



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Community Plan Exemption Checklist

Case No.: **2013.0784E**
Project Title: **2177 Third Street (590 19th Street)**
Zoning/Plan Area: UMU (Urban Mixed Use) Use District
Life Science and Medical Special Use District
68-X Height and Bulk District
Plan Area: Central Waterfront Subarea of the Eastern Neighborhoods Plan Area
Block/Lot: 4045/003 and 003B
Lot Size: 29,438 square feet (0.67 acres)
Project Sponsor: David Silverman, Reuben, Junius & Rose, LLP, Project Sponsor's Representative – (415) 567-9000
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PROJECT DESCRIPTION

Project Location

The project site comprises a portion of the block bounded by 18th Street to the north, Illinois Street to the east, 19th Street to the south, and Third Street to the west, in San Francisco's Dogpatch neighborhood (see page 13 for more existing conditions information). The project site (Assessor's Block 4045, Lots 003 and 003B) is a roughly L-shaped lot, encompassing two contiguous parcels. It has frontages on both Third and 19th Streets. The 29,438-square-foot (sf) project site currently contains two two-story warehouse/office buildings, approximately 24,600 sf of space in total, separated by surface parking areas (containing 12 parking spaces). Of the approximately 24,600 sf of space currently in the two buildings on site, approximately 9,700 sf of space is vacant and approximately 5,300 sf of space is office uses. The remaining approximately 9,600 sf of space is occupied by several businesses, including a wood shop, a picture frame shop, and a photography studio, which are considered to be production, distribution, and repair (PDR) type uses. The project site has one curb cut along Third Street and four curb cuts along 19th Street. The existing on-site structures were constructed in 1987. Project site topography is generally flat.

The project site is within the Urban Mixed Uses (UMU) Zoning District and 68-X Height and Bulk District.

Project Characteristics

The proposed project would demolish the existing structures and parking areas on the site and construct an approximately 135,600-square-foot mixed-use residential development consisting of two seven-story, 68-foot-tall buildings (with a 16-foot-tall mechanical penthouse) above a two-level basement.¹ The building fronting Third and 19th Streets would be approximately 93,100 square feet in size, while the building in the interior of the lot would be approximately 35,700 square feet in size. The seven-story buildings would be constructed above a two-story subterranean garage that would cover the entire

¹ The proposed buildings would extend 84 feet to the top of the mechanical penthouse.

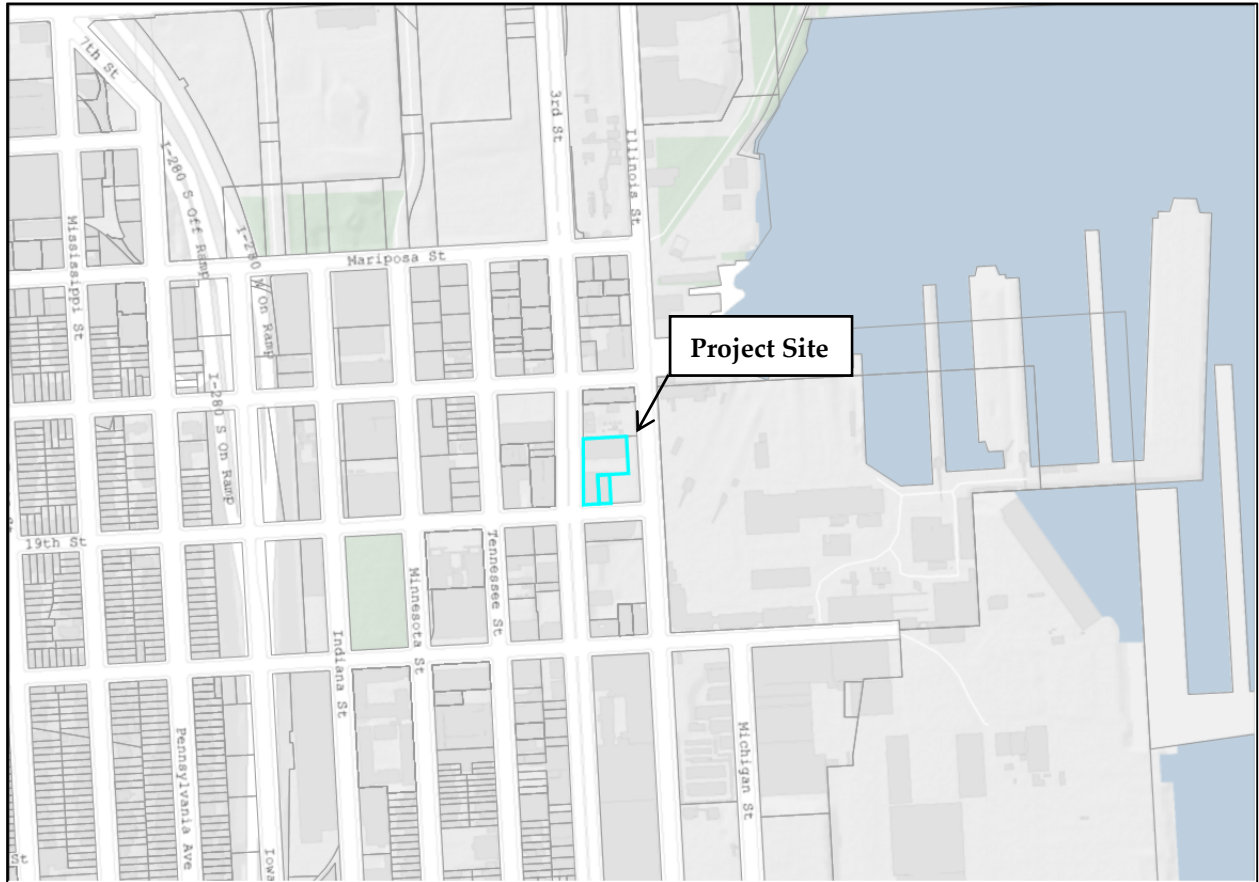


FIGURE 1. PROJECT LOCATION MAP

Figure not to scale

Source: San Francisco Planning Department

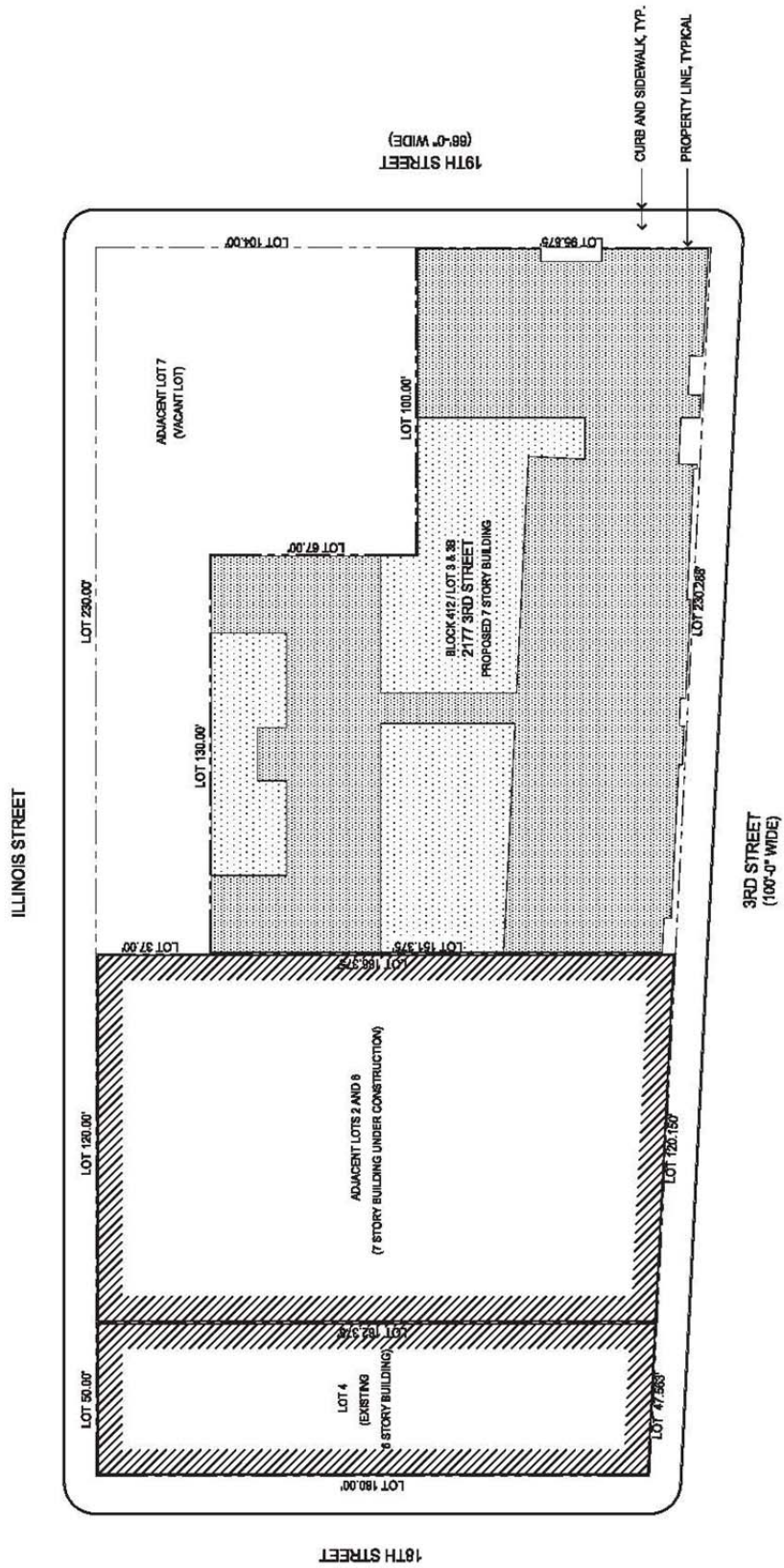


FIGURE 2 PROPOSED SITE PLAN

Figure not to scale

Source: Gary Gee Architects, Inc.

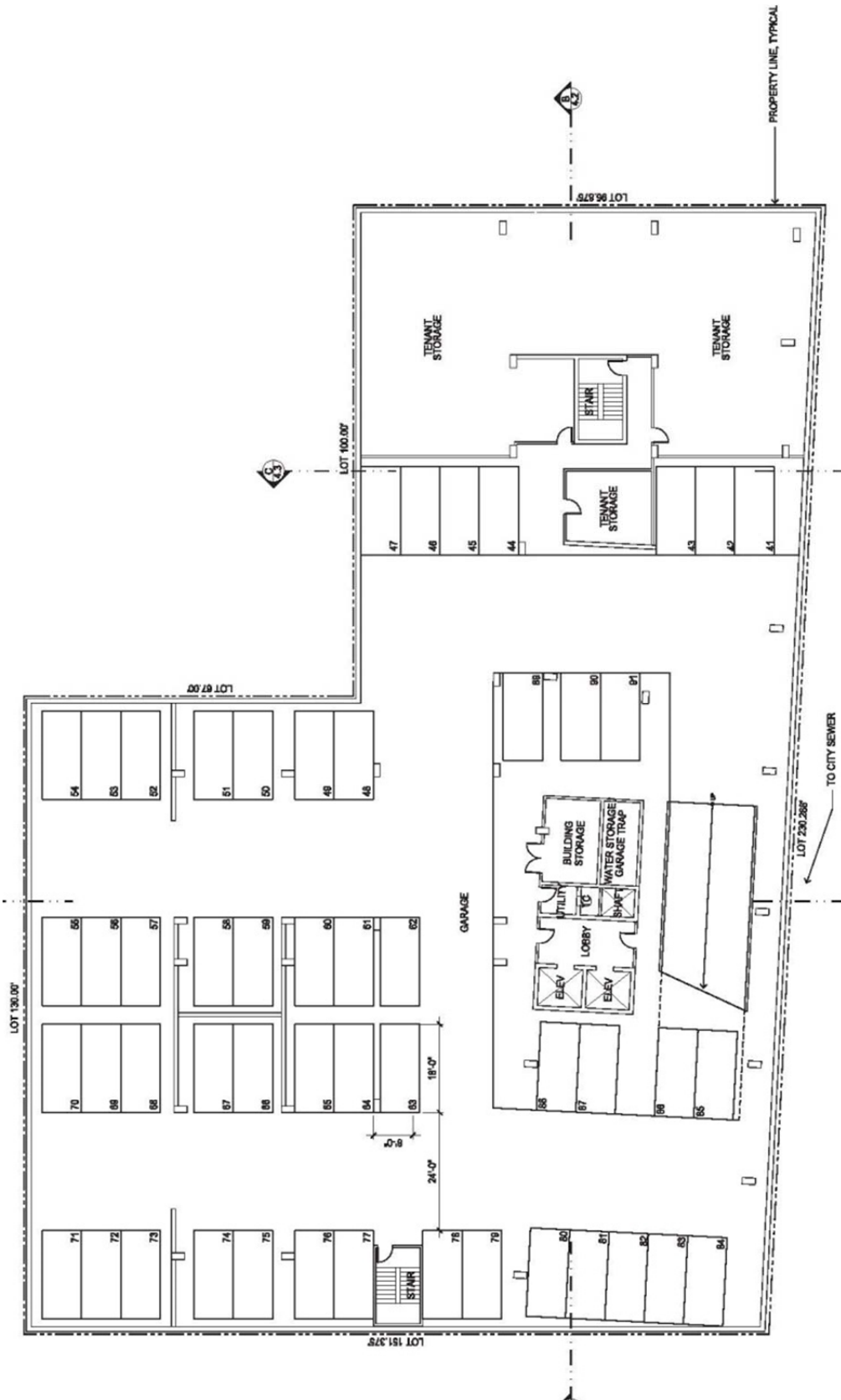


FIGURE 3 PROPOSED LOWER BASEMENT PLAN

Figure not to scale

Source: Gary Gee Architects, Inc.

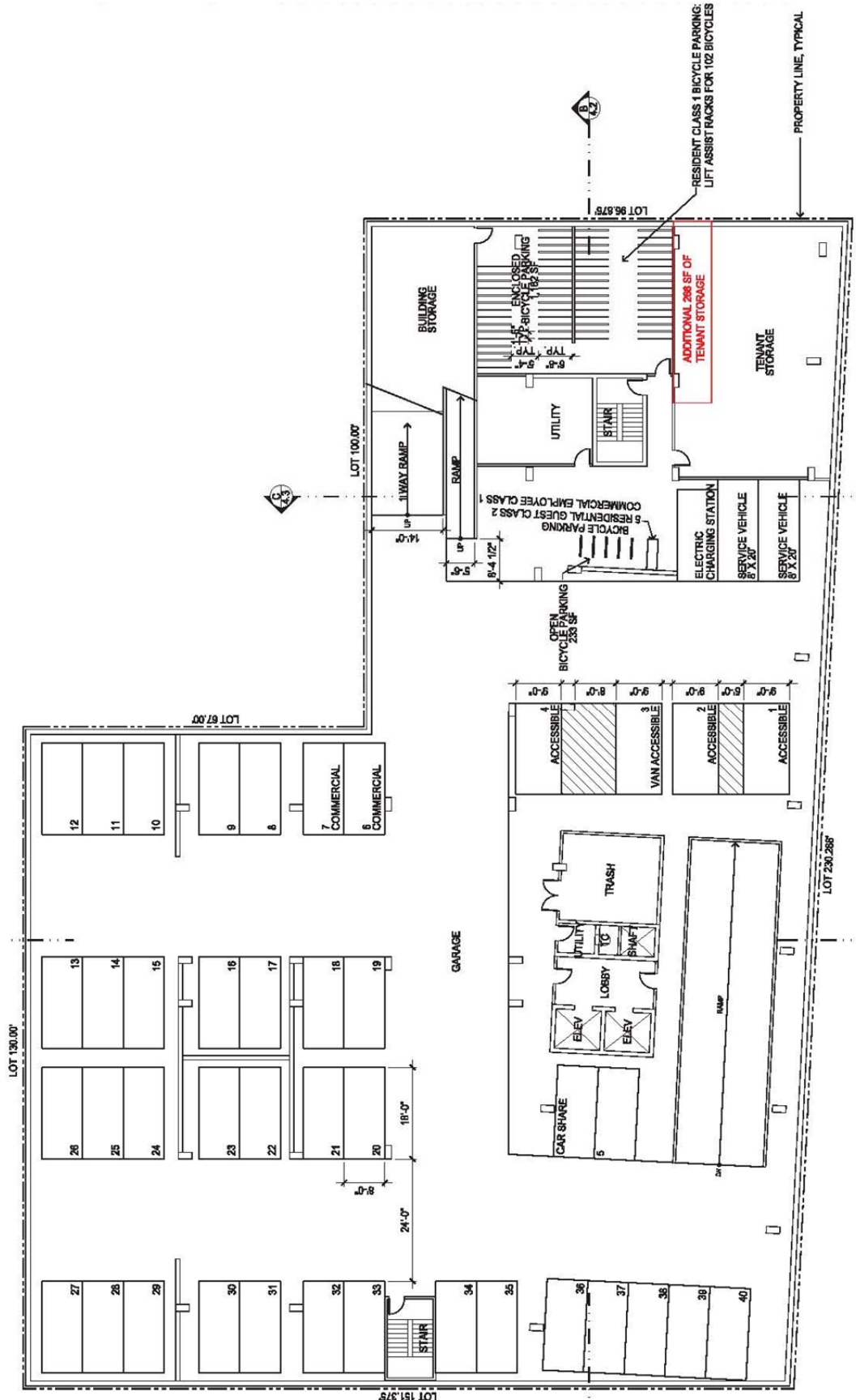


FIGURE 4 PROPOSED UPPER BASEMENT PLAN

Figure not to scale

Source: Gary Gee Architects, Inc.

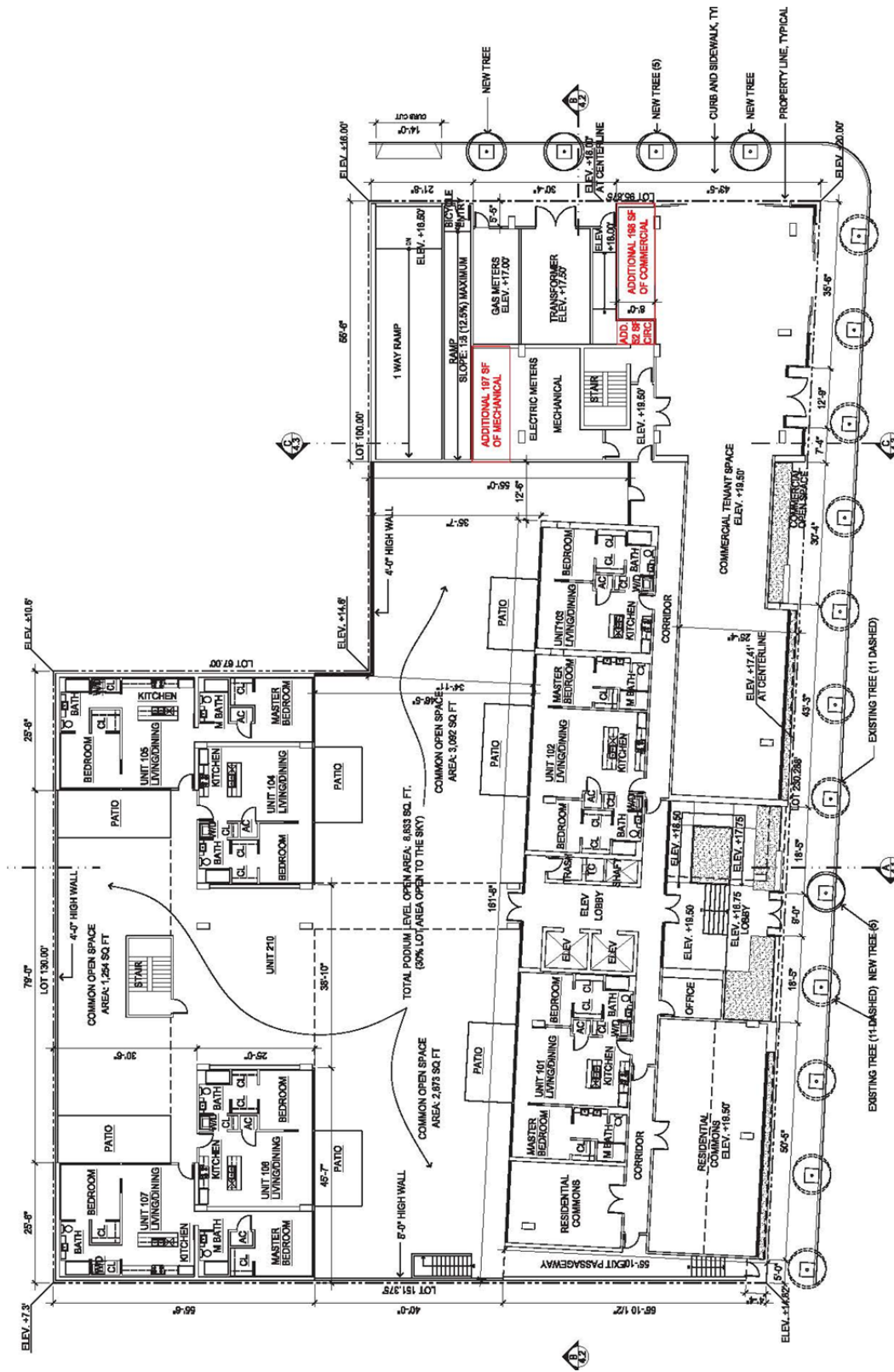


FIGURE 5 PROPOSED GROUND LEVEL PLAN

Figure not to scale
Source: Gary Gee Architects, Inc.

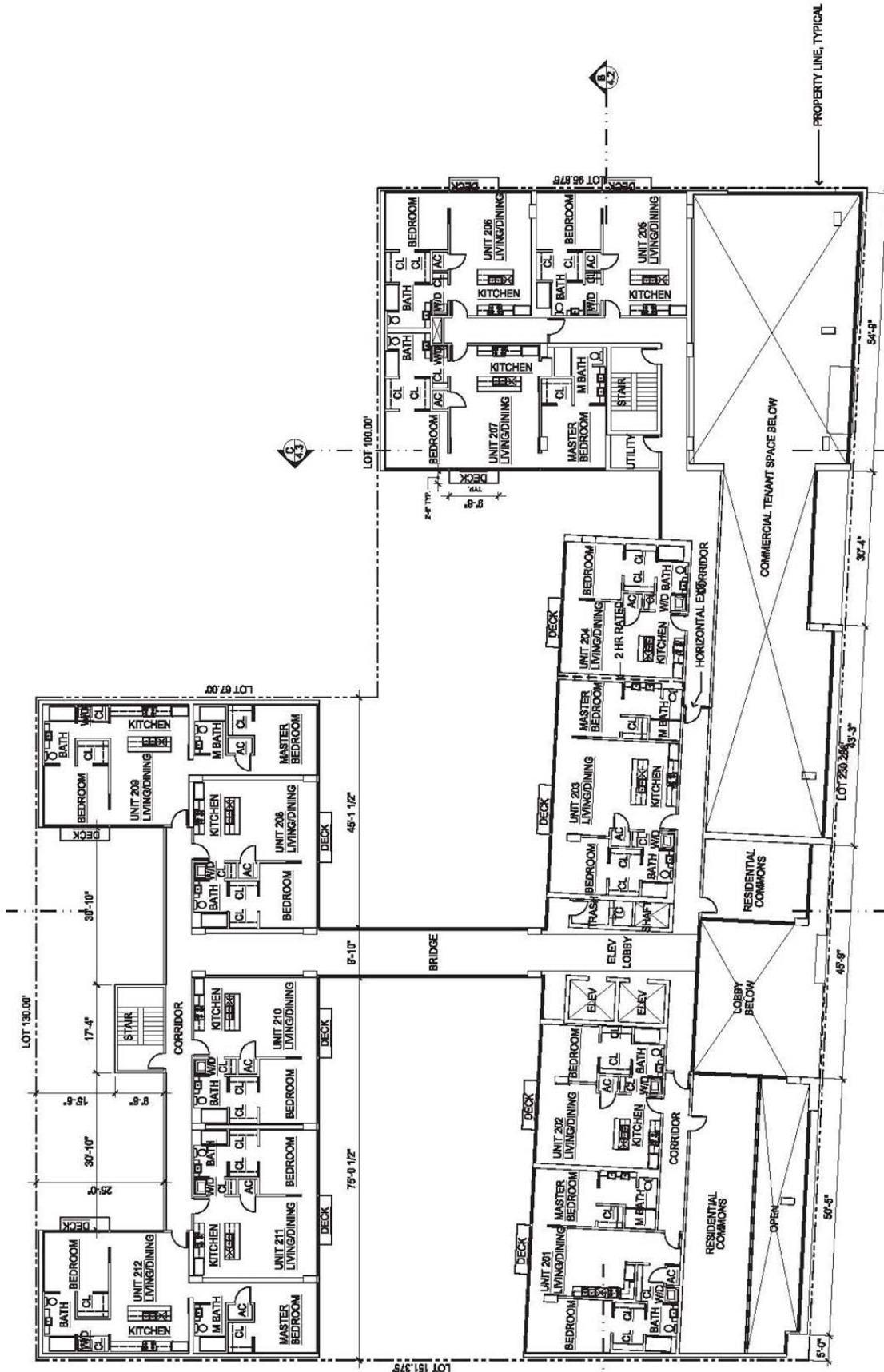


FIGURE 6 PROPOSED SECOND LEVEL PLAN

Figure not to scale
Source: Gary Gee Architects, Inc.

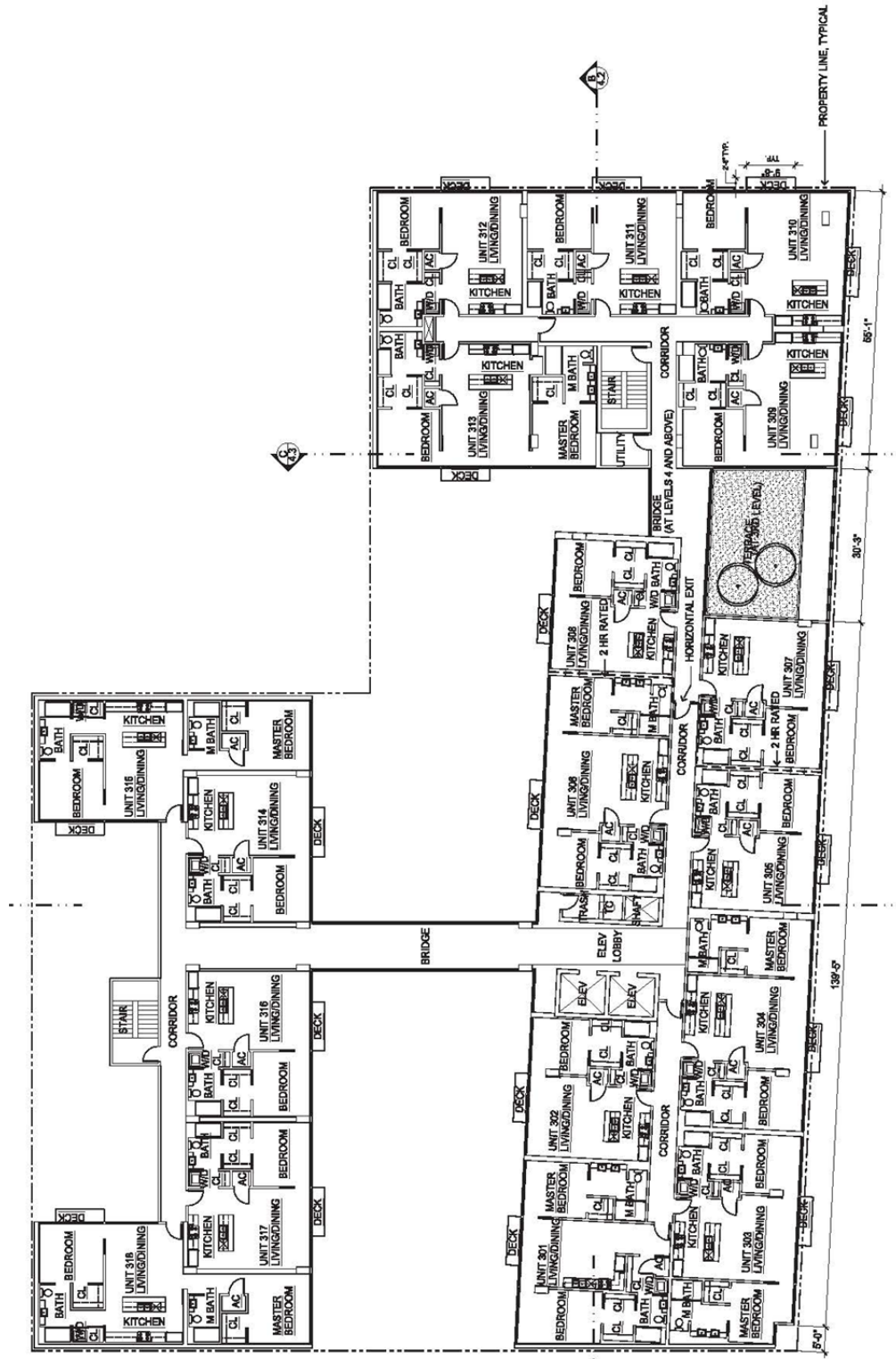


FIGURE 7 PROPOSED TYPICAL RESIDENTIAL LEVEL PLAN

Figure not to scale
Source: Gary Gee Architects, Inc.

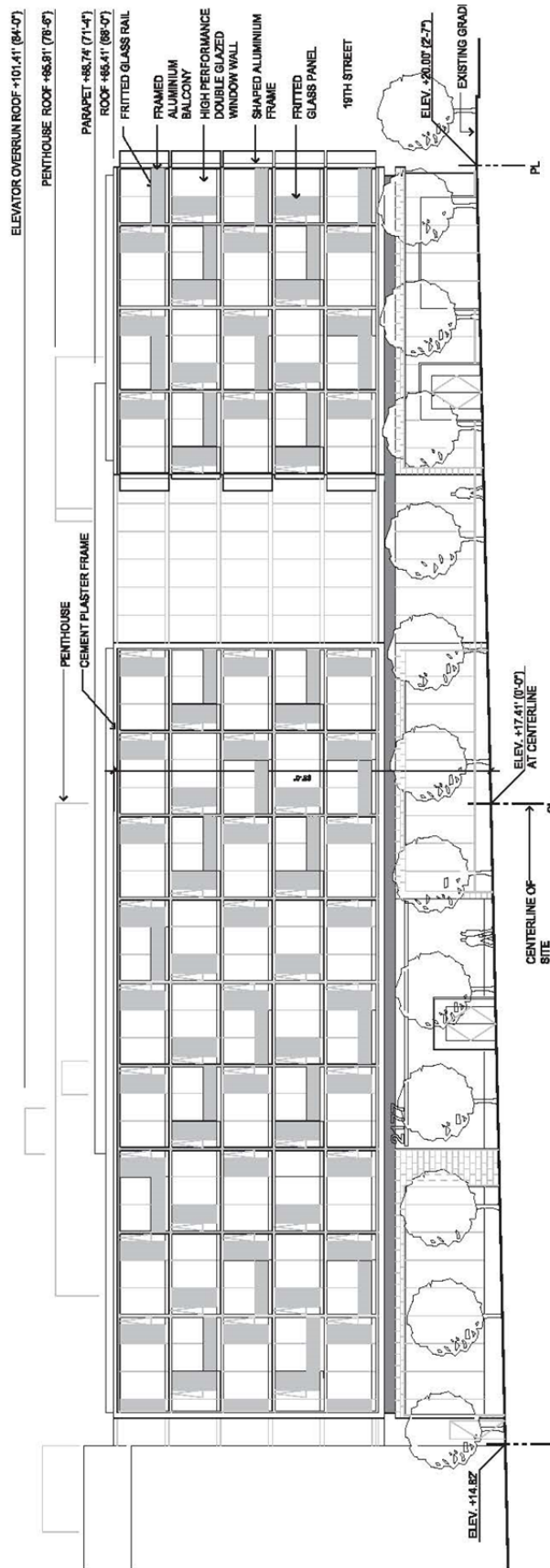


FIGURE 9 PROPOSED WEST ELEVATION

Figure not to scale

Source: Gary Gee Architects, Inc.

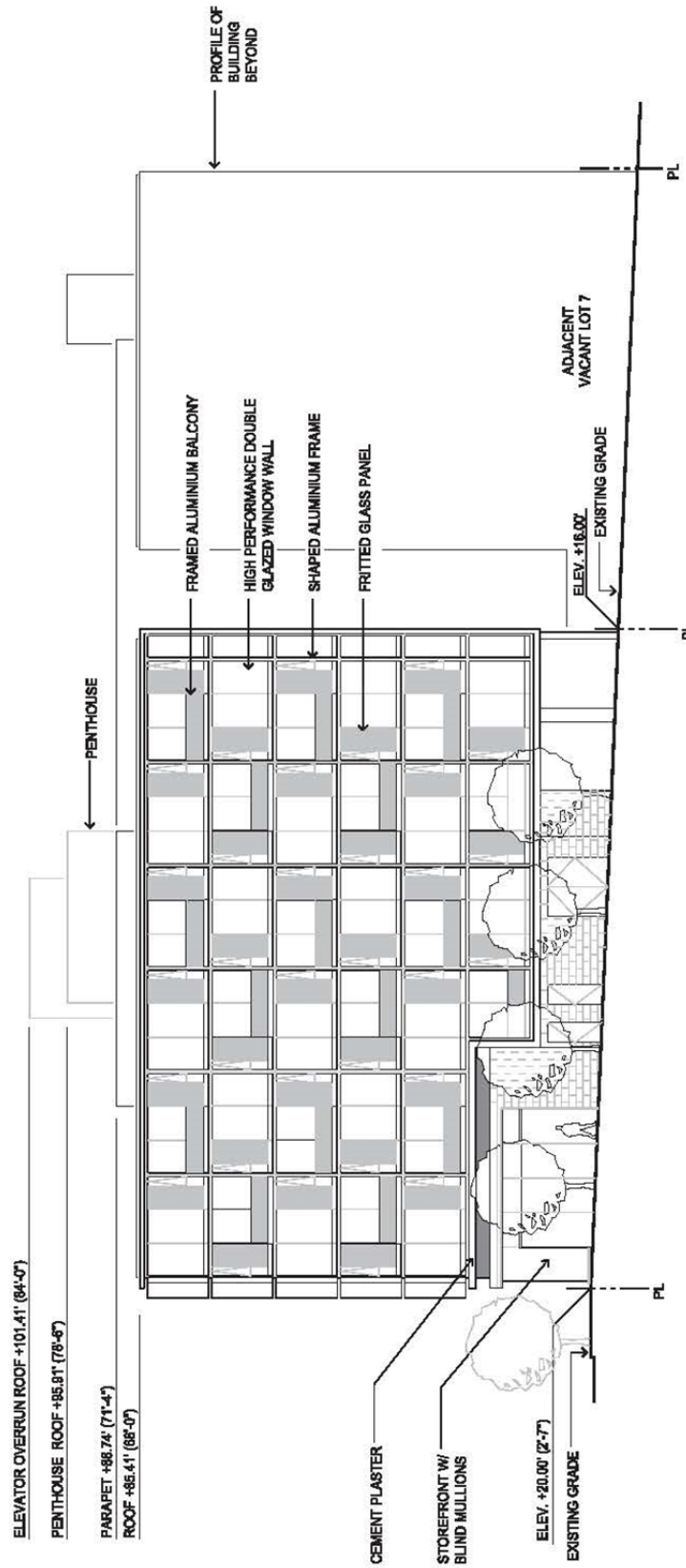


FIGURE 10 PROPOSED SOUTH ELEVATION

Figure not to scale

Source: Gary Gee Architects, Inc.

project site (see Figures 3 and 4, on pages 4 and 5, respectively). The building massing would generally be built to the maximum allowable building envelope, but would include some articulation along the two facades. In total, the proposed project would contain a total of 109 dwelling units (96,600 sf), approximately 3,300 sf of commercial space and 91 parking spaces (37,200 sf). The commercial retail space would be located on the ground level, on the corner of 19th and Third Streets. The two buildings on site would share a subterranean, approximately 37,200-sf, two-level garage, which would accommodate 91 parking spaces (89 spaces for residents and 2 spaces for commercial retail uses) and 112 secured bicycle spaces (102 for residents, 1 for a commercial retail employee, and 9 for guest/visitor bicycles). The two on-site buildings would be connected via pedestrian bridges at each level (Levels Two through Seven), including the roof (see Figures 6 and 7, on pages 7 and 8, respectively).

The project sponsor proposes to provide approximately 7,000 sf of common open space on the podium level (Ground Level, within three separate yard areas), plus approximately 2,500 sf of common open space on the roof deck. These open spaces would be accessible only to building residents. An additional 3,600 sf of private open space would be provided for residents in the form of private balconies and patios.

Pedestrian access to the two buildings would be via a pedestrian entrance along Third Street, through a lobby, and directly from Third Street to the commercial retail space. Vehicle access to the below-grade parking garage would be via an ingress/egress ramp along 19th Street.

Eleven street trees currently exist along the Third Street frontage of the project site. As part of the proposed project, a total of five additional street trees would be planted – one along the Third Street frontage and four along the 19th Street frontage.

Project Construction

Construction phases would consist of removal of existing structures, site excavation, foundations, superstructure construction, exterior wall construction and glazing, and building interior and finishes. Project construction is anticipated to begin in 2016 and last approximately 20 months. Clearing of the site would be completed in approximately two weeks to one month. Approximately 24,000 cubic yards of soil on-site would be slated for excavation and removal. The depth of excavation would range between approximately 21 feet below ground surface (bgs) at the western edge of the property to approximately 13 feet bgs at the eastern edge of the property. Grading and excavation work is estimated to last three months. Based on the preliminary geotechnical analysis conducted for the proposed project (as discussed in Section 13, Geology and Soils), the proposed structure be supported on a drilled pier or driven pile foundation.² However, a subsequent memorandum that was prepared by the geotechnical engineer clarified that the foundation system would likely consist of drilled, case-in-place, reinforced concrete piers.³ Based on this memorandum, pile driving would not be required to accommodate the proposed project and the foundation system would likely consist of drilled, cast-in-place, reinforced concrete piers (approximately 40 feet in length). Hence, while soil removal would extend to a maximum depth of approximately 21 feet bgs, maximum site disturbance (via drilling) would be to a depth of approximately 40 feet bgs. The building superstructure would be constructed over an eight-month period, with

2 H. Allen Gruen, *Geotechnical Investigation, Planned Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

3 H. Allen Gruen, *Geotechnical Consultation, Anticipated Foundations, Proposed Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

application of architectural coatings to the building interior and exterior to take an additional six months. The anticipated date of occupancy is in 2017.

Project Approvals

The proposed 2177 Third Street project would require the following approvals:

Actions by the Planning Commission

- Approval of a Large Project Authorization per Planning Code Section 329. As part of the Large Project Authorization, the project sponsor would seek a modification to the requirements for rear yard (Planning Code Section 134), obstructions over streets and alleys and in required setbacks, yards and usable open space (Planning Code Section 136), dwelling unit exposure (Planning Code Section 140) and special bulk limitations and horizontal mass reductions. Approval of the Section 329 application by the Planning Commission would constitute the Approval Action date. 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 other City Departments

- Approval of demolition, grading, and site 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 two-lot merger (*Department of Public Works*)

PROJECT SETTING

As noted above, the project site is located on a block bound by 18th Street to the north, Illinois Street to the east, 19th Street to the south and Third Street to the west, in San Francisco's Potrero Hill neighborhood. Three of the four streets that border the project site (18th, 19th and Illinois Streets) are two-lane streets, with one travel lane in each direction and parking lanes on each side. Third Street is a four-lane streets, with two travel lanes in each direction, and the Muni light rail tracks that span the middle of the right-of-way. In terms of topography, the project site is generally flat, with a slight decline toward the City's eastern waterfront, which is about a block east of the project site.

To the north, the project site is bordered by 2121 Third Street, a seven-story mixed-use building (105 residential condominiums) that is currently under construction (this structure has frontages along Third and Illinois Street), beyond which is an existing six-story residential building. To the east of the project site is a vacant lot, currently used for parking. To the west, across Third Street, are mid-rise residential over ground-floor retail uses. To the south, across 19th Street, are low- to mid-rise industrial and residential uses. Other uses in the project vicinity (within an approximately one block radius) are residential, commercial, and light industrial. Buildings in the project vicinity generally range from one to six stories in height and these buildings are a combination of early Twentieth Century and more contemporary architectural styles. Most structures are built to the property line. The elevated I-280 freeway runs in a north-south direction approximately four blocks to the west of the project site.

The project block, as well as blocks immediately to the north, south, and west, are zoned Urban Mixed Use (UMU) and contain a variety of uses, including residential, retail, PDR, and office. Blocks to the east

of the project block are zoned Heavy Industrial (M-2), reflecting the maritime uses along the City's eastern waterfront. Several Public (P) zoned districts also exist in the project vicinity – these districts contain public parks and other public uses, such as Port-owned land. Two blocks to the north is the Mission Bay Redevelopment Area (currently under the jurisdiction of the Office of Community Investment and Infrastructure). The recently constructed UCSF's Benioff Children's Hospital is about two blocks north of the project site, on the corner of Third and Mariposa Streets. The project site is located within the Third Street Industrial Historic District.

EVALUATION OF ENVIRONMENTAL EFFECTS

This Community Plan Exemption (CPE) Checklist evaluates whether the environmental impacts of the proposed project are addressed in the Programmatic Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans (Eastern Neighborhoods PEIR).⁴ The CPE Checklist indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PEIR; or (3) are previously identified significant effects, which as a result of substantial new information that was not known at the time that the Eastern Neighborhoods PEIR was certified, are determined to have a more severe adverse impact than discussed in the PEIR. Such impacts, if any, will be evaluated in a project-specific Mitigated Negative Declaration or Environmental Impact Report. If no such impacts are identified, the proposed project is exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

Mitigation measures identified in the PEIR are discussed under each topic area, and measures that are applicable to the proposed project are provided under the Mitigation Measures Section at the end of this checklist.

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

The proposed project would demolish the two on-site two-story warehouse/office buildings (approximately 24,600 sf) and construct an approximately 135,600-sf mixed-use residential development consisting of two seven-story, 68-foot-tall (84 feet to the top of the mechanical penthouse) buildings above a two-level basement. The new buildings would contain a total of 109 dwelling units (96,600 sf), approximately 3,300 sf of commercial space, 91 parking spaces (37,200 sf) and 112 secured bicycle spaces (1,400 sf), in addition to common open space. As discussed below in this checklist, the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the Eastern Neighborhoods PEIR.

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

CHANGES IN THE REGULATORY ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, several new policies, regulations, statutes, and funding measures have been adopted, passed, or are underway that affect the physical environment and/or environmental review methodology for projects in the Eastern Neighborhoods plan areas. As discussed in each topic area referenced below, these policies, regulations, statutes, and funding measures have or will implement mitigation measures or further reduce less-than-significant impacts identified in the PEIR. These include:

- State statute regulating Aesthetics and Parking Impacts for Transit Priority Infill, effective January 2014 (see associated heading below);
- San Francisco Bicycle Plan update adoption in June 2009, Better Streets Plan adoption in 2010, Transit Effectiveness Project (aka “Muni Forward”) adoption in March 2014, Vision Zero adoption by various City agencies in 2014, Proposition A and B passage in November 2014, and the Transportation Sustainability Program process (see Checklist section “Transportation”);
- San Francisco ordinance establishing Noise Regulations Related to Residential Uses Near Places of Entertainment effective June 2015 (see Checklist section “Noise”);
- San Francisco ordinances establishing Construction Dust Control, effective July 2008, and Enhanced Ventilation Required for Urban Infill Sensitive Use Developments, effective December 2014 (see Checklist section “Air Quality”);
- San Francisco Clean and Safe Parks Bond passage in November 2012 and San Francisco Recreation and Open Space Element of the General Plan adoption in April 2014 (see Checklist section “Recreation”);
- Urban Water Management Plan adoption in 2011 and Sewer System Improvement Program process (see Checklist section “Utilities and Service Systems”); and
- Article 22A of the Health Code amendments effective August 2013 (see Checklist section “Hazardous Materials”).

CHANGES IN THE PHYSICAL ENVIRONMENT

Since the certification of the Eastern Neighborhoods PEIR in 2008, as evidenced by the volume of development applications submitted to the Planning Department since 2012, the pace of development activity has increased in the Eastern Neighborhoods plan areas. The Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in a substantial amount of growth within the Eastern Neighborhoods Plan area, resulting in an increase of approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) through throughout the lifetime of the Plan (year 2025).⁵ The growth projected in the Eastern

⁵ Tables 12 through 16 of the Eastern Neighborhoods Draft EIR and Table C&R-2 in the Comments and Responses show projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning, not projected growth totals from a baseline of the year 2000. Estimates of projected growth were based on parcels that were to be rezoned and did not include parcels that were recently developed (i.e., parcels with projects completed between 2000 and March 2006) or have proposed projects in the pipeline (i.e., projects under construction, projects approved or entitled by the Planning Department, or projects under review by the Planning Department or Department of Building Inspection). Development pipeline figures for each Plan Area were presented separately in Tables 5, 7, 9, and 11 in the Draft EIR. Environmental impact assessments for these pipeline projects were considered separately from the Eastern Neighborhoods rezoning effort.

Neighborhoods PEIR was based on a soft site analysis (i.e., assumptions regarding the potential for a site to be developed through the year 2025) and not based upon the created capacity of the rezoning options (i.e., the total potential for development that would be created indefinitely).⁶

As of July 31, 2015, projects containing 8,559 dwelling units and 2,231,595 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review⁷ within the Eastern Neighborhoods Plan area. These estimates include projects that have completed environmental review (4,885 dwelling units and 1,472,688 square feet of non-residential space) and foreseeable projects, including the proposed project (3,674 dwelling units and 758,907 square feet of non-residential space). Foreseeable projects are those projects for which environmental evaluation applications have been submitted to the San Francisco Planning Department. Of the 4,885 dwelling units that have completed environmental review, building permits have been issued for 3,710 dwelling units, or approximately 76 percent of those units (information is not available regarding building permit non-residential square footage). An issued building permit means the buildings containing those dwelling units are currently under construction or open for occupancy.

Within the Central Waterfront subarea, the Eastern Neighborhoods PEIR projected that implementation of the Eastern Neighborhoods Plan could result in an increase of 830 to 3,600 net dwelling units and 60,000 to 90,000 square feet of net non-residential space (excluding PDR gain) through the year 2025. As of July 31, 2015, projects containing 1,273 dwelling units and 66,514 square feet of non-residential space (excluding PDR loss) have completed or are proposed to complete environmental review within the list Central Waterfront subarea. These estimates include projects that have completed environmental review (1,053 dwelling units and 62,636 square feet of non-residential space) and foreseeable projects, including the proposed project (220 dwelling units and 3,878 square feet of non-residential space). Of the 1,053 dwelling units that have completed environmental review, building permits have been issued for 684 dwelling units, or approximately 65 percent of those units.

Growth that has occurred within the Plan area since adoption of the Eastern Neighborhoods PEIR has been planned for and the effects of that growth were anticipated and considered in the Eastern Neighborhoods PEIR. Although the reasonably foreseeable growth in the residential land use category is approaching the projections within the Eastern Neighborhoods PEIR, the non-residential reasonably foreseeable growth is between approximately 34 and 69 percent of the non-residential projections in the Eastern Neighborhoods PEIR. The Eastern Neighborhoods PEIR utilized the growth projections to analyze the physical environmental impacts associated with that growth for the following environmental impact topics: Land Use; Population, Housing, Business Activity, and Employment; Transportation; Noise; Air Quality; Parks, Recreation, and Open Space; Utilities/Public Services; and Water. The analysis took into account the overall growth in the Eastern Neighborhoods and did not necessarily analyze in isolation the impacts of growth in one land use category, although each land use category may have differing severities of effects. Therefore, given the growth from the reasonably foreseeable projects have not exceeded the overall growth that was projected in the Eastern Neighborhoods PEIR, information that

⁶ San Francisco Planning Department, Community Planning in the Eastern Neighborhoods, Rezoning Options Workbook, Draft, February 2003. This document is available at: <http://www.sf-planning.org/index.aspx?page=1678#background>.

⁷ For this and the Population and Housing section, environmental review is defined as projects that have or are relying on the growth projections and analysis in the Eastern Neighborhoods PEIR for environmental review (i.e., Community Plan Exemptions or Focused Mitigated Negative Declarations and Focused Environmental Impact Reports with an attached Community Plan Exemption Checklist).

was not known at the time of the PEIR has not resulted in new significant environmental impacts or substantially more severe adverse impacts than discussed in the PEIR.

AESTHETICS AND PARKING IMPACTS FOR TRANSIT PRIORITY INFILL DEVELOPMENT

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

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

The proposed project meets each of the above three criteria and thus, this checklist does not consider aesthetics or parking in determining the significance of project impacts under CEQA.⁸ Project elevations are included in the project description, and an assessment of parking demand is included in the Transportation section for informational purposes.

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

The Eastern Neighborhoods PEIR determined that adoption of the Area Plans would result in an unavoidable significant impact on land use due to the cumulative loss of PDR. The proposed project would remove approximately 9,600 square feet of an existing PDR use and therefore would contribute to an impact related to loss of PDR uses that was identified in the Eastern Neighborhoods PEIR.⁹ However,

⁸ San Francisco Planning Department. Transit-Oriented Infill Project Eligibility Checklist for 2177 Third Street, April 8, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2013.0784E.

⁹ Per project sponsor, of the approximately 24,600 sf that comprise the existing buildings, approximately 9,700 sf are vacant and approximately 5,300 sf contain office uses. The remainder of the buildings contain several businesses, including a wood shop, a

the loss of 9,600 square feet of existing PDR use would not be substantial in light of the existing PDR supply, and would not contribute considerably to this significant unavoidable impact. Moreover, the site does not appear to be part of a larger PDR cluster and existing non-PDR uses (residential) are the predominant land use in the project vicinity. The implementation of the proposed project on the site would also preclude future PDR uses from becoming established there. This also would not be considered substantial in light of other parcels throughout the Eastern Neighborhoods plan area that would continue to be able to accommodate PDR uses. Therefore, the proposed project would not result in a cumulatively considerable contribution to the significant and unavoidable cumulative land use impact related to the loss of PDR use identified in the Eastern Neighborhoods

The Eastern Neighborhoods PEIR determined that implementation of the Area Plans would not create any new physical barriers in the Easter Neighborhoods because the rezoning and Area Plans do not provide for any new major roadways, such as freeways that would disrupt or divide the project area or individual neighborhoods or subareas.

The Citywide Planning and Current Planning Divisions of the Planning Department have determined that the proposed project is permitted in the UMU District in which the project site is located.^{10,11} Moreover, the project would be consistent with bulk, density, and land uses as envisioned in the Central Waterfront Area Plan. The project falls within the “Northern Portion of Central Waterfront” generalized zoning district, meant to encourage housing and mixed uses, with some bioscience and medical related uses permitted. As a residential mixed-use residential development with commercial uses, the proposed project is consistent with this designation.

Because the proposed project is consistent with the development density established in the Eastern Neighborhoods Rezoning and area Plans, implementation of the proposed project would not result in significant impacts that were not identified in the Eastern Neighborhoods PEIR related to land use and land use planning, and no mitigation measures are necessary.

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

picture frame shop, and a photography studio, is assumed to contain PDR uses. Existing PDR uses, therefore, make up approximately 9,600 sf.

10 Adam Varat, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, 2177 Third Street, May 27, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

11 Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, 2177 Third Street, July 29, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

Topics:	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

One of the objectives of the Eastern Neighborhoods Area Plans is to identify appropriate locations for housing in the City’s industrially zoned land to meet the citywide demand for additional housing. The PEIR concluded that an increase in population in the Plan Areas 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 PEIR determined that the anticipated increase in population and density would not result in significant adverse physical effects on the environment. No mitigation measures were identified in the PEIR. The proposed residential unit mix would be 65 one-bedroom units and 44 two-bedroom units.

The proposed project would replace existing warehouse/office uses on the site with residential and commercial uses. This has the potential to introduce a residential population of approximately 246 people and a daytime worker population of approximately 9 employees to the project site. The proposed commercial retail component of the proposed project is not anticipated to create a substantial demand for increased housing as this proposed retail use would not be sufficient in size and scale to generate such demand. Moreover, the proposed project would not displace any housing, as none currently exists on the project site. Any increase in population facilitated by the project would be within the scope of the Eastern Neighborhoods PEIR analysis and would not be considered substantial. Moreover, since no housing exists on the project site, no housing or people would be displaced by the project. For the above reasons, the proposed project would not result in peculiar impacts that were not identified in the Eastern Neighborhoods PEIR related to population and housing.

As stated in the “Changes in the Physical Environment” section above, 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 PEIR.

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

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

Historic Architectural Resources

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

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

The project site at 2177 Third Street is improved with two industrial buildings. Although within the Central Waterfront Survey¹² area, the two buildings on the project site were not surveyed in 2001 because they were constructed in 1987. In 2007, the project site remained un-surveyed as part of a reevaluation to comply with a revision to the status codes made by the California Office of Historic Preservation. Therefore, the ineligibility of the project site classifies it as "Category C" (no historic resource present - not age eligible) for the purposes of CEQA review. The project site is located within the boundaries of an identified eligible Central Waterfront Third Street Industrial District. However, the subject buildings do not qualify as contributors to the district because of their modern day construction, and having no

¹² The findings of the Survey were endorsed by the Planning Commission on June 13, 2002 by Motion No. 16431.

historical association with the district. Since the completion of the Central Waterfront Survey, the area surrounding the project site has undergone some redevelopment; however, the identified eligible Third Street Industrial Historic District still retains enough integrity to convey its historic significance.

As discussed in the Eastern Neighborhoods PEIR, "[Central Waterfront] rezoning proposals will expand residential-permitting zoning along Minnesota, Tennessee, Third and Illinois streets between Mariposa and 25th streets, as well as along Highway 280 between Mariposa and 20th streets." The vast majority of this land was zoned Heavy Industrial (M-2), and the adoption of the Eastern Neighborhoods resulted in the zoning reclassification of the project site from M-2 to UMU. Height limit increases for the area were also approved along Third and Illinois streets and in the southern portion of the Central Waterfront Plan area, between 22nd and 25th streets. The height limit for the project site was increased from 50 to 65 feet.

An analysis of this rezoning to potentially impact known and potential resources was completed by the PEIR, which determined that height changes would affect properties generally along Third Street, as well as the blocks east of Iowa and south of 23rd streets. Other areas indicated that could be affected by rezoning due to changes in permitted or intensification of land uses are generally in the area between Mariposa, Indiana, Illinois and 22nd streets, as well as on Pier 70. Figure 36 on page 472 and Table 59 on page 474 of the Eastern Neighborhoods PEIR identified known and potential historic resources in the Central Waterfront as having the potential to be impacted as a result of the rezoning. The project site at 2177 Third Street was not identified as one of those properties.

The immediate building context in the project vicinity has a mixed visual character and variety of building heights. Within the immediate surroundings there are no other identified contributing resources to the historic district, and the only other property (2121 Third Street/720-740 Illinois Street) on the east side of the subject block that was built during the district's period of significance and contributed to its historic context was demolished in 2012 and replaced with a six-story, mixed-use residential project.¹³

The proposed development possesses massing, form, design, and materials that is compatible and generally appropriate given the surrounding context, and would appear not to result in a significant adverse impact to off-site historic resources. Additionally, the project's physical and visual separation from other contributing resources within the immediate area and the entire eligible district would not visually compete with the distinctive characteristics of those resources and would not diminish the capacity to convey the sense of an industrial neighborhood. Therefore, the proposed project would not be of a sufficient degree to disqualify the Third Street Industrial Historic District from consideration for listing as a National or California Register eligible historic district.

Since the existing buildings on the project site were determined ineligible for individual listing in the National Register, California Register, or local listing, the proposed demolition of a non-contributor to the Third Street Industrial Historic District would not result in any new significant or peculiar historical resource impacts. Therefore, the proposed project would not contribute to the significant historic resource impact identified in the Eastern Neighborhoods PEIR, and no historic resource mitigation measures would apply to the proposed project.

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

¹³ The Exemption from Environmental Review for the 2121 Third Street/740 Illinois project was issued on February 3, 2011 under Case No. 2010.0094E.

Archeological Resources

The Eastern Neighborhoods PEIR determined that implementation of the Area Plan could result in significant impacts on archeological resources and identified three mitigation measures that would reduce these potential impacts to a less than significant level. Eastern Neighborhoods PEIR Mitigation Measure J-1, Properties With Previous Studies, 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, Properties With No Previous Studies, 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, Mission Dolores Archeological District, which applies to properties in the Mission Dolores Archeological District, requires that a specific archeological testing program be conducted by a qualified archeological consultant with expertise in California prehistoric and urban historical archeology.

The proposed project would require excavation between approximately 21 feet below ground surface (bgs) at the western edge of the property to approximately 13 feet bgs at the eastern edge of the property to accommodate the proposed basement-level garage. As discussed in Section 13, Geology and Soils, based on the preliminary geotechnical analysis conducted for the proposed project, the proposed structure can be supported on a drilled pier or driven pile foundation.¹⁴ However, a subsequent memorandum that was prepared by the geotechnical engineer clarified that the foundation system would likely consist of drilled, case-in-place, reinforced concrete piers.¹⁵ Based on this memorandum, pile driving would not be required to accommodate the proposed project and the foundation system would likely consist of drilled, cast-in-place, reinforced concrete piers (approximately 40 feet in length). Hence, while soil removal would extend to a maximum depth of approximately 21 feet bgs, maximum site disturbance (via drilling) would be to a depth of approximately 40 feet bgs.

According to the Preliminary Archeological Review (PAR) that was prepared for the proposed project by Planning Department staff, the project site was within the San Francisco bay north of Potrero Point, just east of the historic shoreline, which, by 1860s, started to get filled.¹⁶ It is unlikely that any prehistoric sites exist within the western portion of the site as it appears that historic fill sits atop bedrock. However, prehistoric sites may exist in the eastern portion of the site beneath the historic fill and may be impacted by the drilled piers. It is possible that archeological features associated with mid to late 19th century ship building/repair operations could be present within the project site fill matrix, particularly in the western portion of the project site. Additionally, features associated with possible late 19th century domestic occupation of the project site might also be present with the fill matrix. Given that no archeological assessments have been prepared for the project site, Eastern Neighborhoods PEIR Mitigation Measure J-2 applies to the proposed project. As part of implementation of this mitigation measure, the PAR concludes

14 H. Allen Gruen, Geotechnical Investigation, Planned Development at 2177 3rd Street, San Francisco, California, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

15 H. Allen Gruen, *Geotechnical Consultation, Anticipated Foundations, Proposed Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

16 Allison Vanderslice, San Francisco Planning Department, *Environmental Planning Preliminary Archeological Review: Checklist, 2177 3rd Street*, April 10, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

that Planning Department’s standard Archeological Testing Mitigation Measure should be applied to the proposed project, which would reduce the potential effect of the project on archeological resources to a less-than-significant level. This mitigation measure is provided in full on page 53 of this checklist as Project Mitigation Measure 1.

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

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

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

However, the Eastern Neighborhoods PEIR 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 and the cumulative impacts on 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, the Community Plan Exemption Checklist topic 4c is not applicable.

Trip Generation

The proposed project would demolish two two-story warehouse/office buildings (approximately 24,600 sf) and construct an approximately 135,600-sf mixed-use project consisting of two seven-story, 68-foot buildings. The two new buildings on-site would contain a total of 109 dwelling units, approximately 3,300 gsf of commercial retail space, 91 parking spaces and 112 secured bicycle spaces, in addition to common open space.

A Transportation Impact Study was prepared for the proposed project.¹⁷ As part of this study, trip generation of the proposed project was calculated using information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review* (SF Guidelines) developed by the San Francisco Planning Department. The proposed project would generate an estimated 2,814 person trips (inbound and outbound) on a weekday daily basis, consisting of 1,587 person trips by auto, 639 transit trips, 337 walk trips and 251 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 145 vehicle trips (accounting for vehicle occupancy data for the project site's Census Tract).

Traffic

Mitigation Measures E-1 through E-4 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant traffic impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. Since certification of the PEIR, SFMTA has been engaged in public outreach regarding some of the parking-related measures identified in Mitigation Measures E-2 and E-4: Intelligent Traffic Management, although they have not been implemented. Measures that have been implemented include traffic signal installation at Rhode Island/16th streets as identified in Mitigation Measure E-1 and enhanced funding as identified in Mitigation Measure E-3 through San Francisco propositions A and B passed in November 2014. Proposition A authorized the City to borrow \$500 million through issuing general obligation bonds in order to meet some of the transportation infrastructure needs of the City. These funds are allocated for constructing transit-only lanes and separated bikeways, installing new boarding islands and escalators at Muni/BART stops, installing sidewalk curb bulb-outs, raised crosswalks, median islands, and bicycle parking and upgrading Muni maintenance facilities, among various other improvements. Proposition B, which also passed in November 2014, amends the City Charter to increase the amount the City provided to the SFMTA based on the City's population, with such funds to be used to improve Muni service and street safety. Some of this funding may be applied to transportation projects within the Eastern Neighborhoods Plan area.

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 intersections near the project site

17 Environmental Science Associates, *2177 Third Street Residential Project Transportation Impact Study*, May 2015. These calculations are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

(within approximately 800 feet) include Third Street/16th Street, Third Street/Mariposa Street, Third Street/18th Street, Third Street/19th Street, Third Street/20th Street, Illinois Street/18th Street, and Illinois Street/19th Street. Table 1 provides existing and cumulative LOS data gathered for these intersections, per the Transportation Impact Study.¹⁸

Table 1: Existing and Cumulative LOS for Nearby Intersections

<u>Intersection</u>	<u>Existing LOS (2008)</u>	<u>Cumulative LOS (2030)</u>
Third Street/16 th Street	D	D
Third Street/Mariposa Street	C	C
Third Street/18 th Street	B	B
Third Street/19 th Street	A	A
Third Street/20 th Street	C	C
Illinois Street/18 th Street	B	B
Illinois Street/19 th Street	B	B

Sources: Environmental Science Associates, Transportation Impact Study for 2177 Third Street, May 2015.

The proposed project would generate an estimated 145 new p.m. peak hour vehicle trips that could travel through surrounding intersections. This amount of new p.m. peak hour vehicle trips would not substantially increase traffic volumes at these or other nearby intersections, 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.

The proposed project would not contribute considerably to LOS delay conditions because its contribution of an estimated 145 new p.m. peak-hour vehicle trips would not be a substantial proportion of the overall traffic volume or the new vehicle trips anticipated to be generated by Eastern Neighborhoods' Plan projects. The proposed project would also not contribute considerably to 2025 cumulative conditions and thus, the proposed project would not have any significant cumulative traffic impacts.

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

Transit

Mitigation Measures E-5 through E-11 in the Eastern Neighborhoods PEIR were adopted as part of the Plan with uncertain feasibility to address significant transit impacts. These measures are not applicable to the proposed project, as they are plan-level mitigations to be implemented by City and County agencies. In compliance with a portion of Mitigation Measure E-5: Enhanced Transit Funding, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding transit and complete streets. In addition, the City is currently conducting outreach regarding Mitigation Measures E-5: Enhanced Transit Funding and Mitigation Measure E-11: Transportation Demand Management as part of the Transportation Sustainability Program.¹⁹ In compliance with all or portions of Mitigation Measure E-6: Transit Corridor Improvements, Mitigation Measure E-7: Transit Accessibility, Mitigation Measure E-9:

¹⁸ Transportation Impact Study documents are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of their respective case file numbers.

¹⁹ <http://tsp.sfplanning.org>

Rider Improvements, and Mitigation Measure E-10: Transit Enhancement, the SFMTA is implementing the Transit Effectiveness Project (TEP), which was approved by the SFMTA Board of Directors in March 2014. The TEP (now called Muni Forward) includes system-wide review, evaluation, and recommendations to improve service and increase transportation efficiency. Examples of transit priority and pedestrian safety improvements within the Eastern Neighborhoods Plan area as part of Muni Forward include the 14 Mission Rapid Transit Project, the 22 Fillmore Extension along 16th Street to Mission Bay (expected construction between 2017 and 2020), and the Travel Time Reduction Project on Route 9 San Bruno (initiation in 2015). In addition, Muni Forward includes service improvements to various routes with the Eastern Neighborhoods Plan area; for instance the implemented new Route 55 on 16th Street.

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

The project site is located within a quarter mile of several local transit lines including Muni lines 22-Fillmore, 48-Quintara-24th Street, and T Third Street light rail line. The proposed project would be expected to generate 639 daily transit trips, including 97 during the p.m. peak hour. Given the wide availability of nearby transit, the addition of 97 p.m. peak hour transit trips would be accommodated by existing capacity. As such, the proposed project would not result in unacceptable levels of transit service or cause a substantial increase in delays or operating costs such that significant adverse impacts in transit service could result.

Each of the rezoning options in the Eastern Neighborhoods PEIR identified significant and unavoidable cumulative impacts relating to increases in transit ridership on Muni lines, with the Preferred Project having significant impacts on seven lines. Of those lines, the project site is located within a quarter-mile of Muni lines 22-Fillmore, 48-Quintara-24th Street, and T Third Street light rail line.

The proposed project would not contribute considerably to these conditions because its minor contribution of 97 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 PEIR related to transit and would not contribute considerably to cumulative transit impacts that were identified in the Eastern Neighborhoods PEIR.

Pedestrian

Pedestrian trips generated by the proposed project would include walking trips to and from uses (restaurant/retail uses) proximate to the project site, plus walking trips to and from the local and regional transit operators, and to and from nearby parking facilities. Overall, the proposed project would add about 181 pedestrian trips (97 trips to/from transit and 84 walk/other trips) to the surrounding streets during the weekday p.m. peak hour. Pedestrians would enter and exit the proposed project via Third Street, with separate access for the lobby for the residential units and for the commercial space. The project-generated pedestrian trips would be dispersed throughout the study area, depending upon the origin/destination of each trip. The new pedestrian trips generated by the proposed project would be accommodated on nearby sidewalks and would not substantially affect pedestrian operations along the adjacent sidewalks and crosswalks, which currently experience low to moderate pedestrian traffic and have available capacity to accommodate the additional project-generated pedestrian trips.

Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to create potentially hazardous conditions for pedestrian or otherwise substantially interfere with pedestrian accessibility to the site and adjoining areas. The proposed project would include one newly-constructed driveway on 19th Street for the garage access (10-foot-wide curb cut).²⁰ However, currently there are multiple driveways on the project site's 19th Street frontage, with curb cuts totaling 52 feet in width, which the proposed project would eliminate (replaced by the proposed 10-foot-wide driveway cited above). In addition, there is an existing driveway on Third Street (20-foot-wide curb cut) that would be eliminated by the project.

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

Bicycle

The proposed project would include 112 bicycle parking spaces (102 Class 1 spaces for residents, 5 Class 2 spaces (bicycle racks) for guests of residents, 1 Class 1 space for an employee of the commercial space, and 4 Class 2 spaces for guests/customers of the commercial space, with all but 4 of the spaces located within the upper basement level of the parking garage; the 4 bicycle racks for the commercial space would be provided on the 19th Street sidewalk. Access to the bicycle parking spaces would be via a dedicated bicycle entrance on 19th Street (through a door adjacent to the garage vehicle access door). The proposed project would meet and exceed the Planning Code requirements for bicycle parking spaces.

There are several bicycle routes nearby to the project site, including along Illinois Street and Mariposa Street. With the current bicycle and traffic volumes on area streets, bicycle travel generally occurs without major impedances or safety problems. Although the proposed project would result in an increase in the number of vehicles in the vicinity of the project site, this increase would not be substantial enough to create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle

²⁰ Although Figure 5, Proposed Ground Level Plan, illustrates a 14-foot-wide curb cut, the Transportation Impact Study (TIS) analyzed a 10-foot-wide curb cut, and this width is referenced in this section of the CPE Checklist. The final design of the curb cut would fall within the range of 10 to 14 feet. Per discussions with Planning Department's Transportation staff, the exact width of the curb cut is immaterial with respect to transportation-related impacts, provided it falls within those parameters.

accessibility to the site and adjoining areas. For the above reasons, the proposed project would not result in significant bicycle impacts that were not identified in the Eastern Neighborhoods PEIR.

Loading

The proposed project would include two loading spaces within the upper basement level of the parking garage. Each loading space would have a width of 8 feet and a depth of 20 feet, and the garage would have a minimum vertical clearance of 8 feet-2 inches. This would meet the Planning Code requirements for loading spaces.

The proposed project would generate a demand for one loading space during both the average and peak hour of loading activities. The loading demand would be accommodated on-site within the two loading spaces discussed above. Given the predominantly residential character of the project, loading and service activity is expected to primarily consist of resident move-ins and move-outs (using vehicles of various sizes depending on the situation), and of deliveries to the commercial space and residents (likely by panel trucks and UPS/FedEx-type vehicles). Vehicles performing move in/move out activities would be able to use the on-site service vehicle loading spaces (scheduled and coordinated through building management) or would be able to obtain temporary parking permits for loading and unloading operations on Third Street or 19th Street. Because only service vehicle loading spaces would be provided within the garage, with a vertical clearance of 8 feet-2 inches, it is unlikely that trucks would access the parking garage. Access to the garage by service vehicles (via the newly-constructed 10-foot-wide access driveway to the 22-foot-wide ramp) would be similar to vehicular access, and would be unconstrained.

A trash room would be located within the parking garage, and would be the primary recycling/trash area for the proposed project. For pickup, trash containers would be transported by building staff from the trash room to the curb via the garage driveway to 19th Street, and would be returned following pick-up. The project sponsor would coordinate with Recology about specific logistics for recycling/trash collection.

The proposed project would provide on-site loading spaces, and the loading demand could be accommodated within that space. Therefore, the proposed project's loading would not create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians. For the above reasons, the proposed project would not result in significant loading impacts that were not identified in the Eastern Neighborhoods PEIR.

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 can access the project site similar to existing conditions, from Third Street immediately adjacent to the site and from 19th Street. For the above reasons, the proposed project would not result in significant impacts with respect to emergency vehicle access that were not identified in the Eastern Neighborhoods PEIR.

Although the proposed project would have less-than-significant traffic impacts, the transportation study identified three improvement measures that could be implemented to lessen the effects of project-related vehicular traffic in the project vicinity. The recommended improvement measures are described below in the Improvement Measures section, on page 57 of this checklist.

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.²¹ The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, the following parking demand analysis is provided for informational purposes only.

The parking demand for the new residential and retail uses associated with the proposed project was determined based on the methodology presented in the Transportation Guidelines. On an average weekday, the project would create peak long-term parking demand for about 144 parking spaces, and short-term parking demand for about 41 equivalent daily spaces, for a total parking demand of about 185 daily spaces. The midday total parking demand would be about 157 spaces. The proposed project would provide 91 off-street spaces in a two-level (below-grade) private parking garage, of which 89 spaces would be for residential uses (four spaces of which would ADA-compliance accessible spaces), and two spaces would be for the commercial use. In addition, the project would provide one car-share stall and one electric charging station in the below-grade garage. Thus, as proposed, the project would have an unmet parking demand of an estimated 94 spaces during the peak-demand evening/night hours, and of 66 spaces during the midday hours. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Further, the project site is located in an Urban Mixed Use (UMU) zoning district where, under Section 843.08 of the Planning Code, the proposed project would not be required to provide any off-street parking spaces. It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 144 long-term spaces and about 41 short-term spaces, for a total demand of about 185 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

21 San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist for 590 19th Street/2177 Third Street*, April 8, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

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.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City’s “Transit First” policy and numerous San Francisco General Plan Polices, including those in the Transportation Element. The City’s Transit First Policy, established in the City’s Charter Article 8A, Section 8A.115, provides that “parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation.”

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
5. NOISE—Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<u>Significant Impact Peculiar to Project or Project Site</u>	<u>Significant Impact not Identified in PEIR</u>	<u>Significant Impact due to Substantial New Information</u>	<u>No Significant Impact not Previously Identified in PEIR</u>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR determined that implementation of the Eastern Neighborhoods Area Plans and Rezoning would result in significant noise impacts during construction activities and due to conflicts between noise-sensitive uses in proximity to noisy uses such as PDR, retail, entertainment, cultural/institutional/educational uses, and office uses. The Eastern Neighborhoods PEIR also determined that incremental increases in traffic-related noise attributable to implementation of the Eastern Neighborhoods Area Plans and Rezoning would be less than significant. The Eastern Neighborhoods PEIR therefore identified six noise mitigation measures that would reduce noise impacts from construction and noisy land uses to less-than-significant levels.

Eastern Neighborhoods PEIR Mitigation Measures F-1 and F-2, both titled Construction Noise, relate to construction noise. Mitigation 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). As discussed in Section 13, Geology and Soils, of this checklist, the geotechnical investigation recommended the proposed structure be supported on a drilled pier or driven pile foundation.²² However, a subsequent memorandum that was prepared by the geotechnical engineer clarified that the foundation system would likely consist of drilled, case-in-place, reinforced concrete piers (approximately 40 feet in length).²³ Based on this memorandum, pile driving would not be required to accommodate the proposed project and thus, Mitigation Measures F-1 and F-2 from the Eastern Neighborhoods PEIR do not apply to the proposed project.

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). Construction noise is regulated by the Noise Ordinance. The Noise Ordinance

22 H. Allen Gruen, Geotechnical Investigation, Planned Development at 2177 3rd Street, San Francisco, California, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

23 H. Allen Gruen, *Geotechnical Consultation, Anticipated Foundations, Proposed Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

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

DBI is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 a.m. to 5:00 p.m.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. Nonetheless, during the 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 businesses near the project site. 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, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the Noise Ordinance, which would reduce construction noise impacts to a less than significant level.

Eastern Neighborhoods PEIR Mitigation Measures F-3, Interior Noise Levels, and F-4, Siting of Noise-Sensitive Uses, require that a detailed analysis of noise reduction requirements be conducted for new development that includes noise-sensitive uses (e.g., residential uses) located along streets with noise levels above 60 dBA (Ldn). Mitigation Measure F-3 applies to single-family housing projects and would, therefore, not apply to the proposed project, which is multi-family. The proposed project would develop residential uses in an area where noise measurements routinely exceed 65 dB; thus, Mitigation Measure F-4 would apply to the proposed project. This measure is listed in the Mitigation Measures section, on page 56 of this checklist, and would implement Mitigation Measure F-4 from the Eastern Neighborhoods PEIR as Project Mitigation Measure 2.

Consistent with Eastern Neighborhoods PEIR Mitigation Measure F-4, the project sponsor has conducted an environmental noise study demonstrating that the proposed project can feasibly attain acceptable interior noise levels.²⁴ According to the noise study, major noise sources in the project site vicinity include vehicular traffic on Third, 19th, and Illinois Street, noise from light rail vehicles along Third Street, and noise associated with two potential noise-generating facilities – a tire and brake shop and a boiler and welding shop, both of which are located across the Third Street/19th Street intersection from the project site. To quantify the existing noise environment in the vicinity, three long-term and two short-term noise measurements were taken. Long-term noise measurements ranged from 65 and 75 Ldn, while the short-term noise measurements ranged from 64 to 76 Ldn (at the same location).

The noise study indicated that the proposed project would be able to achieve the State's interior noise standard of DNL 45 dB by using exterior windows with Outdoor-Indoor Transmission Class (OITS) and Sound Transmission Class (STC) ratings as follows, depending on the class of exterior glazing:

Class I: minimum OITC 33/STC 42 rating

24 Wilson Ihrig & Associates, *CCR Title 24 Noise Study Report, 2177 3rd Street Mixed-Use Project, San Francisco, California*, January 3, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

- Class II: minimum OITC 31/STC 39 rating
- Class III: minimum OITC 26/STC 32 rating
- Class IV: minimum OITC 24/STC 30 rating

The placement of specific classes of windows along the building's facades is illustrated in Figures A-1 through A-3 of Appendix A to this checklist. The noise study noted that the recommended acoustical designs for glazing and window types, along with specifications for exterior walls, exterior entrances, and supplemental ventilation systems could provide the abatement necessary to achieve an interior noise environmental that would be compliant with Title 24 requirements.

Since certification of the PEIR, San Francisco adopted Noise Regulations Relating to Residential Uses Near Places of Entertainment (Ordinance 70-15, effective June 19, 2015). The intent of the regulations is to address noise conflicts between residential uses and in noise critical areas, such as in proximity to highways, country roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues or industrial areas. Residential structures to be located where the day-night average sound level (Ldn) or community noise equivalent level (CNEL) exceeds 60 decibels shall require an acoustical analysis with the application of a building permit showing that the proposed design will limit exterior noise to the 45 decibels in any habitable room. Furthermore, the regulations require the Planning Department and Planning Commission to consider the compatibility of uses when approving residential uses adjacent to or near existing permitted places of entertainment and take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential development projects take into account the needs and interests of both the places of entertainment and the future residents of the new development. The regulations and procedures set forth by the San Francisco Noise Regulations Relating to Residential Uses Near Places of Entertainment are consistent with the provisions of PEIR Mitigation Measure F-4.

Eastern Neighborhoods PEIR Mitigation Measure F-5, Siting of Noise-Generating Uses, 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 Ldn.²⁵ 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 1,587 daily person trips by auto, with approximately 145 vehicle 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.

Eastern Neighborhoods PEIR Mitigation Measure F-6, Open Space in Noisy Environments, addresses impacts from existing ambient noise levels on open space required under the Planning Code for new development that includes noise sensitive uses (i.e., residences, etc.). The proposed project would provide common open space on the podium level (within three separate areas) and on the roof deck and thus, Mitigation Measure F-6 would apply to the project and was addressed in the noise study. This mitigation

²⁵ 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.

measure is listed in the Mitigation Measures section, on page 56 of this checklist, and the project sponsor would implement Mitigation Measure F-6 from the Eastern Neighborhoods PEIR as Project Mitigation Measure 3. Implementation of Mitigation Measure F-6 would reduce the impact from existing ambient noise levels on the proposed open space to a less-than-significant level. As discussed in the noise study, the noise level in the outdoor podium level open space would be exposed to vehicular traffic along Illinois Street and a portion of 19th Street. As a result, noise exposure in the podium-level common open space is expected to be above 60 Ldn. To comply with Eastern Neighborhoods PEIR Mitigation Measure F-6, a minimum 5-foot high solid barrier, with a surface weight of not less than 4 pounds/sf, would be required to be constructed at the ground level (top of the podium) where the plans currently indicate a 4-foot-high wall (see Figure 5, Proposed Ground Level Plan, on page 6). The noise study notes that the rooftop common open space is sufficiently shielded by the building structure so that the noise exposure at this area would be below 60 Ldn and thus, would not require additional mitigation as impact from existing ambient noise levels on this open space would be less-than-significant.

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 noise impacts that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR identified potentially significant air quality impacts resulting from construction activities and impacts to sensitive land uses²⁶ as a result of exposure to elevated levels of diesel particulate matter (DPM) and other toxic air contaminants (TACs). The Eastern Neighborhoods

²⁶ The Bay Area Air Quality Management District (BAAQMD) considers sensitive receptors as: children, adults or seniors occupying or residing in: 1) residential dwellings, including apartments, houses, condominiums, 2) schools, colleges, and universities, 3) daycares, 4) hospitals, and 5) senior care facilities. BAAQMD, Recommended Methods for Screening and Modeling Local Risks and Hazards, May 2011, page 12.

PEIR identified four mitigation measures that would reduce these air quality impacts to less-than-significant levels and stated that with implementation of identified mitigation measures, the Area Plan would be consistent with the Bay Area 2005 Ozone Strategy, the applicable air quality plan at that time. All other air quality impacts were found to be less than significant.

Eastern Neighborhoods PEIR Mitigation Measure G-1, Construction Air Quality, addresses air quality impacts during construction, PEIR Mitigation Measure G-2, Air Quality for Sensitive Land Uses, addresses the siting of sensitive land uses near sources of TACs and PEIR Mitigation Measures G-3, Siting of Uses that Emit DPM, and G-4, Siting of Uses that Emit Other TACs, address proposed uses that would emit DPM and other TACs.

Construction Dust Control

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

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

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

Criteria Air Pollutants

While the Eastern Neighborhoods PEIR determined that at a program-level the Eastern Neighborhoods Rezoning and Area Plans would not result in significant regional air quality impacts, the PEIR states that “Individual development projects undertaken in the future pursuant to the new zoning and area plans would be subject to a significance determination based on the BAAQMD’s quantitative thresholds for individual projects.”²⁷ The BAAQMD’s *CEQA Air Quality Guidelines* (Air Quality Guidelines) provide screening criteria²⁸ for determining whether a project’s criteria air pollutant emissions would violate an

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

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

air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. Pursuant to the Air Quality Guidelines, projects that meet the screening criteria do not have a significant impact related to criteria air pollutants. For projects that do not meet the screening criteria, a detailed air quality assessment is required to further evaluate whether project-related criteria air pollutant emissions would exceed BAAQMD significance thresholds.

At 109 proposed dwelling units and 3,100 square feet of commercial uses, the proposed project meets the Air Quality Guidelines screening criteria for both construction and operations (494 dwelling units for operational and 240 dwelling units for construction under the category of “Apartment, mid-rise” and 8,000 sf for operational and 277,000 sf for construction under the category of “Fast food restaurant without a drive-thru,” which is one of the most restrictive uses for a small commercial space, such as one being proposed). However, another BAAQMD’s screening criteria is that construction-related activities should not include extensive material transport (e.g., greater than 10,000 cubic yards of soil import/export) requiring a considerable amount of haul truck activity. The proposed project would involve removal of approximately 24,000 cubic yards of soil. Therefore, a quantitative analysis was conducted, as discussed below, under Construction.

Construction

Construction activities from the proposed project would result in the emission of criteria air pollutants from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction of the proposed project would occur over an approximately 20 month. Construction-related criteria air pollutants generated by the proposed project were quantified using the California Emissions Estimator Model (CalEEMod).²⁹ The model was developed, including default data (e.g., emission factors, meteorology, etc.) in collaboration with California air districts’ staff. Default assumptions were used where project-specific information was unknown. Emissions were converted from tons/year to lbs/day using the estimated construction duration of 428 working days. As shown in Table 2, unmitigated project construction emissions would be below the threshold of significance for all criteria air pollutants. Therefore, the emission of criteria air pollutants during the construction phase would not exceed BAAQMD significance thresholds and thus, impacts would be less than significant. Based on this, Eastern Neighborhoods PEIR Mitigation Measure G-1, which requires engines to meet higher emission standards on certain types of construction equipment, would not be necessary for the proposed project.

Table 2: Daily Project Construction Emissions

	Pollutant Emissions (Average Pounds per Day)			
	ROG	NOx	Exhaust PM ₁₀	Exhaust PM _{2.5}
Project Emissions	15.72	21.84	1.21	1.14
Significance Threshold	54.0	54.0	82.0	54.0

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

Source: BAAQMD, 2011; Planning Department

The project site is not located within an identified Air Pollutant Exposure Zone. Therefore, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and the remainder of

²⁹ Planning Department, *Air Quality Technical Memo, 2177 Third Street*, August 12, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No 2013.0784E.

Mitigation Measure G-1 that requires the minimization of construction exhaust emissions is not applicable to the proposed project.

Health Risk

Subsequent to certification of the Eastern Neighborhoods PEIR, San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. The Air Pollutant Exposure Zone as defined in Article 38 are areas that, based on modeling of all known air pollutant sources, exceed health protective standards for cumulative PM_{2.5} concentration, cumulative excess cancer risk, and incorporates health vulnerability factors and proximity to freeways. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project’s activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. The project site is not within the Article 38 area.

Siting Sensitive Land Uses

The proposed project would include development of residential uses and is considered a sensitive land use for purposes of air quality evaluation. As discussed above, the ambient health risk to sensitive receptors from air pollutants is not considered substantial and Article 38 is not applicable to the proposed project. Therefore, PEIR Mitigation Measure G-2 is not applicable to the proposed project, and impacts related to siting of new sensitive land uses would be less than significant.

Siting New Sources

The proposed project would not be expected to generate 100 trucks per day or 40 refrigerated trucks per day. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-3 is not applicable. In addition, the proposed project would not include any sources that would emit DPM or other TACs. Therefore, Eastern Neighborhoods PEIR Mitigation Measure G-4 is not applicable and impacts related to siting new sources of pollutants would be less than significant.

Conclusion

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

<i>Topics:</i>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
7. GREENHOUSE GAS EMISSIONS—Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Eastern Neighborhoods PEIR assessed the GHG emissions that could result from rezoning of the Central Waterfront 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 CO₂E³⁰ per service population,³¹ respectively. The Eastern Neighborhoods PEIR concluded that the resulting GHG emissions from the three options analyzed in the Eastern Neighborhoods Area Plans would be less than significant. No mitigation measures were identified in the PEIR.

The proposed project was determined to be consistent with San Francisco’s GHG Reduction Strategy³², which is comprised of regulations that have proven effective in reducing San Francisco’s overall GHG emissions; GHG emissions have measurably reduced when compared to 1990 emissions levels, demonstrating that the City has met and exceeded Executive Order S-3-05, AB 32, and the Bay Area 2010 Clean Air Plan GHG reduction goals for the year 2020.³³ Other existing regulations, such as those implemented through Assembly Bill (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 PEIR.

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

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

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

32 *Greenhouse Gas Analysis Compliance Checklist, 2177 Third Street*, January 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. 2013.0784E.

33 Executive Order S-3-05, Assembly Bill 32, and the Bay Area 2010 Clean Air Plan set a target of reducing GHG emissions to below 1990 levels by year 2020.

Wind

Based upon experience of the Planning Department in reviewing wind analyses and expert opinion on other projects, it is generally (but not always) the case that projects under 80 feet in height do not have the potential to generate significant wind impacts. Although the proposed 68-foot-tall building would be taller than the immediately adjacent buildings, it would be similar in height to existing buildings in the surrounding area. For the above reasons, the proposed project is not anticipated to cause significant impacts related to wind that were not identified in the Eastern Neighborhoods PEIR.

Shadow

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

The proposed project would construct a 68-foot-tall building; therefore, the Planning Department prepared a preliminary shadow fan analysis a shadow analysis to determine whether the project would have the potential to cast new shadow on nearby parks.³⁴ The shadow fan extrapolated the entire project site to the height of 80 feet to account for any rooftop features that may be constructed that are allowed under the Planning Code. Based on the shadow fan, the project would not result in any new shadow on any public park or open space.

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

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

³⁴ San Francisco Planning Department, *Shadow Fan, 2177 Third Street*, April 9, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

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

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

As part of the Eastern Neighborhoods adoption, the City adopted impact fees for development in Eastern Neighborhoods that goes towards funding recreation and open space. Since certification of the PEIR, the voters of San Francisco passed the 2012 San Francisco Clean and Safe Neighborhood Parks Bond providing the Recreation and Parks Department an additional \$195 million to continue capital projects for the renovation and repair of parks, recreation, and open space assets. This funding is being utilized for improvements and expansion to Garfield Square, South Park, Potrero Hill Recreation Center, Warm Water Cove Park, and Pier 70 Parks Shoreline within the Eastern Neighborhoods Plan area. The impact fees and the 2012 San Francisco Clean and Safe Neighborhood Parks Bond are funding measures similar to that described in PEIR Improvement Measure H-1: Support for Upgrades to Existing Recreation Facilities.

An update of the Recreation and Open Space Element (ROSE) of the General Plan was adopted in April 2014. The amended ROSE provides a 20-year vision for open spaces in the City. It includes information and policies about accessing, acquiring, funding, and managing open spaces in San Francisco. The amended ROSE identifies areas within the Eastern Neighborhoods Plan area for acquisition and the locations where proposed new open spaces and open space connections should be built, consistent with PEIR Improvement Measure H-2: Support for New Open Space. Two of these open spaces, Daggett Park and at 17th and Folsom, are set to open in 2015 and 2016, respectively. In addition, the amended ROSE identifies the role of both the Better Streets Plan (refer to “Transportation” section for description) and the Green Connections Network in open space and recreation. Green Connections are special streets and paths that connect people to parks, open spaces, and the waterfront, while enhancing the ecology of the street environment. Six routes identified within the Green Connections Network cross the Eastern Neighborhoods Plan area: Mission to Peaks (Route 6); Noe Valley to Central Waterfront (Route 8), a portion of which has been conceptually designed; Tenderloin to Potrero (Route 18); Downtown to Mission Bay (Route 19); Folsom, Mission Creek to McLaren (Route 20); and Shoreline (Route 24).

As the proposed project would 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 PEIR.

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

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

Since certification of the PEIR, the San Francisco Public Utilities Commission (SFPUC) adopted the 2010 Urban Water Management Plan (UWMP) in June 2011. The UWMP update includes City-wide demand projections to the year 2035, compares available water supplies to meet demand and presents water demand management measures to reduce long-term water demand. Additionally, the UWMP update includes a discussion of the conservation requirement set forth in Senate Bill 7 passed in November 2009 mandating a statewide 20% reduction in per capita water use by 2020. The UWMP includes a quantification of the SFPUC's water use reduction targets and plan for meeting these objectives. The UWMP projects sufficient water supply in normal years and a supply shortfall during prolonged droughts. Plans are in place to institute varying degrees of water conservation and rationing as needed in response to severe droughts.

In addition, the SFPUC is in the process of implementing the Sewer System Improvement Program, which is a 20-year, multi-billion dollar citywide upgrade to the City’s sewer and stormwater infrastructure to ensure a reliable and seismically safe system. The program includes planned improvements that will serve development in the Eastern Neighborhoods Plan area including at the Southeast Treatment Plant, the Central Bayside System, and green infrastructure projects, such as the Mission and Valencia Green Gateway.

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

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

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

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

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
12. BIOLOGICAL RESOURCES—Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

The project site is located within Central Waterfront Plan Area of the Eastern Neighborhoods Area Plan and therefore, does not support habitat for any candidate, sensitive or special status species. As such, implementation of the proposed project would not result in significant impacts to biological resources not identified in the Eastern Neighborhoods PEIR.

Eleven street trees currently exist along the Third Street frontage of the project site. As part of the proposed project, a total of five additional street trees would be planted – one along the Third Street frontage and four along the 19th Street frontage.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
13. GEOLOGY AND SOILS—Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

A geotechnical investigation was prepared for the proposed project.³⁵ According to the geotechnical investigation, the site is underlain by approximately 15 to 35 feet of heterogeneous fill overlying native deposits. Based on the borings drilled at the project site, bedrock underlies a portion of the site (three of the four recently drilled borings indicate this) at depths ranging from about 15 to 25 feet, although it was not encountered in one of the borings to the maximum depth explored (51.5 feet). Generally, the fill thickness and depth to bedrock increases moving across the site from west to east. Groundwater was

35 H. Allen Gruen, *Geotechnical Investigation, Planned Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

encountered at depths ranging from about 19 to 23 feet below the ground surface. The report noted that primary geological considerations for the project are providing adequate foundation support, supporting temporary slopes and adjacent improvements, and seismic shaking and related effects during earthquakes (the northeast portion of the site lies within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco). The geotechnical investigation recommended the proposed structure be supported on a drilled pier or driven pile foundation and concluded that the site is suitable to support the proposed project, provided that recommendations presented therein are incorporated into the design and construction of the project. Subsequent to the publication of the geotechnical investigation, a follow-up memorandum was prepared by the geotechnical engineer that clarified that the foundation system would likely consist of drilled, case-in-place, reinforced concrete piers.³⁶ The depth, diameter, and spacing of the piers would be dependent on the structure design; however, the memorandum estimated that the piers would have an average length of approximately 40 feet bgs, with about 18 inches in diameter, and be spaced along bearing walls at a distance of about 8 feet.

The project is required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. DBI will review the project-specific geotechnical report during its review of the building permit for the project. In addition, DBI may require additional site specific soils report(s) through the building permit application process, 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, seismic or other geological hazards. It is noted that the northeast corner of the project site lies within a liquefaction potential zone as mapped by the California Division of Mines and Geology for the City and County of San Francisco; hence the site has some risk for liquefaction and consequently, for seismically induced lateral spreading. However, conformity with the San Francisco Building Code, as overseen by DBI, would address this issue and result in a less-than-significant impact related to liquefaction potential.

In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards. Therefore, the proposed project would not result in significant impacts related to geology and soils that were not identified in the Eastern Neighborhoods PEIR, and no mitigation measures are necessary.

<u>Topics:</u>	<i>Significant Impact Peculiar to Project or Project Site</i>	<i>Significant Impact not Identified in PEIR</i>	<i>Significant Impact due to Substantial New Information</i>	<i>No Significant Impact not Previously Identified in PEIR</i>
14. HYDROLOGY AND WATER QUALITY—Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

³⁶ H. Allen Gruen, *Geotechnical Consultation, Anticipated Foundations, Proposed Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

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

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

The project site is fully developed and currently contains two two-story buildings containing warehouse/office uses, separated by parking areas. The site’s topography is generally flat. The proposed project would cover the entire project site; however, given the existing extent of impervious surfaces on the project site, it would not be expected to result in an increase in impervious surfaces on-site. The project would provide approximately 6,000 sf of common open space on the podium level (within three separate areas), plus approximately 2,500 sf of common open space on the roof deck. While some of the proposed open space would not be covered with vegetation (and would be impervious), it is expected that some of the open space would include ornamental vegetation, which would incrementally reduce surface

stormwater runoff from the project site. Overall, it is expected that the proposed project would result in similar or a slight net decrease in impervious surfaces, as compared to the existing on-site conditions. Moreover, the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans. The EN PEIR found that the rezoning and community plans could slightly decrease the volume of stormwater runoff discharged to the combined sewer system since, on the whole, the plans would result in a net increase in pervious surfaces through the addition of open space in individual projects. While any increase in pervious surfaces at the project site would be incremental, the proposed project would nevertheless not be expected to result in any increases in stormwater runoff. Hence, it would result in a less than significant impact related to any increases in stormwater runoff.

Therefore, the proposed project would not result in any significant impacts related to hydrology and water quality that were not identified in the Eastern Neighborhoods PEIR.

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

The Eastern Neighborhoods PEIR noted that implementation of any of the proposed project's rezoning options would encourage construction of new development within the project area. The PEIR found that there is a high potential to encounter hazardous materials during construction activities in many parts of the project area because of the presence of 1906 earthquake fill, previous and current land uses associated with the use of hazardous materials, and known or suspected hazardous materials cleanup cases. However, the PEIR found that existing regulations for facility closure, 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 PEIR determined that future development in the Plan Area may involve demolition or renovation of existing structures containing hazardous building materials. Some building materials commonly used in older buildings could present a public health risk if disturbed during an accident or during demolition or renovation of an existing building. Hazardous building materials addressed in the PEIR include asbestos, electrical equipment such as transformers and fluorescent light ballasts that contain PCBs or di (2 ethylhexyl) phthalate (DEHP), fluorescent lights containing mercury vapors, and lead-based paints. Asbestos and lead based paint may also present a health risk to existing building occupants if they are in a deteriorated condition. If removed during demolition of a building, these materials would also require special disposal procedures. The Eastern Neighborhoods PEIR identified a significant impact associated with hazardous building materials including PCBs, DEHP, and mercury and determined that that Mitigation Measure L-1, Hazardous Building Materials, as outlined below, would reduce effects to a less-than-significant level. Because the proposed development includes demolition of existing on-site buildings, Mitigation Measure L-1 would apply to the proposed project and is listed in the Mitigation Measures section, of page 57 of this checklist, as Project Mitigation Measure 4.

Soil and Groundwater Contamination

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

Project construction would include excavation that would range between approximately 21 feet below ground surface (bgs) at the western edge of the property to approximately 13 feet bgs at the eastern edge of the property. Based on the preliminary geotechnical analysis conducted for the proposed project (as discussed in Section 13, Geology and Soils), the proposed structure be supported on a drilled pier or driven pile foundation.³⁷ However, a subsequent memorandum that was prepared by the geotechnical engineer clarified that the foundation system would likely consist of drilled, case-in-place, reinforced

³⁷ H. Allen Gruen, Geotechnical Investigation, Planned Development at 2177 3rd Street, San Francisco, California, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

concrete piers.³⁸ Based on this memorandum, pile driving would not be required to accommodate the proposed project and the foundation system would likely consist of drilled, cast-in-place, reinforced concrete piers (approximately 40 feet in length). Hence, while soil removal would extend to a maximum depth of approximately 21 feet bgs, maximum site disturbance (via drilling) would be to a depth of approximately 40 feet bgs.

In addition, the project site was previously zoned for industrial uses. Therefore, the proposed 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.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and an Environmental Site Assessment Report (Phase I ESA) has been prepared to assess the potential for site contamination.^{39,40} The finding of the Phase I ESA are discussed below.

According to the Phase I ESA, in 1900, the project site contained a two-story 'tenement' in the northwest quadrant of the parcel and a 'saloon' with two attached residences on the southeast quadrant. In 1914, these structures were replaced with a 2,500 sf 'boat building materials storage' structure at the southwest corner of the parcel. Between 1914 and 1938, the southern half of the site operated as a fuel depot, containing gasoline tanks, an oil storage warehouse, and an 'oil pump house.' The northern half of the property was undeveloped during this time, until the mid-1940's, when a gas station was constructed in this portion of the site, containing underground fuel gasoline and diesel storage tanks. In 1950, the site contained five small warehouse/office buildings and vertical storage tanks on the southern half of the parcel, and a gas station building and one other small office/storage building on the northern half. These structures were removed over the years, and the site was completely cleared by 1986 to accommodate the existing two buildings.⁴¹ The Phase I ESA notes that the area surrounding the project site was dominated by industrial facilities from at least 1900 until 2007, including a ship yard, a fuel depot, service stations, and a scrap metal yard. Around 2007, residential buildings began to be constructed nearby (in the Mission Bay area to the north).

38 H. Allen Gruen, *Geotechnical Consultation, Anticipated Foundations, Proposed Development at 2177 3rd Street, San Francisco, California*, October 6, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

39 RGA Environmental, *Environmental Site Assessment Report, Commercial Building 2177 3rd Street, San Francisco, California (RGA Project Number: MGCI 33337)*, July 25, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

40 *Maher Ordinance Application, 2177 Third Street*. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

41 Three underground diesel tanks, four underground gasoline tanks, and one underground waste oil tank were removed in 1986, initiating a Leaking Underground Storage Tank case under the jurisdiction of the City's Local Oversight Program'. This case was formally closed in June 1996, with a determination that no significant soil or groundwater contamination was present at the tank sites.

Based on the Phase I ESA, the project site is listed in two regulatory databases. There is one listing related to the project site in the Leaking Underground Storage Tank database, which documents removal of eight underground fuel storage tanks from the site under agency supervision (as discussed in footnote 41), and one listing related to the project site in the ENVIROSTOR database, which documents hazardous waste generator information. While the tank removal case is a historical recognized environmental condition for the property, neither the former underground fuel storage tanks on-site nor the presence of the photo processing facility (associated with the hazardous waste generator listing) are considered to be current recognized environmental conditions for the property. The report does note, however, that there is a potential for subsurface petroleum hydrocarbon and metal contamination to be present beneath the parcel due to past industrial uses. While they are not identified as recognized environmental conditions, they nevertheless represent environmental concerns that may entail future liability for cleanup or mitigation.

Since the submittal of the Maher Application to SFDPH, the project sponsor has been in coordination with DPH staff regarding the preparation of a subsurface investigation work plan,⁴² a Site Mitigation Plan,⁴³ and a final project report that will be prepared at the completion of the Site Mitigation Plan.⁴⁴

Given that the proposed project would be required to remediate potential soil and groundwater contamination on site described above, as required by Article 22A of the Health Code, and that the project is currently enrolled in the Maher Program and is undergoing this process, it can be concluded that the implementation of the proposed project would not result in any significant impacts related to hazardous materials that were not identified in the Eastern Neighborhoods PEIR. Hence, any impacts related to subsurface soil and/or groundwater contamination would be less than significant.

Naturally Occurring Asbestos

Based upon mapping conducted by the U.S. Geological Survey (USGS), a small portion of the project site may be underlain by serpentine rock.⁴⁵ The proposed project would involve construction throughout the project site, potentially releasing serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.⁴⁶ To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control

42 Stephanie Cushing, SFDPH, letter to Mr. James Joyce (project sponsor) re: Development, 2177 03rd Street, SMED 1040, April 28, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

43 Stephanie Cushing, SFDPH, letter to Mr. James Joyce (project sponsor) re: Development, 2177 03rd Street, SMED 1040, June 26, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

44 Stephanie Cushing, SFDPH, letter to Mr. James Joyce (project sponsor) re: Development, 2177 03rd Street, SMED 1040, August 29, 2014. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

45 Harold Lewis & Associates Geotechnical Consultants, Foundation Investigation, *Proposed Mixed-Use Development, 1395 22nd Street and 790 Pennsylvania Avenue, San Francisco, California*, July 1, 2013. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784E.

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

Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,⁴⁷ and are enforced by the Bay Area Air Quality Management District (BAAQMD).

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

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

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

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

⁴⁷ California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

As the proposed project is within the development projected under the Eastern Neighborhoods Rezoning and Area Plans, there would be no additional impacts on mineral and energy resources beyond those analyzed in the Eastern Neighborhoods PEIR.

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

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

As the proposed project is 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 PEIR.

MITIGATION MEASURES

The project sponsor has agreed to implement the following mitigation measures, which would reduce the significant impacts of the project to a less-than-significant level. The project sponsor has agreed to implement them.

CULTURAL AND PALEONTOLOGICAL RESOURCES***Project Mitigation Measure 1 – Archeological Testing (Mitigation Measure J-2 of the Eastern Neighborhoods PEIR)***

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 measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site⁴⁸ associated with descendant Native Americans, the Overseas Chinese, or other potentially interested descendant group an appropriate representative⁴⁹ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to offer recommendations to the ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archaeological Resources Report shall be provided to the representative of the descendant group.

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

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

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

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

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

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

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

archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO.

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

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

The scope of the ADRP shall include the following elements:

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

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

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

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

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

NOISE

Project Mitigation Measure 2 – Siting of Noise-Sensitive Uses (Mitigation Measure F-4 of the Eastern Neighborhoods PEIR)

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 3 – Open Space in Noisy Environments (Mitigation Measure F-6 of the Eastern Neighborhoods PEIR)

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.

HAZARDOUS MATERIALS

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

The project sponsor shall ensure that any existing equipment containing PCBs or DEPH, such as fluorescent light ballasts (that may be present within the existing buildings on the project site), 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

The following improvement measures would reduce impacts of the proposed project that have been found to be less than significant. The project sponsor has agreed to implement them.

TRANSPORTATION

Project Improvement Measure 1 - Implement Transportation Demand Management Strategies to Reduce Single-Occupancy Vehicle Trips^{50, 51}

The project sponsor and subsequent property owner should implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single-occupancy vehicle (SOV) trips generated by the proposed project for the lifetime of the project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling and/or other modes.

The project sponsor has agreed to implement the following TDM measures:

Transportation and Trip Planning Information:

- *Move-in packet:* Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car-share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

⁵⁰ Project Improvement Measure 1 – Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips was revised subsequent to the publication of the Transportation Impact Study. Revisions to this improvement measure are reflected in this document and, based on a memorandum prepared by the Planning Department, would not result in substantial changes with respect to any of the transportation impacts discussed herein. This memorandum is referenced in the following footnote.

⁵¹ Christopher Espiritu, San Francisco Planning Department, Memorandum to Tania Sheyner, San Francisco Planning Department, Revisions to Improvement Measure I-TR-1 (Case No. 2014.0784!), July 24, 2015. This document is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2013.0784!.

- *New-hire packet:* Provide a transportation insert in the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car-share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new-hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.
- *Posted and real-time information:* A local map and real-time transit information could be installed on-site in a prominent and visible location, such as within a building lobby. The local map should clearly identify transit, bicycle, and key pedestrian routes, and also depict nearby destinations and commercial corridors. Real-time transit information via NextMuni and/or regional transit data should be displayed on a digital screen.
- *Current transportation resources:* Maintain an available supply of Muni maps, San Francisco Bicycle and Pedestrian maps, schedules, information and updates.

Project Improvement Measure 2 - Queue Abatement Condition of Approval

It shall be the responsibility of the owner/operator of the project parking garage to ensure that recurring vehicle queues do not occur on the public right-of-way (19th Street). A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley, or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking garage shall employ abatement methods as needed to abate the queue. 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; use of valet parking or other space-efficient parking techniques; or travel demand management strategies such as additional bicycle parking.

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

Project Improvement Measure 3 - Construction Management

Traffic Control Plan for Construction: As an improvement measure to reduce potential conflicts between construction activities and pedestrians, transit and autos at the project site, the contractor shall add certain measures to the required traffic control plan for project construction. In addition to the requirements for a construction traffic control/management plan, the project shall include the following measures.

- *Non-peak Construction Traffic Hours:* To minimize the construction-related disruption of the general traffic flow on adjacent streets during the AM and PM peak periods, truck

movements and deliveries should be limited during peak hours (generally 7:00 to 9:00 AM and 4:00 to 6:00 PM, or other times, as determined by SFMTA and its Transportation Advisory Staff Committee [TASC]).

- *Carpool and Transit Access for Construction Workers:* To minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include methods to encourage carpooling and transit access to the project site by construction workers in the Construction Management Plan.
- *Project Construction Updates for Adjacent Businesses and Residents:* To minimize construction impacts on access for nearby institutions and businesses, the Project Sponsor shall provide nearby residences and adjacent businesses with regularly-updated information regarding project construction, including a project construction contact person, construction activities, duration, peak construction activities (e.g., concrete pours), travel lane closures, and lane closures.