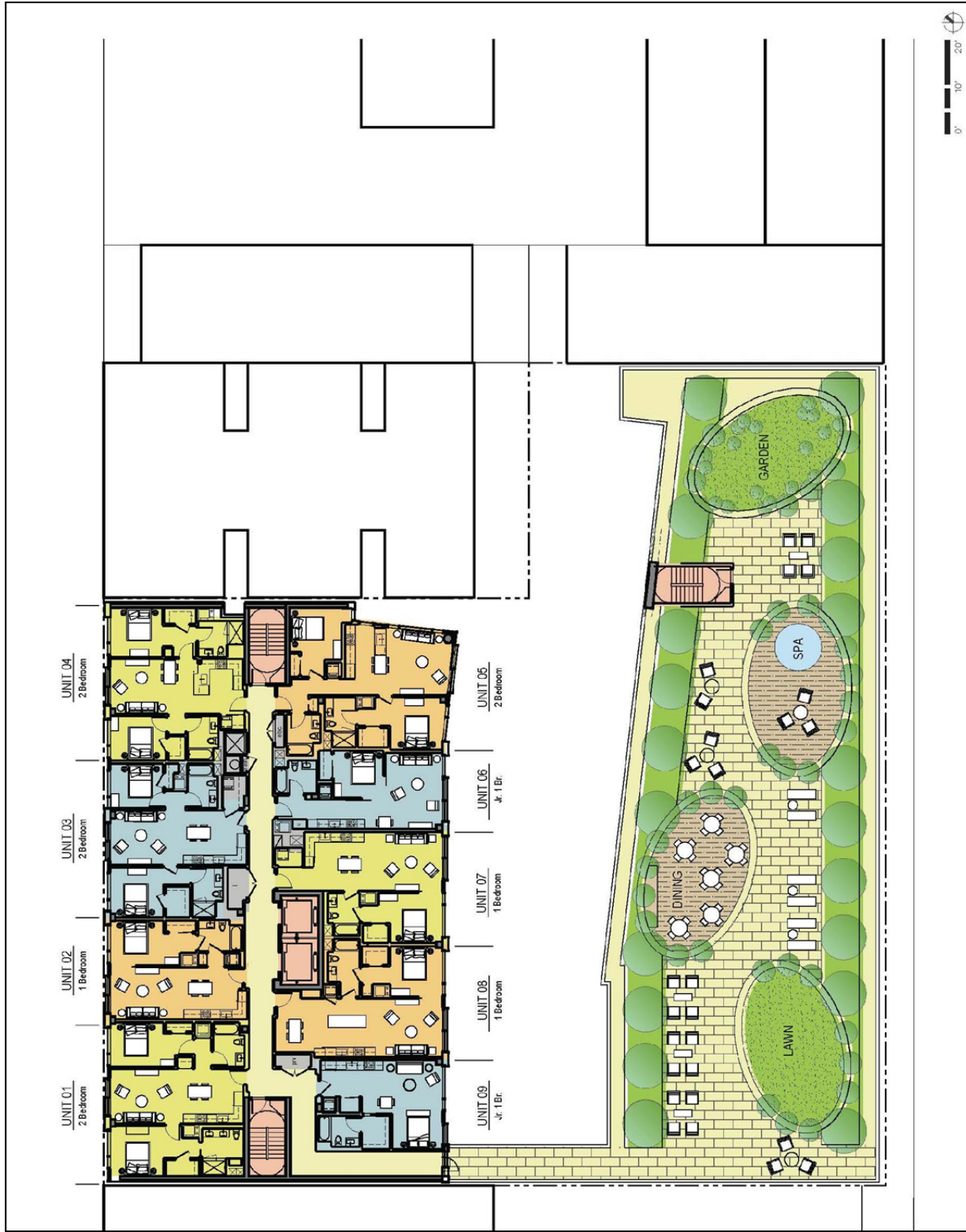
Figure 4: Proposed First Floor Plan



Source: Solomon Cordwell Buenz, 2013

NOT TO SCALE

Figure 5: Proposed Second and Third Floor Plans



Source: Solomon Cordwell Buenz, 2013

NOT TO SCALE

Figure 6: Proposed Fourth Floor Plan



NORTH-WEST ELEVATION (FOLSOM)



Source: Solomon Cordwell Buenz, 2013  
 NOT TO SCALE

Figure 7: Elevation





SHIPLEY (SOUTH-EAST) ELEVATION



NORTH-WEST ELEVATION (COURTYARD SIDE)



Source: Solomon Cordwell Buenz, 2013

NOT TO SCALE

**Figure 8: Elevations**

Folsom Street has an existing 10-foot wide sidewalk for the public right-of-way. The project sponsor proposes five new street trees spaced across the length of the property along Folsom Street, located to avoid the existing amber alert sign and proposed transformer vaults. A three-foot wide curbside zone is proposed that would include permeable concrete pavers and planting areas for street trees. Six bicycle racks would be located in permeable paver area of this curbside zone. The remaining 6.5-foot wide path of travel would be paved with concrete.

Shipleigh Street is a narrow alley with an existing 7-foot wide sidewalk. The project sponsor proposes to add nine new street trees along this frontage, spaced across the length of the property and aligned with elements of the building façade. In addition, the sponsor proposes a 2.5-foot wide curbside zone that would contain a variation of planting areas (with trees and shrubs) and paved areas with permeable pavers. The remaining four-foot width of the curb would be paved with concrete.

Adjacent to the building along the edge of the entry stoop stairs along Shipleigh Street, the project sponsor proposes planters with shrubs and vines to provide privacy for the first floor units and additional vegetation along the public right-of-way.

In addition, to enhance pedestrian connectivity and safety near the project site, the proposed project would include installation of a new north-south crosswalk along Shipleigh Street at the intersection at Fifth Street, subject to review and approval by SFMTA. This intersection currently includes ADA-accessible ramps along the north and south sides of Shipleigh Street; however, there is no marked (striped) crosswalk present. SFMTA recently recommended that the project sponsor consider constructing a raised crosswalk at the corner of Fifth and Shipleigh Streets, along the west side. A raised crosswalk would consist of poured concrete and pavement markings and pedestrians would not need to step down into the roadbed to cross Shipleigh Street. The crosswalk would be designed per standards set forth in the San Francisco *Better Streets Plan* as approved by the SFMTA Sustainable Streets Division and Department of Public Works.

### **Project Construction**

Construction phases would consist of demolition, below-grade construction, superstructure construction, exterior wall construction and glazing, and building interior and finishes. Project construction is anticipated to begin in summer 2014 and is expected to last approximately 20 months.

Demolition of the existing building on the project site would be completed in approximately six weeks. Following demolition, the site would be excavated to allow for one level below grade over the entire footprint of the site. Approximately 14,000 cubic yards of soil is slated for excavation with approximately 11,000 cubic yards of soil slated for removal. The remainder of the excavated soil will be mixed and reused as part of project construction. Excavation work is estimated to last two months.

Due to the presence of fill material and "new bay mud" on the site, a combination of pile foundations and grade beams is proposed (contingent on the final geotechnical report). As an alternate, a mat foundation is being considered. Drilled (not driven) piles would also be installed as required by the buildings seismic resisting systems. The remainder of the foundation would be shallow grade beams. Foundation work is estimated to last two months.

The building superstructure would be constructed over four months and would consist of conventional concrete columns and slabs and post-tensioned shear walls. Construction equipment to be used during this phase would include a tower crane, concrete pump trucks, and concrete/rebar/framing delivery trucks. Installation of the building exterior skin will start towards the fourth month of superstructure and be completed in about three months. The anticipated date of occupancy is the first quarter of 2016.

The proposed 923 Folsom Street project would require the following approvals:

#### **Approval Action by the Planning Commission**

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

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

- Approval of site permit (*Planning Department, Department of Building Inspection*)
- Approval of grading and building permits (*Planning Department, Department of Building Inspection*)
- Approval of a stormwater control plan (*San Francisco Public Utilities Commission*)
- Approval of project compliance with the Stormwater Control Guidelines (*Department of Public Works*)
- Approval of a three-lot merger (*Department of Public Works*)
- Approval of the installation of a new north-south crosswalk along Shipley Street at the intersection at Fifth Street (*San Francisco Municipal Transportation Agency*)

#### **EVALUATION OF ENVIRONMENTAL EFFECTS:**

This Community Plan Exemption (CPE) Checklist examines the potential environmental impacts that would result from implementation of the proposed project and indicates whether such impacts are addressed in the applicable programmatic FEIR (PEIR)<sup>2</sup> for the *Eastern Neighborhoods Rezoning and Area Plans EIR* (FEIR) (Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048).<sup>3</sup> Items checked "Project-Specific Significant Impact Not Identified in PEIR" identify topics for which the proposed project would result in a significant impact that is peculiar to the project, i.e., the impact is not identified as significant in the PEIR. Any impacts not identified in the PEIR are addressed in the CPE Checklist below.

Items checked "Significant Unavoidable Impact Identified in PEIR" identify topics for which a significant impact is identified in the PEIR. In such cases, the analysis considers whether the proposed project would result in impacts that would contribute to the impact identified in the PEIR. Mitigation measures identified in the PEIR are discussed under each topic area, and mitigation measures that are applicable to the proposed project are identified under each topic area and on pp. 64-73.

For any topic that was found to result in less-than-significant (LTS) impacts in the PEIR and for the proposed project, or would have no impacts, the topic is marked "No Significant Impact (Project or PEIR)" and is discussed in the CPE Checklist below.

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2 In this CPE Checklist, the acronyms FEIR and PEIR both refer to the Eastern Neighborhoods Plan FEIR and are used interchangeably.

3 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.

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 and thus, this checklist does not consider aesthetics in determining the significance of project impacts under CEQA.<sup>4</sup> 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, under Transportation and Circulation.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>1. LAND USE AND LAND USE PLANNING—Would the project:</b>						
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The division of an established community typically involves the construction of a physical barrier to neighborhood access, such as a new freeway, or the removal of a means of access, such as a bridge or a roadway. The proposed project would replace an existing two-story building and a surface parking lot with two new buildings – a nine-story building (approximately 85 feet in height) fronting Folsom Street and a four-story building (approximately 44 feet in height) fronting Shipley Street. The project would be limited to the project site and would not construct a physical barrier to neighborhood access or remove an

<sup>4</sup> San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 923 Folsom Street, April 14, 2014*. This document is available for review as part of Case File No. 2012.1333E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

existing means of access. Moreover, the project would not alter the established street grid or permanently close any streets or sidewalks. Although portions of the sidewalk adjacent to the project site could be closed for periods of time during project construction, these closures would be temporary in nature. As a result, the proposed project would not physically divide an established community.

The project site is within the East SoMa Area Plan of the San Francisco General Plan and is within a Mixed Use - Residential (MUR) use district. As discussed in Section 841 of the Planning Code, the MUR use district intends to provide housing opportunities 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 designed to encourage the expansion of retail, business service and commercial (office) uses and cultural arts activities and also serves as a buffer between the higher-density, predominantly commercial area of Yerba Buena Center to the east and the lower-scale, mixed use service/industrial and housing area west of Sixth Street. Restrictions on the size of non-residential uses prohibit the development of large-scale retail and office uses. Allowed uses within the MUR use district include residential and office uses as well as PDR uses such as light manufacturing, home and business services, arts activities, warehouses, and wholesaling. Additional permitted uses include retail, educational facilities, and recreational facilities.

The existing uses on the project site are office and parking. By developing residential and limited commercial uses, the proposed change in use would be consistent with those uses permitted within the MUR use district. Moreover, residential and commercial uses in the MUR use district are consistent both with the policies of the Area Plan and specific zoning adopted pursuant to the Area Plan for this particular location. Thus, the proposed project would be consistent with uses permitted within the MUR use district.

The proposed height and bulk of the building would be substantially larger than what is currently on the site and also bigger than many other structures in the project area. However, the proposed project would be similar in size and bulk to the project directly across Folsom Street and, in general, would not result in significant, adverse impacts to the overall character of the neighborhood. Moreover, it would not physically divide or disrupt an established community.

The Citywide and Current Planning Divisions of the Planning Department have additionally determined that the proposed project is consistent with the Eastern Neighborhoods Plan and satisfies the requirements of the General Plan and the Planning Code.<sup>5, 6</sup> Specifically, the proposed building is consistent with the established height and bulk controls of the site, and the proposed uses are consistent with the MUR zoning controls of the site, all of which were analyzed in the Eastern Neighborhoods FEIR.

The Eastern Neighborhoods Area Plan 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, thus reducing the availability of land traditionally used for PDR (Production, Distribution, and Repair) employment and businesses.

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5 Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis*, 923 Folsom Street, June 20, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

6 Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning*, 923 Folsom Street, November 22, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

The Eastern Neighborhoods FEIR identified a significant and unavoidable impact on land use due to the cumulative loss of PDR use in the Plan Area. Whether an individual project contributes to this impact is based upon two factors: (a) whether the site allowed PDR uses under its former zoning (prior to the rezoning that occurred under the Eastern Neighborhoods Rezoning and Area Plans process) and (b) whether the site would be able to support PDR uses under its current zoning. The project site was formerly zoned as Residential Service District (RSD), which generally allowed PDR uses. The project site was rezoned to the MUR use district, which also allows most PDR uses. As discussed above, the project site is currently occupied by a commercial office building and a surface parking lot. However, by developing retail and residential uses on the property, the proposed project would preclude PDR uses from being developed on the project site. Thus, the project would contribute to the significant and unavoidable impact on land use identified in the Eastern Neighborhoods FEIR.

The Eastern Neighborhoods FEIR included one mitigation measure, 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. The 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 measure was seen to conflict with other City policy goals, including the provision of affordable housing.

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

Topics:	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>2. POPULATION AND HOUSING— Would the project:</b>						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plan is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The Eastern Neighborhoods FEIR 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, but would serve to advance key City policy objectives, such as providing housing in appropriate locations next to Downtown and other employment generators and furthering the City's Transit First policies. It was anticipated that the rezoning would result in an increase in both housing development and population in all of the Area Plan neighborhoods. The Eastern Neighborhoods FEIR 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 FEIR.

The addition of 115 residential units would increase the residential population on the site by approximately 232 persons.<sup>7</sup> The proposed commercial use would employ a total of approximately 6 staff at the proposed building once it is completed. Therefore, the proposed project's residential and commercial uses are expected to add a population of approximately 238 persons to the site (include a daytime population of 6 persons). These direct effects of the proposed project on population and housing are within the scope of the population growth anticipated under the Eastern Neighborhoods Rezoning and Area Plans, and evaluated in the Eastern Neighborhoods FEIR.

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 FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>3. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:</b>						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>7</sup> The project site is located in Census Tract 178.02, which is generally bounded by Howard Street to the north, Harrison Street to the south, 5<sup>th</sup> Street to the east and 11<sup>th</sup> Street to the west. The population calculation is based on Census data (2008-2012 American Community Survey), which estimates 2.02 persons per household in Census Tract 178.02.

## **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 FEIR determined that future development facilitated through the changes in use districts and height limits under the Eastern Neighborhoods Area Plan could have substantial adverse changes on the significance of both individual historical resources and on historical districts within the Plan Area. The FEIR determined that approximately 32 percent of the known or potential historical resources in the Plan Area could potentially be affected under the preferred alternative. The Eastern Neighborhoods FEIR 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 FEIR identifies three mitigation measures that could reduce the severity of impacts of development enabled under the Eastern Neighborhoods Plan in some cases: Mitigation Measure K-1 established interim building permit review policies to protect historical resources within the Plan Area, pending completion of an historical resources survey of the Plan Area and implementation of revised Preservation Policies for protection of historical resources within the Plan Area; Mitigation Measure K-2 identified amendments to Article 10 of the Planning Code pertaining to vertical additions in the South End Historic District that would reduce potential impacts to contributing structures in this historic district; and Mitigation Measure K-3 identified amendments to Article 10 of the Planning Code pertaining to alteration and infill development in the Dogpatch Historic District that would reduce potential impacts on contributing structures in this historic district. However, because the demolition or substantial alteration of a historical resource typically cannot be fully mitigated, the FEIR concluded that the Eastern Neighborhoods Plan would have a significant and unavoidable impact on historical resources.

The existing project site contains an 11,000-square-foot, two-story, commercial office building (constructed in 1967) in the southeastern portion of the site (along Shipley Street) and surface parking areas throughout the remainder of the site. The existing building on the property was included the Planning Department's South of Market Area Historic Resource Survey and was given a California Historical Resource Status Code of 6Z, indicating that it was found ineligible for California Register, National Register, or Local designation through survey evaluation. Therefore, the project site does not contain any historical structures, sites, or architectural features. For these reasons, the proposed project would not contribute to the significant and unavoidable historical resource impacts identified in the Eastern Neighborhoods FEIR and no mitigation measures would be required.

## **Archeological Resources**

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



No final archeological research design and treatment plan is on file for the project site at the Northwest Information Center and the Planning Department; therefore, Mitigation Measure J-1 does not apply to the proposed project. The project site is also not located within the Mission Dolores Archeological District; therefore Mitigation Measure J-3 also does not apply to the proposed project. No archeological assessment report has been previously prepared for the project site; thus Eastern Neighborhoods FEIR Mitigation Measure J-2 is applicable to the proposed project.

Eastern Neighborhoods FEIR Mitigation Measure J-2 requires a project-specific archeological sensitivity assessment. A preliminary archeological review (PAR)<sup>8</sup> was conducted by a Planning Department's archeological technical specialist to serve as the project-specific archeological sensitivity assessment. Implementation of the archeological recommendations of this PAR (which includes implementation of an Archeological Testing Mitigation Requirement) will result in the reduction of any potential effects of the proposed project to archeological resources to a less-than-significant level. The results of the PAR are summarized below.

According to the PAR, the project site was located within and along the northern periphery of a former old high tidal marsh (Sullivan Marsh) that gradually expanded beyond Mission Bay westward past Mission and 7<sup>th</sup> Streets within the last 4,000 years. The area northeast of this large wetland became a place of dense prehistoric settlement and use during a period of relative sand dune stability beginning 2,000 years BP until 1,000 years BP. This concentration of prehistoric sites consists mostly of buried shell midden sites usually containing some human remains, artifactual and faunal material, and various features. The prehistoric sites in the South of Market area are frequently notable for their good state of preservation buried beneath later sand dune deposits. Several of these sites are situated along the former shoreline and marshes of Mission Bay or near sources of fresh water. Prehistoric shell mound deposits sometimes occur within areas that historically were submerged, such as within tidal wetlands or within submerged waters. Due to its location and the cluster of prehistoric sites in this area, the project site has sensitivity for prehistoric archaeological resources beneath the fill.

By the mid- to late-1850's the project site had been filled in and was under cultivation with an associated structure located on the corner of 5<sup>th</sup> and Folsom (outside of the project site). By 1869, development is shown along both Folsom and Shipley Streets, although the type of development is not currently known. By the late 1880s, based on the Sanborn Map, the project area has been primarily built out with stores, a bakery, and residential buildings (tenements, flats, and dwellings) along with various out buildings along rear property lines. The 1899 Sanborn map shows a similar collection of buildings within the project area. All of these buildings were destroyed in the 1906 Earthquake and Fire. Limited development is shown on the 1913 Sanborn map. Besides the insertion and removal of underground storage tanks, which based on the geotechnical report prepared for the project site only took up a small portion of the site, the project site has seen limited subsurface disturbance during the 20<sup>th</sup> century.

There are no previous archeological field investigations of the project site. The project site was covered in the Archaeological Resources Inventory for the South of Market Redevelopment Project (1995). Archeological testing by WSA at the nearby SFMOMA Fire Station Relocation and Housing Project (2012) located at 935 Folsom did not encounter any archeological resources but did identify the site's stratigraphy, noting that the project is underlain by earthquake fill (5-to-8.5 foot thick layer), which is underlain by a layer of loose, moist, brown to very dark brown, undifferentiated dune sand (varying in

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<sup>8</sup> *Environmental Planning Preliminary Archeology Review: Checklist for 923 Folsom Street from Allison Vanderslice (EP archeologist), November 26, 2013. This document is on file and available for public review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File 2012.1333E.*

thickness from 3-to-11 feet), beginning at 5-to-6 feet bgs (average is 5.8 feet bgs) and extending to 8-to-16 feet bgs (average is 10.8 feet bgs), with a marsh deposit (of 5-to-17 feet thick) identified beneath the dune sand in 11 of 20 bores. The marsh deposit is underlain by bay mud (17-to-26 feet bgs), which is underlain by Colma Formation sands.

The State Historic Preservation Office has recently determined that seven prehistoric shell midden sites form an archeological district (Prehistoric Native American Shellmiddens on Mission Bay, San Francisco) eligible for listing to the National Register of Historic Places (NRHP).<sup>9</sup> These seven sites are a series of well-developed middens that formed on sand dunes. The project site lies just west of the sites currently identified in the prehistoric shell midden archeological district and is also within several blocks of two additional recorded prehistoric sites. While South of Market prehistoric shell middens are small to moderate in size, they indicate substantial occupation as both core and satellite villages. These sites are remarkable for the unusual state of integrity since they have often been buried under late period sand dune activity. Human remains have been encountered in several of these shell midden sites.

The PAR concluded that excavation for the proposed below-grade parking level could affect archeological deposits, specifically late 19<sup>th</sup> Century deposits, such as possible CRHR-eligible privy pits or wells, which may exist within the project site. The assessment also noted that there is a probability that the various deep foundation techniques recommended by the geotechnical reports prepared for the project could adversely impact archeological deposits that, in the case of prehistoric features, would most likely be CRHR-eligible. However, implementation of the Planning Department's standard Archeological Testing Mitigation Requirement, below, would reduce potential effects of the proposed project to archeological resources to a less-than-significant level.

**Project Mitigation Measure M-CP-1 – Archeological Testing (Implements Mitigation Measure J-2 of the Eastern Neighborhoods FEIR)**

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

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<sup>9</sup> Anthropological Studies Center (ASC), *Site Specific Archaeological Research Design, Evaluation, and Data Recovery and Treatment Plan for Prehistoric Midden Deposits at Fourth and Howard Streets, San Francisco*. Prepared for the San Francisco Municipal Transportation Agency, September 15, 2010.

the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>10</sup> associated with descendant Native Americans or the Overseas Chinese an appropriate representative<sup>11</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

11 An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

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

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

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

*Archeological Data Recovery Program.* The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project

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

The scope of the ADRP shall include the following elements:

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

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, 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.

*Final Archeological Resources Report.* The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of

any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

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

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>4. TRANSPORTATION AND CIRCULATION—Would the project:</b>						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Topics:</b>	<b>Project-Specific Significant Impact Not Identified in PEIR</b>	<b>Significant Unavoidable Impact Identified in PEIR</b>	<b>Mitigation Identified in PEIR</b>	<b>PEIR Mitigation Applies to Project</b>	<b>PEIR Mitigation Does Not Apply to Project</b>	<b>No Significant Impact (Project or PEIR)</b>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Eastern Neighborhoods FEIR anticipated that growth resulting from the zoning changes could result in significant impacts on traffic and transit ridership, and identified 11 transportation mitigation measures. Even with mitigation, however, it was anticipated that the significant adverse cumulative traffic impacts at certain local intersections and the 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 16c from the CEQA Guidelines, Appendix G is not applicable.

### **Trip Generation**

The project would include 115 dwelling units, consisting of 8 junior one-bedroom units, 61 one-bedroom units, and 46 two-bedroom units. In addition, it would provide approximately 1,900 square feet of commercial space on the ground level of the Folsom Street structure. The two buildings would share a basement-level garage, which would contain 87 stacked residential off-street parking spaces as well as 104 secured bicycle spaces.

Using the guidance in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department, a project-specific transportation study for the 923 Folsom Street project was prepared, and is summarized below.<sup>12</sup> The proposed project would generate an estimated 2,118 person trips (inbound and outbound) on a weekday daily basis, consisting of 805 person trips by auto, 466 transit trips, 614 walk trips and 233 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 92 vehicle trips (accounting for vehicle occupancy data for this Census Tract).

### **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 proposed project would generate an estimated 82 new a.m. peak hour vehicle trips and an estimated 92 new p.m. peak hour vehicle trips that could travel through surrounding intersections. The

12 CHS Consulting Group, *Transportation Impact Study, 923 Folsom Street Mixed-Use Residential Project*, April 11, 2014. This study is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333!

intersections near the project site (within approximately 1,500 feet) include Fifth Street/Howard Street, Fifth Street/ Folsom Street, Fifth Street/Harrison Street/Freeway (I-80) off-ramp, Sixth Street/Howard Street, Sixth Street/Folsom Street, and Sixth Street/Harrison Street. All study intersections would operate at the same service levels as under existing conditions during both a.m. and p.m. peak hours, and the majority of study intersections would continue to operate satisfactorily (LOS D or better). At the signalized intersection of Fifth Street/Harrison Street/I-80 off-ramp, during the p.m. peak hour, the intersection would operate at LOS E with or without the proposed project. The proposed project would add seven vehicles to the critical southbound through movement. This project-related contribution would represent 1.5 percent to the total p.m. peak hour volume at this critical movement under existing conditions. The proposed project's contributions to this poorly operating intersection would therefore not be considered substantial and the proposed project would result in a less-than-significant traffic impact at the intersection of Fifth Street/Harrison Street/I-80 off-ramp.

The 92 new p.m. peak hour vehicle trips would not substantially increase traffic volumes at this or other nearby intersection, would not substantially increase average delay that would cause intersections that currently operate at acceptable LOS to deteriorate to unacceptable LOS, and would not substantially increase average delay at intersections that currently operate at unacceptable LOS.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative (2025) impacts relating to weekday p.m. peak hour traffic conditions, with the Preferred Project having significant impacts at several intersections. Of these, the closest intersections to the project site are Sixth and Brannan Streets and Seventh and Harrison Streets. However, the project would have no effect on these intersections due to their distance from the site (over 1,500 feet). Therefore, the project would not have a considerable contribution to significant cumulative impacts identified in the FEIR.

In terms of cumulative traffic impacts on intersections not studied in the FEIR, the intersection of Fifth Street/Howard Street would operate at acceptable LOS conditions (LOS D) during the a.m. peak hour under 2040 cumulative conditions, but would operate poorly (LOS F) during the p.m. peak hour. The intersection of Fifth Street/Harrison Street/Freeway (I-80) off-ramp would operate acceptably at LOS D during the p.m. peak hour, but would operate poorly (LOS E) during the a.m. peak hour. The remaining study intersections would operate at unacceptable LOS conditions (LOS E or F) in the p.m. peak hour under cumulative conditions. The proposed project contributions at the study intersections projected to operate poorly (at LOS E or F) under 2040 cumulative conditions were further evaluated to determine if the project-generated vehicle trips would represent a substantial (generally greater than five percent contribution to a poorly operating critical movement) contribution to these LOS E or F intersections.

#### *AM Peak Hour*

At the signalized intersection of Fifth and Folsom Street, during the a.m. peak hour, the intersection would operate at LOS F under 2040 cumulative conditions. The proposed project would add 11 vehicles to the critical eastbound left-turning movement and three vehicles to the critical eastbound through movement. This project-related contribution would represent 3.9 and less than 1 percent, respectively, of the total a.m. peak hour volume for these critical movements under cumulative conditions. The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Fifth Street/Folsom Street during the a.m. peak hour.

At the signalized intersection of Fifth Street/Howard Street/Freeway I-80 off-ramp, during the a.m. peak hour, the intersection would operate at LOS E under 2040 cumulative conditions. The proposed project would add four vehicles to the critical northbound through movement and 10 vehicles to the critical



southbound through movement. This project-related contribution would represent 0.9 and 1.6 percent, respectively, of the total a.m. peak hour volume for these critical movements under cumulative conditions. The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Fifth Street/Howard Street/Freeway I-80 off-ramp.

#### *PM Peak Hour*

At the signalized intersection of Fifth and Howard Street, during the p.m. peak hour, the intersection would operate at LOS E under 2040 cumulative conditions. The proposed project would add seven vehicles to the northbound through critical movement and 10 vehicles to the southbound through critical movement, which would represent 1.1 and 1.5 percent respectively, of the total p.m. peak hour volume for these critical movements under cumulative conditions. The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Fifth Street and Howard Street/Freeway I-80 off-ramp.

At the signalized intersection of Fifth and Folsom Street, during the p.m. peak hour, the intersection would operate at LOS F under 2040 cumulative conditions. The proposed project would add seven vehicles to the eastbound left-turn critical movement and two vehicles to the eastbound through critical movement, which would represent 3.1 and 0.2 respectively, of the total p.m. peak hour volume for these critical movements under cumulative conditions. In addition, the proposed project would add 10 vehicles to the southbound through critical movement, which would represent 2.1 percent of the total p.m. peak hour volume for this critical movement under cumulative conditions. The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Fifth and Folsom Street during the p.m. peak hour.

At the signalized intersection of Sixth and Howard Street, during the p.m. peak hour, the intersection would operate at LOS F under 2040 cumulative conditions. However, at this study intersection, the proposed project would not add any vehicle trips to the westbound left-turn and westbound through critical movements, but would add seven vehicles, or a 0.7 percent contribution to the northbound through critical movement volumes. The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Sixth and Howard Street.

At the signalized intersection of Sixth and Folsom Street, during the p.m. peak hour, the intersection would operate at LOS F under 2040 cumulative conditions. The proposed project would add 10 vehicles to the southbound left-turn/through critical movement, which would represent 0.8 percent contribution to the total p.m. peak hour volume for this critical movement under cumulative conditions. The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Sixth and Folsom Street during the p.m. peak hour.

At the signalized intersection of Sixth and Harrison Street, during the p.m. peak hour, the intersection would operate at LOS F under 2040 cumulative conditions. The proposed project would add 12 vehicles to the southbound through/right-turning critical movement, which would represent 0.04 percent contribution to the total p.m. peak hour volume for this critical movement under cumulative conditions.

The proposed project's contributions to this intersection under 2040 cumulative conditions would therefore, not be considered substantial and the proposed project would not result in a considerable contribution to cumulative traffic impact at the intersection of Sixth and Harrison Street during the p.m. peak hour.

It is noted that the proposed roadway network changes throughout the study area include substantial modifications to existing roadway capacities, including the reduction to the number of general traffic lanes along multiple streets in order to accommodate new transit, pedestrian, and bicycle facility improvements. The lessening in roadway capacities and reduction of travel lanes at study intersections, in combination with the anticipated land use would result in the worsening of traffic operating conditions and vehicle delay. However, the proposed project would not result in a considerable contribution to cumulative traffic conditions and project cumulative traffic impacts would be considered less than significant.

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

As noted in the Project Description, vehicle access to the underground parking garage would be provided along the north side of Shipley Street. Shipley Street is approximately 23 feet wide and includes parking along the north side of the alleyway; therefore there is one travel lane along its extents. A 12-foot-wide parking ramp would be used for vehicle ingress and egress movements in and out of the underground parking garage. Vehicles attempting to enter the garage would have to wait for the gates to open as well as yield to any vehicles exiting the garage prior to entry. There would be no refuge area or dedicated on- or off-street space for vehicles to dwell (stop) prior to entering the underground garage or waiting for an exiting vehicle; therefore vehicles would be stopped along Shipley Street before entering the garage. Because Shipley Street is a relatively narrow alleyway with one travel lane and due to the lack of a refuge area for vehicles attempting to enter the garage, the proposed project could result in adverse queuing effects along Shipley Street, and such conditions could be exacerbated during peak commute time periods (i.e., when Shipley Street could experience heightened levels of vehicle traffic and a higher amount of vehicles traveling in and out of the underground parking garage). In addition, the queuing of vehicles along Shipley Street could impede access to other neighboring residences as well as result in new hazardous conditions to all users of the alleyway, including bicyclists and pedestrians attempting to access other nearby buildings or travel along Shipley Street. Although the proposed project would not result in any potential adverse effects to existing traffic patterns, implementation of Improvement Measure I-TR-1, Monitoring and Abatement of Queues, below, would further reduce the proposed project's less-than-significant impacts related to vehicular access to the project site.

**Project Improvement Measure I-TR-1: Monitoring and Abatement of Queues**

As an improvement measure to reduce the potential for queuing of vehicles accessing the project site, it shall be the responsibility of the property owner to ensure that recurring vehicle queues do not occur within the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the underground parking garage) blocking any portion of the Shipley Street sidewalk or travel lane for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will

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

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

### **Transit**

The project site is located within a quarter mile of several local transit lines including Muni lines 8X/8AX/8BX, 12, 14/14L, 27, 30, 45, and 47. In addition, the project site is within ½ mile to ¾ mile of regional transit providers and lines: BART, Caltrain, AC Transit, SamTrans, and Golden Gate Transit. The proposed project would be expected to generate 466 daily transit trips, including 72 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 72 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods FEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni line 27. Mitigation measures proposed to address these impacts related to 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 impacts on the above lines were found to be significant and unavoidable and a Statement of Overriding Considerations related to the significant and unavoidable cumulative transit impacts was adopted as part of the FEIR Certification and project approval.

The proposed project would not contribute considerably to these conditions as its minor contribution of 72 p.m. peak hour transit trips would not be a substantial proportion of the overall additional transit volume generated by Eastern Neighborhood projects. The proposed project would also not contribute considerably to 2025 cumulative transit conditions and thus would not result in any significant cumulative transit impacts.

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

### **Pedestrian**

The proposed project would generate 166 pedestrian trips during a typical weekday p.m. peak hour. The proposed buildings would have two entrances for residents: one located at the lobby in the nine-story building along Folsom Street, which would be used by residents and one located along Shipley Street, for residents to access the four-story building. There would also be a separate entrance for customers/patrons of the retail use along the south side of Folsom Street. Standard curb ramps are present at the intersections of Fifth and Shipley Streets, and Sixth and Shipley Streets.

In general, sidewalks in the project vicinity are between six and 15 feet wide, and currently have moderate to low levels of pedestrian activity. However, the sidewalks along Shipley Street between Fifth and Sixth Streets are relatively narrow (about seven feet wide) and are generally in poor condition (e.g., cracked and uneven surfaces). The 166 new p.m. peak hour pedestrian trips could be accommodated on the existing sidewalks and crosswalks adjacent to the project site and would not substantially overcrowd the current pedestrian conditions along Folsom, Fifth, or Sixth Streets.

The proposed project would also include installation of a new north-south, raised crosswalk along Shipley Street at the intersection at Fifth Street if SFMTA approves the proposal. The proposed crosswalk would enhance pedestrian connectivity and safety, and would better alert drivers of pedestrian activity at this intersection. The crosswalk would connect to the existing ADA-accessible ramps located along the north and south sides of Shipley Street. The design of the crosswalk would be in accordance with and subject to approval by the SFMTA Sustainable Streets Division and Department of Public Works.

Further, the proposed project is subject to the *Better Streets Plan*. The proposed streetscape improvements would comply with the *Better Streets Plan* requirements and would improve the pedestrian realm adjacent to the project site (and nearby at the crosswalk at Shipley and Fifth streets) and promote pedestrian safety and comfort, and would allow for adequate public space and maneuverability for safe pedestrian passage along the sidewalk areas.

A peak hour demand of less than one loading vehicle is expected for the residential portion of the proposed project. Access to the loading zone (a 20-foot curb along the north side of Shipley Street) would be from Shipley Street. There would be a seven-foot-long “no parking” zone between the underground garage driveway and the 20-foot-long loading zone to allow for maneuvering of service vehicles within the loading area and providing this gap between the driveway ramp and loading would increase visibility of these larger vehicles for pedestrians along Shipley Street. In addition, there would be visual notifications at the garage driveway to alert pedestrians of vehicles entering and exiting the driveway which would reduce potential conflicts between pedestrians and vehicles turning in and out of the underground garage.

The proposed project would not result in an increase in the amount of overcrowding on public sidewalks, interfere with pedestrian circulation and circulation to nearby areas and buildings, or create potentially hazardous conditions for pedestrians, and would create additional corridors for pedestrian circulation. As such, pedestrian impacts resulting from the project would be less than significant. Further, the

proposed project would provide adequate sidewalk capacity along Folsom and Shipley Streets and would enhance the pedestrian environment through installation of Better Streets Plan improvements (e.g., adequate pedestrian throughways along sidewalks, street trees and planters, adequate curb widths, and adequate distance between the sidewalk and moving vehicles). While pedestrian impacts would be less than significant, the following improvement measure could be implemented to further reduce these less-than-significant impacts.

**Project Improvement Measure I-TR-2: Installation of Visual/Audible Devices at Underground Garage Driveway**

As an improvement measure to reduce potential conflicts between vehicles entering and exiting the underground garage and pedestrians traveling along the north side sidewalk of Shipley Street, the Project Sponsor shall install visual and/or audible notifications (alarms) to alert pedestrians of vehicles traveling in and out of the underground parking garage.

The proposed project would not include sidewalk narrowing, roadway widening, or removal of a center median; conditions that can adversely affect pedestrians. As such, the proposed project 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. For the above reasons, the proposed project would not result in significant impacts on pedestrian safety that were not identified in the Eastern Neighborhoods FEIR.

**Bicycle**

The proposed project would include a total of 112 bicycle parking spaces, comprised of 104 Class 1 bicycle parking spaces located within the basement-level parking garage (accessed via Shipley Street) and eight Class 2 bicycle parking spaces along the south side of Folsom Street, adjacent to the project site. The Class 2 bicycle parking spaces would be provided for patrons and/or employees associated with the proposed retail use at the project site. The bicycle routes on Howard, Folsom, and Fifth Streets are located adjacent to, and near the project site. These routes provide direct connectivity to several bicycle routes throughout the SoMa area and provide links to other regions of the city, including downtown San Francisco and the Financial District as well as major transit hubs (Caltrain, Ferry Building, Transbay Terminal, etc.). Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

Based on the existing bicycle network within the project vicinity, it is reasonable to assume that the anticipated increase in bicyclists associated with the proposed project would be accommodated by existing bicycle network facilities within the project vicinity.

It is noted that although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this anticipated increase would not be substantial enough to create potentially hazardous conditions for bicyclists. Further, the proposed project would remove a driveway on Folsom Street, which would remove one possible conflict point between vehicles and bicycles along a designated bicycle route. The project driveway and loading area would be located on Shipley Street, which is not a designated bicycle route, therefore potential conflicts between bicyclists and vehicles and/or trucks would be reduced. The proposed project would not otherwise substantially interfere with bicycle accessibility to the site and adjoining areas. For the above reasons, the proposed project would not result in significant impacts on bicycle safety that were not identified in the Eastern Neighborhoods FEIR.

## **Loading**

Based on the SF Guidelines, the proposed project would generate a demand for one loading space during both the average and peak hour of loading activities. The San Francisco *Planning Code* (Sections 152.1, 153 and 154) requires one off-street loading space for the proposed project. The proposed project would not provide any off-street loading facilities. The project is proposing an on-street 20 foot “yellow zone” (subject to SFMTA approval) along the project’s frontage on Shipley Street, designated as on-street commercial loading to accommodate delivery vehicles. This designated space would accommodate up to one loading vehicle and would be located east of the underground garage driveway along the north side of Shipley Street. There would also be an additional seven foot “no parking” space to serve as a buffer between the underground garage driveway and loading space to accommodate maneuvering of service vehicles and to reduce any potential blockages at the garage driveway from service vehicles.

Since the proposed project would not comply with the off-street loading space requirements set forth in the San Francisco Planning Code, the project sponsor would request a variance from Sections 152.1, 153 and 154 of the Planning Code in order to provide the loading on street. Alternatively, for projects in the Eastern Neighborhoods Mixed Use Districts that are subject to Section 329, Large Project Authorization, the Planning Commission may waive these requirements per the procedures of Section 329 if it finds that the design of the project would be improved and that such loading could be sufficiently accommodated on adjacent streets and alleys. For the above reasons, the proposed project would not result in significant impacts on transportation and circulation related to loading that were not identified in the Eastern Neighborhoods FEIR.

No mitigation measures would be required because the loading demand or activities generated by the proposed project could be accommodated within the proposed weekday daytime on-street commercial loading space along the project’s frontage on Shipley Street. In addition, the proposed project’s loading would not create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians. The following improvement measures can be implemented to further reduce the less-than-significant loading-related impacts:

### **Project Improvement Measure I-TR-3: Coordination of Move-in/Move-Out Operations and Large Deliveries**

To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on Shipley Streets (in the event that the on-street loading is occupied), residential move-in and move-out activities and larger deliveries shall be scheduled and coordinated through building management. Appropriate move-in/move-out procedures shall be enforced to avoid any blockages of Shipley Street over an extended period of time and reduce any potential conflicts between movers and pedestrians walking along Shipley Street. Curb parking on Shipley Street shall be reserved through SFMTA.

## **Emergency Access**

The street network serving the project area currently accommodates the movements of emergency vehicles that travel to the project site. In the event of an emergency, vehicles would be able to access the project site similar to existing conditions, from Folsom and Shipley Streets, immediately adjacent to the site and with access to both buildings on the property. Furthermore, although the proposed project would generate additional traffic to the area, such an increase in vehicles would not impede or hinder the movement of emergency vehicles in the project area, for example from the neighboring fire station (Fire

Department Fire Station No.1). Based on these findings, the proposed project's impact to emergency vehicle access would be less than significant.

### **Construction**

The proposed project's construction activities would last approximately 20 months and would include below-ground surface construction and building construction.

The proposed project would require between 15 and 20 workers during the early phases of construction. Throughout the entire construction of the project, the project would require an average of 70 workers per day; however, between 15 and 20 workers would be required during the early phases of construction and up to 140 workers would be required during peak construction periods. The proposed project would require about 24 days of hauling of spoils and other related materials. As such, during this period of construction, the project would generate approximately five haul trucks per hour during a 10-hour hauling period per day. Based on these findings, the proposed project would generate approximately 140 two-way trips (70 round trips) per day, on average; and up to 280 one-way trips during peak construction periods. The proposed project would also generate up to five haul truck trips (ten round trips) per hour over a 24-day period.

Construction staging areas would be located on site and in the underground parking garage once constructed. Parking for construction worker vehicles would be provided within public parking lots and garages in the vicinity of the project site. No permanent or temporary roadway or travel lane closures would be required during construction, with the exception of Folsom Street, where a portion of the south side, right-most travel lane may be temporarily closed during daytime construction hours.

Although construction activities would result in additional vehicle trips to and from the project site from workers and material and equipment deliveries, these activities would be limited in duration. Therefore, the proposed project's construction would not result in significant impacts on transportation that were not identified in the Eastern Neighborhoods FEIR.

While construction related impacts would be less than significant, the TIS recommends the following improvement measures to further reduce these impacts:

#### **Project Improvement Measure I-TR-4: Construction Truck Deliveries During Off-Peak Periods**

Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA) would further minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods.

As required, the Project Sponsor and construction contractor(s) shall meet with the Sustainable Streets Division of the SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruption, and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the Project Sponsor shall coordinate with construction contractors for any concurrent nearby projects (e.g., along Fifth Street, between Howard and Folsom Streets) that are planned for construction or which later become known.

### **Project Improvement Measure I-TR-5: Construction Management Plan**

In addition to items required in the Construction Management Plan, the project sponsor shall include the following:

- Carpool and Transit Access for Construction Workers – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include methods to encourage carpooling and transit use to the project site by construction workers in the Construction Management Plan/contracts.
- Project Construction Updates – As an improvement measure to minimize construction impacts on nearby businesses, the project sponsor shall provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns.

### **Parking**

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 and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.<sup>13</sup> 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.

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.

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13 San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 923 Folsom Street*, April 14, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.



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 Policies, 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.

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. The proposed project would have a peak parking demand of about 146 long-term spaces and about 15 short-term spaces, for a total demand of about 161 spaces. The project would also result in the removal on an existing surface parking lot with space for about 56 vehicles, and could result in the removal of approximately six on-street parking spaces along the north side of Shipley Street to accommodate the proposed 12-foot driveway ramp, 20-foot "loading zone" and seven foot "no parking" zone between the garage ramp and loading zone, if approved by SFMTA. The proposed project would provide a subterranean parking garage with 87 off-street parking spaces, of which three would be ADA-compliant accessible spaces (one of which would be dedicated for van-sized accessible parking). The proposed project would also provide one regular parking space, two car share parking spaces, and 81 stacked parking spaces (i.e., parking spaces that would be on mechanical/hydraulic lifts). Thus, as proposed, the project would have an unmet parking demand of an estimated of 59 spaces. Furthermore, because the proposed project would not provide any on-site parking for short-term users associated with the retail use at the site, there would be an additional unmet demand of 15 spaces. As a result, the proposed project would have an unmet parking demand of approximately 74 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.

The proposed project is located within the Eastern Neighborhoods Mixed Use-Residential District and per Planning Code Section 151.1, developments within this district are to provide up to one parking space for every four dwelling units and allows, with additional findings, up to a maximum of 0.75 parking spaces per unit. Retail uses are allowed to provide up to one parking space for every 1,500 square feet of occupied floor area. As a result, the proposed project would be allowed to provide a maximum of 92

parking spaces (73 spaces for units less than 1,000 square feet, 18 spaces for units over 1,000 square feet, and one space for retail use). Furthermore, the proposed project would be required to provide up to one car share parking space.

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 161 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. 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.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. The following improvement measure, although not required, would further reduce traffic and parking demand of the project and encourage the use of alternative modes of transportation.

**Project Improvement Measure I-TR-6: Implement Travel Demand Management (TDM) Measures**

Prior to issuance of a temporary permit of building occupancy, the Project Sponsor must execute an agreement with the Planning Department for the provision of TDM services. Recommended components of the TDM program include the following:

- Provide information in the move-in packets and lobby (or electronic) bulletin boards for transit service (Muni and BART lines, schedules and fares), particularly for local trips (such as to the nearest grocery store, hardware store, shopping center, restaurants, and other nearby neighborhood commercial areas), information on where transit passes could be purchased in person and on-line, and information on the Clipper Card and 511 Regional Rideshare Program;
- Include one or more Muni FastPass (loaded onto a Clipper card) as part of the monthly rent, or homeowner association fee;
- Provide TDM training for property managers and coordinators; and have at least one contact person, preferably in the building for tenants with alternative mode travel questions.
- Promote and coordinate ridesharing activities (i.e. establish a "ride board") for all building residents and employees, particularly to popular local events;
- Facilitate access to carshare spaces provided in the parking garage through on-site signage and information on the carshare company, rates, and how to enroll in the carshare program;

- Ensure that the points of access to bicycle parking through elevators on the ground floor and the garage ramp include signage indicating the location of these facilities.
- Ensure that bicycle safety strategies are developed along the sides of the property, avoiding conflicts with private cars, transit vehicles and loading vehicles, posting signs where necessary to increase awareness of the presence of bicycle traffic;
- Facilitate access to the Folsom Street, Howard Street, and Fifth Street bicycle routes via on-site signage;
- Actively encourage alternative mode choice by actively monitoring above efforts effectiveness, and fostering local deliveries from nearby businesses where appropriate; and
- Participate with other project sponsors in a network of transportation brokerage services.

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

The Eastern Neighborhoods FEIR identified potential conflicts related to residences and other noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. In addition, the Eastern Neighborhoods FEIR noted that implementation of the Area Plan would incrementally increase traffic-generated noise on some streets in the Area Plan and result in construction noise impacts from pile driving and other construction activities. The Eastern Neighborhoods FEIR therefore identified six noise mitigation measures that would reduce noise impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measures F-1 and F-2 relate to construction noise. Measure F-1 addresses individual projects that include pile-driving, and Mitigation Measure F-2 addresses individual projects that include particularly noisy construction procedures (including pile-driving). The project site is within close proximity to residential uses along both Folsom and Shipley Streets. In addition, a project that proposes approximately 270 residential units is currently under construction across Folsom Street from the project site and may be partially occupied by the time project construction commences. The proposed project would include excavation to allow for one level below grade over the entire footprint of the site. Moreover, according to the geotechnical investigation prepared for the proposed project, due to the presence of fill material and "new bay mud" on the site, the proposed buildings can be accommodated with several deep foundation alternatives, including driven pipe piles, augercast piles, Fundex or Tubex piles.<sup>14</sup> Driven piles would likely result in high noise and vibration. The other three types of foundation recommended by the geotechnical report would result in comparatively lower noise and vibration effects. The project sponsor has indicated that pile driving would not be used for the proposed project and that the project is likely to include drilled piles instead.<sup>15</sup> The proposed project would not include pile-driving or other particularly noise construction methods; therefore, Mitigation Measures F-1 and F-2 are not applicable.

In addition, all construction activities for the proposed project (approximately 20 months) would be subject to and would comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) (Noise Ordinance) as outlined below. Construction noise is regulated by the 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) 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 construction period for the proposed project of approximately 20 months, occupants of the nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and other

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14 Cornerstone Earth Group, *Preliminary Geotechnical Investigation, Folsom Street Residential Development (923 Folsom Street)*, November 12, 2012. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

15 Chris Davenport, Trumark Urban, Project Sponsor. *Email to Tania Sheyner, San Francisco Planning Department, 923 Folsom Street*, June 19, 2013. This email is available for review as part of Case File No. 2012.1333E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

businesses near the project site and may be considered an annoyance by occupants of nearby properties. The increase in noise in the project area during project construction would not be considered a significant impact of the proposed project, because the construction noise would be temporary (approximately 20 months), intermittent, and restricted in occurrence and level, as the contractor would be subject to and would comply with the Noise Ordinance.

Eastern Neighborhoods FEIR Mitigation Measures F-3, F-4, and F-6 include additional measures for individual projects that include new noise-sensitive uses. Mitigation Measure F-3 requires that new development that includes noise-sensitive uses located along streets with noise levels above 60 dBA (Ldn), where such development is not already subject to California Noise Insulation Standards in Title 24, the project sponsor shall conduct a detailed analysis of noise reduction requirements.<sup>16</sup> 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, as a multi-unit residential development, is subject to requirements of Title 24; therefore, Mitigation Measure F-3 would not be applicable to the proposed project. However, Mitigation Measure F-4, below, is applicable to the proposed project. Accordingly, 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.<sup>17</sup>

**Project Mitigation Measure M-NO-1: Siting of Noise-Sensitive Uses (Implements Mitigation Measure F-4 of the Eastern Neighborhoods FEIR)**

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

The noise study included a 24-hour noise measurement and site survey of noise-generating uses within two blocks of the project site. According to the noise study, the noise environment at the site is dominated by vehicular traffic along Folsom Street, including buses, and the project site is also likely affected by intermittent noise associated with the adjacent fire station (Fire Station 1). Fifth Street vehicle traffic and distant noise from Interstate 80 also contribute to the overall noise environment. The study noted that

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16 Title 24 of the California Code of Regulations establishes uniform noise insulation standards for multi-unit residential projects, including hotels, motels, and live-work developments.

17 Charles M. Salter Associates, Inc., *Environmental Noise Study*, 923 Folsom Street, San Francisco, California, CSA Project Number 13-0316, July 9, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

various commercial and light industrial uses located within 900 feet of the project site are not expected to be above the measured ambient noise sources and are unlikely to significantly contribute to the existing noise environment in the project site. The 24-hour noise measurements recorded two day-night average sound levels (DNL) near the project site: along Folsom Street, the recorded noise level was 80 dB while along Shipley Street, the recorded noise level was 68 dB. The noise study concluded that, to meet the Building Code indoor DNL 45 dB requirement, windows and exterior doors would need to be sound rated with Sound Transmission Class (STC) ratings up to STC 42.

With respect to noise associated with operations at the adjacent Fire Station 1, while these could pose an occasional and intermittent nuisance to the proposed residences and commercial uses on the project site, noise from emergency vehicle use and operations, including sirens and emergency equipment testing, is exempt from the City's Noise Ordinance.<sup>18</sup> Therefore, noise associated with the adjacent Fire Station 1 along Folsom Street would not expose persons to or generate noise levels in excess of applicable standards established by the City or other agencies. Nonetheless, noise insulation measures mandated by Title 24, which the project sponsor would be required to implement, would ensure that residential and commercial uses are shielded to the greatest extent possible from outside noise, including that generated by fire station operations.

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 project site is located along streets with noise levels above 60 dBA and the proposed project would both result in a new noise sensitive use (residential) and requires new open space under the Planning Code; therefore this mitigation measure is applicable.

**Project Mitigation Measure M-NO-2: Open Space in Noisy Environments (Implements Mitigation Measure F-6 of the Eastern Neighborhoods FEIR)**

To minimize effects on development in noisy areas, for new development including noise sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

The noise study analyzed the proposed open space on the roof deck of the Shipley Street building and concluded that it would be adequately shielded by the surrounding buildings in the area as well as the proposed building elements of the 923 Folsom Street project. The project sponsor confirmed that the project would include some shielding of the proposed rooftop open space on top of the Shipley Street building.

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18 Intermittent noise associated with Fire Station 1, including sirens and emergency vehicle testing, was studied in the San Francisco Museum of Modern Art Expansion/Fire Station Relocation and Housing Project EIR (Case Nos. 2009.0291E and 2010.0275E), which was certified on November 10, 2011. This EIR is available on the Planning Department website at <http://www.sf-planning.org/index.aspx?page=1828>, accessed on June 5, 2014.

Eastern Neighborhoods FEIR 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 proposed project site vicinity. Ambient noise levels in San Francisco are largely influenced by traffic-related noise. The proposed project would be located along two streets, Folsom Street and Shipley Street, identified as having noise levels above 65 L<sub>dn</sub>.<sup>19</sup> An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3 decibel increase). The proposed project would not double traffic volumes because the proposed project would generate approximately 565 daily vehicle trips, with approximately 92 trips during the p.m. peak-hour. In addition, operation of the proposed project would not include any other constant or short-term noise sources (e.g., diesel generator) that would be perceptible in the project vicinity. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity, and thus Mitigation Measure F-5 does not apply.

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

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>6. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.— <b>Would the project:</b>						
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19 The Noise Model layer is in Ldn (level day night) and is based on San Francisco traffic as determined by the San Francisco Metropolitan Transportation Agency's SFCHAMP model. Traffic noise emissions were modeled using the FHWA Stamina model.

The Eastern Neighborhoods FEIR identified potentially significant air quality impacts related to construction activities that may cause wind-blown dust and pollutant emissions; roadway-related air quality impacts on sensitive land uses; and the siting of uses that emit diesel particulate matter (DPM) and toxic air contaminants (TACs) as part of everyday operations. These significant impacts would conflict with the applicable air quality plan at the time, the Bay Area 2005 Ozone Strategy. The Eastern Neighborhoods FEIR identified four mitigation measures that would reduce air quality impacts to less-than-significant levels.

Eastern Neighborhoods FEIR Mitigation Measure G-1 requires individual projects that include construction activities to include dust control measures and maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants. This mitigation measure was identified in the Initial Study. Subsequent to publication of the Initial Study, the San Francisco Board of Supervisors 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 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. Construction activities from the proposed project would result in dust, primarily from ground-disturbing activities. The proposed project would be subject to and would be required to comply with the Construction Dust Control Ordinance.

Also subsequent to publication of the Initial Study, the Bay Area Air Quality Management District (BAAQMD), the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), provided updated 2011 BAAQMD CEQA Air Quality Guidelines (Air Quality Guidelines),<sup>20</sup> which provided new methodologies for analyzing air quality impacts, including construction activities. The Air Quality Guidelines provide screening criteria for determining whether a project's criteria air pollutant emissions may 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. If a project meets the screening criteria, then the lead agency or applicant would not need to perform a detailed air quality assessment of their proposed project's air pollutant emissions and construction or operation of the proposed project would result in a less-than-significant air quality impact.

For determining potential health risk impacts, San Francisco has partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco and identify 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) Excess cancer risk from all sources > 100; and
- (2) PM<sub>2.5</sub> concentrations from all sources including ambient >10µg/m<sup>3</sup>.

Sensitive receptors<sup>21</sup> within the Air Pollutant Exposure Zone are more at risk for adverse health effects from exposure to substantial air pollutant concentrations than sensitive receptors located outside the Air

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<sup>20</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, updated May 2011.

<sup>21</sup> The 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. Bay Area Air Quality Management District (BAAQMD), Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.



Pollutant Exposure Zone. These locations (i.e., within the Air Pollutant Exposure Zone) require additional consideration when projects or activities have the potential to emit TACs, including DPM emissions from temporary and variable construction activities.

Construction activities from the proposed project may result in dust, primarily from ground-disturbing activities outside the existing structures (e.g., modifications to curb cuts and driveways). The proposed project would be subject to and would comply with the Construction Dust Control Ordinance, therefore the portions of Mitigation Measure G-1 that deal with dust control are not applicable to the proposed project. Construction activities from the proposed project would also result in the emission of criteria air pollutants and DPM from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction would last approximately 20 months. Diesel-generating equipment would be required for approximately 12 months.

The project site is located within an identified air pollutant exposure zone, therefore, the proposed project's temporary and variable construction activities would result in short-term emissions of DPM and other TACs that would add emissions to areas already adversely affected by poor air quality. The proposed project's construction activities would be temporary and variable in nature and the proposed project would be subject to California regulations limiting idling times to five minutes, which would further reduce sensitive receptors exposure to temporary and variable DPM emissions.<sup>22</sup> Moreover, the proposed project meets the construction screening criteria provided in the BAQMD studies for construction-related criteria air pollutants. Nevertheless, the remainder of Eastern Neighborhoods FEIR Mitigation Measure G-1 that addresses maintenance and operation of construction equipment is applicable to the proposed project. Compliance with this Construction Emissions Minimization measure (which is discussed below), would result in less-than-significant impacts from construction vehicles and equipment. In accordance with the Eastern Neighborhoods FEIR requirements, the project sponsor has agreed to implement this mitigation measure, as updated.

**Project Mitigation Measure M-AQ-1: Construction Emissions Minimization (Implements a portion of Mitigation Measure G-1 of the Eastern Neighborhoods FEIR)**

A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
  - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
  - b) All off-road equipment shall have:
    - i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, *and*
    - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).<sup>23</sup>
  - c) Exceptions:

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<sup>22</sup> California Code of Regulations, Title 13, Division 3, § 2485.

<sup>23</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

- i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
- ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
- iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

**TABLE A1  
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE\***

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

\*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

\*\*Alternative fuels are not a VDECS

- 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- 3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
- 4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment

manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.

5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.

B. *Reporting.* Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

1. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

Mitigation Measure G-2 requires new residential development near high-volume roadways and/or warehousing and distribution centers to include an analysis of DPM and/or TACs, and, if warranted, to incorporate upgraded ventilation systems to minimize exposure of future residents to DPM and other pollutant emissions, as well as odors. As noted above, the proposed project is located within an identified Air Pollutant Exposure Zone (i.e., an area that experiences higher levels of air pollution). The proposed project therefore would have the potential to expose sensitive receptors to substantial concentrations of air pollutants. Therefore, the Air Filtration Measure, required as part of building design, would be applicable to the proposed project and would require the project sponsor install a filtered air supply system capable of removing 80 percent of outdoor particulates indoors. Compliance with this mitigation measure, which is discussed further below, would satisfy the requirements of Eastern Neighborhoods FEIR Mitigation Measure G-2.

**Project Mitigation Measure M-AQ-2 – Air Filtration (Implements Mitigation Measure G-2 of the Eastern Neighborhoods FEIR)**

*Air Filtration and Ventilation Requirements for Sensitive Land Uses.* Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor PM<sub>2.5</sub> concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution.

*Maintenance Plan.* Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.

*Disclosure to buyers and renters.* The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

Mitigation Measure G-3 minimizes potential exposure of sensitive receptors to DPM by requiring uses that would be served by at least 100 trucks per day or 40 refrigerated trucks per day be located no less than 1,000 feet from residential units and other sensitive receptors. The proposed project would not include any commercial uses and would not be served by 100 trucks per day or 40 refrigerator trucks per day. Therefore, Mitigation Measure G-3 is not applicable to the proposed project.

Mitigation Measure G-4 involves the siting of commercial, industrial, or other uses that emit TACs as part of everyday operations. The proposed project would involve demolition of an existing two-story commercial office building and a surface parking lot and construction of a project consisting of two residential buildings (85 feet and 44 feet in height), containing a total of 115 dwelling units above a ground-floor retail/commercial space and a below-grade parking garage containing 87 spaces. The project would not generate more than 10,000 vehicle trips per day, 1,000 truck trips per day, or include a new stationary source, items that would emit TACs as part of everyday operations. Therefore, Mitigation Measure G-4 is not applicable to the proposed project.

The proposed project would result in an increase in operational-related criteria air pollutants including from the generation of daily vehicle trips and energy demand. The proposed project meets the screening criteria provided in the BAAQMD CEQA Air Quality Guidelines (May 2011) for operational-related criteria air pollutants.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>7. GREENHOUSE GAS EMISSIONS—Would the project:</b>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR assessed the GHG emissions that could result from rezoning of the East SoMa Area Plan under the three rezoning options. The Eastern Neighborhoods Rezoning Options A, B, and C are anticipated to result in GHG emissions on the order of 4.2, 4.3 and 4.5 metric tons of CO<sub>2</sub>E per service population,<sup>24</sup> respectively. The Eastern Neighborhoods FEIR 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 FEIR.

Regulations outlined in San Francisco’s Strategies to Address Greenhouse Gas Emissions, have proven effective as San Francisco’s GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020. The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy.<sup>25</sup> Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project’s contribution to climate change. Therefore, the proposed project’s GHG emissions would not conflict with state, regional, and local GHG reduction plans and regulations, and thus the proposed project’s contribution to GHG emissions would not be cumulatively considerable or generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on greenhouse gas emissions beyond those analyzed in the Eastern Neighborhoods FEIR.

Topics:	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>8. WIND AND SHADOW—Would the project:</b>						
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**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 Eastern Neighborhoods require analysis of wind impacts where deemed necessary. Thus, wind impacts were determined not to be significant in the Eastern Neighborhoods Initial Study and were not analyzed in the Eastern Neighborhoods FEIR. No mitigation measures relative to wind impacts were identified in the Eastern Neighborhoods FEIR.

24 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.

25 San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist*, June 16, 2013. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

Based on the height and the location of the proposed project and given that it proposes to construct a new building with a mechanical penthouse up to 101 feet tall, a project-specific pedestrian wind assessment (“Wind Assessment”) was prepared by a qualified wind consultant for the proposed project.<sup>26</sup> The objective of the Wind Assessment was to provide a qualitative evaluation of the potential wind impacts of the proposed development, which provides a screening-level estimation of the potential wind impact. A summary of the analysis is presented below.

The project site currently contains a parking lot surrounded by low-rise buildings of similar heights and a large parking lot to the northwest. Prevailing winds from the west and northwest blowing over the surrounding buildings are directed down to pedestrian level near the site. Due to the low heights of the existing and surrounding buildings, it is unlikely that current wind conditions exceed the wind hazard criterion of 26 mph and may meet the 11 mph comfort criterion at the surrounding pedestrian areas.

The proposed nine-story structure on Folsom Street would be taller than most of the immediate surroundings development, while the proposed four-story building on Shipley Street would be similar in height to the surrounding buildings. Since the mid-rise building faces the predominant wind direction, west-northwesterly winds may be downwashed to the street level on Folsom Street, but the resultant wind conditions are expected to meet the hazard criterion. The proposed trees along the sidewalk, although not required as a wind control measure, would be an effective means to reduce the impact of downwashing flows. The project would also not be expected to result in any wind hazard criterion exceedances along Shipley Street, or in the general surroundings of Folsom or Shipley Streets.

Entrances to the proposed buildings would be located on Folsom and Shipley Streets. While the Shipley street entrance would be sheltered from the predominant winds, the Folsom Street entrance could be affected by downwashing flows. However, the impact is not likely to be significant because the entrance is recessed from the main facade. If desired, additional shelter may be provided to the main entrance on Folsom Street by having the entrance recessed further from the building façade. Alternatively, if feasible, the Wind Assessment recommends placing a canopy above this entrance, extending 6 feet or more out from the door.

The location of the taller building on the northwest of the site would largely shelter the inner courtyard from the prevailing northwesterly winds. It is likely that the westerly winds would interact with the mid-rise building, wrap around the building corner on the west side and be redirected to the inner courtyard. However, since the inner courtyard is lined by mid-rise (or taller) buildings, these redirected flows would not cause a significant impact. In addition, trees and other tall landscaping features in the inner courtyard would diffuse flows in the space. The roof deck on top of the Shipley Street building would likewise be sheltered from the predominant winds by the proposed Folsom Street building and would include various features that would moderate wind exposure, including the screen along the west edge of the passageway between the two buildings, the proposed parapet, and landscaping.

The Wind Assessment concluded that the existing wind conditions on the adjacent streets do not exceed the 26-mile-per-hour wind hazard criterion for a single full hour, or approximately 0.0114 percent of the time, as outlined in the San Francisco Planning Code Section 148. The Wind Assessment also found that the proposed building would not cause winds that would reach or exceed the 26-mile-per-hour wind hazard criterion at all pedestrian areas on and around the proposed development and that wind speeds at building entrances and public sidewalks would be suitable for the intended pedestrian usage.

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<sup>26</sup> RWDI, *Pedestrian Wind Assessment, 923 Folsom Street, San Francisco, California*, November 4, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

As a result, the proposed project would not have any significant wind impacts, either individually or cumulatively.

### **Shadow**

Planning Code Section 295 generally prohibits new structures above 40 feet in height that would cast additional shadows on open space that is under the jurisdiction of the San Francisco Recreation and Park Commission between one hour after sunrise and one hour before sunset, at any time of the year, unless that shadow would not result in a significant adverse effect on the use of the open space. Under the Eastern Neighborhoods 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 by departments other than the Recreation and Parks Department or privately owned). The Eastern Neighborhoods FEIR could not conclude if the rezoning and community plans would result in less-than-significant shadow impacts because the feasibility of complete mitigation for potential new shadow impacts of unknown proposed proposals could not be determined at that time. Therefore, the FEIR determined shadow impacts to be significant and unavoidable. No mitigation measures were identified in the FEIR.

The proposed project would construct two buildings on the project site – a nine-story building (approximately 85 feet in height) fronting Folsom Street and a four-story building (approximately 44 feet in height) fronting Shipley Street. The Folsom Street building would have an approximately 15-foot rooftop mechanical penthouse, bringing the total height of the structure, for shadow analysis purposes, to approximately 100 feet. Therefore, a shadow analysis was conducted pursuant to Planning Code Section 295.<sup>27</sup> The shadow analysis found that the proposed project would not cast any net new shadow on any property under the jurisdiction of the Recreation and Parks Commission, including the SoMa Recreation Center, which is approximately 800 feet to the southwest of the project site.

The proposed project would also shade portions of nearby streets and sidewalks and private property at times. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property 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 contribute to significant impacts related to shadow that were identified in the Eastern Neighborhoods FEIR.

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<sup>27</sup> San Francisco Planning Department, *Shadow Analysis, 923 Folsom Street*, January 18, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>9. RECREATION—Would the project:</b>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR 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 FEIR.

As the proposed project does not degrade recreational facilities and is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on recreation beyond those analyzed in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>10. UTILITIES AND SERVICE SYSTEMS—Would the project:</b>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR 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 FEIR.

The project would be subject to the City's Stormwater Management Ordinance, which requires the project to maintain or reduce the existing volume and rate of stormwater runoff discharged from the site. To achieve this, the project would implement and install appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit site discharges entering the combined sewer collection system. This, in turn, would limit the incremental demand on both the collection system and wastewater facilities resulting from stormwater discharges, and minimize the potential need for expanding or constructing new facilities. Thus, the project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

As 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 FEIR.

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

The Eastern Neighborhoods FEIR 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 FEIR.

The proposed project would result in 115 new residential units and approximately 1,900 sf of commercial space. This population growth would generate an increase in demand for public services, but this additional demand would not exceed the planned service levels and capacity discussed in the Eastern Neighborhoods FEIR. In addition, no new facilities would need to be constructed in order to maintain acceptable service ratios, response times, or other performance objectives for any public services.

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

<b>Topics:</b>	<b>Project-Specific Significant Impact Not Identified in PEIR</b>	<b>Significant Unavoidable Impact Identified in PEIR</b>	<b>Mitigation Identified in PEIR</b>	<b>PEIR Mitigation Applies to Project</b>	<b>PEIR Mitigation Does Not Apply to Project</b>	<b>No Significant Impact (Project or PEIR)</b>
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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site contains a commercial structure and surface parking area, and is located in a developed urban area. There are no candidate, sensitive, or special-status species, riparian habitat, or wetlands on the project site, so implementation of the proposed project would not adversely affect a candidate, sensitive, or special-status species, a riparian habitat, or wetlands.

San Francisco is located within the Pacific Flyway, a major north-south route of travel for migratory birds along the western portion of the Americas, extending from Alaska to Patagonia, Argentina. Every year, migratory birds travel some or all of this distance in the spring and autumn, following food sources, heading to and from breeding grounds, or traveling to and from overwintering sites. High-rise buildings are potential obstacles that can injure or kill birds in the event of a collision, and bird strikes are a leading cause of worldwide declines in bird populations.

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 in or within 300 feet of an Urban Bird Refuge, so 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.

There are no existing trees or other vegetation on the project site that would need to be removed as part of the proposed project. The five existing trees adjacent to the project site along the Folsom Street frontage would also remain with project implementation.<sup>28</sup> Moreover, in compliance with the provisions of the San Francisco Green Landscape Ordinance, ten new street trees would be planted within the right-of-way along the project site frontage on Shipley Street. As a result, the proposed project would not conflict with any local policies or ordinances that protect biological resources.

The project site is not within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, state, or regional habitat conservation plan. As a result, the proposed project would not conflict with the provisions of any such plan.

For these reasons, implementation of the proposed project would not result in impacts on biological resources beyond those analyzed in the Eastern Neighborhoods FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>13. GEOLOGY AND SOILS—Would the project:</b>  a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						

<sup>28</sup> Vern Lohman (Authorized Agent for the Project Sponsor), *Tree Planting and Protection Checklist*, 923 Folsom Street, April 8, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

<b>Topics:</b>	<b>Project-Specific Significant Impact Not Identified in PEIR</b>	<b>Significant Unavoidable Impact Identified in PEIR</b>	<b>Mitigation Identified in PEIR</b>	<b>PEIR Mitigation Applies to Project</b>	<b>PEIR Mitigation Does Not Apply to Project</b>	<b>No Significant Impact (Project or PEIR)</b>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR concluded that implementation of the Plan would indirectly increase the population that would be subject to an earthquake, including seismically induced ground-shaking, liquefaction, and landslides. The FEIR 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 FEIR concluded that implementation of the Plan would not result in significant impacts with regard to geology, and no mitigation measures were identified in the Eastern Neighborhoods FEIR.

A Preliminary Geotechnical Investigation was prepared for the proposed project.<sup>29</sup> The following discussion relies on the information provided in the geotechnical investigation.

The project site is developed with a commercial building and a parking area. The site is underlain by approximately 6 to 10.5 feet of undocumented fill consisting of loose to dense silty and clayey sand. The fill layer is underlain by loose to medium dense, fine- to medium-grained, poorly-graded and silty sands to depth of approximately 12 to 15 feet below ground surface (bgs), which is immediately underlain by soft, compressible silty clay known as Bay Mud. Beneath Bay Mud are older alluvial soils and dense sands. Ground water levels beneath the site were observed at approximately 8-10 feet bgs ground surface. The Preliminary Geotechnical Investigation noted that the project site has a potential for liquefaction during a significant seismic event, as well as static and seismic settlement.

Soil-disturbing activities would be required for the foundation system and excavation for the proposed subterranean garage. According to the geotechnical report prepared for this project, the foundation work for the project would require soils disturbance to a maximum depth of approximately 14 feet. The project sponsor has indicated that a combination of pile foundations and grade beams is proposed (contingent on the final geotechnical report). As an alternate, a mat foundation is being considered. Drilled (not driven) piles would also be installed, as required by the buildings seismic resisting systems. The remainder of the foundation would be shallow grade beams. The completed project would not alter the overall topography of the site.

The Preliminary Geotechnical Investigation stated that the proposed project is feasible, but recommended that a design-level geotechnical investigation be performed to confirm the preliminary recommendations and to develop detailed recommendations for design and construction. Some of the concerns that should be addressed in the design-level geotechnical investigation include the potential for settlement and liquefaction, presence of undocumented fills, shallow ground water and soft, unstable basement subgrade excavation.

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 will 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 have no 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 FEIR, and no mitigation measures are necessary.

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29 Cornerstone Earth Group, *Preliminary Geotechnical Investigation, 923 Folsom Street, San Francisco, California*, November 12, 2012. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>14. HYDROLOGY AND WATER QUALITY—Would the project:</b>						
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The existing approximately 24,375-square-foot project site is completely covered by impervious surfaces. The proposed project would neither increase nor decrease this amount and the site would remain entirely covered by impervious surfaces. The proposed project would therefore neither increase nor decrease the amount of stormwater runoff and drainage.

The proposed project would be constructed in compliance with all applicable federal, state and local regulations governing water quality and discharges to surface and ground water bodies. The proposed project would not alter drainage patterns in a manner that would result in substantial erosion, siltation, or flooding. Runoff from the project site would drain into the City's combined stormwater/sewer system, ensuring that such runoff is properly treated at the Southeast Water Pollution Control Plant before being discharged into San Francisco Bay. 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 to comply with the Stormwater Design Guidelines. In addition, the project sponsor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) that would be reviewed, approved, and enforced by the San Francisco Public Utilities Commission. The SWPPP would specify best management practices and erosion and sedimentation control measures to prevent sedimentation from entering the City's combined stormwater/sewer system. As a result, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.

Groundwater is relatively shallow throughout the project site, approximately 8-10 feet bgs. The proposed project would involve excavation to this depth and is therefore may encounter groundwater. Any groundwater that is encountered during construction 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 San Francisco Public Utilities Commission. A permit may be issued only if an effective pretreatment system is maintained and operated. Each permit for such discharge shall 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. As a result, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge.

The project site is not in a designated flood zone, so 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, San Francisco, 2012, in the Community Safety Element of the *General Plan*, the project site is not



within a tsunami hazard zone.<sup>30</sup> 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 FEIR, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>15. HAZARDS AND HAZARDOUS MATERIALS—Would the project:</b>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

30 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](http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf)

The Eastern Neighborhoods FEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The FEIR 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 FEIR 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.

### **Hazardous Building Materials**

The Eastern Neighborhoods FEIR 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 FIER include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods FEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1: Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of an existing building, Mitigation Measure L-1 would apply to the proposed project.

#### **Project Mitigation Measure M-HZ-1 – Hazardous Building Materials (Implements Mitigation Measure L-1 of the Eastern Neighborhoods FEIR)**

The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or 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.

### **Soil and Groundwater Contamination**

The project site was formerly used for a variety of light industrial uses, including garage, warehouse, and transportation-service businesses, which may have used, generated, stored, or disposed of hazardous materials. The proposed project would demolish an existing two-story commercial office building and a surface parking lot and construct a project consisting of two residential buildings containing a total of 115 dwelling units above a ground-floor retail/commercial space and a below-grade parking garage. The project would introduce a new sensitive use to the site and would extensive excavation and soil disturbance. Therefore, 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 I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct

soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the 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.

Although the Maher Ordinance became effective after the initiation of this environmental review (in August 2013), the project sponsor has effectively complied with all of the requirements associated with the Maher Program. Specifically, the project sponsor has submitted the Phase I, Phase II and Geotechnical report documents to the DPH in mid-2013 and entered into the DPH's Voluntary Remedial Action Program (VRAP), which was the precursor to the Maher Program prior to its adoption. The main findings of the Phase I and Phase II reports are summarized below, along with DPH staff response.

Cornerstone Earth Group prepared the Phase I ESA for the proposed project.<sup>31</sup> The Phase I ESA documented a number of potential concerns associated with the proposed project: (1) the history of light industrial uses; (2) the use of hazardous materials on the site in association with automotive uses and the encounter with such contaminants during the project construction phase; (3) the former presence of four underground storage tanks (USTs) beneath the site (two containing diesel, one containing waste oil and one containing lubricating oil, all of which were removed in 1996) and the subsequent identification of petroleum impacted soil and groundwater in the vicinity of the former USTs (DPH issued a case closure letter for the site in May 2010 and stated that "no further action related to the petroleum releases at the site is required"; (4) the listing of several nearby properties on the Envirostor regulatory agency database as being under DTSC oversight due to elevated levels of lead, petroleum hydrocarbons and/or polycyclic aromatic hydrocarbons (PAHs) in the fill material beneath those structures; (5) impacts of petroleum hydrocarbons on the ground water beneath the site; and (6) potential presence of asbestos containing building materials (ACBMS) and/or lead-based paint within the existing structure on the site. In response to these concerns, Cornerstone Earth Group prepared a Preliminary Soil and Ground Water Quality Evaluation for the site, which documented soil and groundwater sampling.<sup>32</sup>

The Preliminary Soil and Ground Water Quality Evaluation determined that the soil and groundwater at the project site exceed applicable regulatory standards for petroleum hydrocarbons, PAHs, and/or lead in soil samples taken at the site that would require remediation and/or further testing in accordance with Maher Ordinance requirements.

DPH staff reviewed the Phase I ESA, the Preliminary Soil and Ground Water Quality Evaluation, and the Geotechnical Report<sup>33</sup> for the proposed project and provided a memorandum to the project sponsor outlining additional requirements for complying with the Maher Ordinance.<sup>34</sup> Among them were requirements for the project sponsor to (1) submit a work plan for a supplemental subsurface investigation; (2) submit the Site Assessment and Mitigation (SAM) to DPH at least six weeks prior to

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<sup>31</sup> Cornerstone Earth Group, *Phase I Environmental Site Assessment, 923 and 931 Folsom Street and 218 Shipley Street, San Francisco, California*, October 30, 2012. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

<sup>32</sup> Cornerstone Earth Group, *Preliminary Soil and Ground Water Quality Evaluation, 923 and 931 Folsom Street and 218 Shipley Street, San Francisco, California*, November 21, 2012. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

<sup>33</sup> Cornerstone Earth Group, *Preliminary Geotechnical Investigation, 923 Folsom Street, San Francisco, California*, November 12, 2012. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

<sup>34</sup> Scott Nakamura, SFDPH, Letter to Mr. Tim Leonoudakis re: Request for Additional Subsurface Investigation Work Plan and Site Mitigation Plan, 923-931 Folsom Street, July 18, 2013. This document is on file and available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2012.1333E.

construction activities and (3) submit the Health and Safety Plan and Dust Control Plan with the SMP or at least two weeks prior to beginning earthwork activities.

Because the project sponsor would be required to remediate potential soil contamination described above in accordance with Article 22A of the Health Code (and is undergoing these procedures), the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods FEIR.

The project site is not located within an area covered by an airport land use plan, within two miles of a public airport or a public use airport, or in the vicinity of a private airstrip. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area.

In San Francisco, fire safety is ensured through the provisions of the Building Code and the San Francisco Fire Code. During the review of the building permit application, DBI and the San Francisco Fire Department will review the project plans for compliance with all regulations related to fire safety. Compliance with fire safety regulations would ensure that the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or expose people or structures to a significant risk of loss, injury, or death involving fires.

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 FEIR.

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>16. MINERAL AND ENERGY RESOURCES—Would the project:</b>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR determined that the 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 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 natural resources routinely extracted and the rezoning does not result in any natural resource extraction programs. Therefore, the

Eastern Neighborhoods FEIR 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 FEIR.

The proposed project would be required to comply with the standards of Title 24 and the requirements of the San Francisco Green Building Ordinance. The project site is not designated as an area of significant mineral deposits or as a locally important mineral resource recovery site. The proposed project would not result in the loss of mineral resources that are of value to the region or the residents of the state, would not result in the loss of availability of a locally important mineral resource recovery site, and would not encourage activities that result in the use of large amounts of fuel, water, or energy, or use them in a wasteful manner.

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

<i>Topics:</i>	<i>Project-Specific Significant Impact Not Identified in PEIR</i>	<i>Significant Unavoidable Impact Identified in PEIR</i>	<i>Mitigation Identified in PEIR</i>	<i>PEIR Mitigation Applies to Project</i>	<i>PEIR Mitigation Does Not Apply to Project</i>	<i>No Significant Impact (Project or PEIR)</i>
<b>17. AGRICULTURE AND FOREST RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.— <b>Would the project:</b>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods FEIR 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 FEIR. The Eastern Neighborhoods FEIR did not analyze the effects on forest resources.

The proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on agriculture and forest resources beyond those analyzed in the Eastern Neighborhoods FEIR.

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

The Eastern Neighborhoods FEIR identified significant impacts related to land use, transportation, cultural resources, shadow, noise, air quality, and hazardous materials. Mitigation measures reduced all impacts to less than significant, with the exception of those related to land use (cumulative impacts on PDR use), transportation (traffic impacts at nine intersections, and transit impacts), cultural (demolition of historical resources), and shadow (impacts on parks).

The proposed project would involve: 1) demolition of an existing two-story commercial office building and surface parking lot; and 2) construction of a project consisting of two residential buildings (one approximately 85 feet tall and nine stories and the other approximately 44 feet tall and four stories),

containing a total of 115 dwelling units above a ground-floor retail/commercial space and below-grade parking garage containing 87 spaces. As discussed in this document, 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 FEIR.

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## MITIGATION MEASURES

### **Project Requirement M-CP-1 – Archeological Testing (Implements Mitigation Measure J-2 of the Eastern Neighborhoods FEIR)**

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

*Consultation with Descendant Communities:* On discovery of an archeological site<sup>35</sup> associated with descendant Native Americans or the Overseas Chinese an appropriate representative<sup>36</sup> of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

36 An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

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

At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

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

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

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;



- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

*Human Remains and Associated or Unassociated Funerary Objects.* The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, 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.

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

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

**Project Mitigation Measure M-AQ-1: Construction Emissions Minimization (Implements a portion of Mitigation Measure G-1 of the Eastern Neighborhoods FEIR)**

- A. *Construction Emissions Minimization Plan.* Prior to issuance of a construction permit, the project sponsor shall submit a Construction Emissions Minimization Plan (Plan) to the Environmental Review Officer (ERO) for review and approval by an Environmental Planning

Air Quality Specialist. The Plan shall detail project compliance with the following requirements:

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:
  - a) Where access to alternative sources of power are available, portable diesel engines shall be prohibited;
  - b) All off-road equipment shall have:
    - i. Engines that meet or exceed either USEPA or ARB Tier 2 off-road emission standards, *and*
    - ii. Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).<sup>37</sup>
  - c) Exceptions:
    - i. Exceptions to A(1)(a) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that an alternative source of power is limited or infeasible at the project site and that the requirements of this exception provision apply. Under this circumstance, the sponsor shall submit documentation of compliance with A(1)(b) for onsite power generation.
    - ii. Exceptions to A(1)(b)(ii) *may* be granted if the project sponsor has submitted information providing evidence to the satisfaction of the ERO that a particular piece of off-road equipment with an ARB Level 3 VDECS is: (1) technically not feasible, (2) would not produce desired emissions reductions due to expected operating modes, (3) installing the control device would create a safety hazard or impaired visibility for the operator, or (4) there is a compelling emergency need to use off-road equipment that are not retrofitted with an ARB Level 3 VDECS and the sponsor has submitted documentation to the ERO that the requirements of this exception provision apply. If granted an exception to A(1)(b)(ii), the project sponsor must comply with the requirements of A(1)(c)(iii).
    - iii. If an exception is granted pursuant to A(1)(c)(ii), the project sponsor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in Table A1 below.

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<sup>37</sup> Equipment with engines meeting Tier 4 Interim or Tier 4 Final emission standards automatically meet this requirement, therefore a VDECS would not be required.

**TABLE A1  
OFF-ROAD EQUIPMENT COMPLIANCE STEP DOWN SCHEDULE\***

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

\*How to use the table. If the requirements of (A)(1)(b) cannot be met, then the project sponsor would need to meet Compliance Alternative 1. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 1, then Compliance Alternative 2 would need to be met. Should the project sponsor not be able to supply off-road equipment meeting Compliance Alternative 2, then Compliance Alternative 3 would need to be met.

\*\*Alternative fuels are not a VDECS

2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than *two* minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
  3. The project sponsor shall require that construction operators properly maintain and tune equipment in accordance with manufacturer specifications.
  4. The Plan shall include estimates of the construction timeline by phase with a description of each piece of off-road equipment required for every construction phase. Off-road equipment descriptions and information may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, reporting shall indicate the type of alternative fuel being used.
  5. The Plan shall be kept on-site and available for review by any persons requesting it and a legible sign shall be posted at the perimeter of the construction site indicating to the public the basic requirements of the Plan and a way to request a copy of the Plan. The project sponsor shall provide copies of Plan to members of the public as requested.
- B. *Reporting.* Quarterly reports shall be submitted to the ERO indicating the construction phase and off-road equipment information used during each phase including the information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.
1. Within six months of the completion of construction activities, the project sponsor shall submit to the ERO a final report summarizing construction activities. The final report shall indicate the start and end dates and duration of each construction phase. For each phase, the

report shall include detailed information required in A(4). In addition, for off-road equipment using alternative fuels, reporting shall include the actual amount of alternative fuel used.

- C. *Certification Statement and On-site Requirements.* Prior to the commencement of construction activities, the project sponsor must certify (1) compliance with the Plan, and (2) all applicable requirements of the Plan have been incorporated into contract specifications.

**Project Mitigation Measure M-NO-1: Siting of Noise-Sensitive Uses (Implements Mitigation Measure F-4 of the Eastern Neighborhoods FEIR)**

To reduce potential conflicts between existing noise-generating uses and new sensitive receptors, for new development including noise-sensitive uses, the Planning Department shall require the preparation of an analysis that includes, at a minimum, a site survey to identify potential noise-generating uses within 900 feet of, and that have a direct line-of-sight to, the project site, and including at least one 24-hour noise measurement (with maximum noise level readings taken at least every 15 minutes), prior to the first project approval action. The analysis shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that Title 24 standards, where applicable, can be met, and that there are no particular circumstances about the proposed project site that appear to warrant heightened concern about noise levels in the vicinity. Should such concerns be present, the Department may require the completion of a detailed noise assessment by person(s) qualified in acoustical analysis and/or engineering prior to the first project approval action, in order to demonstrate that acceptable interior noise levels consistent with those in the Title 24 standards can be attained.

**Project Mitigation Measure M-NO-2: Open Space in Noisy Environments (Implements Mitigation Measure F-6 of the Eastern Neighborhoods FEIR)**

To minimize effects on development in noisy areas, for new development including noise sensitive uses, the Planning Department shall, through its building permit review process, in conjunction with noise analysis required pursuant to Mitigation Measure F-4, require that open space required under the Planning Code for such uses be protected, to the maximum feasible extent, from existing ambient noise levels that could prove annoying or disruptive to users of the open space. Implementation of this measure could involve, among other things, site design that uses the building itself to shield on-site open space from the greatest noise sources, construction of noise barriers between noise sources and open space, and appropriate use of both common and private open space in multi-family dwellings, and implementation would also be undertaken consistent with other principles of urban design.

**Project Mitigation Measure M-AQ-2 – Air Filtration (Implements Mitigation Measure G-2 of the Eastern Neighborhoods FEIR)**

*Air Filtration and Ventilation Requirements for Sensitive Land Uses.* Prior to receipt of any building permit, the project sponsor shall submit a ventilation plan for the proposed building(s). The ventilation plan shall show that the building ventilation system removes at least 80 percent of the outdoor PM<sub>2.5</sub> concentrations from habitable areas and be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system meets the 80 percent

performance standard identified in this measure and offers the best available technology to minimize outdoor to indoor transmission of air pollution.

*Maintenance Plan.* Prior to receipt of any building permit, the project sponsor shall present a plan that ensures ongoing maintenance for the ventilation and filtration systems.

*Disclosure to buyers and renters.* The project sponsor shall also ensure the disclosure to buyers (and renters) that the building is located in an area with existing sources of air pollution and as such, the building includes an air filtration and ventilation system designed to remove 80 percent of outdoor particulate matter and shall inform occupants of the proper use of the installed air filtration system.

**Project Mitigation Measure M-HZ-1 – Hazardous Building Materials (Implements Mitigation Measure L-1 of the Eastern Neighborhoods FEIR)**

The City shall condition future development approvals to require that the subsequent project sponsors 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.

## IMPROVEMENT MEASURES

**Project Improvement Measure I-TR-1: Monitoring and Abatement of Queues**

As an improvement measure to reduce the potential for queuing of vehicles accessing the project site, it shall be the responsibility of the property owner to ensure that recurring vehicle queues do not occur within the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the underground parking garage) blocking any portion of the Shipley Street sidewalk or travel lane for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable). Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Planning Department shall notify the Project Sponsor in writing. Upon request, the

owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Planning Department for review. If the Planning Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date or the written determination to abate the queue.

**Project Improvement Measure I-TR-2: Installation of Visual/Audible Devices at Underground Garage Driveway**

As an improvement measure to reduce potential conflicts between vehicles entering and exiting the underground garage and pedestrians traveling along the north side sidewalk of Shipley Street, the Project Sponsor shall install visual and/or audible notifications (alarms) to alert pedestrians of vehicles traveling in and out of the underground parking garage.

**Project Improvement Measure I-TR-3: Coordination of Move-in/Move-Out Operations and Large Deliveries**

To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on Shipley Streets (in the event that the on-street loading is occupied), residential move-in and move-out activities and larger deliveries shall be scheduled and coordinated through building management. Appropriate move-in/move-out procedures shall be enforced to avoid any blockages of Shipley Street over an extended period of time and reduce any potential conflicts between movers and pedestrians walking along Shipley Street. Curb parking on Shipley Street shall be reserved through SFMTA.

**Project Improvement Measure I-TR-4: Construction Truck Deliveries During Off-Peak Periods**

Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA) would further minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods.

As required, the Project Sponsor and construction contractor(s) shall meet with the Sustainable Streets Division of the SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruption, and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the Project Sponsor shall coordinate with construction contractors for any concurrent nearby projects (e.g., along Fifth Street, between Howard and Folsom Streets) that are planned for construction or which later become known.

**Project Improvement Measure I-TR-5: Construction Management Plan**

In addition to items required in the Construction Management Plan, the project sponsor shall include the following:

- Carpool and Transit Access for Construction Workers – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include methods to encourage carpooling and transit

use to the project site by construction workers in the Construction Management Plan/contracts.

- Project Construction Updates – As an improvement measure to minimize construction impacts on nearby businesses, the project sponsor shall provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns.

**Project Improvement Measure I-TR-6: Implement Travel Demand Management (TDM) Measures**

Prior to issuance of a temporary permit of building occupancy, the Project Sponsor must execute an agreement with the Planning Department for the provision of TDM services. Recommended components of the TDM program include the following:

- Provide information in the move-in packets and lobby (or electronic) bulletin boards for transit service (Muni and BART lines, schedules and fares), particularly for local trips (such as to the nearest grocery store, hardware store, shopping center, restaurants, and other nearby neighborhood commercial areas), information on where transit passes could be purchased in person and on-line, and information on the Clipper Card and 511 Regional Rideshare Program;
- Include one or more Muni FastPass (loaded onto a Clipper card) as part of the monthly rent, or homeowner association fee;
- Provide TDM training for property managers and coordinators; and have at least one contact person, preferably in the building for tenants with alternative mode travel questions.
- Promote and coordinate ridesharing activities (i.e. establish a “ride board”) for all building residents and employees, particularly to popular local events;
- Facilitate access to carshare spaces provided in the parking garage through on-site signage and information on the carshare company, rates, and how to enroll in the carshare program;
- Ensure that the points of access to bicycle parking through elevators on the ground floor and the garage ramp include signage indicating the location of these facilities.
- Ensure that bicycle safety strategies are developed along the sides of the property, avoiding conflicts with private cars, transit vehicles and loading vehicles, posting signs where necessary to increase awareness of the presence of bicycle traffic;
- Facilitate access to the Folsom Street, Howard Street, and Fifth Street bicycle routes via on-site signage;
- Actively encourage alternative mode choice by actively monitoring above efforts effectiveness, and fostering local deliveries from nearby businesses where appropriate; and
- Participate with other project sponsors in a network of transportation brokerage services.

**CONCLUSION:**

The *Eastern Neighborhoods FEIR* incorporated and adequately addressed all potential impacts of the proposed project at 923 Folsom Street. As described above, the 923 Folsom Street project would not have any additional or significant adverse effects that were not examined in the *Eastern Neighborhoods FEIR*,



nor has any new or additional information come to light that would alter the conclusions of the *Eastern Neighborhoods FEIR*. Thus, the proposed project at 923 Folsom Street would not have any new significant effects on the environment that were not previously identified in the *Eastern Neighborhoods FEIR*, nor would any environmental impacts be substantially greater than described in the FEIR. No mitigation measures previously found infeasible have been determined to be feasible, nor have any new mitigation measures or alternatives been identified but rejected by the project sponsor. Therefore, in addition to being exempt from environmental review under Section 15183 of the CEQA Guidelines, the proposed project is also exempt under Section 21083.3 of the California Public Resources Code.

**DETERMINATION:**

On the basis of this review, it can be determined that:

- The proposed project qualifies for consideration of a Community Plan Exemption based on the applicable General Plan and zoning requirements; **AND**
- All potentially significant individual or cumulative impacts of the proposed project were identified in the applicable programmatic EIR (PEIR) for the Plan Area, and all applicable mitigation measures have been or incorporated into the proposed project or will be required in approval of the project.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above, but that this impact can be reduced to a less-than-significant level in this case because revisions in the project have been made by or agreed to by the project proponent. A focused Initial Study and MITIGATED NEGATIVE DECLARATION is required, analyzing the effects that remain to be addressed.
- The proposed project may have a potentially significant impact not identified in the PEIR for the topic area(s) identified above. An ENVIRONMENTAL IMPACT REPORT is required, analyzing the effects that remain to be addressed.



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

DATE June 20, 2014